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Creation Of A Black Cultural Center

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THE UNIVERSITY OF TENNESSEE
KNOXVILLE 37916
OFFICE OF THE VICE CHANCELLOR
ACADEMIC AFFAIRS

January 13, 1975

MEMORANDUM

TO: Dr. Jack Reese

FROM: Hardy Liston, Jr. *Hardy*

Jack, this is a section of that part of the report of the Task Force on Blacks dealing with what we are calling a Black Affairs Center (Black Cultural Center). This draft was approved by the Task Force at its meeting on Saturday morning, January 11. It is transmitted to you at this time because of our knowledge of the concurrent discussions between you and your staff and groups that have been much interested in this subject. I hope that this statement of the position of the Task Force will be useful to you and the staff and that it might be shared with the Committee of students and staff members who will be developing recommendations of programmatic plans and administrative structures for such a Center.

If I can provide further information, please let me know.

js

cc: Members, Task Force on Blacks
Vice Chancellors
Dr. Ralph Norman

4M1. Liston


BLACK AFFAIRS CENTER

For several years black students on this campus have expressed a desire to see a Black Affairs Center established at this University. For example, the black student questionnaire conducted by this Task Force in June of 1973 shows that, of the 214 students who responded, 169 or 79% favored the establishment of such a center. (Eight students did not respond to this question, 19 were neutral, and 18 did not favor its establishment.) The leaders and directors of the AASLF, of the Office of Black Studies and of the Office of Minority Affairs favor having such a center. A non-formula justification for such a center dated 2 October 1972, a memorandum dated 25 October 1972 from the Coordinator of Black Studies to the Vice Chancellor for Academic Affairs of this campus incorporating by reference a letter dated 3 October 1972 from the Director of the Black Student Educational Cultural Center at Florida State University in Tallahassee, a chart describing operational aspects of similar centers at other colleges and universities, a letter dated 3 April 1974 from selected black faculty and staff at UTK addressed to the Vice Chancellor of Academic Affairs advocating establishment of such a center and setting forth the reasons therefore, and a detailed proposal for such a center dated 24 July 1974 prepared by the AASLF on this campus are attached as appendices to this report.

One of the major problems has to do with defining the role and purpose of such a center, if it is to be established. Would it

duplicate the functions of existing institutions such as the Office of Student Affairs, the Office of Black Studies, AASLF, or the Office of Minority Affairs, or could it perform a distinct role? Would it function primarily as a social gathering place for blacks, or would it also offer presently unavailable culturally educational programs and activities that would interrelate blacks and whites in greater mutual understanding? Could the monies necessary to establish and maintain such a center be more effectively spent through presently existing structures, as for example in bringing more black-related social, educational and cultural programs to this campus? Conversely, would establishment of the center result in any significant diminution of the University's present commitment to provide black-related cultural events for the benefit of the campus at large?

A case may be made for establishing a Black Affairs Center even if its primary function eventuates in providing a social meeting place for blacks on this campus. One of the repeated concerns of black students both on this campus and on campuses across the country is that they feel more or less estranged from the predominantly white educational, social and cultural institutions that make up the typically white-dominated campus. A Black Affairs Center would enable blacks to have a distinct location where they could reinforce their own separate social and cultural identity. Balanced against these considerations are questions regarding whether such purposes would best serve the long-range interests of either blacks or whites on this campus. Both races are in sub-

stantial need of greater mutual awareness and understanding, and only those institutional commitments should be undertaken which in the considered judgment of the University will aid in achieving these goals.

This Task Force recognizes the need for additional focus and activity on this campus relating to the black experience, in order to further the goals both of enhancing self-awareness and identity on the part of blacks and of developing greater awareness and understanding by non-blacks of black perceptions, needs and contributions in our society. Therefore, the Task Force recommends that the University give careful attention to the establishment of a Black Affairs Center as an adjunct of the Office of the Vice Chancellor of Academic Affairs. This recommendation is based upon the conception of such a center as an administrative extension of the general academic effort of the University. The Task Force conceives the role of the proposed center as one designed to describe, understand and communicate the nature of the black experience in contemporary society to the general University community through a variety of structured and unstructured, formal and informal programs; the Black Affairs Center would function as a facility which would involve the cooperative efforts of blacks and non-blacks of the Knoxville campus and the local community. Such a facility should be centrally located on the campus so as to be physically as well as psychologically an integral part of the University life and readily available to all who wish to avail themselves of its opportunities.

The Task Force cautions that successful performance will depend to a very large extent upon the manner in which its basic conceptualization is communicated to the University as a whole and upon the strength of administrative, faculty and student leadership in support of the Black Affairs Center as here recommended. The Task Force urges that the Chancellor's Office assume and exercise the leadership necessary to accomplish the intent of this recommendation.

Division of International Education

Annex A

PROPOSED BLACK STUDIES CENTER

A. Need

The several factors which give rise to the need for a Black Studies Center may be briefly summarized as follows:

1. The present and anticipated growth in the number of Black students attending the University.
2. The expressed concern to develop a non-classroom program which would complement and strengthen the current Black Studies minor (and proposed major) in the College of Liberal Arts.
3. The felt-need to assist Black students to resolve the special problems of identity and to relate the Black experience in American Society to the process of social change and development.
4. The felt-need to facilitate exposure and growth of understanding among non-Black students relative to the nature and implications of the Black experience in American Society.
5. The desirability and appropriateness of a University facility which could serve as focal point for the promotion, development, and conduct of special activities designed to encourage mutual understanding and respect within all segments of the community with regard to problems and issues of racial and minority concern in contemporary society.
6. The need for an informal, non-classroom setting to facilitate interaction between students, administrators, and guests - Black and non-Black.
7. The demonstrated success of International House in achieving very similar goals for the members of the University international community.

B. Role and Functions

The proposed Black Studies Center is NOT conceived as a "Black House" exclusively reserved for Black students. The Center should serve as a university facility designed to provide a focal point for the promotion and encouragement of mutual understanding, interaction, and enlightenment among the members of the total university community with respect to the special contributions and unique problems relating to the Black experience in American Society. Just as the programs and activities of International House are designed and conducted by a "mix" of U.S. and

DIVISION OF INTERNATIONAL EDUCATION

foreign students, a representative group of Black and non-Black students should be expected to serve a similar role for the Center.

Fundamentally, the Center should provide a congenial, comfortable, informal locale conducive to promoting and encouraging social contact, small group discussions, and special seminars, lectures, or similar events. Television, radio, a record or tape player, and recreational equipment, as well as a reading room should also be provided (or donated) to encourage the Center's use for leisure time activities. But the Center's prime function should emphasize the development of activities and special programs which would attract the interest of a broad spectrum of faculty and students. Finally, the Center would reflect visible and tangible evidence of the University's commitment to the development of facilities which can provide a variety of non-classroom learning experiences in an area of major contemporary social concern.

C. Budgetary Implications

The proposal for the Black Studies Center envisions that a suitable house will be allocated for this purpose. A former private residence adapted to the needs of the Center, would probably require the expenditure of an estimated \$5000-\$8000 to insure compliance with building, fire, and safety codes. No funds for acquisition or adaptation of the proposed facility are included in the Division's budget proposals for FY 74 on the assumption that such expenditures would properly be made from other accounts.

The Coordinator of Black Studies should be charged with general administration responsibility for the proposed Center. However, because of the special nature of the Center and the emphasis placed upon program development, a new position (Assistant Coordinator of Black Studies) is proposed for which the responsibility for day-to-day operation should be assigned. In addition, the proposal recommends the use of a few student assistants to insure the presence in the Center of a responsible person in charge at all times. Student assistants will be assigned to duties primarily during the late afternoon and evening hours and on weekends. The proposal contemplates that the Center will be open from 1:00 p.m. until 11:30 p.m., Monday through Thursday, and from 1:00 p.m. to 2:00 a.m., Friday, Saturday, and Sunday. The proposed hours and use of student assistants reflects a similar pattern developed in the administration of International House. The Division's budget request includes an amount for bi-weekly wages to cover the cost of student assistants.

Furniture and some equipment will need to be obtained, either through purchase or donation.

It is estimated that the annual operating cost, aside from lights, heating, and custodial services, would approximate the following:

Assistant Coord. of Black Studies:	\$ 8,000
Student Assistants (70 hrs. per week, 46 weeks, @ \$1.65 per hour):	5,400
Supplies, Equipment, etc.:	<u>1,000</u>
TOTAL	\$14,400

TO: Dr. Walter Herndon, Vice-Chancellor for Academic Affairs

FROM: Marvin Peek, Coordinator of Black Studies

RE: The Establishing of a Black Cultural Center

DATE: October 25, 1972

The University of Tennessee at Knoxville is the largest and most prestigious academic institution in the state. In order to maintain this lofty position, the University continually undergoes internal studies designed to yield results in the form of weaknesses in its academic, social, administrative, economic or physical operations. When such aberrations are found, appropriate deliberations are undertaken. Like all good academic institutions, UTK moves to meet immediate problems or potential problems with all deliberate speed. However, the question of a Black facility seems to somehow have escaped this comprehensive effort to ward off areas of possible conflict. There exist some discontent, on the part of many Black university students, Black faculty and Black staff, as to why no apparent effort has been made to establish a Black cultural center at UTK.

The University maintains that it is concerned and committed to make UTK a positive and hospitable environment for Black students, Black faculty, Black staff and Black visitors on campus. This administrative commitment must express itself in ways that are visible to Black students en masse. Most Blacks foresee, for sometime to come, a need for the institutionalization of this white concern in the form of some Black physical structure.

Blacks continue to feel alien in what they perceive as a hostile, some times apathetic white environment that appears to be grossly unaccommodating to their cultural mores and interests. They have no important "piece of turf" to call their own, to serve as a point of racial pride, or to simply socialize together away from the ever present eyes of "whitey." Of course, Black students should feel that this is their university -- but they don't. They also should feel that there is no such thing as racism, segregation and discrimination at UTK -- but there is. Unfortunately, Black students will associate a denial of a Black structure with the latter point, and draw conclusions that the former is not possible. A Black House will not ipso facto change the attitude and feelings of all Black students, but it will, if properly established and maintained, go a long way in effecting positive attitudinal changes.

Several institutions have suggested to me the reasons for the limited success of some Black House operations, which are as follows:

1. Failure to provide an attractive, permanent, well-equipped, strategically located building large enough to accommodate a variety of educational, cultural, and social activities.
2. Failure to employ full-time professional staff to work with student-faculty groups in planning and executing student and community programs.

Dr. Walter Herndon
Page two
October 25, 1972

3. Failure to incorporate physically within the Black House certain academic and student service functions that would generate a purposeful flow of traffic.

Also, the attached letter from Miss Audrey Randolph will suggest other pitfalls of which one must be cognizant.

Based upon the material returned to me, most programs utilized their centers for the following services:

1. Social Enrichment: Dances, soul sessions, soul dinners, Black Arts Festival, soul choir.
2. Political Programs: Seminars, speakers, Black Student Union office
3. Counseling: Tutorial service, job opportunities, educational opportunities, scholarship aid
4. Community programs: Summer projects for neighborhood children, drug abuse and population education programs
5. Academic: Seminars, classes, lectures, reading room, poetry, reading and study skills clinic, art exhibit, newsletter, Black library.

Enclosed also is a copy of our budget request for the funding of a Black Studies Center and how we propose to utilize such a facility. Attached is a chart which indicates certain specific kinds of information in order to compare our proposal and make appropriate suggestions for revision.

Sincerely,

Marvin Peek, Coordinator of Black Studies



Black Student Educational
Cultural Center

October 3, 1972

Mr. Marvin Peek
Coordinator, Black Studies
1629 Melrose Avenue
University of Tennessee
Knoxville, Tennessee 37916

Dear Mr. Peek:

I am glad that you are in the process of establishing a Black Center at the University of Tennessee at Knoxville. I wish you success and I feel you are off to a good start by surveying other Centers. I hope my comments are beneficial.

1. A Black Center should be large enough to accommodate most of its students. Our Center is too small. There should be areas for study, recreation, meetings, and classrooms, social affairs, stereo music, TV and radio listening. Our center has these areas but they are compact. The small conference rooms serves all of the above functions and as you probably think, this does create conflict.
2. A Black Center should be the focal point for Black students on campus and for the community. Outreach Centers are better in sending the University to the community. But, if community members desire aid or tutorial services, etc. the Center will see that it can supply aid. Thus, the students benefit by rendering services and so does the community--in receiving services. The Summer Youth Camp and Seminole Youth Program are two "outreach" programs which aid high school students in the community.

Various activities should be designed to draw Black students. "Cards" and "partying" are effective, yet too used, and less beneficial to students in the area of cultural enlightenment.

3. The Center should be the focal point for Black Studies. Some classes we have are Karate, Hair Braiding, Sex and Racism in America as well as the Arts and Craft, Newspaper, and Black Writers Workshops.
4. The Center should be the focal point for Black awareness.
1 "Knowledge in Blackness" is extremely necessary to all Blacks. The Center should strive to provide avenues for Knowledge in lecture and cultural series, as well as advising the University program committee about speakers etc. This quarter the Center will sponsor a "Student Awareness Conference". The theme is "Blacks In The Sun". Last year such people as Merwyn Dymally, Fannie Lou Hamer, John Conyers, Minister Louis Farrakan were our guests.
5. All documents and mandates concerning any and all functions and procedures of the Black Center from its inception should be kept on file. Always have comments or "word of mouth" decisions well documented for future use. When a Black radio program was originally begun at Florida State University radio station, students understood it to be sponsored by the Black Student Union. Now, they have learned that the program is basically for the community and not sponsored by any group in particular. It just happened that the former D-J was a member of the Black Student Union. Because the purpose of the radio program was misunderstood, students are not pleased.
6. Tutorial and counseling services are important. The best means to start a tutorial program is by first finding out what areas students need most. An overall questionnaire about interests and needs, as well as goals of the Black Center could provide the director with special insights.
7. While the Center serves numerous functions, it should not become a crutch for the University. Don't let the Black Center programs suffice as the reason why a reputable Black Studies Program is not instituted with full academic visibility and use.
8. Students do peer group teaching for our Center. This isn't the best means of instruction, but it is workable and provides learning experiences for the student-teacher and student-participant. We must strive to keep the Black intellect within the Black community. Students teach in their areas of expertise i.e., their major or hobby. Only one Black instructor at Florida State University teaches a course at the Center,

Mr. Marvin Peek

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October 3, 1972

9. Money is a major problem. The Center is funded by the Vice President of Academic Affairs and the Vice President of Student Affairs. The amount of money received depends on their joint decisions.

Currently, the University is seeking another Vice President for Academic Affairs. Thus the future budget of the Black Students' Educational and Cultural Centers remains to be seen. But with the new scope of the department, more money may be awarded. The Division of Minority Student Affairs will become operational when a Director of Minority Student Affairs has been hired. Below this person will be the Black Students' Educational and Cultural Center Director and the International Student Affairs Director.

10. My office is not located at the Black Center. It is in the Student Affairs building. I had considered moving to the Center, but the Chairman of the Black Student Union (BSU President) has his office there. The offices would crowd the Center, making it a business building.

