



THE

AFCON

SENTINEL



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Purpose:

To promote academic freedom, defined as intellectual freedom in educational and research contexts. This includes freedoms of belief and expression and access to information and ideas.

MESSAGE FROM THE PRESIDENT—Nancy Comer

I write, as current president, to assure you that the Academic Freedom Coalition of Nebraska Board of Directors is continuing to monitor and address academic freedom issues in our state and elsewhere as they arise.

One of these issues as you will see in the minutes, involves two UNL extension agents who were forced to resign from the sustainable agriculture board because this outside organization was willing to hear a speaker with ideas contrary to those of UNL. AFCON learned that IANR (Institute for Agriculture and Natural Resources) has developed guidelines which the AFCON Board believes may curtail academic freedom. Dave Moshman, AFCON Policy Coordinator and Immediate Past President, will be checking with the UNL Faculty Senate about the interpretation of these guidelines.

Another issue concerns the current uproar over the Advanced Placement U.S. History Curriculum. The curriculum is designed to provide a level of content and instruction that students would find in freshman-level college classes. The College Board, also connected with SAT testing, and responsible for this curriculum, is an educational-resources company with a membership association of more than 6,000 schools, colleges, universities and other educational organizations. High School students who take Advanced Placement U.S History and successfully complete it receive credit for the course at both the high school and college they will attend.

Major changes to the curriculum were announced September 2014. Some argue that these changes alter how U. S. History is taught. The Texas Board of Education rejected the re-

vised curriculum, with Colorado, Nebraska and Oklahoma also expressing serious doubts about the new curriculum. In Oklahoma, a legislative committee essentially banned use of state funds for teaching Advanced Placement History. Lawmakers said, “the curriculum focuses too much on what is bad about America” and believes it is effectively a national curriculum. Oklahoma is opposed to efforts at creating a national curriculum, and the “legality of the new curriculum in its entirety”. In Colorado, where school board member Julie Williams proposed reviewing the new curriculum because it was revisionist and portrayed America’s history negatively, teachers and students at two Jefferson County high schools concerned about being able to think critically about material presented to them, staged a protest that caused the schools to close for the day.

And then there was Wisconsin Governor Scott Walker who deleted “the values of truth and service” from the University’s mission (Wisconsin Idea) and replaced these words with the idea that the purpose of public higher education is “to meet the state’s workforce needs”. Turns out this was just a “drafting error”.

As the Sentinel goes to press, we learn that a North Dakota bill to protect student journalists’ freedom of speech passed in a House committee and is expected to pass both House and Senate. The AFCON Board will be watching as we have tried in previous sessions of the Nebraska legislature to pass a Student Expression Bill. If something comes to your attention that hinders someone’s “rights to speak, write or display the truth as he or she sees it in an educational context”, you can let us know at www.academicfreedomnebraska.org

Upcoming Events

AFCON Board Meetings, March 14, April 11, May 9, June 13
Loren Eiseley Library, 1530 Superior, Lincoln, Nebraska; 10 AM

Summaries of AFCON Board of Directors' Meetings

December 2014--

Present: Peggy Adair, Dwayne Ball, Nancy Comer, Frank Edler, Bob Haller, Laurie Thomas Lee, Lori Leibbrandt, David Moshman, Linda Parker, Rod Wagner.

MINUTES: Minutes of the AFCON board meeting held on September 13, 2014, were approved as presented upon a motion by Ball, second by Edler, and a voice vote. Minutes of the AFCON board meeting held on November 8, 2014 and recorded by secretary pro tem Dwayne Ball were approved as presented upon a motion by Adair, second by Wagner, and a voice vote.

TREASURER'S REPORT: In the absence of the treasurer no report was presented.

PRESIDENT'S REPORT: Moshman reported he presented Michael Barth with the Academic Freedom Award on December 12, 2014. Everyone in attendance at the event was ecstatic.

