

AAUW-Orange, Durham, Chatham Branch

From the President: Bea Keller

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With a new administration, it seems the majority party in Congress is now ready to fill the Supreme Court vacancy. Neil Gorsuch has been nominated for the position and is considered an originalist.

What is originalism—the legal philosophy that has become mainstreamed during the tenure of Justice Antonin Scalia?

Strictly speaking, “Originalism calls for the Constitution to be interpreted as the Framers intended it to be more than 200 years ago.” (Gass, Henry, *csmonitor.com*, 2/19/17) While many consider originalism through the lens of conservatism, it has been adopted by jurists across the spectrum.

“We are all originalists,” Justice Elena Kagan said during her confirmation hearing. Gass adds, “albeit making clear that in some cases the Constitution is open to broad interpretation.” Ernest Young, a professor at the Duke University School of Law, comments that, “People like (Bork and Scalia) have really succeeded in persuading everyone from the right to the left that we ought to do more historical research in constitutional interpretation than maybe we did under the Warren court. Everyone is pretty much persuaded that history counts, (but)

very few people think that only history matters.” (*csmonitor.com*)

Originalists believe that if the Constitution does not mention a certain right, then a jurist “shouldn’t write an opinion saying it’s a right—no matter how nonsensical it may appear in the modern social context. If laws need to be updated or adapted, that should be the job of Congress.” (Gass)

Jurists, originalists argue, should always point to something within the Constitution. However, as we all know, it is possible to choose one historical detail over another. And jurisprudence involves interpretation, semantics, shades of meaning—I have read excerpts of Antonin Scalia’s opinions which were interpreted very differently by equally brilliant minds. Jurists on the other side of the fence regard the constitution as a set of principles that can evolve and be interpreted reflecting changes in our society. This conflicting philosophy is known as “living constitutionalism.” “(It) tends to give more weight to Supreme Court precedents and changes in social and cultural norms, and is generally more popular among progressive jurists.” (Gass)

In Neil Gorsuch’s ten years as a federal appeals court judge, he has ruled on issues which may give us some insight into his performance

on the Supreme Court and is causing some concern for AAUW members.

Grace Hwang was an assistant professor at Kansas State University who enjoyed the esteem of her colleagues. Diagnosed with cancer, her doctors advised her that the best course of action was a bone marrow transplant. She requested and received a 6 month leave of absence to undergo and recover from her bone transplant. Just when she was poised to return to her position, a flu epidemic erupted. Professor Hwang’s immune system was still compromised and exposure to the flu would have endangered her fragile state. She requested a further short leave, proposing that she work at home during this time. Kansas State University refused and Hwang sued. “Under established disability rights laws, a request for leave due to a disability must be evaluated on a case-by-case basis to decide whether the request would present an undue hardship to the employer. This is a factual determination.” (Center, Claudia, www.aclu.org) However, Gorsuch did not wait for any evidence to be presented, did not know if this accommodation would have been a problem for KSU, and ruled Grace Hwang’s

AAUW – Orange, Durham, and Chatham Counties Meeting

“...I choose to be confident, be strong, know my worth, be charitable, and inspire others”

Saturday, March 25, 2017, 2:00 pm for Meet and Greet; 2:30 Program, Durham County Southwest Regional Library, 3605 Shannon Road, Durham, NC 27707

Mark Your Calendars

April 22 Meeting

Locale: Chapel Hill

Library, Room A

10:30 AM (Social Meet and Greet)

11:00 AM (Meeting Begins)

Speaker: Gretchen Aylsworth, "Eyes, Ears, Nose and Paws"

—Donna Wilson, Vice President, Programs

Can you imagine if the above were the mantra for ALL young women? For the fortunate girls who are involved in the programs of *Smart Girls Smart Choices Inc (SGSC)*, it is the starting point for an exploration of what women can do and how to get there. Please join us for our March meeting where our speaker will be Ms. Brandy Burnett, one of founders of a local non-profit volunteer organization that seeks to inspire girls 11-17 years of age to realize their full potential by developing skills and building character through training and developmental opportunities. SGSC helps connect girls to local training programs and opportunities to develop themselves, summer jobs, and even small, but critical, things like acquiring basic skills in etiquette. The women of SGSC are

successful young professionals with a strong desire to give back to their communities by serving as role models and mentors. Ms. Burnett has a strong background in child and family advocacy and juvenile justice. She currently works for Eckerd Kids, a non-profit organization that seeks to provide “second chances” for kids and families through their life-changing child welfare, juvenile justice, behavioral health, and workforce development programs.

