



THE

# AFCON

SENTINEL



Volume XII, Number 2

A Quarterly of the Academic Freedom Coalition of Nebraska

June 20, 2008

## AFCON OFFICERS

Nancy Comer  
President

Dwayne Ball  
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Cathi McMurtry  
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Peggy Adair  
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Barbara Cornelius  
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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—Nancy Comer

When you're a relatively new member of AFCON (even the Nebraska State Reading Association, which I represent, is one of its newer organizational members) there's so much to learn. I've been reading about and reflecting on AFCON's history.

Everyone likes to be #1. It appears that in 1987, Nebraska wasn't just #1 in football. The People for the American Way recognized Nebraska for being FIRST in attempts to censor books that came to completion. That was impetus for seven organizations and a number of individuals to form a coalition in support of academic freedom.

Looking over conferences held, programs presented, panel discussions and Academic Freedom Award recipients, I am able to trace AFCON's development through the organization's involvement in issues related to freedom in the classroom, faculty and students' rights, censorship of materials/ideas, and in the nineties, student access to the internet.

AFCON's first conference/s in September of 1988 focused on the United States Supreme Court's Hazelwood Decision. The Court upheld the right of public high school administrators at Hazelwood East High School in suburban St. Louis to censor stories concerning teen pregnancy and the effects of divorce on children from a school-sponsored student newspaper. In Lincoln, Mark Goodman, Director of the Student Press Law Center in Washington, D. C., spoke on censorship challenges to student journalists and the effects of Hazelwood on free expression. Twenty years later, AFCON will revisit the Hazelwood Decision, and its impact on Nebraska's schools; this will be the focus of the November annual meeting. If you or someone you know has been affected by

Hazelwood, please contact AFCON's President-Elect and program chair Dwayne Ball.

As I perused the Tenth Anniversary AFCON booklet prepared by Gerry Cox and Mel Krutz for distribution at the October 22, 1998 annual meeting, I was struck by these words. "Gathering a decade of data may not seem a daunting thing to do. It is. Not everyone saved everything, some things were not found at all, and we found our memories not to be infallible." This brings me to current business before the AFCON Board. At the April board meeting we decided to begin looking into archiving AFCON's history. The Nebraska Historical Society will accept our material. A committee, headed by Linda Parker, reference librarian at UNO, and including Marsha Bradbury, media specialist for LPS, and me as ex-officio, was established to look into how and what material should be collected. Founding members, current and former officers and board members, and others will be asked to review their files and memories of any information that can and should be stored. Right now this seems like a daunting task but in the long run, once this material is inventoried and catalogued, it will be more readily available when the need arises.

AFCON is really a remarkable organization; in part because of its history, goals and activities, but also because of the collaboration of member organizations (more than doubled since 1988) and the active participation of their chosen representatives. They bring a wealth of experience, expertise and enthusiasm for academic freedom... in classrooms, publications, oral presentations and discourse. Working with them is why I'm learning so much.

## Upcoming Events

AFCON Board Meetings, **July 12, September 13, October 11, 2008**  
**Loren Eiseley Library, 1530 Superior, Lincoln, Nebraska; 10 AM**

## Summaries of AFCON Board of Directors' Meetings—Karen Buckley

### March 8, 2008—

**Present:** Peggy Adair, Dwayne Ball, Marsha Bradbury, Karen Buckley, Nancy Comer, Dick Herman, Cathi McMurtry, Dave Moshman, Susan Oles, Linda Parker, Doug Paterson, Susan Helmink, Rod Wagner.

**Minutes:** (Buckley). Minutes from the Feb. 9 meeting, as amended at the meeting, were approved upon a motion by Moshman and a second by Ball.

**President's Report:** Since the February meeting, a Nebraska Wesleyan class for secondary education members had asked for an AFCON representative to speak on censorship. Haller and Comer agreed. After the meeting Comer spoke with Jessica Brauer, a Wesleyan student and president of the Student Education Association of Nebraska. Comer asked if Brauer would consider being an AFCON board member to provide the board with a student viewpoint. She agreed. Upon a motion by Moshman and a second by Herman, the board voted to appoint Brauer to the AFCON board as a member-at-large.