LEGISLATIVE LIAISON: Adair reported the 2015 legislative session will begin on January 7, and 17 new state senators will be sworn in. Parker reported the Nebraska Library Association's "lobby day" will be held on Tuesday, March 6, 2015. The AFCON board discussed strategies for interacting with NLA and state senators during that event. Parker will provide further information to the AFCON board when it is available.

SENTINEL: The next edition of the *Sentinel* will be published in March, 2015. Submissions for articles are due by February 24, 2015.

WEBSITE: Parker requested AFCON board members provide her with links to their respective organizations for the AFCON website.

ACADEMIC FREEDOM ISSUES: Current issues AFCON is monitoring include:

- UNL extension agents forced to resign from the sustainable agriculture board

- LPS gender identity discussion and parental concerns
- State Board of Education history education threat
- UNL data tracking software
- University of Nebraska presidential search status

No action was taken on any of the issues. The AFCON board will continue monitoring to assess if future action is warranted.

NCTE CONVENTION: Edler reported the AFCON presentation went well, with about 15 people in attendance. Edler and Moshman reported NCTE executive board has adopted a policy statement on Academic Freedom. Wording for the statement was taken largely from Moshman's book, *Liberty and Learning*, which means the policy is not only historic, it is also well-crafted.

Edler presented Moshman with an academic freedom t-shirt. The t-shirts were handed out during Edler's presentation at the NCTE convention.

ANNUAL MEETING 2015: Parker presented some suggestions for topics for the 2015 AFCON annual meeting. Discussion followed. Parker will contact Rainbow Rowell as a possible speaker for the event, and will check on the UNO Community Engagement Center as a venue.

MEMBER REPORTS:

Center for the Book: Wagner reported *Death Zones & Darling Spies*, by Beverly Deepe Kever, has been chosen as the selection for 2015 One Book One Nebraska..

American Association of University Professors: Haller reported the newly-revived Nebraska Chapter of AAUP will be holding elections soon and is developing an organizational structure. Haller also reported AAUP member George Wolfe has done research on the backgrounds of the candidates for President of the Nebraska University system. Haller will find a copy of the research and distribute it to the AFCON board.

There being no further business, the meeting was adjourned by Mosh-

man at 11:54am, and promptly reconvened in a friendly takeover by Ball, who moved to commend Moshman for his dedicated service as President of AFCON for 2014, with special commendation for Moshman's work with the Nebraska School Activities Association. Ball's motion received a group second and a unanimous vote of approval. Congratulations, President Moshman!

NEXT MEETING: will be **Saturday, February 14**, at Eiseley Library, Lincoln, Nebraska.

www.

academicfreedomnebraska.org

February 2015—

Present: Peggy Adair, Nancy Comer, Frank Edler, Laurie Thomas Lee, Lori Leibbrandt, Cathi McMurtry, David Moshman, Linda Parker.

MINUTES: Minutes of the AFCON board meeting held on December 12, 2014, were approved as presented upon a motion by Moshman, second by Edler, and a voice vote.

TREASURER'S REPORT: Cathi McMurtry presented the treasurer's report dated December 12, 2014. Balance on hand on December 12, 2014 is \$2,293.65. The treasurer's report will be filed for audit. McMurtry will send out dues statements to AFCON members.

UNO REPRESENTATION: Linda Parker will contact Sue Bishop at the University of Nebraska at Omaha regarding UNO Faculty Senate representation on the AFCON board of directors.

SENTINEL: Articles for the March edition of the *Sentinel* are due by February 24.

POLICY COORDINATOR: Moshman reported John and Mary Beth Tinker have filed an amicus brief in the *Dariano v. Morgan Hill Unified School District* case, urging the US Supreme Court to take the case. Students in the *Dariano* case were not permitted to wear clothing depicting American flags during a Latino heritage event because the administrators feared the clothing would incite violence.

BOOK OF THE MONTH: Parker recommended *The Mercy of Freedom* by Angela Davis.

