



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—Frank Edler

This is my last message to you as president. I'd like to look back at our year, summarize some of our major efforts in promoting academic freedom, and look forward to an exciting slew of possibilities for the future. Before I do, I'd like to thank you for the opportunity to serve you as president.

There are three major areas that we pursued this past year. The first is related to the Nebraska legislature, the second has to do with the Office of Civil Rights in the U. S. Department of Education, and the third is related to the impact of the 2006 Supreme Court case known as *Garcetti v Ceballos* on higher education.

In relation to the first area of the Nebraska legislature, AFCON has addressed two issues. The first is related to the Nebraska department of education's pledge of allegiance rule. Last year, AFCON opposed the new rule that all school districts, if they wish to be accredited, are required to lead students from kindergarten through the twelfth grade in a pledge of allegiance every day before a flag. David Moshman and I testified in opposition to the rule.

This year newly elected and much loved – and in some quarters much hated – Senator Ernie Chambers introduced LB 540 that would nullify the state department of education's new rule. The final version of the bill incorporated revisions that David Moshman had suggested to Senator Chambers. On March 18 of this year David testified for the bill on behalf of AFCON and ACLU Nebraska. The bill, unfortunately, is still in committee.

The second legislative issue that AFCON has been involved with is the Student Expression Act (LB 582). Senator Ken Haar introduced the bill in 2010. The intent of the bill was to "clarify the expression of rights of Nebraska public school students, to reduce incidents where students' lawful expression rights are suppressed, to instill in students the value of democracy, and

to prepare students for informed and active civic participation." Essentially, the bill is an attempt to roll back the Supreme Court's 1988 *Hazelwood* decision. Seven states have free expression statutes protecting high school students and student journalists. AFCON supported the Student Expression Act, but the bill did not move out of committee in 2010. In 2011, Senator Haar reintroduced the bill, members of AFCON once again testified in support of it, but once again it did not move out of committee. Peggy Adair, our legislative liaison, suggested that we use this year to reevaluate and lay the groundwork for next year since the legislative education committee has a new chair. AFCON is also hoping that Senator Chambers will take the lead in introducing the bill in 2014. Linda Parker has suggested a kind of "summit" on student expression in the future.

The second major area of our involvement has been with the Office of Civil Rights at the U. S. Department of Education. AFCON disagreed with the position taken in the May 9 joint letter sent by the Department of Justice and the Office of Civil Rights (OCR) in the U. S. Department of Education to the University of Montana in relation to the important issue of sexual harassment. The Office of Civil Rights (OCR) regarded the policy statement as a "blueprint for colleges and universities throughout the country." I as president of AFCON sent a letter to the Assistant Secretary of OCR expressing our disagreement with the policy on the basis that it eliminated any standard of objective evidence and went too far in censoring speech in colleges and universities. The letter also included a statement of AFCON's policy on sexual harassment. In addition, AFCON as an organization became a signatory to the protest letter that the Foundation for Individual Rights in Education (FIRE) sent to the Office of Civil Rights for similar

Upcoming Events

AFCON Board Meetings, January 11, February 8, March 8, 2014.
Loren Eiseley Library, 1530 Superior, Lincoln, Nebraska; 10 AM

THE PRESIDENT

reasons. OCR eventually did back away from its policy of eliminating any standard of objective evidence. OCR replied to AFCON with a form letter; the salutation was addressed to “Edler, Frank.” One wonders who’s running public relations in the Department of Education. Happily, OCR no longer regards the letter it sent to the University of Montana as a blueprint for other colleges and universities.

Finally, our third major area of involvement is related to the impact the 2006 Supreme Court case of *Garcetti v. Ceballos* has had on higher education. *Garcetti* has figured directly or indirectly in much of our discussion over the year. In that ruling, the Court decided that public employees who criticize their employers in the process of carrying out their work duties have no free speech protection. In other words, employers can retaliate with impunity against public employees who offer criticisms of them. The majority opinion realized that this might be applied to teaching and scholarship in public colleges and universities, but chose not to address the issue because as they said, they didn’t have to. They must have known that this would leave left the way open for some lower courts to rule that *Garcetti* does apply to public employees in higher education, including teaching and scholarship. This is what happened in the case of Professor Loretta Capeheart at Northeastern Illinois University. I have written about this case in the June 2013 *Sentinel*.

