



THE

AFCON

SENTINEL



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A Quarterly of the Academic Freedom Coalition of Nebraska

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AFCON OFFICERS

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Tom Black
Newsletter Editor

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—Dwayne Ball

Welcome once again to the annual meeting of the Academic Freedom Coalition of Nebraska. Before we arise from lunch and begin the meeting, I would like to make a toast, a rather complicated toast in three parts.

First: to all those Nebraska students, teachers, writers, and professors who may be afraid to read what they want, or to say or write what they want at their schools or universities: may they take courage from our work! Second, to all those students, teachers, writers, and professors who may be afraid, but read, speak, or write as they wish anyway: may they join us! And finally, to us, and to all people like us who devote some of their precious time on this earth to the defense of academic freedom: may we all succeed in the end!

Now, speaking of us, there are a number of people here and not here that have worked very hard for a long time with AFCON that ought to be recognized. First is Spencer Davis, who can't be here, but who labored long and hard as president of AFCON this past year. Then, in no particular order, I'd like to recognize Mel Krutz, Peggy Williams, Cathi McMurtry, Tom Black, Bob Haller, Dave Moshman, Laurie Lee, and Linda Beckstead. These are the people that keep AFCON going, and all of us owe them all a big debt of gratitude (and all of them would love having more of you take an active role in AFCON.)

Now, as I look around me in this room, I see a lot of people whose passion for academic freedom comes from a common source. There are a lot of reasons to care about academic freedom, most of them based in abstract principles of freedom of speech, educational values, the requirements of civilization, and the expansion of knowledge. But what so many of us have in common is not just those principles that we all share. It is that we have so often ourselves seen at close hand, or suffered ourselves, a loss of

academic freedom. Most of us have a story. Some of us, or our colleagues, have been threatened by outside groups or our own administrations when we thought we were just doing our jobs, challenging students to think critically. Some of us, or our friends, have been the target of baseless complaints designed to keep us or them from expressing unpopular opinions. Some of us have seen academic friends fired or threatened for belonging to the wrong groups or for expressing viewpoints that someone wanted suppressed. At least one of us has seen attempts to censor his book, and some of us have seen books censored at our libraries, or know librarians or teachers that have been threatened for allowing certain books or materials in the schools.

I have always liked Plutarch for saying that "The mind is not a vessel to be filled, but a fire to be kindled." That statement has always seemed to me to capture the essence of being a teacher, writer, or researcher. I directly infer from that statement that we must tolerate the broadest expression of ideas we possible can, even when they frighten or offend us. Yet, the human desire to diminish or destroy those ideas, and the people behind them, will never go away. To all too many people, schools and universities are tools of indoctrination, not crucibles of liberation. For all too many people, power and intimidation are their methods for dealing with ideas they hate, not calm argument and persuasion. And we who have seen this ugly side of human behavior first hand will never forget it. We know down in our guts, in a way that others can't know, that the price of any kind of freedom is vigilance and sacrifice. The groups and people that support AFCON and organizations like AFCON know this as well. That gives us all our passion for academic freedom, and our willingness to pay the price.

(Continued on page 3)

Upcoming Events

AFCON Board Meetings, Lincoln, January 13, February 10, March 10
Gere Library, 56th and Normal, Lincoln, NE; 10 AM

MINUTES of the AFCON Board of Directors

September 9, 2000—

The Board approved the July minutes and the Treasurer's report showing a balance of \$1304.62.

Haller reported on his activities with the Higher Education Subcommittee of which he is the chair. Williams is the new chair of the Primary/Secondary Education Subcommittee.

Moshman reported on proceedings involving a tenured professor on the UN-L faculty and on a draft of a student first amendment rights policy for a Nebraska school. He distributed copies of "Rationality, Liberty, and Educational Policy."

The Board continued preparations for the November 11 AFCON Annual Membership Meeting at Seward. Ball will chair the Board Meeting and the Annual Meeting.