Comer has contacted the Collegiate Media Association to see if they are interested in continuing membership in AFCON. If there is no response or a negative response, that organization will be dropped from the list of organizational memberships. Comer circulated a draft for an updated brochure.

**Treasurer's Report:** McMurtry circulated the treasurer's report, which showed a balance of \$951.06, with 29 individuals and three organizations current with dues. The report was filed for audit. 26 for the June 20 issue. Ball suggested members e-mail the newsletter to their respective organizations.

**Newsletter:** The next deadline for the Sentinel will be May 26 for the June 20 issue. Ball suggested members e-mail the newsletter to their respective organizations.

**Policy Coordinator:** Moshman circulated the first draft for an AFCON tenure policy statement.

**Legislation Report:** Adair distributed copies of the newly printed students' rights handbook, "Know Your Rights! A Student's Guide to Rights in School," published by AFCON and ACLU Nebraska. The handbook is also available on-line at the ACLU Nebraska website and plans are for the handbook to be available on the AFCON website as well.

**Membership Reports:** Paterson attended, as an observer, a meeting with the Omaha North High School administration,

parents, and cast on the controversy surrounding the play, "Member of the Wedding."

Oles reported that Mark Twain's **The Adventures of Huckleberry Finn** is no longer part of the Omaha Public Schools curriculum. She also said that NELAC requested suggestions for the National Language Arts Council's national and state academic freedom award. Ball moved, and Moshman seconded, that Paterson be nominated for the national award. Upon a motion by Adair and second by Herman, Jerrod Zegelis, advisor of the Omaha Benson High School student newspaper and recipient of AFCON's most recent academic freedom award, was selected as nominee for NELAC's state award.

Wagner noted that Nebraska state winners of the annual Letters about Literature would be recognized April 14 at the Nebraska Capital.

**Old Business:** Paterson said he will report in April on AFCON outreach to outside state organizations. Parker said the Nebraska Historical Society is willing to archive AFCON materials.

**New Business:** Ball moved, and Herman seconded, that AFCON sponsor a half-page ad in the program for the ACLU Nebraska annual dinner meeting. The motion passed. McMurtry asked for approval of a signature stamp and supplies. The board approved this request upon a motion by Adair and second by Ball.

Comer requested that members prepare for the April meeting by reviewing: the draft of a tenure policy statement, the newly printed student rights handbooks and the State Historical Society archival policy.

### April 12, 2008—

**Present:** Peggy Adair, Dwayne Ball, Tom Black, Marsha Bradbury, Karen Buckley, Nancy Comer, Dick Herman, Clark Kolterman, Laurie Thomas Lee, Cathi McMurtry, Dave Moshman, Susan Oles, Linda Parker, Doug Paterson, Mary Reiman, Rod Wagner.

A brief discussion ensued of why the book **The Adventures of Huckleberry Finn** has been eliminated from the curriculum in many school systems.

**Minutes:** (Buckley). Minutes from the March 8 meeting, were approved upon a motion by Moshman and a second by Herman.

**Treasurer's Report:** McMurtry distributed copies of the treasurer's report, showing a balance of \$1654.42, with 36 individuals and seven organizations current with

dues. The report was approved following a motion by Kolterman and a second by Adair.

**President's Report:** Included in the report by Comer were three news items, including the censorship attempt of the Daily Nebraskan by the governor's office; Moshman's recent column in the Journal Star and a 2008 Muzzle Award by the Thomas Jefferson Center for Free Expression to the Nebraska judge who banned words, including "rape," from being used during a sexual assault case.

**Newsletter:** The next deadline for the Sentinel will be May 26 for the June 20 issue. Black also called attention to the recent opening of the Newseum in Washington, D.C.

**Policy Coordinator:** Moshman distributed draft copies for an AFCON tenure policy statement. A final version will be voted on at the May meeting. Ball pointed out that more than half of professors in U.S. universities are in non-tenured positions.

**Legislation Report:** Adair noted that the legislative session had only three days remaining and nothing scheduled relating to academic freedom.

**Membership Reports:** Parker said that she distributed copies of the student rights handbook at the March 14 Nebraska Library Association board meeting.

Bradbury said that the Lincoln Education Association recently held elections. LEA and LPS are negotiating a new two year contract for teachers.

