



THE

AFCON

SENTINEL



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June 2017

AFCON OFFICERS

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Peggy Adair
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Linda Parker
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Frank Edler
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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— Rod Wagner



Rod Wagner

Nebraska author Rainbow Rowell has again made a top ten list for her notable teen novel, *Eleanor & Park*. In this case – being among the top ten most censored books of the past year. *Eleanor & Park* is one of seven *New York Times* Notable Children's books and a Printz Honor recipient. Published in 2013, the book has been frequently challenged and in large part based on perceived offensive language.

Rowell's book is one of many popular books challenged for use in schools, and occasionally public libraries as well. *Eleanor & Park* is acclaimed for its sensitive attention to real life experiences of teens. Rowell is a prolific writer, and her books have received deserved recognition. She has previously been honored as a Nebraska Book Award winner. Rowell has responded to censorship efforts and is an effective speaker on the topic.

Rainbow Rowell is among a long list of authors whose books have been challenged, and sometimes removed from library shelves. The American Library Association's Office for Intellectual Freedom (OIF) tracks censorship activity and regularly publishes information about that activity – which books are being challenged, numbers of challenges, basis for challenges, and locations. Despite the good efforts of the OIF to track censorship changes,

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“Too many adults wish to 'protect' teenagers when they should be stimulating them to read of life as it is lived.”

— Margaret A. Edwards



Seal for the American Library Association's Margaret A. Edwards Award

Upcoming Events

The next AFCON Board Meetings will be **June 10 and July 8, 2017, 10 AM**
Loren Eiseley Library, 1530 Superior, Lincoln, Nebraska

(President's Message —continued from Page 1)

it is estimated that from 80 to 90 percent of challenges go unreported.

Censorship, of course, is closely tied to academic freedom in that it seeks to remove the opportunity to read and, therefore, to learn, imagine, and consider a range of subjects and ideas. Challenged books, per the trends over recent years, commonly

involve diverse populations, religious viewpoints, vulgar/profane language, violence, and more. Most frequently challenges involve sexually explicit materials. The threat of challenge is another facet of censorship. This comes from within the institution when books and other materials are not purchased because of potentially controversial subjects.

Despite challenges, the OIF reports that only about 10% of chal-

lenged books are removed from library shelves. The OIF credits local literary champions such as librarians, students, and patrons for their efforts in defense of intellectual freedom.

Reference: *American Libraries*. "The State of America's Libraries 2017." A Report of the American Library Association. April 2017.

LINKS TO ACADEMIC FREEDOM ISSUES

- Some humor from *The Onion*:
<http://www.theonion.com/article/berkeley-campus-lockdown-after-loose-pages-wall-st-55815>
- David Moshman's post: "The Libertarian Socialism of Public Schools" (March 2017)
<http://www.huffingtonpost.com/entry/58dad530e4b0f087a3041dbc>
- David Moshman: Star Trek on "the Truth of the World" (April 2017)
http://www.huffingtonpost.com/entry/star-trek-on-the-truth-of-the-world_us_59035d5be4b05279d4edbb60
- The *Daily Nebraskan* special issue on freedom of speech:
<http://projects.dailynebraskan.com/letstalk/>
- SPLC's Marjorie Kirk on the Arizona governor's veto of the New Voices bill:
<http://www.splc.org/article/2017/05/arizona-governor-vetoes-new-voices-bill>
- Pence lauds Notre Dame on free speech but FIRE points out it's a red-light university:
<https://www.thefire.org/at-notre-dame-commencement-vice-president-pence-addresses-freedom-of-expression-while-students-exercise-it/>
- FIRE Report: Alarming free speech climate at Tufts; a warning to students at all private campuses
<https://www.thefire.org/fire-investigative-report-alarming-free-speech-climate-at-tufts-a-warning-to-students-at-all-private-campuses-video/>
- *Inside Higher Ed* on N. Bruce Duthu giving up a new deanship at Dartmouth College:
<https://www.insidehighered.com/news/2017/05/23/popular-native-american-studies-scholar-declines-deanship-dartmouth-amid-concerns>
- Tenured professor at Spalding University summarily dismissed for asking too many questions:
<https://www.insidehighered.com/news/2017/05/16/aaup-spalding-u-fired-tenured-professor-asking-why-it-hadnt-notified-minority>
- University of Illinois research institute calls off talk by Nobel laureate James Watson:
<https://www.insidehighered.com/news/2017/05/17/u-illinois-calls-james-watson-lecture-over-his-racist-comments>

Empowering Library Staff to Help Teens Succeed



BASIC STATS



640
Volunteers

36,000+
Twitter followers

12,800+
Facebook likes

FINANCIAL SUPPORT

TO HELP LIBRARY STAFF PROVIDE SERVICES AND RESOURCES THAT HELP TEENS SUCCEED IN SCHOOLS AND PREPARE FOR COLLEGE AND CAREERS



22
Member Awards
distributed worth a total
\$29,400

114
Mini Grants
totaling
\$70,000

Gave Away
\$49,458
worth of Books
and Media



RESOURCES TO LIBRARY STAFF

TO HELP STAFF WORK WITH TEENS TO BUILD THEIR TRADITIONAL AND DIGITAL LITERACY SKILLS



4,302
Teen Read Week™
celebrations nationwide



3,593
Teen Tech Week™
celebrations nationwide

EDUCATE AND TRAIN LIBRARY STAFF

TO HELP STAFF STAY UP TO DATE ON TRENDS AND INNOVATIONS IN LIBRARY SERVICES

of Attendees: 500 YALSA Symposium 2015
702 ALA Annual Conference 2016 716 ALA Midwinter Meeting 2016



290 Participants:
webinars, e-courses,
licensed institutes

SET THE NATIONAL DIRECTION

FOR SERVING TEENS THROUGH LIBRARIES

1 National Research Agenda
5 Sets of Guidelines
1 Call to Action

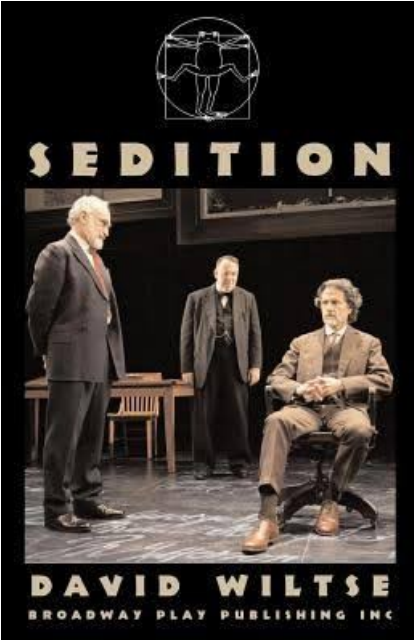


www.ala.org/yalsa @yalsa

2017 AFCON Annual Meeting in October Features a Reading of David Wiltse's Play *Sedition* by the Angels Theatre Company



AFCON welcomes Angels Theater Company in collaboration with its 2017 annual meeting in October. Angels Theatre Company will give a reading of David Wiltse's play *Sedition* (2007) as the centerpiece of AFCON's annual meeting.