Members approved a recommendation for an amendment to Article 3, Section A, of the AFCON Bylaws, changing the number for a Board meeting quorum from seven to four.

The Board approved the nomination of the NU Board of Regents for the AFCON Academic Freedom Award to be presented at the November Annual Meeting. It also approved the sending of a resolution to the UN-L Academic Senate Executive Committee.

Krutz distributed the new AFCON fliers and asked for representatives to man AFCON tables at various conferences.

Lofthus reported on the results of the survey of challenges and censors of material in Nebraska public schools and libraries. (See the articles on pages 4 and 5.)

October 14, 2000—

The Board approved the September minutes and the Treasurer's report, showing a balance of \$1199.38.

Members discussed the procedure of amending the Bylaws at the Annual Membership Meeting. Recom-

mended changes must be mailed to the members ten days prior to the Annual Meeting. McMurtry and Ball will mail the material.

Ball will distribute the Annual Meeting materials to the membership. The Board voted to award two Academic Freedom Awards—one to the Board of Regents to be presented at the AFCON Annual Meeting on November 11, 2000, and one to John Bender to be presented at the NHSPA Convention on October 30, 2000. Beckstead will disseminate state-wide news releases. Haller, Lee, and Moshman will form the Nominating Committee to present a slate of officer nominees at the November Annual Meeting.

The Board discussed a situation at a Nebraska public high school in which the administration is putting pressure on the newspaper advisor not to include negative information in the paper.

Ball will e-mail Krutz to develop a calendar of conferences of AFCON member organizations.

November 11, 2000—

The Board approved the October minutes as corrected and received the Treasurer's report, showing a balance of \$1073.13. Members moved that each membership year, the Treasurer send invoices to the constituent organizations.

Beckstead reported on the awarding of the Academic Freedom Award to John Bender at the NHSPA conference last October 30.

The Board will send a thank you/ farewell card to Spencer Davis, the outgoing AFCON President.

Next Meeting December 9 at the Gere Library, 56th and Normal, 10 PM.

November 11, 2000—Annual Membership Meeting—

The membership approved the November 1999 minutes of the AFCON Annual Meeting and the Treasurer's annual report.

Several constituent organizations

made annual or current reports. The NHSPA will not pursue passage of the Student Freedom of Expression Bill after several years of failure to move the bill out of the Unicameral committee. After conducting a grass roots education strategy on restrictions on student journalists, the NHSPA will revisit the bill next year.

The AAUP Nebraska State Conference is seeking Affiliate Membership in AFCON. That category no longer exists. Discussion will continue.

ACLU-NE is following a school prayer issue in a Nebraska public school.

NEMA thanked Krutz for inviting the Nebraska State Reading Association to join AFCON.

The membership approved the revision of the Bylaws Article 3, Section A, reducing the required quorum for AFCON Board meetings from seven to four. Black will make the changes in the master copy of the AFCON Bylaws.

Members approved a \$25.00 donation to the LEA Harvest of Books. There was a suggestion that the NSEA create such a project.

A motion carried to congratulate Linda Pratt of the UN-L English Faculty for her receipt of a National Freedom Award. Haller will convey AFCON's congratulations to Pratt.

The annual ACLU-NE meeting was postponed to spring 2001. AFCON traditionally has a promotional ad in the printed program. Moshman and Ball will keep the AFCON Board posted.

The nominating committee of Haller, Lee, and Moshman presented the slate for AFCON officers for 2001. The members approved the slate which will be mailed to the members for voting. President-Elect: Linda Beckstead; Secretary: Peggy Williams; Treasurer: Cathi McMurtry.

With the completion of the agenda the Eleventh Annual Meeting of AFCON was adjourned.

President’s Message (Continued from page 1)

In spite of the fact that there are now eighteen organizations and a lot of private members of AFCON, we are still a small group that can only do a small fraction of what we would like. We accomplished a lot this past year, putting our resources against threats to academic freedom where it stood to do the most good. I always wish we could have done more.

