



THE

# AFCON

SENTINEL



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A Quarterly of the Academic Freedom Coalition of Nebraska

December 21, 2001

## AFCON OFFICERS

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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—Dwayne Ball

### INVESTIGATIONS

This is the last of my presidential columns for AFCON. It has been a good year, with some fine accomplishments and the opportunity to work with great and dedicated people. I look forward to turning the job over to the capable hands of Linda Beckstead in January, 2002.

I said my presidential columns would discuss the threats to academic freedom in universities, and so far I have covered two of the three topics I said I would: the re-structuring of U.S. higher education and the dominance of political correctness on U.S. campuses. My last column is about today's major fault line regarding the protection of academic freedom in American universities.

A few of us (though not me!) are old enough to remember the terror created amongst left-leaning faculty in the early 1950's, when Senator Joseph McCarthy was doing his worst work along with the House Un-American Activities Committee (HUAC.) Professors with communist sympathies were hounded out of their jobs for those sympathies alone, or for being uncooperative with investigations into their sympathies. For example, in 1954, three professors at the University of Michigan were suspended and two of them were fired for refusing to testify when called by HUAC: Charles Davis, Clement Markert, and Mark Nickerson. They argued that no one had the right to question them about their personal political beliefs, least of all their government. The University administration, and many of the colleagues of those three faculty, showed the sort of bright yellow streak that makes a mockery of academic freedom, and turned their backs on those courageous men. Now, decades later, there is an annual lecture on intellectual freedom at UM named after

them. I doubt there is anything at all named after those who turned away.

At the time, anti-communist witch hunts were justified on grounds of national security. We were all a little crazy then, I suspect. We must have thought that young minds—18 to 23 year-old minds—were too vulnerable to expose them to faculty with Marxist views or past associations. Democracy itself was at stake! Academic freedom could be compromised for such an important cause, couldn't it? And, most importantly, such terrible threats require constant vigilance and—wait for it—*investigations*. Speech and thought must be *investigated* to smoke out the sources of dangerous ideas.

*Investigation* of expression, I have come to realize, is the fault line along which those who defend academic freedom in principle and those who defend it for convenience differ. *Investigations* seem innocuous, don't they? How can one argue with merely *investigating*? The innocent won't be punished, of course, so why worry? Well, McCarthy knew what he was about. *Investigations* don't have to be successful—they don't have to result in job actions—to have the desired effect. *Investigations* destroy reputations, paralyze the investigated and all who agree with them, terrorize whole classes of people based on their opinions, eliminate livelihoods, tear apart marriages and families, and drive gentle people to suicide. It is enough just to *investigate* speech and opinion, if you do it right. Read the history of the McCarthy era.

Or, better yet, examine the recent history of speech codes and witch hunts on American campuses, some examples of which I have mentioned in previous columns. This time the threats come from the academic left, who ought to know better, and who often claim the mantle of defenders of academic freedom.

(Continued on page 3)

## Upcoming Events

AFCON Board Meetings, January 12, February 9, March 9  
Gere Library, 56th and Normal, Lincoln, Nebraska; 10 AM

## MINUTES of the AFCON Board of Directors

**September 8, 2001**—Moshman and Beckstead moved adoption of the minutes and Moshman and Lee moved approval of the Treasurer's report.

Members discussed whether or not to wait for ACLU-Nebraska on September 22 to finalize plans for its annual meeting and a possible pairing of the AFCON Annual Meeting. Beckstead will develop plans to present at the October AFCON Board Meeting.

Members noted the scheduling of the Western Literature Conference, but UNO is not an AFCON member.

Website [222.theroc.org/friends/roc6](http://222.theroc.org/friends/roc6) mentions AFCON.

Adair opened discussion of LB 394, introduced by State Senator Adrian Smith in the 2001 Session of the Nebraska Unicameral. Designed to protect student privacy in response to rising school violence across the nation, the bill was not debated this year.

Moshman led discussion of the extension of the Hazelwood decision to include the determination of college grades. He also provided information about a student's right to use violence in a story for class and First Amendment rights.

Adair offered to create an "Academic Freedom in Nebraska" report to present at the AFCON Annual Meeting. She solicited assistance from Board members to provide information and to review the completed document.

Recruitment efforts continue among the university and college senates and NSEA locals. Ball and McMurtry continue checking into 501.c.3.

The Board approved a fifty dollar donation in memorium for former AFCON member and leader, Carol McDaniels.

