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## **Editorial by Lyn Allison**

In Newsletter No. 1 we briefly reported on 'faith training in Australian Government Schools' and in this issue we explore the issue in more depth, particularly the current status of two significant legal cases: *Ron Williams vs. the Commonwealth* in the High Court regarding chaplains in schools, and the VCAT challenge to 'Special Religious Instruction' in Victoria. The main points of our ACARA submission on the curriculum implications are included and Bruce Petty encapsulates the issues in a drawing for us. We encourage you to contact state and federal MPs to argue the secular schools case, particularly once the VCAT determination hits the news. Submissions are crucial, but politicians will default to the status quo on these 'sensitive' issues unless a groundswell of public opinion is detected.

The central issue is whether erstwhile secular public schools should be offering opportunities for religious organisations to inculcate children and young people with their particular religious convictions and dogma and taking the 'no' case is relatively straightforward for free-thought organisations. However, there are differences in opinion on whether or not ethics offered up as an option is an appropriate solution. We suggest this is neither workable nor desirable.

At the end of August the Therapeutic Goods Administration published its latest list of approved medicines and there, finally, was RU486 (Mifepristone and Misoprostol) – the abortifacient. You may remember the debate in the Federal Parliament in February 2006 on a bill I initiated that was jointly introduced in the Senate by Senators Claire Moore (ALP), Fiona Nash (Nat), Judith Troeth (Lib) and me (Dems) which had the effect of undoing the 1996 Brian Harradine-inspired ministerial veto over the TGA even considering this pharmaceutical alternative to surgical abortion.

Why is this a win for free thinkers? The decision by the Prime Minister and Leader of the Opposition at the time to allow a 'conscience vote' provided a rare opportunity for individual MPs and Senators to express their personal views and the more religious, the more likely they were to oppose to the bill, especially if Catholic. Talk of religion was absent from the debate itself but it is the only explanation for what should otherwise be an entirely rational decision for government and ultimately, women. The bill had no bearing on whether or not abortion was legal, experience in over forty country for some decades showed it to be safe and effective and not to increase rates of abortion (by making abortion 'easier'), the United Nations had recommended its use, it allowed termination much earlier in the pregnancy and, on average, half of all women preferred it over surgery.

In my view it is a serious problem that our parliaments are as unrepresentative as they are - in gender, in profession, in social attitude and in adherence to religious dogma. Prime Minister Howard, realising from the debate in the House of Reps that the RU486 bill would pass, directed that it should not go to a count so we can't be sure of the exact numbers but it was clear that the majority was slim and had it not been for the 80% yes vote of female senators, the bill would have failed.

It is usual to assume that party politics, the drive for power and/or the media are the causes of our dissatisfaction with government decision-making but I argue that the impediments to good public policy also lie in the unrepresentative nature of the Parliament. Gender equality is a must but we also need MPs who are scientists, teachers, philosophers, architects, medical doctors and others, of whom there are currently very few. Public debate might be more substantial and less adversarial with fewer lawyers, accountants, union officials and former staffers of MPs. If 10% of Australians are regular churchgoers, a representative parliament would roughly match this proportion and not all of them would be Christian. Attendance at prayer breakfasts and the like in Parliament House and conscience votes on the RU486 veto and other social issues like gay marriage show that a far higher percentage are religious social conservatives, many of them in cabinet. Chaplains in schools, generous funding for private, mostly religious schools, tax exemption for commercial church activities, publicly funded Catholic universities and a general shift to the conservative right in the two major parties on many issues can be attributed to their influence.

My experience in the Senate from 1996 to 2008 was that the churches, particularly in defending funding for religious schools, fought fiercely for their cause and were more than willing to exercise sway over voters against those MPs who stood in the way. Challenging the government largesse enjoyed by religious interests was regarded as political suicide and entirely explains our atheist Prime Minister's support for chaplains and her new-found admiration of (mostly religious) private schools. It goes without saying that Tony Abbott supports church influence in policy and his opposition to abortion, euthanasia, etc. is well understood as religiously-inspired but as Robert Manne argued (The Monthly, May 2010) his distrust of science, particularly on climate change, also has its roots in the fundamentalist

Catholicism of Santamaria which was hostile to environmentalism as it was to other social movements like feminism.