I suppose if we had all the resources we would like, we would send speakers to every school and college in the state, and tell the students what academic freedom means, why it is important, and how to make sure they keep the freedom they have. We would write guest editorials in the newspapers. We would publish a guide for university students and faculty on academic freedom. We would publish a guide for public school teachers explaining their rights, few as they are, and how to guard them. We would send representatives to school board meetings to argue against book-banning and for freedom of thought and expression in the schools. We would fight for the rights of public school students to write the facts as they see them in their school newspapers. We would scour the state for people and institutions that are under attack, and help them in any way we could—with advice, letters, legal help, emotional support, and counseling. We would encourage them to fight if we thought they could win. We would

have a legal defense fund. We would have contacts with resources inside and outside the borders of Nebraska, that we could bring to bear quickly. Since threats to academic freedom often fly below the radar until they drop a bomb on an isolated, vulnerable, and unsuspecting teacher or professor, we would have an early warning system to let us know right away when someone was being threatened. Anywhere in Nebraska, anyone whose academic freedom was under attack would know they could count on us, and would turn to us. And, after doing all that, our measure of success would be that no one in Nebraska ever needed to fear that expressions of opinion in an academic context would make him or her vulnerable. We could all speak and write totally without fear.

Well, that is all a dream, of course, but it’s a good dream. Every year AFCON learns a little more, gets a little stronger, does a little better, and has a little more effect. Next year I hope we will do more than we did last year, and I hope the year after that we will do more still. I hope the day will come when an organization like AFCON won’t be necessary at all, but if such an unlikely event is ever to come to pass, organizations like AFCON will have to get much stronger before they can gratefully disappear. So, we have a lot of work to do and I look forward to getting started in 2001.

Jane Pope Geske HERITAGE ROOM of Nebraska Authors

As long ago as 1949, the Reference Department at the Bennett Martin Library (136 South 14th Street, Lincoln) realized the importance of gathering information about Nebraska authors. What was once a single shelf of books has grown into a room-sized collection of over 11,000 volumes, known as the Jane Pope Geske Heritage Room of Nebraska Authors. The Heritage Room contains much more than books. Today, one can find information files, photographs, audio and video cassettes, compact discs, manuscript collections, periodicals, artwork, and other memorabilia reflecting Nebraska’s rich literary tradition.

Nebraska’s literary tradition is filled with authors whose work captures the essence of the state’s land and people. The Heritage Room collects and shares information in many ways. The Nebraska Author Information Link (NAIL) is a computerized database with over 3400 entries of biographical and bibliographical information about Nebraska’s authors and vertical files on over 2000 authors and subjects that are continually updated. It has information on over 3400 authors hailing from every community in the state. Susan Rosowski, a Nebraska author, has said, “To browse in the Heritage Room is to explore Nebraska.

Citation for the Academic Freedom Award presented to the **UN-L Board of Regents**

This prestigious AFCON award was presented at its Annual Meeting to the Board of Regents, November 11, 2000. The presentation was repeated at the December 9 meeting of the Regents in Lincoln.

In recognition of its consistent and vigorous defense of academic freedom in its response to Legislative Bill 1405 during the past legislative session, the University of Nebraska Board of Regents is hereby granted the AFCON Academic Freedom Award for the year 2000. The Board of Regents opposed this bill which would have enjoined a professor at the University of Nebraska Medical Center engaged in research funded by a national agency and ethically approved through external and internal processes. In so doing, the Regents upheld their constitutional prerogatives as the governing body of the University and affirmed the protections of academic freedom written into their own By-Laws. Distinguishing clearly the threat to academic freedom inherent in governmental sanctions against specific research from the controversial issues of public policy which motivated the bill, the Regents provided a model of how those entrusted with the care of an institution of higher learning may guard and preserve the integrity of that institution.

