

The AFCON Sentinel

Newsletter of the Academic Freedom Coalition of Nebraska

Volume 25, Number 5

October 2021

From the President The Power of Books

Todd Schlechte

Books are powerful. They may even convey ideas in a more enduring fashion than any other media form. In a column that ran in the *Washington Post* on September 14th, George Will had this to say: “The more fuss is made about new media — the Internet, Google, Facebook, Instagram and so on (and on) — the more I am convinced that books remain the primary transmitters of ideas. In fact, *because* of what makes new media so enchanting to so many, the importance of books is increasing... The velocity imparted by new media somehow is an incentive for intemperate discourse. Books, however, have long gestations and, usually, careful editors.” Since George Will is a well-known conservative who has been writing columns for 50 years, the thought ran through my head that he may be simply clinging to the past.

But the strong resistance to the existence of certain books in public libraries or in the academic setting, particularly schools, gives credence, at least in part, to the idea that books retain their power to influence thinking. Precisely because books are powerful conveyors of ideas, when viewpoints or information expressed within their covers do not conform to the ideas of vocal portions of society, we witness attempts to remove them from schools or public libraries, or to keep some books from surfacing there in the first place. Unlike social media, books provide the space to provide supporting information for an overarching idea or theme, with the result that readers can spend as much time as they want thinking about or pondering just what the information in a book means for one’s own worldview. A few months ago, I read the fictional work *The Ministry of the Future* by Kim Stanley Robinson. This book heightened my sense of urgency about climate change by giving a vivid narration of a fictional future in which climate change is rapidly occurring and describing extreme steps which, in this vision of the future, are implemented in order to battle greenhouse gasses. Also, within that book was the first time I encountered the concept of “wet bulb” temperature, and now I am finding that my friends and relatives are also unfamiliar with the concept, and I explain it to them. That is the sort of power which a book can wield.

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SAVE THE DATE!

AFCON Annual Meeting

**Race, Sex, and Academic Freedom
in Elementary Education**

Saturday morning, November 13, via Zoom
(see page 2 for more information)

Power of Books, continued from page 1

The annual celebration of Banned Books Week takes place this year from September 26 to October 2 with the theme “Books Unite Us. Censorship Divides Us.” In looking at the Banned Books Week website, I noticed that the celebration is sponsored by “a coalition of organizations dedicated to free expression, including American Booksellers Association; American Library Association; American Society of Journalists and Authors; Association of University Presses; Authors Guild; Comic Book Legal Defense Fund; Foundation for Individual Rights in Education (FIRE); Freedom to Read Foundation; Index on Censorship; National Coalition Against Censorship; National Council of Teachers of English; PEN America; People For the American Way Foundation; and Project Censored. It is endorsed by the Center for the Book in the Library of Congress. Banned Books Week also receives generous support from DKT Liberty Project and Penguin Random House.” (<https://bannedbooksweek.org/>). That is a rather astonishing number of organizations getting behind a celebration designed to remind American citizens of their First Amendment right to freely access information and to guard against attempts to remove that access.

Often, I think, when someone challenges a book’s or other material’s inclusion in a library or academic setting, they are not thinking about the totality of what they are attempting to do. They are trying to keep certain ideas, offensive language, etc. out of the library or academic setting and thereby seeking to “protect” children, young adults, or even society as a whole. But at the same time, they are focusing solely on their own viewpoint and forgetting that there are many other perspectives, and that if their actions to challenge books are successful, they have removed the right to read those books from people who do want to be able to use or check them out. They may not even realize that when this happens in the context of a government entity such as a public library, public school, or public university, this is censorship and a direct violation of the First Amendment. They also have almost certainly not thought ahead to the fact that if such actions were to become routinely successful, there would be nothing to keep

someone else from challenging the books they do like.



Much more fruitful to personal development is to actually read a few books each year that you have a feeling you may not like or will stretch your thinking. One of the ways that a person may choose to do that is to pick one, two, or more books from the Top Ten Banned Books of 2020 (<https://www.ala.org/advocacy/bbooks/frequentlychallengedbooks/top10>). And if you don’t think any of those will stretch you, pick something that will! One of the greatest benefits of the freedom to read is to gain access to new ideas and information.