Wagner noted the following week would be National Library Week. He reminded members that the Nebraska Center for the Book Festival would be Oct. 17-18 in Lincoln, following the NLA/NEMA fall conference Oct. 15-17, also in Lincoln.

Kolterman reported that NELAC accepted AFCON's suggestions for the LAC awards, and nominated Doug Paterson as its nominee for the national award and Jerrod Zegelis, Benson High School newspaper advisor, as its state nominee. Its fall conference will be Oct. 11 at Concordia University in conjunction with the Plum Creek Literary Festival. Lois Lowry will be keynote speaker for the conference and will also speak at the Plum Creek dinner. The spring journal will honor outgoing Nebraska Commissioner of Education Doug Christensen. The issue's theme is "I teach because..." and will feature teacher writings.

Ball noted that ACLU Nebraska's annual dinner would be held that evening.

(See **Summaries** page 3)

## Summaries of AFCON Board of Directors' Meetings (Continued from Page 2)

Lee noted that the UNL College of Journalism's alumni newsletter featured an article on Sarah Swift, including mention of her recent AFCON academic freedom award. The UNL Faculty Senate will discuss the diversity report, coauthored by Ball, Moshman and a student.

Paterson reminded members of the e-mail he sent regarding the upcoming Theatre of the Oppressed in Omaha.

**Old Business:** Paterson has redone the letter he wrote last year on outreach and will meet with Parker to update information on organizations who made be interested in forming academic freedom organizations or coalitions.

Parker recommended archiving AFCON materials with the Nebraska Historical Society. Adair moved and Parker seconded to proceed with the process of archiving AFCON materials with the historical society. Parker and Bradbury, with comer as an ex officio member, volunteered to be committee members in moving forward with this process.

Ball continues to update the website and will link "Know Your Rights" student handbook (on the ACLU Nebraska web site) to AFCON.

The annual meeting will be Nov 8. Ball is still seeking panelists to discuss "20 Years of Hazelwood."

**New Business:** The new AFCON brochures were made available for distribution.

Members discussed honoring/or writing a letter to Senator Ernie Chambers; Parker volunteered to search the web for specifics of academic freedom regarding Senator Chambers.

**May 10, 2008—**

**Present:** Peggy Adair, Tom Black, Marsha Bradbury, Karen Buckley, Nancy Comer, Gerry Cox, Bob Haller, Dick Herman, Laurie Thomas Lee, Cathi McMurtry, Dave Moshman, Susan Oles,

Linda Parker.

**Minutes:** (Buckley). Minutes from the April 12 meeting, were approved upon a motion by Moshman and a second by Haller.

**Treasurer's Report:** McMurtry distributed copies of the treasurer's report, showing a balance of \$2019.42, with 41 individuals and twelve organizations current with dues. The report was approved following a motion by Herman and a second by Moshman.

**President's Report:** Comer noted that the archiving of AFCON materials will be a time-consuming process because there are many materials to be sorted. She spoke of how her role as president has strengthened her connections with other members. She noted that the Nebraska Education Association feels the Academic Bill of Rights will not help students. The NEA president is urging members to tell Congress to reject the Academic Bill of Rights.

**Newsletter:** The next deadline for the Sentinel will be May 26 for the June 20 issue. Black noted that his archiving of Sentinel newsletters is complete.

**Policy Coordinator:** Moshman commented on a recent article regarding the fact that two major leaders in education, Nebraska Commissioner of Education Doug Christensen and Senator Ron Raikes are leaving their positions.

Moshman distributed revised copies for an AFCON tenure policy statement which was accepted as revised by consensus.. The tenure policy statement as revised was by consensus. He pointed out that the 1941 Statement did not extend Academic Freedom to students, and that statements adopted by AFCON affiliates should contain such a provision.

**Legislation Report:** Adair provided members with additional copies of the Students Rights Handbook. She noted that the League of Women Voters' policy on education has a statement supporting academic

freedom. Adair requested board members check for and report on their organization's statement on academic freedom. If their organization lacks such a statement, board members might request their organization formulate a statement. Moshman said organizations may have such a statement but may not call it "academic freedom." He proposed suggesting that organizations include the words "academic freedom" for unity and clarity. Haller noted that the AAUP's 1941 statement of Academic Freedom remains the standard for such statements.

