

REVISED
September 4, 2020

MEETING OF THE FULL BOARD

Friday, September 11, 2020
1:30 – 3:00 p.m.
Pavilion Ballroom, Boar's Head Resort

- A. Approval of the Minutes of the June 4, 2020, July 31, 2020, and August 27, 2020 Electronic Meetings of the Board of Visitors (The Rector)
- B. Consent Agenda Items (The Rector)
 - 1. Resolution to Approve Additional Agenda Items
 - 2. Election of the Executive Committee
 - 3. Setting the Date of the 2021 Annual Meeting of the Board
 - 4. Resolution for Exclusion of Certain Directors and Officers - September 2020
- C. Action Item:
 - Memorial Resolution for N. Thomas Connally, M.D.
- D. NCAA Orientation (The Rector to introduce Mr. Eric M. Baumgartner; Mr. Baumgartner to conduct the orientation)
- E. ACC Certification (The Rector)
- F. Discussion with University Leadership
 - 1. Racial Equity Task Force Report and Historic Landscape
 - 2. Return to Grounds
- G. Remarks/Reports:
 - 1. Remarks by the Rector
 - 2. Remarks by the Student Member (Mr. Mazzen Shalaby)
 - 3. Remarks by the Faculty Senate Chair (Mr. Joel Hockensmith)
 - 4. Gifts and Grants Report (Written Report)

A. APPROVAL OF THE MINUTES OF THE JUNE 4, 2020, JULY 31, 2020, and AUGUST 27, 2020 ELECTRONIC MEETINGS OF THE BOARD OF VISITORS

RESOLVED, the Board of Visitors approves the minutes of the June 4, 2020, July 31, 2020, and August 27, 2020 Electronic Meetings of the Board of Visitors.

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B.1. RESOLUTION TO APPROVE ADDITIONAL AGENDA ITEMS

RESOLVED, the Board of Visitors approves the consideration of addenda to the published agenda.

B.2. ELECTION OF THE EXECUTIVE COMMITTEE FOR 2020-2021

RESOLVED, in addition to the Rector and the Vice Rector, L.D. Britt, M.D., Frank M. Conner III, Barbara J. Fried, John A. Griffin, and Babur B. Lateef, M.D., are elected to the Executive Committee for the 2020-2021 year. Elizabeth M. Cranwell, Thomas A. DePasquale, and Maurice A. Jones are also elected as advisory members.

B.3. DATE OF THE 2021 ANNUAL MEETING OF THE BOARD

RESOLVED, the first meeting of the Board of Visitors in the fall of 2021 shall be designated the 2021 Annual Meeting of the Board.

B.4. RESOLUTION FOR EXCLUSION OF CERTAIN DIRECTORS AND OFFICERS — SEPTEMBER 2020

WHEREAS, current Department of Defense Regulations contain a provision making it mandatory that the Chair of the Board, a Senior Management Official, and a Facility Security Officer meet the requirements for eligibility for access to classified information established for a contractor facility security clearance; and

WHEREAS, said Department of Defense Regulations permit the exclusion from the personnel of the requirements for access to classified information of certain members of the Board of Directors and other officers, provided that this action is recorded in the public Minutes;

RESOLVED, the Rector as Chair of the Board, Senior Management Official, and Facility Security Officer at the present time do possess, or will be processed for, the required eligibility for access to classified information; and

RESOLVED FURTHER, in the future, when any individual enters upon any duties as Rector of the Board, Senior Management Official, and Facility Security Officer, such individual shall immediately make application for the required eligibility for access to classified information; and

RESOLVED FURTHER, the following members of the Board of Visitors and other officers shall not require, shall not have, and can be effectively and formally excluded from access to all *CLASSIFIED* information disclosed to the University and shall not affect adversely Board and University policies or practices in the performance of classified contracts for the Department of Defense or the Government contracting activities (User Agencies) of the National Industrial Security Program.

Robert M. Blue	Member, University of Virginia Board of Visitors
Mark T. Bowles	Member, University of Virginia Board of Visitors
L.D. Britt, M.D.	Member, University of Virginia Board of Visitors
Whittington W. Clement	Member, University of Virginia Board of Visitors
Frank M. Conner III	Member, University of Virginia Board of Visitors
Elizabeth M. Cranwell	Member, University of Virginia Board of Visitors
Thomas A. DePasquale	Member, University of Virginia Board of Visitors
Barbara J. Fried	Member, University of Virginia Board of Visitors
John A. Griffin	Member, University of Virginia Board of Visitors
Louis S. Haddad	Member, University of Virginia Board of Visitors
Robert D. Hardie	Member, University of Virginia Board of Visitors
Maurice A. Jones	Member, University of Virginia Board of Visitors
Babur B. Lateef, M.D.	Member, University of Virginia Board of Visitors
Angela Hucles Mangano	Member, University of Virginia Board of Visitors
C. Evans Poston Jr.	Member, University of Virginia Board of Visitors
James V. Reyes	Member, University of Virginia Board of Visitors
Timothy J. Heaphy	University Counsel to the University of Virginia
Susan G. Harris	Special Assistant to the President and Secretary to the BOV
Jennifer Wagner Davis	Executive Vice President and Chief Operating Officer
K. Craig Kent	Executive Vice President for Health Affairs and CEO for the Medical Center
M. Elizabeth Magill	Executive Vice President and Provost

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C. MEMORIAL RESOLUTION FOR DR. N. THOMAS CONNALLY JR.

WHEREAS, Dr. N. Thomas Connally Jr., of Norfolk, took a B.A. and M.D. from the University of Virginia, where he was president of both Student Council and the Beta Chapter of Zeta Psi, and a member of numerous honorary and social groups, including The Raven Society, The IMP Society, and The Eli Banana Ribbon Society; and

WHEREAS, after graduating from medical school, Dr. Connally served in the United States Public Health Service at the National Institutes of Health before completing his medical residency at the University of Virginia Hospital, where he served as chief resident in his final year; and

WHEREAS, Dr. Connally was a respected physician who, in private practice, cared for many prominent figures in Washington, D.C., including Supreme Court Justices and numerous members of Congress; and

WHEREAS, Dr. Connally earned numerous honors in his career, including the American Society of Internal Medicine's (ASIM) Young Internist of the Year, and served in various leadership positions including trustee for the ASIM, chief of medicine at Sibley Memorial Hospital, member of the clinical faculty at Georgetown University Medical School, professor of internal medicine at George Washington University, and board member for CareFirst Blue Cross Blue Shield; and

WHEREAS, after retiring from private practice, Dr. Connally was a loyal volunteer at the Arlington Free Clinic, where he served as medical director and continued to see patients and review charts, and taught courses in medicine and health care policy to area seniors through Arlington's Encore Learning; and

WHEREAS, Dr. Connally was active in politics throughout his life, serving as a Virginia representative on the presidential campaign of Robert Kennedy in 1968, a longtime precinct captain in his Arlington neighborhood, and a delegate to the 2004 Democratic National Convention; and

WHEREAS, Dr. and Mrs. Connally, a community leader and former member of the Virginia House of Delegates, shared the James B. Hunter Human Rights Award, given to those in the Arlington community who promote human rights; and

WHEREAS, Dr. Connally served ably on the Board of Visitors from 1989 to 1995, serving on the Educational Policy Committee; Executive Committee; Health Affairs Committee, of which he was chair; and the Special Committee on Clinch Valley College; and

WHEREAS, Dr. Connally's legacy lives on at the University through the N. Thomas Connally Professorship in Clinical Excellence, which grateful patients endowed in his honor at the School of Medicine; and

WHEREAS, Dr. Connally passed away on April 2, 2020, at the age of 83, and it was revealed that he was a member of the Seven Society;

RESOLVED, the Board of Visitors commemorates the extraordinary life and accomplishments of Dr. N. Thomas Connally Jr., particularly his dedicated service to the University of Virginia; and

RESOLVED FURTHER, the Board extends its sincerest condolences to his wife, Judy; children; beloved grandchildren; and many friends and admirers.

