

Bullying at UNC Law: A Call to Action
February 2021

Preface

We are a group of multicultural students from every law school class at the University of North Carolina School of Law. The large group of students who helped write, or endorse this letter, do not condone racism. Racism has no place in the halls of law schools. Nor do they condone the dissemination of unsubstantiated or outright false statements. These students write to address systemic bullying and threats in our law school. Some of whom worry about retaliation in various forms. Because we do not feel our law school or our country are racist, we are told our beliefs do not matter.

All cited material not in public record is in the enclosed Appendix.

Bullying at The University North Carolina School of Law

The University of North Carolina School of Law (“UNC Law”) is a top-thirty law school that prides itself on “welcome[ing] and valu[ing] diverse perspectives.”¹ Unfortunately, this commitment to diversity is not extended to ideas or perspectives that diverge from those of the mainstream. As a result, a culture of “bullying” politically unfavorable perspectives into silence casts a shadow over an institution that should be encouraging and enabling honest and open debate about the world we live in. For students entering law school with conservative or libertarian views, this culture has been present since the first day they stepped onto campus.

What happens in the law school is abusive and detrimental to the mental health of law students and disrupts the learning process. Oftentimes, these individuals are bullied or demeaned into submission, are requested to be removed from positions of influence, or are publicly ostracized. This bullying is done in the name of “holding them accountable,” whether or not anything controversial has actually been said or done. While this behavior is morally reprehensible regardless of where it occurs, the presence of bullying has no place in institutions of higher learning, especially in a law school.

UNC states in its Policy on Prohibited Discrimination, Harassment and Related Misconduct, that “[t]he University is committed to providing a safe, diverse, and equitable environment to all members of the Carolina community.”² Additionally, the state of North Carolina explicitly prohibits this behavior. “‘Bullying or harassing behavior’ is any pattern of gestures or written, electronic, or verbal communications, or any physical act or any threatening communication, that takes place on school property, at any school-sponsored function” that “[c]reates or is certain to create a hostile environment by substantially interfering with or impairing a student’s educational performance, opportunities, or benefits. . . , ‘hostile environment’ means that the victim

¹ See, Message from Dean Brinkley, 2/19/2021

² See, UNC Policy on Prohibited Discrimination, Harassment and Related Misconduct, <https://eoc.unc.edu/our-policies/ppdhrm/>

subjectively views the conduct as bullying or harassing behavior and the *conduct is objectively severe or pervasive enough that a reasonable person would agree that it is bullying or harassing behavior.*”³ (emphasis added).

Recent events at our law school and the subsequent dialogue has made clear that “diversity” or a different perspective is not welcome and not wanted. The subjects of bullying were once called victims. They now categorize them as suffering from an inability to understand or “white fragility.” Those who oppose being threatened, bullied, or shouted down are called “white supremacists,” “white nationalists,” “bigots,” or “racists.” By using these politically convenient terms, bullying those in disagreement *somehow* becomes morally justified. Those of a majority race are told that they are fundamentally flawed because they are part of an “oppressor group” and that they must denounce their “whiteness.” Moreover, everyone is told they are either “anti-racist” or “racist” – essentially, an “if you’re not with us, you’re against us” attitude. This only leads to more division along racial lines. Something that we should all vehemently oppose.

This culture has broken us all down. We have no voice; we cannot address our bullies; and we must remain faceless. Those who speak out against this bullying are immediately denounced as “racists,” and shut down. This behavior is not only harmful to the mental health of the victims of this harassment, it also creates a hostile and inefficient learning environment where not all voices are heard because some are *afraid to speak up*. This does not live up to the free speech ideals that we learn about in our First Amendment classes – it does not contribute to a marketplace of ideas, the free exchange of ideas, or the notion that the “remedy to be applied is more speech, not enforced silence.”⁴ We believe that all students should feel comfortable to share their ideas and beliefs to contribute to discourse, even if they are not popular. As future attorneys we should be able to argue the merits of legal and social issues that are confronting our country. However, that is not possible if all sides cannot be heard. Fear of retaliation for unpopular, though not morally wrong, opinions, creates a spiral of silence⁵ that isolates students from their peers and cripples productive classroom debate.