Krutz provided information about the discontinuation of federal funds in public schools for HIV prevention. Moshman will write a letter outlining AFCON discussion on the matter.

Beckstead commented that the *Bellevue Leader* had been discontinued in Bellevue School District without the administration's going through the process in place to remove literature from school shelves.

**October 13, 2001**—Moshman and Adair moved adoption of the minutes and Benesch and Moshman moved approval of the Treasurer's report.

Beckstead presented plans for the AFCON Annual Meeting to be held December 1 at 10:30 am to 1:30 pm at the Garden Cafe in Lincoln at 70th and S Streets. AFCON will provide complementary refreshments and the additional \$2.00 per person for the buffet lunch. Each registrant will pay \$7.00 for the program and the lunch.

The topic of discussion will be "How does the Hazelwood decision continue to affect high school journalism?" Teachers from Class A through Class C schools will be invited to speak in a panel forum. Teachers will be selected to represent both schools with strong administrative censorship and prior review, and those schools that do not.

Nominees were discussed for the AFCON Academic Freedom Awards. Selections will be made at the November Board meeting.

Moshman shared information from the Lady Liberty League Report. He also read the letter he drafted for Nebraska State Board of Education Commissioner Doug Christensen concerning the abstinence-only stance by the State Board. Copies will be mailed to State Board members. Discussion followed about the revival of the Americanism Law by the State Board of Education. Members expressed concern whether or not a strict interpretation of the law would infringe upon academic freedom as it relates to the teaching of Americanism. The AFCON Board will wait to see how the State Board of Education proceeds.

Adair shared the "American Freedom in Nebraska" report to be presented at the Annual Meeting, December 1.

Former AFCON Board member Jeff Loftus lettered the Board regarding a

University of Alaska faculty member who wrote a poem about sexual abuse entitled "Indian Girls." After several protests, a faculty administrator clearly stated that censorship would not be tolerated. (See p 3 of this newsletter.)

**November 10, 2001**—Lee and Kubicek moved adoption of the minutes and Krutz and Beckstead moved approval of the Treasurer's report showing a balance of \$1812.92.

Plans were finalized for the Annual Meeting at the Garden Cafe in Lincoln on December 1. The Board elected McMurtry and Krutz to receive the 2001 Academic Freedom Awards.

The AFCON Annual Report, compiled by Peggy Adair, will be distributed to member organizations' representatives and presidents, the Unicameral's Education Committee, the Nebraska State Board of Education members, and the mailing list.

Beckstead suggested table tents at the UNL Big Red Day in August 2002 to seek university memberships.

Moshman reported on a University of Alaska censorship incident and the APA's nominee for president and his position on academic freedom. He distributed a letter to Dr. Christensen regarding the State Board of Education's abstinence-only policy. Also the AFCON Board discussed Nebraska's Americanism law. (See pages 4 and 6 of this newsletter.)

Krutz noted the AFCON web address is not on the membership brochures and stated it needs to be on all correspondence. (See page 9 of this newsletter.)

Members discussed an endowment for the late Carol MacDaniels.

The Education Roundtable is formed and Krutz was not selected.

Krutz and Kubicek moved a donation of \$25 to Harvest of Books.

The AFCON Board will begin its annual planning activity at the Annual Meeting December 1 and continue it at the January meeting.

The nominating committee will make up ballots to be included with the December newsletter.

**Investigations—Ball** (Continued from page 1)

The threats come in the form of *investigations* of complaints of harassment, based purely on expressions of points-of-views that are alleged to damage the vulnerable.

Some good sources for a plethora of horrifying stories along these lines are the books *Free Speech for Me But Not for Thee* by Nat Hentoff, *Zealotry and Academic Freedom* by Neil Hamilton, and *Illiberal Education* by Dinesh d’Souza. Hamilton, in particular, discusses how *investigations* are used as a tool of political oppression. Some faculty are investigated repeatedly on the same charges until they are financially and emotionally exhausted, and their careers destroyed, with or without a final conviction. Some universities require administrators to *investigate* even anonymous charges of speech in a classroom “offensive on the basis of race or sex.” Words overheard in a hall can be *investigated*.