Banning Harry Potter: Censorship and Self-Censorship in the Public Schools

The November 11 Annual Membership Meeting of the Academic Freedom Coalition of Nebraska (AFCON) featured a panel discussion of censorship in the public schools. Moderated by Jeff Lofthus, a Norfolk Elementary Principal, the panel included Dick Herman, a retired newspaper journalist; Michael Moshman, a seventh-grade student; Donna Ewoldt, Director of Media, Lincoln Public Schools; Meredith Lee, a third-grade student; Joshua Eickmeier, a UN-L Law student; and Mary Lou Benesch, a Media Specialist, Dodge and Howells Public Schools.

In comments mailed to members prior to the meeting, Dwayne Ball, AFCON President wrote: “Last year books in the *Harry Potter* series by J. K. Rowling were some of the most frequently targeted books for censorship in the public schools, usually under charges of promoting witchcraft and sorcery, or depiction of violence. But, Harry Potter books are hardly the only ones that come under attack. Such classics as *Huckleberry Finn*, *To Kill a Mockingbird*, and *Of Mice and Men* are always high on the list for their unstintingly realistic depictions of life. Newer books by Maya Angelou and Judy Blume, books with themes of horror, witchcraft, war, and abuse, and books that give realistic portrayals of alternative lifestyles are often targets as well.”

Some “sound” bites from the panel discussion:

- Adults underestimate children’s abilities to discern issues of censorship.
- Students on the panel know the differences between fact and fiction.
- Parents have a right to insist their children not read this or that, but do NOT have a right to insist that NO child read this or that.
- Censorship is fine as long as it is mine.

Ewoldt said the Lincoln Public Schools’ libraries serve 31,000 students and have 1,000,000 books in circulation, yet

receive only one or two complaints a year. Herman added that Nebraska libraries have over 2,000,000 books in circulation and receive but two or three complaints a year.

While the consensus of the panel is that challenges to the printed word and militancy on the part of the public are not increasing, self-censorship is alive and well in Nebraska. It is most typically a covert, quiet, “behind the scenes” activity. The person removes, hides, or restricts the use of material. Often self-censorship is conducted by a librarian or teacher who feels his or her job is at risk. This is a real fear because a number of teachers and librarians have been terminated, and it is a more serious problem in smaller and rural communities. When a prominent community leader or school board member initiates a challenge to remove material from the classroom or media center, it can get ugly and a librarian or teacher may cave in to such pressure. And if the challenger involves the news media, the whole situation can become a community– or state-wide crisis.

The persons under fire need to develop a thick-skinned resistance to such controversial incidents but a strong support system of friends, colleagues, or union and anti-censorship organizational leaders is most calming.

Every public school teacher and librarian should check her or his school district policies to see if there are policies to handle incidents when classroom and library materials are challenged or when actual censorship occurs. If there are none, encourage the development of administrative and board policies. Every school district and public library should have written policies with forms that the challenger must complete and which initiate a face-to-face discussion between the challenger and the teacher or librarian. The policies should include a step-by-step process that carries the incident through whatever administrative levels exist and culminates in a school board hearing.

Having a written policy and procedure to handle each challenge generally diffuses the most serious situation and safeguards academic freedom for all.

FOR SALE BY AFCON

Send orders to Mel Krutz, 2625 Bluff Road, Seward, NE 68434-9801

T-shirts with a Paul Fell “banned books” design; Sizes M, L, XL, XXL, XXXL; \$15.00. Packaging and postage: \$2.00 each.

Note cards with a Paul Fell design; \$1.50; four for \$5.00. Packaging and postage: \$0.75 per packet.

Reader’s Theatre Script of a TANGLED ISSUE: Student Freedom of Expression. \$10.00 buys the book with rights to duplicate the script and produce the play. Packaging and postage: \$2.00 each.

NEBRASKA CENSORSHIP AND CHALLENGE SURVEY 2000

By Jeffrey L. Lofthus, Ph.D

(This article highlights excerpts from the final report of the survey.)