Some professors subtly humiliate students for bringing up different views in class. Other students shout over their peers to effectively silence them. Merely having a visible American flag as part of your room decor over Zoom puts a target on your back. In fact, one law student posted on Facebook to resounding approval by his peers that an “American flag hanging on your wall and centered in your zoom background is big MAGA energy, and I appreciate my (white male)

3 N.C.G.S. § 115C-407.15(a)(2)

4 *Whitney v. California*, 274 U.S. 357 (1927)

5 The “Spiral of Silence” is a mass communication theory coined by German political scientist Elizabeth Noelle-Neumann that posits that people have a tendency to remain silent when they feel their views are in opposition to the majority view on a subject. This silence is motivated by fear of isolation that could occur if the majority group realizes that the individual has a divergent opinion from the status quo, as well as fear of reprisal (such as loss of job, status, etc.). <https://masscommtheory.com/theory-overviews/spiral-of-silence/>

MAGA law school colleagues ‘outing themselves’ so easily and visibly.”⁶ And, put best to a law school class, “[r]emember that, in the United States, we have all been brought up within a ‘White Supremacist Culture.’”⁷

January 14th, 2021 Incident

The most recent events at the law school have been the most alarming, especially because the news outlet, The News & Observer, reported on the incident but did not provide the escalating context.⁸

On January 14th, during a first-year law class, the topic of colonialism was brought up. The conversation escalated when one student posited: “Amazingly, Native people lived here for 60,000+ years w no problems, and in 600 years of colonialism the planet has been set on fire.”⁹ Another student jumped in to correct that factual assertion: “I don’t think it’s accurate to say that there were no problems. Conquest, enslavement of defeated tribes, human sacrifice, ritualized rape, etc were all war tactics used in tribal warfare, from the Mayans to the Comanche. *This does not excuse Spanish or English colonization, but in the name of academic honesty, thought it was worth mentioning.*”¹⁰ (emphasis added)

After some back and forth, the second student clarified that he was saying that: “That the argument that there were ‘no problems’ prior to colonization is objectively incorrect.”¹¹ The first student responded: “No, your argument is that white people were entitled to do so.”¹²

When asked why he was mentioning any of this, the second student explained: “It offers historical context. Europeans were successfully [sic] because they were far more technologically advanced and carried smallpox.”¹³ When questioned further, he explained: “Successful in this sense: it explains why you now live in privilege now that the lines have been drawn.”¹⁴

The first student took offense to this and responded: “Oh I live in privilege? Tell me more about my privilege.”¹⁵ The second student stated: “You are an American attending an elite law school

6 See, Facebook Post 1

7 See, Facebook Post 2

8 See, News and Observer Article

9 See, Transcript, 15:55:32

10 See, Transcript, 15:57:13

11 See, Transcript, 15:59:43

12 See, Transcript, 15:59:59

13 See, Transcript, 16:03:40

14 See, Transcript, 16:04:00

15 See, Transcript, 16:04:44

in the 21st century. If you are looking for a good cause, you can always travel to Cameroon and fight the colonizers there.”¹⁶

Again, the first student took offense and responded: “Did you just tell me to go back to Africa?”¹⁷ The second student denied doing so: “What? Dude what are you saying? I’m saying that people talk about colonization like it we’re [sic] all culpable for great evil. My point is that if you want to fight colonization, there are actual civil wars occurring now between natives and colonizers (like in Cameroon).”¹⁸

The first student was dissatisfied with this and concluded: “Your point is racist” with no further reasoning.¹⁹

Aftermath of the Jan. 14th Incident

This exchange was first reported to the law school administration. They did not take action, likely because a reasonable reading of the transcript did not show any racially motivated remark from the second student.

After a month, groups at the school began circulating a letter accusing the second student of suggesting “that a Black peer should return to Africa” and publicly calling him a “racist.”²⁰ The Carolina Public Interest Law Organization sought to punish faculty by “remov[ing] []auction items associated with professors and administrators involved.”²¹ This is an annual law school auction that raises grant money for law students.

In an organized law school discussion – a groupchat with almost the entire first year class – students began demanding answers for why their elected leaders on the Student Bar Association Board did not endorse the letter. Most of them did not engage.