Examples of *investigations* are endless. Faculty have been investigated and fired for using “wrong” metaphor in a creative writing class. At Orange Coast College in California, as of this writing, professor Kenneth W. Hearlson remains suspended and under investigation for questioning, during a class discussion, the sincerity of Arab nations’ lack of condemnation of the September 11th terror attacks (after Muslim students made provable false accusations about what he said.) Even a student newspaper at Tufts was charged with sexual harassment for a

cartoon lampooning the politics and dress of a campus socialist leader (the investigation acquitted the paper, which was threatened with suspension.) The real agenda of such investigations, of course, is to create an environment of threat and fear for people who do not espouse orthodox politically correct views.

Now, there are a few administrators left with the backbone to stand up to this sort of thing, and I’d like to deliver a little tribute to one of them. The incident that caused this administrator to stand out occurred a year ago when faculty member Linda McCarriston of the University of Alaska at Anchorage (UAA) published “Indian Girls,” a moving and sympathetic poem about sexual abuse of young Native girls in Alaska. Native students read the poem, became offended at the apparent criticism of their culture, and protested. Mid-level UAA administrators began to build support for—you guessed it—an *investigation*. McCarriston—who must have already been on someone’s list—was terrified.

She needn’t have been. University of Alaska system President Mark Hamilton brought the witch-hunters up short with a stern one-page memo, to be distributed to all University of Alaska campuses. I can do no better than to quote from it:

“Opinions expressed by our employees, students, faculty, and administrators don’t have to be politic or polite, however personally offended we might be . . . What I want to make clear and unambigu-

ous is that responses to complaints or demands for action regarding constitutionally guaranteed freedoms of speech CAN NOT BE QUALIFIED [emphasis his]. . . Noting that, for example, ‘the University supports the right of free speech, but we intend to check into this matter’ . . . Is unacceptable. There is nothing to ‘check into,’ nothing to ‘investigate.’”

That is certainly a breath of fresh air! But, UAA President Hamilton had the Constitution to lean on, which protects speech in a public forum, but does not always protect expression in an academic context. I can only wish that he had made a few substitutions, and the memo had turned out this way:

“. . . What I want to make clear and unambiguous is that responses to complaints or demands for action regarding expression in an academic contest CANNOT BE QUALIFIED . . . Noting that, for example, ‘The University supports academic freedom, but we intend to check into this matter’ . . . is unacceptable. There is nothing to ‘check into,’ nothing to ‘investigate.’”

Perhaps, someday, we will hear an administrator say this, and hear loud and general expressions of approval from the faculty. Wouldn’t that be a fine day?

**LETTER TO THE AFCON BOARD OF DIRECTORS**

It has been a pleasure to serve as AFCON president this year, and I look forward to turning the presidency over to the capable hands of Linda Beckstead in January. I hope everyone will have a pleasant holiday season and will return invigorated in January. —outgoing AFCON President Dwayne Ball

(Ever an organized, dedicated-to-business, vigorous leader, Dwayne Ball attached the following to his “good-by” letter. Dwayne is richly applauded by AFCON Board members for his providing new directions and enthusiasm to academic freedom issues —the editor.)

The AFCON goals for 2002, proposed in a December 1 planning session are

1. Update and revise the website, including occupations and locations of board members.
2. Have a table at Big Red Welcome Day and see what enthusiasm amongst university students it can generate.
3. Get articles into member organization newsletters (written by board members;) put this on the monthly agenda.
4. Have a committee look at the feasibility of a major event for Banned Book Week in September of 2002 or 2003.
5. Explore other ways for some organizations to be affiliated with AFCON without being members.

## The ABSTINENCE-ONLY Policy of the Nebraska State Board of Education

AFCON Letter to Douglas Christensen, Commissioner of Education

October 18, 2001

Dear Dr. Christensen,

The Academic Freedom Coalition of Nebraska (AFCON) is deeply concerned that Nebraska's abstinence-only policy is greatly undermining education about sexuality and health in Nebraska, with potentially deadly results. We are writing this letter to state our general view on this matter and to address two recent developments.

In April 2000, the AFCON Board of Directors adopted a statement entitled "Sexuality and Academic Freedom" that included a section entitled "Teaching Sexual Responsibility." This section reads as follows:

In addition to teaching about sexuality in various curricular areas, many educational institutions attempt to promote sexual responsibility in students. Recognizing the diversity in beliefs and values among parents and cultures, and respecting the values and future autonomy of students, education for sexual responsibility should not be a program to indoctrinate students in specific sexual beliefs and values. Rather, education for sexual responsibility should provide accurate information and encourage students to formulate — and act on the basis of — justifiable beliefs and values of their own.