Wiltse's play is based on the disloyalty trial that took place during World War I when eleven professors and one staff member were accused of disloyalty and put on trial at the University of Nebraska. Wiltse's grandfather, Andrew Schrag, professor of German at the university, was one of the twelve accused of disloyalty and is the play's protagonist.

War hysteria gripped Nebraska in 1917-1918, and anyone who disagreed with the government or criticized it in any way could be arrested and thrown in jail.

A century later, questions of academic freedom in times of patriotic fervor and ethnic hysteria remain as relevant as ever, and not just in higher education. Most Nebraskans don't know that every Nebraska school district is required by a 1949 law to have a "committee on Americanism" charged with monitoring the history and civics curriculum to ensure the production of a "patriotic citizenry." LB 308, a bill introduced in the Nebraska legislature in January 2017, is designed to activate these committees. We hope the presentation of *Sedition* will increase historical awareness and spur useful discussion about the exercise of freedom in 1917 and 2017.

Angels Theatre Company will begin their Salon Reading Series on the theme of freedom on Sunday, October 1, with a reading of David Wiltse's script Sedition. For more information on the October 1 reading, check with the Angels Theatre website at www.angelscompany.org.

Later in October the reading of the same play will be the centerpiece of AFCON's annual meeting. The September Sentinel will have more information on AFCON's October meeting.



Angels Theatre Company

SUMMARIES of AFCON Board of Directors' Meetings

Peggy Adair, Secretary



Peggy Adair

**February 11,
2017, Loren
Eiseley Li-
brary**

P R E S E N T :
Peggy Adair, Russ
Alberts, John
Bender, Jayaram
Betanabhatla,
Nancy Comer,
Frank Edler, Ally

Halley, Laurie Thomas Lee, David
Moshman, Linda Parker, Rod Wagner.
President Rod Wagner convened the
meeting at 10:07 a. m..

MINUTES: A motion was made by
Moshman, second by Edler, to approve
minutes of the AFCON board meeting
held on January 14, 2017. Motion car-
ried on a voice vote.

TREASURER'S REPORT: Parker
presented the treasurer's report. Balance
on hand as of February 10, 2017, is
\$2,734.62. Parker will continue to work
on filing federal form 990.

PRESIDENT'S REPORT: President
Wagner reported the draft articles of
incorporation are ready for review for
the AFCON board.

SENTINEL: Edler reported the next
Sentinel will be another Chubby Issue.
Deadline for articles for the March *Sen-
tinel* is February 24.

TREAT OF THE DAY: Nothing! Bob,
we missed your buns!

POLICY COORDINATOR: Mosh-
man reported a UNL fraternity is under
investigation for hurling words at wo-
men who were marching in opposition
to President Trump. Moshman will con-
tinue to monitor the issue.
Moshman reported the newly-elected

federal administration raises concern
among academics about the future of
the huge college bureaucracy on stu-
dent sexuality. Moshman reported aca-
demics are unsure whether the new
administration will loosen regulations
or will use their power to impose a
different ideological approach.

LEGISLATIVE REPORT: Adair
reported deep concern about the hos-
tile, scorched-earth nature of legisla-
tive actions by the majority party to
silence the minority party. Adair will
continue to monitor and will report
back to the AFCON board.

**STUDENT MEDIA LEGISLA-
TION:** The board agreed by consen-
sus to table student media legislation
efforts until after the current legisla-
tive session ends.

**ARTICLES OF INCORPORA-
TION:** Wagner presented a draft of
AFCON articles of incorporation to
the board. A motion was made by
Moshman, second by Bender, to au-
thorize President Wagner and Treas-
urer Parker to finalize details and file
the articles of incorporation with the
secretary of state. Motion carried on a
voice vote.

ANNUAL MEETING 2017: A motion
was made by Moshman, second by
Edler, that AFCON shall spend up to
\$1,000 for expenses related to the
2017 AFCON annual meeting, with
the expectation that the majority of the
money may go to travel and hotel ex-
penses for playwright David Wiltse.
Discussion followed. Moshman ex-
plained he has yet to invite Wiltse be-
cause he first wanted to obtain board
approval to offer travel reimbursement
to Wiltse. The board discussed obtain-
ing grant funding, collaborating, re-
questing donations and finding other
ways to reduce the direct burden on

AFCON's limited bank account.
Motion carried on a voice vote.

MARY BETH TINKER: Mosh-
man reported Mary Beth Tinker
will be in Omaha on Wednesday,
March 22, to speak at the College
of Saint Mary. ACLU has enthusi-
astically offered to host a VIP cof-
fee for Tinker on Wednesday af-
ternoon. AFCON enthusiastically
agreed to let ACLU take the lead.
AFCON members will happily
attend and otherwise act in a sup-
porting role.

**MEMBER REPORTS: UNL
Faculty Senate:** Bender reported
the Faculty Senate is concerned
about the recent travel ban im-
posed by President Trump's ex-
ecutive order. The Faculty Senate
is drafting an official statement on
the issue.

Nebraska Library Association:
Parker reported Library Advocacy
Day will be held Tuesday, March
21, 2017, at the Cornhusker Hotel
in Lincoln. Wagner reported the
Library Association's new lobby-
ist, Andy Pollock, is doing a great
job representing the interests of
Nebraska librarians.

Fine Lines: Halley reported Fine
Lines is preparing for this year's
summer writing camps for chil-
dren and adults. Halley reported
the camps are always very popular
and well-attended. Scholarships
are available for those with finan-
cial needs.

**Nebraska State Reading Asso-
ciation:** Comer reported the
NSRA state reading conference
will be held February 23-25, 2017,
in Kearney.

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(SUMMARIES —

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ACLU Nebraska: Lee reported they are very, very busy dealing with fallout from the new bigly tremendous federal administration.