**Membership Reports:** Bradbury said that LPS and LEA have reached a tentative agreement on a new two year contract. A full vote will be held in late May.

Cox said that the Writers Guild is also collecting materials to be archived with the Historical Society.

Oles and Cox noted that the NELAC honors program was held May 2 at the State Capital.

Black said that the retired member of the NSEA family donated \$10,000 for equipment to preserve materials digitally. NSEA was formed in 1867.

Moshman noted that Dwayne Ball and he were reelected to the ACLU board.

**Old Business:** As Paterson was not present, the report on AFCON outreach was postponed to the June 14 meeting.

Parker requested that members provide her with broad descriptions of materials to be given to the archivists (minutes, by-laws, constitution, etc.) by Aug. 1. She noted that her search of online databases and the Unicameral did not find any academic freedom issues that would warrant special recognition of retiring Sen. Ernie Chambers.

**New Business:** Haller distributed copies of his review for AFCON members of the book **Speechless. The Erosion of Free Expression in the American Workplace.** This review will be reprinted in the Senti-

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## TWENTY YEARS OF HAZELWOOD: GOT ACADEMIC FREEDOM?

Reserve the date!

**November 15, 2008**

The AFCON Annual Membership meeting will be held at Beacon Hills Restaurant and Meeting Room, 5353 North 27th Street, Lincoln, NE. Pursuant to the theme "**20 years of Hazelwood,**" the 10:00 a.m. to 1 p.m. gathering will feature speakers who have worked in the public schools and who know the impact of censorship on academic freedom—the people who know what's changed and what we can do. Lunch will be served.

*Speechless* by Bruce Barry.*The Erosion of Free Expression in the American Workplace.* Berrett-Koehler, 2007

Bruce Barry believes that free expression is essential to both the quality of American civic life and the development of the talents and satisfactions of free individuals. So he has written a book which is a continuous indictment of “at will” employment in the American workplace. He claims, citing numerous court cases, that employees who may be fired for “any reason or no reason” are deprived of the freedom guaranteed to them by the First Amendment, to the detriment of our democratic society.

This is, all AFCON supporters will recognize, the other side of the argument for tenure as the essential condition of academic freedom. Tenure protects the ability to criticize the policies of one’s institutions, pursue the truth in teaching and research, and take part freely in public debate. Where tenure is not present in the workplace, employees must depend on contracts when they have them, protective legislation, or the integrity of employers who do not believe they own the thoughts and expressive forms of those who work for them.

As AFCON has discovered in Nebraska public schools, supervisors and managers will protect the good name of the school in the community and keep control of the building before they will protect ex-

pression which makes them uncomfortable, or which they think will make others uncomfortable. Think of the many Americans who have sacrificed their lives, fortunes and sacred honors to preserve this comfort!

AFCON deliberately confines itself to “academic” environments, and monitoring these is a full-time job. But consider, that we teach future citizens and in that process try to demonstrate the integrity of our intellectual search, with the belief that this integrity has carry-over value in the pursuit of government, business, the arts, and social and personal life. When we hand students over to workplaces, we do not explain that the values they acquired in a free educational environment have to be deposited (along with their backpacks) at the school-house gate.

Furthermore, as Barry explains, the U.S. is far behind most industrialized societies in the protection of workplace free expression. Other countries give workers due process rights, which “means... that a dismissal requires a legitimate reason, effectively protecting any speech that doesn’t impair job performance or firm efficiency.” Barry notes that the First Amendment gives Americans “unique and exceptional” free speech protection. But in the protection of expressive rights at work, our “unforgiving system of employment at will” is

“uniquely defective.”

The U.S. case is not all gloomy. A union contract protects workers from arbitrary dismissal, and most government workers are explicitly granted the right to political involvement outside of work. Whistleblower protections cover one aspect of free expression, and non-discrimination statutes cover some others. But it is gloomy enough. He concludes his survey of management policies by observing that CEO’s seem to believe, as one was bold to say and be quoted in the *New York Times*, “Nothing belongs at work that becomes disruptive or impacts performance.” Barry’s comment: “One imagines that his firm operates without humans.”

