

Chapter 4 – Academic Affairs

AP 4600 Student News Media

References:

California Education Code Section Sections 66301 and 76120; The First Amendment to the U.S. Constitution; Accreditation Standard 2.9

Philosophy

College news media are any news/feature publications issued under the name of the College, funded by the College, and produced by students as an integral part of instruction in Journalism. It may include, but is not limited to, student newspaper reporting, broadcast news journalism, and Internet news journalism. The term “editorial” refers to all content other than advertising.

College news media, as laboratory publications of the Journalism curriculum, shall provide vehicles to train students for careers in mass communication. College news media shall also serve the entire College community by reporting the news, including College events and activities, providing a forum for comment and criticism, and encouraging free expression as guaranteed in the First Amendment to the Constitution of the United States.

College news media are valuable aids in establishing and maintaining an atmosphere of free and responsible discussion. College news media shall exercise editorial freedom in order to maintain their integrity as vehicles for free inquiry and free expression in the College community. At the same time, the editorial freedom of the College news media shall entail corollary responsibilities.

The College newspaper or other news medium is published as a learning experience, offered under ~~Humanities and Social Sciences~~ the Arts Division. The editorial and advertising materials published in each news medium, including any opinions expressed, are the responsibility of the student staff. An editorial board should be formed for the news media involved. Under appropriate state and federal court decisions, these materials are free from prior restraint by virtue of the First Amendment to the United States Constitution. These procedures are adopted so as to encourage a responsible exercise of such freedom.

Journalism Grievance Procedures

~~AP 5530 is the approved grievance procedure students may utilize to formalize their complaint regarding the contents of the news media.~~

~~Definition of a Grievance: A grievance is a complaint that alleges facts which, if true, would demonstrate a violation of the grievant's right to free inquiry, free speech, or fair treatment; contains allegations that appear to be substantially credible; and is not frivolous.~~

Student Media Grievance Procedure

Determining whether content qualifies as libel, obscenity, or other forms of unprotected speech must be based on established legal criteria. Disagreement with or offense taken by the content of student media, in and of itself, does not constitute a violation of rights and is not grounds for disciplinary action or censorship. Content that is perceived as controversial, unpopular, or offensive does not make it unprotected. The SAC Media Advisor and/or Arts Division Dean(s) may consult with the Student Life Office or legal counsel to determine whether the claim has merit. Final decisions about whether content constitutes unprotected speech must comply with all applicable laws protecting student expression and shall be made in consultation with College administration and faculty.

Definition of a Grievance

A grievance is a complaint that:

- Alleges facts which, if true, would demonstrate a violation of the grievant's rights to free inquiry, free speech, or fair treatment;
- Presents claims that are substantially credible and not frivolous or solely based on disagreement with editorial content; and
- Relates to conduct that is not protected under applicable laws and policies (e.g., libel, true threats, harassment, or obscenity).

Informal Grievance Proceedings

Any person who believes that their right to free inquiry, free speech, or fair treatment has been violated by conduct—not content—related to the College's Student News Media may submit a written complaint to the SAC Media Advisor and current publication Editor-in-Chief.

The role of the SAC Media Advisor is to:

- Acknowledge receipt of the grievance;
- Determine whether the complaint falls within the jurisdiction of the grievance process (i.e., not solely a matter of protected editorial content); and
- Direct the grievant to the appropriate campus procedure, if applicable.

The SAC Media Advisor does not evaluate or alter editorial content. They will notify the student editorial board if a concern warrants their attention (e.g., correction, clarification, or discussion) but will not interfere with editorial decisions.

If the grievant is not satisfied with this informal resolution, they should contact the Dean(s) of the Arts Division.

Formal Grievance Proceedings

If the grievant is not satisfied with the outcome of the informal process, they may request a formal grievance proceeding under the College's Administrative Procedures or processes. The appropriate process will depend on the nature of the grievance:

- If the grievance involves a student complaint about a faculty member, the student shall follow the Faculty Association (FA) Contract process using the Student Complaint Form (Appendix J, FA Contract) or the Student Grievance Procedures outlined in AP 5530 – Student Rights and Grievances.
- If the grievance involves an employee complaint about another employee, the matter shall be referred to Human Resources under AP 3050 – Institutional Code of Ethics and/or AP 3410 – Prohibition of Unlawful Discrimination.
- If the grievance involves a student complaint about another student, a report shall be filed with Campus Safety and referred to the Student Life Office per AP 5520 – Student Discipline Procedures.
- If the grievance involves an employee complaint about a student, a Student Misconduct Report should be filed with the Student Life Office under AP 5520 – Student Discipline Procedures.

Allegations of Unprotected Speech

If a grievance alleges that content produced by student media constitutes unprotected speech, then the grievance will be reviewed through the informal and formal procedures outlined in this policy to determine whether the content meets the legal threshold for unprotected expression.

Examples of unprotected speech includes:

- Libel or defamation (false statements of fact that harm a person's reputation)
- Obscenity (as defined by law)
- True threats, harassment, or incitement to imminent lawless action

Editorial Independence and Legal Protections

Nothing in this policy shall be construed to limit or infringe upon the editorial independence of student journalists, who are protected under:

- California Education Code § 66301 and § 76120
- The First Amendment to the U.S. Constitution

Student editors are solely responsible for the content of student media. Faculty advisers and administrators shall not engage in censorship, prior restraint, or retaliation based on lawful student expression, even if the content is controversial or offensive to some individuals.

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