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E. ACC CERTIFICATION



*Governing Board Certification Form
Academic Year 2020-21*

As Chair of the Governing Board at University of Virginia
I attest that: *(institution name)*

- 1) Responsibility for the administration of the athletics program has been delegated to the President/Chancellor of the Institution.
- 2) The President/Chancellor has the mandate and support of the board to operate a program of integrity in full compliance with NCAA, Conference and all other relevant rules and regulations.
- 3) The President/Chancellor, in consultation with the Faculty Athletics Representative and the Athletics Director, determines how the institutional vote shall be cast on issues of athletics policy presented to the NCAA and the Conference.

Date Presented to the Governing Board: September 11, 2020

Signed: _____
(Chair of the Governing Board)

Signed: _____
(President/Chancellor of Member Institution)

*Please return completed form before **October 16, 2020** to:*

*Commissioner John D. Swafford
Atlantic Coast Conference
4512 Weybridge Lane
Greensboro, NC 27407*

F.1. RACIAL EQUITY TASK FORCE REPORT AND HISTORIC LANDSCAPE

BOARD OF VISITORS SUPPORT FOR RACIAL EQUITY INITIATIVES

WHEREAS, the Board of Visitors acknowledges the extensive time and effort devoted to developing the Racial Equity Task Force Report “Audacious Future: Commitment Required” (the Report) and thanks the Task Force members for their work; and

WHEREAS, the Board of Visitors supports wholeheartedly the stated objectives of creating a more welcoming climate, investing in relevant education and scholarship, committing to healing and repairing a painful history, and ensuring equal access and success;

RESOLVED, the Board of Visitors endorses the following goals articulated in the August 25, 2020 memorandum from University leadership to the Board of Visitors that reflect and build on the initiatives in the Report:

1. Doubling the number of underrepresented faculty by 2030;
2. Reviewing the tenure and promotion process;
3. Developing a plan and a time horizon for having a student population that better reflects the racial and socioeconomic demographics of the Commonwealth of Virginia, and, as much as feasible, the nation;
4. Encouraging related organizations to develop a scholarship program for the descendants of enslaved laborers who worked to build and maintain the University;
5. Reviewing policies regarding staff hiring, wages, retention, promotion, and procurement, in order to ensure equity;
6. Ensuring that the division of the Vice President for Diversity, Equity, and Inclusion and Community Partnerships has sufficient resources to do their work;
7. Developing a series of educational programs around racial equity and anti-racism, including leadership development programs focused on equity including racial equity;
8. Endowing the key programmatic elements of the Carter Woodson Institute and providing funding to create more faculty positions;
9. Exploring potential initiatives to recognize and support Native American students and Native American studies;
10. Thoroughly reviewing University police practices and policies to ensure fair, equitable, and transparent practices reflecting 21st century policing principles, and developing relevant training for officers and supervisors;
11. Forming a Department of Safety and Security Advisory Council; and

RESOLVED FURTHER, the Board asks University leadership to develop a plan for identifying resources to fund initiatives, and a plan for allocating resources, including allocating available Strategic Investment Fund monies to initiatives that align with the four core goals of The 2030 Plan in accordance with the 2019-2020 Revised Guidelines approved by the Board in August 2019, and the award allocations approved in December 2019 for three years ending June 30, 2022; and

RESOLVED FURTHER, the Board asks University leadership to create a system of metrics and assessment to identify goals and mark progress around racial equity and report to the Board of Visitors on progress on a semi-annual basis.

REMOVING CURRY NAME FROM SCHOOL OF EDUCATION AND HUMAN DEVELOPMENT

WHEREAS, The University named its School of Education in memory of Jabez Lamar Monroe Curry in 1905 at the request of, and following a financial contribution to establish a school of education at the University made by, Mr. John D. Rockefeller Sr.; and

WHEREAS, J.L.M. Curry was one of the nation's leading advocates for free, publicly financed education available to all children, served as president of Howard College (now Samford University) in Alabama, and professor of history and literature at Richmond College, now the University of Richmond. His legacy has been called into question among School of Education faculty, staff, students, and alumni due, in part, to Mr. Curry's slaveholding, opposition to integrated schools, and service to the Confederate States during the Civil War; and

WHEREAS, three years ago, in an effort to fully comprehend Mr. Curry's legacy and soundness to be the school's namesake, the faculty and leadership of the Curry School of Education and Human Development began a process of diligence that engaged stakeholders; and

WHEREAS, the dean of the School submitted a report and attendant request to the University's Committee on Names and to the University's President asking that J.L.M. Curry be dropped from the School's name; and

WHEREAS, The University's Committee on Names has stated that naming decisions should reflect direct contributions to the University; and

WHEREAS, Mr. Curry was not a member of the faculty or a student at the University. His son, Major Manly Bowie Curry, attended the University; and

WHEREAS, in a report on Mr. Curry's life and legacy, John L. Nau III Professor in the History of the American Civil War Emeritus and Director, John L. Nau III Center for Civil War History, Gary Gallagher, concluded, "To reduce a complex history to a single sentence, Curry showed real vision in advocating free public education for the South's Black children but an overclouding blindness in refusing to recognize African Americans as having the same potentialities and capacities as whites;" and

WHEREAS, the mission of the School is to enhance and realize the potential of all individuals through scholarship, teaching, professional preparation, and public service promoting education and human development;

RESOLVED, The Board of Visitors approves renaming the Curry School of Education and Human Development as the School of Education and Human Development.

AUTHORITY TO CONTEXTUALIZE THE STATUE OF THE UNIVERSITY'S FOUNDER, THOMAS JEFFERSON, ON THE NORTH SIDE OF THE ROTUNDA

WHEREAS, the life of the founder of the University of Virginia, Thomas Jefferson, is a complex one that until recent times has been explained almost exclusively with a focus on his many accomplishments as a thinker, writer, orator, politician, architect, inventor, and scientist; and

WHEREAS, Thomas Jefferson was one of the founding fathers of our democratic system, which fundamentally changed the relationship between a government and the governed by resting the power to govern in the hands of the people rather than the sovereign; and

WHEREAS, Jefferson drafted the Declaration of Independence, and in the Preamble he declared, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by the Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness;" and

WHEREAS, Jefferson also drafted the Virginia Statute for Religious Freedom, which doctrine formed the basis for religious freedom protections contained in the First Amendment to the U.S. Constitution, and is commemorated at the University by a statue of Jefferson standing atop the Liberty Bell on the north side of the Rotunda. The Liberty Bell is surrounded by figures representing Liberty, Equality, Justice, and the Brotherhood of Man. The figure of Equality holds a bronze tablet inscribed with "Religious Freedom" and the names of the deity as described in several different religions: "God", "Jehovah", "Brahma", "Atma", "Ra", "Allah", and "Zeus"; and

WHEREAS, throughout his lifetime Mr. Jefferson owned slaves and slave labor was employed by the University's founders to construct and maintain the University's Academical Village, in direct contradiction of the American ideals of liberty and equality that Jefferson had expressed so eloquently in the Declaration of Independence and the Virginia Statute for Religious Freedom; and

WHEREAS, in the last decade the University has made efforts to study the University's historic landscape more fully and to educate the public on all aspects of its early history. This in-depth examination was undertaken by the President's Commission on Slavery, established in 2013 by President Sullivan, that sponsored courses and symposia on slavery; developed an Enslaved African Americans Walking Tour Map to recognize and interpret the important contributions of free and enslaved African Americans on Grounds and in the Charlottesville community; and spearheaded the design and construction of a Memorial to Enslaved Laborers; and

WHEREAS, the work of recognizing inequities and taking action toward achieving a racially equitable University was furthered by the findings and recommendations of the President's Commission on the University in the Age of Segregation and, more recently, the Racial Equity Task Force, appointed by President Ryan in the spring of 2020; and

WHEREAS, it is apparent that crucial to improving the racial climate is to reframe the historic landscape to tell a broader story about all of those who contributed to building

and operating the University over its 200 year history, including recontextualizing the monuments to its founder Thomas Jefferson;

RESOLVED, the Board of Visitors authorizes University leadership to engage historians and other experts to contextualize the statue of Thomas Jefferson on the north side of the Rotunda to tell the broader story about his contributions to the University, the nation, and the world, as well as contradictory writings and actions that were an integral part of his life and work.