All this means that removing the barriers to good, evidencebased public policy that come from religious privilege is a huge and ongoing challenge for free-thinkers and must be tackled thoughtfully and strategically.

As always, we welcome your insights and feedback and hope to populate the next newsletter with your letters on the subject.



Lyn Allison, RSA Vice President.

### Quotes

Senator Bob Carr: I don't want to see squabbles at P&C meetings about whether a minister, priest, imam or rabbi gets the gig for a school

Access Ministries CEO Yvonne Paddison: ... schools are our great mission field.

#### In brief

The RSA this month made a submission to the Victorian Parliament inquiry into Handling of Child Abuse by Religious Organisations.

It takes an unusual line: viz, that churches and other religious organisations are subject to Occupational Health and Safety law, just like other organisations, and therefore obliged to eliminate or minimise risk to the public, including children or risk to prosecution and penalty. We argue the Victorian Workcover Authority ought to immediately initiate investigations into relevant cases against religious organisations and prosecute where applicable.

# From the President...

When I introduce myself as President of the Rationalist Society, many people ask "What's that?" My 10 second explanation goes like this: "We're in favour of science and evidence, as opposed to superstition and bigotry". While this may sound a bit glib, it tends to get a positive response (most people say they agree) and it summarises at least two aspects of rationalism I think are important.

Firstly, we are a *positive* movement. Rationalism is a world-view that affirms the value and importance of a certain way of thinking about the world – viz, 'adherence to the principle that all significant beliefs and actions should be based on reason and evidence, that the natural world is the only world there is and that answers to the key questions of human existence are to be found only in that natural world.' This is why we call for *evidence-based decision-making* by governments, why we are *not* party political (no side has a monopoly on reason and the truth), and why we support the scientific method and the teaching of critical thinking.

The second thing is that while we are not *anti-religious*, we do condemn shysters and snake-oil salesmen, the exploitation of the vulnerable by cults, and the attempts by the religious to impose their world-views on the rest of us. That's why we have sought to raise awareness about the superstitious origins of Steiner Education, why we oppose the legitimation of cult-like organisations like Scientology, and why we support the right to die with dignity and to have access to safe, legal abortion.

Australia has a fine tradition of institutionalising the value of secularism. We were one of the first nations in the world to legislate for education to be 'free, compulsory and secular'. Unlike the US, publicly proclaiming one's religious commitment has not been required of candidates for political office. And we have avoided the worst aspects of sectarian violence that have characterised many other nations with a population of many religions. We should both celebrate and *defend* our secular heritage. But as this edition of our newsletter points out, Australians' acceptance of secularity in politics and in education is under attack from those who would strengthen the power of the church and its unelected religious leaders (or at least *some* of these leaders – the ones who hold particularly conservative views), and impose a particular religious world-view on children as young as five years old.

This is happening under our noses, much like the proverbial frog in a pot of slowly heating water. At a time when more and more Australians are positively identifying as not religious, our Prime Minister accepts an invitation to be keynote speaker at the national conference of the Australian Christian Lobby - but refused to even attend the largest gathering of atheists in the world at the Global Atheist Convention. While over 80% of voters support dying with dignity, our parliamentarians continue to kowtow to a religiouslyinspired view that the individual may not legally end a life of unalleviated pain and suffering. And while most parents support an education system that is 'free, compulsory and secular', our politicians allow a clause in the Education Act that requires school communities to provide access to evangelists seeking to recruit for Jesus.

#### ANNUAL GENERAL MEETING

With the RAA dispute mostly behind us, it's time to look forward. In August the RSA Committee had what will become an annual strategy planning meeting to consider what campaigns we should focus on for the next 12 months or so. And in October, we will report on these and other things at our Annual General Meeting. So please put the date in your diaries now – it's Thursday 18 October from 6pm at Graduate House, 220 Leicester St, Carlton (right next to the Melbourne Business School).

## AUSTRALIAN TOUR BY SEAN FAIRCLOTH

As part of our commitment to celebrate and defend Australia's secular heritage, we are very excited to announce that in March next year the RSA will be bringing to Australia the Richard Dawkins Foundation Director of Policy and Strategy, Sean Faircloth. Sean has recently published the controversial "Attack of the Theocrats: How the Religious Right Harms Us All and What We Can Do About It" and has developed a 10 Point Plan for a Secular America. Watch this space for further details ...