At Large: Alberts reported the Orthopedic Research Society, which historically avoids political involvement, has published an official statement opposing President Trump's executive order banning refugees and other foreign nationals.

Nebraska Center for the Book: Wagner reported Tim Anderson, author of a biography on John Neihardt, is touring Nebraska giving presentations. (John Neihardt is the author of *Black Elk Speaks*, this year's One Book One Nebraska selection.)

Wagner also reported NCB is participating in the national contest, Letters About Literature, inviting children to write letters to the author of their favorite book.

There being no further business, the AFCON board adjourned at 11:45am.

Respectfully submitted,
Peggy Adair, Secretary

The next meeting of the **AFCON BOARD OF DIRECTORS** will be held on **Saturday, March 11, 2017, 10:00am**, at Eiseley Library in Lincoln.

www.academicfreedomnebraska.org
afcon.nebraska@gmail.com

The March 11, 2017, meeting of the board was cancelled due to weather forecasts of six inches of snow; the snow, however, decided to go on vacation.



Heinrich Heine

*"It is there, where they
burn books, that eventually
they burn people."*
—Heinrich Heine

**April 8, 2017, Loren Eiseley
Library, Lincoln, NE**

PRESENT: Peggy Adair, Russ Alberts, John Bender, Nancy Comer, Frank Edler, Bob Haller, Ally Halley, David Moshman, Linda Parker, Rod Wagner.

President Rod Wagner convened the meeting at 10:08 a.m.

MINUTES: A motion was made by Moshman, second by Edler, to approve minutes of the AFCON board meeting held on February 11, 2017. Motion carried on a voice vote.

TREASURER'S REPORT: Parker presented the treasurer's report. Balance on hand as of April 7, 2017, is \$2,734.25. Parker reported she successfully obtained and filled out federal form 990. Parker reported mileage reimbursement for AFCON board members for 2017 will be 27 cents per mile and people, cash those checks.

PRESIDENT'S REPORT: President Wagner reported the event featuring Mary Beth Tinker was delightful and

informative. Moshman reminded the board that 2019 will be the 50th anniversary of the Tinker v. Des Moines Supreme Court decision, so we may want to incorporate the decision and its successful plaintiff into our 2019 annual meeting plans.

SENTINEL: Edler reported the deadline for articles for the next edition of the *Sentinel* is May 24. Edler encouraged board members to submit announcements, conferences, and news items relating to their organizations for the June *Sentinel*.

TREAT OF THE DAY: Hot Cross Bunnies! Huzzah, and thank you, Chief Baker Bob!

POLICY COORDINATOR: Moshman reported his article on academic freedom has been accepted by the AAUP for publication in the next edition of their online journal.

Moshman reported the new UNL Chancellor, Ronnie Green, has found free speech to be his most challenging aspect of university governance thus far.

LEGISLATIVE REPORT: Adair updated the board on the status of legislative bills she is following:

LB175, introduced by Morfeld, Student Online Personal Protection Act – in committee

LB 14, introduced by Krist, and also **LB155**, introduced by Brasch, requires students to pass civics test – in committee

LB124, introduced by Baker, increases probation period of community college professors to 3 years – on general file

LB62, introduced by Scheer, repeals law prohibiting teachers

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(SUMMARIES —

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from wearing religious garb – passed and signed by governor

LB308, introduced by Brasch, adds requirements to “Americanism” law – in committee

LB173, introduced by Senator Morfeld, adds sexual orientation to list of protected classes that are protected against employment discrimination – on general file, Senator Bolz priority bill.

Moshman reported he was unable to testify in person in opposition to **LB308** due to time constraints, but he did submit his written testimony to the committee.

Moshman reported Senator Krist has introduced a substantive amendment to his own **LB 14**. Moshman reported Krist met with educators who were concerned about the archaic “Americanism” statute. As a result of that meeting Senator Krist prepared and submitted **AM625** to **LB14**, which shifts legislative intent from “Americanism” to “civic competence.”

ARTICLES OF INCORPORATION:

Wagner presented AFCON articles of incorporation to the board for signatures. President Wagner will submit the signed Articles to the Secretary of State’s office and will post legal notice.

ANNUAL MEETING 2017: Moshman updated the AFCON board on Annual meeting plans.

PAYPAL GIVES GRANT PRO-

GRAM: Halley reported PayPal provides grants for area non-profits. Halley reported the grant process is relatively simple and she can work with Parker to submit an application by the grant deadline of April 27, 2017. The board agreed by consensus to authorize Halley and Parker to submit a grant application to PayPal for purposes of funding the AFCON 2017 annual meeting.

AFCON 2017 ACADEMIC FREE-

DOM AWARD: Decision on the 2017 Academic Freedom Award winner(s) will be made at the July AFCON board meeting. Suggestions for recipients can be sent to President Wagner at any time.

MEMBER REPORTS:

Nebraska School Librarians Association: Wagner reported for McClung that NSLA membership dues for AFCON are forthcoming.

UNL Faculty Senate: Bender reported budget issues are consuming much of the Faculty Senate’s time right now.

Nebraska Center for the Book: Wagner reported the Center for the Book is participating in Letters About Literature, and children with winning letters to their favorite authors will be recognized next week.

Nebraska Library Association: Parker reported the NLA voted to affirm the National Library Association’s resolution on access to accurate information.

Fine Lines: Halley reported the Spring, 2017 edition of *Fine Lines* has been published. Fine Lines continues to prepare for this year’s summer writing camps for children and adults. Halley provided AFCON board members with complementary copies of *Fine Lines*.

There being no further business, the AFCON board adjourned at 11:25 am.

Respectfully submitted,
Peggy Adair, Secretary

The next meeting of the **AFCON BOARD OF DIRECTORS** will be held on **Saturday, May 13, 2017, 1:00 pm**, at **Anderson Library** in Lincoln.

www.academicfreedomnebraska.org
afcon.nebraska@gmail.com

May 13, 2017, Anderson Library, Lincoln, NE

PRESENT: Russ Alberts, Jayaram Betanabhatla, Nancy Comer, Frank Edler, Bob Haller, Ally Halley, Paula McClung, David Moshman, Linda Parker, Rod Wagner.

President Rod Wagner convened the meeting just after 1:00 p.m.

MINUTES: The minutes were approved without dissent on a motion by Parker seconded by Edler.

TREASURER’S REPORT: Parker distributed the treasurer’s report, which shows the balance on hand to be \$2587.52. Before long, cornbread began coming around the table.

PRESIDENT’S REPORT: Wagner reported that our articles of incorporation have been filed with the state of Nebraska, and we will now advertise our existence as legally required.