11. The University of Florida has a Black Center. It's address is:

Institute of Black Culture
University of Florida
1510 West University Avenue
Gainesville, Florida 32601

Very truly yours,



(Miss) Audrey Randolph, Director
Black Students' Educational
and Cultural Center

AR:ad

Enclosures

INSTITUTION	NAME OF FACILITY	DIRECTOR		NUMBER OF STUDENT WORKERS	SOURCE OF FUNDING	Students	BUDGET	OPERATION	OPERATION
		M	F		Center				
Berlin College	Afro-American House		X	4	University Budget	Work Study	\$5,200 + 13,900	24 hours	3
io University	Center for Afro-American Studies	X		11	University Budget	Work Study Univ. Budget	270,000	8 to 5	3
icago State Univ	Black Cultural Center	X		13	University Budget	Work Study	50,000	8:30 to 4	5
diana University	Center for Afro-American Studies	X		28	University Budget and Foundation Grant	Work Study & University Budget	* 60,000		4
enton State llege	Black Cultural Center	X		3	University Budget	Work Study	10,000	9 to 5	1
stern Illinois iversity	Afro-American Cultural Center	X		2	University Budget	University Budget	** 1,500	10:00a.m. 12:00 p.m.	3 1/2
LA	Center for Afro-American Studies	X		2	University Budget and Foundation Grant	University Budget	150,000	8 to 5	2
iversity of Mass.	New Africa House	X		6	University Budget and Self-Support	Cultural Center Budget	25,000	24 hours	3
rthwestern Univ.	Center for Afro-American Studies	X		12	University Budget	Work Study		8:30 to 12	5
rthern Illinois iversity	Center for Black Studies	X		17	University Budget	Work Study Univ. Budget	60,850	8 to 5	2 1/2
orida State iversity	Black Students' Educ. and Cultural Center		X	23	University Budget	Work Study Univ. Budget	10,000 (salaries) 10,000 (programs)	12 to 9	1 1/2
xas Southern iversity	Afro-American Center	X		2	HEW	Work Study	15,000	9 to 5	1
rnell University	Africana Studies and Research Center	X		20 +	Univeristy Budget	Work Study			3
ston University	Martin Luther King Afro-American Cultural Center	X					169,000		
Salaries and Supplies; \$5,000 for remodeling and equipment				** Does not include salaries and maintenance					

To: Dr. Jack Reese
Dr. Howard Aldmon
Dr. Walter Herndon

From: Black Faculty and Staff of U. T., Knoxville

Re: Black Cultural Center

Date: April 3, 1974

Whereas we, Black faculty and staff at The University of Tennessee, Knoxville, recognize the following factors which give rise to the need for a proposed Black Cultural Center:

1. The present and anticipated growth in the number of Black students attending the University.
2. The expressed concern to develop a non-classroom program which would complement and strengthen the current Black Studies major in the College of Liberal Arts.
3. The felt-need to assist Black students to resolve the special problems of identity and to relate the Black experience in American society to the process of social change and development through a media other than the traditional classroom setting.
4. The felt-need to facilitate exposure and growth of understanding among non-Black students relative to the nature and implications of the Black experience in American society.
5. The desirability and appropriateness of a University facility which could serve as focal points for the promotion, development, and conduct of special activities designed to encourage mutual understanding and respect within all segments of the Black community with regard to problems and issues of racial and minority concern in contemporary society.
6. The need for an informal, non-classroom setting to facilitate interaction between students, faculty, administrators and guests - Black and non-Black.
7. The demonstrated success of International House in achieving very similar goals for the members of the University International community.

And whereas, the following Black faculty and staff members concur with the recommendation to establish said Black Cultural Center, be it resolved that we hereby endorse this proposal.

Signed,

Felicia H. Frazier

Patricia D. Bryant

John D. Howell

Wilma H. Jones

Nancy St. Legat

James L. ...
Marvin ...
Michael ...
William James

(A)

Insert the following on p. 9 of section on Environment, preceding last full paragraph on that page which begins with the phrase "On-campus rooming . . ."

We would emphasize that problems of housing discrimination may be subtle and difficult to identify, as evidenced by the facts and opinion in the recent housing-discrimination case of United States v. Saroff, 377 F. Supp. 352 (E.D. Tenn. 1974), tried in the federal district court at Knoxville, Tennessee. A copy of that opinion is attached as an appendix to this report. In view of these difficulties, we recommend that the off-campus housing service of the University, and those utilizing its services, exercise diligence and thoroughness in investigating claims of alleged discrimination, that they resolve balanced conflicts of evidence in this regard in favor of an overall policy of implementing open housing in the community, and that they seek legal advice and judicial enforcement of rights of equal housing whenever resort to these remedies seems appropriate.

of November 29, 1972 was not excused and was in violation of the Selective Service laws.

In summary, we hold as follows in response to the issues stipulated by the Government and defendant:

(1) The board did not reopen defendant's file after September 12, 1972 and before October 19, 1972.

(2) Defendant was subject to induction on December 6, 1972.

(3) The board did not excuse defendant's failure to appear on October 19, 1972 by issuing the letter order of November 29, 1972.

(4) Defendant did violate the law by his failure to report on December 6, 1972.

Accordingly, the Court finds defendant, Richard Sorrells Ticknor, guilty on both counts as charged in the indictment.



UNITED STATES of America

v.

Leon SAROFF, d/b/a Saroff Real Estate Company.

Civ. A. No. 8445.

**United States District Court,
E. D. Tennessee, N. D.**

May 9, 1974.

As Amended July 10, 1974.

Government sought injunction to prohibit realtors from engaging in "blockbusting" and "steering" activities. The District Court, Robert L. Taylor, J., held that realtor's good-faith response to inquiry by homeowner regarding race of prospective purchaser was not per se violation of "blockbusting" statute; that

liability and has been issued an order to report for induction prior to such birthday."

occasional statements attributed to realtor's agents were not made with requisite intent to induce homeowners to sell because of potential influx of minorities; that realtor could not be responsible for statements made by his agents without his knowledge; that there was no evidence of pattern or practice of blockbusting either by the realtor alone or in concert with other realtors; and that there was insufficient evidence to find that realtor had engaged in "steering" tactics.

Dismissed.

1. Civil Rights \S 13.2(1)

In determining whether government is entitled to order enjoining realtor from engaging in "steering" or "blockbusting," court must determine whether realtor, either as an individual or member of a group, has attempted to influence or induce any person to sell or rent by representations regarding entry into the neighborhood of persons of a particular race and whether realtor's actions, when examined collectively, amounted to a pattern or practice. Civil Rights Act of 1968, $\S\S$ 804(a, b, d, e), 813, 42 U.S.C.A. $\S\S$ 3604(a, b, d, e), 3613.

2. Civil Rights \S 11.5

Representation by realtor which is alleged to constitute "blockbusting" must be construed in light of the surrounding circumstances and the realities of the market place. Civil Rights Act of 1968, \S 804(e), 42 U.S.C.A. \S 3604(e).

3. Civil Rights \S 11.5

Real estate agent's good-faith response to an inquiry made by homeowner regarding the race of a prospective buyer of his home is not per se violative of statutes prohibiting "blockbusting," where, under the circumstances, the agent's answer is not couched in such a fashion as to prey upon the fears of the homeowner. Civil Rights Act of 1968, \S 804(e), 42 U.S.C.A. \S 3604(e).

This section was deleted by later amendments to the regulations.

4. Civil Rights §11.5

Statements or acts of inducement, which are calculated by realtor to engender a sense of fear and urgency in the homeowner, and thus violative of statute prohibiting "blockbusting," are those statements that are made prior to a seller's own inquiries concerning prospective buyer's race and that repeatedly emphasize and accent the prospective buyer's race. Civil Rights Act of 1968, § 804(e), 42 U.S.C.A. § 3604(e).

5. Civil Rights §11.5

In determining whether realtor's collective conduct constitutes pattern or practice of "blockbusting," any statements about a buyer's race that resulted from inquiries made in the first instance by the homeowner must be excluded from consideration, as must any statements regarding the race of a prospective buyer where there exists a question as to whether the realtor's statement was made in response to any inquiry. Civil Rights Act of 1968, § 804(e), 42 U.S.C.A. § 3604(e).

6. Civil Rights §11.5

Three isolated incidents in which realtor's agents told prospective home buyers that "the coloreds are moving in," that the agent had a prospective black buyer in her car who was interested in looking at the home, and that realtor "wasn't showing anything in that area except to colored people" were not made with requisite intent to induce homeowner to sell on basis of influx of minority members and thus did not constitute violations of "blockbusting" statute. Civil Rights Act of 1968, § 804(e), 42 U.S.C.A. § 3604(e).

7. Civil Rights §11.5

In determining whether statements concerning prospective buyer's race were made with the illegal intent to induce homeowner to sell, court must consider the number of times reference to race was reiterated during course of realtor's contact with homeowner, number of times realtor returned to the homeowner without invitation, whether statement was made accidentally and as an isolated

and singular instance or as an integral part of an overall scheme, and the overall tenor of the agent's conversation with the homeowner. Civil Rights Act of 1968, § 804(e), 42 U.S.C.A. § 3604(e).

8. Civil Rights §13.7

Where realtor neither encouraged his agents to "work" a neighborhood when the first black family moved in nor urged agents to solicit listings on a door-to-door basis and where nothing indicated that realtor was ever apprised of wrongful conduct on the part of his agents in attempting to induce homeowners to sell because of prospective influx of blacks, realtor could not be held responsible for any "blockbusting" activities which his agents might have engaged in. Civil Rights Act of 1968, § 804(e), 42 U.S.C.A. § 3604(e).

9. Civil Rights §13.2(1)

Injunction for violation of "blockbusting" statute cannot issue as a result of an isolated incident, rather the representations of the realtor must be shown to have been repeated, routine and regularly engaged in as a course of business. Civil Rights Act of 1968, § 804(e), 42 U.S.C.A. § 3604(e).

10. Civil Rights §11.5

Where realtor who was alleged to have engaged in "blockbusting" had been actively concentrated in transitional area before urban renewal relocation project, which created influx of minorities, began and had not abruptly shifted his operation from outside the area upon learning of the relocation project and where allegedly illegal representations were made by only two of realtor's agents and appeared to have been isolated incidents, there was no pattern or practice of inducing homeowners to sell because of prospective influx of minorities. Civil Rights Act of 1968, §§ 804(e), 813, 42 U.S.C.A. §§ 3604(e), 3613.

11. Civil Rights §13.7

It is not enough, to show violation of Fair Housing Act, that government

identify members of a purported group and attribute certain statements to their agents, as minimal nexus must be shown to exist among members constituting the group in order to hold all of the members responsible for violations of "blockbusting" statute by the group as a whole. Civil Rights Act of 1968, §§ 804(e), 813, 42 U.S.C.A. §§ 3604(e), 3613.

12. Civil Rights \S 13.2(1)

Where there was no evidence of unity or coordination of effort between realtors who had entered into consent orders with respect to violations of "blockbusting" statute and another realtor doing business in the same area and where there was no evidence of unity or coordination of effort among the realtors who had entered into the consent orders, realtor who had not entered into consent order could not be enjoined from violation of blockbusting statute on theory that he had engaged in a group pattern or practice of "blockbusting." Civil Rights Act of 1968, §§ 804(e), 813, 42 U.S.C.A. §§ 3604(e), 3613.

13. Civil Rights \S 13.13(3)

In view of fact that realtor's principal area of operation had always been in transitional area and in view of express desire of persons being displaced by urban renewal to remain in the area, fact that displacees were directed by realtor to transitional area in which realtor was accused of having engaged in "blockbusting," fact that one of realtor's agents stated to a client that she was showing homes in the area only to "colored people" and fact that ads for homes handled by realtor in the transitional area carried notation "fair housing broker" whereas other ads did not was insufficient to show a pattern or practice of "steering." Civil Rights Act of 1968, § 804(a, b, d), 42 U.S.C.A. § 3604(a, b, d).

1. 42 U.S.C. § 3613 provides in full that:

"Whenever the Attorney General has reasonable cause to believe that any person or group of persons is engaged in a pattern or

14. Civil Rights \S 13.2(1)

Where there was no evidence that realtor who was accused of engaging in "blockbusting" and "steering" tactics had denied the rights of any citizen, government was not entitled to injunction against the realtor's engaging in such tactics on theory that the denial of rights to a group of persons raised issue of general public importance even in the absence of a pattern or practice of engaging in such tactics. Civil Rights Act of 1968, §§ 804(a, b, d, e), 813, 42 U.S.C.A. §§ 3604(a, b, d, e), 3613.

John L. Bowers, Jr., U. S. Atty., Knoxville, Tenn., Elliott D. McCarty, Housing Section, Civil Rights Div., U. S. Dept. of Justice, Washington, D. C., for plaintiff.

Robert H. Watson, Jr., Joseph J. Levitt, Jr., Knoxville, Tenn., for defendant.

MEMORANDUM

ROBERT L. TAYLOR, District Judge.

INTRODUCTION

The United States instituted this action on November 8, 1973 against three defendants: Saroff Real Estate Company, Simco Properties, Inc. and M and W Enterprises, Inc., alleging that they had individually and collectively violated certain provisions of Title VIII of the Civil Rights Act of 1968, 42 U.S.C. § 3601 et seq. (The Fair Housing Act of 1968 [hereinafter referred to as the Act]). Each defendant operates a realty business with operations in East Knoxville, Tennessee. The Court entered consent orders as to M and W Enterprises, Inc. on November 8, 1973 and February 8, 1974, respectively, in which the defendants agreed to comply with the Act in full.

Pursuant to 42 U.S.C. § 3613,¹ the United States alleges that the remaining

practice of resistance to the full enjoyment of any of the rights granted by this subchapter, or that any group of persons has been denied any of the rights granted by

defendant, Saroff Real Estate Company, has engaged, either as an individual or as a member of a group, in certain discriminatory conduct prohibited under 42 U.S.C. § 3604(a), (b), (d) and (e), which provides:

"§ 3604

" . . . it shall be unlawful—

"(a) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale of rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, or national origin.

"(b) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion or national origin.

* * * * *

"(d) To represent to any person because of race, color, religion, or national origin that any dwelling is not available for inspection, sale or rental when such dwelling is in fact so available.

"(e) For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, or national origin."

The phenomena described in the above section are more commonly referred to as blockbusting and steering.

The trial of this case lasted one and a half days, during which time thirty ex-

this subchapter and such denial raises an issue of general public importance, he may bring a civil action in any appropriate United States district court by filing with it a complaint setting forth the facts and requesting such preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order against the person or persons responsible for such pattern or practice or denial of rights, as he deems necessary to insure the full enjoyment of the rights granted by this

hibits were introduced and testimony received from thirty-three witnesses—twenty-eight on behalf of the Government and five on behalf of Saroff. It is in this posture that the Court sets forth the following findings of fact and conclusions of law pursuant to Rule 50, F.R.Civ.P.

FINDINGS OF FACT

The defendant, Saroff Real Estate Co., Inc., is engaged in the sale and rental of real estate, both residential and acreage property,² in Knoxville and Knox County, and has two offices—one in East Knoxville (Magnolia Avenue) and one in West Knoxville (Kingston Pike). Since its initial development in 1964, the major portion of Saroff's business has been conducted in the East Knoxville area,³ a portion of which is presently a "transitional" area that has experienced an influx of Black homeowners and a concomitant outflow of White homeowners beginning around 1969. Three other realtors also operated in this area of Knoxville—Frank Wylie Realty Company, Simco Realty, and Jim Miller Realty—although they have not traditionally concentrated in the East Knoxville market. During the time period under examination here, Saroff employed six real estate agents who were active⁴ either on a full or part-time basis: Mr. Louis Jaffe, who was also a broker; Mrs. Charles Kelley; Mrs. Stanley Williams; Mr. Monte Millen; Mr. Joe Levitt, Sr.; and Mr. Madison Smith.

Knoxville has undergone in recent years two phases of a continuing urban renewal project, the Mountain View Urban Renewal Project, and, more recently,

subchapter." For a general description of the Act see 13 A.L.R.Fed. 285; Comment, 22 De Paul L.Rev. at 823 (1973).

2. Defendant's rural and acreage-only transactions are not under examination here.
3. Prior to his real estate operations, Mr. Saroff operated a pawn shop in a predominantly Black sector of Knoxville.
4. Other individuals, who had previously worked for Saroff, were considered inactive.

the Morningside Urban Renewal Project, which was first formally begun on June 31, 1971. At that time, the Knoxville Housing Authority (K.H.A.) was faced with the formidable task of finding new homes for the numerous persons that would be displaced in the course of the renewal project. (See Exhibit 19) In order to effect an efficient and orderly relocation of residents from the project area to other areas of the City, a meeting was held on June 17, 1971 by K.H.A. and was attended by 25-30 local real estate agents, including agents from Saroff, Miller, Simco (then Simpson), and Wylie. (Exhibit 9) At this meeting, K. H.A. explained that the families to be displaced by the program would need replacement housing and that the realtors' assistance in this relocation program would be instrumental to the project's success. In this regard, the Housing Authority explained to the agents and brokers the applicable federal relocation laws, that K.H.A. would have to inspect and approve any replacement listings for building code compliance before it would authorize a replacement sale to a displacee, and, lastly, the displacement price schedule (Exhibit 10) was explained.⁵ Mr. Ulmer, Director of the Urban Renewal Program, testified that at this meeting K.H.A. requested the realtors to submit listings to the Housing Authority so that it could inspect and approve the same for displacees. Saroff, thereafter, submitted listings to K.H.A. from August 1971 to December 1973 (Exhibit 13). Mr. Ulmer also testified that most of the listings his office received from the realtors were in the East Knoxville area, adjacent to the project area and, for the most part, in previously White neighborhoods.⁶ When asked on cross-examination whether his office received complaints from Black displacees that the requested listings were restricted to the East Knoxville area, Mr. Ulmer re-

sponded, "No," but indicated instead that K.H.A.'s principal problem in the relocation project was not being able to relocate displacees fast enough. Thus, it appears that some of the initial relocation of urban renewal displacees was carried out in an atmosphere of urgency. Mr. Ulmer testified that a shortage of suitable housing in all Black neighborhoods forced displacees to seek replacement housing in previously White neighborhoods.