Meredith Doig, RSA President.

### Williams vs. The Commonwealth in the High Court on chaplains in schools

In June this year, in an historic denial of Commonwealth power, the Australian High Court ruled 6-1 in favour of Ron Williams; a Queensland parent who challenged the Federal Government's funding of the National Schools Chaplaincy Program.

It is likely that the Howard Government, in setting up the NSCP in 2006 and Gillard Government in later extending its scope, did so by administrative instrument rather than legislation in order to avoid a parliamentary inquiry and debate and to prevent a challenge under Section 116 of the Constitution which prohibits religious tests as qualifications for office under the Commonwealth, such as that of Williams. However, the High Court found that S.116 was not breached because chaplains were engaged by Scripture Union Queensland and not the Commonwealth.

Rather, it declared the program to be invalid on technical, jurisdictional grounds. The Federal Government, which does not have principle responsibility under the Constitution for education, had the authority of neither the state governments nor the Federal Parliament to operate the program. The Federal Government, supported by the Opposition (despite their 'grave concerns' about its constitutionality), pushed through legislation to sidestep the High Court's decision later that month. However, the bill (Financial Framework Legislation Amendment Bill (No 3) 2012) has far greater reach than the NSCP. Andrew Lynch, Director of the Gilbert & Tobin Centre of Public Law says it allows about 10% of total government expenditure to avoid the legislative process.

According to Anne Twomey, professor of constitutional law at the University of Sydney, the legislation: "....gave full authority to the executive to spend money on whatever it wished without the need for further legislation or parliamentary scrutiny."

Legal experts are saying the very act of introducing legislation to circumvent a High Court decision is constitutionally invalid and may be struck down by the High Court.

With this in mind, Ron Williams announced on 7 July 2012 his intention to re-commence High Court proceedings and there is every indication that he could again be successful. It is not clear what the basis for his action will be or what it would mean for the chaplains program but it could be a massive game-changer for the Commonwealth which has been so ready to impose programs and requirements on the states in areas for which it has no clear jurisdiction. For those of us keen to see a clear separation of church and state and government schools that are truly secular, it may be another opportunity to prosecute the case against segregation of children on the basis of religion. We encourage you to contribute to the very high cost of mounting this case. Details are at http://highcourtchallenge.com

In other news on the NSCP, the Commonwealth Ombudsman responded earlier this year to the Government response to his 2011 report that was scathing about the lack of guidance by the Federal education department about the limits of chaplain role and behaviours. The Ombudsman said the Government had addressed most of their recommendations but that there was still no definition of the term 'pastoral care' in the guidelines. This definition is crucial in determining whether chaplains leading prayers at whole of school assemblies, for instance, are providing pastoral care or proselytising. The RSA submission to the inquiry argued it was the latter.

### Special Religious Instruction in schools curriculum

In March 2010 the Australian Curriculum, Assessment & Reporting Authority (ACARA) released a draft of the next phase of its new national curriculum and we registered to be part of its consultations. Anticipating that religious organisations would press for the status quo, we wrote to ACARA in May 2011 urging it to look at the Special Religious Instruction curriculum being delivered in schools by ACCESS Ministries and other evangelical organisations, arguing that it undermined the aspirations of the Melbourne Declaration on Educational Goals for Young Australians by promoting division rather than social cohesion.

This year, ACARA decided that there should not be a separate subject in schools for education in religion; rather, religion should be taught within Civics and Citizenship. We responded to its draft C&C curriculum in July 2012 with the following main arguments :

- Instruction of students in the tenets of particular faith traditions is socially divisive and should be discontinued.
- Any education about religion should give fair recognition to the 25% of Australians who do not identify with any faith by dropping the reference to multi-faith in favour of "Australia is a multicultural, secular society"; 'secular' meaning Australia tolerates those with a faith and those without.

- Rather than aiming to 'appreciate Australia as a multi-cultural and multi-faith society', the aim should be to "build an understanding and appreciation of Australia as a multicultural society with a population of various faiths and life- stances". By this we mean people whose ethics of life is based on non -religious moral philosophies.
- The focus of citizenship should be the link between the individual and the state. In the school context, the 'state' may refer to the school organisation where students might practice active citizenship through representative democracy. 'Religious tolerance' is a necessary foundation of civil behaviour provided it does not mean acceptance of religious privilege.