Of particular concern in recent years have been abstinence-only curricula and associated regulations aimed at restricting education about birth control. Students should indeed be informed that abstinence is the only certain way to avoid pregnancy and sexually transmitted diseases. In deliberately and systematically omitting other relevant information, however, abstinence-only curricula are inconsistent with the goal of encouraging students to formulate, and act on the basis of, justifiable beliefs, and values of their own.

adopted by the state Board of Education as an unjustifiable constraint on the academic freedom of teachers and students with regard to teaching and learning about human sexuality. We are concerned, moreover, that the scope and consequences of this policy are expanding.

In particular, earlier this year the state Board of Education applied its abstinence-only policy to AIDS education, with the result that the state will not support educational efforts to teach sexually active students how to minimize the risk of HIV infection. Our understanding is that the state will lose a \$250,000 federal grant as a result of this policy. Has there been any estimate of how many cases of AIDS will result from the ignorance fostered by this policy or how many lives will be lost as a result?

In addition, extending the abstinence-only policy far beyond the realm of sexuality, the state Board of Education is now revising general guidelines about disease prevention to specify that "[t]he health curriculum emphasizes non-participation in high-risk behaviors." In a September 8 article in the *Lincoln Journal Star*, dissenting Board member Fred Meyers lamented the absurd extension of abstinence-only language to diseases such as rickets. Instead of teaching children to prevent rickets via proper nutrition, will schools now be encouraged to teach children to prevent rickets by avoiding high-risk behavior? Here again we see the danger of a curriculum that is driven by ideology rather than medical knowledge.

We would appreciate any information or suggestions you can provide about these matters.

Yours truly,

David Moshman, AFCON Policy Coordinator  
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dmoshman1@unl.edu

AFCON, therefore, opposes the abstinence-only policy

cc: Members of the state Board of Education

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### 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.

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## AFCON SPEAKER'S BUREAU (As of December 2001)

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

Linda Beckstead: "Freedom of Student Press Issues"  
611 North 42nd Street, Omaha, NE 68131  
BecksteadL@aol.com

Bob Haller: "Money Talks: Ideas in the Political Process" and "Religion, Intellectual Freedom, and the University"  
4000 S. 56th St., Lincoln, NE 68506  
rhaller1@unl.edu

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

David Moshman: "Principles of Academic Freedom" and "Student Rights"  
1901 Pepper Ave., Lincoln, NE 68502  
dmoshman1@unl.edu

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

In memory of Carol MacDaniels, writer, teacher, doctoral candidate, friend, and strong supporter of Intellectual Freedom who encouraged student and adult writers in freedom of expression, with her own writing as a sterling example. She died, Sept. 7, 2001 in Lincoln, Nebraska. Carol joined the AFCON Board as NELAC's representative in 1996, and remained on its Speaker's Bureau even during her illness.

Her participation in the work of AFCON, and her dedication to Academic Freedom will be long remembered and appreciated. We miss her, and extend our deepest sympathy to her family.

### Union Objects to Suspension of Librarian—Chronicle of Higher Education

A University of California system clerical union has filed a grievance with the University of California at Los Angeles on behalf of a university library assistant who was suspended last month (September 17-21) for sending out a mass e-mail message that criticized U.S. foreign policy in the wake of the September 11 terrorist attacks.

The assistant, Jonnie A. Hargis, works in the reference and instructional-services department of the Charles E. Young Research Library. He said he had been suspended after replying to a colleague's mass e-mail message to library workers that sought to bolster U.S. patriotism. A library official said the message and previous e-mails he distributed contributed to a "threatening" environment for fellow workers.

Mr. Hargis's message, which went to the recipients of the original mes-

sage, accused the U.S. and Israel of waging their own terrorist campaigns against civilian Iraqis and Palestinians.

"U.S. taxpayers fund and arm an apartheid state called Israel, which is responsible for untold thousands upon thousands of deaths of Muslim Palestinian children and civilians," Mr. Hargis wrote. He accused the U.S. of "killing" hundreds of thousands of non-combatant Muslim civilians in bombings of Iraq." His letter closed by asking, "So who are the 'terrorists' anyway?"

The first message was sent by Michelle Torre, who also works for the reference and instructional-services department at the Young Library. She was not suspended for sending the initial mass e-mail message which cited a speech titled "America: The Good Neighbor," by the Gordon Sinclair, the late Canadian broadcaster.