Because *Garcetti* appeared to leave faculty criticism of administration in limbo, the faculty at the University of California recently took it upon themselves to persuade the central administration and the Board of Regents to amend their policy so that freedom did not simply include academic freedom in teaching

and research, but also the freedom to criticize institutional governance. This decision by the Board of Regents of the University of California to extend freedom to criticisms of university governance was heard as a rallying cry throughout higher education. AFCON took up the call and agreed to look into the matter in Nebraska. David Moshman determined that although the University of Nebraska Regents By-Laws protect academic freedom in research and teaching, they do not address the faculty’s right of internal dissent in relation to academic governance. The president of AFCON wrote a letter to each of the four presidents of the four University faculty senates urging them to petition the central administration and Regents to revise the Regents By-Laws in order to protect the right to speak out on academic governance. So far UNL and UNO have taken up the issue in their faculty senate agendas.

Colleges and universities cannot wait for a case to eventually wind its way to the Supreme Court to find out how the Court will rule. Each college and each university must try to persuade its central administration and board of regents to amend their by-laws to include the freedom to criticize administrative governance without fear of retaliation. There is good news relating to the AFCON letter sent to each of the four faculty senate presidents of the University of Nebraska. Laurie Thomas Lee reported that the UNL Faculty Senate is discussing wording that would expand the Regents By-Laws in order to protect faculty speech that may be critical of the university. The UNO Faculty Senate is pursuing this as well.

Our annual meeting this year was on Saturday 28, 2013, at the Courtyard Marriott in the Haymarket section of Lincoln. Although attendance was low, our keynote speaker, ReLeah Cossett Lent, Chair of the Committee Against Censorship, of the National Council of Teachers of English (NCTE) and author

of *Keep Them Reading: An Anti-Censorship Handbook for Educators* (Teachers’ College Press, 2013) lit the room up with her inspirational talk against censorship. Intellectual Freedom Awards were given to ReLeah Cossett Lent, Peggy Adair, and posthumously to James McShane. The luncheon was followed by a banned book talk and book-signing event by Releah at Indigo Bridge Books. Our thanks to David Moshman for supervising the annual meeting.

In terms of future work, AFCON has committed itself to presenting a session at the annual meeting of the NCTE in Washington in 2014 on how other states can organize academic freedom coalitions. Other future possibilities include a joint effort on the part of NCTE and the National Coalition Against Censorship to instigate a national dialogue on the importance of questioning and critical thinking. More will be determined after November 24 when the NCTE annual meeting in Boston has concluded.

More recently, AFCON has written a letter on November 11 to the University of Nebraska, specifically Chancellor Harvey Perlman, Athletics Director Shawn Eichorst, Coach Bo Pelini, and the *Daily Nebraskan* protesting Coach Ron Brown’s seeming inability to separate his coaching and teaching duties from professing his Christian faith by reading daily Bible scriptures to his players. Since AFCON has not received any reply from any of the addressees, a slightly amended version of the original letter will be published in the *Sunday Lincoln Journal Star*. In addition, AFCON has taken a supportive position in relation to a student senator at UNL who may be impeached for using what has been described as the N-word and other racial epithets.

Summaries of AFCON Board of Directors’ Meetings—Peggy Adair

September 14, 2013—

Present: Frank Edler, Claudia Garcia, Bob Haller, Cathi McMurtry, David Moshman, Linda Parker, Rod Wagner.

MINUTES: Motion made by Dave Moshman to approve the August 10, 2013, meeting minutes. The motion was seconded and approved.

TREASURER’S REPORT: McMurtry presented the treasurer’s report dated August 9, 2013, with a balance on hand

of \$3,224.79.