RSA President, Dr Meredith Doig, along with other members of the *Religions, Ethics and Education Network of Australia* ACARA Working Group, met with ACARA in August this year to further discuss these and other points. RSA supports ACARA's emphasis on 'General Capabilities' that include critical thinking, intercultural understanding and ethical behaviour.

We expect the Civics and Citizenship curriculum to be finalised by the end of 2013.

# Religious Instruction in Schools Campaign

#### FIRIS

Whilst the RSA, Humanists and other free thought organisations have campaigned against 'Special Religious Instruction' and 'Special Religious Education' in our supposedly secular schools for many years, what has been missing from the debate until last year was the potentially powerful voice of teachers and parents.

That all changed with the Australian Education Union finally taking a stand and a very effective parent group – Fairness in Religion in Schools – starting in 2011. A similar group has now been formed in New Zealand.

Their efforts led to the peak body, Parents Victoria, calling for SRI to be moved outside normal school hours and agreeing to take it up with the minister. Until then, Parents Victoria, like so many others, had been reluctant to enter the debate. The FIRIS campaign centers around the clear message that families of minority religions or of no religion should not have to withdraw their children from class, thus segregating them on religious grounds.

FIRIS has been very successful in exposing the very evangelical and in some cases, weird practices and materials used by Access Ministries – the body funded by government to deliver SRI in schools.

Attempts by FIRIS to engage non-Christian religions in opposing SRI have been less successful with the Islamic Council of Victoria now raising donations and recruiting volunteers so that 25,000 Muslim children in public schools can have Islamic SRI. However, support has come from more progressive church quarters, with Uniting Church Minister, Paul Tonson, saying; *In a secular society, there is no place for religious instruction in public schools outside of a full voluntary system.* 

The Uniting Church conducted its own investigation into ACCESS Ministries (which they, like other Christian churches, fund and support). They discovered that some longstanding SRI teachers ... feel sidelined by more conservative voices within ACCESS, and some who believe the student workbooks do not provide a broad enough presentation of Christian views, especially about how to read the Bible and speak of God.

#### The VCAT case

FIRIS has been the face of the case taken to VCAT by parents against the Victorian Department of Education and Early Childhood Development complaining that their children were being discriminated against at primary school for their religious belief or activity, in contravention of the Equal Opportunity Act. They argued that SRI is timetabled during school hours and that this segregation and lack of alternative instruction leaves their children feeling excluded from their peers, bored, self-conscious and, at times, very upset.

They called for timetabling of SRI to be outside normal school hours and, if not, for secular instruction to be provided for students who do not attend SRI and for SRI to be offered as opt in rather than opt out.

The case, led by Holding Redlich and funded by the Humanist Society of Victoria, was heard in November 2011 but at the time of writing, VCAT had still not made a decision.

In the meantime, the Government did issue new guidelines which say schools should; *Ensure that students who do not attend SRI are appropriately supervised by teachers and engaged in positive, independent learning such as selfstudy, revision or similar activity to improve their literacy and numeracy skills.* However, they should; *Ensure new secular instruction/core curriculum is not delivered to nonattendees during the period of SRI.* 

Our expectation is that this will be interpreted in schools as no change to the status quo.

#### Ethics as an alternative to SRI/SRE

Our submissions to various inquiries into religious instruction in schools have all argued that it is inappropriate for volunteers to be delivering either ethics or SRI. Whilst many groups, including FIRIS share the view that it is the role of professional teachers, some do not.

Under pressure from the education union and parents in NSW, the then Labor State Government agreed in 2010 to a trial of ethics as an alternative for those who opted out of its SRE, delivered by volunteers, and the St James Centre in Sydney developed the curriculum.

By December 2011 St James had trained 470 volunteers and was teaching around 4,400 students in years 5 and 6. Their aim is to have 4,300 volunteers and cover all levels in primary school and 65,000 students by 2014 by which time the program will cost almost \$1m a year to administer – money which will largely have to come from government. With or without government funds, we doubt the volunteers will be available in such large numbers. The churches, despite falling attendances are much better placed to recruit individuals to the evangelical cause than a body with no obvious, organised constituency. In any case, there are 430,000 students in NSW government primary schools so the objective falls a long way short of universal coverage.