Lorraine Kram, head of the department, reprimanded Mr. Hargis in a September 14 letter. Ms. Kram wrote that his message "demonstrated a lack of sensitivity that went beyond incivil-

ity and became harassment.

"Your comments contribute to a hostile and threatening environment" for your colleagues with ties to Israel and "for your other co-workers" the letter continued. Ms. Kram declined to elaborate.

The Coalition of University Employees, in the grievance it filed, argued that administrators denied Mr. Hargis his free-speech rights and unfairly singled him out for punishment, said Liz Go, an organizer with the union.

In the grievance, the union asked the university to apologize to Mr. Hargis, compensate him for the pay he lost during the suspension, and require managers and employees of the university to undergo diversity training.

Because of his suspension, Mr. Hargis has become a mini-celebrity, appearing on three radio talk shows in California. The UCLA student newspaper, *The Daily Bruin*, also came to his defense in an editorial.

(October 26, 2001)

## Compulsory Americanism: A Political Paradox

By David Moshman (Reprinted from the AFCON Newsletter, August 1989, Volume 1, Number 3)

(The editor—the state Board of Education has rediscovered Nebraska’s 1949 Americanism law, writing it into the 2001 Accreditation rules. This 1989 essay remains relevant today.)

The goal of the Americanism law is to foster in students a firm commitment to basic American values. There is room for disagreement, of course, as to just what American values are. But surely everyone would agree that American values include, for example, constitutional values—such as liberty, equality, democracy, justice, and the rule of law—and a variety of basic social values—such as honesty, courtesy, compassion, courage, and respect for others. And virtually everyone would agree that it is legitimate, in fact, desirable, to promote such values via the public schools.

I see no reason, therefore, to question the goals of the Americanism law. My concern is with the means.

Efforts to foster Americanism can be divided, roughly, into two categories—persuasion and indoctrination. The Nebraska law, it seems to me, partakes of both.

Efforts to persuade include teaching students about the Constitution and American history, about the people whose vision and sacrifices made our way of life possible, and about our system of government and how they can participate in it. Schools intending to foster Americanism by persuasion

would themselves be models of American values. They would treat students fairly, would respect their freedoms of belief, expression, and access to ideas, and would celebrate ethnic, cultural, and intellectual diversity. Much of the Americanism law suggests an approach of this sort.

Indoctrinative methods include teaching American traditions and values as if they were beyond question, teaching only the weaknesses of disfavored views and systems, distorting history to create mythic heroes for the younger generation, having books selected and curriculum decisions made by elected politicians rather than by trained educators and disciplinary experts, emphasizing the ritualistic memorization and repetition of favored slogans, pledges, and songs, and discouraging expression of alternate points of view.

Indoctrination, in other words, relies on distortion and coercion. Unfortunately, there is also much in the Americanism law that tends toward this approach.

From a legal point of view, indoctrination raises serious constitutional problems. The very concept of government by the will of the people is threatened if government-run schools may mold the will of each generation. As the U.S. Supreme Court put it in *West Virginia v. Barnette*, the historic 1943 flag salute case:

We set up government by con-

sent of the governed, and the Bill of Rights denies those in power any legal opportunity to coerce that consent. Authority here is to be controlled by public opinion, and public opinion by authority.

No official, it continued, may “prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion . . .”

Compulsory Americanism raises psychological perplexities as well. Whatever else Americanism entails, its core surely includes a firm commitment to liberty. To compel Americanism is to require someone to believe in freedom.

But a compulsory belief in freedom, if not quite logically incoherent, is at the very least a psychological and political paradox. How can we require anyone to believe in freedom? Such a belief, to be meaningful, obviously must be the free choice of an autonomous individual.

Clearly, if our goal is to foster Americanism, we must achieve it through persuasion, not indoctrination. Given broad knowledge of American history, culture, and government, students accorded a genuine choice will, I believe, choose to hold American values. To believe otherwise is, in the words of *Barnette*, “to make an unflattering estimate of the appeals of our institutions to free minds.”