We are especially pleased to share that SGSC was awarded an AAUW 2016-2017 Community Action Grant to conduct STEM-focused workshops, field trips, and for guest speakers. For more information about SGSC, please check out their website at <http://www.smartgirlssmartchoices.com/index.html>.

We strongly urge you to bring others – educators, parents, young women and other interested people – to this program. The location is new for our group. The library is located near South Square (15-501). From Martin Luther King Jr Parkway, turn south onto Shannon Road and the library is almost immediately on the left side. See <https://www.google.com/maps/@35.9588378,-78.9565408,17z>. The meeting room down the hallway immediately to your right was you enter the front door.

—Pam Stephens



Presidents Message (continued from page 1)

request unreasonable. “In his ruling, Judge Gorsuch asserted that ‘showing up’ was an essential job function and opined that the Rehabilitation Act should not ‘turn employers into safety net providers for those who cannot work.’ But this was an error of both fact and law,” Claudia Center comments. Grace Hwang had shown up for her job for 15 years, and could have performed her job through telecommunication until the flu epidemic was over. In *U.S. Airways, Inc v Barnett*, “the U.S. Supreme Court held that a reasonable accommodation may require the modification of a neutral employer rule, even if this functioned as a ‘preference’ for the disabled employee.” Gorsuch did not follow the Supreme Court’s reasoning in Hwang’s case, leaving her with no job at a very vulnerable time in her life.

The second disability rights case involved an autistic boy, Luke. A decision was made by a hearing officer, an administrative law judge and a federal district court judge that Luke “needed placement in a residential school program due to his total lack of progress in ‘generalizing’ skills—applying skills learned at school to other environments.” Judge Gorsuch wrote the opinion that reversed this decision claiming that the school district had met its obligations under the Individuals with

Disabilities Education Act (IDEA). Luke, he said, was making some progress in school, even though there was no progress outside of school. However, the law exists because Congress wanted IDEA to help students achieve independent living, and therefore, progress was needed when Luke dealt with situations outside of school. The law exists to give people with disabilities, “an equal opportunity—an opportunity to get an education, to get or keep a job, to be productive members of society.” (Center, Claudia) She continues to say that these rulings “raise important questions about his recognition of the rights of individuals with disabilities, and his willingness to ensure that we receive individualized justice.”

Gorsuch also ruled in the *Hobby Lobby Stores v Sebelius* and *Little Sisters of the Poor Home for the Aged v. Burwell*. The Affordable Care Act mandated that employee health insurance provide all approved contraceptives. Gorsuch “noted that would require the objecting businesses to ‘underwrite payments for drugs or devices that can have the effect of destroying a fertilized human egg. (The law) doesn’t just apply to protect popular religious beliefs: it does perhaps its most important work in protecting unpopular religious beliefs, vindicating this nation’s long-held aspiration to serve as a refuge of religious tolerance.” (Barnes, Robert, www.washingtonpost.com 2/19/2017) The latter belief should be interesting when juxtaposed with President Trump’s current decree barring individuals from

certain Muslim countries.

Gorsuch’s mother, the late Anne Gorsuch Burford, led the EPA for two years during the Reagan administration. “She resigned in March 1983 after refusing to hand over documents relating to her handling of the 1.6 billion dollar toxic waste Superfund. She was the first federal agency director to be held in contempt of Congress. Burford gutted the budget, coddled the chemical industry, purged scientists from the agency’s ranks and oversaw a sharp drop in lawsuits against polluters.” (Kaufman, Alexander, www.huffingtonpost.com 2/23/17) Two months later, the Supreme Court agreed to hear the *Chevron* case. The Court actually ruled in favor of *Chevron* but by a quirk of fate (or the implications of the ruling, if you will), environmentalists have used the *Chevron* ruling in their favor as well. Perhaps the simplest explanation was found on Wikipedia.org! “*Chevron U.S.A., Inc. v. Natural Resources Defense Council, Inc.*, [467 U.S. 837](#) (1984), was a landmark case in which the United States Supreme Court set forth the legal test for determining whether to grant deference to a government agency’s interpretation of a statute which it administers. *Chevron* is the Court’s clearest articulation of the doctrine of “administrative deference,” to the point that the Court itself has used the phrase “*Chevron* deference” in more recent cases.”

Gorsuch is no fan of the *Chevron* deference. He feels that it permits “executive bureaucracies to

Good Morning Book Club

Good Morning Book Club will meet Thursday, March 2 in the home of Kay White to discuss the book “The Firebrand and the First Lady” by Patricia Bell-Scott.

