

# 2004 Winter Board Meeting - San Francisco

The Horace Mann League of the USA

Board of Directors Meeting – Friday, February 20, 2004, San Francisco

Marriott Hotel, Sierra A, 2:00 p.m. to 5:00 p.m.

Click [here](#) for a photo of the Board of Directors

Click [here](#) for photos taken at the Annual Meeting

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## Agenda

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### Roll Call

Approval of minutes

Membership update

Budget update

Report on current and future legal issues

Report on publication of book

Creation of Committee of Corporate and Foundation Partnerships

Report on financial implications of public television programs

Need of and location of summer board meeting

Report of the Nominations Committee

New Business

Summer Board Meeting Agenda

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Roll Call – Larry Dlugosh

### Officers

- President: Dr. Larry Dlugosh, NE – present

- President-elect: Dr. Spike Jorgensen, AK – present
- Vice President: Dr. John Simpson, VA – present
- Past-President: Dr. Art Stellar, MI – present

Directors

- Dr. James Anderson, NM – present
- Dr. Richard Christie, IA
- Dr. Cryss Brunner, WI
- Dr. Mark Edwards, VA – present
- Dr. George Garcia, CO – present
- Dr. Fred Hartmeister, TX – present
- Dr. Vern Moore, MO
- Dr. Douglas Otto, TX – present
- Dr. Susan Purser, MS – present
- Dr. Steve Rasmussen, WA – present
- Dr. Walter Warfield, IL – present
- Dr. Colleen Wilcox, CA – present

Executive Director

Dr. Jack McKay – present

New Directors:

- Dr. Barry Lynn, Washington, DC
- Dr. Jerry Sellentin, Lincoln, NE – present

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Approval of June 27-28, 2003 Minutes. Click [here](#) for link to copy the minutes.  
 Motion by Spike Jorgensen, seconded by Steve Rasmussen, to approve the minutes of  
 June 27-28, 2003. Motion Passed, 2/20/04.

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Membership update – Update on membership was presented by Jack McKay

Year	Memberships
1992	510
1993	523

1994	551
1995	407
1996	623
1997	785
1998	884
1999	927
2000	964
2001	1025
2002	1051
2003	1173
2004	

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Report on recruitment activities – Update on recruitment made by Jack McKay

Recruitment by Name

Richard Christi 12

Jane Hammond 13

Spike Jorgensen 20

John Monahan 10

Vern Moore 12

Steve Rasmussen 16

Jerry Sellentin 14

John Simpson 10

Art Stellar 20

Walt Warfield 98

Colleen Wilcox 11

Others 20

Total 245

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Budget update – Update on the financial condition of the League was presented by Jack McKay

### 2003 Revenues and Expenditures

Revenues: \$61,930.79

Expenditures \$43,996.28

Total Assets: (as of 12/31/03)

US Bank Checking \$23,467.04

US Bank CD \$ 9,503.57

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### Report on legal issues

An update on legal issues was presented by Fred Hartmeister.

Fred Hartmeister will review some of the upcoming cases that may be of interest to the Horace Mann League. U.S. Supreme Court Cases that the Horace Mann League has been involved:

#### ***The Good News Club v. Milford Central School***

Can public school districts prohibit outside groups from engaging in proselytizing activities and religious worship with elementary school students immediately after the last bell while on elementary school grounds?

No. By denying the club access to the school's limited public forum on the ground that the Club was religious in nature, Milford discriminated against the club because of its religious viewpoint in violation of the Free Speech Clause.

#### ***Eisenberg v. Montgomery County Public Schools.***

Can a school district have a policy which denies student transfers if the transfer would compromise diversity or increase racial isolation in individual school buildings?

No. The U.S. Supreme Court found that district policy was used with an end toward maintaining a racial balance in each school and that non-remedial racial balancing was unconstitutional because it was not a narrowly tailored remedy.

***Mitchell v. Helms***

Can a school district provide instructional materials and equipment, including hardware to religious schools?

Yes. The U.S. Supreme Court determined that federal aid can be allocated to private or religious schools since it is on the basis of neutral, secular criteria that neither favor nor disfavor religion, and is made available to both religious and secular beneficiaries on a nondiscriminatory basis.