AFCON Annual Meeting
**Race, Sex, and Academic Freedom
in Elementary Education**

Saturday morning, November 13, 2021

10:00 a.m. to Noon

via Zoom, open to all, no charge

[Register Here](#)

Join us for a lively discussion of academic freedom in elementary education, featuring a diverse set of panelists, with a focus on two Nebraska issues that have arisen in 2021: (1) the banning of *Something Happened in Our Town: A Child’s Story About Racial Injustice* from the Papillion La Vista Community Schools; and (2) the controversy over proposed state health education standards, especially with regard to teaching about topics related to sex and gender in elementary schools.

Race, Sex, and Academic Freedom in Elementary Education

*A Statement from the Academic Freedom
Coalition of Nebraska
September 2021*

In the spring of 2021, two issues arose in Nebraska that threatened, and continue to threaten, academic freedom in elementary education: (1) the banning of *Something Happened in Our Town: A Child's Story About Racial Injustice* from the Papillion La Vista Community Schools (PLCS); and (2) the controversy over proposed state health education standards, especially with regard to teaching about topics related to sex and gender in elementary schools. In response, AFCON is planning its November 2021 annual meeting around these issues. In anticipation of that meeting, we have prepared this statement in which we present AFCON's ten principles of academic freedom and elaborate on each with respect to issues of elementary education in 2021 Nebraska.

1. *Nature and Purpose of Academic Freedom.* Academic freedom refers to intellectual freedom in educational and research contexts, including freedoms of belief, expression, discussion, and inquiry. A commitment to intellectual freedom respects the rights of students and teachers and creates an educational context that promotes learning, development, and original research.

Elementary schools, no less than universities, are places of teaching, learning, and inquiry, all of which require academic freedom. The work of a second grader is different from that of a college professor, but both need the academic freedom to do their academic work.

2. *Freedom of Belief.* All individuals, including students and teachers, have a right to believe whatever they believe and to maintain or change their beliefs as they deem appropriate. Educational institutions may present alternative views but may not

require belief in those views. Students may be evaluated and graded with regard to their understanding of curricular material but not on the basis of their agreement with particular viewpoints.

Failure to respect students' freedom of belief transforms education into indoctrination, which is inconsistent with academic freedom. Elementary schools may (and should) teach about racism and sexism and may (and should) oppose racism and sexism, but they must not require or compel particular beliefs about race, sex, gender, or anything else.

3. *Freedom of Expression.* All individuals have a right to express their views privately and publicly and to discuss them with others. In academic contexts, students and teachers have a right to express their views on any matter relevant to the curriculum even if those views are deemed to be false, absurd, offensive, or otherwise objectionable. Some restrictions on expression are justifiable in cases where individuals are speaking in an official capacity on behalf of the institution.

Teachers must present the approved curriculum but have a right to add academically relevant topics, ideas, and examples. Teachers may ask students to explain and justify their views and may disagree with them when they are clearly wrong, but they may not penalize students simply because the ideas they express are deemed racist, sexist, homophobic, transphobic, or otherwise objectionable. Administrators and others who speak on behalf of a school must not substitute personal opinions for accurate statements of school policies.

4. *Freedom of Inquiry.* Educational institutions should encourage individuals to pursue their own interests and ideas and should promote access to relevant sources of information. Inquiry should not be suppressed by restricting access to controversial topics or viewpoints or by hindering the formulation of conclusions that may be deemed objectionable.

Failure to respect students' freedom of inquiry transforms education into indoctrination, which is inconsistent with academic freedom. School libraries should have collections that enable students to go beyond the curriculum.

5. *Formulation of Curriculum.* Curriculum should be determined by teachers and other professionals on the basis of academic considerations. It is a responsibility of administrators and school boards to support justifiable curricular decisions and to educate their constituencies about the educational importance of an inclusive curriculum and the critical role of respect for academic freedom.