(See **Minutes**, page 3)

Summaries of AFCON Board of Directors' Meetings (Continued from Page 2)

LEGISLATIVE LIAISON: Adair reported she has found no academic freedom-related legislative bills to date, but she will continue to monitor the session and will keep the AFCON board informed.

WEBSITE: Parker and Liebrandt will meet soon to update the website.

ANNUAL MEETING 2015: Parker will continue to pursue a keynote speaker and will report back to the board. The Community Engagement Center at UNO has been suggested as a possible venue. Room rental in the newly-constructed building is free to 501(c)(3) nonprofit organizations.

UNL EXTENSION AGENTS: The board discussed the issue of UNL extension agents who were forced to resign from the Board of the Sustainable Agriculture Society because the NSAS invited representative of the Humane Society of

the United States speak. . The UNL faculty senate is poised to ratify "guidelines" for the UNL Institute for Agriculture and Natural Resources that would curtail academic freedom. A motion was made by Parker, second by Lee, that AFCON shall send a letter to the UNL faculty senate about the interpretation of the IANR guidelines. Motion carried by voice vote. Moshman will draft a letter to the UNL faculty senate.

OTHER ACADEMIC FREEDOM ISSUES:

AFCON board members continue to monitor these issues:

LPS gender identity discussion and parental concerns

State Board of Education history education threat

UNL data tracking software

State Board of Education member Pat McPherson's refusal to resign

University of Illinois un-hiring of Sven Salaita

MEMBER REPORTS: Nebraska Library Association: Parker reported NLA Advocacy Day will be Tuesday, March 10. Parker invited AFCON members to attend with their state senator to support both AFCON and the NLA. The theme for the event is "Libraries @ the Heart of Nebraska."

Nebraska State Reading Association: Comer reported the NSRA state convention will be the last weekend in February.

FOCUS GOALS 2015: The board briefly discussed focus goals for 2015. No action was taken.

NEXT MEETING of the **AFCON BOARD OF DIRECTORS** will be **Saturday, March 14**, at Eiseley Library, Lincoln, Nebraska.

**www.
academicfreedomnebraska.org**

Civility and Free Speech in Education

Charlie Hebdo could be published in the United States. But what if it were distributed in schools or assigned for students to read?

Is uncivil speech protected by the First Amendment? This is a question not so easily answered. The short answer is this: In general, yes; but in education, no.

For more: http://www.huffingtonpost.com/david-moshman/civility-and-free-speech-_b_6512834.html

NCTE Blog on Academic Freedom

"What is literacy? What is learning? What is inquiry? Not much without academic freedom." --ReLeah Lent

For more on the position statement on academic freedom recently adopted by the National Council of Teachers of English, see:

<http://blogs.ncte.org/index.php/2014/12/academic-freedom/>

Stanley Fish on Academic Freedom by David Moshman

Interested in academic freedom? If so, you should read Stanley Fish's new book, *Versions of Academic Freedom: From Professionalism to Revolution*. I hasten to add that you should disagree with much of it, and you probably will. But Fish is often right, in my view, and always interesting, even when he's wrong.

Fish presents five "versions" or "schools" of academic freedom, which form a continuum from professionalism to revolution. Here are the five schools of Fish:

First, the "It's just a job" school. This is Fish's own school, and he happily admits he may be its only member. In this "deflationary view," higher education is not a "holy calling" or even a "vocation." It is "a service that offers knowledge and skills to students." Faculty members are professionals engaged in "the advancement of knowledge" through teaching and research. Academic freedom is the freedom of academic employees to do their academic jobs, nothing more and nothing less.

Second is the "For the common good" school of the American Association of University Professors (AAUP), which sees higher education as a social institution that serves the common good of a democratic society by providing knowledge and expertise relevant to the solution of social problems. Academic freedom remains limited to academic matters, but the scope of academic responsibility expands beyond the disinterested search for and communication of truth.