—Dona Koeberl

swallow huge amounts of core judicial and legislative power and concentrate federal power in a way that seems more than a little difficult to square with the Constitution of the framers’ design. Maybe the time has come to face the behemoth.” (Barnes, Robert) In my mind, this does not bode well for regulations that protect the environment.

I hope to see you at our March meeting—its subject strikes at the heart of AAUW’s mission. Remember, it’s at the Durham Public Library on Shannon Rd., and starts at 2 p.m.

Treasurer's Report

February 25, 2017

Checking Account: \$1240.68

MM Savings: \$1,004.44

CD: \$5,564.37

Karen Piplani, Treasurer



New Members

Patsy Bowman

2013 Peninsula Ln

Hillsborough, NC 27278-

7935, pbbow-

man4@gmail.com

Martha Barefoot, [\[foo@unc.edu\]\(mailto:foo@unc.edu\)](mailto:mbare-</p>
</div>
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Gloria D. Thomas, [\[riadthomas721@gmail.com\]\(mailto:riadthomas721@gmail.com\)](mailto:glo-</p>
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Margaret Maron Thursday, May 4, 2-4 Extraordinary Ventures, 200 S. Elliott Rd., Chapel Hill, NC 27514

Yes, Margaret Maron will be the guest speaker at our tea! Margaret, who joins Thomas Wolfe, Maya Angelou, Elizabeth Spencer, Doris Betts, John Hope Franklin, Carl Sandberg as a member of the North Carolina Literary Hall of Fame, has agreed to leave the comfort of her farm in

eastern North Carolina to speak to us. Many of us are familiar with NYC homicide detective Lt. Sigrid Harald and District Judge Deborah Knott of Colleton County but those of you who are not might want to investigate her wonderful books! Please spread the word and invite friends. A poster is attached to this newsletter giving all the details.

At our next meeting, please sign up for savory and/or sweet finger food. If you can help organize and actualize the tea fundraiser, we welcome your help. This is OUR fundraiser. We need everyone's participation.

—Bea Keller

Proposed Slate of Officers for 2017-2018

On odd years, we choose another president, treasurer and membership vice-president. Mary Kolek is leaving the recording secretary position so we needed to fill it as well. Michele Hoyman did an extraordinary job of assembling our slate of officers while consulting with Donna Wilson, Mary Kolek, Shirley Ahmed, Vickie Healey, Laurie Tepper, Jan Holland, Randy Rosser, and Bea Keller.

We are grateful for all her hard work and the willingness of those members who agreed to be on our board. Our 2017-2018 proposed board: Mary Kolek, President, Membership Vice-president: Michele Hoyman, Program Vice-president, Donna Wilson (continuing), Treasurer, Karen Piplani, and Recording Secretary, Margaret Herring. We will induct our new officers at our April meeting. Their new terms will begin on July 1. Members Randy Rosser, Laurie Tepper

and Jan Holland will help Michele in recruiting and other membership duties. Bea Keller will sit on the board for a year as President Ex-officio. Sandy Smalley will be correspondence secretary. Ruth Freed will continue as Hospitality Chair. Alice Parsons will continue as our unparalleled editor of the newsletter. The latter three positions are non-board positions.

Reminder: Are You Willing to Share Your Story?

Please don't forget to share a story about what it takes to achieve a dream! Recall that some industrious and talented graduate students from Duke are running a two-week environmental experience program this summer for underrepresented high school juniors and seniors in June. They have asked for stories about how women have over-

come obstacles to find satisfying and rewarding careers. All that is required from you (or a friend or a daughter) is a **brief** description of a defining moment, unexpected events, helpful individuals, or new insights or sources of strength – whatever it was that allowed or inspired you to achieve your dream in whatever

your field is/was. See the January 2017 newsletter for more details.

Please send stories (or questions) to me at pamvictor1@att.net. Ideally stories will be in hand by the end of March!

Thanks for your help!

—Pam Stephens

Plenary Meeting, February 18, 2017

President Bea Keller opened the meeting at 11 by welcoming guests and presenters. She provided a brief overview of the mission of the AAUW and the powerful impact it has had on the lives of women -and consequently their families and communities- for over a century. She thanked Ruth Freed and Mary Monroe Kolek for supplying refreshments, enjoyed during the social time preceding the meeting.

Members were reminded that 2-3 volunteers are needed on a monthly basis to assist with refreshments. Contact Ruth Freed if you are willing to help for any of the upcoming meetings.