SENTINEL: Material for the June *Sentinel* should be e-mailed to Edler by May 24.

POLICY COORDINATOR:

Moshman reported on his recent presentation to the UNL AAUP on academic freedom in the age of Trump and noted a new Tennessee law (and related bills in other states) designed to protect free speech in higher education. He also reported that the three Americanism and civics bills we have been following all remain in committee.

PAYPAL GRANT APPLICATION:

Halley reported that our grant application has been

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(SUMMARIES —

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submitted to PayPal and we can expect to hear back by July 1.

DVD VIEWING OF MARCIA

PALLY'S 1994 ADDRESS: After brief organizational reports, the rest of the meeting was devoted to viewing Russ Albert's videotape, now transferred to DVD, of Marcia Pally's key-

note presentation at AFCON's 1994 annual meeting and the subsequent panel discussion. The presentation was entitled "Out of Harm's Way: The Soothing Appeal of Censorship." The discussants were Charles Stephen, minister of the Lincoln Unitarian Church, where the meeting took place; Nancy Hicks, reporter for the *Lincoln Journal Star*; and Pat Shafer, President of the Nebraska

State Education Association. President Wagner brought popcorn for the viewing.

Respectfully submitted,
David Moshman
Interim Assistant Vice Secretary

(Please note that the May minutes have been revised but have not yet been approved.)



“Censorship is to art as lynching is to justice.”

— Henry Louis Gates, Jr.

Anti-Authoritarian Academic Code of Conduct: Bracing Ourselves

This 10-point code was recently proposed by Dr. Rachel Barney, professor of classics and philosophy at the University of Toronto (the editor's alma mater). The ten points below were taken from an article entitled "Values for the Trump Era" by Colleen Flaherty (*Inside Higher Ed*, November 30, 2016):

- I will not aid in the registering, rounding up or internment of students and colleagues on the basis of their religious beliefs.
- I will not aid in the marginalization, exclusion or deportation of my undocumented students and colleagues.
- I will, as my capacities allow, discourage and defend against the bullying and harassment of vulnerable students and colleagues targeted for important aspects of their identity (such as race, gender, religious beliefs, sexual orientation, etc.).
- I will not aid government or law enforcement in activities which violate the U.S. Constitution or other U.S. law.
- I will not aid in government surveillance. I will not inform.
- As a teacher and researcher, I will not be bought or intimidated. I will present the state of research in my field accurately, whether or not it is what the government wants to hear. I will challenge others when they lie.
- I will not be shy about my commitment to academic values: truth, objectivity, free inquiry and rational debate. I will challenge others when they engage in behavior contrary to these values.
- As an administrator, I will defend my students, faculty and nonacademic staff. I will not allow the expulsion, firing, disciplining, harassment or marginalization of individuals targeted for being members of disfavored groups or for expressing dangerous opinions. I will speak up for academic freedom. I will insist on the autonomy of my institution.
- I will stand with my colleagues at other institutions, and defend their rights and freedoms.
- I will be fair and unbiased in the classroom, in grading and in all my dealings with all my students, including those who disagree with me politically.

Academic Freedom in the Age of Trump

David Moshman



David Moshman

Academics must defend academic freedom but should not automatically oppose whatever the Trump administration does. In a May 4 presentation at the spring 2017 membership meeting of the UNL chapter of the

American Association of University Professors (AAUP), I addressed four areas where the Trump administration may have an impact, roughly in order of increasing complexity. I provide here a brief summary of those remarks.

One area of serious concern, already noted by many, is research and action on climate change, including the dissemination of scientific results. Academia must obviously stand up for science.

A related, and more general, concern is respect for truth. President Trump appears to be leading us into a “post-truth” era of “alternative facts.” But the problem is not new and not exclusive to Trump. Many conservatives and Republicans have long denied basic science, including not just climate change but scientific findings on the evolution of species and the age of the earth. On the political left, moreover, deep challenges to the very concept of truth have come from academic postmodernism and radically relativist forms of identity politics. Without denying the subjectivity of belief, academics must explain and defend the academic commitment to justification, truth, and the progress of knowledge.

A third area of concern relates to Trump’s repeated attacks on “political correctness,” a concept that refers, somewhat vaguely, to both diversity and censorship. We must defend legitimate ex-

pansions of the curriculum in fields such as history and literature to include the perspectives and contributions of women and of diverse racial and ethnic groups while recognizing legitimate concerns about intellectual, ideological, and political diversity. We must consistently oppose censorship, even of views deemed offensive or hateful, and must strongly oppose recent efforts by students and others to silence speakers by shouting over them or by threatening or initiating violence (the “Heckler’s Veto”; recall UNL’s 2008 disinvitation of Bill Ayers due to threats of violence from the community).

The final, and perhaps most complex, topic involves federal regulation of campus sexual assault procedures. Federal regulations forbidding sex discrimination in education are not an infringement on academic freedom. Federal power has gradually expanded, however, to the point of requiring campus adjudication of alleged rapes with what many consider inadequate due process. Colleges have sought to educate students about sexual ethics, with a focus on consent, but the Trump administration could now use its enhanced federal power to press for more conservative forms of sex education. More likely, it will move toward deregulation of how colleges address these issues, which would be consistent with academic freedom.

I noted in conclusion that most of the above issues have been addressed on my HuffPost blog at <http://www.huffingtonpost.com/author/dmoshman1-540> and encouraged anyone with academic freedom issues to email me at dmoshman1@unl.edu.



Theodore Roosevelt

“To announce that there must be no criticism of the President, or that we are to stand by the President, right or wrong, is not only unpatriotic and servile, but is morally treasonable to the American public.”

—Theodore Roosevelt



JOHN G. NEIHARDT
BLACK ELK SPEAKS
THE COMPLETE EDITION





ANGELS
THEATRE
COMPANY

PRESENTS



The award winning Angels Theatre Company *presents First Flight Festival 2017* in **Lincoln - July 19 - 29, 2017**. This Festival of short plays is presented in the **Studio Theatre** located on the first floor of UNL's Temple Building (across from the Lied Center) - 12th and R Streets Lincoln.

All 25 short plays (20 minutes or under) are written by playwright members of Angels Playwriting Collective. **Family** is the theme of *First Flight Festival 2017*. The Festival is divided into 3 Flights - because we can't fit all of the plays into one sitting!

Flight A is performed on July 19, 21 and 27 @ 7:30 PM, July 23 at 2 PM & July 29 @ 8 PM.

