

ONE HUNDRED EIGHTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 170

Introduced by Dungan, 26; Cavanaugh, J., 9; Cavanaugh, M., 6; Conrad, 46;
DeBoer, 10; Fredrickson, 20.

PURPOSE: The purpose of this resolution is to propose an interim study to assess and examine whether student journalists and scholastic journalism is supported and promoted in public high schools and postsecondary institutions in Nebraska and free from censorship and inappropriate government interference or intervention.

The First Amendment to the Constitution of the United States is a bedrock for American values. The right of free speech and expression is fundamental to the State of Nebraska and the United States. The United States Supreme Court has held that youth and students are entitled to the right of free speech and expression and the rights of students at high schools and postsecondary institutions has often been the epicenter of modern conversations on the First Amendment.

This right includes the corollary right of the freedom of the press and by extension student reporters and student news media entities. The freedom of the press is critical to a democracy in which the government is accountable to the people. A free media functions as a watchdog that can investigate and report on government wrongdoing. When press freedom is harmed, holding the government accountable when it missteps or overreaches becomes more difficult. It is important that this principle is instilled in the next generation.

There is concern regarding the degree of commitment to the First Amendment rights of students and scholastic journalism in Nebraska public schools. For instance, in August 2022, Northwest Public Schools in Grand Island, Nebraska, shut down its fifty-four-year-old student newspaper and eliminated the journalism program in apparent response to an issue covering LGBTQ topics being published.

The interim study should examine whether the creation of affirmative statutory protections for student journalists and student media advisors in public high schools and postsecondary educational institutions are justified in order to ensure that First Amendment rights are protected.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.