### Pagan Student Harassed—

Some students at Ervin Middle School in Asheville, North Carolina, as well as their parents, have resorted to anti-Pagan bullying in response to a request that several Christian songs slated for their Spring Choir concert be removed from the presentation. Shana McNelly, a Pagan, asked that six Christian songs, out of a total of nine songs that were to be included in the concert, be removed. But as a result of her request, only two of the six Christian songs were taken off of the concert schedule, and Shana has become the victim of repeated harassment. In the days prior to the concert, she was tormented by fellow students with threats of violence. In one of her classes, all of the students sang the Christian hymn, “Jesus Loves Me,” to her. The harassment worsened during the actual concert, where Shana was booed by both students and adults in the audience. At the conclusion of the concert, students motioned for the audience to remain seated, then sang one of the songs that had

been removed from the schedule. Both the principal and the choir director were present, and made no attempt to stop either the final song or the harassment. When Shana ran off the stage in tears, children called out, “Bye, bye Pagan, Get out of here!” Once she reached the parking lot, Shana and her family were told they were “Going to Hell,” and cars and trucks cruised the parking lot blaring Christian music at them, and for a time, they were prevented from leaving. Luckily, the entire thing was captured on videotape that is now in the hands of authorities. The incident is under investigation by the local Sheriff’s Department and has attracted the attention of the ACLU. The local newspaper has printed several letters from concerned Pagans. More letters of support and protest may be addressed to: Letters to the Editor, *Asheville Citizen-Times*, PO Box 2090, Asheville, NC 28802; or can be e-mailed to: editor@citizen-times.com.

—Lady Liberty League Report, *Circle Magazine*, Fall 2001

## Remarks by MEL KRUTZ on being presented the 2001 ACADEMIC FREEDOM AWARD by the AFCON Board of Directors, December 1

Recently, two of our grandchildren called us on the phone. "I'm the car," our newly turned four-year-old grandson said, "and my sister is the hat. Papa is the horse and Mamma is the thimble. We're playing mon op oly." He formed this new word carefully.

"Isn't that a grown-up game?" my husband asked. The five-year-old sister said, sounding somewhat grown-up, "Yes, but we all sometimes like to play it."

We're here today because we care that children (of any age) in Nebraska have access and openness to words that stretch their vocabulary, pronunciation, and minds; to every idea, we can roll around on our tongues, compare in our heads, discover, associate, discern, and confirm. That minds can grow freely, can sort out the pros and cons between owning St. Charles Place or Boardwalk, or neither. Can face challenges that come as the game of life moves along, ready for the community chest and chance cards that life offers, can become citizens who have been schooled to be thinking people with freedom of speech and openness to new ideas.

A game—school—learning places from which we move securely into life's realities.

We all know some true, in Nebraska's schools, stories where books are censored, teachers are curbed in how or what to teach, materials are pre-selected by non-professionals, and those selected by professionals removed, or where student writing is rejected, or disallowed, and minds stifled, as the panel on Hazelwood and its affect on school journalism has just further illustrated. We want our state's journalism teachers to know, with all

teachers, that they are not alone. AFCON supports their efforts. It will not cease to do so.

Since 1988, when AFCON and the Hazelwood Decision began (coincidentally almost the same month,) the AFCON Board:

- \* has continually objected to and alleviated such problems by speaking with administrators, school boards, teachers parents and others;

- \* has affirmed and supported administrations and school boards, and teachers who have stood up against censorship (Dave Moshman, Bob Haller, and Dwayne Ball, in particular, this organizational year, and others in years past;

- \* has written and passed policies that lend support to these positions (Dave Moshman, our policy person;)

- \* has written letters to the editors of our newspapers (several of us have and continue to do this;)

- \* has established a board member as a liaison to happenings in the legislature (Peggy Adair;)

- \* has testified before the legislature and the state school board (Bob Haller and others;)

- \* has reported our activities and the state's happenings in the AFCON *Sentinel* edited by Tom Black;

- \* has expanded the numbers of organizations in the coalition (Dwayne Ball and his committee,) giving it strength, and has done so much more, as noted in the list on the membership brochure;

- \* has done the multiple tasks necessary like taking minutes, keeping the accounts, taking AFCON materials to their organizations' conferences, helping with the AFCON mailings, continually being liaison to AFCON from their organizations and back again, and

more. That communication between each organization and the board is fundamental to the work of the whole. Each organization board member brings a strength to the board it cannot do without.

AFCON is a clear presence in Nebraska, standing strongly for intellectual freedom, especially alert in these present times. I wish at every meeting that every member of each organizational member could be around the table and in on the discussion-making, the action-taking, the mind-stretching. One representative is hardly enough. Do all in your organization even know that your organization is a part of AFCON. And that its participation has been greatly valued? They are and it is! All meetings are open. Please come, especially see that someone from each organization be there to substitute when your representative is not able to attend.