The record indicates that shortly after the June 17 meeting an appreciable increase in the number of houses for sale in the East Knoxville area occurred. In particular, this increase was noted on Michael Street, Meadowview Drive, Woodbine Avenue and Fifth Avenue—streets lying northeast and essentially adjacent to the Morningside project area. Although "For Sale" signs bore the names of Saroff, Wylie, Miller and Simco, Mr. Saroff testified that his company had listings and "For Sale" signs in the area before the meeting since his company had operated in the East Knoxville area prior to June 1971.

The Court concludes that the East Knoxville area adjacent to the Morningside Urban Renewal Project area (Exhibit 19), consisting in the main of Jefferson Avenue, Woodbine Avenue, Fifth Avenue, Magnolia Avenue, and southeasterly to Selma Avenue, was a racially transitional area during the period under examination here, 1969-1973. Thus, during this period there was an influx of Black homeowners, in part, displacees from the Morningside Urban Renewal Project, into the adjoining East Knoxville area and an accompanying outflow of White homeowners from the same geographical area (Exhibits 1, 2, 3, 4, and 19).

The Government's principal witnesses consisted of various real estate agents

East Knoxville area indicated that a relatively small number of Blacks moved into the East Knoxville area as early as 1969, before the Morningside Urban Renewal Project formally commenced in June of 1972.

5. Evidently, the Exhibit 10 schedule was not effective until May 1972.

6. The term "all White" is cautiously avoided since testimony from homeowners in the

and persons who were either homeowners in the East Knoxville area prior to the influx of Blacks or who had sought to buy a home and used the services of Saroff, Miller, Wylie or Simco. The significance of this testimony justifies its summation at this point:

a. *Mrs. Bella Gambrell*—White, a resident of the East Knoxville area, testified that, although she could not identify the person specifically, a sales woman from Saroff approached her at her home in East Knoxville in 1971 and purportedly made the statement that "the coloreds are moving in [the neighborhood]."

b. *Mrs. Betty Byrd*—White—who presently lives in West Knoxville, testified that the real estate activity in her prior East Knoxville neighborhood started to increase appreciably in 1971. After having contracted with a realtor to list her former home, she testified that she was contacted in January 1972 by Mrs. Kelley of Saroff, who asked her if she could list her house. Mrs. Byrd told her that they had already listed the house with another realtor, Claiborne, Lothrop and Sample, Inc. Approximately three months later, Mrs. Kelley arrived at Mrs. Byrd's home and said she had a prospective Black buyer in her car who was interested in looking at her home. Mrs. Byrd again told Mrs. Kelley to contact a Claiborne agent. On cross-examination, Mrs. Byrd testified that Kelley's statement that she had a prospective Black buyer had no immediate effect on her at the time of Mrs. Kelley's second visit. Mrs. Kelley subsequently testified that she did not recall a second meeting with Mrs. Byrd.

c. *Mrs. Charles McAmis*—White—who has lived on Meadowview Drive in East Knoxville for fourteen years, stated that the first Blacks moved into her neighborhood around 1968–1969 and that real estate activity increased around 1970. In 1971, she stated she was contacted by Mrs. Baxter from Simpson Realty and later was contacted in the Fall of 1971 by an agent from Wood Agency, who stated to Mrs. McAmis

that, "[i]f you ever want to sell your home, contact me. . . ." Mrs. McAmis was never contacted by a Saroff agent.

d. *Mr. James M. Baker*—White—who has lived in the East Knoxville area for five years, testified that he was contacted by Mrs. Williams of Saroff by telephone at his place of business sometime before June 1973. At that time, Mrs. Williams said that she had a prospective buyer who was interested in purchasing Mr. Baker's home. There appears to be a question whether Mrs. Williams told Mr. Baker that the buyer was Black in response to an inquiry made by Mr. Baker or whether Mrs. Williams said in the first instance that the interested buyer was Black. Mr. Baker did testify on cross-examination that any conversation about race was broached by him and not Mrs. Williams.

e. *Mrs. Gary Coffey*—White—who had lived in East Knoxville for nine years stated that the first Blacks moved into her neighborhood three years ago and that her next door neighbor, a Black family, had moved in two years ago. In the Fall of 1972 Mrs. Coffey stated she was contacted by Mrs. Kelley, a distant blood relative, who asked Mrs. Coffey at that time whether she had met her next door neighbors, the Davis', a Black family that had recently moved into the neighborhood.

f. *Mr. Coffey*—White—testified that when Mrs. Kelley indicated on a second visit that she had a prospective buyer he could not recall whether she said the buyer was Black. Mr. Coffey said it was "common knowledge" that the buyers were Black.

g. *Mr. David Qualls*—White—who has lived at his present East Knoxville address for 8½ years, testified that Mrs. Kelley came to his house in the early part of 1972 and said she had a prospective buyer from Racula Village, a Black neighborhood. When asked by Mr. Qualls if the interested buyer was Black, Mrs. Kelley answered, "Yes."

h. *Mrs. Hood*—White—an East Knoxville resident for five years, was contacted by Mrs. Kelley in the summer of 1973, who came to Mrs. Hood's home and said she had an interested buyer. Mrs. Hood stated that at the time of Mrs. Kelley's visit, there existed a climate of anxiety and consternation in the neighborhood due to an increase in the number of "For Sale" signs. There appeared to be some difference whether Mrs. Kelley said the prospective buyer was Black before or after an inquiry by Mrs. Hood respecting the buyer. Mrs. Hood said the house was not for sale and Mrs. Kelley left.

i. *Mr. Harold Beard*—White—testified that in the summer of 1969 he phoned Saroff and inquired about a house in the Holston Heights area of East Knoxville (at that time predominantly White, but in a state of transition). Mr. Beard testified that an agent at Saroff told him that he would be more comfortable in West Knoxville. This statement, however, was made to Mr. Beard without knowledge of his race. Mr. Beard testified that the Saroff agent asked about his occupation only.

j. *Mrs. Carolyn Davis*—Black—testified that she contacted Saroff in late 1970-1971 by phone and spoke to Mr. Joe Levitt, Sr.⁷ At that time, she told Mr. Levitt that she was looking for a three-bedroom home in the \$12,000-\$14,000 price range. Mr. Levitt showed her three homes in the East Knoxville area. Thereafter, when her husband accepted a job in Oak Ridge, located west of Knoxville, she again requested some listings from Saroff in the \$15,000-\$20,000 price range for a three-bedroom home. But this time she specifically asked for a location in West Knoxville. A Saroff agent said that houses were high in West Knoxville but that they had listings in her price range in East Knoxville. Mrs. Davis, in the belief that

she was being denied listings in the West, then reported her second conversation with Saroff to Mrs. Wilma Dunaway, of the Knoxville Urban League.

k. *Mrs. Dunaway*—White—testified that in response to Mrs. Davis' complaint she phoned Saroff on October 5, 1972 and inquired about three-bedroom houses in the \$17,000-\$20,000 price range. Mr. Levitt said he had a house in West Knoxville on Tranquilla Lane, one in North Knoxville, and finally told her of the company's listings in East Knoxville. Mr. Saroff later testified that it was his belief when he spoke with Mrs. Davis that she could not have purchased the house on Tranquilla Lane because that particular house did not meet the requisite structural standards for a Federal home loan.

l. *Mrs. Cathy Dunsmore*—White—who previously lived in the East Knoxville area, testified that Mrs. Kelley came to her place of business some time before July 1973 and, after asking Mrs. Dunsmore if she knew that the house next door to her was for sale, said that she had a prospective buyer. In response to a question by Mrs. Dunsmore, Mrs. Kelley said she "wasn't showing anything in that area except to colored people." Mrs. Kelley later testified that she made no remarks to Mrs. Dunsmore regarding race.

m. *Mrs. Glen*—White—contacted a Saroff agent in July 1971 and said she wanted to live in an integrated neighborhood, specifically, the Holston Hills⁸ area. Although an agent showed Mrs. Glen a house in the Holston Hills area, the agent purportedly made the statement to her that Blacks were still "east of Sunset."

n. *Mr. Louis Thompson*—Black—testified that he contacted the Wylie Company in July 1970 and inquired about listings in the West Knoxville area. He said he was neither shown nor told of any housing in the West Knoxville area.

7. Mr. Joe Levitt, Sr., seriously ill and unable to testify at the trial, has since passed away.

8. The Holston Hills area is predominantly White, while the Holston Heights area is transitional.

o. *Mrs. Belle Higgins*—White—Executive Vice President of the Knoxville Board of Realtors, testified that Wylie was a member of the Multiple Listing Service but stated that Saroff was not a member.⁹

p. *Mr. Jack King*—White—a previous resident of the East Knoxville area, testified that he contacted the Simpson Company in 1972 and spoke with Mrs. Baxter who stated that she was in a better position to sell a home since she was in touch with the Urban Renewal people and displacees. Mr. King had no contact with Saroff.

q. *Mrs. Anita Washington*—of the Knoxville Community Development Association, testified that she was in charge of the Urban Renewal Relocation program and that Saroff enjoyed a good reputation for honesty and fairness with respect to relocating displacees.

r. *Mr. Charles Ogle*—White—a previous resident of East Knoxville, testified that Jim Miller of Miller Real Estate Co. approached him at his home and said the racial composition of the neighborhood was going to change. Mr. Ogle additionally testified that Saroff later sold his house but made no racial representations at that time.

s. *Mrs. Rachel Jordan*—White—who lived in East Knoxville for fifteen years, testified that a sales person from Simpson came and told her that the neighborhood was going Black; however, no agent from Saroff ever approached her.

t. *Mrs. Stanley Williams*—White—a full-time employee of Saroff, testified that a meeting of Saroff agents was held at Mr. Saroff's home approximately one year ago, at which time Mr. Saroff discussed how to increase the company's listing. Mrs. Williams testified that door-to-door soliciting was neither advocated nor discussed by Mr. Saroff.

u. *Mrs. Bea Tapley*—White—formerly an employee of Wylie, testified that she went to East Knoxville to solicit homes. In particular, Mrs. Tapley testified that she would knock on doors and then urge the occupant that it was an opportune time to sell because of the Urban Renewal program. It is significant to note that Mrs. Tapley testified that most displacees wanted to remain in the East Knoxville area and that the Housing Authority in assisting in the relocation never requested displacement housing outside the East Knoxville area.

Defendant Saroff introduced testimony from its agents—Mrs. Kelley, Mr. Bush, Mr. Madison Smith and its owner, Mr. Saroff.

a. *Mrs. Kelley*—White—generally sought to rebut much of plaintiff's testimony. She contended that her only uninvited contacts were pursuant to requests made by buyers that she inquire about the availability of a particular house. She testified that she had neither sold a house on a racial basis nor did she condone the practice.

b. *Mr. George Bush*—White—who presently owns his own real estate company in Knoxville, testified that when he was formerly with Saroff as an agent and broker for 5½ years he never solicited over the telephone or on a door-to-door basis. Again, Mr. Bush emphasized that most of Saroff's business during his association with the company was concentrated in East Knoxville. When asked on cross-examination if Mr. Saroff had ever specifically instructed him regarding the Fair Housing Act and its mandatory provision, Mr. Bush responded that, while Mr. Saroff had never specifically instructed him about the Act, he did testify that Mr.

9. A multiple listing service is "a system of listing all properties for sale or rent by each real estate with a central bureau or on a list available to all brokers participating who may then sell or rent the properties with the commission being split in agreed propor-

tion between the brokers listing the properties and the brokers selling them." Webster's Third International Dictionary, 1961 Ed. The listing itself is restricted to members. See Collective Exhibit 17.

Saroff had instructed his agents at meetings to be "fair" in showing listings.

c. *Mr. Madison Smith*—Black— a salesman with Saroff for 12–13 years and the second Black salesman in Knoxville to work for a White realtor, testified that his experience in the Urban Renewal Project was that most displacees desired to remain in the East Knoxville area. Additionally, Mr. Smith noted that there was no comparable housing for displacees in any other part of Knoxville.

d. *Mr. Saroff*—testified that most of his customers were Black when he began his operation in 1964; that they have remained predominantly Black; that since 1968 most of his listings have been in East Knoxville; and, that as a result of selling homes to Blacks he has not been able to obtain listings in West Knoxville. When asked how he determined what listings are given a client, he testified that the client's geographical desire and income were controlling. Finally, Mr. Saroff testified that the Housing Authority had advised him that most displacees wanted to live in East Knoxville.

CONCLUSIONS OF LAW

Jurisdiction of this action is based on 28 U.S.C. § 1345 and 42 U.S.C. § 3613.

The Fair Housing Act, whose stated congressional policy¹⁰ is to provide for fair housing throughout the United States, is of relatively recent origin and, consequently, the Court is not significantly aided by prior case law in its construction of the Act. Moreover, the Act is not without terms subject to varying judicial interpretations and construction.

Section 3604(e)

[1] The Court must initially determine whether defendant's conduct, ei-

10. 42 U.S.C. § 3601.

ther as an individual or as a member of a group, was in violation of Section 3604(e), which provides that it is unlawful "[f]or profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, or national origin." Assuming that defendant's actions did in fact satisfy the requisite elements for a violation of Section 3604(e), the Court must then determine whether defendant's actions, when examined collectively, amounted to a pattern or practice under Section 3613. The test for any violation under the Act, therefore, appears twofold.

A representation under Section 3604(e) must be interpreted in light of its purpose: "to prevent persons from preying on the fears of property owners and inducing panic selling resulting in monetary loss to the sellers and instability in the neighborhoods involved." *United States v. Mitchell*, 327 F.Supp. 476, 479 (N.D.Ga.1971). Thus, the section seeks to discourage an agent's solicitous conduct that serves as a dangerous catalyst in an apprehensive neighborhood. It is not, however, every act of the real estate agent that the Act forbids. Rather, the Act proscribes only those acts or words that would be likely to "convey to a reasonable man, under the circumstances, the idea that members of a particular race, color, religion or national origin are or may be entering his neighborhood." 327 F.Supp. at 479.¹¹

[2] Accordingly, it would be inadvisable and inequitable for any judicial analysis of defendant's conduct in this instance to be made in a vacuum. Indeed, inherent in the definition set forth in *Mitchell* is the principle that the representation must be construed in light of the surrounding circumstances and the

11. See also *United States v. Bob Lawrence Realty, Inc.*, 327 F.Supp. 487, 489 (N.D.Ga. 1971), affirmed, 474 F.2d 115 (5th Cir. 1973).

realities of the market place. This standard, therefore, avoids placing an onerous and unjustified burden on the realtor,¹² while preserving the integrity of the new Act's objectives. In this regard, plaintiff urges this Court to adopt the ruling of the district court in *Brown v. State Realty Co.*, 304 F.Supp. 1236, 1241 (N.D.Ga.1969), that any statement regarding a prospective buyer's race is *per se* violative of Section 3604(e). In finding that defendant had made representations in violation of Section 3604(e), the Court in *Brown* submitted:

"Nor does the fact that contact with the agents was initiated in some cases by the property owners or that the subject of Negro purchasers was in some cases first raised by the property owners change the result. The conduct condemned and the responsibility placed by the statute on the agent is to refrain absolutely from any such representations" ¹³
304 F.Supp. at 1241.