PRESIDENT’S REPORT: Frank Edler welcomed Claudia Garcia to the AFCON board as UNO Faculty Representative. Edler distributed meeting documents, noting his letters sent to presidents of University
(See **MINUTES**, page 3)

Summaries of AFCON Board of Directors' Meetings

(Continued from Page 2)

of Nebraska faculty senates (Lincoln, Omaha, Kearney and UNMC) re recognition of right to internal institutional criticism and action by the University of California Board of Regents approving a regent's policy to guarantee freedom to speak out on institutional governance. Edler referred to and commented on news articles re faculty speech rights (Michigan State University video, and University of Oregon contract negotiations with academic freedom implications).

ANNUAL MEETING, SEPTEMBER 28: Dave Moshman reviewed plans and arrangements for the annual meeting. Guest speaker ReLeah Lent will arrive

Friday. No activities are planned for that day largely due to difficulty scheduling for a Friday afternoon. Indigo Bridge Books has been contacted about book sales and signings (Saturday afternoon following the annual meeting). Moshman said that Lent can speak on a range of academic freedom topics. Academic freedom in the age of Hazelwood was suggested as a general topic. Moshman said that the program could include a panel or could be less structured – opening for questions/comments following Lent's presentation. Moshman suggested not having a panel and so it will be

Awards and other arrangements – Edler will present Peggy Adair's award. Bob Haller will present James McShane's award, and Dave Moshman will present ReLeah Lent's award (not to be pre-publicized). Moshman reported that Laurie Lee is arranging for a lectern banner.

Co-Sponsors: Moshman noted annual meeting/program sponsors: ACLU of Nebraska is contributing \$300 and the National Council of Teachers of English (NCTE) will pay for Lent's airfare with some support from the Nebraska English Language Arts Council (NELAC).

Publicity: Moshman distributed press releases for review and asked board members to send the releases on to their organizations. It was suggested that the releases and meeting information be sent to Senator Haar and Senator Chambers and Unicameral Education Committee members.

NOMINATING COMMITTEE: No report.

SUMMIT FOR STUDENT EXPRESSION BILL: Linda Parker distributed a draft proposal re a convening. Parke referred to a Rockefeller Foundation report, *Gather; the art and science of effective convening* as a resource for planning a summit. Parker suggested contacting Justice Sandra Day O'Connor as a speaker who would draw interest and contribute to participation Parker offered to bring a

more refined proposal for the November board meeting.

WEBSITE/FACEBOOK/SOCIAL MEDIA: It was noted that links to *The Sentinel* need to be corrected. Parker said she would get the link updates made. Parker noted Pew Center research re use of social networking sites and growing use of social media for communication especially by younger adults. Parker said that AFCON needs to build a broader member base and that outreach efforts should be part of AFCON's strategic plan. Parker suggested use of AFCON funds to pay for set up and messaging for a year to monitor use and evaluate. Edler said that more than one person needs to be involved in setting up Facebook, Twitter accounts and messaging.

MEMBERSHIP ORGANIZATION REPORTS:

Nebraska Library Association: Linda Parker reported that the Nebraska Library Association's Intellectual Freedom Round Table will present a program at the October Nebraska Library Association-Nebraska School Librarians Association joint conference. Parker said that the program will be based on ReLeah Lent's book (*Keep Them Reading*) and Dave Moshman's (*Liberty & Learning*).

ACLU of Nebraska: Dave Moshman mentioned ACLU's upcoming event – Journeys of Justice 2013 featuring Susan Herman, National ACLU President.

AAUP: Bob Haller reported that he will be on an AAUP state conference panel. Haller said that he will address the question "Why do we (professors) need a union/advocacy group?" Haller said that he could also attend their board meeting to suggest that he more formally represent them or the board could assign another active person for that role.

NEXT BOARD MEETING: It was agreed that the next board meeting date will be decided at the September annual meeting

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AFCON Annual Meeting, September 28, 2013

Present: Peggy Adair, Nancy Comer, Frank Edler, Bob Haller, Mel Krutz, Laurie Thomas Lee, Lora Leibrandt, ReLeah Cossett Lent, guest of honor, Cathi McMurtry, Dave Moshman, Jane Neal, Linda Parker, and others

MINUTES: Minutes of the November 3, 2012 AFCON Annual Membership Meeting were approved upon a motion by Parker, second by Lee, and a voice vote.