Are elementary students too young to be learning about sensitive matters such as race, sex, and gender? The reality is that elementary students are already learning about such matters from many sources. It is important for parents to talk with their children about these matters, and it is important for schools to address serious issues such as these with accurate information and opportunities for academic discussion and reflection.

6. *Challenges to the Curriculum.* Suggested modifications of the curriculum should not be accepted merely to resolve a complaint, but neither should such suggestions be automatically rejected as illegitimate. In general, changes that expand the curriculum are more likely to be appropriate than changes that contract or restrict it. On the other hand, additions may be illegitimate if what is added cannot be justified academically, and deletions may be appropriate if what is deleted was not academically justifiable.

Elementary schools should have and follow clear policies and processes in responding to challenges to the curriculum. Elementary school librarians play a crucial role in maintaining the academic integrity of both curricular and supplemental resources.

7. *Parental Rights.* Parents have a right to discuss their views with their own children and to communicate with the school if they have suggestions or concerns about what they perceive the school to be teaching. Schools should accept the responsibility of explaining and justifying their curricula. In general, parents have the authority to direct their own minor children's education, subject to the responsibility of the school to provide an adequate education and to respect the rights of the student.

Elementary education is meant to complement parenting, not substitute for it. Parents may request that their child be excused from portions of the curriculum. Such requests should generally be granted, with alternative assignments as appropriate, in cases where there is an objection to a particular book or unit of the curriculum. Opting out of entire topics, however, may not be feasible. Race and sex, for example, are important considerations in history, literature, social studies, and related fields at all levels of education.

8. *Equal Opportunity.* Students and teachers have a right to academic freedom regardless of individual, biological, cultural, religious, theoretical, ideological, political, or other characteristics, backgrounds, or viewpoints.

Academic freedom is for everyone engaged in academic work.

9. *Privacy.* In seeking information about potential or current employees and students, academic institutions should avoid making official inquiries that target personal expressive activities or that are so broadly or vaguely defined as to chill intellectual freedom. With regard to academic assignments, students may be encouraged to speak or write about their lives, and may choose to do so, but may not be required to reveal personal information that they wish to keep private.

Schools may and should educate students of all ages about sensitive issues including race, sex, and gender. Teachers may, and often should, encourage students to make connections between curriculum and life experience, but must respect the right of students, with guidance from their parents, to decide what to say about matters under discussion and how personal to get.

10. *Due Process.* Academic institutions should ensure that their judicial and quasi-judicial procedures provide sufficient due process to protect intellectual freedom.

We are not aware of any recent case where a Nebraska teacher or librarian has suffered job consequences for the exercise of academic freedom, but we know there are many elementary educators who have reason to worry about this, which undermines the quality of education they can provide.

Conclusion

Elementary schools face complex issues and difficult decisions in determining what to teach about controversial matters including race and sex. Commitment to education and children requires that we make these decisions in a manner that respects the academic freedom of students and teachers and the academic integrity of their schools and libraries.

Resources

AFCON's Principles of Academic Freedom can be found here:

<https://www.academicfreedomnebraska.org/principles-of-academic-freedom.html>.

For a theoretical defense of AFCON's conception of academic freedom as intellectual freedom in teaching, learning, and inquiry at all levels of education, see Moshman, D. (2017). Academic freedom as the freedom to do academic work. *AAUP Journal of Academic Freedom*, Vol. 8.

<https://www.aaup.org/sites/default/files/Moshman.pdf>.

This statement was approved by the AFCON Board of Directors on September 11, 2021. For further information, contact AFCON policy

coordinator David Moshman at dmoshman1@unl.edu or president Todd Schlechte at todd.schlechte@gmail.com.



AFCON

www.academicfreedomnebraska.org

The Academic Freedom Coalition of Nebraska was founded in 1988 to promote intellectual freedom in Nebraska education and research, including freedoms of belief and expression and access to information and ideas.