[3,4] As the language of Section 3604(e) requires the racial representation to be made for the purpose of inducing the homeowner to sell, the Court is persuaded that an agent's good faith response to an inquiry made by the homeowner regarding the race of a prospective buyer of his home is not *per se* violative, where, under the circumstances, the agent's answer is not couched in such a fashion as to prey upon the fears of the homeowner. To require the agent to stand mute in the face of such a question initiated by the homeowner would be to ignore the fact that the homeowner has traditionally expressed a justified interest in the person who proposes to purchase his home. Moreover, it does not appear that such a good faith response would serve to frustrate either the letter or the spirit of Section 3604(e) since that section ex-

plicitly requires that the representations must be made to *induce the sale* of the homeowner's property. Statements or acts of inducement, calculated by the agent to engender a sense of fear and urgency in the seller, would appear to be those statements that are made prior to a seller's own inquiries and that repeatedly emphasize and accent a prospective buyer's race. Thus, in *United States v. Mintzes*, 304 F.Supp. 1305, 1312 (D.Md.1969), Judge Thomsen stated that:

"Similar [Constitutional] problems would arise if the Act were applied to an honest answer to a question put by the owner of a dwelling. As we have seen, only one of the representations relied on by the plaintiff in this case was made in response to a question." (Citation omitted)

[5] In light of the above discussion, the Court at this threshold point cannot include, in determining whether defendant's collective conduct constitutes a pattern or practice, any statements about a buyer's race that resulted from inquiries made in the first instance by the homeowner and must likewise exclude any statements regarding the race of a prospective buyer where there exists a question whether the agent's statement was made in response to any inquiry. Having heard the testimony of the various former homeowners in East Knoxville, there appears to be substantial conflict in this regard in the statements made by a Saroff agent to Mr. Baker, Mr. Coffey, Mr. Qualls, Mrs. Hood and Mrs. Dunsmore. Thus, unlike the case before the Court in *Mintzes*, more than one of the representations relied on by the plaintiff in this case was made in response to a question.

Remaining before the Court in determining whether defendant individually violated Section 3604(e) are the two or

12. "[T]he 'reasonable man' standard protects the salesman from the paranoid who interprets a real estate salesman's 'good morning' as a part of a sinister scheme to undermine the value of his house." 327 F.Supp. at 479.

13. Although alone not dispositive, the action instituted in *Brown* was brought by private citizens under 42 U.S.C. § 3612 as opposed to the Attorney General as is the case under examination here.

three statements made by a Saroff agent to a homeowner (Mrs. Gambrell, Mrs. Byrd, Mrs. Dunsmore).

[6, 7] Having observed the witnesses in the presentation of their testimony, it is the opinion of the Court that the remaining statements attributed to Saroff agents were not made with the requisite intent under Section 3604(e), an intent to make the representations for the purpose of inducing a person to sell or rent a dwelling.¹⁴ In concluding that the requisite intent was absent here, the Court looks to several controlling factors:

1. The number of times references to race were reiterated during the course of an agent's contact with a homeowner.

2. The number of times the agent returned to a homeowner without any invitation having been previously extended.

3. Whether the statement was made accidentally and as an isolated and singular instance or as an integral part of an overall scheme.

4. The overall tenor of the agent's conversation with the homeowner.

Again, the Court must emphasize that an agent's isolated statement should not prove itself *per se* violative of the Act since it does not seek to prohibit the isolated, unusual, and unintentional occurrence. An adjudication of an individual's conduct under the Act does not lend itself to a litmus test.

[8] However, assuming, *arguendo*, that the remaining statements were made with the requisite intent as a part of a deliberate plan, the question arises whether the acts of Mrs. Williams and Kelley in violation of Section 3604(e) can be attributed to Mr. Saroff under the doctrine of *respondeat superior* since it was neither alleged nor proved by the Government that Mr. Saroff himself made any intentional representations.

" . . . The court is fully aware that under the doctrine of *respondeat superior* a master is chargeable with

the acts of his servant committed within the scope of his authority, but the court is also strongly of the opinion that this statute requires, if not an intentional act by the principal, at least a consciousness that the act is going on or a showing of acquiescence or conscious indifference. . . . Certainly if a salesman's violation comes to the principal's attention and he takes no steps to redress the violation and to insure that it does not happen again, he may be said to be engaging in a 'pattern or practice' within the meaning of this Act, but a principal should not be visited with a sweeping and harassing injunction if it appears that he had forbidden the practice, knew nothing of its existence in spite of vigilance, and took prompt steps to correct it once it was discovered.

"But again, this is not the situation here. In the first place there is at least some evidence that door-to-door solicitation was normally used by the defendant's salesmen in areas of transition and that this was known to defendant. There is also the affidavit of Mrs. Walker which states, among other things, that defendant's saleswoman, Mrs. Rick, told the affiant that the defendant had told his sales personnel to 'work an area' once the first Negro family moved in. This is not to say, of course, that real estate agents cannot 'work' transitional areas if they obey the law. . . ."

327 F.Supp. at 485.

Unlike the situation before the Court in *Mitchell*, the record in this instance indicates that Mr. Saroff neither encouraged "working" a neighborhood when the first Black family moved in nor did he urge his agents to solicit listings on a door-to-door basis. Further, there is nothing to indicate that Mr. Saroff was ever apprised of wrongful conduct on the part of his agents or that he ever received any complaints from either homeowners or buyers. In this regard, it is significant to note that the

14. 304 F.Supp. at 1311.

Knoxville Housing Authority, the local agency charged with the responsibility of supervising the relocation program, never addressed a specific complaint to Mr. Saroff about his East Knoxville transactions. Instead, Mr. Ulmer, who testified that he worked closely with Saroff during the relocation program, stated that Saroff cooperated with his agency after the June 17 meeting and that Saroff did a good job in getting buyers and sellers together. As this agency had an opportunity to observe the day-to-day professional activities of Saroff and was instrumental in relocating displacees, the testimony of Mr. Ulmer must receive considerable weight.

Plaintiff contends that the blockbusting evidence here involves substantially more specific incidents than that held sufficient in the *Mitchell*, *Bob Lawrence* and *Mintzes* cases. The Court has carefully examined the representations and conduct of the agents in those cases, together with conduct and representations made in *Sanborn v. Wagner*¹⁵ and *Brown v. State Realty Co.*¹⁶ and concludes that in each instance the agents' conduct was relatively more reprehensible and harmful than that evidenced here by Saroff's agents. In each instance the agent was more tenacious and insistent in his representations. Also distinguishing is the fact that in those cases the agent went beyond the initial statement that a prospective buyer was Black and emphasized the injurious impact a Black influx would have on his own home and neighborhood. For example, the agent would often urge the homeowner to sell promptly since if he waited he "would not get what the house was worth,"¹⁷ or "if [the property owners] wanted to get a good price for their

home they should sell now,"¹⁸ that a neighborhood would be occupied in the future by an "undesirable element,"¹⁹ which made the neighborhood unsafe,²⁰ or that "the neighborhood is getting black and would be unsafe to live . . ."²¹ Clearly, in those instances cited by plaintiff the agent's statements extended beyond an informative remark and, instead, were made out of a hope of preying upon the homeowner's fears and prejudices.

Pattern or Practice

Although the foregoing summary of the evidence and applicable law discloses that Saroff's actions were not in violation of Section 3604(e), a cautious examination of this case requires the Court to determine whether Saroff's statements made before an inquiry by a homeowner constitute a pattern or practice under Section 3613, assuming, *arguendo*, that the statements satisfied the requirements of Section 3604(e).

[9] It is generally settled that an injunction for a violation of Section 3604(e) cannot issue as a result of an isolated incident. Instead, the representations of the defendant must be shown to have been repeated, routine and regularly engaged in as a course of business.²² Traditionally, the courts have looked to *United States v. Mayton*, 335 F.2d 153 (5th Cir. 1964), for the standard to be used when determining whether a defendant's collective conduct constitutes a pattern or practice. There, in finding a denial of voting rights under the Civil Rights Act of 1960, the Fifth Circuit submitted:

"The words *pattern or practice* were not intended to be words of art. No magic phrase need be said to set

15. 354 F.Supp. 291 (D.Md.1973) (private action).

16. 304 F.Supp. 1236 (N.D.Ga.1969) (private action).

17. *United States v. Mitchell*, 327 F.Supp. 476, 478 (N.D.Ga.1973) (denying motion for summary judgment).

18. *Id.*

19. *United States v. Mintzes*, 304 F.Supp. 1305, 1310 (D.Md.1969).

20. *Id.* at 1311.

21. *Sanborn v. Wagner*, 354 F.Supp. 291, 293 (D.Md.1973).

22. See generally 13 A.L.R.Fed. 269, 294.

in train the remedy provided in § 1971(e). Congress so understood them. And the legislative history reflects the adoption of the approach epitomized by Deputy Attorney General Walsh before the House Judiciary Committee:

"Pattern or practice have their generic meanings. In other words, the court finds that the discrimination was not an isolated or accidental or peculiar event; that it was an event which happened in the regular procedures followed by the state officials concerned." (Emphasis in text)

335 F.2d at 158.

The district court in *Mintzes* adopted the *Mayton* construction but emphasized that the number of incidents necessary to establish a pattern or practice depends upon the nature of the right protected and the nature of the violations:

"The evidence before the Court indicates a disposition on the part of the defendants to use racial representations in circumstances where it appears that such representations may be effective in inducing the owner to sell."

304 F.Supp. at 1314.

Thus, as stated in *Mitchell*, the racial representation must not only be made in the course of the defendant's business,²³ but, further, the representation must be repeated, intentional, deliberate, and usual. In this same vein, the holding of the district court in *United States v. Bob Lawrence Realty, supra*, is especially significant.

" . . . On the basis of these facts, this court cannot conclude that the government has alleged facts which show a definite inclination on the part of Bob Lawrence Realty to make prohibited representations. Though most of Lawrence's real estate activity has always been in areas that are now transitional, the government has alleged only three blockbusting representations. These violations

were committed by two agents, working together. The representations were made on the same afternoon; there is no indication they were repeated by Agents Hammond or Murri-son, or any other agents of Bob Lawrence. When compared with Bob Lawrence Realty's total activity in the area, the three representations relied on by the government appear to be isolated incidents. The court concludes that no § 3613 pattern or practice has been established on the part of Defendant Bob Lawrence, acting individually . . . "

327 F.Supp. at 490.

[10] Similarly, Saroff's real estate activity has been actively concentrated in the East Knoxville area under examination here long before the urban renewal relocation project began in June 1971. In fact, one of Saroff's offices is located in the area. He did not abruptly shift his operation from outside the transitional area upon learning of the relocation project. Also, like *Bob Lawrence*, the representations were made by two agents and there is no indication that such representations were made by other Saroff agents. Finally, when compared with Saroff's total East Knoxville business, the representations appear to be isolated instances. Viewed in this manner, it does not appear that the representations here constitute a pattern or practice under Section 3613.

Group Pattern or Practice

The Government contends also that Saroff violated the Act as a result of his participation in a "group" pattern and practice of blockbusting and that even if Saroff did not violate Section 3604(e) as an individual, his participation in the group should be enjoined. In support of its contention that a group pattern existed the Government introduced the testimony of Mrs. McAmis, Mrs. Jordan and Mr. King that agents from Simco made unlawful representations to them, in addition to the testimony of Mr. Ogle

23. 327 F.Supp. at 483.

regarding a Jim Miller agent and the testimony of Mrs. Bea Tapley, a former M & W agent, that he had previously engaged in door-to-door solicitation and that he encouraged homeowners to sell because of the influx of urban renewal displacees.

The Government cites the Fifth Circuit's recent case of *United States v. Bob Lawrence*, 474 F.2d 115, 124 (5th Cir. 1973), for the proposition that the Court can enjoin Saroff for participating in group conduct which is allegedly in violation of the Act. In that case, the district court enjoined the defendants collectively as a group from their continued pattern or practice of violating Section 3604(e). It should be noted, however, that in *Bob Lawrence* each member of the group was a defendant in the action and was present at trial to protect his interest. In the present case, one member of the group was never a defendant and the remaining two members had previously executed consent orders.

[11, 12] It is not enough, under the Act, that the Government identify the members of a purported group and attribute certain statements to their agents, since such a measure of violation would provide the Attorney General a potentially indiscriminate standard. Instead, as articulated by the district court in *Bob Lawrence*, a minimal nexus must be shown to exist among the members constituting the group:

" . . . The pattern or practice must be one on the part of the group acting as a unit. This would require, at the very least, a showing of *some coordination of effort on the part of the defendants*. Any less standard would provide the Attorney General with enforcement powers over the isolated acts of individual defendants acting independently of each other, merely because these persons' acts coincide in time or place with the acts of other violators" (Emphasis added)

327 F.Supp. at 493.

Accordingly, while the group's members need not conspire to act in concert, the Act does require a minimal degree of coordination. Absent from the Government's proof, therefore, are two necessary elements: (1) A sufficient unity and coordination of effort among the members of the group, and (2) a sufficient unity and coordination of effort between the group and Saroff. This is not to say that a finding of individual violation under the Act must precede a finding of a group pattern or practice but only that a requisite degree of unity and coordination of effort must be found to exist. This requirement would not unduly burden the Government in its efforts to obtain compliance. Even if the Government could find unlawful conduct on the part of Saroff through "guilt by association" there exists no evidence of association between the group and Saroff.

Steering

[13] The Government charges that Saroff accompanied his blockbusting activities with steering, in violation of Sections 3604(a), (b), (d) by directing prospective Black homebuyers away from White neighborhoods in West Knoxville and toward the transitional sector of East Knoxville. In view of the evidence heretofore summarized and the applicable law, it is the opinion of the Court that the Government has failed to prove by a preponderance of evidence that Saroff has engaged in a pattern or practice in violation of Section 3604(a), (b) or (d). *United States v. Hunter*, 459 F.2d 205 (4th Cir. 1972); *United States v. West Peachtree Tenth Corp.*, 437 F.2d 221 (5th Cir. 1971); *Zuch v. Hussey*, 366 F.Supp. 553 (E.D.Mich. 1973).

In support of its steering contention, the Government introduced (1) the selectively euphemistic use of "Fair Housing Broker" on an East Knoxville listing with no comparable use of the slogan on a West Knoxville listing in the same newspaper; (Exhibit 22) (2) the testimony of Mrs. Dunsmore that Mrs.

Kelley stated to her that she was showing homes in the area to "colored people" only; (3) the testimony of Caroline Davis and Wilma Dunaway that Mr. Levitt of Saroff failed to advise Mrs. Davis of a West Knoxville listing; (4) the testimony of Mr. Beard that an unidentified Saroff agent told him over the phone that he would not feel comfortable living in the East Knoxville neighborhood of Holston Heights, and instead, referred him to West Knoxville and (5) the testimony of Mrs. Glen that when she was shown a home in Holston Hills, a Saroff agent stated that Blacks were still "east of Sunset." The Government contends that collectively this evidence shows a predisposition on the part of Saroff to steer Blacks into and Whites away from the transitional neighborhood, ultimately resulting in the resegregation of East Knoxville.

The countervailing factors to this testimony are: (1) that, traditionally, defendant's principal operation was centered in East Knoxville and (2) a reflection in the record that certain prospective Black buyers were shown homes throughout Knoxville, including the West area, by Saroff agents.

More specifically, the Court cannot find that the Davis-Dunaway incident was the result of racial steering in light of the nature of the available Saroff listings in West Knoxville at the time in question, in particular, the house on Tranquilla Lane. Likewise, the Court cannot conclude that the statement made to Mr. Beard in 1969 that he would not be comfortable in East Knoxville was premised upon a desire to steer White persons away from East Knoxville since such a statement could be based upon several legitimate variables—variables that are difficult to determine at trial in 1974. We recognize that the format of Exhibit 22 can be construed to indicate that the East Knoxville listing was projected at a Black market and the West

Knoxville listing, in comparison, to a White market, but feel that one ad, which is subject to more than one interpretation, is not indicative of a pattern or practice by Saroff.²⁴

Finally, the Government submits that Saroff steered Blacks into the transitional neighborhood of East Knoxville by including only East Knoxville locations in listings that were sent to the Housing Authority for relocation of displacees. (Exhibit 15—amended) It would appear, however, that Saroff's traditional East Knoxville focus and the express desire of the displacees to remain in that area necessitated this tendency. Moreover, the Housing Authority never urged Saroff to submit listings from any other areas.