TREASURER'S REPORT: The Treasurer's report for November 3, 2012 through September 28, 2013 was reviewed and filed for audit. Balance on hand as of September 28, 2013, is \$3,241.58.

PRESIDENT'S REPORT: President Edler thanked Moshman and the annual meeting committee for organizing the event. Edler also thanked Clark Kolterman of Nebraska English Language Arts Council, the National Council of Teachers of English, and ACLU-Nebraska for their support in bringing ReLeah Lent to Nebraska as our keynote speaker. Edler thanked Lee for securing the hotel venue, Comer for making teacher contacts, and Haller for obtaining the award plaques.

Edler introduced new board member Dr. Claudia Garcia, representing the UNO faculty senate.

Edler noted the recent celebration concert in honor of founding member Mel Krutz' 80th birthday.

Edler thanked Leibrandt and Parker for updating and maintaining the AFCON website.

Edler recognized James McShane for his lifetime of contributions to academic freedom.

2013 AFCON AWARDS: AFCON awards were presented during the program portion of the annual meeting. This year's AFCON Award winners are James McShane, Peggy Adair, and ReLeah Lent. McShane's widow and children accepted his award on his behalf.

NOMINATING COMMITTEE: The nominating committee of Ball, Parker and Edler presented the slate of officers for 2014: President-elect, Nancy Comer; Treasurer, Cathi McMurtry; and Secretary, Peggy Adair. There were no further nominations from the floor.

MEMBERSHIP REPORTS: Parker reported the Nebraska Library Association will meet in Kearney on October 11, 2013, and will present two programs on intellectual freedom.

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MINUTES (Continued from page 3)

Haller reported the American Association of University Professors state conference will be held on November 5, 2013, at an undisclosed location. Haller will present a talk on why professors need a chapter of AAUP to represent them.

AFCON BOARD MEETING

DATES: AFCON Board of Directors will meet on Saturday, October 12, 2013; and on Saturday, November 9, 2013; 10:00 a.m. at Eiseley Library in Lincoln. Attendees of the annual meeting discussed the possibility of using the November AFCON board meeting as a planning session for 2014.

September 28, 2013—

Present: Peggy Adair, Nancy Comer, Frank Edler, Claudia Garcia, Bob Haller, Mel Krutz, Laurie Thomas Lee, Lora Leibrandt, Cathi McMurtry, Dave Moshman, Jane Neal, Linda Parker, and others

A motion was made by Adair to adjourn, second by McMurtry. Motion carried on a voice vote.

Meeting adjourned at 1:18 p.m.

NEXT BOARD MEETING: The next meeting of the AFCON board will be Saturday, **October 12, 2013**, at Eiseley Library in Lincoln.

October 12, 2013—

Present: Peggy Adair, Nancy Comer, Frank Edler, Bob Haller, Laurie Thomas Lee, Lora Leibrandt, Cathi McMurtry, David Moshman, Rod Wagner.

MINUTES: Minutes of the AFCON board meeting held on September 14, 2013, were approved as presented upon a motion by Adair, second by Moshman, and a voice vote. Minutes of the AFCON board meeting held on September 28, 2013, were approved as corrected upon a motion by Lee, second by Leibrandt, and a voice vote. Adair thanked Rod Wagner for serving as secretary pro tem on September 14.

TREASURER'S REPORT:

McMurtry presented the treasurer's report dated October 11, 2013, with a balance on hand of \$842.32. The treasurer's report will be filed for audit. Adair will provide a final annual report to the Kurz Family Foundation regarding expenditure of grant funds.

AFCON SENTINEL: Deadline for submissions for the December issue of the *Sentinel* is **November 26, 2013**. Moshman reported editor Tom Black requests AFCON board members diligently send articles and photos that they want included in the *Sentinel* to him *before* the deadline of each issue, because as amazing as Black is, he is not a mind-reader.

The board discussed sending the *Sentinel* to members, friends, legislators, and organizations via electronic mail by default, with hard copies mailed only upon request. Moshman will work with Black on specific wording regarding email distribution to put in the next issue of the *Sentinel*.