SUPPORT FOR UNIVERSITY EFFORTS TO REMOVE AND RELOCATE THE STATUE OF GEORGE ROGERS CLARK

WHEREAS, George Rogers Clark was a general in the Revolutionary Army who gained recognition for military successes against the British in the Illinois country, then called “the Northwest”, which led to an early nickname, “Conqueror of the Northwest;” and

WHEREAS, in his later military career, George Rogers Clark led fraught campaigns against Native Americans in the Northwest Indian War; and

WHEREAS, in an era of monument building in Charlottesville in the 1920s, at the request of the University, Paul Goodloe McIntire donated a large bronze statue of George Rogers Clark, where it was placed on a granite pedestal with the inscription “Conqueror of the Northwest” and located in a small park on University Avenue; and

WHEREAS, the statue depicts George Rogers Clark on horseback facing three Native Americans: a kneeling woman with a cradleboard, a crouching warrior, and a standing chief, while he is gesturing to armed men behind his horse; and

WHEREAS, the statue and its inscription were erected more than a century after the American Revolution and are historically inaccurate as the nickname referenced George Rogers Clark’s success in securing territory for the American side during the American Revolution and not his later, largely unsuccessful, campaigns against Native Americans; and

WHEREAS, at the time the statue was erected, it was described by the *Alumni News* as Clark “explaining the futility of resistance,” which supports a popular sentiment at the time of the natural superiority of white Americans over Native Americans and other non-whites, which is not a view endorsed by members of the University community now; and

WHEREAS, George Rogers Clark’s career bears no relation to the history of the University of Virginia as he died before the University’s founding;

RESOLVED, the Board of Visitors supports University efforts to remove and relocate the statue of George Rogers Clark, which shall include determining the cost and identifying sources of funds for relocation.

REQUEST TO EXPLORE REDEDICATION OR REMOVAL OF THE HUME MEMORIAL WALL

WHEREAS, born in 1843 in Culpeper County, Frank Hume enlisted in the Confederate Army at age 18. He worked as a soldier and spy, fought in several major battles, and was wounded at the Battle of Gettysburg; and

WHEREAS, Hume later became a successful grocer and businessman in Washington D.C and served in the Virginia House of Delegates representing Alexandria; and

WHEREAS, Hume was known in northern Virginia for his civic engagement and philanthropy. He served on the Washington Board of Trade, and he donated land to build a school and playground in Arlington, Virginia that bore his name; and

WHEREAS, two sons of Frank Hume, John Edmund Norris Hume and Howard Hume, donated funds to the University to erect a curved wall and fountain honoring their father. The wall is known as the “Whispering Wall” because it transmits sound; and

WHEREAS, in addition to the date and location of Frank Hume’s birth and death, the inscription on the Whispering Wall reads, “A MEMORIAL TO THE HONORABLE FRANK HUME—A DEVOTED VIRGINIAN WHO SERVED HIS NATIVE STATE IN CIVIL WAR AND LEGISLATIVE HALL;” and

WHEREAS, in recent years the University community has undertaken a re-examination of its past and has removed or renamed a number of symbols of unequal treatment of racial minorities on Grounds. Efforts have included changing the names of several buildings, removing the Confederate War Memorial plaques from the Rotunda, constructing the Memorial to Enslaved Laborers, and naming a residence hall for a formerly enslaved couple who lived and worked at the University; and

WHEREAS, the inscription on the Whispering Wall celebrating the Confederacy is a symbol of support for slavery and inequality;

RESOLVED, the Board of Visitors requests that the University Committee on Names undertake to determine if rededication of the Hume Memorial Wall is appropriate and feasible, or if the memorial should be removed, and make a final recommendation to the Board at a future meeting.

REMOVING THE WITHERS NAME FROM WITHERS-BROWN HALL

WHEREAS, Henry Malcolm Withers was born into a slave-holding family in Culpeper County, Virginia, in 1845, and served in the Confederate army from 1863 to the end of the war as a member of “Mosby’s Raiders”, a cavalry unit that conducted irregular warfare, including ambushing a train carrying Union paymasters, known as the Greenback Raid of 1864; and

WHEREAS, following the Civil War, Mr. Withers studied law at the University of Virginia School of Law for two years and received a certificate of distinction in his classes. Mr. Withers did not complete the course of study at the Law School, which was common at the time; and

WHEREAS, Mr. Withers moved to Kansas City, Missouri in 1870 and had a successful business and legal career until his death in 1908. He was a regular speaker at Confederate veterans' events, glorifying the Lost Cause and expressing his belief that black Americans were inferior to whites; and

WHEREAS, in 1981 Mr. Withers' daughter, Lacy Withers Armour, passed away, leaving a will that stipulated a gift be made from her estate to the University in honor of her father. In 1983, the estate pledged \$3 million to establish a scholarship fund in her name. The Lacy Withers Armour scholarships continue to provide significant support to students in the Law School and in the College of Arts & Sciences; and

WHEREAS, to show appreciation for Lacy Withers Armour's generous bequest to the University, the Board of Visitors approved naming a portion of the Law School building to honor her father. Today Withers Hall and conjoined Brown Hall are commonly known together as Withers-Brown Hall; and

WHEREAS, at the time of the naming, there were objections to the Withers name expressed by, among others, members of the Black Law Students Association; and

WHEREAS, in the summer of 2020, an ad hoc committee appointed by the dean of the Law School undertook extensive research on the history of the Withers Hall naming and asked members of the Law School community, including faculty, students, staff, and alumni, to comment via a website dedicated to the issue; and

WHEREAS, the ad hoc committee filed a comprehensive report which concluded with a recommendation to Dean Goluboff to forward a request to the University Committee on Names and President Ryan to remove the Withers name from Withers-Brown Hall; and

WHEREAS, Dean Goluboff concurred with the ad hoc committee's recommendation and forwarded that recommendation to the Committee on Names; and

WHEREAS, the Committee on Names and President Ryan approved the removal of the Withers name and forwarded the request to the Board of Visitors for final approval;

RESOLVED, the Board of Visitors approves removing the Withers name from Withers-Brown Hall. The former Withers-Brown Hall shall be designated Brown Hall.

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G.4. GIFTS & GRANTS REPORT

Summary of Fiscal Year 2020 through June 30, 2020:

Total fundraising progress for the University of Virginia and its related foundations was \$531,080,436 through June 30, 2020. Gifts and commitments to the Law School, Athletics, School of Engineering, McIntire School of Commerce, School of Nursing, Curry School of Education, University of Virginia's College at Wise, Medical Center, and the Virginia Humanities saw increases over the previous fiscal year.

Significant Gifts Received Since the Last Meeting:

- Anonymous pledge payments and gifts totaling \$11,191,013 to the University for the Student Health and Wellness Center and the 2020 UVA Bridge Scholarship Fund; the Darden School of Business for the Darden Community Impact Fund; and to the UVA Fund for the Rare Book School Mellon Diversity Fund.
- The Harrison Foundation increased documented value of an existing deferred gift by \$8,448,297, designated to the University for unrestricted support.
- Nau Foundation pledge payment of \$5,465,000, at the recommendation of Mr. John L. Nau III, to the College of Arts & Sciences for the Nau Distinguished Professorship Fund, Pandemic Priorities Fund, and the John L. Nau Center for Civil War History.
- The Batten Foundation pledge payment of \$5,000,000 to the Darden School of Business for the Batten Foundation Darden Worldwide Scholarship Fund.
- Philip F. duPont Trust gifts totaling \$4,934,140 to the University for the Philip F. duPont Trust Income Fund and for unrestricted support.
- A. James & Alice B. Clark Foundation pledge payment of \$3,000,000 to the School of Engineering for the Clark Scholars Endowed Fund.
- The Robertson Foundation private grant of \$2,200,000 to the Curry School of Education for the Robertson Innovations in Education Fund.
- Mr. Bruce Allen Karsh and Mrs. Martha Lubin Karsh pledge payment of \$2,100,000 to the Law School for the Martha Lubin Karsh and Bruce A. Karsh Bicentennial Scholars Fund.
- Mrs. Jane Parke Batten pledge payment of \$2,000,000 to the Batten School of Leadership & Public Policy for the Batten Family Bicentennial Scholars Fund.
- The Ivy Foundation gift of \$2,000,000 to the Medical School for the Ivy Foundation Fund for COVID-19 Research.
- Mr. Allan Thomas Williams and Mrs. Ann Fischer Williams gift of \$1,200,000 to the University of Virginia's College at Wise for the Fischer-Elseg Williams Bicentennial Scholars Fund.
- Fidelity Charitable Gift Fund pledge payment of \$1,000,000, at the recommendation of Mr. John Patrick Connaughton and Mrs. Stephanie F. Connaughton, to the McIntire School of Commerce for the COM Connaughton Alternative Investing Professorship Fund.

