

Student press censorship in Nebraska persists despite First Amendment protections

The Founding Fathers added the [First Amendment](#) to the Constitution because they had lived without those five freedoms being guaranteed. They knew firsthand what it looked like when a government got to decide which ideas were safe enough to say out loud, and they made sure to write that power out of the law. The principle they enshrined was simple, and Supreme Court Justice Hugo Black captured it best two centuries later in [New York Times Co. v. United States \(1971\)](#): “The press was to serve the governed, not the governors.” That has never stopped being true. And yet it is increasingly being ignored inside the walls of American public schools, including ours.

When our publication displayed a cartoon comparing ICE operations to past American military operations, the district administration had it removed. The justification offered was that the topic was too controversial at the moment, and that people in our community were dealing with it firsthand. By that standard, no editorial cartoon worth publishing would ever see print. That is not a reason to suppress a cartoon. That is a reason to publish one. The district disagrees.

District administrators cited school board policies [6390](#) and [6391](#) to justify the removal. Their argument rests on the idea that because “Online Journalism” is offered as a class, the publication falls under their classroom instruction policy, giving administrators authority over its content. But a close reading of Policy 6391 shows it was never designed for that purpose. It is a set of guidelines for teachers on how to handle controversial topics in the classroom: be impartial, use good materials and do not manufacture an issue.

It even clarifies that its purpose is to protect teachers and students from unfair criticism when studying controversial subjects. Policy 6390 explicitly protects students’ right “to form, and in an appropriate manner and in an appropriate forum, to express the students’ own judgments on controversial issues.” An editorial cartoon in a student publication is exactly that forum. The district’s own policies do not justify what happened. They condemn it.

The legal standard most people associate with student press censorship is [Hazelwood School District v. Kuhlmeier](#) in 1988, in which the Supreme Court gave school administrators limited authority to censor school-sponsored publications for what it called “legitimate pedagogical concerns,” including poor writing, factual errors, content inappropriate for the audience and other educational reasons. What it did not authorize was censorship for discomfort, controversy or simple disagreement. Yet, Hazelwood itself was already a step back from where the law once stood.

In [Tinker v. Des Moines \(1969\)](#), the Court ruled that students do not “shed their constitutional rights to freedom of speech or expression at the schoolhouse gate” and that administrators cannot silence student speech without evidence of real, material disruption. Controversy is not disruption. Hazelwood narrowed Tinker specifically for school-sponsored publications. School administrations are now pushing past even that narrowed standard. Not because the law says they can, but because nobody has stopped them.

The censorship happening here is far from unique. The [Student Press Law Center](#) has tracked a 42% increase in calls for legal help in just two years, from the 2022-23 school year to the 2024-25 school year. And Nebraska, in particular, has compiled a record that should embarrass every administrator in this state.

In 2009, at [Bellevue East High School](#), a student editorial urging classmates to attend school board meetings was pulled. The reason: students should go to student council meetings instead. Even pointing students toward public accountability was too much.

In 2020, at [North Platte High School](#), editor-in-chief Sophia Walsh spent weeks carefully reporting a story about Confederate flags and racial tension at her school. The principal cited potential “substantial disruption” and blocked it. She published it in the local paper instead. Five hundred students signed a petition. The school dismissed it.

In 2021, [Omaha Westside High School](#) administrators quietly enacted a prior review policy over the summer. When students returned and pushed back with an editorial about censorship (like this one), the district invoked Hazelwood and censored it anyway (like this one).

In 2022, [Grand Island Northwest High School](#) shut down the Viking Saga entirely after the 54-year-old student paper published an article about LGBTQ+ discrimination. A First Amendment lawsuit was filed and dismissed simply because the student who filed had graduated before the courts could act.

Now, in 2026, we at Gretna East join this list.

Nebraska students have no legal safety net when this happens. Unlike students in 18 other states, Nebraska student journalists are not protected by a [New Voices law](#). The legislature has tried and failed three times. [LB206](#) passed out of committee in 2019 and never reached the floor. [LB88](#) passed general file 28-15 in 2021 with bipartisan support, then died in a filibuster. [LB1071](#) received a public hearing in February 2024, with student journalists from Omaha Central High School testifying in person, and still did not advance. Each time, the organizations lobbying hardest against the bill include the [Nebraska Association of School Boards](#) and the [Nebraska Association of School Administrators](#), the very organizations that represent the administrators doing the censoring. That is not a coincidence. That is a conflict of interest dressed up as policy.

A free press is not a luxury a democracy offers when things are comfortable. The moment a school teaches its students that journalism exists to protect the powerful from scrutiny, it has failed its most basic civic mission. Right now, that is exactly what Nebraska schools are teaching. That needs to change.

To the Gretna Public Schools Administration and School Board: this is not an indictment of every administrator in this district. Many are caught between their own instincts and directives handed down from above. But good intentions at the building level do not fix a broken policy at the district level, and individual decency is not a substitute for written, enforceable protections. Replace the current system with a written policy that holds student press censorship to the standards that 18 states have held their students to in New Voices legislation. Define it clearly. Apply it equally. Make it something both students and administrators can point to and trust.

To the Nebraska Legislature: pass a New Voices law. You have heard from student journalists at Bellevue East, North Platte, Westside, Grand Island Northwest, Omaha Central and now Gretna East. The evidence is not thin, and the pattern is not subtle. The organizations opposing this bill are not protecting students. They are protecting the ability to silence them. That is not a value worth defending.

To all the student journalists in Nebraska: do not stop. The institutions pushing back this hard are telling you something important: your work matters enough to suppress. Mary Beth Tinker was 13 years old when she wore a black armband to school in Des Moines, got suspended and eventually won at the Supreme Court. The rights we are fighting for are not new. They were promised a long time ago. It is past time Nebraska made good on that promise.

To parents, neighbors, taxpayers and students who have never picked up a press badge: this should concern you, too. A community that allows its schools to decide which ideas are safe enough to print is a community that has handed over something it may not get back. Attend a school board meeting. [Contact your state senator](#). Ask your school what its written policy on student press censorship actually says. If the answer is vague, you know the real answer. The First Amendment was never meant to protect only journalists. It is meant to protect everyone who depends on it, and that is every single one of us.