What puzzles me the most is the oblique way that Americans support the system of “at will” employment. When someone complains that professors with tenure have a unique privilege and should somehow be liable for dismissal at will, they rarely explain why arbitrary management intervention improves an institution. We Americans boast of our democratic values, but do not seem to believe these values have a place in our businesses and institutions. Barry tries to make us realize how important it is to recognize that we live in a “society,” not an “economy.”

Reviewed by Robert Haller,  
AFCON Board Member

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## AFCON SPEAKER'S BUREAU (As of June 2008)

Peggy Adair: "Banned Books, Black Armbands, and School Prayer: The Evolution of Children's First Amendment Rights in America"  
padair@tconl.com

Dwayne Ball: "Threats to Academic Freedom at Universities"  
adball@neb.rr.com

Bob Haller: "Civics Education and the Practice of Freedom" and "How Books Can Harm You: Lessons from the Censors"  
rhaller1@unl.edu

David Moshman: "Principles of Academic Freedom"  
dmoshman1@unl.edu

John Bender and David Moshman: "Student Freedom of Expression/Student Rights"  
jbender1@unl.edu  
dmoshman1@unl.edu

Laurie Thomas Lee: "Implications of the USA Patriot Act"  
llee1@unl.edu

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

### ADDRESS FOR THE AFCON WEB SITE <http://www.AFCONebr.org>

**Check it out and learn Who We Are and about Our Activities; read our Constitution; learn how to Join Us; see the where and when of our Meetings; meet our Members and Officers; Study our Publications, Principles, and Statements**

#### FOR SALE BY AFCON

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

Note cards with a Paul Fell design with the wording "When all Books are Banned, see the Book—\$1.00;" \$1.50 each or a packet of four for \$5.00. Packaging and postage: \$0.75 per packet.

Reader's Theatre Script (a booklet,) entitled TANGLED ISSUE: Student Freedom of Expression. \$10.00 buys the booklet and production rights, including rights to copy. Packaging and postage: \$3.00.

#### 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 **September 19**, 2008, issue is **August 25**, 2008.

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

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## University Reports—Dwayne Ball

My sources for these reports are the Chronicle of Higher Education (CHE) the newsletters of the Foundation for Individual Rights in Education (FIRE), and other sources as noted.

### FREEDOM OF EXPRESSION ON CAMPUS

*Don't post that stuff on your door!* Lake Superior State U. has told professor Richard Crandall, a 40-year veteran of teaching, to remove from his office door any posted material that is controversial, such as things he has posted in the past: political cartoons on Islamic terrorism, items on the war in Iraq, and a photograph of former president Reagan. As you may have guessed, Crandall's posting are mostly on the conservative side, and their "offensiveness" to an anonymous viewer has prompted the university to demand that he remove them or face charges of insubordination. Postings by colleagues on the opposite side of the political fence, have of course, drawn no attention from the administration. (FIRE newsletter 4/9/2008)

### STUDENT ACADEMIC FREEDOM

*San Francisco State U. changes speech code:* SFSU settled a lawsuit brought by the College Republicans. The CR had stomped on a mocked-up Hezbollah flag, which they did not realize contained the word "Allah" in Arabic script. The CR were charged with violating university conduct codes and punished. They sued, and SFSU settled out of court, agreeing to remove the unconstitutional portions of its student code of conduct, pay the CR attorney fees, and re-instate all their rights as a student organization. (FIRE newsletter, 3/4/2008)

*Central Washington University backs down:* in a similar case, the CWU College Republicans were threatened with defunding as a student organization after inviting controversial speaker and Minuteman founder Jim Gilchrist to speak, and posting flyers that said, "illegal immigration is ruining America." Under public pressure from FIRE, CWU backed down from its investigation and de-funding threat. (FIRE newsletter of 3/11/2008).