Flight B is performed on July 20, 22, 23 & 28 at 7 :30 PM and July 29 @ 4 PM.

You have 2 opportunities to see Flights A & B - 15 short plays in a single day!

Sunday July 23 - 2 PM (**Flight A**) and 7:30 PM (**Flight B**)

Saturday July 29—4PM (**Flight B**) and 8 PM (**Flight A**) - with a special dinner theatre package available with The Dish Restaurant.

Fight C is performed on July 25 & 26 @ 7:30 PM. All of the actors in this flight are middle and high school students from Malcolm, Nebraska.

Ticket prices: \$15 general admission per Flight. Festival passes are \$25.

OLLI and student discount prices are available at \$10.00 for Individual Flights and \$19.00 for a FESTIVAL pass.



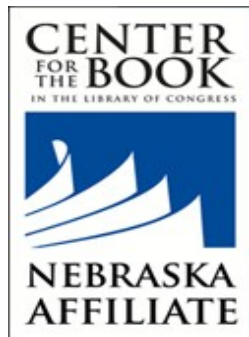
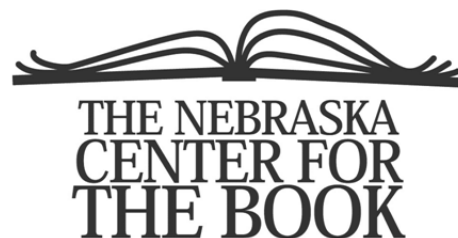
Academic freedom and intellectual freedom are two sides of the same coin, or perhaps two faces of the same polyhedral die. The principle of academic freedom safeguards the research inquiries and communications of teaching faculty, while the ideal of intellectual freedom is that all people should have such protections, even outside the academic sphere. Academic freedom affords protection to experts pursuing politically unpopular lines of scholarly inquiry, and intellectual freedom ensures that the public has access to that academic output.

In March 2017, NLA issued a resolution in support of ALA's Resolution on Access to Accurate Information, reaffirming our commitment to defending the intellectual freedom and the right to read of library users, and asserting our opposition to willful misinformation and censorship.

The Nebraska Library Association and the Academic Freedom Coalition of Nebraska seem like natural allies, fighting the good fight together to ensure that people can access and express the full spectrum of viewpoints on a topic.

Angela Kroeger
President
Nebraska Library Association

2018 One Book One Nebraska Book Nominations Sought

**JUNE 15 DEADLINE****Submit Your Nomination Today!**

What book would you suggest that all Nebraskans read next year? Nebraska readers are invited to make recommendations for the **2018 One Book One Nebraska** book selection. The Nebraska Center for the Book will consider books written by a Nebraska author (living or dead/with current or former residence in the state) or books that have a Nebraska theme or setting. Books should have a broad appeal to readers across Nebraska and lend well to group book discussion. Books may be fiction, non-fiction, biography, memoir, or poetry. They must be in print and readily available.

The deadline for nominations is June 15, 2017. Book recommendations can be sent via e-mail at nlc.ask@nebraska.gov or via the U.S. Postal Service to The Nebraska Center for the Book One Book One Nebraska, c/o Nebraska Library Commission Reference Services, 1200 N Street, Suite 120, Lincoln, NE, 68508-2023. Nominations can also be submitted online at <http://centerforthebook.nebraska.gov/obon-nomination.asp>.

The Nebraska Center for the Book will announce the 2018 One Book One Nebraska choice at the Fall Celebration of Nebraska Books. The Celebration will include a 2017 One Book One Nebraska program, Jane Pope Geske Award and Mildred Bennett Award presentations, and the Nebraska Book Awards Ceremony, with author readings and signings. The Celebration will be preceded by the Nebraska Center for the Book Annual Meeting.

Support Academic Freedom

AFCON NEWS



Mary Beth Tinker

Mary Beth Tinker, one of the plaintiffs in the famous 1969 Supreme Court case *Tinker v. Des Moines* continues to be a strong First Amendment advocate and was hosted in Omaha for coffee and discussion by ACLU Nebraska and AFCON. The discussion took place on the afternoon of March 22 at Crane Coffee on Cass Street.

Tinker is familiar to AFCON members who attended her talk at the University of Nebraska, Lincoln, hosted by Professor Laurie Thomas Lee and the journalism sequence at UNL a couple of years ago.

AFCON board members who attended the March 22 meeting were David Moshman, Rod Wagner, Linda Parker, Jayaram Betanabhatla, and Russ Alberts. ACLU Nebraska was represented by Vice President Linda Pratt. Others who attended the meeting were Doug Paterson, past president of AFCON, as well as Burch Kealey and his twelve-year-old son Patrick who is a big fan of Mary Beth Tinker.

On the right is a thirteen-year-old Mary Beth Tinker still wearing her black armband with her mother at a school board meeting in 1965. Tinker and her brother among others had been suspended from school for wearing black armbands to express their opposition to the Vietnam war.



As a pediatric nurse, Tinker continues to tour the United States educating young people about their rights especially in the areas of health and education.



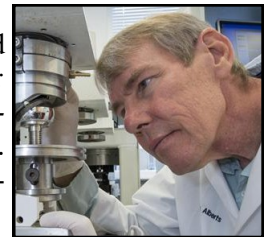
Marcia Pally is professor at New York University

A few months ago, Russ Alberts, past president of AFCON in 1994 and present board member, discovered that he had four video tapes of Marcia Pally's keynote address given to the AFCON annual meeting in 1994. He had them converted into a DVD and showed Pally's address entitled "Out of Harm's Way: The Soothing Appeal of Censorship" at the May AFCON board meeting. In the same year as her address, she published *Sex and Sensibility: Reflections on Forbidden Mirrors and the Will to Censor* (Ecco Press).



As David Moshman has commented, "The early 1990s was the height of the feminist anti-pornography movement, which argued that more censorship of offensive sexual speech (beyond existing obscenity laws) was necessary to protect the rights of women. Pally, along with Nadine Strossen and Marjorie Heins, was a key figure in the feminist anti-censorship movement, which emerged in response and argued that greater censorship of sexual expression was not only a violation of First Amendment rights but was specifically harmful to women and thus a mistake for feminism. Of particular concern for AFCON was that less protection for speech about sexuality would make it more dangerous to teach about sexuality and thus inhibit or discourage sex education."

In 2016, Pally published *Commonwealth and Covenant: Economics, Politics, and Theologies of Relationality* (William B. Eerdmans Press) which has received excellent reviews.