Third comes the "Academic exceptionalism or uncommon beings" school, which Fish takes to be a "logical extension" of the second school. Given their special expertise

and responsibilities, it is argued, higher education faculty should have correspondingly special rights. This school, for example, provides the basis for legal arguments, rejected by most courts, that higher education faculty should have First Amendment rights beyond those of other public employees.

Fourth is the "Academic freedom as critique" school, which is seen by Fish as a natural next step. If academics are uncommon beings devoted to the public good, their special responsibility is to what ordinary mortals are unable to provide: critical analysis of society and of academic norms themselves. Academic freedom in this view is the protection of dissent, and such dissent need not be limited to some narrow conception of what counts as academic.

From here, "it's only a small step, really no step at all" to the fifth and final school: "Academic freedom as revolution." Academia, in this view, should be committed above all to social justice. Academic freedom is the right of faculty to pursue the just transformation of society and to enlist students in that cause. At this point, argues Fish, the original concern with the professional advancement of knowledge has utterly given way to politics. The freedom claimed is no longer academic at all.

I agree with Fish that the academic freedom of university faculty is both justified and limited by the nature of academic work, which requires freedoms that are specifically academic. But I would go beyond Fish in at least four ways.

First, students are also engaged in academic work and need the freedom to do so no less than faculty. Academic freedom should be construed to protect the intellectual freedom of students as they engage in learning and inquiry.

Second, it is not just in higher education that faculty and students need the freedom to engage in teaching, learning, and inquiry. Academic freedom is crucial at all levels of education. The inclusion of elementary and secondary teachers and students may undermine the exceptionalist notion that academic freedom is the special right of a small class of uncommon beings but it fits well with the first two schools of academic freedom.

Third, it seems to me legitimate for the people of a state to create a university intended to serve the common good or for a college to decide to serve its community. Educational institutions must be uncompromising in the pursuit of truth, but this is fully consistent with a commitment to seek and teach the truth about matters of social importance and, in some cases, to act on the resulting knowledge.

Finally, even if academic work is less than revolutionary, I think it is more than "just a job." Even if academic freedom protects nothing more than academic work, it protects the pursuit of truth and the legitimacy of the curriculum. Academics need academic freedom for professional reasons but there is no reason to denigrate this as "just" a professional need.

Others will have different disagreements. Regardless of your preferred school of Fish, his book will get you thinking about academic freedom.

David Moshman is the policy coordinator and immediate past president of AFCON. This column originally appeared in The Huffington Post on February 17.

Speaking of Stanley Fish and the Humanities

By Frank Edler

I remember well when I first read Stanley Fish's op ed columns in the *New York Times*, especially the two that he wrote in January of 2008 entitled "Will the Humanities Save Us" (January 6) and "The Uses of the Humanities, Part Two" (January 13). Some months before the appearance of Fish's editorials, I had spent considerable time reading and analyzing the report produced by the National Commission on the Future of Higher Education initially created in 2005 by U.S. Secretary of Education Margaret Spellings. At the time, I wrote a response to the report entitled "The Humanities and the Spellings Commission" in which I stated that the "most fundamental flaw in the ... report is that it is biased and partisan in its underlying assumption that higher education is nothing but technical skills training and acquisition."

In addition, although the commission report on two separate occasions pointedly referred to the lack of writing, reading, critical thinking and problem-solving skills, it made no recommendation whatsoever on how to improve those skills. Producing skilled technicians and scientists for global competition was more important than producing graduates who are also informed citizens with good communication and critical thinking skills. People seem to forget that the basic skills of writing, reading, speaking, and critical thinking are skills taught in humanities courses.