***Chandler v. James***

Is Alabama's statute permitting non-sectarian, non-proselytizing student-initiated prayer, invocations and benedictions during compulsory or non-compulsory school-related assemblies, sporting events, graduation ceremonies and other school-related events legal?

Yes. So long as school personnel do not participate in or actively supervise student-initiated speech, the school board cannot constitutionally prohibit students from speaking religiously .

***Simmons-Harris v. Zelman***

Is the Ohio legislature in violation of the Establishment Clause by providing payment of tuition at private religious elementary and middle schools?

No. The Ohio legislator can use of public funds since the funds go to the parents, not directly to the parochial or private school.

***Grutter v. Bollinger***

Does the University of Michigan's Law School consideration of race and ethnicity in its admissions decisions violate the Equal Protection Clause of the Fourteenth Amendment and Title VI of the Civil Rights Act of 1964

No. The U. of Michigan Law School's narrowly tailored use of race in admissions decisions to further a compelling interest in obtaining the educational benefits that flow from a diverse student body is not prohibited by the Equal Protection Clause, Title VI, or §1981. Pp. 9-32.

Pending cases:

### ***Locke v. Davey***

The Washington State Promise Scholarship, created by the state legislature in 1999, gives college scholarship money to talented students. However, this money cannot be used to obtain a degree in theology if the program is taught to cause belief.

Washington's constitution prohibits funding religious instruction. The 1969 state code applied this ban to college financial aid. Joshua Davey forfeited his Promise Scholarship money in order to major in pastoral ministries at a private Christian college. Davey filed suit in U.S. district court, claiming the state constitution's ban on funding religious instruction violated his First Amendment right to free exercise of religion (in the U.S. Constitution). The district court rejected Davey's claim. The Ninth Circuit Court of Appeals reversed, concluding Davey's free exercise rights were violated.

Question Presented

If a state provides college scholarships for secular instruction, does the First Amendment's free exercise clause require a state to fund religious instruction?

### ***Elk Grove Unified School District v. Newdow***

Facts of the Case

Michael Newdow's daughter attended public school in the Elk Grove Unified School District in California. Elk Grove teachers began school days by leading students in a voluntary recitation of the Pledge of Allegiance, including the words "under God" added by a 1954 Congressional act. Newdow sued in federal district court in California, arguing that making students listen – even if they choose not to participate – to the words "under God" violates the establishment clause of the U.S. Constitution's First Amendment.

The district court dismissed Newdow's complaint for lack of standing. The U.S. Ninth Circuit Court of Appeals reversed, holding that Newdow did have standing "to challenge a practice that interferes with his right to direct the religious education of his daughter." The Ninth Circuit ruled that Congress's 1954 act adding the words "under God" to the Pledge and the school district policy requiring it be recited both violated the First Amendment's establishment clause.

### Question Presented

Does Michael Newdow have standing to challenge as unconstitutional a public school district policy that requires teachers to lead willing students in reciting the Pledge of Allegiance? Does a public school district policy that requires teachers to lead willing students in reciting the Pledge of Allegiance, which includes the words "under God," violate the Establishment Clause of the First Amendment?

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### Report on publication of book

Update on the collection of material for the HML book was presented by Larry Dlugosh.

The Things that Work in Public Schools: A Collection of Programs that Work to Improve Student Achievement

### Contributing Authors as of January 2003

- Donna Berry
- Lauren Campsen
- Charles Costanzo
- Cynthia Fedak
- Laguna O. Foster
- Sandra Howe
- Linda D. Johnson
- Sharon Margulies
- Linda Marks
- Herbert S. Moyer
- Kelly A. Nosel
- Lonnie R. Sykes

- Karen Taylor
  - Donald R. Waldrip
- Table of Contents

- New Teacher Induction Program
- Phonemic Awareness
- Integrating Communications and Schools
- Model Enrichment
- Model Technology
- Understanding by Design
- Standard Setting, Standard Results
- Lightspan Achieve Now
- Year Round Education
- Mastering Scheduling to Reduce Class Size
- Maritime Pathway Program
- Zero Referral Program
- Project S.T.E.A.M.
- Engaged Learning
- Homework Club
- B.E.A.R. Tutoring (Be a Reader)
- The School District of Choice
- SOL Success

A flyer seeking additional contributions was distributed at the Board meeting. The deadline for contributions is May 1, 2004. The tentative publication of the book is October 2004.