Haller reported he needs email addresses for AFCON members and organizations. Edler will email to Haller the postal addresses and email addresses of the various faculty senates. McMurtry will assist Haller with updating the AFCON membership email address list.

PRESIDENT'S REPORT: Edler distributed articles regarding 1) Modesto Junior College, where a student was stopped by campus security for handing out copies of the U.S. Constitution on... Constitution Day. (The student is suing.); 2) the University of Wisconsin at LaCrosse, where Chancellor Joe Gow apologized (to whom, article doesn't say) via email for an email a professor sent to her students stating that the House of Representatives is controlled by the Republican/Tea Party, and that they are responsible for funding the government. [It is, and they are. – ed]; and 3) the continuing saga of the University of Montana, where in the latest chapter we learn the Department of Justice wants the names and titles of all employees who "fail to participate in discrimination prevention training."

Edler reported he is drafting a document regarding the need for a national dialogue on critical reasoning. Edler will contact Joan Bertin of the National Coalition Against Censorship to request that AFCON be included in any national discussion effort.

ANNUAL MEETING REVIEW: ReLeah Lent is an inspiring, informative speaker who holds high the freedom-to-read beacon for young people. Attendance was disappointing, and was attributed in part to the Husker football schedule, around which everybody in Nebraska sets their own schedules.

AFCON ELECTIONS: Haller will send out ballots via email and snail mail.

STUDENT EXPRESSION BILL: Adair will work on contacting Senator Chambers to get his thoughts on the possibility of introducing a student expression bill in the 2014 legislative session. Haller will chat informally with Senator Haar to get his thoughts as well.

WEBSITE/SOCIAL MEDIA: Leibrandt reported she will update the website. The board agreed to postpone a Facebook discussion until the November AFCON board meeting.

NATIONAL COUNCIL OF TEACHERS OF ENGLISH: ReLeah Lent has graciously offered to secure a session at

the NCTE 2014 Annual Meeting for AFCON members to showcase our unique organization and to encourage/help other states to form academic freedom organizations. The annual meeting will be November 20-24, 2014, in Washington, D.C. Haller and Adair volunteered to attend. A motion was made by Comer, second by Wagner, that AFCON shall participate in the NCTE Annual Meeting in 2014. Motion carried on a voice vote. Edler will contact Lent to express our desire to participate.

AFCON BANNERS: The Board thanked Lee for procuring the very nice, new AFCON podium and wall banners. The banners are stored at the official AFCON repository, Moshman's basement.

NEBRASKA HIGH SCHOOL PRESS ASSOCIATION: AFCON will have a booth at the NHSPA annual meeting on October 21, 2013, from 8:00am to noon in the UNL student union. Lee, Moshman, and Edler will work together to staff the booth.

MEMBERSHIP ORGANIZATION REPORTS: **Nebraska Center for the Book:** Wagner distributed fliers announcing "A Celebration of Books," which will be held at the Nebraska History Museum on October 26, 2013, from 3:30pm to 6:30pm. Further information can be found at centerforthebook.nebraska.org, or facebook.com/NebraskaCenterfortheBook.

Nebraska Library Association and Nebraska School Librarians Association: Wagner reported AFCON's Linda Parker gave an excellent presentation, "Keep Them Reading," at the joint conference of the NLA and NSLA.

UNL Faculty Senate: Lee reported the UNL Faculty Senate is discussing wording to protect faculty speech which may criticize the university. They are also discussing avenues to give non-tenure track professors a voice on the executive committee. The Faculty Senate will host a gathering of non-tenured professors in the spring of 2014 to inform them of their rights in the university system. The Faculty Senate would like somebody from AFCON to present at this gathering.

American Association of University Professors: Haller reported the AAUP has concerns about the status of part-time university faculty.

NEXT MEETING: **Saturday, November 9, 2013**, at Eiseley Library, Lincoln, Nebraska.