- Fidelity Charitable Gift Fund pledge payment of \$1,000,000, at the recommendation of Mr. Richard Davis Wood, Jr., to the McIntire School of Commerce for the Richard D. Wood, Jr. Bicentennial Professorship Fund.
- Thompson Dean Family Foundation pledge payment of \$1,000,000 to the College of Arts & Sciences for the Thompson Dean Fund for Curricular Innovation.
- Mr. Mark Blackmore deferred gift of \$860,747 to the University for restricted support.
- The Andrew W. Mellon Foundation private grant of \$750,000 to the Architecture School for the Recovering Erased Histories Fieldwork Project.
- Mr. Gregory H. Olsen gift of \$503,355 to the University for the 2020 UVA Bridge Scholarship Fund.
- Otter Rock Holdings, LLC pledge payment of \$500,000 to the University for the Contemplative Sciences Center.
- The Regents of the University of California private grant of \$500,000 to the School of Nursing for research in uncovering trajectories of illness for children with sepsis.
- William T. Grant Foundation private grant of \$446,869 to the College of Arts & Sciences for research in developing an effective white bystander intervention to reduce racial inequality in higher education.
- Cohen Family Foundation gift of \$400,000 to the McIntire School of Commerce for the Arthur B. and Claudia Cohen Bicentennial Professorship Fund.
- Mr. Vernon Marshall Powell Jr. gift of \$400,000 to the College of Arts & Sciences for College of Arts & Sciences Fellowships.
- The Boston Foundation pledge payment of \$400,000 to the Law School for the Tim R. and Lynn L. Palmer Bicentennial Scholarship Fund in Public Service.
- William and Flora Hewlett Foundation private grant of \$400,000 to the Batten School of Leadership & Public Policy for the Hewlett Grant Renewal for the Center for Effective Lawmaking.
- Marcia & Marvin Gilliam, Jr. Foundation gift of \$350,000 to the University of Virginia's College at Wise for the General Administrative Gifts Fund.
- Mrs. Hunter J. Smith gift of \$333,500 to the University of Virginia's College at Wise for the General Administrative Gifts Fund.

- McWane, Inc. pledge payment of \$333,000 to the Darden School of Business for the Dr. Gene R. Page & David H. White, Ph.D. Scholarship Fund.
- Mrs. Victoria Dux Harker and Mr. Drew Alan Harker pledge payment of \$330,000 to the University for the Student Health and Wellness Center.
- Wellcome Trust private grant of \$309,512 to the Medical School for research in the impact of shigella, rotavirus, and other enteric vaccines on etiology specific diarrhea, antibiotic use, and exposure of subclinical infections to antibiotics among children in lower source settings.
- Mrs. Beverly B. Mills and Mr. Stephen Mills pledge payment of \$300,000 to the College of Arts & Sciences for the Beverly Byrd Mills Bicentennial Scholars Fund.
- Cohen Veterans Bioscience private grant of \$289,580 to the Medical School for research in establishing a normative neuroimaging library for traumatic brain injury.
- AYCO Charitable Foundation pledge payment of \$266,667, at the recommendation of Mr. Theodore A. Mathas, to the Law School for the William J. Stuntz Bicentennial Public Service Scholarship Fund.
- Mrs. Margie Saunders Howell and Mr. W. Nathaniel Howell pledge payment of \$254,005 to the College of Arts & Sciences for the Edward Vaughan Howell Bicentennial Fellowship Fund.
- Mr. John Foster Kirtley and Mrs. Kimberly Kirtley pledge payment of \$251,850 to the McIntire School of Commerce for the Carl P. Zeithaml Bicentennial Professorship Fund.
- Community Foundation of Greater Birmingham gift of \$250,000 to the Darden School of Business for the Dr. Gene R. Page & David H. White, Ph.D. Scholarship Fund.
- Fidelity Charitable Gift Fund pledge payment of \$250,000, at the recommendation of Mrs. Donna Graff Tadler and Mr. Richard D. Tadler, to the McIntire School of Commerce for the Richard and Donna Tadler Bicentennial Professorship Fund.
- Mrs. Amy Mitchell Griffin and Mr. John A. Griffin gift of \$250,000 to the University for the 2020 UVA Bridge Scholarship Fund.
- Mrs. Emily Robson and Mr. Bruce A. Robson gift of \$250,000 to the College of Arts & Sciences for the UVA Launchpad Summer Immersion Program Support Fund.
- Schwab Fund for Charitable Giving gift of \$250,000, at the recommendation of Sonja Hoel Perkins, to the Engineering School for the Olsson Hall Renovation Project.

- Vanguard Charitable Endowment Program gift of \$250,000, at the recommendation of Mr. Michael S. Miller and Mrs. Nancy Richards Miller, to the Medical School for the Department of Otolaryngology Bicentennial Professorship Fund.

Significant Pledges Received Since the Last Meeting:

- The Pew Charitable Trusts pledge of \$5,000,000 to the School of Nursing for the Rebecca W. Rimel Dean's Chair in the School of Nursing Fund.
- The Shumway Foundation pledge of \$5,000,000 to the McIntire School of Commerce for the Next Century Building Fund.
- Mrs. Sonia Klein Jones pledge of \$1,500,00 to the University for the Contemplative Sciences Center.
- The Owens Family Foundation gifts totaling \$1,375,000 to the Medical School for faculty research support; and to the College of Arts & Sciences for faculty research support and the Chemistry Department Annual Fund.
- Mr. Jeffrey C. Walker and Mrs. Suzanne C. Walker pledge of \$1,200,000 to the University for the Contemplative Sciences Center, as well as a pledge payment of \$400,000 for the Contemplative Sciences Center.
- National Philanthropic Trust pledge of \$1,000,000, at the recommendation of Mr. Robert G. Doumar Jr., to the Darden School for the Robert and Noelle Doumar Darden Jefferson Fellowship Fund.
- Anonymous pledges totaling \$785,000 to the Darden School for graduate scholarship support.
- The Mary Morton Parsons Foundation pledge of \$550,000 to Athletics for the Master Plan.
- Clark Construction Group, LLC pledge of \$250,000 to the School of Architecture for the Susan Williamson Ross/Clark Construction Bicentennial Scholarship in Architecture.
- Mrs. Margie Saunders Howell and Mr. W. Nathaniel Howell pledge of \$250,000 to the University for the Historic Buildings and Grounds Fund.
- Mr. Russell Starr Katz pledges totaling \$250,000 to the Architecture School for the Yamuna River Project and the India Studies Bicentennial Scholars Fund.

APPENDIX

MEMORANDUM

August 25, 2020

To: Members of the Board of Visitors

From: James E. Ryan, President
Liz Magill, Provost
K. Craig Kent, EVP for Health Affairs
J.J. Davis, EVP and Chief Operating Officer
John Jeffries, David and Mary Harrison Distinguished Professor of Law; Senior Vice President for Advancement

Re: Racial Equity Task Force and Historic Landscape

INTRODUCTION

In early June, in the wake of the killing of George Floyd and others at the hands of police, President Ryan formed a Racial Equity Task Force made up of Kevin McDonald, our Vice President for Diversity, Equity, Inclusion, and Community Partnerships; Ian Solomon, the Dean of the Batten School of Leadership and Public Policy; and Barbara Brown Wilson, a faculty member in the School of Architecture and the faculty director of The Equity Center.