[14] There remains the Government's alternative contention that it should prevail on the theory that defendant denied rights to a group of persons and such denial raises an issue of general public importance, even in the absence of a pattern or practice. *United States v. Hunter*, 459 F.2d 205, 218 n. 17 (4th Cir. 1972). In light of the above discussion, the Court concludes that the Government cannot prevail under this theory since the proof fails to show that the citizens of this community were denied any right cognizable under the Act.

In conclusion, it is significant to note that the proof showed that defendant was investigated by the Federal Bureau of Investigation over a period of months; however, no representative from that agency testified at the trial nor was any of the data accumulated by it introduced into the record. The Court can only speculate whether information from that organization would have thrown light on some of the issues involved in this case.

Having examined the testimony introduced at trial together with the accompanying exhibits, the Court finds that plaintiff has failed to establish by a pre-

24. Exhibit 16 evidences pre-Act discriminatory advertising by Saroff and is admissible for this limited purpose. *United States v.*

West Peachtree Tenth Corp., 437 F.2d 221, 227 (5th Cir. 1971).

ponderance of evidence that Saroff, either as an individual or as a member of a group, engaged in a pattern or practice of conduct in violation of the Fair Housing Act.

Accordingly, it is Ordered that plaintiff's action be, and the same hereby is, dismissed.



UNITED STATES of America

v.

Herman Olin WELCH.

Crim. No. 73-214.

United States District Court,
D. South Carolina,
Florence Division.

July 25, 1973.

Prosecution for bank robbery. Following jury finding of guilt, defendant moved for new trial. The District Court, Martin, Chief Judge, held that introduction of adhesive tape into jury room, with one juror placing strip of tape across her upper lip, was improper but such impropriety was harmless error beyond reasonable doubt since case against defendant was overwhelming.

Motion denied.

Opinion affirmed, 496 F.2d 861.

1. Criminal Law §857(1)

Only legal evidence can be considered by the jury.

2. Criminal Law §861, 932

Introduction of adhesive tape into jury room, with one juror placing strip of tape across her upper lip, amounted to an improper experiment; however, error was harmless beyond reasonable doubt where case against defendant was overwhelming, notwithstanding that unusual nature of alibi rendered the tape's

adhesive quality a significant factor, in that eyewitnesses testified that adhesive tape covered a portion of robber's lower face and defendant's witnesses testified that defendant was in doctor's office shortly after bank robbery and such witnesses did not observe any tape, gum or residue on his face. 18 U.S.C.A. §§ 2113, 2113(a, d, e).

3. Criminal Law §932

Error which may necessitate a new trial in a very close case may be considered harmless where the evidence is overwhelming.

John K. Grisso, U. S. Atty., Columbia, S. C.; Marvin L. Smith, and Jack L. Marshall, Asst. U. S. Attys., for the Government.

E. Leroy Nettles, Lake City, S. C., and Thomas E. Smith, Jr., Pamplico, S. C., for defendant.

ORDER

MARTIN, Chief Judge.

This matter is before the Court upon motion of Herman Olin Welch for a new trial pursuant to Rule 33 of the Federal Rules of Criminal Procedure.

Movant was indicted for violation of certain sections of the bank robbery statute, 18 U.S.C.A. § 2113. Specifically, he was charged with robbing the Irby Street Branch of the Guaranty Bank and Trust Company in Florence, South Carolina, on January 17, 1973 [2113(a)], while using a dangerous weapon [2113(d)] and thereafter abducting a bank employee to aid in his escape [2113(e)]. Movant pled not guilty to the charges and went to trial represented by retained counsel. On June 6, 1973, the jury returned a verdict finding movant guilty of the charges.

Following the conviction, timely motion for a new trial was filed alleging that an improper and prejudicial experiment was conducted by the jury during their deliberations. This resulted in an evidentiary hearing which was held by this Court in Columbia, South Carolina.

412 Circle Heights Drive
Greeneville, Tennessee 37743
December 11, 1974

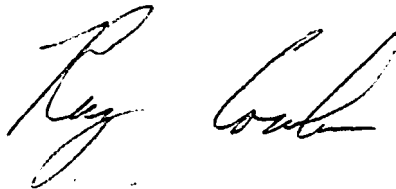
Hardy Liston
Assistant Vice-Chancellor for Administrative Affairs
Room 500, Andy Holt Tower
University of Tennessee
Knoxville, Tennessee 37901

Dear Mr. Liston,

I am sorry that this will be a few days late, but I had to unpack and settle down before I could sit at the ol' typewriter. Although my typing skills have diminished greatly, I hope that you can still read my report. If you still think that some or all of my ideas are vague, please send any questions to the above address. I am working about 50 hours a week but I can still find time to work on the report. I do not know when I will be in Knoxville before winter quarter, so if you would send me any materials to my home, I would appreciate it.

Have a Merry Christmas and I will see you in 1975.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ray Coul".

December 11, 1974

MEMORANDUM

To: Hardy Liston, Jr., Chairperson of Task Force on Blacks
From: Ray Cowles *RC*
RE: Supplement to Environment, Black Cultural Center

This Black Cultural Center seems to be the most controversial subject yet discussed by the Task Force. I am distressed at the length of the discussions not because I feel that such a center would not be worthy but because I think that this subject has sidetracked us away from the issue of the progress of affirmative action policies. I am also concerned about the seemingly growing belief that such a center would be a panacea for all the racial problems on campus. I do not think that it will. However, I do think that it could be of invaluable service to the campus in helping both blacks' and whites learn about the black experience if other existing structures are ineffective in achieving this purpose.

In answering the first question, "does anything need to be done?" I think that the answer is definitely. Although the problem of Black Identity has not been highly vocalized in the past few years as it was in the 1960's I still think that a problem exists and that whites are becoming even less aware of the situation. At present I do not think that the existing programs are as effective as possible. I do think that we should examine the effectiveness of the programs when we consider an alternative approach such as the proposed Center.

At this point, I think that I should state my perception of an effective Black Cultural Center. Referring to the document titled Environment, page 3, first paragraph, I think that the Center could and should perform a distinct role. Realistically, after the Center has become a success, I envision it expanding and beginning to duplicate some of the roles of other institutions, at which point all institutions should be examined and the most ineffective eliminated. Its function should be less of a social gathering place for blacks and much more of a place for offering presently unavailable programs which will aid in greater understanding between blacks and the rest of the University community. If the Center is effective in this manner then I think that the monies would be much better spent in this low-keyed, continuing approach. As for diminishing the University's commitment to the campus as a whole, only time will tell. If the Center has these things as its goals, then I think that it deserves a chance. If not, then I think that it will be worthless, and I will object to it.

Assuming that the center is established, then I think that it should be tied to the academic units in that it should be more aimed at an educational program, than a student activity. However, I realize the importance of being administratively tied close to the Office of Minority Affairs. Therefore, I think that the program planning should be carried out by the academic division and the implementation carried out by the Student Affairs Division. But I am very flexible in this matter.

Finally, I doubt that the program could be carried out effectively in the existing structures. If the program was not given a location then I do not think that it would achieve a sense of identity that we are seeking. I do not think that the duplication of all the equipment is necessary for the success of the program. Much of this equipment could be obtained at the Student Center. This would reduce the cost of the program considerably. I think that a group of rooms in a house, preferably in a centralized location, would be excellent.

In conclusion, I hope that I have stated my perceptions clearly. I realize importance that many people have given the Center and I do not want to become a stumbling block to something which may be very progressive, but I do want to do all that I can to insure that it will be a valuable educational tool.

12/2/74

ENVIRONMENT

Introduction

One of the most strongly felt concerns expressed to this Committee by black staff and students at UTK relates to the social and cultural environment on this campus as it affects blacks. Basically the concern is that there are not enough black-related activities and opportunities so that the black person can maintain and develop his social and cultural identity. The problems in this regard are compounded by the relative lack of black presence at UTK. Moreover, the issue extends beyond one of concern over formal institutional structures, and is expressed in terms of a general feeling of isolation and lack of identification in a university environment that is predominantly white both in numbers and attitudes.

These problems are by no means peculiar to this campus. They exist on all predominantly white campuses with a black minority presence, and they are symptomatic of the large problems and challenges of cultural accommodation facing the black and white population of this country today. The core issue revolves around the philosophic and practical tensions of fostering greater cultural harmony between the races while at the same time enabling each race to maintain its own social and cultural identity. The challenges in this regard are particularly relevant to institutions of higher learning, one of whose primary goals is to understand the individual human being and to provide means for achieving fuller humanistic development and self-realization.

The Committee is aware that the largest part of expectably significant advances in this area must depend on non-institutional and informal perceptions of individuals relating to each other in their day-to-day lives. For this reason the Committee views its role as being in part educational, in the hope that by bringing such concerns to the attention of the University community at large each person in that community may become more aware of his and her individual challenges and opportunities to achieve greater cultural awareness and individual sensitivity. At the same time, the Committee believes that there are specific institutional concerns that should be closely examined and in some instances changed in an attempt to improve the cultural environment on this campus for black and white interrelations, and it is to these concerns that this section of the report is primarily addressed.

BLACK CULTURAL CENTER

Replaced
For several years black students on this campus have expressed a desire to see a Black Cultural Center established at this University. For example, the black student questionnaire conducted by this Committee in June of 1973 shows that, of the 214 students who responded, 169 or 79% favored the establishment of such a Center. (Eight students did not respond to this question, 19 were neutral, and 18 did not favor its establishment.) The leaders and directors of the AASLF, of the Department of Black Studies and of the Office of Minority Affairs favor having such a center.

One of the major problems has to do with defining the role and purpose of such a Center, if it is to be established. Would it duplicate the functions of existing institutions such as the Office of Student Affairs, the Department of Black Studies, AASLF, or the Office of Minority Affairs, or could it perform a distinct role? Would it function primarily as a social gathering place for blacks, or would it also offer presently unavailable culturally educational programs and activities that would interrelate blacks and whites in greater mutual understanding? Could the monies necessary to establish and maintain such a Center be more effectively spent through presently existing structures, as for example in bringing more black-related social, educational and cultural programs to this campus? Conversely, would establishment of the Center result in any significant diminution of the University's present commitment to provide black-related cultural events for the benefit of the campus at large?

reinforce this section

A case may be made for establishing a Black Cultural Center even if its primary function eventuates in providing a social meeting place for blacks on this campus. One of the repeated concerns of black students both on this campus and on campuses across the country is that they feel more or less estranged from the predominantly white educational, social and cultural institutions that make up the typically white-dominated campus. A Cultural Center would enable blacks to have a distinct location where they could reinforce their own separate social and cultural identity. Balanced against these considerations are questions regarding whether such purposes would best serve the large-range interests

of either blacks or whites on this campus. Both races are in substantial need of greater mutual awareness and understanding, and only those institutional commitments should be undertaken which in the considered judgment of the University will aid in achieving these goals.

Insert Nelson's statement It is the understanding of this Committee that a special committee working with the Chancellor is presently considering the advisability and feasibility of establishing such a Center on this campus. This Committee offers the above considerations therefore with the hope that they may aid the special committee in defining its objectives and recommendations.

BLACK GREEK ORGANIZATIONS

Black students on this campus have also expressed an interest in seeing a second black sorority and a second black fraternity founded at UTK. (Alpha Kappa Alpha and Omega Psi Phi are already established here.) Student interest in this regard appears to be less, however, than that expressed in favor of a Black Cultural Center. For example, the June, 1973, black student questionnaire conducted by this Committee shows that only 38% (82) of those answering were favorably disposed toward the present black sorority on this campus; 31% (67) were neutral, 18% (39) had an unfavorable attitude, and 12% (26) did not respond to the question. Forty-two per cent (91) viewed the black fraternity favorably, 33% (70) were neutral, 14% (29) expressed an unfavorable attitude, and 11% (24) did not respond to the question. If we assume that these attitudes toward currently established black Greek organizations are indica-

tive of black student attitudes toward establishing further Greek organizations on this campus, then the attitude is not strongly favorable. Such an assumption may be invalid, however, since alternative organizations might be viewed favorably although present ones are not.

Other considerations are that black Greek organizations involve only a relatively small percentage of black students on campus. For example, the same questionnaire indicated that only 17 of 106 men and 8 of 115 women answering were involved in Greek activities. Moreover, although this Committee is aware that there is a body of sustained student interest in establishing a second black sorority and fraternity, this interest may not in fact be sufficient to provide the necessary continued support of such an undertaking. The current UTK Catalog lists 44 social sororities and fraternities on this campus, suggesting a student-organization ratio of approximately 500 to 1. Assuming a current maximum black student enrollment of 1,000 at UTK, the two present black Greek organizations would provide a comparable black student-social organization ratio.

The University, in addressing the question of establishing further black Greek organizations, must also consider the underlying question of whether it is desirable to foster a Greek organizational structure that is in fact divided along lines of race, and whether it is more appropriate to direct its efforts instead toward means of opening up the present white Greek organizational structure to black participation and involvement. Established traditions in this area provide no necessary justification for

future conduct. ~~The issues involved in many respects parallel those concerning the establishment of a Black Cultural Center.~~

A special issue is presented regarding the proposed establishment of a second black Greek sorority, Delta Sigma Theta, which some students propose, in that this sorority is primarily service-oriented rather than social in purpose. It aims, as expressed in its national charter, are to promote social welfare, academic excellence and cultural enrichment, while de-emphasizing the social side of sorority life, and its membership policy is non-discriminatory regarding race, color, creed, religion or national origin. It has 492 chapters with a membership in excess of 65,000 as of May 1974. These chapters have engaged in such public service activities as the establishment and operation of child development and child day centers, providing college application funds for needy students, establishing talent search programs to motivate promising low-income high school students to enroll in post-secondary educational and training programs, operating remedial reading tutorial programs to aid functionally illiterate persons to improve their reading and writing skills so they may obtain better job training and opportunities, and conducting rehabilitation programs for offenders in female reformatories.

The Office of the Director of Student Activities has stated, as a reason for not establishing a chapter of Delta Sigma Theta on this campus, that there is insufficient space to accommodate another sorority within the Panhellenic Building at this time. However, since this is primarily a service as opposed to a social organization, space could be provided elsewhere as is presently the case with other campus service organizations.

In view of the valuable community-service and educational purposes which this organization provides, this Committee recommends that careful consideration be given to the issue of determining whether there is and probably will continue to be sufficient interest and participation to support the establishment of a chapter of Delta Sigma Theta on this campus; and if such probable support is found, we recommend establishment of the chapter. We make no recommendation on the establishment of a second black fraternity, in view of the uncertainties heretofore discussed regarding the appropriate policy to be adopted in this regard.

ENTERTAINMENT

Another area of black student concern involves the choice of entertainers brought to this campus. Basically the complaints are that not enough black entertainers are brought here, and that those who are brought are not the ones that the bulk of the black students would prefer--in other words, that an informed selection is not made. Moreover, the responses to the June 1973 questionnaire indicate that more black cultural events rank among the top three items, along with recruitment of more black faculty, staff and students, that would make the respondents' stay here more pleasant.

The Director of Student Activities, in an interview with members of this Committee, sought to explain some of the difficulties involved in scheduling entertainment. He stated that four all-black concerts scheduled during 1973, for example, were substantially financial failures. Apparently none of the four, he said, were significantly supported by black students. The losses

on each concert ranged between \$2,000 and \$4,000. Moreover, entertainment programs of even moderate caliber require about 3,000 attendance in order to be economically feasible. Even if all the black students on campus attended a particular program, there would still have to be substantial white attendance in order to make the program an economic success. Therefore, programming must take into account white as well as black interests.

The Director stated that black participation on various entertainment organizational committees is actively sought by his Office, often without appreciable success. A black is usually appointed to the 3-person Student Activities Board. During 1973-74, the vice-chairman of this Board was black.

This Committee recognizes the economic problems involved in scheduling entertainment on this campus. On the other hand, economically sound choices that are attractive to the black student community can best be made only with black advice and participation. Blacks should accordingly fully avail themselves of the present opportunities to participate in the decision-making process in this regard.

HOUSING

Off-campus housing presents problems of race discrimination for black faculty and staff as well as students. In the 1973 student questionnaire, 26% (57) of those responding stated that they had encountered obvious racism while attempting to secure off-campus housing. (Thirty-two percent had not had such experiences, 41% had not sought such housing, and the remainder were

unsure whether they had encountered racism in this respect.) Our interviews with black faculty and staff indicate that off-campus housing discrimination has presented a problem for some of these people also.