Going back to my somewhat feeble analogy to monopoly, may I try one more—that these efforts continue to keep the Reading Railroad track ever un-obstructed for all students, always. That all of our sons and grandsons, daughters and granddaughters never face being forced into a rote school that teaches only hate and our daughters and granddaughters never be denied education as are those in the world today, their very existence hidden behind the veil of the birka.

All of this and more is what AFCON is all about. I can't tell you how honored I am to have been and to be a part of it, and to receive this award, which really goes to all of you, all of us. Thank you for your part. Thank you so much.

### 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 15, 2002**, issue is **February 25, 2002**.

## Remarks by CATHI McMURTRY on being presented the 2001 ACADEMIC FREEDOM AWARD by the AFCON Board of Directors, December 1

Thank you so much. I feel especially honored to be given this award. I don't feel that I have done anything to deserve it except to keep track of what the rest of you, the AFCON members, were doing. I have been proud to be a part of an organization that is fighting censorship, of an organization that fights to keep the right to read and to study and to teach.

I've always felt strongly that you may keep your own children from reading certain things of which you disapprove, but you cannot and should not stop someone else's children from reading what you don't like.

There are so many banned books, such as *The Bible*, *Harry Potter*, *To Kill a Mockingbird*, *Huckleberry Finn*,

*Bridge to Terabithia*, etc. Nebraska ranks high in the number of banned books on its list.

We have long been against censorship. In our school system we have an accelerated reading program through which students get grade points for reading books and taking tests on them. I have encouraged them to read banned books, even offered to give them extra points for reading such books.

I would like to tell you a little story. Last year my husband had to go to the church for something, and when he walked in, he saw the minister reading a copy of a Harry Potter book. When my husband said, "Oh, you're reading Harry Potter, too," the minister told him that a woman in the church had asked

him to read it to see if they should ask that it be taken out of the schools. My husband then told him that we had bought an entire set and donated it to the school library. End of conversation.

If keeping your membership, making treasurer's reports, and furnishing a mailing list is a help in keeping academic freedom, I am more than happy to do it.

(Editor—Cathi McMurtry was cited for her perpetual crusade against censorship, her letter-writing, and her presentations at workshops and conferences throughout the state. McMurtry has been the Treasurer of the Academic Freedom Coalition of Nebraska since its inception in 1988.)

### A Cartoon by Paul Fell—

Sitting on a bench outside the office door of "the principal, ie., the "Nebraska State Board of Education," are two young boys, obviously distressed. One says, "I got in trouble for using the word 'condom...' Why are you here?" The other boy replies, "I didn't know the words to the National Anthem."

—From the Lincoln Journal Star. October 12, 2001.

### Tempest's Mother to File Lawsuit—

Denessa Smith, mother of twelve-year-old suicide victim Tempest Smith, has filed a \$10 million lawsuit against the Lincoln Park School District in Michigan.

Tempest took her own life this spring as a result of the unrelenting taunting she received at the middle school in that district. In her journal, Tempest wrote about classmates teasing her about her Wiccan beliefs and crowding around her singing, "Jesus Loves You."

The lawsuit was filed in U.S. Federal Court on July 3, 2001, with charges that school administrators knew about the harassment and did nothing to stop it. In 1999, this same school district was successfully sued by a Wiccan high school student who had been banned from wearing a pentacle at school. This case resulted in changes to the school dress code policy.

—Lady Liberty League Report , *Circle Magazine*, Fall 2001

### Teacher Accused of Witchcraft—

School teacher Lauren Berrios was denied tenure at her superintendent's recommendation, allegedly due to accusations of Witchcraft. According to Principal Andrew Albano, she included "cult-like values" and "Wiccan principles" in her lessons.

Berrios has taught at Hampton Bays Elementary, on Long Island, New York, for two years.

Due to these suspicions, she was ordered not to even mention the soothsayer character when teaching Shakespeare's *Julius Caesar*. Berrios, who denies she is Wiccan, has filed a \$1 million lawsuit against the school district.

This case got widespread attention when it was mentioned in connection with "Top 10 Ways to Tell Your Teacher is a Witch" by comedian David Letterman on a show which aired nationwide on June 20, 2001.