President Ryan asked the group to convene with students, faculty, and staff to gather together the recent and past list of recommendations, suggestions, and demands regarding racial equity at UVA—and to solicit others—and to send him a concrete and prioritized set of recommendations about the best steps forward, including actions that can be implemented right away. Over the next two months, the Task Force worked diligently to compile the many recommendations, demands, and suggestions about racial equity that have been made over many years by numerous groups. In addition, they solicited input from a wide group of stakeholders, including students, staff, faculty, alumni, Charlottesville community members, and existing groups such as the President's Commissions concerning Slavery and Segregation at the University, the Office of African-American Affairs, the Carter G. Woodson Institute for African-American and African Studies, minority student organizations, Faculty and Staff Senates, Alumni Association Leadership, the Black Alumni Initiative, and others. All told, they met with hundreds of stakeholders across the University and received letters and submissions from over 1000 contributors.

While the Task Force's work was underway, Provost Liz Magill and President Ryan spoke with each member of the Board of Visitors about this work in order to understand your thinking on these issues and seek your input on how we should proceed. We heard a range of opinions, but the general consensus was that the Board wanted us to be action-oriented and bold. Many of you

pointed out that we have one shot to get this right and emphasized the importance of acting swiftly. We are encouraged by your support and by your willingness to address these critical issues head on.

In this memo, we offer recommendations about how we should proceed, which both reflect the [Racial Equity Task Force report](#) and build upon it. As always, we'd welcome input from any of you between now and the September Board meeting, and we look forward to discussing all of this with you then.

RACIAL EQUITY TASK FORCE REPORT

As you know, the Racial Equity Task Force's report recommends a number of initiatives to help "create a more welcoming climate, [offer] greater investment in relevant education and scholarship, [demonstrate] a community-wide commitment to healing and repairing a painful history, and, ultimately, [ensure] equal access and success." We are grateful for the work of the Task Force, especially given the serious time constraints under which they worked. Despite those constraints, the Task Force was able to reach out to over 300 members of our community and received letters and submissions from over 1000 contributors. They also assembled decades of reports, demands, petitions, and suggestions. They listened, synthesized, and organized this information to arrive at their recommendations.

Some will read the report and believe it asks too much; others may think it doesn't go far enough. Some may bristle at its critiques; others may think it holds back too much. We see the report as a call for us to be the best version of ourselves—to live out our stated commitments to diversity, inclusion, and equity—racial equity in particular. As a university, we firmly believe we will be stronger and better—both great and good—if we are a more diverse, inclusive, and equitable university and in particular a more *racially* equitable university, as the report describes. The report offers many suggestions about how to get there and recognizes that this work will take time and resources. It also recognizes that much of this work has already begun, and that most of the initiatives are reflected in the 2030 strategic plan. The report's main recommendations, at least at a general level, are largely about accelerating and elevating work to which we are already committed. Their recommendations also sharpen some of the goals within the strategic plan.

It may also be worth pointing out that some may view the recommendations below as reactive to this particular moment in time. We do not feel that way. Instead, we see these recommendations as continuing the work that the University has been engaged with over decades. Calls for change, understandably, focus primarily on the work ahead with scant regard of what has come before. But we ought to pause, acknowledge, and give thanks to the work that has already been done, as well as give thanks and credit to the university leaders, board members, faculty, staff, and students who preceded us and who were devoted to and passionate about this work. This is obviously a different university than it was 200 years ago. But perhaps less obviously, at least to those who are recently acquainted with the University, it is a much different—and better—place than it was 30 or 20 or 10 years ago. We would do a disservice to those who have been working

hard to create a more diverse, inclusive, and equitable university if we did not begin with that recognition.

In my short time as President, we have tried to build upon the work of those who came before us. All of this work, it bears noting, rests on the firm belief that becoming a more diverse, welcoming, and equitable place is both the right and smart thing to do. That is to say, it is both a moral and strategic imperative to be a place where those who are here and those who may wish to join us feel: yes, this is a place where, regardless of my background or identity, I will not just belong but thrive.

For that reason, over the last two years, we have, among other things, guaranteed free tuition to students from families in Virginia earning less than \$80,000 a year and free tuition, room, and board to those earning less than \$30,000 a year; provided a living wage for our employees and for most contract workers; hired outstanding new leaders in the athletics departments and schools who have both enhanced our leadership team and increased our diversity; helped launch and fund the Equity Center, which is devoted to working with the community to address racial and economic inequities; recruited the most racially and socioeconomically diverse class in the history of UVA, including increasing our first-generation students increased by two percentage points in a year, from 11% of the class to 13%; changed University policy to enable us to provide financial aid to in-state DACA students; and changed University policy to allow for the enrollment of all students, regardless of citizenship status.

We have also continued to work on changes to the historic landscape of UVA, including naming a new dorm after Julian Bond; changing Barringer Hall to the Francis Collins Hall; commissioning portraits and photos of change agents; developing new markers to commemorate moments and agents of change at UVA; developing a new audio tour of Grounds that will tell a more complete version of our history; changing Ruffner Hall to Ridley Hall; completing the funding for and construction of the Memorial to Enslaved Laborers; hiring a genealogist to help identify enslaved laborers and their descendants, and recently extending her contract.

We have launched both the President's Council on University-Community partnerships and the President's Commission on the University in the Age of Segregation; identified UVA and UVA Foundation land that can be used to build affordable housing and pledged to contribute 1,000-1,500 new units over the next decade; provided funding to create new spaces for the Multicultural Student Center, the LGBTQ center, LatinX center, and Interfaith Center; secured, through the Jefferson Scholars Foundation, a \$100M gift, matched with University funding, that will be used to provide full scholarships for first generation students.

There is of course more work to be done. That will always be true for institutions that constantly aspire to improve. To identify the work ahead should not be read to denigrate the work achieved or to suggest it was easy or ineffective. We should not simply acknowledge but applaud those who came before us for their efforts. At the same time, we should be humble about the work ahead, recognizing that it may be imperfect, but it is nonetheless critical.

RECOMMENDATIONS

As a way of moving forward and continuing this work, we would recommend that we focus our efforts and resources in the coming years on supporting the initiatives identified in the report that are aimed at diversifying our students, faculty, and staff, and on those aimed at programming and policies (or the revision of policies) that will help us create a more inclusive and equitable community. In approaching this work, we should stay focused on the overall goal, and not think of this as a box-checking exercise. To be sure, this work is about people, programs, policies, and funding, but it's also about culture. The ultimate aim is to be a community where all have a chance to succeed, to grow, and to lead—a community, as the report describes, “where people of any racial background have an equal probability of thriving.”

It is also important to recognize, as the Task Force report does, that most of the initiatives recommended in the report correspond with the goals of the 2030 strategic plan. In many ways, the report elevates and sharpens some of those goals, and to pursue the initiatives in the report is to pursue—in some instances in a more focused and bolder way—the goals of the strategic plan, which was just adopted a little over a year ago and imagines a ten-year horizon. In other words, we see the initiatives recommended by the Task Force as being in harmony with and furthering the goals of the strategic plan rather than pointing in an entirely different direction.

With all of that said, we would propose the following, which reflects and builds upon the Task Force Report.

Faculty

- Endorse the goal of doubling the number of underrepresented faculty by 2030. President Ryan will work with the Provost and deans over the coming months to identify the best strategies for doing so.
- The Provost, in consultation with the Deans and the leaders of the faculty senate, will oversee a review of our tenure and promotion process.

Students

- Endorse the goal of having a student population that better reflects the racial and socioeconomic demographics of Virginia and of the nation. The Provost will work with our new Vice Provost for Enrollment and our Dean of Admissions to come up with a plan and a strategy—as well as a time horizon—to meet this goal.
- Because we are prohibited by law, as a public university, from directly funding race-based scholarships, we will work with the Alumni Association, the Ridley Scholars Board, and the leadership of the Descendants of Enslaved Laborers to raise funds for scholarships for the descendants of enslaved laborers. Although this is not in the report, we would also suggest that our admissions office consider an applicant's status as a descendant of enslaved laborers at UVA as a plus-factor in admissions.

Staff

- The Chief Operating Officer will work with relevant partners, including the Provost's office, deans, and the President's Council on University-Community partnerships, to review our policies regarding staff hiring, wages, retention, promotion, and procurement in order to ensure equity, and racial equity in particular, across all of these areas.