Imagine my dismay when in the aftermath of pushing back against the commission report, I read Stanley

Fish's columns mentioned above in which he argued ("Will the Humanities Save Us?") the activities that take place in humanities courses are not "instrumental to some larger good. The humanities are their own good." If any of you remember the movement known as "art for art's sake" movement then you will understand Fish's version of it which is "humanities for humanity's sake" It makes the humanities essentially a useless exercise. According to Fish, the only thing that the explication of texts produces in humanities courses is a kind of pleasure which he describes as "something like an athletic satisfaction from the experience of trying to figure out how a remarkable verbal feat has been achieved ... it is like solving a puzzle" ("The Uses of the Humanities, Part Two.") I suppose Lorenzo Valla's philological analysis undertaken in his work *De falso et ementita Constantini Donatione declamatio* in which he proved that the document known as the Donation of Constantine was a forgery had no instrumental value whatsoever. The only good produced by the analysis was the pleasure that Lorenzo experienced in solving the puzzle.

The problem with Fish's claim is that it is dependent on a definition that reduces the humanities to courses in philology; however, even philology courses can detect forgeries. He thinks a humanist is "someone employed in a college to teach literary, philosophy, and historical texts" ("The Uses of the of the Humanities, Part Two"). While textual exegesis is certainly an important aspect of any good humanities course, Fish's

definition of academic humanities is far too narrow. Humanities courses are not just about textual explication. In an introductory critical reasoning course, the subject matter is critical reasoning, not the explication of Aristotle's texts on categorical logic. Students learn what an argument is, how to identify unstated premises, and, most importantly, how to evaluate deductive and inductive arguments. In the critical reasoning courses I have taught at the community college level, students must identify the argument structure of newspaper editorials from a wide variety of subjects and evaluate those arguments. This is a skill they take with them beyond the classroom, one that will serve them well not only in other classes but also in their professional fields as well as in their service to the community

However compelling Fish's notion of the importance of analyzing and interpreting primary sources in literature, philosophy, and history may be, humanities courses contribute far more than this to a student's education. The humanities provide not only the basic skills of critical reading, writing, public speaking, and critical thinking and thereby provide a crucial avenue for developing an informed citizenry who can think and communicate well, but, at their best, they also provide transformative experiences that enable students to imagine and shape future identities that are not captured and frozen in painful pasts. Colleges and universities are not just places of instruction where technical skills are mastered; rather, colleges and universities must and should be sites of humanizing growth.

AFCON Letter to UNL Faculty Senate

**Academic Freedom Coalition of
Nebraska**

22 February 2015

TO: UNL Faculty Senate

Ken Nickerson, President
John Bender, President-
Elect

FROM: Academic Freedom Coali-
tion of Nebraska

Nancy Comer, President
David Moshman, Policy
Coordinator and Immediate
Past President

RE: Service on Outside Boards

The Academic Freedom Coalition of Nebraska (AFCON) is a coalition of Nebraska organizations concerned with intellectual freedom in education and research. As you know, the UNL Faculty Senate has long been among AFCON's organizational members, represented for many years by Laurie Lee, and we appreciate its ongoing support of our work.

We are writing to express our concern about a document currently before the Senate entitled "Guidance for IANR Professionals Serving on Boards Related to Their Professional Roles in Extension and as UNL Faculty." We are particularly concerned about this two-paragraph section of the document:

UNL describes two types of conflicts:

- *Conflicts of Interest* are situations where a *Covered Person's* direct or indirect personal financial interests may compromise, or have the appearance of compromising, the *Covered Person's* professional judgment or behavior in carrying out his or her obligations to the University

of Nebraska-Lincoln out his or her obligations to the University

- *Conflict of Commitment* occurs when the time devoted to external activities adversely affects a faculty member's capacity to meet University responsibilities.

Guidance for Extension professionals and IANR Faculty

1. The following should be considered when asked to serve on boards in our official capacity as professionals or on any board which has activity related to our area of employment. Our primary responsibility as professionals is to provide research-based education and unbiased research to constituents. Board service related to one's employment responsibilities must be consistent with this commitment. If a board has a mission, agenda or projects inconsistent with this commitment, service on that board may result in a situation where our commitment could be or appear to be compromised.