Although he was not even present at the voting, the 1L Class Co-President spoke separately for himself defending his fellow elected members’ conclusion, saying that he, too, reviewed the transcript and could not conclude that any student told anyone else to “return to Africa.”²²

16 See, Transcript, 16:05:14

17 See, Transcript, 16:05:54

18 See, Transcript, 16:05:58; 16:06:02; 16:06:48

19 See, Transcript, 16:08:08

20 See, BLSA Letter

21 See, CPILO E-Mail 2/18/21

22 See, 1L Class Co-President Statement

After sharing this, he – a student of color himself – was immediately told “[s]o you’re racist” by, oddly enough, a white student.²³ He was told to resign and was threatened with a recall election if he did not comply.²⁴

Within this discussion, one student even said: “But know that anything that could be construed as critical of the BLSA letter is NOT welcome in this large group chat - enough is enough.”²⁵ Yet, this comes from members of the same group who demanded students, who anonymously released a statement about not feeling able to speak freely in the law school, come forward and reveal themselves.²⁶

The next day, an anonymous letter was circulated to the student body via the official law school class Facebook groups agreeing with the 1L Class Co-President and addressing the “cancel culture” of the law school’s student body. Its authors remain anonymous out of fear of retaliation. Naturally, this letter was met with extreme opposition for calling out the toxic culture of the student body and equating cancel culture with bullying:²⁷ “I’m glad these assholes know they’ll get dragged for their bullshit.”²⁸

The day after, the 1L Student Bar Association Students held Office Hours. Students flooded this to question their leaders on why they did not endorse the first letter sent out. Students used this opportunity to specifically attack and verbally abuse the 1L Class Co-President. They screamed, shouted over him, and used profanity whenever he tried to answer their questions in order to silence and shame him.²⁹

At one point, a student asked if the Class Co-President – again a student of color – was comfortable that his statement was only supported by white students. Before he could answer, another student wrote in the Zoom chat, “My guy clearly wants to be welcomed into the ‘white boys’ club so of course it makes him feel good.”³⁰

On February 23rd, the *News and Observer* published this incident without giving full context. The first student identifies himself and reportedly “Does not want an apology or for the student to be kicked out” but instead wants the “law school to implement an immediate and retroactive pass/fail grading system for last fall and this spring semester” to “level the playing field for

23 See, 1L Class GroupMe 1

24 See, 1L Class GroupMe 1

25 See, 1L Class GroupMe 2

26 See, Facebook Post 3

27 See, Anonymous Letter

28 See, Facebook Post 4

29 See, 2/22/2021 SBA Audio

30 See, Photograph of Zoom Chat from 1L SBA Office Hours

students of color.”³¹ This same student continued to inflame the situation in the law school class discussion by describing the pandemic as “ethnic cleansing known as COVID-19” and suggesting that we should all “think about how those not acting as actively anti-racist will be written about in another 100 years *as more white people die than are being born and the numbers flip*.”³² (emphasis added).

The situation has become so radical that *even professors* are afraid. In an upcoming law school event about the First Amendment and its intersection with Big Tech, one of the professors no longer wanted to participate “because he no longer feels comfortable speaking at student lead events this semester.”³³

Conclusion

These groups, specifically the Black Law Students Association (“BLSA”), have now demanded: a Diversity Dean who will oversee an “anti-racist curriculum” and *whether students should be recommended to the Bar depending on whether they have* “engaged in conduct demonstrating racial animus” during law school; mandatory critical race theory courses³⁴ which aim to create an “anti-racist” learning environment; mandatory hiring of professors based on race; shifting scholarship funding to students of color; and a special and separate “Black and Brown Admitted Students Day.”³⁵ The Dean has acknowledged these demands, stating, “Many of the roots of structural racism can be found in legal arrangements designed to perpetuate white power and oppress persons of color. All of us – law faculty, law students, and the staff and administrators who support them – are being called on at this time to confront our history of legally sanctioned white supremacy and oppression”³⁶ We sincerely oppose the implementation of these suggested policies, specifically the hiring of a Diversity Dean and the implementation of mandatory critical race theory courses because they are inherently divisive.

The law school has been made aware of the bullying described above, yet has made no statement. We return to class everyday worried that we may be next. What might we say that may be taken out of context? Could we lose our careers? Our futures? Might someone even become violent against us? Our political beliefs and the way in which we view and interpret the

31 See, News and Observer Article

32 See, 1L Class GroupMe 3

33 See, First Amendment Event Email

34 We would also like to take the opportunity to explicitly oppose the addition of critical race theory to our law school curriculum. Critical race theory *does not* seek equality or justice. In fact, it categorizes people based on immutable characteristics such as race, gender, and sexual orientation, and then groups people into “oppressed” or “oppressor” groups based on these categories. Critical race theory is damaging in two major respects: (1) it precludes any meaningful or fact-based conversation about racism and race, because the answer is already predetermined and (2) it creates a divide between well-meaning people that likely agree that racism is bad, but disagree on the best way to address it. Finally, as it stands, if you disagree with the philosophical framework of critical race theory, then you are ipso facto, a racist. This theory further divides individuals along racial lines, which is what everyone can agree is morally wrong.