JOIN OR RENEW

Rod Wagner, Treasurer

AFCON now accepts PayPal! Use PayPal to join or renew. We offer two ways to pay: you can use the PayPal button on our website <https://www.academicfreedomnebraska.org/join-afcon.html> or send us a check payable to AFCON at 3901 S. 27th St., #47, Lincoln, NE 68502. Memberships are \$120 for organizations and \$15 for individuals.

The AFCON Sentinel is the newsletter of the Academic Freedom Coalition of Nebraska, published bimonthly in February, April, June, August, October, and December. Unless otherwise indicated, articles represent the views of the authors.

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News and Links

Resolution opposing critical race theory defeated 5-3 at August 13 University of Nebraska Regents meeting

https://journalstar.com/news/local/education/regents-vote-down-resolution-seeking-to-stop-imposition-of-critical-race-theory-at-nu/article_a4f4fd92-16da-507b-afd2-9d7c74127811.html

https://omaha.com/news/local/education/nebraska-regents-vote-to-reject-jim-pillens-resolution-on-critical-race-theory/article_1fbbb530-fab6-11eb-8a75-437b465f0418.html

<https://www.insidehighered.com/news/2021/08/16/wi-n-academic-freedom-nebraska>

<https://www.chronicle.com/article/nebraska-regents-vote-down-resolution-on-critical-race-theory>

Nebraska State Board of Education waters down and then shelves plans for health education standards after controversy over teaching about sex and gender in elementary schools

https://omaha.com/news/local/education/nebraska-releases-second-draft-of-proposed-health-education-standards/article_722d121e-efb7-11eb-b234-7f28a4dff65a.html

https://omaha.com/news/local/education/critics-say-new-draft-of-nebraska-health-standards-is-better-lgbtq-advocates-deeply-disappointed/article_13f6ddd0-f08c-11eb-94c6-9bd5a8abdfb6.html

https://omaha.com/news/local/education/ricketts-sex-education-should-be-addressed-at-home/article_72d0b9f8-f09f-11eb-a11e-8b773badc1ee.html

https://omaha.com/news/local/education/masks-sex-ed-crt-turn-sleepy-nebraska-school-board-meetings-into-culture-war-battlegrounds/article_4b1399b0-00ff-11ec-b83b-cbdc8360e9dc.html

https://omaha.com/news/local/education/nebrasikas-health-education-standards-could-be-shelved-for-now/article_680dd7c6-09d6-11ec-a9a9-3fdf5c8f9c13.html

https://omaha.com/news/local/education/opponents-pleased-but-sex-ed-advocates-hope-state-board-doesnt-halt-standards-development/article_509c1e00-0aa2-11ec-bfeb-176544f0283d.html

https://omaha.com/opinion/editorial/editorial-nebraska-cant-sidestep-these-realities-about-young-people-and-sex-education/article_16c20e1e-0b39-11ec-949f-bbb282baf348.html

https://omaha.com/news/local/education/state-board-halts-development-of-nebraska-health-education-standards/article_4026e2ca-0c1a-11ec-b7e5-d7b3cabcef44.html

https://journalstar.com/news/local/education/concerns-raised-after-sex-education-opt-out-forms-mailed-to-lps-parents/article_62d7d6b0-0329-5295-afdd-d567625cd50a.html

https://omaha.com/news/local/education/some-nebraska-parents-say-teachers-overstepped-authority-by-asking-kids-pronouns/article_dbc70ce4-06c7-11ec-815d-5790342da746.html

https://journalstar.com/opinion/editorial/editorial-9-9-health-standards-fight-teaches-wrong-lesson/article_2e1d3407-59a0-556b-9f0f-6209b3708874.html

Courtney Lawton sues UNL in federal court for violating her free speech and due process rights

https://journalstar.com/news/local/education/former-lecturer-sues-unl-for-violating-her-free-speech-rights-after-protest/article_7984bd34-06ce-599e-8d9d-b9f7663b4a7f.html

The Genoa Indian School in Nebraska, like other federal Indian boarding schools of the time, attacked and undermined students' cultural identities in a systematic effort to separate them from their ancestral cultures and transform them into good Christian Americans.

https://omaha.com/news/state-and-regional/exploring-the-scarred-tragic-history-of-nebrasikas-genoa-indian-school/article_000e9546-f489-11eb-8105-5fb3160d2108.html

AFCON Board member Shee Covarrubias participated in two discussions about current attacks on education about race, an EmbraceRace webinar and a NOISE Omaha roundtable.