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Minutes (Continued from page 4)

November 9, 2013—

Present: Peggy Adair, Nancy Comer, Frank Edler, Laurie Thomas Lee, Cathi McMurtry, David Moshman, Rod Wagner

MINUTES: Minutes of the AFCON board meeting held on October 12, 2013, were approved as presented upon a motion by McMurtry, second by Lee, and a voice vote.

TREASURER’S REPORT:

McMurtry presented the treasurer’s report dated November 8, 2013, with a balance on hand of \$1,102.70. The treasurer’s report will be filed for audit.

PRESIDENT’S REPORT:

Edler reported Moshman, Lee and Edler staffed an AFCON table at the Nebraska High School Press Association’s October 21 conference held at UNL. Edler distributed a packet of information that included an article about an Ohio high school where students were required in a classroom assignment to write a poem about something that made them angry. One of the students, a football player, was suspended from the team and from school for writing a poem that was critical of the football team (team record: 1 and 7 for the season), because the principal decided the poem was “mean.”

POLICY COORDINATOR REPORT:

Moshman reported on a problematic legislative bill that passed in 2013. The intent of the bill was to provide grant money for the scientific study of climate change and how it has affected Nebraska. The bill was amended to restrict the study to “cyclical” climate change, which has been interpreted to mean non-human-created climate change. UNL has declined to participate in such a pointless and stupid study. Instead, UNL has allocated \$20,000 to hire a graduate assistant to work with faculty on a comprehensive scientific cli-

mate change study. Moshman suggested AFCON should congratulate UNL for recognizing this violation of academic freedom, turning down grant funding due to said violation, and allocating funds for an independent scientific study.

A motion was made by Lee, second by Adair, that AFCON shall send a letter to UNL in support of their efforts to protect academic freedom. Motion carried on a voice vote. President-elect Moshman will work with President Edler to draft a letter to UNL.

Moshman reported UNL football coach Ron Brown continues to blatantly and publicly disregard the religious liberty of UNL football players. Moshman shared a Lincoln Journal-Star article where Brown claimed UNL professors preach anti-religion in class, so Brown has to “de-program” his football players every day by quoting Bible verses and using other exorcistic means.

A motion was made by McMurtry, second by Adair, to send an open letter to the UNL athletic director voicing concerns about Brown’s repeated and unapologetic inappropriate comments and behavior. A copy of the letter will be sent to the Daily Nebraskan. Motion carried on a voice vote. Moshman offered to write and send the letter.

LEA HARVEST OF BOOKS:

McMurtry reported that AFCON has contributed to LEA Harvest of Books in past years, and wanted to know if we should continue to do so. A motion was made by Lee, second by Comer, to send \$25.00 to LEA Harvest of Books for 2013. McMurtry reminded the board that the contribution to LEA is automatic, and we would need a motion only if we choose not to continue. Lee withdrew her motion.

MEMBERSHIP: Edler will write a letter to LEA inviting them to renew their

membership in AFCON. Edler will write a generic letter regarding membership renewal to be included with AFCON invoices that McMurtry sends out in January.

Adair suggested we find out when the NSEA-Retired spring conference will be held, request time on their program to explain AFCON, and invite them to become members.

NATIONAL CONFERENCES: The board discussed the possibility of sending AFCON representatives to the American Association of University Professors (AAUP) national conference that will be held June 10-14, 2014, in Washington, D.C. AFCON has committed to sending representatives to the National Council of Teachers of English (NCTE) conference in 2014. (see October 12, 2013 AFCON minutes) The board agreed to prioritize the NCTE conference for 2014, and to send representatives to the AAUP conference only if funding is available. No formal action was taken.

SENTINEL: A motion was made by Moshman, second by Comer, to send the Sentinel to members and others via email as the default method with paper copies sent only upon request, beginning with the March, 2014 issue. Motion carried by voice vote.

For the December issue of the Sentinel, Moshman will write an article about the AFCON awards. We are still working on finding photos of award recipients that are of sufficient quality to print in the newsletter. Deadline for articles for the December issue is November 26.

MEMBERSHIP ORGANIZATION REPORTS:

Nebraska Center for the Book: Wagner reported “A Celebration of Books,” which was held at the Nebraska History Museum on October 26, 2013, was a huge success and they look forward to similar success in 2014.