Russ Alberts

More Photos



Photo of meeting with Mary Beth Tinker (center in blue). To her right is Burch Kealey (in red) and on his right is his son Patrick (in blue) who is a big Tinker fan. On the far left is Doug Paterson, past president of AFCON; on the far right is Linda Pratt, vice president of ACLU Nebraska.



Rod Wagner, representing the Nebraska Library Commission (center right), participates in the proclamation signing ceremony with Governor Pete Ricketts making Black Elk Speaks the 2017 selection for One Book One Nebraska.

How the University of Nebraska Lost Its Identity during World War I and Became an Army Boot Camp (Part II)

Frank Edler



Frank Edler

The University of Nebraska in 1917-1918 lost its identity as an institution of higher learning for two reasons: first, it no longer functioned as a university when the board of regents, the chancellor, and many faculty members agreed that academic freedom should not be protected during wartime (the AAUP agreed with this practice). Any criticism of the war, President Wilson, or even the Red Cross was considered disloyal and tantamount to treason. The zeal of pre-war progressivism that had focused on social reform and greater democratization in many cases turned into a raging repression bent on complete conformity to the state. The individual counted for nothing in this war; the state for everything. It was a war that would end all wars and make the world safe for democracy. As John Higham said in his book *Strangers in the Land*, "The struggle with Germany ... called forth the most strenuous nationalism and the most pervasive nativism that the United States has ever known" (John Higham, *Strangers in the Land*, p. 195).

Second, the university in the fall of 1918 participated in the War Department's new Student Army Training Corps (S.A.T.C.) program that effectively turned the university into an army boot camp for training officers and teaching soldiers vocational skills. By September of 1918,

there was little semblance left of a university. Fortunately, the S.A.T.C. program was in place for only three months (September through November). It was phased out in December after the Armistice was declared on November 11.

As I mentioned at the end of Part I, the Nebraska State Council of Defense, after forcing the resignation of Frank L. Haller, president of the university board of regents, began pressuring the university again to clean house of disloyal faculty. In a letter to Chancellor Avery on January 4, 1918, Henry C. Richmond, secretary of the State Council, conveyed a resolution to him from the executive committee stating the following: "RESOLVED, that we urge the Chancellor and the Board of Regents to make investigation of the situation and to make it clear to every faculty member that words or acts out of harmony with the government's purpose will not be tolerated. We submit that the time has come when expressions of doubtful patriotism on the part of members of the faculty shall be dealt with drastically [i.e. they should be fired] by the Chancellor and the Board of Regents" (Letter to Avery on State Council letterhead from Henry C. Richmond, January 4, 1918, Samuel Avery files, UNL Archives).

On January 10, the State Council intruded even more directly into university affairs by authorizing council members George Coupland (a former regent of the university) and Slavic languages professor Sarka Hrbkova to call professors before the council to answer allegations of disloyalty. Some professors had already been



Prof. Sarka Hrbkova

From "Czechs in Nebraska:
Czechs in Literary Work,"
NEGenWeb Project

called before the council in the fall of 1917 such as German language professor Lawrence Fossler. Shortly after this authorization, Prof. George W. A. Luckey was called before the State Council "on the charge of making disloyal utterances" (*Daily Nebraskan*, "Dr. Luckey Denies He Is Unpatriotic," January 15, 1918, Image 1). In addition, Luckey sent a letter to the *Daily Nebraskan* defending himself against the charge of disloyalty and answered questions posed by the editor such as "Have you ever intentionally compared American and German government to the detriment of the former?" (Ibid, p. 4, Image 4). The fact that Luckey felt he had to respond to the student newspaper and address the editor's questions about disloyalty shows the degree to which the students had begun championing the agenda of the State Council.

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Prof. George W. A. Luckey
Daily Nebraskan, June 12, 1916

Even before Avery took his leave of absence at the end of January, 1918, Prof. O. J. Ferguson, acting dean of the engineering college, wrote a letter to the bureau of education of the interior department "offering to train several hundred drafted men if the government would send them to Lincoln" (*North Platte Semi-weekly Tribune*, "Offers to Train Drafted Men," January 24, 1918, Image 7). Was this Avery's way before leaving for Washington not only of trying to solve the problem of enrollment depletion due to the large student enlistment in the army (the university lost about thirty per cent of its population, a total of 1,537 students) but also to deflect the State Council's claims of disloyalty by bringing the army directly onto campus (*Daily Nebraskan*, "Nebraska Ranks High in Number of Men Gone to Defend Country," October 21, 1918, p. 1, Image 1)?

When Avery left, William G. Hastings, dean of the College of Law, became acting chancellor.

Hastings submitted a proposal to the War Department's committee on education and special training on or about April 9 to make the university into a military training camp "for intensive technical training in army mechanics and engineering for regularly enlisted and drafted men" (*Daily Nebraskan*, "May Train Army Mechanics Here," April 19, 1918, Image 1; see also "University Will Train Soldiers," April 23, 1918, Image 1 and "Sammies To Be Stationed Here," April 24, 1918, Image 1). It called for 700 regularly enlisted and drafted soldiers (350 at each campus) to take training and be instructed in "wireless telegraphy, telephone and telegraph line work, signaling, cement work, wood work, forging, engineering, and general army mechanics" (*Daily Nebraskan*, "University Will Train Soldiers," April 23, 1918, Image 1). This contract with the War



William G. Hastings
Daily Nebraskan
January 28, 1918

Department, no doubt, enabled the university to survive financially. The War Department reimbursed the university for the training, housing, and feeding of soldiers. The program was to begin May 15 but was delayed until June 15 when the soldiers arrived (*University Journal*, "National Army Training School Opens at the University of Nebraska," Vol. 14, Issue 3 (July 1918), p. 12). This tech-

nical training program for soldiers with at least an eighth grade education was replaced in the fall of 1918 with the new Student Army Training Corps (S.A.T.C.).

At a faculty committee meeting of the Patriotic League of the University of Nebraska, an incident occurred on April 9 involving Clark Persinger and Minnie Throop England. These two professors had exchanged partisan letters in Lincoln newspapers when the United States entered the war—Persinger on the anti-war side defending academic freedom while England defended one hundred per cent Americanism on the pro-war side. The committee was meeting to organize the third Liberty loan drive on campus and the conversation touched on the five Lutheran ministers who had refused to participate in a patriotic rally in Lincoln. According to Laura Pfeiffer, associate professor of European history and a member of the League, Persinger was the only one who "defended the ministers, claiming they had a right to their personal convictions and the duty to stand by them" (Manley, 1959 thesis, p. 221-222). England then accused Persinger of not having changed at all since the war began and refused to serve on the committee with him (Ibid). The incident was written up in the League minutes and found their way to the State Council.