35 See, BLSA Expectations of Faculty

36 See, Message from Dean Brinkley, 2/19/2021

law jeopardize our future livelihood. Not because our views are actually racist, or morally reprehensible, but because they are different and do not reflect what is politically expedient. In closing, the administration at UNC Law has demonstrated that despite claims to the contrary, it does not take mental health seriously as these concerns have been raised many times by many different students. The response is met with a denial of the existence of bullying and a reminder to fall in line.

We love our school and we love our country. We do not believe “institutional racism and oppression . . . permeate[] [our] law school.”³⁷ As we said in the preface, we unequivocally condemn acts of racism. However, we also denounce labeling statements that are merely disagreeable, as “racist.” When everything is racist, nothing is racist, and this greatly delegitimizes real efforts towards racial equality.

To those reading this letter, we ask you to join us in bringing the attention to this issue that it deserves. Bullying those with different ideas into silence harms the wellbeing of students and detracts from everyone’s educational experience. Help us to hold the administration at UNC Law to their promise of supporting and encouraging diversity of thought. Although many students at UNC Law have expressed the concerns outlined in this letter, there are also students around the country who are experiencing these same problems on their campuses. Yet, there is little discussion on why this is problematic and what can be done to remedy it.

Please find enclosed all materials cited to in the footnotes.

Sincerely,

Many Concerned Law Students

³⁷ See, GSPF President Letter

Appendix

2/19/2021 Message From Dean
Brinkley



From: Dean Martin H. Brinkley '92 [REDACTED]
Subject: A Message from Dean Brnk ey
Date: February 19, 2021 at 4:48 PM
To: [REDACTED]

A Message from the University of North Carolina School of Law



FEBRUARY 2021

Dear Carolina Law Community:

Some of you are aware of an incident that
occurred during the first week of the semester in

one of our courses. Students engaged in a discussion around racial issues in which some students felt attacked and offended. The professor and the administration have been and are working hard to address the situation that occurred in the class with the parties concerned. The [Family Educational Rights and Privacy Act \(FERPA\)](#) limits the Law School administration's ability to disclose information about what action has been and is being taken. Although the incident happened several weeks ago, this is why I have not been able to speak earlier on this subject.

That said, because this matter has been upsetting and hurtful to many in our community who were not directly involved, I am writing to you now.

In recent months we have been engaged in long overdue and painful conversations about structural and systemic racism – in our nation, on this campus and in this law school. Many of the roots of structural racism can be found in legal arrangements designed to perpetuate white power and oppress persons of color. All of us – law faculty, law students, and the staff and administrators who support them – are being

called on at this time to confront the history of

called on at this time to confront our history of legally sanctioned white supremacy and oppression and its deeply destructive effects on our fellow human beings – and on us all.

This is a journey of discovery for each and every one of us. It is emotionally fraught and painful. None of us is immune from the pain. The suffering of centuries on the part of people of color, a suffering that continues today, means that our only hope of opening our hearts and minds to the possibility of a better future lies in acknowledging, experiencing and valuing this pain. The journey demands that we choose our words carefully after reflecting on how they may be perceived by others.

I am confident we can support each other through this journey and become better human beings as a result. Our efforts will not be perfect, but we must strive all the same. Although our work is far from done, we have made some meaningful progress this year – progress the pandemic sometimes makes it hard to see. I am hopeful that as things gradually improve and we are more often able to be physically present with each other, some of this progress will become evident.

Law school is a place for thinking aloud and learning about other people's perspectives. We are called on to defend arguments we as individuals don't believe in, and to dismantle the reasoning of the side we are most passionate about. Our discussions are painful, in part, because the law does not validate and endorse everything we believe in. We are part of a university, one of the institutions in society that disrupts existing moral, social and political arrangements. The university only works if arguments are made in the spirit of tolerance, openness, and that most fundamental of virtues – humility.