Programs

- President Ryan will work with Kevin McDonald, our Vice President for Diversity, Equity, and Inclusion, and Community Partnerships, to ensure that his division has sufficient resources to do their work, and in fact, we have begun that process already.
- Vice President McDonald and Dean Ian Baucom will partner, and work with the Provost's office, other deans, the Student Affairs Office, Human Resources, and department heads to develop a series of educational programs around racial equity and anti-racism. They will also work with university leadership to create and implement leadership development programs focused on equity and racial equity in particular.
- Endow the key programmatic elements of the Carter Woodson Institute (including their pre-doctoral and post-doctoral programs) and provide funding, either directly or through matching funds to secure philanthropy, to create more faculty positions.
- Explore either creating a new tribal liaison position or assigning someone to take on that role. Also explore, with Advancement and Dean Baucom, raising funds for a Center for Native American and Indigenous Studies.

University Police Department

- Under the leadership of our Associate Vice President for Safety and Security and Chief of Police, Tim Longo, the University Police Department (UPD) is in the process of launching several initiatives to ensure fair, equitable, and transparent practices. UPD is conducting a thorough review of policies to ensure they reflect 21st century policing principles and will leverage faculty expertise to create a training curriculum for officers that addresses the evolving role of law enforcement in serving the communities they protect.
- Other initiatives include forming a Department of Safety and Security Advisory Council of students, faculty, staff, and community members; establishing a new position for an Equity, Diversity and Inclusion Manager to assist with recruitment, selection, training, policy development and student/community engagement; initiating an in-car camera program to enhance police accountability and transparency; and developing a robust data and reporting system that will enhance the department's ability to capture, track, analyze

and report on metrics that measure compliance with Constitutional standards, best practices, and University values.

Timeline, Funding, and Metrics

- Working with leaders across the University, including the Provost, deans, the COO, the EVP for Health Affairs, the Senior VP and VP for Advancement, over the next several months we would develop a specific plan for identifying the resources we can devote to these areas and a plan for allocating them, including identifying which of these resources should be used for matching philanthropic gifts.
- Working within the parameters approved by the Board last December, we will dedicate Strategic Investment Funds to fund these initiatives, which align well with the four core pillars of our strategic plan: to strengthen our foundation, cultivate the most vibrant community in higher education, enable discoveries that enrich and improve lives, and make UVA synonymous with service. Moving this work forward will require significant investments over time—how much, exactly, is impossible to say at this point absent a more refined plan for investments in faculty lines and chairs, post-doc programs, student scholarships, and programming. We are also in an extremely challenging moment financially, and an uncertain one. What we can commit to is to marshal the resources we have and need to make these efforts successful, and to make these efforts a central part of our ten-year strategic plan.
- Provost Magill and Vice President McDonald will work with relevant partners to create a system of metrics and assessment to identify our goals around racial equity and to mark our progress, as a way of ensuring transparency and accountability.

HISTORIC LANDSCAPE

The country is undergoing a reexamination of its past and questioning the celebration of a number of historical figures, especially those who fought for or led the Confederacy. Close to home, Albemarle County recently voted to remove a Confederate statue from Court Square and has renamed schools. Governor Northam has called for renaming public schools that are currently named in honor of Confederate leaders. Leaders in the U.S. military are also considering changing the names of bases named after Confederate soldiers and leaders. This reexamination is happening at universities as well, including nearby James Madison University and the University of North Carolina, which recently removed the names from three dorms that had honored those who promoted racism and white supremacy.

Over the last several years, UVA, too—with the leadership and partnership of the Board—has altered the historic landscape of our Grounds through changes and additions. UVA has changed the names of several buildings, including Lewis House, Jordan Hall, Barringer Wing, and most recently Ruffner Hall. In addition, as you know, the University has removed Confederate War Memorial plaques from the Rotunda; built the Memorial to Enslaved Laborers; named one of our new residence halls, Gibbons House, for a formerly enslaved couple at UVA; and most recently

named an upper-class residence hall on Brandon Avenue for civil-rights champion and former UVA professor Julian Bond.

This current and ongoing conversation, in our view, is healthy, as ultimately the discussion about whom universities wish to celebrate is a discussion about the aspirations and identity of universities today.

At the same time, the conversation can be painful, as it often requires reckoning with uncomfortable moments from the past. And it can be emotional, as names of buildings take on meanings separate and apart from their namesakes and become a part of the remembered landscape of alumni, who may know nothing about William H. Ruffner, but have fond memories of hours spent in Ruffner Hall. The prospect of renaming is also alarming to some who question whether stepping away from Confederate soldiers or leaders inevitably means denouncing this nation's founders—or the University's founder, Thomas Jefferson.

Our view is that the University of Virginia should continue not just to examine the historic landscape of the Grounds but to renew it, both now and for the future. But we also believe that the central founders of this country deserve our continued recognition and regard not because they were without flaws or sin, but because they helped form the union that we are still trying to perfect. In our case, this is especially true of Thomas Jefferson, who not only helped form the union but founded our University, which we are also still trying to perfect.

In this regard, we cannot improve on the views of historian Annette Gordon-Reed, a leading authority on Jefferson and Sally Hemmings, and the Pulitzer-Prize winning author of *The Hemingses of Monticello: An American Family*. Professor Gordon-Reed had this to say in a recent interview:

There is an important difference between helping to create the United States and trying to destroy it. Both Washington and Jefferson were critical to the formation of the country and to the shaping of it in its early years. They are both excellent candidates for the kind of contextualization you alluded to. The Confederate statues were put up when they were put up [not immediately after the war but largely during periods of civil rights tension in the 20th century], to send a message about white supremacy, and to sentimentalize people who had actively fought to preserve the system of slavery. No one puts a monument up to Washington or Jefferson to promote slavery. The monuments go up because, without Washington, there likely would not have been an American nation. They put up monuments to T.J. because of the Declaration of Independence, which every group has used to make their place in American society. Or they go up because of T.J.'s views on separation of church and state and other values that we hold dear. I think on these two, Washington and Jefferson, in particular, you take the bitter with sweet. The main duty is not to hide the bitter parts.

As with all historical figures, including those who are honored for their enduring accomplishments, ideas, or contributions, we should not shy away from telling their whole

stories—telling the bitter with the sweet and following the truth, wherever it might lead.

Over the last several years, there have been a number of excellent suggestions regarding how to deal with our historic landscape generally and with (re)naming in particular, including those from a committee co-led by former UVA President John Casteen and Professor Claudrena Harold, and from the President’s Commission on the University in the Age of Segregation. We also have a current naming policy. In an effort to tie those suggestions together and to present a clear path forward, we propose that we adopt the following three principles and modifications to our current naming policy in order to help guide naming and renaming, as well as the handling of memorials and statues, which have thus far not been a part of any university policy per se:

1. Once the time period for a name on a building expires, we should be open to renaming that building to honor a worthy recipient. Our current naming policy indicates that honorific names should be part of a building for 25 years, and that donor-related names should adorn a building for 75 years. Once that period is over, the policy continues, we “may” rename the building, but we are not required to do so. Over the years, it seems an implicit presumption has developed that renaming—even after the time period is over—should be exceptional. For that reason, in order to rename a building, it was thought that the person whose name was on the building needed first to be shown to be unworthy of continued recognition.

We believe there is a better, more productive, and more unifying way to approach the issue of renaming, which involves the simple but important step of abandoning the implicit presumption against renaming—especially with respect to honorific names. Instead of having to sit in judgment of those in the past and retaining the names only of those who are currently deemed more good than bad, we should invite the continuous renewal of our Grounds that can and should occur when the time period for honoring someone expires. In our view, at that point, the question should not be: should this person’s name come down because we, today, feel confident that this person is no longer worthy of the honor? Instead, the question should be: is there someone else, at this point, whom we would like to recognize and honor?

In approaching renaming this way, it ought to allow us to expand our history and tell a more complete story, one that—like history itself—is always unfolding. In this respect, we are fortunate to have many in our community, past and present, who are worthy of honoring, and we should look for opportunities to do so.

At the same time, re-namings should never be automatic, and the Board should retain the final discretion on whether to retain a name beyond the time period, which may be especially important in order to respect prior gift agreements. We also recognize that not all naming decisions are the same. The decision to change a school’s name, for example, is more momentous than the decision to change a building name, and may call us to undertake additional steps in the process, as we did in the case of the recent [request](#) from the Curry School. In general, purely honorific names may be more readily reconsidered after the passage of time than those that commemorate major philanthropy.