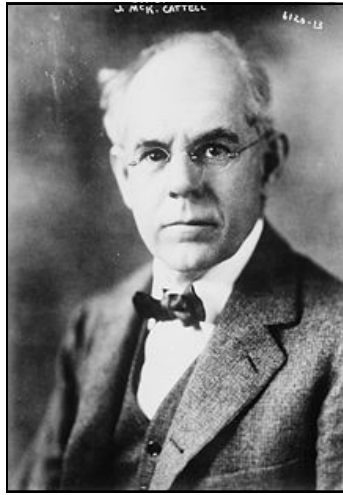
This may have spurred the State Council to send yet another letter on April 19 to the regents that repeated their demand of January 4 for a "thorough housecleaning," adding the comment that attention should be paid to the Department of American History [i. e. Persinger] and the Graduate School of Education [i. e. Luckey] (Manley, Centennial History, 218). These departments manifested a

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“spirit of ‘philosophic pacifism’” rather than “virile American leadership”; any behavior that was “negative, halting, or hesitant” should not be tolerated (Ibid). Besides, other universities faced with similar issues of faculty disloyalty had “taken vigorous action” [i. e. had fired faculty members] (Ibid).

Indeed, at least two well known universities had made national news in relation to the issue of so-called faculty disloyalty in the fall of 1917: Columbia University and the University of Illinois. In the former university, Chancellor Nicholas Murray Butler gave a convocation address to alumni on June 6, 1917, in which he laid down a “wartime moratorium on academic freedom.” As Carol Gruber has shown, Butler drew a hard line in the sand: “This is the University’s last and only warning to any among us ... who are not with whole heart and mind and strength committed to fight with us to make the world safe for democracy” [Carol Gruber, *Mars and Minerva: World War I and the Uses of Higher Learning in America* (Baton Rouge: Louisiana State University Press, 1975), p. 199]. On October 1, James McKeen Cattell, professor of psychology at Columbia University for twenty-six years, and Henry Wadsworth Longfellow Dana, professor of comparative literature, were both summarily fired from Columbia essentially for being critics of the war. Although Charles Beard, professor of history, supported the war, he resigned after the firing of Cattell and Dana because he believed the university was “under the control of a small and active group of trustees” who had “no standing in the world of education” (Ibid, 204).



James McKeen Cattell

At the University of Illinois in October, Dr. Queen Lois Shepherd in the philosophy department refused to buy Liberty bonds and was reported to William H. Kerrick, agent of the Department of Justice, who came to the university from Peoria to question her and a number of her colleagues, including the classics scholar William A. Oldfather (Charles Henry Oldfather, long-time Dean of the college of Arts and Sciences at the University of Nebraska was William’s younger brother). After an investigation, Kerrick charged eight professors and instructors with disloyalty and recommended their dismissal (*The Evening Missourian*, “Professors Are Disloyal,” November 2, 1917, Image 1). The university was shocked at the accusations, and the board of trustees appointed a committee to investigate. The report of the committee concluded that “there is no disloyalty in the University Faculty”; however, it went on to caution the faculty “to so conduct its deeds and speech that the world may know they are affirmatively loyal. Their academic freedom of speech and idealism in government affairs is now limited by this war” (Meeting of the Board of Trustees of the University of Illinois, December 11, 1917, p. 624). It went so

far as to say that “not even neutrality should be tolerated” (Ibid). The university was indeed able to avoid dismissing its professors; however, by 1920 “all the faculty members involved in the disloyalty incident except Oldfather had left the university” [*No Boundaries: University of Illinois Vignettes*, edited by Lillian Hoddeson, Preface by Richard H. Herman (University of Illinois Press, 2004), p. 76].

Back at the University of Nebraska, the board of regents at their April 25 meeting with Edward Provost Brown who was now president of the board decided to cave in to the State Council and hold a public hearing to address any and all charges of disloyalty. In its reply to the State Council the regents asked the Council “to submit any evidence it may have” and stated that any person after such a hearing who was not found to be “aggressively American” and whose “behavior is negative, halting, or hesitating in support of the government, shall be summarily dismissed from the service of the University” (Ibid, p. 219). Although this may have increased the embarrassment of faculty members by being called to a public trial and certainly would tarnish their reputations simply by being charged with disloyalty, it did force the State Council to conduct a hearing on the basis of evidence open to the public rather than a summary dismissal behind closed doors as some universities had done. Given the war hysteria at the time that spotted German spies on every rooftop, a public trial may have been a better option. This strategy, however, would succeed only if the rules of procedure for the hearing were fair. It is clear from its response to the State Council that the board wanted to give faculty

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a chance to defend themselves: "Any person accused should be given an opportunity to be heard in his own defense" (Ibid).

The State Council published its response to the regents on May 20. The Council chafed at the board's proposal because it felt, as Robert Manley has shown, that "the trial should be held not to allow the accused persons to clear themselves but to prove them guilty" and that "the burden should be on the regents to prove innocence rather than on the Council to prove guilt" (Manley, *Centenniel*, p. 219). Metcalfe published the May 20 letter in his own weekly newspaper under the heading "The Copperhead Nest at the University of Nebraska" (*Omaha Nebraskan*, May 23, 1918, p. 2). This time he did not even bother to put the word "Copperhead" in quotation marks as he had in his 19 April 1917 article. The May 20 letter stated that since the initial accusation of disloyalty made by the Council on July 10, 1917, "many complaints concerning these instructors have reached the State Council of Defense. These complaints were so persistent and so numerous that the State Council took the liberty of addressing to your body under date of April 19, 1918, suggesting the advisability of action on your part" (Ibid).