That trial and the whole debate surrounding SRE was the subject of a NSW Parliamentary Inquiry that reported in June this year and recommended that:

- Ethics classes continue as an alternative to SRE
- Better information is made available to parents on both subjects
- Better guidance is given to schools on what to do with students who don't attend either and what they co that is meaningful
- Better monitoring of SRE and Ethics to ensure providers have proper accreditation and ongoing training for their volunteer teachers, including in classroom management and child protection

We understand the argument that the ethics alternative is what many parents would prefer however it still separates children on religious grounds and entrenches volunteering which is both unprofessional and, in the case of ethics, unlikely to deliver the reach of SRI or be sustainable.

We say it makes more sense to push for the SRI/SRE to be abandoned altogether or delivered out of school hours and for the school curriculum to include education about religion, delivered by teachers. Our submission to the NSW inquiry argued:

In SRE there are insufficient checks and balances compared with any other aspect of the school curriculum to assure the public that appropriate content is being taught. In both cases, syllabus delivery is unprofessional and unreliable because it relies on volunteers. This model carries too much risk to be acceptable in what is a sensitive and important area of child development. SRE and EE are different in this regard from other areas that might enjoy volunteer assistance such as music and sport. SRE and EE address the foundations of a child's worldview, the values they adopt and the subsequent evaluations they make based on these values.



# **Keeping in Touch**

A guide to what's going on and how you can get involved.

# RATIONALIST SOCIETY SPECIAL LIBRARY COLLECTION

Back in 2002, the RSA bequeathed its collection of books, journals and pamphlets to Victoria University to form the W. Glanville Cook Rationalist Library.

This is a fascinating collection, comprising hundreds of books on philosophy, history, science and religion, as well as journals dating back to the 1920s. It is cared for by specialist librarian Mark Armstrong-Roper (pictured), who will be guest speaker at the RSA AGM in October. Mark will talk about the history of the collection and also inform members how to access it, either in person or online.



While the collection of journals is almost complete, there are some gaps. If any member happens to have journals dating from the late 1930s or the 1940s (volumes 13 to 21), we would love to hear from you!

## Calendar of upcoming events

18 October	Title	Rationalist Society of Australia AGM
	Event Type	Annual General Meeting
	Location	Graduate House, 220 Leicester Street, Carlton
	Time	18:30 onwards
7 November	Title	IQ2: A Good Death is a Human Right
	Event Type	Debate series
	Location	Melbourne Town Hall
	Time	18:30-20:30
13 November	Title	The Importance of a Secular Political System
	Event Type	Talk
	Location	Unitarian Church Hall, 110 Grey Street, East Melbourne
	Time	20:00
	Contact	David Miller (03) 9467 2063
30 November— 2 December	Title	Australians Skeptics National Convention
	Event Type	Convention
	Location	The SPOT Theatre, University of Melbourne, 198 Berkeley Street, Carlton
	Time	1800 30.11.2012—1700 03.12.2012
	Contact	http://vicskeptics.wordpress.com/events/ascon2012/

## A few words from the membership...

Editor,

RSA Magazine.

Dear Jason,

It's good to have the RSA back on the air, with the June Newsletter. We were saddened and appalled to read of the financial mismanagement by the RAA, but relieved that, largely due to the efforts of Meredith Doig, the RSA is now incorporated and therefore subject to the law of the Associations Incorporation Act.

There now appears to be light at the end of the tunnel, which is not the approaching train!

We would like to see some topical news in the Newsletter about who we are, our relevant history, number of members, our current relationships with other free thinking organizations, the state of the new umbrella group formed to represent those organizations, and how the RSA, AFA, Sceptics, Humanists and Secular Party can best work together to bring sense to our world.

Sincerely,

Will and Barbara.

Hello,

Unless the rationalist is a benevolent society or wants to painfully slide into oblivion after 100 years the generation of income is of paramount importance. Membership fees and "living off" the income of past investments will not provide enough revenue to "have an impact on the wider society".

The die-hard existing membership will put up with a lot, even the loss of \$1.4 million, because we are believers in truth and truth is immutable. But, given the level of membership, that is a pittance in revenue terms regardless of the level of "faith" in the cause itself that the existing members have.