We recommend that in this effort we strive to honor those who have served the University, and those connected to the University who have served their communities, the country, and/or the world. We should also continue to invite and very much welcome philanthropic namings, as these present an opportunity to show gratitude to philanthropic support.

2. That said, and just as important: Our built environment should not celebrate the Confederacy or honor those whose primary legacy was to promote or protect slavery or dissolve our country. Nor should that environment promote the myth of the Lost Cause or those whose primary legacy was to promote white supremacy through exclusion, discrimination, or the promotion of eugenics. We can and should empathize, as best we can, and we should remember. We should also be humble about the past and about those who occupied it. But as we move forward, and seek to create a University that is visibly welcoming to all students and that inspires them to live up to our highest ideals, we should seek to celebrate, unabashedly, those who represent our values and our aspirations—not out of arrogance, but out of the recognition that each generation ought to have the freedom to choose whom it celebrates and honors. By respecting the time period for naming, we also ensure that our successors will be no more bound by our choices than we should be bound by those who preceded us.
3. We should meticulously record our history by making available, digitally and/or on-site, a full biography of each previous namesake of a building. In this way, we can both confront and continue to learn from our history and make it as clear as possible that renaming a building, or relocating, rededicating, or contextualizing a memorial or statue is not about “erasing” history. It’s about making a choice as to whom to celebrate, a choice that necessarily is about values and aspirations, no more and no less than the original naming was a choice about values and aspirations.

In order to implement these principles, we propose that we reconstitute the current committee on naming and create a new committee on naming and memorials, which will include representatives from our faculty, advancement, staff, students, alumni (recommended by the Alumni Association), and the Board (recommended by the Rector). The charge would include the following:

1. Continue to entertain and evaluate requests for new names to be added to buildings, consistent with current policy and the principles above.
2. Entertain and evaluate requests from the relevant University leaders for renaming buildings consistent with the principles articulated above. Make recommendations to the President, which he can then evaluate and forward to the Board for final approval.
3. Entertain and evaluate requests for relocating, rededicating, or contextualizing statues and memorials, consistent with the principles articulated above.

4. Immediately evaluate forthcoming requests for renaming Alderman Library and Maury Hall, and invite proposals for renaming consistent with the principles articulated above. We do not recommend that the Board take immediate action on these additional, forthcoming naming requests prior to consideration by the naming and memorial committee, both because community input with respect to alternative names is needed, and because we believe the newly reconstituted committee on naming and memorials should have a chance to consider alternative names before they go to the Board.

We would also propose that the Board take action at the September board meeting on the following:

1. Approve the pending [recommendation](#) to rename the Curry School of Education and Human Development, allowing it to revert to the University of Virginia School of Education and Human Development. We would also suggest that the Board make clear that we would welcome the opportunity, in the future, to honor a philanthropic supporter and/or someone who embodies the highest aspirations of the School.
2. With the help of historians at UVA and Monticello, authorize work to contextualize the Jefferson Statue in front of the Rotunda in order to tell the fuller story (the bitter and the sweet) of Jefferson. This has been a long-standing request from numerous members of our community, and it was also discussed favorably by the Board in 2017.
3. Approve the removal of the George Rogers Clark statue, and instigate a process, which includes consultation with Indigenous leaders, to determine a suitable place for the statue off Grounds. We propose this because statues (contrary to building names) have not been governed by our current naming policy and are therefore currently within the purview of the Board to act upon, and because relocation of this statue is consistent with the principles articulated above, as described in a brief summary by Professor Louis Nelson (Appendix A) and in [this article in UVA Today](#) by UVA history professor Christian McMillen.
4. Similarly, approve the rededication (if possible) or removal (if rededication is not possible) of the Whispering Wall, which is a Confederate memorial. Request that the committee on naming and memorials consider whether rededication or removal is appropriate and provide a final recommendation.
5. Approve the request for removing the name Withers from Withers-Brown Hall at the Law School, for the reasons ably explained in the recommendation to do so (Appendix B), and given the unanimous recommendation from the current naming committee (Appendix C).

Finally, we would recommend that we continue our [efforts](#), already underway, to add to the historic landscape by installing markers, commissioning and hanging portraits, and developing

digital tours that celebrate our full history and those who worked to make the University better and more inclusive.

CONCLUSION

Our apologies for the long memo, but there is a lot to cover. As mentioned earlier, we believe this moment offers us a unique opportunity to take actions that will leave a lasting, positive impact on the University we all love, and we look forward to partnering with the Board of Visitors to make progress. As also mentioned, and to make this as straightforward as possible, most of the proposals in this memo do not require and Board action, but we would nonetheless welcome your endorsement of them. The only actions requiring a Board vote are the five requests, above, related to changes to the historic landscape of the Grounds.

All that said, and as always, we welcome your thoughts, reactions, and ideas on any or all of this, and we look forward to the discussion at the September meeting.

Supporting Materials:

Appendix A: UVA's George Rogers Clark Monument, by Professor Louis Nelson

UVA's George Rogers Clark Monument

A brief summary by Professor Louis Nelson

George Rogers Clark—brother to William Clark of Lewis and Clark fame—gained recognition for his military engagement in the centuries-long struggle between the French, British, Native Americans and eventually the Americans for control over the Ohio Country, then called “the Northwest.” His military reputation was built on a series of campaigns against British forts in the late 1770s, and his engagements—partly funded by his own finances—were believed by many in his day to have contributed to American claims over the territory, which was formally ceded to the US in the Treaty of Paris. As the highest ranking American military officer in the territory and as a result of his association with this territorial expansion he came to be called the “Conqueror of the Northwest.” But his legacy has been the subject of debate among historians in recent decades. After strong success in the 1770s, his reputation suffered in subsequent decades when he faced far fewer successes, was accused by his own men of drunkenness, and eventually resigned from military leadership. While earlier scholarship has long celebrated this son of Albemarle County as contributing to the expansion of US territory, more recent historians have questioned the strategic value of Clark’s military campaigns to the eventual transfer of land to the US.¹ They further point out that his military campaigns against Native Americans in the Northwest Indian War resulted in the mutiny of his own men, ended in a withdrawal and without any military victory over Native Americans, and had the ultimate result of escalated tensions and expanded loss of life.²

UVA’s George Rogers Clark Monument, installed in 1921, is a seven-figure composition that stands on a huge granite pedestal inscribed with Clark’s early nickname “Conqueror of the Northwest.” Clark on horseback faces a figural group of three Native Americans—a kneeling woman with a cradleboard, a crouching warrior, and a standing chief. Clark faces these three while gesturing to the three armed Militia men behind his horse. As described in the *Alumni News* at the unveiling, Clark is “explaining the futility of a resistance.”³ When installed, this monument built upon a series of convictions about the natural supremacy of white Americans over non-whites, the early twentieth century romanticizing of Clark’s career, and mythologies about vanished and vanquished Indians, all carefully outlined by Christian McMillen in his recent piece in [UVAToday](#). As historians have made clear, Clark’s renown was founded on his early military engagements against the British and not his later engagements with Native Americans. Unfortunately, by conflating his nickname with a representation of engagements with Native Americans (over whom he saw little military success), the George Rogers Clark monument misrepresents Clark’s biography.

The monument is not only historically inaccurate it is also offensive. Clark offers to his Native American audience the opportunity of submission to white authority and the armed Militia behind him makes clear the consequence for noncompliance. In the early twentieth century, this reading was rafted on assumptions of the natural superiority of white Americans, a commitment that underscored the American doctrine of Manifest Destiny. But in our present moment, the monument sends the message that the university approves of the military conquest of white Americans over others, it reinforces long-standing assumptions of white superiority, and it infers that UVA is a white institution with no space for Native Americans. For this reason,

¹ James Fisher, “A Forgotten Hero Remembered, Revered, and Revised: The Legacy and Ordeal of George Rogers Clark,” *Indiana Magazine of History* 92:2 (1996), pp. 109-132

² Harrison, Lowell H., *George Rogers Clark and the War in the West* (2001).