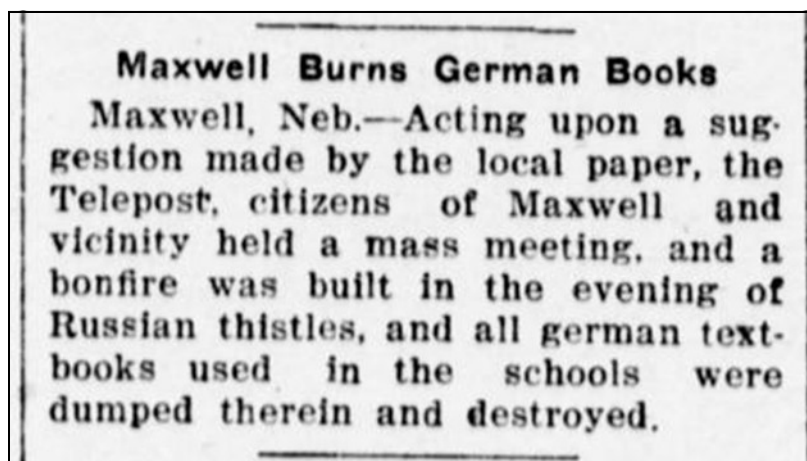
Never once calling them professors but always instructors, this letter composed by Metcalfe listed complaints against "twelve instructors" and gave a description of the complaint or complaints along with the name of each witness. The names of the accused were not given in the article nor were the names of the accusers. One of the more brief examples is as follows: "Another instructor made apologies and excuses for the attitude and

behavior of the I.W.W. [Industrial Workers of the World]" (Ibid). To begin with, the description of "twelve instructors" was inaccurate: there were actually eleven professors and one staff member. The one staff member was secretary of the Alumni Association. In the letter the Council did not accuse the twelve of treason or of being liable to the sedition law: "It is not necessary that a person be proved guilty of treason or sedition to show him [or her] to be unfit as an instructor;" rather, the State Council asserted that "every one of the twelve instructors [sic] herein referred to fall within the terms of your own rule," that is, they were all charged with behavior that was "negative, halting, or hesitating in support of the government." Those charged were unfit to teach because they encouraged "a spirit of inactivity, indifference, and opposition towards this war" (Ibid).

After listing the complaints, the letter went on to give examples of three cases that could help the regents in providing "correct rules for your proceeding" and thus "make the University of Nebraska 100 per cent American" (Ibid). One of the cases described in a lengthy paragraph was the September 1917 decision made by George V. Mullan, justice of the New York State Supreme Court in *Samson*

v. Trustees of Columbia University. Leon Samson, a Columbia University student, was expelled on June 14, 1917, for having stated at an "Emma Goldman" meeting that "We have no love for the Kaiser; but, as much as we hate the German Kaiser, we hate still more the American Kaiser" (John S. Brubacher, *The Law and Higher Education: A Casebook*, Vol. 1, Students Professors, p. 45). Samson took his case to the New York State Supreme Court seeking reinstatement to the university. Judge Mullan, however, upheld the expulsion, and the State Council saw the judge's procedure as a model that should be applied to those charged at the University of Nebraska: "In sustaining the order of expulsion Judge Mullan [sic] said that whether the student's conduct came within the accepted definition of sedition or treason did not concern the court; that what the court had to deal with was the question as to whether the plaintiff's continuance at Columbia university ... is likely to constitute a menace to the university" (*Omaha Nebraskan*, "The Copperhead Nest at the University of Nebraska," May 23, 1918, p.2).

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Red Cloud Chief, April 18, 1918, page 6

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The reason why Judge Mullan focused on the question of whether Samson was a possible menace to the university was because Samson had been admitted to Columbia on probation, and Mullan interpreted probation as an implied agreement that Samson “would comport himself in such a manner as not to destroy or interfere with the discipline, good order and fair name, of the University” (John S. Brubacher *The Law and Higher Education: A*

Casebook, Vol. 1, Students Professors, p. 46). Thus, Samson, according to Judge Mullan, had broken the implied agreement in his probationary contract with Columbia. The Council, however, did not mention any of these special circumstances involved in the case, circumstances that were impossible to transfer to the case of the professors and the staff member at the University of Nebraska.

The Council closed the letter with the following statement: “In the

discharge of our duty we have pointed out the cancer in the University of Nebraska, and in the name of the people of this state we call upon you to take immediate action” (*Omaha Nebraskan*, “The Copperhead Nest at the University of Nebraska,” May 23, 1918, p.2). The trial began Tuesday morning, May 28, 1918, in Room 101 of the law building of the university.

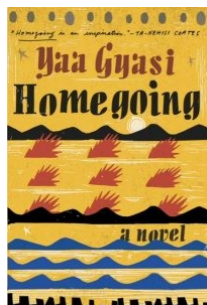
(Part III in the September issue of the *Sentinel* will focus on the professors’ trial of 1918.)



Three Finalists for 2017

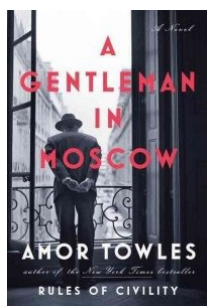
One Book—One Lincoln

Looking for book discussions?



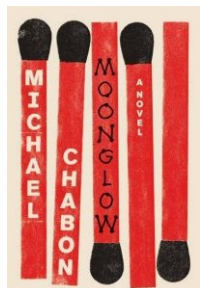
***Homecoming* by Yaa Gyasi**

Eiseley Branch Library
1530 Superior St.
Monday, July 16, 2017 – 2:00 – 3:00 p.m.



***A Gentleman in Moscow* by Amor Towles**

Walt Branch Library
6701 S. 14th St.
Sunday, July 23, 2017 – 2:00 – 3:00 p.m.



***Moonglow* by Michael Chabon**

Gere Branch Library
2400 S. 56th St.
Sunday, July 30, 2017 – 2:00 – 3:00 p.m.

Book discussions and events are being planned to enhance your reading of the One Book—One Lincoln 2017 finalists. Check the library’s website at lincolnlibraries.org for updates. Voting for the final book ends **July 31**. Votes can be cast at all library locations, @lincoln.libraries on Facebook, or @LCLibraries on Twitter.

AFCON SPEAKER'S BUREAU (As of June 2017)

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

impa@centurylink.net

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

mshortt@inebraska.net

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"

lleel@unl.edu

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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 Meet-ings; 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 for the September 2017 issue is August 24, 2017.

Send to Frank Edler, 908 Elmwood Avenue, Lincoln, NE 68510 or email frankhwedler@gmail.com

KEEPING THE FAITH IN HARD TIMES



FACULTY SENATE

FACULTY SENATE

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 Linda Parker, 4718 N. 83rd Street Omaha, NE 68134)

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 DISTRIBUTE THIS NEWSLETTER TO YOUR MEMBERS.
INDIVIDUAL MEMBERS, PLEASE SHARE THIS NEWSLETTER WITH YOUR FRIENDS IMMEDIATELY.
ENCOURAGE THEM TO JOIN AFCON**