


**The Evergreen State College  
Office of the President - L 3109**

DATE: March 5, 1993  
TO: All TESC Staff, Faculty, Students  
FROM: Jane Jervis   
RE: Racial Justice DTF

My draft charge to the Racial Justice DTF follows. I invite your comments and ask that you also forward nominations and self-nominations for individuals to serve on the DTF.

In order to move forward with this important work and to allow adequate time for review, please send comments and nominations to me in L 3109 *no later than Friday, March 19.*

Thank you.

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## **RACIAL JUSTICE DTF CHARGE**

### ***Background***

At Evergreen's founding, architects of the institution incorporated principles of justice as the foundation of the Social Contract, the compact we make when we become members of the TESC community: "Among the basic rights of individuals are freedom of speech, freedom of peaceful assembly and association, freedom of belief, and freedom from intimidation, violence and abuse." This statement represents the ideal of equity and fairness to which we are committed, but which we have not yet fully realized.

In 1974, three years after the college opened its doors, the Non-White Programs DTF developed over 100 recommendations designed to promote racial justice. Since then we have worked to evolve into a community comprised of individuals from diverse backgrounds. While we have made progress in the composition of our community, we remain challenged to work productively with the tensions that arise as we imperfect humans struggle to work across differences.

Late last spring, Interim President Les Purce announced the start of a process to establish a DTF on racial harassment. After a good deal of thought and consultation, I believe it wise to give the DTF's work a broader focus: racial justice. My reason is two-fold.

First, recent legal challenges to racial harassment policies suggest that campuses may not prohibit activities based on race, ethnicity or gender; campuses may, however, apply anti-harassment codes to all. The October 22, 1992 issue of the Education Law Reporter states that "...hurt feelings, offense or resentment do not render the expression unprotected...[but] a code narrowly restricted to threats, intimidation, and fighting words directed at individuals to inflict injury is not likely to be struck down." Given the current state of legal opinion, it appears that the work of a racial harassment DTF would be restricted in scope.

Second, I wish the DTF to focus on the broader issue of racial justice because a campus committed to racial justice is a campus on which racial harassment is not tolerated. *Justice* denotes the ideal of moral rightness: equity and fairness. Commitment to the broader ideal of racial justice brings with it two sorts of freedoms: *freedom from* harassment and intimidation, and *freedom to* gain the most from the Evergreen teaching and learning environment in which we strive to celebrate diversity as a resource for learning.

### *Charge*

The DTF is charged with reviewing relevant college policies and procedures to determine whether they contribute to racial justice on campus. The DTF should recommend, if appropriate, legally-defensible amendments to existing policies or the creation of new policies and appropriate changes in our practices as a community. As a beginning point, I ask the DTF to review the items below.

1. The Social Contract.
2. The Student Conduct Code/Grievance and Appeals.
3. The August 11, 1992 report of the U.S. Department of Justice concerning its May 1992 TESC campus assessment.
4. TESC's response to the Higher Education Coordinating Board's policy on "Minority Participation and Diversity."
5. Affirmative Action policy.
6. The records of the 1974 Non-White Programs DTF.
7. Other college policies, as appropriate.

The questions below may assist the DTF in its work.

1. How are the roles and responsibilities of members of Evergreen's community defined? Do our roles and responsibilities provide a foundation for equity and fairness for all members?
2. What educational efforts should the college undertake to contribute to our goal of equity and fairness for all? Does the curriculum contribute to this goal?
3. Aside from the curricular area, what issues are of particular concern to students and how should those issues be addressed?
4. What actions should the college take in response to the U.S. Department of Justice assessment?
5. How should the campus community respond to public acts of racism?

The DTF is charged by the President and its recommendations to the President should be as specific as possible. I ask that members conduct their work in consultation with the broader community and with the college's Assistant Attorney General. At a minimum, the draft report of the DTF should be circulated for comment. The final report of the DTF should be completed by the end of winter quarter 1994 in order to allow time for public discussion during spring quarter 1994.



# The Evergreen State College

May 22, 1992

RECEIVED  
MAY 22 1992

THE EVERGREEN STATE COLLEGE  
VICE PRESIDENT FOR  
FINANCE AND ADMINISTRATION

To: TESC Community  
From: Les Purce  
Subject: **ESTABLISHMENT OF RACIAL HARASSMENT DTF**

I am starting the process to establish a racial harassment DTF that would begin its work in the Fall. Procedurally with DTFs, it is necessary for the Provost to recommend faculty names to be approved by the Faculty Agenda Committee. I am asking that **FACULTY WHO ARE INTERESTED COMMUNICATE THEIR INTEREST TO THE PROVOST'S OFFICE.** In addition, I am passing along to the Provost the names of faculty who were part of the group that has been working on this issue. Further, concerning appointment of staff and student members, I am asking that **STUDENTS AND STAFF WHO ARE INTERESTED IN SERVING ON THIS DTF NOTIFY MY OFFICE.** I will make this list and the list of names of members from the subcommittee that initiated this proposal available to the new president.

This group has suggested a number of issues that should be considered in this charge. Undoubtedly there are others. I will recommend to the new president that the formal elements of the charge be established in consultation with the Provost, the Chair of the Faculty Agenda Committee and others who wish to share their thoughts before the formal DTF begins its work.

In light of recent legal challenges to racial harassment policies, it will be essential that the school's Attorney General be involved in this effort from the very beginning. For that reason, I will also be forwarding this recommendation for the establishment of a DTF to Ms. Jan Frickelton, College legal counsel. In addition, this office will begin the process over the summer of researching the most current law established in other states regarding this issue. This research will be available for the DTF when it is formally established in the Fall.

I strongly support the need for the establishment of a DTF to address this critical issue.

TLP:rs

cc: Russ Lidman  
Tom Grissom  
Jane Jervis  
CPJ  
KAOS  
Tom Mercado  
Jan Frickelton