Vice President and Program Chair Donna Wilson introduced this as the annual Research Fellows Recipient meeting and noted that this, of all of the wonderfully informative presentations we have each month, is her favorite. The inspiration, passion and significance of the research and community outreach evidenced by the presentations are representative of AAUW and what the organization strives to encourage and cultivate. Donna noted that last year AAUW awarded 3.7 million dollars in grants and fellowships in support of academic studies and innovative community projects to empower women and girls. Awards can be substantive - \$10-\$15,000- and the organization relies on the support and initiative of mem-

bers to sustain this level of impact. For the 2016 year, North Carolina had 11 Fellows and grant recipients, 7 from the Triangle region.

This month's keynote presentation included three of those recipients, each of whom shared her unique work with us under the heading of *Women's Ways of Knowing and Healing: Global and Multicultural Perspectives*. Next month, as part of our annual STEM presentation, Fellow Brandy Burnett will speak about her leadership project, "Smart Girls, Smart Choices".

Donna went on to introduce the 3 presenters: Adela del Valle (UNC-CH) spoke about her master's work- *An Upstream Approach to Sexual Health: Revisiting the Lens of Health Education Promotion* and Richelle Suttle (UNC-CH) discussed both her introduction to AAUW as a resource and her career development grant targeted at addressing the wage gap that exists in the area of Occupational Therapy. The presentation concluded with Michelle Wolff (Duke) discussing her dissertation work in South Africa which examines the relationship among such factors as religious beliefs, gender and hate crimes and the implications for prevention and effective, collaborative interventions.

Although each of these young women are pursuing a unique area of research and activism they all agreed that is a grass-

roots, person to person, community-based approach to identifying common interests, even among people with very different perspectives and habits, was a productive point of entry into the change cycle. Active listening and authentic conversations serve as powerful kindling that sparks change.

Each also agreed that, once discovered, AAUW was an invaluable resource. They admitted to being surprised at how receptive and enthusiastic the members have been in embracing their diverse ideas and unique research.

When asked their perspective on AAUW outreach to new members, the panel recommended expanding our presence through social media, visibility on campuses and via partnerships. One also reminded us that we need to consider inclusion as an explicit goal; asking how our mission fits into the evolving gender framework and examining how we define "women". They enthusiastically volunteered to help increase our profile with their peers.

Donna closed by thanking the panelists for an inspiring and enlightening presentation and presented each with a token of appreciation.

Pam Stephens, our STEM committee coordinator, shared a flyer announcing the March 25 meeting during which another AAUW Fellow awardee, Brandee Burnett, will provide mem-



Website News

Remember if you have questions about our next meeting or need to check on the book club's selection, please check our web page: <http://chapelhill-nc.aauw.net>.

If you want to check our archive of past newsletters in our "members only" section, remember the password is the word "dogwood" in lower case letters.

AAUW Plenary Meeting (continued)

bers and guests with an overview of her organization: *Smart Girls, Smart Choices*. The flyer is available on line and we hope members will share it with family, neighbors and friends. We have provided information to schools and organizations that serve girls ages 11-17 in hopes they will share the announcement with their stakeholders. The meeting will be held Saturday March 25 at the Durham County Southwest Regional Library, 3605 Shannon Road, Durham, NC 27707. NOTE the time change to 2:00 refreshments; 2:30 program.

Karen reminded us about the Schwenning Scholarship. We are about half way to our goal of \$1,500. Checks should be sent to Karen Piplani, 1502 Halifax Rd. Chapel Hill, NC, 27514-2728. Also tickets for the Literary Tea, with local author of note Margaret Maron, are available from Karen as well.

A discussion about the annual Pot Luck luncheon that is associated with the April general meeting was conducted. The majority indicated a preference for shifting to a luncheon at a local restaurant. A member did note that the current format allows members to circulate and converse (something that would be important in selecting a restaurant). A suggestion was made to consider alternating formats and venues. Bea indicated we would keep the potluck as planned for this year and design a change for next, taking this input into consideration. Members need to assist with set up, food and clean up for this year's Potluck and will be asked to sign up at the next meeting. If you are not attending the March meeting please communicate details about what you will bring to Bea.

Bea reminded us that the Equal Rights Amendment still has not been passed (yes for some of us it has been in limbo for much of our lifetimes) and is being reintroduced in the NC legislature. NC being one of the states that did not ratify it within the original extended timeframe, it is important that our legislators hear from constituents.

The meeting was adjourned at 12:20.