Recently an off-campus housing office has been established as a part of the services of the University, and this office lists only the names of those landowners who agree not to discriminate on the basis of race or sex in making their property available to renters or purchasers. The name of anyone who is shown to have violated his agreement in this regard will be removed from this list. It is too early to determine the effectiveness of the office, but this Committee considers its establishment to be a needed step in the right direction. Its usefulness to the University community will depend in large part on how diligent the office is in compiling its housing list and in assuring that those listed comply with their non-discrimination agreements. We urge the University to pursue these objectives vigorously as important factors in the University community.

Insert
(A) On-campus rooming assignments are handled through the *(title)* (Department of Housing) of the University, and assignments are made on a random basis. After initial assignments are made, students are allowed free choice in their selection of residence halls and roommates. Black students have tended to concentrate in three or four of the residence halls, and most roommate choices are intra-racial.

There have been occasional reports of racial friction or misunderstanding occurring within campus housing, although such

incidents have apparently been relatively minor in nature. Some of the residence halls having a substantial inter-racial component have instituted informal counseling sessions on race relations among the residents. We recommend that this procedure be continued and emphasized, since it offers a valuable opportunity for development of inter-racial awareness and understanding.

COUNCIL ON HUMAN RELATIONS

There are various mechanisms, both formal and informal, for resolving complaints on this campus, including those involving alleged racial discrimination. The Chancellor has asked this Committee to address itself particularly to the role of one of the primary mechanisms, the Council on Human Relations.

The Council was established on this campus approximately four years ago. It is composed of faculty, administrators and students. It was created by the Chancellor to advise and recommend in the area of human relations, to receive suggestions and complaints, to initiate inquiries and hold hearings where appropriate, and to maintain liaison with individuals, committees, departments and offices of the University regarding matters that may come before the Council. In an interview with members of this Committee, Council members stated that they meet on an average of about once per month. They have considered a variety of problems including dormitory race relations, athletic racial policies, off-campus housing discrimination, the desirability of establishing an additional black sorority, playing Dixie at football games, classroom dress codes, and the like. They have been

interested in establishing some kind of program to advance race relations in the dormitories, but have not yet undertaken such an activity.

Members of the Council expressed uncertainty regarding their proper role in the University--specifically, whether they should regard themselves primarily as an investigative group, as a grievance-hearing panel, as an educational organ, or as some of each of these. Council members pointed out that hearing grievances is in itself a very time-consuming activity, and that members have only a limited amount of time to devote to Council activities because of their other commitments. Sex discrimination complaints, moreover, are now dealt with by a separate University group.

It appears to this Committee that the Council cannot properly serve the functions both of grievance investigation and policy initiation in the area of race relations, since this dual role involves too great an undertaking for the allocable resources involved. It would seem that the grievance-investigation function is one that may be more appropriately removed from the Council's duties, since this function may be fulfilled by other entities such as the ombudsman, or by investigations at the departmental or administrative level. Moreover, this ^{Tack Force} ~~Committee~~ perceives a need for an ongoing campus organization that will investigate, recommend and undertake practical and imaginative programs to improve the interracial quality of life on this campus. We believe that the Council on Human Relations may effectively serve this function, and that they can refer specific complaints coming to their attention to other appropriate bodies. We accordingly recommend that the Council's function be so redefined.

NON-ACADEMIC STAFF

A congenial environment for blacks is determined not only by black presence measured by the number of black students and faculty and black-related social and cultural activities on the campus, but also by greater black presence in non-academic staff positions of importance to the campus.

In a July 1973 interview with the Director of the Physical Plant for the University, this Committee was advised that there are approximately 800 persons employed in physical plant work (clerical and administrative, 110; utilities, 51; building maintenance, 240; telephone, 12; janitorial, 196; security, 119; safety (sanitation, fire prevention), 17; grounds, 65; refuse collection and disposal, 14; transfer and hauling, 10; mail, 10). There is a significant lack of blacks in all departments, however, with the exception of the janitorial staff, and there are very few blacks in physical plant supervisory positions. There are only 3 or 4 blacks on the security force. The Director expressed an interest in obtaining quality educational sessions in racial awareness and sensitivity for employees of the physical plant, and particularly for the security force, in order to improve racial relations both within the force and between it and the University population in general.

We believe a concerted effort should be made to recruit more blacks into physical plant positions, and particularly into supervisory positions and within the security force, and that racial sensitivity sessions of the kind mentioned above should be furnished for such personnel. We are particularly concerned that

these recommendations be pursued with regard to the security force, since this force as the visible symbol of authority on the campus should not be substantially a monolithic white organization. The relations between security personnel, on the one hand, and the student body or faculty or other staff members, on the other, are potentially sensitive in any context, and a substantially all-white security force that is possibly unaware of or insensitive to racial concerns needlessly exacerbates the difficulties inherent in the relationship.

SYMBOLIC OFFENSES

Repeatedly during its tenure this Committee has received complaints regarding various offenses to the sensitivities of blacks caused by others who do not give adequate consideration to black feelings. These complaints range from concern over the playing of Dixie at football games, to student display of Confederate flags in dormitories, to enforcement by some instructors of dress codes regarding wearing hats or dark glasses in class where the effect of such codes appear to be specifically directed at blacks. Other black students have complained that instructors appear to single them out in noting their nonattendance at classes.

Some of these perceived affronts may be based on inappropriate inferences regarding the offending party's intent to affront. Others may arise out of careless disregard for the feelings of blacks. And some may be intentional. This Committee believes that the University community should make every reasonable effort to avoid such unnecessary incidences. Most of the conduct of

this sort serves no useful purpose, occurs through oversight or thoughtlessness, and should be eliminated. With regard to enforcement of dress codes, the Committee believes there is no legitimate interest for such procedures and the University should so state as a matter of educational policy.

THE UNIVERSITY OF TENNESSEE
Knoxville 37916
Residence Halls Area Offices

Dunford Hall, Room 2101
821 Volunteer Boulevard

Area Code 615
Phone 974-2451

October 24, 1974

Mr. Jim Hickman
Head Resident
Hess Hall
Campus

Dear Jim,

Just a short note to thank you for your patience and help in establishing the Hess Hall Black Awareness Program Proposal; thus laying the groundwork for an effective black awareness program in Hess and eliminating any conflict between the Hess program and any programs currently being pursued by the Black Studies Department.

The program proposal drafted by the Hess Hall staff is quite good and should serve as a sound basis for establishment of the program. As mentioned this morning it is my understanding that the program will:

- a) be supported, if not sponsored, by the Hess Hall Residents Association. Support may be as simple as approval of the program proposal by the Hess Hall Government Association; but hopefully, support would be more active and involve monetary and manpower support of the program should either type of support be necessary.
- b) not be restrictive to one race, but, in fact, incorporate programs which will be beneficial to all persons living in Hess Hall.
- c) remain a program for students living in Hess Hall and not become a Black Programming Center for the campus. To this end persons not residing in Hess Hall will be involved in Hess Hall Black Awareness Programs in such a manner that their involvement does not conflict with the goals and objectives of the Black Studies Department as defined by Marvin Peak, Director of that Department.

Indeed, your comments regarding a close association with Marvin Peak and his program seem to be one of the best routes to minimize any conflict between Hess Hall programs and programs sponsored by the Black Studies Department.

Clement

Dunford

Greve

Hess


Mossey

Melrose

Strong

Again, if there is any way in which I can further help the cause of the Hess Hall Black Awareness Program please do not hesitate to call.

Sincerely,



Fred T. Meyer
Area Coordinator

FTM:hdf

cc: Lance Laurence, Assistant Head Resident
Lloyd Robinson, Assistant Head Resident
Jim Grubb, Director of Residence Halls
Ken Stoner, Assistant Director of Residence Halls
✓ Marvin Peak, Director of the Black Studies Department

THE UNIVERSITY OF TENNESSEE
KNOXVILLE 37916
OFFICE OF THE CHANCELLOR

October 23, 1974

M E M O R A N D U M

TO: Mr. Hardy Liston

FROM: Sammie S. Puett *ss*

Here is the reminder for the Task Force on Blacks to consider the function of the Council on Human Relations. Although the Council has been reappointed this year with the same charge and membership composition as previously, we would be interested in having the Task Force's evaluation of the group.

sg

Enclosure

cc: Dr. Jack Reese
Dr. Walter Herndon
Dr. Luke Ebersole

11/11 next mtg @ 12:00

*1st/Donal
re: girl in HE
Manning's by Fin
Barbara's " " Fin 11/8*

COUNCIL ON HUMAN RELATIONS

1974-75 Members

Administration

Dr. Charles Cleland
Dean Kenneth Penegar
Mr. Marvin Peek
Ms. Maggi Carini
Dean Ben Granger

Faculty

Dr. Frederick P. Venditti, Chairperson
Dr. Sandra L. Bell (Botany)
Dr. Robert H. Kirk (Health and Safety)
Dr. John Morrow (History)

Students

Ms. Sue Charles
Mr. John Eslick
Mr. Ron Payne
Mr. Lloyd Robinson

THE COUNCIL ON HUMAN RELATIONS

It is the policy of The University of Tennessee to protect and preserve the human rights of all members of the University community. In education, housing, employment, recreation, and all other areas, the opportunities, programs, and services provided by the University are to be available without regard to race or national origin. The University considers it a responsibility to work constantly to prevent discrimination. Where there is an infringement of human rights, measures will be taken to correct the situation and to preclude its recurrence. The Committee relates administratively to the Vice Chancellor for Planning and Administration.

The University Council on Human Relations is established to assist in forestalling racial and ethnic discrimination and to aid in removing such discrimination when it occurs. To these ends, the Council shall:

1. Advise and recommend in the area of human relations.
2. Receive suggestions and complaints from students, faculty and administrators.
3. Initiate inquiries and hold hearings as appropriate.
4. Maintain liaison with individuals, committees, departments, and offices of the University which may be involved in matters that come before the Council.
5. Make recommendations as necessary on issues on which findings have been rendered by the Council.

BLACK TASK FORCE

Comments on Chapter 3: Environment/Phillips and Cowles

p. 1, (2) Counseling -

Perceptions of students not consistent with p. I. ^{8/14/74} The perception of the Black students was mixed in regard to the quality of guidance and counseling provided by counseling personnel. Only 31 students (14%) were favorably disposed; whereas 88, (41%) were unfavorable and 96 students (45%) were neutral or did not feel these services applied to them. These data do not differentiate between personal and academic counseling or curriculum advising. However, it does emphasize the need for

1. Communication with students regarding services which are available.
2. Identification of students with problems with subsequent referral to the proper university services.
3. Black presence in "helping" facilities, the addition of Dr. Bertha Williams in the Student Counseling Center 9/1/73 is a positive step in this respect.

In "Orientation '74" the message from the Minority Affairs Office doesn't straight-forwardly encourage students to come to the office.

p. 2, (3) Housing -

line 8 suggested addition

However, in response to the question "Would you mind having a White roommate"? 100 Black students indicated "Yes" and 94 (42%) indicated "No". Positive reinforcement should be given to those Black and White students who provide leadership by living in integrated rooms.

p. 3, Line 6 con't.

Between 1971 and 1973, 57 students (26%) encountered obvious racism while seeking off campus housing.

p. 3, (4) Social Affairs -

a. I think it is not valid to talk about the Black Cultural Center in the same category as Social Affairs, when section 7 Cultural Affairs is in the outline. It seems to me that the added Sorority and Fraternity would serve only a selected number of Black students whereas a Black Cultural Center would be open to all Blacks and hopefully, to Whites. The broader base of the "independent" organization is indicated. In response to the question (12) regarding organizations and activities where students spend free time - the Greeks included 17 of 106 men and 8 of 115 women. The AASLF included 46 of the total number of students. The following Table indicates the Black student attitudes in these considerations:

	NA	Favorable	Neutral	Unfavorable
Establishment of Black Cultural Center (43)	8	169	19	18
The Black Sorority (32)	26	82	67	39
The Black Fraternity (33)	24	91	70	29

If we assume the attitude of the students toward the currently established sorority and fraternity is indicative of their feelings regarding establishing further Greek organizations, then a Cultural Center would certainly have top priority.

It should also be pointed out that 59% of the students (Q9) work more than 5 hours per week which limits the amount of time that they can spend in additional activities.

On the basis of the above data, I believe the Cultural Center should have top priority and the Greek organizations second priority. The Cultural Center could be established for a five (5) year term with evaluation of its effectiveness, etc. at that time, and consideration of alternatives. Availability of the Center for Black and White should overcome problems in use of program and services fee.

b. The importance of recruitment of more Black students to increase the social milieu is indicated by unfavorable attitude of 44% (Q38) of the students toward the number of Black students available for dating.

p. 6 (5) Recreation and Entertainment

Probably O.K. The distinction between item 4, 5, 6, 7, etc. seems artificial at times. It also should be pointed out in the appropriate place that in terms of organizations (Q12), where students spend time that student governance (Senate '73) and the Campus religious centers had little or no Black participation. These are 2 places where Black/White interaction could be important.

p. 8, (6) Community Affairs -

No comment

p. 8, (7) Cultural Affairs -

See earlier comments

"More Black cultural events" was in the top 3 items which would make the Black students stay at UTK more pleasant. (Q47)

p. 9, (8) Human Relations -

Examples from Q18, 17, 28

In general (47%) of the Black students find the White students at UTK to be friendly and courteous. The magnitude of the problem is indicated by the 30% of the Black students who believe White students are not friendly and

courteous.

The struggle between cultural identity and acculturation is illustrated by the 62% of students who would not date a White person and the 82% who would not marry a White. In contrast, 17% said they would date a White person and 6% said they would marry a White.

p. 11, (9) Information and Perspective of Black Students -

In the Spring of 1973, the Black students felt that they were acting independently, without undue peer group influence in their relations with non-Black students (Q23). Yet a degree of consensus was indicated by the facts that

1. 59% would not support UT as an alumna.
2. 72% felt UT was not responsive to their needs (Q27).
3. 72% felt there should be more Black cheerleaders and majorettes (Q36).
4. 77% felt the Daily Beacon did not represent their views (Q25).

The three most significant ideas to make their stay at UTK more pleasant were 1) Recruit more Black faculty and staff, 2) Recruit more Black students and 3) More Black cultural events (Q47).

The ranking of 9 groups in terms of support of Black student concerns Table II, indicates the wide communication gap between the Black student and the non-Black community, individually and institutionally. This TASK FORCE by it's actions and recommendations may be a first step in closing this gap.

TABLE I

Rating of Groups for Concern of Black Students (Q45)

Group	Supportive		Obstructive	
	N	%	N	%
1. Black students	166	88	20	11
2. Black faculty and staff	155	89	19	11
3. The Community at large	49	29	122	71
4. The Faculty	31	18	139	82
5. White students	22	13	146	85
6. The Administration	21	12	157	88
7. Alumni	18	10	159	89
8. The Legislature	9	5	161	95
9. Board of Trustees	9	5	167	95

MRG:bh

MEMORANDUM:

TO: Task Force on Blacks
SUBJECT: Cowles-Phillips Draft of October, 1974; "Environment"
FROM: Nelson M. Robinson
DATE: 5 November 1974

The following observations and comments reflect an "uninitiated" reading of the Cowles-Phillips draft in the sense that I have not participated in the work of the Task Force prior to reviewing this paper. It may well be that some of my reactions are less than relevant to the Task Force's perception of its findings. On the other hand, perhaps a fresh perspective may be constructive.