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#### Creation of HML Council of Foundation and Corporate Relations –

Walt Warfield and Steve Rasmussen reviewed the recommendation to create the Council of Foundations and Corporate Relations.

At the 2003 Summer Board of Directors' meeting, it was proposed that an advisory council be established to develop stronger relationships with foundations and corporations interested in the strengthening the Horace Mann League's mission of strengthening public education.

Members of the "Council" would have full voting rights and be expected to attend winter and summer board meetings.



**Motion by Spike Jorgensen, seconded by Mark Edwards, that a “Committee for Foundation and Corporate Relations” be established. Passed.**

The membership will be Jane Hammond, Jack Mawdsley, Ken Bird, and Art Stellar. This committee is charged with the responsibility to create an organizational structure to assist the officers and directors in the following areas:

1. Criteria for the selection of corporate and foundation partners.
2. Guideline for approaching potential partners.
3. Outlining the benefits of partnerships to the foundation or corporation
4. Outlining the benefits of partnerships to the Horace Mann League
5. Guidelines for the use of partnership contributions to the Horace Mann League.

The Committee for Foundation and Corporate Relations is to report their findings and recommendations to the officers and directors at the 2004 Summer Board meeting in Denver/Boulder.

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Increasing visibility of the Horace Mann League

At the summer board meeting, it was suggested that an inquiry be made into the feasibility of contributing to the support of the “NOW with Bill Moyer” program on public television.

Contact was made with a sales representative of Public Broadcasting System (703) 998 2600. A minimum contribution for sponsorship of “NOW with Bill Moyer” for six months is \$550,000. It was suggested that contact be made with local PBS stations to check rates. An example with be the Washington, DC – Virginia area for local sponsorship of a program would be between \$10,000 and \$20,000.

Discussion followed on other potential means of increased visibility of the Horace Mann League. No action was taken.

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Summer Board Meeting

Tentative Agenda for the summer meeting:

1. Revision of the strategic plan
2. Membership recruitment strategies
3. Service to members
4. Design of the new HML poster
5. Presentations of posters to boards, businesses, and other organizations.
6. Time and promotion of the HML luncheon and annual meeting
7. Procedures for initiating and selecting cases for HML involvement.
8. Promotion of Horace Mann print and book
9. Legal issues
10. Review of publications
11. New officers, directors, awardees
12. Annual meeting events

**Motion made by Colleen Wilcox, seconded by Mark Edwards, that the 2004 Summer Board meeting be held on Sunday, June 27, 2004, in the Denver/Boulder, Colorado area.**

Logistics will be lead by George Garcia and Jack McKay.

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Report of the Nominations Committee

The following slate of directors and officers will be presented at the Annual Meeting:

President: Spike Jorgensen, Alaska

President-elect: John Simpson, Virginia

Vice President: Walt Warfield, Illinois

Director: Reappointment of Mark Edwards, Virginia

Director: Reappointment of Doug Otto, Texas

Director: Barry Lynn, Executive Director of American United, Washington, DC

Director: Jerry Sellentin, Exec. Director, NCSA, Lincoln, NE

**Motion made by Jim Anderson, seconded by Colleen Wilcox, that the slate of candidates for officers and directors by approved. Motion passed.**

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Review of annual meeting procedures by Jack McKay

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New Business

1. Discussion on taking a position on the U.S. Supreme Court case involving “under God” in the Pledge of Allegiance.

Consensus was that this issue was a “political dance” rather than a core issue of the separation of church and state. The current pledge of alligience does not alter the core of the mission of the Horace Mann League.

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**Meeting adjourned at 4:45.**

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## Future Meetings:

Summer 2004, Denver/Boulder, Colorado. Sunday, June 27, 2004

Winter 2005, San Antonio, Friday , February 18, 2005, 3:00 to 6:00 p.m.

Summer 2005, Washington, DC area (John Simpson host)

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## Tentative Agenda for the summer meeting, Sunday, June 27. 2004, Denver/Boulder

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