*Colorado College and the Monthly Rag/Bag:* Earlier this year, a Colorado College group calling itself the "Feminist and Gender Studies Interns" dis-

tributed a newsletter they titled, "The Monthly Rag." It referred, among other things, to castrating men, feminist pornography, and "packing" (pretending to have a phallus). Subsequently, a group calling itself "A Coalition of Some Dudes" published a satire of the Rag, calling it "The Monthly Bag." According to the FIRE newsletter of 3/31/2008, the satire contained "references to 'chainsaw etiquette,' the shooting range of a sniper rifle, a quotation regarding a sexual position from the website menshealth.com, and a quotation about 'female violence and abuse' of men from the website batteredmen.com." Naturally, the authors of the Bag were charged with violation of the student code of conduct, with the College insisting that the Bag was demeaning, threatening, and intimidating, and "implied violence." Of course, the authors of the Rag were not. The authors of the Bag have been required to hold public discussions on the issues of violence raised by their publication. Anyone for a good old-fashioned Maoist self-criticism session? The authors of the Bag appealed their sentence, but to no avail (FIRE newsletter of 4/28/2008).

(See **Reports** page 7)

## Reports——

***Did she or didn't she repeatedly abort herself for art's sake?*** Yale University really had a tiger by the tail in April. Aliza Shvartz, a Yale art student, prepared an exhibition that purported to show the results of several artificial insemination attempts and subsequent self-induced abortions. It was a senior project to be displayed on campus as part of an exhibition of such projects, and Ms. Shvartz wanted to make a point about the control of women's bodies. Yale's administration insisted that her work not be shown unless she issued a clear and unambiguous statement that she did not, in fact, perform abortions on herself. Ms. Shvartz had previously said that if she was forced to say that, she would do so, but it would be a lie – and she did issue such a statement. Yale concluded that her stomach-churning work was “creative fiction,” and allowed the exhibition to take place, over a lot of criticism and some defense of artistic freedom. (CHE 4/22/2008, and Fox-news.com)

### FACULTY PUBLICATION RIGHTS

***You're a fraud, so sue me, professor:*** Several authors, including a Dr. Cha, a fertil-

ity specialist in South Korea, published an article in the 2001 volume of the Journal of Reproductive Medicine. The article purported to show that prayer by anonymous people could increase the chances of pregnancy for women undergoing fertility treatments. Of the other two authors of the study, the only medical professor withdrew his name from the study, and the other, a lawyer who studies the paranormal, was charged with mail and bank fraud unrelated to the manuscript. A Dr. Lamm, volunteer clinical professor of gynecology at U. Cal. - Irvine, wrote in a medical newspaper that Dr. Cha had been charged with plagiarism regarding a 2005 paper, and that, “this may be the first time in history that all three authors of a randomized, controlled study have been found guilty of fraud, deception, and/or plagiarism.” Dr. Cha sued Dr. Lamm for libel. Dr. Lamm and his colleagues found the idea that one can be sued for commenting on a colleague's veracity chilling. However, a California judge threw out the suit.

### STUDENT ADMISSION RIGHTS

***Race-based admissions challenged in Texas:*** Abigail Fisher, a white high-school senior from Richmond, Texas, applied to the University of Texas – Austin and was rejected, despite having grades,

SAT scores, class rank, and extra-curricular activities superior to those of minority students that were admitted to UT. UT has been using an automatic admissions of the top 10% of Texas high schools since 1997, but since 2005 has also been giving preferences to minority applicants. Fisher is suing UT with the help of the Project on Fair Representation. (CHE 4/8/2008)

### ACADEMIC FREEDOM IN THE CLASSROOM

***Teacher fired for discussing nature/nurture:*** San Jose/ Evergreen Community College in California fired professor June Sheldon, saying that her leadership of a Human Heredity class discussion of the nature/nurture controversy was “unscientific.” Dr. Sheldon had made a number of points, among them that lesbianism, in some cases, could theoretically be the result of a woman's poor relationships with men. A student in the class found this “offensive,” apparently on political correctness grounds, and filed a complaint, an investigation was conducted, and Sheldon was terminated. FIRE and others contend that this amounts to a gross violation of academic freedom. Sheldon's termination was upheld by the college's board of trustees. There the matter stands. (FIRE newsletter of 2/22/08)

## POLICY STATEMENT ON TENURE

Academic Freedom Coalition of Nebraska

For meaningful protection of academic freedom, there is no substitute for tenure. Tenure is a system that connects continued employment to job performance. Employees without tenure know that their jobs may be discontinued for any reason or for no reason at all. Employees with tenure, on the other hand, can expect continued employment for as long as their work remains satisfactory. To fire a tenured employee (except in rare cases of financial exigency or bona fide program elimination), the employer must demonstrate inadequate job performance.

