



What are “legitimate pedagogical concerns?”

When the Supreme Court looked for language to explain the standard under which school officials could censor student expression, they found their model in an odd source, a ruling about prisoners in Missouri who wished to marry and had exchanged letters, both forbidden by prison regulations.

The Supreme Court ruled in *Turner v. Safley*, (1987) that the prison could prohibit one inmate from corresponding with another. It struck down another regulation that prohibited inmates from marrying, finding that it was "not...**reasonably related to legitimate penological interests.**"

When the Supreme Court ruled on *Hazelwood*, “the court simply substituted “pedagogical” for “penological,” according to Hudson Let Students Speak.

The “legitimate pedagogical concerns” the *Hazelwood* decision listed as grounds for censorship include:

- Material that is “ungrammatical, poorly written, inadequately researched, biased or prejudiced, vulgar or profane or unsuitable for immature audiences.”
- Potentially sensitive topics, such as “the existence of Santa Claus in an elementary school setting” or “the particulars of teenage sexual activity in a high school setting.”
- “Speech that might reasonably be perceived to advocate drug or alcohol use, irresponsible sex, or conduct otherwise inconsistent with the ‘shared values of a civilized social order’”
- Material that would “associate the school with anything other than neutrality on matters of political controversy.”

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