<https://www.embracerace.org/resources/the-attack-on-critical-race-theory-whats-going-on>
<https://fb.watch/77T2pGLdS/>

The first issue of the new *Journal of Free Speech Law*, available free online, includes an article by former national ACLU president Nadine Strossen arguing that racial justice requires free speech, plus an article on thought crime and a symposium on government regulation of social media.

<http://JournalOfFreeSpeechLaw.org>

**Academic Freedom Coalition of Nebraska
Board of Directors Meeting**

Via Videoconference
September 11, 2021

Present:

Peggy Adair, secretary, legislative liaison
Shee Covarrubias, communications coordinator
Bob Haller, president-elect, chief baker, director at large
Laurie Thomas Lee, representing ACLU Nebraska
Dave Moshman, newsletter editor, policy coordinator,
executive vice secretary
Wyatt Packard, representing Nebraska Library Association
Todd Schlechte, president, webmaster
Rod Wagner, treasurer, representing Nebraska Center for
the Book
Vicki Wood, director at large

MINUTES

President Todd Schlechte called the meeting to order at 10:04 a.m.

MINUTES: A motion was made by Covarrubias, second by Moshman, to approve minutes of the AFCON board meeting held on July 10, 2021. Motion carried on a voice vote.

TREASURER'S REPORT: Wagner reported balance on hand as of September 9, 2021, is \$3,094.99. Treasurer's report will be filed for audit.

NEWSLETTER: Articles for the next issue of the *Sentinel* are due by September 20, 2021.

COMMUNICATIONS COORDINATOR: Covarrubias reported she is close to launching the new AFCON Facebook page. Covarrubias asked all board members to send her a 3-5 sentence bio, photo optional, to post on the Facebook page.

PRESIDENT'S REPORT: Schlechte thanked Vicki Wood for testifying on behalf of AFCON at the recent Board of Regents meeting. Wood spoke in opposition to Regent Pillen's proposed resolution to ban critical race theory in the Nebraska university system.

ANNUAL MEETING: Board members discussed tentative presenters for the panel discussion.

NOMINATING COMMITTEE: Schlechte appointed Vicki Wood, Dave Moshman, and Laurie Lee to the committee to nominate AFCON officers for 2022. Schlechte appointed Wood as chair of the committee. Motion to approve the appointments was made by Covarrubias, second by Lee. Motion carried on a voice vote.

AFCON STATEMENT: Prior to the September AFCON board meeting, Moshman prepared a draft statement titled Race, Sex, and Academic Freedom in Elementary Education: A Statement from the Academic Freedom Coalition of Nebraska, and emailed the statement to board members for review. A motion was made by Wood, second by Covarrubias, to approve the statement as written. Motion carried on a voice vote. Schlechte thanked Moshman for his work preparing the statement.

AFCON MEMBERSHIP LISTS: Moshman will maintain and update the AFCON email list he uses to distribute editions the *Sentinel*. Covarrubias will maintain and update the AFCON membership list in a form that can also be accessed and updated by other AFCON board members.

ANNUAL MEETING 2022: The board discussed current events in local school boards. "Academic Freedom and School Boards: Where is the Power?" was suggested as a possible topic for the AFCON annual meeting in 2022.

MEMBER ORGANIZATIONS:

Nebraska Library Association: Packard reported the NLA conference will be October 13-14. Several AFCON board members will be speaking at the conference.

Osher Lifelong Learning Institute: Haller reported the Olli Free Speech course is going well, with about 25 people enrolled in the course.

There being no further business, the AFCON board meeting adjourned at 11:19 a.m.

Respectfully submitted,
Peggy Adair, secretary