The Academic Freedom Coalition of Nebraska (AFCON) commissioned a survey of Nebraska K-12 public schools to discover the seriousness, or lack thereof, of challenges to or censorings of materials used in the classrooms or available from the media centers. Several organizations contributed financially to the project: American Association of University Professors (University of Nebraska at Lincoln,) American Association of University Professors (Nebraska State Conference,) Nebraska English/Language Arts Council, Nebraska High School Press Association, Nebraska Press Association, and Nebraska State Education Association.

Lofthus, Elementary Principal at Norfolk, authored, mailed, and tallied the survey. In March 2000 he mailed 1,316 surveys to K-12 administrators, teachers, and librarians across the state. The purpose of the survey was to gather information about challenge and censorship activities of educational books, materials, programs, student publications and productions or other activities in Nebraska K-12 public schools. Directions for the survey made it clear to respondents that they should report all censorship or challenge activities--everything from incidents resulting in removal to informal questions or concerns about any of the above mentioned items. Each of the 604 Nebraska school districts received at least one survey.

Educators in Classes 1, 2, 3, and 6 received 1100 surveys; 34 were returned. 100 were sent to Class 4 (Lincoln) schools; none were returned. 116 went to Class 5 (Omaha) schools; 3 were returned. The low response rate (3%) to the anonymous survey was concerning. Some possible reasons for the low response were individuals (1) were unconcerned or apathetic, (2) felt the survey would take too much time to complete, (3) were in support of censorship and challenge activities, (4) feared reprisals from school or community, or (5) were unaware of the significance of academic freedom issues to their roles as public educators. Despite the low response rate, the survey revealed 120 challenges—a very significant number, considering the number of survey returns.

Reported Censorship and Challenge Incidents

There were 34 challenges to English/Language Arts textbooks and supplemental English/Language Arts books; one each for social studies textbooks, supplemental social studies books, and math textbooks; and nine challenges to science textbooks.

Challengers were students and parents, generally, and church/religious groups occasionally. The reasons for the challenges were variously listed as “vulgar/obscene/inappropriate language,” “religious message,” “sexual content,” “anti-religious message,” and “negative portrayal of minority persons.”

The results of the challenges included either retaining the material, offering the student an alternative, or removing the material. In the case of the math book, the “teacher reconsidered the textbook and stopped using it.”

There were 17 challenges to library books, four to other books, three challenges to educational materials (such as videos,) and 40 to programs (such as counseling and sex education.) Challengers included parents, teachers, principals, and church/religious groups.

Their reasons were “sexual content,” “vulgar/obscene/inappropriate language,” “anti-religious message,” “methodology,” “religious message,” and “negative portrayal of minority persons,”

Results of these challenges included retention of the book/materials or program, removal of the book/materials or discontinuation of the program, or the student’s opting out.

There were four challenges to student publications (newspapers and yearbooks) after their publication and two challenges to student publications before their publication; there were four to student productions or other activities (dramas and recitals or concerts.)

Challenges came from students, parents, superintendents, school board members, community members, church/religious groups, and principals. Reasons included “invasion of privacy,” “sexual content,” “vulgar/obscene/inappropriate language,” “alternative lifestyle/sexual orientation,” “libel,” “religious message,” and “anti-religious message.”

Outcomes were retention of the publication; new policies were adopted or imposed by teacher, administrator, or school board; institution of prepublication or closer review by administrator; disciplinary action against the teacher or students; publication, production, or other activity were suspended.

Reported Self-censorship Incidents

There were 66 reported examples of self-censorship. There were 11 reports of a teacher’s decision to change and 16 reports of a teacher’s decision to not use books, materials, programs, student publications, and productions or other activities to avoid controversy.

There were 12 reports of a teacher’s decision to allow alternative books, materials, programs, student publications, and productions or other activities instead of the originals.