³ *Alumni News* 10 (1921): 326.

it has been a point of pain among Virginia's Indigenous Peoples for decades.⁴ Building on previous petitions, the removal of the Clark monument is one of the critical recommendations listed in the recent report by the Racial Equity Task Force.⁵

⁴ Communicated to Louis Nelson in a meeting with Monacan tribal leader Karenne Wood, 10/28/2019.

⁵ Bridget Starrs, "Local petition calls for U.Va. to remove George Rogers Clark status," *The Cavalier Daily* 8/2/2019.

Appendix B: Recommendation to remove the name Withers from Withers-Brown Hall

Risa L. Goluboff

Dean | Arnold H. Leon Professor of Law | Professor of History



TO: University of Virginia Committee on Names
FROM: Risa L. Goluboff, Dean, University of Virginia School of Law
RE: Executive Summary on Withers Hall
DATE: August 6, 2020

This memo summarizes the work and recommendations of an ad hoc committee I appointed to review the name of the Law School's Withers Hall and conveys my endorsement of its recommendation. Appended to this memo are the ad hoc committee's complete report, the research and report prepared by the committee's historical consultant, and a report of the community input we received regarding the Withers Hall name.

Process

The [University's Naming Policies](#) require that naming or renaming of a University building, space, or academic unit be requested by a school's dean and approved by the University Committee on Names, the University President, and the Board of Visitors. In keeping with those policies, I charged an ad hoc committee comprised of UVA Law alumni, faculty, staff, and students, in collaboration with an historical consultant, to research the history of Henry Malcolm Withers, the namesake of the Law School's Withers Hall, as well as the history of the Withers Hall naming. I further charged the committee to share their research publicly and seek community input as to whether the Withers name should remain on or be removed from Withers Hall. Finally, I asked the committee to recommend whether I should request removal of the Withers name. The committee has now completed that process and unanimously recommended that I seek removal of Henry Withers's name from Withers Hall.

Henry Malcolm Withers

Because a complete historical report is appended here, I summarize the findings only briefly.

Withers was born to a slave-holding family in Culpeper County, Virginia in 1845. From 1863 through the end of the Civil War, Mosby served in a Confederate Army cavalry unit

commonly known as Mosby's Raiders, Mosby's Rangers, or Mosby's Men. The unit conducted irregular warfare. One of the many missions in which Withers participated was the lucrative ambush of a passenger train carrying Union paymasters, known as the Greenback Raid of 1864. After the war, Withers studied law at the University of Virginia from 1868 to 1870. In June 1870, Withers received a certificate of distinction in his classes. Withers left the Law School without receiving a Bachelor of Law degree, which was common at the time.

Withers moved to Kansas City, Missouri in 1870, where he spent most of his legal career in private practice, and invested in gold and silver mines and real estate. He also became involved in Kansas City's Democratic party and was elected city attorney for Kansas City. Withers held leadership roles in Missouri's Confederate veterans' organizations, which were closely linked with the state's Democratic party. He was a regular speaker at Confederate veterans' events, where—as late as October 1908—he glorified the Lost Cause and spoke about his belief in the inferiority of black Americans. When Withers died in December 1908, his obituaries in two local newspapers highlighted his service in the Confederate Army.

The Naming of Withers Hall

In 1983, the estate of Lacy Withers Armour, Withers's daughter, pledged to donate \$3 million to the University of Virginia to establish a scholarship fund in her name. That endowment in honor of Lacy Withers Armour continues to distribute significant scholarship funds each year. In additional recognition of the Armour gift, the University named its "Phase I" law school building—built on North Grounds in 1974 but unnamed for almost a decade—Henry Malcolm Withers Hall and established Armour scholarships at both the Law School and the College. The University's Board of Visitors approved the naming of Withers Hall at their meeting on January 27, 1984. Today the building is commonly referred to as Withers-Brown Hall. Walter L. Brown Hall, a 1979 addition that joins Withers Hall, is not under consideration for renaming. If the Withers name is removed, both parts of what is currently Withers-Brown Hall will be referred to as Brown Hall until an appropriate replacement can be identified.

Some law students objected to the naming of Withers Hall. In letters published in the *Virginia Law Weekly*, members of the law school's Black Law Students Association expressed outrage at the decision to name a portion of the Law School after Withers.

Current Community Reaction to the Withers Hall Name

The committee received more than 825 comments from the community via a [website](#) dedicated to the matter. UVA Law alumni submitted 86% of comments, with the remainder submitted by current UVA Law students, faculty, and staff. All comments are appended here. 84% of commenters advocated for the removal of the Withers name. A much smaller group—11%—thought the Withers name should remain in place. 1% of commenters specifically advocated that the building be renamed Armour Hall in honor of the donor. 4% of commenters did not offer opinions on the issue of removal.

In addition to the general input the committee sought, I personally contacted Mrs. Armour's grandson, Mr. Laurence Hearne Armour, who had negotiated the gift on behalf of the Lacy Withers Armour Charitable Trusts. Mr. Armour expressed his opposition to the change and asked that he be kept informed about the outcome of this process.

The Ad Hoc Committee's Recommendation

After considering the historical materials and community input, the ad hoc committee unanimously recommends removal of Henry Withers's name. The committee contends in the attached report that Withers's legacy as one of Mosby's Raiders and his decades-long promotion of both the Lost Cause narrative and white supremacist ideals directly conflict with the University's mission and values. They marshal, as evidence, both the historical record provided and the opinions of UVA Law community members now and in 1985. Moreover, the committee found that Withers is, at best, a marginal figure in the University's history.

Recommendation

I concur with the ad hoc committee's recommendation and that of the overwhelming majority of UVA Law community members who have offered feedback. Henry Withers is an obscure figure in the history of the Law School, the University, and the nation. While he led a successful life in Kansas City as a lawyer, businessman, and local politician, neither his achievements nor his ties to the University of Virginia rise to the level of significance that would typically warrant recognition by the Law School. Henry Withers's service as one of Mosby's Raiders was, according to both his own accounts and his obituaries, a defining feature of his life. He spoke proudly and unambivalently of his Confederate service—and the justness of the Confederate cause—more than 40 years after the Civil War. Moreover, the committee's recommendation is consistent with Governor Northam's exhortation to Commonwealth public school boards "to change school names and mascots that memorialize Confederate leaders or sympathizers" and with similar calls by Congress and the Joint Chiefs of Staff. Finally, the Law School will continue to honor Lacy Withers Armour's gift through her named scholarship endowment.

For all of these reasons, I agree with the committee that the Withers Hall name is inconsistent with the University's mission of supporting "a collaborative, diverse community bound together by distinctive foundational values of honor, integrity, trust, and respect" and with the principle articulated in the Naming Policies that the names of University spaces "should reflect our values as an academic institution." I respectfully request that the Committee on Naming consider whether Henry Withers's name be removed from Withers Hall.

**Appendix C: Recommendation from
Committee on Names**



VICE PRESIDENT *for* ADVANCEMENT

August 11, 2020

President James E. Ryan
PO Box 400881
Charlottesville, VA 22904

President Ryan,

On August 6, 2020, Dean Risa Goluboff submitted a formal request to the Committee on Names to remove the name of Mr. Henry Withers from Withers-Brown Hall at the Law School. Appropriate due diligence is a key principle in the University's Policy on Names, and we commend the dean and the ad hoc committee that she charged for the depth of their research and their commitment to public feedback in the process. Attached to this letter is an executive summary summarizing the request and a more lengthy and detailed report has also been submitted to the University including the Law School's findings and the comments from their public comment period. The full report will be filed in the University's records.

After careful consideration, the University's Committee on Names has voted unanimously to support the dean's request. We agree with the dean and her committee that Mr. Withers primary legacy is not consistent with the values and mission of the University of Virginia.

President Ryan, if you decide to advance our recommendation to the Board of Visitors for their approval, we recommend that Dean Goluboff communicate the ultimate decision of the Board to Mr. Withers' family promptly after the resolution has been voted upon and before any University communication is distributed.

Sincerely,

Mark M. Luellen
Vice President for Advancement
Chair of the University of Virginia's Committee on Names

cc: Dean Risa Goluboff