- p. 1 1st paragraph. Should the Task Force identify the criteria by which this office is viewed to be "quite effective"? Does the Coordinator of Black Studies perform similar or related functions? How does the "counseling" referred to here relate to the "academic counseling" discussed in the next paragraph?
- p. 1 2nd paragraph, 1st line. By whom is the need for counseling "perceived"?
- p. 2 Lines 1-2. Shouldn't the official name of the "housing department(s)" be used? What does "random" as a basis for assignment mean?
- P. 2 3rd paragraph. Is the race relations counseling policy not now in effect? If not, shouldn't the Task Force say so?
- pp. 3-5 Black Cultural Center. Why is Mr. Boston the only person whose opinion is reported? I cannot support the recommendation advanced in this draft. While I concur that such a Center would not serve a useful function within the University community were it to become a vehicle for Black separatism, I fail to understand why the Task Force would assume that Black separatism would be the inevitable result. With firm and responsible administrative leadership, careful attention to the definition of goals and purposes, and adequate support on behalf of such goals and purposes, an appropriate Center in which Blacks and non-Blacks could together explore and come to understand the nature of the Black experience in contemporary society could quite possibly - even probably - serve a very important function as a non-classroom learning situation. Certainly, a calculated risk is involved. Much would depend upon precisely how such a center might be conceived and how this conception is communicated to the general university community. Much would also depend upon the commitment by administrative, faculty, and student leaders to the basic conceptualization. I suspect that a "Black Cultural Center" may be less what I have in mind than a "Black Studies Center", but the exact name is probably of lesser significance than the intent and purpose. I am persuaded that a "house" on-campus wherein an Black and non-Black student/faculty group could organize and conduct a broad program of activities focusing upon the Black experience in American society could become a particularly valuable asset to the entire university community and especially to our students. Classroom offerings help, but the informal, non-structured, and social

interaction which should be an integral part of such a center could add a very productive dimension to the total university learning experience. The model of International House is suggestive of the potential.

- pp. 3-5 The draft refers to an ~~indefinite~~ indefinite "number" and "other" Black students expressing views to the Task Force; are more precise figures available?
- pp. 5-6 The logic of the recommendation regarding Black fraternities and sororities is baffling, especially in the light of the preceding arguments advanced against the Black Cultural Center. What more separatist exist on campus other than the Greeks? On the other hand, if Black students wish to organize such groups and sufficient interest in support of the move can be demonstrated, why shouldn't the possibilities be explored? What has been the experience in this regard on other campuses? The U-T Catalog lists 44 social fraternities and sororities; this would suggest a student-fraternity/sorority ratio of about 500 to 1. A Black enrollment of about 1000 students and the two existing Greek groups would indicate about the same ratio. Does a greater demand for Greek organizational membership exist among the general Black student population than among the non-Black student body? Does the Task Force wish to address the problem posed by the extent to which any campus organization utilizes a racial qualification for membership??
- p. 7 Line 13. What are "reserve funds"?
- p. 8 Community Affairs. The section seems wholly inadequate. Does the Task Force really wish to suggest that "Community Affairs" are summed up by reference to social opportunities at Knoxville College, the potential availability of Black churches (more separatism?), and University Center movies with greater Black appeal?
- p. 9 Line 2. What criteria has been relied upon to reach the judgement that Black Culture Week "functions satisfactorily"?
- pp. 9-11 Human Relations. The logic of this statement is an excellent rationale for the establishment of some kind of "Black Studies Center" as suggested above!!
- p. 12. Line 10. Should the Department of Political Science be singled out for special mention? (What are the facts in this case(s)??)

ENVIRONMENT

COUNSELING

1. Position rather than name.
2. Specific areas of counseling rather than "a wide spectrum of concern".
3. Re-location of reading center non supported although a realistic assumption.

HOUSING

Paragraph 2 should deal in specifics rather than generalities.

1. X number of Campus facilities exist.
2. X per cent of black students concentrate in the following dorms.
3. Expressed reasons for this concentration are
4. Approve - disapprove
5. Recommendations if any
(minority balance or distribution)
Students prefer it - continue practice of concentration

Omit names, use positions and point in time.

Last sentence is supporting separation to me. Concentration of black students means more black counselors.

Realtors who list with off Campus housing, is that "promise" verbal or a signed statement, "I will not be discriminating in the sale or rent of property listed with my agency."

A recommendation could be made in the event it becomes evident or proven that such did occur that the owner would be denied the privilege of listing with the University Campus housing office.

SOCIAL AFFAIRS

An expressed opinion of X number of students interviewed - interrogated - want a Black Cultural Center.

Omit names. His posture is irrelevant, a personal view unless coupled with a conflicting posture.

Second paragraph is excellent with minor changes.

b - "substantial" = that's a weight judgement
(cannot) validate changes then evaluate

Instead of encouraging black organizations encourage open Greek organizations. If it is the posture that nothing discriminatory can exist on the Campus then if any exist they would be in violation of University policy forgoing either a change in charter regulations or removal from Campus.

RECREATION AND ENTERTAINMENT

What per cent of black students expressed need for input?

Are there representatives from all organizations? If not, how was it determined who can have a representative.

One must work within a budget, that is a reality of life. An equitable distribution should be made to each organization. Then the organization can determine the need to hold some in reserve.

COMMUNITY AFFAIRS

Omit the first sentence.

What organizations exist in the community for black participation? Are they discriminatory?

How can the University encourage utilization of our participation in these community affairs.

AL AFFAIRS
no comment.

RELATIONS
Philosophical, value-laden.

FORMATION AND PERSPECTIVE OF BLACK STUDENTS
Relevance not understood.

OTHER PROBLEMS.

Address the concern of a dress code rather than isolating a departmental incident.

Alleged harrassments should be investigated. Are they true or not true?

Out of X number of security people only X number are black. The black number should be increased for the following reasons:

CHAPTER 3: Environment

. . . .

2. Counseling.

Ralph Boston in the Office of Minority Affairs provides valuable counselling to black students across a wide spectrum of concerns. His Office appears to be quite effective, and we make no recommendations in this area.

There is a perceived need for academic counseling, however, and absence of any systematized program in this regard has a direct bearing on the quality of the black students' living environment on this campus. Mr. Boston in particular perceives a need for tutorial development of reading skills.

Much of the need in this respect can be met by more extensive black student utilization of the presently existing University Reading Center. The Center would probably be better utilized if it had a more central campus location. Also, the existence and function of the Center should be more fully publicized, as for example at Freshman orientation sessions.

3. Housing.

On-campus rooming assignments are handled through the housing department of the University, and assignments are made on a random basis. After initial assignments are made, students are allowed free choice in the selection of their residence halls and roommates.

Black students tend to concentrate in three or four of the residence halls. The concentration is viewed neutrally by this Committee, as long as these halls do not become overwhelmingly or exclusively black so as to foster undesirable separatism.

In the past, the various residence counselors have held informal counseling sessions on race relations with the residents of their respective halls, and this policy was actively encouraged by Mr. Birchfield, former head of the housing department of the University. It is recommended that the policy be continued and emphasized. Also it is recommended that particular emphasis be placed on obtaining black resident counselors and assistants in those residence halls where there are concentrations of black residents.

With regard to off-campus housing, the principal problem has been a concern over racial discrimination in the availability of such housing. Although our data are scattered and unsystematized, consisting principally of some black student and faculty complaints, there is reason to believe that a significant problem exists in this regard.

Recently an off-campus housing office has been established as a part of the services of the University, and this office lists only the names of those landowners who promise not to discriminate on the basis of race or sex in making their real estate available to renters or purchasers. It is too early to determine the effectiveness of this office, but obviously it is designed precisely to meet the perceived problem and therefore we make no recommendations in this area at the present time.

4. Social Affairs.

One of the primary concerns expressed by a number of black students to this Committee has been their interest in seeing a Black Cultural Center established and financed by this University. Mr.

Boston thinks such a Center would serve a useful purpose if it had as its objective a broadly based program for dissemination of information and understanding of black culture, and if it had a broad range of participation both by black and white students as well as by other interested minorities. He does not think, however, that such a Center would serve a useful function in the University if it became a vehicle for black separatism.

This Committee on deliberation has decided not to recommend the establishment of such a Center, for the following reasons:

- a. There is no effective way of assuring against its becoming a separatist element in the University community.
- b. Substantial dissemination of cultural information is presently provided by courses in black studies and by the annual Black Culture Week of events.
- c. The establishment of such a center under University auspices and financing could lead to similar demands by other minority groups with a further splintering effect on the University community.

d. Financing of such an institution from student fees -- which seems the most likely method -- would undoubtedly be resented by other student groups and interests on the campus on grounds of lack of sufficiently broad student purpose.

Other black students -- probably a greater number than those concerned with obtaining a Black Culture Center -- have voiced a desire to have a second black Greek sorority and a second black Greek fraternity on this campus. Opposition to this proposal, principally by the Office of Student Affairs, is based on the separatist arguments discussed above, on the lack of sufficient black students and therefore of demand on this campus, and on lack of available Panhellenic Building space in the case of a second black sorority.

This committee recommends establishment of these second organizations for the following reasons:

a. Separatist tendencies are counteracted by the interfraternity relationship provided by the Inter Fraternity Council. (A caveat should be noted here, however, in that

the Council has complained about the lack of present black Greek participation in these activities. It is hoped that these complaints either are not well founded, or that they will be remedied in the future.)

b. One thousand blacks on campus should be enough to support such second organizations, and hopefully in the future this number will substantially increase as the University implements its affirmative action program in black student recruitment.

c. Black students should be provided with a choice of black Greek organizations, in order to foster attitudes of personal independence and healthy competition between organizations.

d. Lack of space should not be a controlling factor, if establishment of the organizations is otherwise thought desirable: space should be found.

5. Recreation and Entertainment.

A number of black students have complained about lack of sufficient

black input into the decision-making regarding choice of the black entertainment groups that are brought to this campus. The advisory board of Recreation and Entertainment Services has representatives from various student organizations, who may be black or white depending on the selection of those organizations. Moreover, white interests in these matters cannot be ignored, since a significant white attendance is necessary to make these events a financial success if an admissions charge is involved. Black students, however, are advised to find out who is on the Recreation board, and to make their wishes and desires clearly known. This input to the board should be useful and welcome.

Another concern with Recreation Services is related to the fact that there are no reserve funds in the budget of this organization, so that after specific allocations are made for a given academic year there is little room thereafter during that year for flexibility within the program of a student organization receiving an allocation. This procedure seems unduly restrictive, and it is recommended that a reserve budget in some reasonable amount be established by the

Recreation Services board to accommodate a greater degree of flexibility.

6. Community Affairs.

The Knoxville community is fortunate in having Knoxville College in its midst. This College provides some social opportunities for black students at the University of Tennessee. In addition, there are black churches in the Knoxville area for those who choose to attend.

It is recommended that more thought and effort be given by the planners of the University movie series to showing films with greater specific appeal to the black community. Such a selection policy should benefit both the black and the white University community in providing greater cross-culture dissemination of information and understanding.

7. Cultural Affairs.

The existence of the black studies program and Black Culture Week has been referred to previously. The black studies program is considered in an earlier chapter concerned with academic programs

at the University. The Committee makes no recommendations regarding Black Culture Week, which seems to function satisfactorily.

8. Human Relations.

This Committee is keenly aware of the difficulties facing blacks, and particularly black students, in trying to maintain their cultural identity in a predominantly white society. These difficulties are greatly increased by the fact that many whites are unaware of, and therefore insensitive to the problems facing blacks in this respect. Moreover, among the whites who are aware of the problems involved, there is no agreement regarding the correct philosophic posture to assume. Reactions range from those who advocate complete separatism, to those who favor total absorption of blacks into the white culture.

The many problems connected with establishing identity are peculiarly complicated by history in the case of blacks in the United States. Little over a century ago, blacks were held in slavery in this country; and only two short decades ago the invidious doctrine of "separate but equal" education was struck down by the United States Supreme Court. In that time "all deliberate speed" in desegregation

has in general proceeded more ploddingly than progressively. Moreover, there has persisted through the great modern-day social changes in race relations a virulent myth of cultural inferiority that has doggedly attached itself to Afro-Americanism in this country. It is not surprising, therefore, that the black has reacted to this situation with resentment and sometimes with violence. It is also not surprising that one of the primary watchwords in black thinking today has been that of separatism.

This Committee counsels a middle road of moderation in these matters. It realizes the central importance of maintaining cultural identity, while at the same time recognizing the realities implicit in the fact that the Afro-American does live in a predominantly white society.

Our recommendations are, by the necessities of the problem, in the nature of pleas for greater efforts at mutual, voluntary efforts of accommodation. The black is by right entitled to his cultural differences, to the same extent that each individual is entitled to the rights of personal dignity and privacy. Moreover, every

person, black or white, is entitled to be recognized on his own as an individual and on his own terms for his intrinsic worth, without any historically or societally preconceived stereotypes. The achievement of these goals lies almost exclusively within the voluntary choice of each member of this academic community and of this society. This Committee exhorts each and every person, black and white, to be constantly aware of his or her moral obligations in this respect, and of the social and spiritual benefits to be achieved in this regard.

9. Information and Perspective of Black Students.

This Committee thinks it most important that black students should perceive the significant advances, as well as the continued limitations, of desegregation and integration in 20th Century American society. The role of blacks in our society in many respects parallels that of the women's liberation movement. Each movement contains the seeds both of success and of failure. The fate of each movement depends in large part on the integrity and foresight of those directly involved.

The black student at the University of Tennessee should be concerned first and foremost with attaining the best possible education. The blacks in universities today across the country will be leaders of black and white society tomorrow, and to a large extent they will be pioneers in this endeavor. Among all the petty irritations of day-to-day living, they should not lose sight of this obligation and goal.

10. Other Special Problems.

Two special "environmental" problems warrant attention. Some instructors in the Department of Political Science have sought to enforce "dress codes," by forbidding blacks to wear hats or dark glasses in class. This Committee believes that there should not be regulation of either student dress or demeanor in class, unless it is demonstrably disruptive of the classroom proceedings. The Committee finds it difficult to believe that either ordinary hats or sun glasses could constitute such a disruption, and therefore recommends that no such regulations be established in the future.

Another problem concerns the Safety and Security forces of the

University. There have been a number of reported incidences of alleged black harassment and insensitivity to black attitudes by University police. The Committee is inclined to conclude that these reports are not without substance. Moreover, it is apparent that there is an unusually small number of blacks on the Security force of the University. The Committee therefore recommends:

- a. That an all-out effort be undertaken to recruit more black members on the University Security force.
- b. That the University establish a race-relations educational sensitivity program for the members of the Department of Safety and Security of this University.

Alternative A


BLACK AFFAIRS CENTER

For several years black students on this campus have expressed a desire to see a Black Affairs Center established at this University. For example, the black student questionnaire conducted by this ^{Task Force} ~~Committee~~ in June of 1973 shows that, of the 214 students who responded, 169 or 79% favored the establishment of such a center. (Eight students did not respond to this question, 19 were neutral, and 18 did not favor its establishment.) The leaders and directors of the AASLF, of the ^{Office} ~~Department~~ of Black Studies and of the Office of Minority Affairs favor having such a center.

^A ~~B I~~ One of the major problems has to do with defining the role and purpose of such a center, if it is to be established. Would it duplicate the functions of existing institutions such as the Office of Student Affairs, the ^{Office} ~~Department~~ of Black Studies, AASLF, or the Office of Minority Affairs, or could it perform a distinct role? Would it function primarily as a social gathering place for blacks, or would it also offer presently unavailable culturally educational programs and activities that would interrelate blacks and whites in greater mutual understanding? Could the monies necessary to establish and maintain such a center be more effectively spent through presently existing structures, as for example in bringing more black-related social, educational and cultural programs to this campus? Conversely, would establishment of the center result in any significant diminution of the University's present commitment to provide black-related cultural

events for the benefit of the campus at large?

A case may be made for establishing a Black Affairs Center even if its primary function eventuates in providing a social meeting place for blacks on this campus. One of the repeated concerns of black students both on this campus and on campuses across the country is that they feel more or less estranged from the predominantly white educational, social and cultural institutions that make up the typically white-dominated campus. A Black Affairs Center would enable blacks to have a distinct location where they could reinforce their own separate social and cultural identity. Balanced against these considerations are questions regarding whether such purposes would best serve the ~~large~~^{long}-range interests of either blacks or whites on this campus. Both races are in substantial need of greater mutual awareness and understanding, and only those institutional commitments should be undertaken which in the considered judgment of the University will aid in achieving these goals.

 Therefore, ~~the~~ The Task Force recommends that the University give careful attention to the establishment of a Black Affairs Center as an adjunct of the Office of the Vice Chancellor of Academic Affairs. This recommendation is based upon the conception of such a center as an administrative extension of the general academic effort of the University. The Task Force conceives the role of the proposed center as one designed to describe, understand and communicate the nature of the black experience in contemporary society to the general University community through a variety of structured and unstructured, formal and informal programs; the Black Affairs

Center would function as a facility which would involve the cooperative efforts of blacks and non-blacks of the Knoxville campus and the local community. ~~SH~~ (C)

The Task Force ~~perceives the recommendation as a calculated risk~~ *within the* Successful performance will depend to a very large extent upon the manner in which its basic conceptualization is communicated to the University as a whole and upon the strength of administrative, faculty and student leadership in support of the Black Affairs Center as here recommended. The Task Force urges that the Chancellor's Office assume and exercise the leadership necessary to accomplish the intent of this recommendation.

