

**Information**

To: NACUA Board of Directors

From: William Thro, Chair, Editorial Board, Journal of College and University Law  
Karl Brevitz, Staff Liaison

Date: June 7, 2007

Subject: June 2007 Report  
Editorial Board, Journal of College and University Law

**Charge to the Editorial Board**

The Editorial Board has overall responsibility for monitoring the quality and direction of the Journal of College and University Law, with such responsibility to include suggesting topics and authors of Journal articles, reviewing proposed articles and student notes, and reviewing issues of the Journal as they are published. Members of the Editorial Board may be asked from time to time to contribute book reviews or other pieces for publication in the Journal.

**Editorial Board Leaders**

William Thro, Chair  
Derek Langhauser, Vice Chair  
Stephen Dunham, Vice Chair  
William Hoye and John Robinson, Faculty Editors

**Work Plan for 2006 - 2007**

- 1. Suggest possible themes, articles and authors for future Journal issues.**
  - 2. Evaluate and provide feedback on individual Journal issues and articles as they appear.**
  - 3. Assist Faculty Editors by providing advance review of proposed Journal articles.**
- **Articles**  
The most recent issue of the Journal was Volume 33, No. 2 which included the following articles:

Volume 33, No. 2:

The First Amendment and College Newspapers: Applying *Hazelwood* to Colleges and Universities, by *Louis M. Benedict*

Defending the Ivory Tower: A Twenty-First Century Approach to the *Pickering-Connick* Doctrine and Public Higher Education Faculty After *Garcetti*, by Kevin L. Cope

The Constitutional Rights of Politically Incorrect Groups: *Christian Legal Society v. Walker* as an Illustration, by Charles J. Russo and William E. Thro

*Note:* State University v. State Government: Applying Academic Freedom to Curriculum, Pedagogy, & Assessment

*Note:* Rethinking Student Press in the “Marketplace of Ideas” After *Hosty*: The Argument for Encouraging Professional Journalistic Practices

*Note:* How the *Hosty* Court Muddled First Amendment Protections by Misapplying *Hazelwood* to University Student Speech

• **Editorial Board Subcommittees**

This year, in an effort to provide greater opportunities for involvement in the Journal by members of the Editorial Board, and more effective assistance to the Faculty Editors of the Journal, we are experimenting with a new structure of Editorial Board subcommittees, consisting of an Editorial Board Steering Committee; a subcommittee on Model Policies and Agreements; and subcommittees on Articles Development and Articles Review.

During a conference call in January the Steering Committee appointed a task force to explore the creation of an on-line supplement to the Journal. That task force met via conference call on February 23 and following discussion recommended against pursuing development of an on-line supplement for JCUL at this time. Factors in the recommendation were the additional time and effort production of an on-line supplement would require of the JCUL staff at the University of Notre Dame Law School and the limited utility of an on-line supplement for NACUA members.

The Model Policies and Agreements Subcommittee met via conference call on April 9 and recommended the following topics as potential Journal articles: Facilities Use Policies; Joint Venture Agreements with For-Profit Entities; ADA Policies; Presidential Contracts; Coaching Contracts; Software Licensing Agreements; Alumni Associations and Other Affiliated Entities; Admissions Policies; Foundation Organizational Documents and Agreements; and Student Organization Policies. Those recommendations have been forwarded to the Faculty Editors.

The Steering Committee also appointed a subcommittee to recommend a possible Table of Contents and authors for a special issue of the Journal to commemorate the 50<sup>th</sup> Anniversary of NACUA in 2010.