The most important purpose of tenure is to protect academic freedom. Fundamental to academic freedom is the right of students to a curriculum devised on academic grounds and a classroom directed toward academic goals. In order to protect such rights, we rely on teachers and other experts, rather than administrators, governing boards, legislatures, or popular opinion, to determine what to teach and how to teach it. The assumption is that teachers are more likely to make such decisions on academic grounds. But this assumption may be false if teachers are subject to administrative, political, religious, and other pressures that could cost them their jobs. By insulating teachers from such pressures, tenure enables them to keep their focus on the right of students to an academically justified curriculum.

Parallel arguments can be made for researchers and librarians. Research is undermined if the researchers be-

lieve that the continuation of their jobs may depend on whether they reach the conclusions favored by those with the power to fund, reappoint, or terminate them. Library collections and services will be stunted if librarians believe that those with the power to fire them would like to see particular books or ideas excluded.

Academic freedom is thus important to all teachers, researchers, librarians, and others with academic responsibilities because it is necessary for them to do their jobs properly. Tenure is not a special privilege for an elite group but a necessity for anyone making academic decisions that should be insulated from administrative, political, religious, or other pressures.

We should, of course, do the best we can to protect the academic freedom of all teachers, researchers, librarians, and others. Whatever protections are provided in principle, however, may not apply in practice without tenure. Even if an untenured teacher cannot be fired specifically for teaching objectionable ideas, she can be informed of the nonrenewal of her contract without being given any reason at all. Even if such decisions can be appealed, it may be difficult or impossible to prove an illegitimate basis for the nonrenewal decision. For meaningful protection of academic freedom, there is no substitute for tenure.

*Unanimously approved by the AFCON*

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## Kent Haruf to Open 2008 Nebraska Book Festival

Kent Haruf will open the 2008 Nebraska Book Festival with an address in the Warner Chamber of the Nebraska State Capitol on Friday, October 17. Haruf, a resident of Colorado and former member of the Nebraska Wesleyan University faculty, is the author of *Plainsong* and other novels set in the high plains. Haruf's presentation will be followed by a reception at the Lincoln Woman's Club honoring all Nebraska writers taking part in the Festival.

The Festival will continue on Saturday in locations in downtown Lincoln. The Lincoln Children's Museum will host a program for children currently being developed by Erika Hamilton, Nebraska Humanities Council senior program director. The program will feature story tellers and hands on writing experiences.

Panel discussions, writing workshops, round table discussions, poetry and prose readings, book sales and other events for adult readers and writers will be hosted by the Nebraska State Historical Society Museum of Nebraska History and the UN-L College of Journalism which are located, along with the Children's Museum, on Lincoln's Centennial Mall at 15<sup>th</sup> and P Streets.

The 2008 Nebraska Book Awards, the Mildred Bennett Award, and the Jane Pope Geske Award will be presented at a time and location to be announced at a later date. Book Award winners will read from their works following the awards ceremony. The Festival will close Saturday evening with a reception at the Great Plains Art Museum honoring Professor Paul Johnsgard, author of over 50 books on birds and Nebraska ecosystems.



# 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** (\$120) entitles the organization to one seat on the AFCON Board, one vote in the election of officers and at the annual meeting, eligibility for office and chairing standing committees, provides newsletter subscription for the board member to share with the organization's information director, and reduced rates to AFCON conferences for its members.

**Individual Membership** (\$15) provides newsletter subscription, eligibility for office and for chairing standing committees, reduced rates for AFCON conferences, and one vote at annual meetings.

**Student Membership** (\$5) entitles full-time students to the same privileges as provided by the Individual Membership.

**AFCON ORGANIZATIONAL MEMBERS, PLEASE DUPLICATE THIS NEWSLETTER FOR YOUR MEMBERS.  
INDIVIDUAL MEMBERS, PLEASE PASS THIS NEWSLETTER TO A FRIEND AFTER YOU HAVE READ IT.  
ENCOURAGE HIM OR HER TO JOIN AFCON**