—Lady Liberty League Report , *Circle Magazine*, Fall 2001



## ANNUAL MEETING

### Academic Freedom Coalition of Nebraska

On December 1, at the Garden Cafe at 70th and A in Lincoln, Nebraska, AFCON leaders and members attended the Annual Meeting. The Board led by President **Dwayne Ball** and with President-elect **Linda Beckstead** as the coordinators presented a very successful meeting for the membership.

Two of AFCON's prestigious **ACADEMIC FREEDOM AWARDS** were presented to **Mel Krutz**, Past President of AFCON, and **Cathi McMurtry**, Treasurer.

The highlight of the event was a Panel Discussion: **HOW DOES THE HAZELWOOD DECISION CURRENTLY AFFECT HIGH SCHOOL JOURNALISM?**

Prior to the Panel presentation Dave Moshman summarized the facts leading up to the Hazelwood decision.

Panel speakers were:

**Jane Holt**, Journalism Adviser, Lincoln East High School.

**Doris Martin**, Journalism Adviser, Beatrice High School

**Kathy Stockham**, Journalism Adviser, Valley High School

**Susan Baird**, Journalism Adviser, Bellevue East High School.

Panel members shared their experiences of censorship or lack of it in each of their school systems.

**MEMBER MEETING**—President Dwayne Ball opened the Membership Meeting at the conclusion of the Panel Discussion.

Adair and Beckstead moved the adoption of the minutes as corrected of the 2000 Annual Meeting.

The nominating committee of Beckstead, Moshman, and Krutz presented the 2002 slate of officers: Laurie Lee, President-elect; Peggy Williams, Secretary; and Cathi McMurtry, Treasurer. Krutz and Moshman moved the acceptance of the slate of officers.

Haller will mail and receive ballots for the election of the AFCON officers for the year 2002.

Copies of the Annual Report, compiled by Peggy Adair, were distributed to members and organizational representatives.

**PLANNING MEETING**—President Ball reviewed the long and short-term goals. Those achieved were the following:

Policy—a religion policy was developed.

Publicity—carried out via the AFCON website.

Graduating teachers—Moshman included information in the UNL Teacher Education Newsletter.

Higher attendance at AFCON Board Meetings—accomplished

Suggested changes to the website were to add officers' locations, occupations, and e-mail addresses.

The Board discussed Goals 2002 and continued that to the January Board meeting

### OPS TELLS CENTRAL HIGH NEWSPAPER TO EASE UP—

Omaha Public Schools officials met Friday with the Central High journalism adviser to urge changes in the award-winning school newspaper. "They don't like what the paper is," said Matt Deabler, the adviser. "I disagree. But I work for them."

Principal Gary Thompson, who was flanked at the meeting by other school and district officials, said he isn't censoring the Central High *Register*. "I expressed the concerns and trust that these concerns will be dealt with," he said. "After the next edition, we'll sit down and talk about it." The meeting was the latest development in a roller-coaster month for the paper. In November, the *Register* won "best of show" honors at a national competition, but the paper has drawn criticism from Thompson and others who say the paper staffers need to work shorter hours, pursue fewer hard-hitting stories, and devote more space to stories about school activities.

School officials took issue with an October 31 story about a Central football player who participated in five games this fall after being charged with assault, despite a district policy that made him ineligible. Thompson said the paper should not have published the student's name.

Thompson told Deabler that he and the *Register* staff needed to follow new guidelines, reconsider the paper's mix of stories, and use more caution in handling controversial topics. He said he has no desire to edit the paper or review it before publication, but he said he is obligated to set guidelines for a paper that is part of the school curriculum. "The issue here is not censorship. I hope we never go there. We won't go there if we're using good judgment."

To senior Matt Wynn, the paper's editor, the meeting sent a clear signal: Don't rock the boat. "I think that's a direct threat."

(From the *Omaha World-Herald*, December 9, 2001)

To access the web page of the Academic Freedom Coalition of Nebraska (AFCON),

go to

**<http://firefly.unl.edu/afcon>**

There one can find the officers, the organizational members, the Constitution, the Principles of Academic Freedom, the Policy Statement on Sexuality and Academic Freedom, and procedures on how to become a member of AFCON.

# AFCON

515 North Thomas Avenue  
Oakland, NE 68045.

Mailing  
Address  
Label

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## ACADEMIC FREEDOM COALITION OF NEBRASKA

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### 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**