There were six reports of a librarian’s decision to remove books or other materials from open shelves and six of a librarian’s decision to place books or other materials on a restricted shelf—all to avoid controversy. There were 13 reports of a librarian’s decision not to order certain books or other materials to avoid controversy.

AFCON SPEAKER'S BUREAU (As of November 1999)

Dwayne Ball: "Threats to Academic Freedom at Universities"
3120 Jasper Ct., Lincoln, NE 68516
dball@alltel.net

Linda Beckstead: "Freedom of Student Press Issues"
3919 Davenport, Omaha, NE 68131
becksteadl@aol.com

John Bender: "The Nebraska Student Freedom of Expression Bill"
3609 S. 20 St., Lincoln, NE 68508
jrbender@unl.edu

Spencer Davis: "Academic Freedom on the College Campus" and "Principles of Academic Freedom"
512 Laurel Circle, Bellevue, NE 68005
sdavis@bobcat.peru.edu or ssdavis@uswest.net

Bob Haller: "Money Talks: Ideas in the Political Process" and "Religion, Intellectual Freedom, and the University"
4000 S. 56th St., Lincoln, NE 68506
rhaller@unl.edu

Jeff Lofthus: "Surveying Censorship in Nebraska"
1220 Hayes Ave., Norfolk, NE 68701
jlofthus@pluggers.esu8.k12.ne.us

Mel Krutz: "So, When the Supreme Court Says Yes to Censorship, What Do You Say, Dear?" and "Current Nebraska Censorship Issues and Why They Matter"
2625 Bluff Rd., Seward, NE 68434
mel34938@navix.net (soon to be mel@alltel.net)

Carol MacDaniels: "Street Language and Student Writing"
4740 Grassridge Rd., Lincoln, NE 68512
cmaddani@unl.edu

David Moshman: "Nature and Purpose of Academic Freedom;" "General Principles of Academic Freedom;" "AFCON Policies;" "Intellectual and First Amendment Rights of Adolescents;" "Intellectual and First Amendment Rights of Students;" and "Intellectual Freedom and Intellectual Development"
1901 Pepper Ave., Lincoln, NE 68502
dmoshman1@unl.edu

Presentation of the Readers' Theatre production of A Tangled Web: Student Freedom of Expression (a cast of adults and students)

Student Complaints Seen as Academic Threat

(Dallas Morning News; Omaha World-Herald, November 5, 2000)

Richardson, Texas—Professor Nelsen warned students that what they were about to see might offend them. Then, as he has done for years, he showed Robert Mapplethorpe's photos of nude males, some in risqué poses.

His goal was not to shock but to teach students about obscenity and censorship battles in the arts. Nelson's lesson didn't go as planned.

A student who believed that the pictures were sinful threatened to file a formal complaint. College administrators let the student drop the required freshman class and take a substitute.

A complaint was not put in the professor's file, but Nelsen said damage to academic freedom was done by the incident.

The professor, who has taught for 14 years, said the incident confirmed what he has sensed for several years: Students have become

less tolerant of what professors teach. "I feel more stifled," Nelsen said. "I don't feel free to actually challenge students' intellects, because they'll shut you down."

Other professors across the country agree, citing similar experiences. They say changing student attitudes have forced them to alter what they talk about or show on a slide projector.

"It is producing a chilling effect on the free speech of professors in the classrooms," said Joan Scott, chairwoman of the AAUP academic freedom and tenure committee.

And the professors say the erosion has affected both ends of the political spectrum.

Conservative students have complained if professors show photos of nudes or lecture on gay rights. Liberal students have spoken out against professors who present more conservative views on affirmative action or other issues said Dr. Eugene Rice of the American Association for Higher Education.

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 17, 2001**, issue is **February 26, 2001**.

AFCON

515 North Thomas Avenue
Oakland, NE 68045.

Mailing
Address
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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 (\$100) entitles the organization to one seat on the AFCON Board and one vote in the election of officers and at the annual meeting, and eligibility for office and chairing standing committees and 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 (\$10) 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**