We share the concerns former Faculty Senate President Wes Peterson has expressed about this section. It seems clear in the first quoted paragraph that UNL properly uses the term "conflict of interest" to refer to potentially compromising financial interests and properly uses the term "conflict of commitment" to refer to commitments of time inconsistent with fulfilling one's UNL responsibilities. The first paragraph of guidance, however, immediately ex-

pands the notion of conflict of commitment to include conflicts of ideas, including disagreements about the interpretation of research and the various biases that may affect such interpretations. The bottom line is to limit faculty affiliation with groups espousing, or even willing to hear, ideas contrary to those UNL deems to be sufficiently "research-based" and "unbiased."

Are these concerns an overreaction to a minor bit of vagueness in a particular paragraph or a remote potential for abuse? We think not. On the contrary, the application of these guidelines to restrict intellectual affiliations is not merely a theoretical possibility. These standards have already been applied in the case of two UNL extension agents who were asked to resign from the board of an outside organization because the organization was willing to hear from someone with ideas contrary to those of UNL. The present document appears to be an attempt to codify and justify a serious violation of academic freedom, and signals to others that they cannot rely on academic freedom at UNL.

The underlying issue, we want to be clear, is not how UNL handles conflicts of interest or conflicts of commitment. The issue is how it handles conflicts of ideas. Faculty must be free to pursue the truth in their research, to present their conclusions in their teaching and outreach, and to join with others in free discussion of all topics of professional relevance. A conflict of ideas is neither a conflict of interest nor a conflict of commitment.

We hope the Senate will address these issues and are happy to help in any way we can.

ADDRESS FOR THE AFCON WEB SITE

www.academicfreedomnebraska.org

**Check it out and learn Who We Are and about Our Activities; read our Constitution; learn how to Join Us; see the where and when of our Meetings; meet our Members and Officers;
Study our Publications, Principles, and Statements**

REQUEST FOR NEWS FOR FUTURE ISSUES

The editor of the AFCON SENTINEL invites all AFCON individual and organizational members to send news about academic freedom issues in Nebraska or editorial comments for inclusion in this newsletter and/or announcements of organizational meetings for the UPCOMING EVENTS column. **Due date for submissions to the June 2015, issue is May 25, 2015.**

Send to Tom Black, editor, 610 West Park, West Point, NE 68788 or wpc6296@cableone.net

HELP AFCON PROMOTE ACADEMIC FREEDOM

As a member of AFCON, you can help us

- ◆ support applications of the First Amendment in academic contexts, including elementary and secondary schools, colleges, universities, and libraries.
- ◆ educate Nebraskans about the meaning and value of intellectual freedom, intellectual diversity, mutual respect, open communication, and uninhibited pursuit of knowledge, including the role of these ideals in academic contexts and in democratic self-government.
- ◆ assist students, teachers, librarians, and researchers confronted with censorship, indoctrination, or suppression of ideas.
- ◆ act as liaison among groups in Nebraska that support academic freedom.

MEMBERSHIP (To become a member, send dues, organization or individual name, address, and phone number to Cathi McMurtry, 515 N. Thomas Avenue, Oakland, NE 68045)

Organizational Membership (\$120) entitles the organization to one seat on the AFCON Board, one vote in the election of officers and at the annual meeting, eligibility for office and chairing standing committees, provides newsletter subscription for the board member to share with the organization's information director, and reduced rates to AFCON conferences for its members.

Individual Membership (\$15) provides newsletter subscription, eligibility for office and for chairing standing committees, reduced rates for AFCON conferences, and one vote at annual meetings.

Student Membership (\$5) entitles full-time students to the same privileges as provided by the Individual Membership.

AFCON ORGANIZATIONAL MEMBERS, PLEASE DUPLICATE THIS NEWSLETTER FOR YOUR MEMBERS. INDIVIDUAL MEMBERS, PLEASE PASS THIS NEWSLETTER TO A FRIEND AFTER YOU HAVE READ IT. ENCOURAGE HIM OR HER TO JOIN AFCON.