A relevant flaw in the thinking of economists is that austerity equates to contraction. Expansion can exist, and thrive, within the framework of a conservative economic set of constraints. In fact, when "austerity" is the prevailing sentiment there is more fertile ground to make economic inroads with good propositions because the market is looking for rationalism. The logo of RSA is rationalism so what better place to invest morally and financially!

Education is the fundamental building block of a progressive society in general. That is a truism, but the returns are long term. We cannot be put-off, as the political parties are, and thus education of the wider community, resulting in an expanded membership is vital. The era of the "old reds" being the backbone of the Rational Society is, sadly for me, long past. Credit must be given to Meredith and her new team, regardless of how traumatic the change has been if the RSA is to continue. Education falls most productively on ears that will listen. For the ears of the young who are looking to understand why the world is in such a disarray rationalism is the perfect religion to supply truth and answers.

Thus, priority 1, in my opinion, is an evangelistic push for membership, primarily directed at 1<sup>st</sup> year university students. To do that we need to get the help of university staff and student union leaders. Simple things like getting a Rationalist poster on the boards around the university (anyone can put up a poster and maintain its presence). Simple slogans to get students to ask for a email copy of the news letter. Make it easy to get interest without formality. These are low cost options, produce minimal addition revenue but do build a long term future.

Priority 2, is short term revenue generation. Staging (rather than hosting) events to paying customers can generate good income given the right management. Possibly more entertainment than rhetoric to attract a wider more diverse audience but with the core message intact. Much like the religious evangelistic movements do, fighting fire with fire. For example: A Rational Approach to Border Protection. Or, Today's Economic Rationalism. Or, Understanding Same Sex Marriage. Or, Rational Environmental Protection etc. Priority 2 has an expenditure cost and associated risk but reasonable returns could be expected given the recent experience of "The Road Less Travelled:..."

Both action items build upon the need for expansion within a constrained economic environment.

As for what sort of communication do I want? Naturally, I would like a return to the good old days of the Journal but austerity has the upper hand now. The old school likes books and paper but the new world is digital but the digital world is very crowded. So I would happily receive an email copy of a progressively expanded Newsletter until the Journal reappears. The website looks old school but any web site is useless unless people are looking at it. Thus, my suggestion is that the web site needs to be made "sexy". Not as in RedTube but as in YouTube. First attract the masses and then indoctrinate them.

Anyway.... Thank you for the paper newsletter as indication that the RSA still lives, albeit on live support. Regardless, rationalism is eternal so long as thinking is possible.

**Regards** David

# **RSA communications**

In these days of facebook and twitter, email and websites, we'd like to know what sort of communications you'd like from your RSA committee. Please let us know by answering these few questions and sending them back to us at <u>info@rationalist.com.au</u> or to PO Box 1312, Hawksburn, Vic. 3142.

The RSA currently produces a hard copy quarterly newsletter with information about RSA campaigns (submissions,	
involvement in meetings and media events etc), events and committee activities.	

Would you like more information than a quarterly newsletter?	□ Yes			
	$\square$ No, the content in the quarterly newsletter is sufficient			
If yes, which of the following would you prefer:	More frequent newsletters			
μιειει.	□ More articles on the RSA website			
	□ Posts on RSA facebook page			
	□ Direct email to you			
	□ Other?			
We are currently developing a new and simple	er website that will have more regular updates.			
How often would you be checking the RSA website?	□ Regularly			
website:	□ Sometimes			
	□ Hardly ever			
Is there any particular information				
you would like to see on our website?				
The RSA has produced a hard copy journal for many years but this was suspended at the end of 2011 due to retirement of the Editor and cost pressures. (The cost of the journal far exceeded membership fees).				
How important was it to you to receive the journal?	□Very important (I used to read it fully)			
	□ Fairly important (had a quick look and read some of it)			
	□ Not so important (got my information from other sources)			
If you said it was important,				
A. what sort of information would you like to see in a hard copy journal?				
B. Would you be prepared to pay an additional amount to receive the	□ No			
journal?	□ Yes—\$10, \$20 or \$25 per issue			
Overall, how would you like to receive	Mostly through hard copy			
information about the RSA?	□ Happy to rely on electronic means of communication			
	□ Would like a combination (please elaborate):			
Do you have any recommendations for websites, newsletters, journals, or other				
forms of communication you think we				
should emulate?	10			