Respectfully submitted,

Dr. Mary Monroe Kolek, recording secretary

Outreach Efforts of our Branch

Pam Stephens, Mary Kolek, Jan Holland, Michele Hoyman, and others have contacted various individuals at universities, school systems etc. to inform them of our March 25 meeting at the Durham Public Library on Shannon Rd. Lorie Clark, a CHCSS Blue Ribbon High School Specialist, who organizes a summer camp for girls, will be coming. She has expressed an interest in applying for an AAUW grant for her 2018 camp.

Mary Kolek, Michele Hoyman and Bea Keller will be attending the Women of Worth Conference at the Sonja Haynes Stone Center, March 4, on the UNC-CH campus. We will be distributing AAUW materials, helping the organizers and attending meetings.

AAUW National has approved our name change to AAUW-ODC in our efforts to be more inclusive to the people, schools, and organizations of surrounding counties.

If members have any ideas about organizations or people to contact who may be interested in a specific program (our April program is on Eyes, Ears, Nose and Paws), please let us know.

--Bea Keller

In Memoriam:

Nancy Jane Rose

Nancy Jane Rose died after a long illness on January 21 in Chapel Hill. Nancy Jane, a graduate of Smith College, nurtured her interest in anthropology throughout her life. For several years, she helped the membership vice-president in recruiting members and disseminating brochures. She is survived by her husband, Edward, daughter Allison, son Andrew, two grandchildren, Maya and Taye, and her sister Susan.

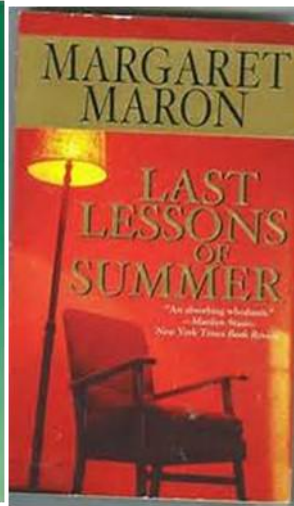
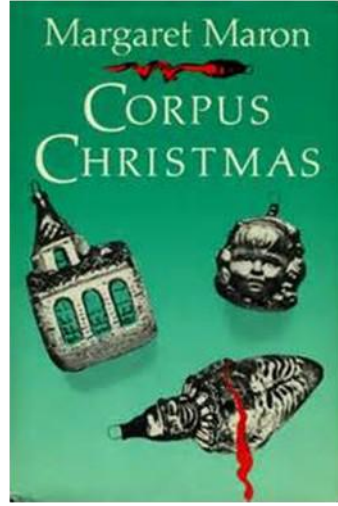
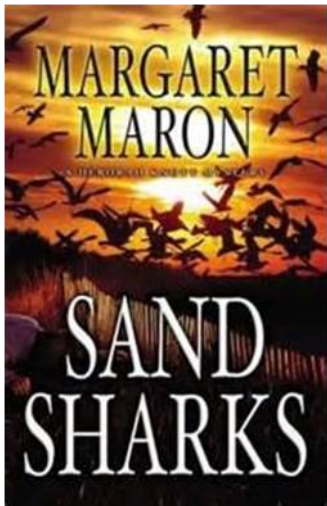
Donations in her memory can be made to the charity of your choice or to the Native American Rights Fund, 1506 Broadway, Boulder, CO

80302 .

—Bea Keller

**Love mysteries?
 Help a good cause and hear NC's own
 award winning mystery writer!
 Margaret Maron**

**Thursday, May 4, 2p.m.-4p.m. at Extraordinary
 Ventures, 200 S. Elliott Rd., Chapel Hill, NC 27514**



Please make plans to come! Invite friends! It is a fun event every year. Our members always provide delicious finger food, and there will be plenty of coffee and tea. But best of all, all proceeds go to AAUW Scholarships—this year, we have 4 recipients at UNC-CH and 3 at Duke. Some years, we have as many as 12 in area universities and community colleges.

ALL PROFITS GO TO: AAUW's SCHOLARSHIPS WHICH FUNDS FEMALE STUDENTS, LOCALLY, AROUND THE WORLD & THE NATIONAL CONFERENCE FOR COLLEGE WOMEN STUDENT LEADERS.

Name _____

No. of tickets @ \$20 _____ Send tickets ___ Will pick up at event ___ (✓ one)

Telephone: _____

Name of guests: _____

Make checks payable to: AAUW-ODC Karen Iplani, 1502 Halifax Rd., Chapel Hill, NC 27514-2728

<http://chapelhill-nc.aauw.net/> Tel: B. Keller 919 929-4432, K. Iplani 919 929-6553 chapel-hillncaauw@gmail.com