BLACK AFFAIRS CENTER

For several years black students on this campus have expressed a desire to see a Black Affairs Center established at this University. For example, the black student questionnaire conducted by this Committee in June of 1973 shows that, of the 214 students who responded, 169 or 79% favored the establishment of such a center. (Eight students did not respond to this question, 19 were neutral, and 18 did not favor its establishment.) The leaders and directors of the AASLF, of the Department of Black Studies and of the Office of Minority Affairs favor having such a center. A non-formula justification for such a center dated 2 October 1972, a memorandum dated 25 October 1972 from the Coordinator of Black Studies to the Vice Chancellor^{for A-A} of this campus incorporating by reference a letter dated 3 October 1972 from the Director of the Black Student Educational Cultural Center at Florida State University in Tallahassee, a chart describing operational aspects of similar centers at other colleges and universities, a letter dated 3 April 1974 from selected black faculty and staff at UTK addressed to the Vice Chancellor of Academic Affairs advocating establishment of such a center and setting forth the reasons therefor, and a detailed proposal for such a center dated 24 July 1974 prepared by the AASLF on this campus are attached as appendices to this report.

One of the major problems has to do with defining the role and purpose of such a center, if it is to be established. Would it duplicate the functions of existing institutions such as the Office of Student Affairs, the Department of Black Studies,

Task Force
This ~~Committee~~ recognizes the need for additional focus

and activity on this campus relating to the black experience, in order to further the goals both of enhancing self-awareness and identity on the part of blacks and of developing greater awareness and understanding by non-blacks of black perceptions, needs and contributions in our society, and accordingly we endorse further and sustained efforts by the University to achieve these goals. Overall responsibility for implementing a program in furtherance of these goals should most appropriately be placed in the Office of the Vice Chancellor of Academic Affairs, since the primary thrust of such a program should be academic in nature and should be tied to the academic efforts of this University in general.

The Committee is not in agreement on whether a separate physical facility is necessary or desirable in order to implement this program. Those who favor such a facility believe that it is necessary and convenient both as a focal point of activities and as evidence of a demonstrable commitment of the University to such a program. Those who do not believe such a facility is necessary or desirable think that it would largely duplicate functions of existing facilities and equipment on this campus, and also question whether such a separate facility would best serve one of the principal purposes of the recommended program, namely to foster better understanding and mutual awareness between blacks and non-blacks on this campus. *Facility* If such a ~~separate facility~~ is established, however, the Committee agrees that it should be centrally located on the campus so as to be physically as well as psychologically an integral part of University life and readily available to all who wish to avail themselves of its opportunities.



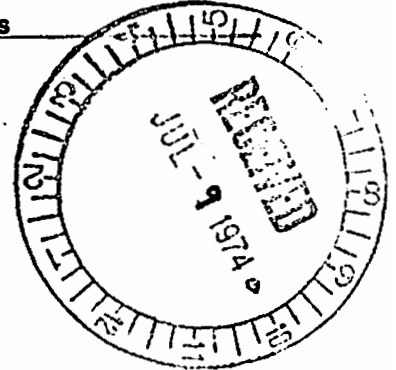
U-T STUDENT GOVERNMENT

341 UNIVERSITY CENTER
1502 WEST CUMBERLAND
KNOXVILLE, TENNESSEE 37916

Telephone
(615) 974-2377

Student Co-ordinating Council — Student Services

July 8, 1974



Dr. Jack Reese, Chancellor
Andy Holt Tower
Campus

Dear Dr. Reese,

The Student Coordinating Council, at its July 2nd meeting, endorsed a proposal presented by Mark Allen of the Afro-American Student Liberation Force. The proposal concerned the establishment of a Black Cultural Center, and a copy of the proposal is attached.

A large part of the richness of this University springs from its diversity, but we can get the most benefit out of our diversity only when we learn about the many groups that make up our community. I'm sure you would agree that the establishment of a Black Cultural Center would aid the entire University by enabling us to learn about and communicate with an important part of our population.

I would appreciate your sending me any information and/or plans you may have regarding the Center, so that I may report back to the Council. Thanks.

Sincerely,

Chris Dorian
Student Body President

CD:mkf

C: Dr. Walter Herndon
Dr. Howard Aldmon

Enclosure

Afro-American Student Liberation Force

University Center Room 349 974-5008
University of Tennessee, Knoxville, Tenn. 37916

TO: Student Coordinating Council, University of Tennessee, Knoxville
FROM: Mark A. Allen, Executive Chairman, A.A.S.L.F.
SUBJECT: A Proposal on the Black Cultural Center on Campus

As you may know, the Afro-American Student Liberation Force of the University of Tennessee has been attempting to establish a Black Cultural Center on the Knoxville campus. This year we are giving an all out effort to achieve this goal once and for all. We are calling for you, along with the Student Senate and every other organization on campus, to join in the struggle. A Black Cultural Center is no longer just a luxury for Black students, but, rather, it would serve the entire UT student population as a center for the learning of Afro-American and African culture. We, along with the Black Studies Department and the Black faculty and staff, feel that for a well rounded education to be perpetual at UT a cultural center of this nature is quite necessary. We urge that you support us in our endeavor through letters to the administration and all other activities related to this struggle.

Power to the People!

Office of
**SPECIAL
SERVICES**

—THE UNIVERSITY OF TENNESSEE — 812 Volunteer Boulevard — Knoxville 37916

M E M O R A N D U M

TO: Hardy Liston, Jr.

FROM: Ralph H. Boston *RHB*

DATE: July 17, 1974

RE: Delta Sigma Theta

After our conversation of yesterday concerning Delta Sigma Theta, I have a few questions and concerns.

Why must the work on a proposed Black Cultural Center negate our work on Delta? Why can't both the topics be discussed at once? I do not understand your statement, "Can't give them too much at one time!?"

It would seem to me that the only thing you need to do about Delta is to agree to admit them to campus and find a space, for the chapter will be supported by itself and the national office. I sincerely feel that this cannot and should not be put off until Winter or Spring but rather see that a chapter of Delta Sigma Theta is on campus Fall Quarter.

We have debated the pros and cons of this organization long enough. You have all the necessary materials supporting their claim of a service organization, you need only to say yea or nay.

An early reply would be appreciated!

Ralph Boston, Coordinator of Minority Affairs and Special Services
Martha E. Begalla, Coordinator of Women's Programs

Patricia G. Ball, Ass't. Coordinator of Women's Programs and Special Services
615 974-4471

Office of
**SPECIAL
SERVICES**

—THE UNIVERSITY OF TENNESSEE—812 Volunteer Boulevard—Knoxville 37916

August 13, 1974

Mr. Hardy Liston, Jr.
506 Andy Holt Tower
CAMPUS

Dear Hardy:

Recently, at the quarterly luncheon hosted by the chancellor for Black Faculty and Staff, I listened to your replies to questions about the Task Force on Blacks and found that some questions were still unanswered in my mind about the Task Force report and other topics which may or may not relate directly to the report.

With respect to the Task Force and the forthcoming report, I'd like to know why the committee is updating material from staff and not students? It seems to me that if you upgrade one you need to do likewise for the other. The most logical thing to do is submit the report as is, then follow it with an upgrading to make it all current. Still on the topic of Task Force, I'd like to know why the report has taken so long? How much value do you feel the report will have at this late date? When will copies be available to individuals other than the chancellor?

I would also like to ask about Delta Sigma Theta again as I am constantly questioned about this matter. If there has not been any progress, would you prefer that I picked up the material and pursue the matter with the proper officials? As I recall, we told the women from the city that there would be no problem doing this, it was simply a matter of finding the right materials which are now on campus and have been for two months. I feel we are doing our students a disservice for many people who wanted to pledge DST went off campus to complete the pledge period and are now bonafide members of the organization. What can we do about this situation?

Finally, I sincerely hope that progress is being made toward realization of a Black Cultural Center. Students and staff alike feel that this would be an excellent step toward making the university a more attractive place for the Black student seeking higher education.

Could I please have your reply to these questions at your earliest convenience.

Sincerely,


Ralph H. Boston, Coordinator of Minority Affairs and Special Services

Ralph Boston, Coordinator of Minority Affairs and Special Services
Martha E. Begalla, Coordinator of Women's Programs

Patricia G. Ball, Ass't. Coordinator of Women's Programs and Special Services
615 974-4471

PROPOSAL FOR BLACK CULTURAL CENTER

JULY 24, 1974

I. Rationale

A. Problem

We, the Afro American Student Liberation Force of The University of Tennessee at Knoxville, believe that the well rounded education that the University so illustriously advocates is being greatly deterred by the absence of learning outside the classroom in Ethnic culture that is necessary in today's society. All graduating students are leaving the University without a sufficient knowledge of Afro-American and African cultures which would serve to aid them in virtually all areas of human interaction. The community of Knoxville, specifically the Black community, feels totally alienated by the complexity of the University and is moving further and further away from mutual interests with this institution. Black high school students feel that the University was not constructed for them because of the lack of Black culture on campus and are currently seeking education elsewhere. This should not be, for the University should and can attract this vital segment of the state's population.

B. Solution

The problem can be solved only by the creation of a Black cultural center in which all University students and the Knoxville community may learn and participate in the Black culture that is vitally needed for mutual understanding and respect between the races. And, in

effect, this center will serve to bridge the gaps
between the University and the community.

II. Structure

To accomodate the activities that the AASLF has planned for the center, a brick or stone structure no less than eight large size rooms would be needed. At least two of the rooms should be adjoined by a folding partition to accomodate large gatherings of at least fifty people. The structure should also include adequate bathroom facilities, storage space, and should be located near a reasonably large parking area. If it is agreeable with the University, the Black student population would like to design the interior itself thereby allowing all segments of its population to take an active part in the formation of the Culture Center. We would, however, be dependent upon the University for the supplies to complete our task.

III. Necessary Rooms

- A. AASLF Office
- B. Storage Space
- C. Receptionist
- D. Director's Office
- E. Music and Informal Gathering Room
- F. Lecture and Display Room
- G. Library and Tutorial
- H. Kitchen
- I. Bathrooms
- J. Work Room

IV. Activities

- A. Proposal for AASLF Office - general business and planning of activities of this organization will be carried on.

B. Proposal for Storage Space - equipment not in use
C&D. Proposal for Receptionist and Director - will be listed under job description.

E. Proposal for Music and Informal Gathering Room -

1. Discussion or rap sessions on Black culture and Black politics. Discussion sessions of this type would be initiated by a discussion leader who would be well learned in the topic for that discussion. It would serve to further the awareness of Black politics, enterprise, and religion, (2 per week, 2 to 3 hours each)
2. The playing of Afro-American and African music during this period of the day only the playing of Black music would be encouraged in the culture center. This would take place in a proposed music room or place of informal gathering where the listening of music might be acoustically sound. It is our wish that WUOT might allocate two hours per day to the playing of Afro-American and African music such as current jazz, African tribal music, contemporary blues, and Black vocals. Sessions of this type would serve to better acquaint all University students with Black music and may be used by the Black music classes. (daily, 1 to 2 hours)
3. The discussion of Black Literature - with lectures, discussions, readings by interested faculty and senior English majors. With writing labs in Black drama, music, poetry, and prose. This would

serve to give a Black viewpoint in literature and aid in the procuring of Black literature for the "Phoenix." These sessions may also help students in freshman English.

4. Daily a period of informal gathering where students of all cultures may sit to get better acquainted with one another's life styles. This period would serve primarily to improve the racial climate on campus and to perpetuate a new sort of open mindedness among students.
5. Once a week class in African Dance. An interested African student has offered his services in instructing this and forming a Dance Troupe.

F. Lecture and Display Room

1. Black history lectures for community residents by Afro-American history instructors, Black Studies majors and by well versed Black people from the community. These lectures would prove to give the community an interest in the field, Black History, and would serve to initiate more Black Studies majors and minors. These lectures could also serve the community by inserting that portion of history that was left out of secondary education.
2. Monthly or Bi-Monthly Exhibits of Black Art - paintings, sculpture, drawings - These exhibits maybe done by talented Black students or students with interests in African and Yoruban Art. Some of the exhibits may be obtained through the McClung Museum and other interested groups.

3. Showing filmstrips and slides that maybe obtained from UT library system, Black Studies Department or Educational Media Center. They would be basically on Black History some Black politics and art.

G. Library and Tutorial Room

1. Tutoring sessions weekly for Black students with an aim toward developing basic educational skills at the University. It is our intention that these students maybe tutored by interested University students and faculty and staff. Hopefully if possible some work study students may be procured in this area. Sessions of this type would certainly make the University an amiable place to attend.
2. Daily - a study period of about 2-3 hours in a proposed library that will house books on Black Studies and will enable the student to feel comfortable while reading.
3. The constant use of reference material as they relate to Black Studies and informative reading.

H. Kitchen

1. Once a week cooking class. The cooking of Afro-American and African dishes will be taught by talented students and staff of UT to other less talented students. This will further encourage the practice of Black culture on campus.
2. Preparation of cross cultural banquets.

- I. Bathrooms - proposed activities for these areas are of sufficient understanding that an explanation of their use is not needed.

J. Workroom

1. Painting and sculpture woodcarving in Black art. Primarily for students in other majors who would like to develop their interests in art. They would receive instruction from art majors, graduate school students in art, and interested art instructors.

- V. Equipment - Activities for each room facilitates certain types of equipment. This equipment is listed below:

A. AASLF OFFICE

1. Secretary
 - a. desk
 - b. typewriter
 - c. files
 - d. shelves
2. President
 - a. desk
 - b. shelves
 - c. telephones
 - d. files

B. STORAGE SPACE

1. Storage closets with shelves
2. "Lockable" doors

C. Receptionist and Director

1. Office space for "both" filing cabinets

2. Two Desks
3. Typewriter
4. Telephones

D. Miscellaneous

1. Slide Projector
2. 16 mm Motion Picture Projector
3. Movable Black Board
4. Air conditioning
5. Magazine subscriptions for library
6. Curtains
7. Folding chairs
8. Microphone, speakers, amplifier for lectures
9. Water fountain
10. Clocks
11. ash trays
12. plants - real and artificial

E. Music Room and Informal Gatherings

1. Stereo Equipment
2. Tevelision
3. Bean Bag Chairs
4. Cushioned Benches
5. carpeted floor
6. lamps

F. Lecture and Display Room

1. seating capacity for 50 people
2. display stands
3. hangers for displays
4. display cases
5. sculpture stands

G. Library And Tutorial

1. magazines racks
2. book shelves
3. library files
4. tables and chairs
5. receptionist desk and chair
6. display cases
7. desk(s)
8. pamphlet file (steel file cabinets)
9. typewriter
10. book ends
11. pencil sharpener
12. book stampers - date due cards

H. Kitchen

1. refrigerator
2. institutional size stove
3. cooking and serving utensils
4. table and chairs
5. sink with adequate plumbing

I. Bathrooms

1. bathroom fixtures

J. Workroom

1. sink
2. work table
3. potters wheel
4. refrigeration for storage of materials
5. easels
6. draining boards

(Prices are not affixed to these items for the University

will hopefully purchase these through the

VI. Positions Created

- a. Director - responsible for maintenance of proposed programs, creativity of new ideas, upkeep of the physical structure and its contents, and the observance of all University regulations that govern said structure.
- b. Receptionist - directly responsible to the Director and would oversee all work study students
- c. Workstudy students would be needed the following areas:
 1. Library - preferably students of library science, responsible for complete maintenance of the library
 2. Music student - responsible for all audio equipment
 3. Art student - responsible for maintenance of all displays
 4. Two additional work study students for miscellaneous activities
- d. Security guard - responsible for the security of the building after closing hours.
- e. Black Janitors - responsible for maintaining the cleanliness of the building

The leadership of the AASLF recognizes its responsibility to be creative and continue to develop new programs and activities to be held at the Center. With this in mind, we acknowledge our commitment to creativity and support all effort to make the Center an attractive part of the University campus.