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Beginning March 2014

Electronic Publication of The Sentinel

Please send your email address to Cathi McMurtry at

eandc@abbnebraska.com

Many subscribers to The Sentinel have been receiving it electronically via email as a pdf document, usually in addition to receiving a paper copy via regular mail. Beginning with the next issue, the default mode of distribution for the Sentinel will be via email only. This will reduce costs and permit greater use of color (which is expensive to print). Please send your email address to Cathi McMurtry at eandc@abbnebraska.com. If you prefer to receive a paper copy, please send her your preferred mailing address and indicate that you wish to continue receiving a paper copy of the Sentinel.

Annual Meeting 2013



Peggy Adair received the Academic Freedom Award



Robert Haller presented the Academic Freedom Award posthumously to James McShane, accepted by his wife, Carol



ReLeah Lent, the keynote speaker, received the Academic Freedom Award as an unannounced surprise presentation

AFCON's 2013 annual membership meeting featured keynote speaker ReLeah Cossett Lent, the author of *Keep Them Reading: An Anti-Censorship Handbook for Educators* and eight other books about censorship, adolescent literacy, and learning communities. Lent is a former secondary teacher who consults nationally and internationally with schools and districts on these topics and serves as Chair of the National Council of Teachers of English (NCTE) Standing Committee Against Censorship. Thanks to AFCON Board member and Past President Laurie Thomas Lee, Lent's engaging and informative talk on reading, teaching, and censorship is available on YouTube: www.youtube.com/watch?v=Uiyjo1hvokA

Lent's talk was followed by three academic freedom awards. The first was presented by AFCON President Frank Edler to Peggy Adair, who has served as AFCON's president and continues to serve as its secretary and legislative liaison. Peggy has also served as president of the League of Women Voters of Greater Omaha and the League of Women Voters of Nebraska. She has been active for many years in social advocacy for children, including her ongoing efforts to defend and promote student expression.

The second award was presented posthumously to James McShane by Robert Haller. It accepted by Jim's wife Carol McShane. Jim McShane served as President of the UNL Faculty Senate and Chair of the UNL AAUP's Committee A on Academic Freedom and Tenure. He was among the first faculty to receive the UNL Faculty Senate's James A. Lake Academic Freedom Award and also received an award for his defense of academic freedom from ACLU Nebraska.

The third award, which was not listed on the program, was presented as a surprise to ReLeah Lent. ReLeah is also the recipient of the American Library Association's Intellectual Freedom Award, NCTE's Intellectual Freedom Award, the PEN/Newman's Own First Amendment Award, and the Florida Council of Teachers of English President's Award. She was delighted to make AFCON's award the most recent addition to her collection.

Lent's visit was co-sponsored by the Nebraska English Language Arts Council and ACLU Nebraska, with financial support from NCTE. Thanks to Clark Kolterman for coordinating with NCTE; Laurie Lee for making hotel arrangements and for taping and posting the keynote address; President Frank Edler, for helping to oversee all aspects of the arrangements; Treasurer-for-Life Cathi McMurtry, for keeping the books and paying the bills as always; and Nancy Comer, for coordinating with public schools.

And above all thanks to ReLeah, who was a pleasure to work with throughout the arrangements and who subsequently sent in her dues to join AFCON as an individual member for 2014, not knowing that speakers invited to our annual meetings get a one-year membership in AFCON. We have applied her dues to the following year, making her AFCON's first 2015 member.

Christian Football in Nebraska

By David Moshman

Ron Brown, assistant coach of the University of Nebraska-Lincoln football team, acknowledged at UNL's Big Red Breakfast this month that he reads scripture to his players daily. An article in the November 2 *Lincoln Journal Star* summarizes and quotes from his response to a question about how he balances faith and football.

His answer is that he doesn't. Faith is not something to be toned down or lifted up to "get in the middle ground." Faith is not something to be balanced with anything else: "There's only one way."

And why when he coaches football must he provide his student-athletes with daily Bible readings? "Because I'm trying to coach their heart and soul."

"People say," he noted, "'Wait a minute, Brown. You're not at Nebraska Christian. You're at a land-grant institution, a state, publicly funded university.'" In response, Brown claimed that "the faculty, those professors in existentialism and philosophy are telling these same players, 'There is no God. There is no right from wrong.'"

That's where Coach Brown comes in. "I'm just deprogramming all that stuff. I'm giving them my version, what I believe is the truth. Are we a university of diversity? A university of tolerance? Tolerate that."

Okay, I'm trying. Brown's conception of how a public university should operate, if I understand correctly, is that faculty should be free to do whatever they please, and coaches too: "If those professors want to live out their reality and their truth, they have a right to do that, they're hired to do that, but so am I."

In a subsequent letter to the editor, Thomas Kiefer, who earned his doctorate in the UNL Department of Philosophy in 2003, wrote that no formal class in existentialism has been taught in the department since about 1990. Most of his classes "did not raise the question of God's existence," and when the question did come up there was equal attention to authors and arguments on both sides.

As for telling students, "There is no right from wrong," Kiefer denied that any UNL philosopher, then or now, held any such view. He specifically mentioned the distinguished Christian philosopher Robert Audi, who was a professor at UNL until he was recruited away by Notre Dame.

Kiefer's observations hold for other departments as well. Nowhere at UNL, to the best of my knowledge, do faculty teach that there is no God or that right cannot be distinguished from wrong.

Ron Brown, Kiefer concludes, simply "made stuff up." This is not a favored approach to knowledge, either in the philosophy department or anywhere else at UNL.

Brown has perhaps misunderstood the concept of academic freedom. Faculty are free to develop and present their own interpretations and ideas in their areas of expertise because such freedom enhances the quality of research and teaching. This is not a right to do anything they please.

For example, the state of Nebraska recently provided funding for a study of the effects of climate change on Nebraska agriculture. The study was required to exclude human factors. UNL rejected the funds and announced a study of its own that will respect the academic freedom of the researchers to consider all relevant evidence and reach whatever conclusions they deem most justified.

Needless to say, UNL faculty who teach about climate science will be free to present and discuss the results of this study in their classes regardless of what politicians think should be studied and taught. But faculty are not free to teach whatever they wish about any topic they choose to a captive audience of students.

Contrary to Brown's expansive claims about the rights of professors, UNL faculty do not have a right to indoctrinate students in their religious (or anti-religious) views. Faculty are hired to teach and do research in philosophy, chemistry, engineering, and other subjects, and this is what they do.

"I would not be a man of integrity," said Ron Brown, "if I watered down what I believe." I have no reason to doubt that he is sincere, and I respect his freedom of belief and his right to express his beliefs.

But Ron Brown's goal of coaching "heart and soul" goes beyond what his job permits. As teachers and coaches we may try to reach students' hearts, but as employees of a public university it is beyond our purview to aim for their souls.

David Moshman is President-Elect of AFCON. This article originally appeared in The Huffington Post on November 19.

AFCON SPEAKER'S BUREAU (As of December 2007)

Peggy Adair: "Banned Books, Black Arm-bands, and School Prayer: The Evolution of Children's First Amendment Rights in America"

padair@tconl.com

Dwayne Ball: "Threats to Academic Freedom at Universities"

adball@neb.rr.com

Bob Haller: "Civics Education and the Practice of Freedom" and "How Books Can Harm You: Lessons from the Censors"

mshortt@inebraska.com

David Moshman: "Principles of Academic Freedom"

dmoshman1@unl.edu

John Bender and David Moshman: "Student Freedom of Expression/Student Rights"

jbender1@unl.edu

dmoshman1@unl.edu

Laurie Thomas Lee: "Implications of the USA Patriot Act"

llee1@unl.edu

Presentation of the Readers' Theatre production of A Tangled Web: Student Freedom of Expression.

(a cast of adults and students)

ADDRESS FOR THE AFCON WEB SITE

<http://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;

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 March 21, 2014, issue is February 24, 2014.

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

AFCON

515 North Thomas Avenue
Oakland, NE 68045.

Mailing
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ACADEMIC FREEDOM COALITION OF NEBRASKA

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**