Our school will continue to equip future lawyers with an awareness of historical unfairness within the legal system, as well as with tools for dismantling the remaining vestiges of injustice and inequity in our society. We will do this while fostering an inclusive learning environment that welcomes and values diverse perspectives, backgrounds, and lived experiences.

I ask you to join me in staunch adherence to these commitments.

Sincerely,

Martin H. Brinkley '92

UNC Policy on Prohibited Discrimination, Harassment and Related Misconduct



HUMAN RESOURCES AND EQUAL OPPORTUNITY AND COMPLIANCE
Equal Opportunity and Compliance

In an emergency, call 911

Policy on Prohibited Discrimination, Harassment and Related Misconduct

The University is committed to providing a safe, diverse, and equitable environment to all members of the Carolina community. This policy addresses acts that are contrary to these values. These acts include discrimination, harassment, sexual assault or sexual violence, interpersonal (relationship) violence, sexual exploitation, stalking, and retaliation.

What you need to know about this Policy:

Key points about the Policy are addressed in the three sections below – (1) the Policy and the types of conduct the Policy prohibits, (2) how to report the incident and get help, and (3) what happens after a report is made.

(1) THE POLICY AND PROHIBITED CONDUCT

What it's about:

The Policy is about providing a safe and equitable campus community. The following behaviors are prohibited: discrimination and harassment based on any protected status, sexual assault or sexual violence, sexual exploitation, interpersonal (relationship) violence, stalking, complicity for knowingly aiding in acts of prohibited conduct, and retaliation. The Policy covers a broad range of conduct because any of these behaviors can impact the ability of campus community members to successfully and comfortably live, learn and work.

Who it applies to:

- University students (undergraduate, graduate, professional and doctoral students)
- University employees (faculty members, EHRA (EPA) non-faculty members, SHRA (SPA) employees, student employees)
- Post-doctoral scholars
- Others connected to the University (contractors and those under circumstances within the University's control)

Where it applies:

- On campus conduct
- Off campus conduct (including on-line or electronic conduct such as emails, text messages, and social media) under certain circumstances

**See pages 2-3 of the Policy for more information.*

Statuses that are protected from discrimination and harassment:

Age, color, disability, gender, gender expression, gender identity, genetic information, national origin, race, religion, sex, sexual orientation, or veteran status.

**See pages 6-7 of the Policy for more information.*

Prohibited conduct:

The descriptions below are short summaries of the full definitions of prohibited conduct, which can be accessed on pages 5-12 of the Policy.

- **Discrimination:** Treating a person differently than others based on that person's protected status when it is sufficiently serious to unreasonably interfere with or limit the ability to participate in, access, or benefit from the University's programs and activities. Discrimination can include failing to provide reasonable accommodations for individuals with disabilities.
- **Harassment:** A type of discrimination that happens when verbal, physical, electronic, or other behavior based on a person's protected status interferes with their participation in the University's programs and activities and it either creates an environment that a reasonable person in similar circumstances and with similar identities would find hostile, intimidating, or abusive; or where submitting to or rejecting the conduct is used as the basis for decisions that affect the person's participation in the University's programs and activities.
- **Sexual or gender-based harassment:** Conduct that may: include unwelcome sexual advances, requests for sexual favors and other verbal, physical, or electronic conduct of a sexual nature that creates a hostile, intimidating, or abusive environment; involve verbal, physical, or electronic conduct based on a person's sex, gender, sexual orientation, or sex-stereotyping that creates a hostile, intimidating, or abusive environment, even if those acts do not involve conduct of a sexual nature; or include harassment for displaying what is perceived as a stereotypical characteristic for one's sex or for failing to conform to stereotypical notions of masculinity and femininity, regardless of the actual or perceived sex, gender, sexual orientation, gender identity, or gender expression of the person(s) involved.
- **Sexual assault or sexual violence:** Having or trying to have sexual contact with another person without that person's consent. Sexual contact is intentional touching or penetration of another person's clothed or unclothed body by another person with any part of their body or any object in a sexual way. It can also include causing another person to touch their own or another person's body in this manner. Think A.C.E. for consent – 100% agreement (freely made and conscious decision), communicated clearly (words and/or actions), every time. *See page 9 of the **policy** for more information about consent.*
- **Sexual exploitation:** Taking sexual advantage of another person without their consent (see consent above), taking advantage of another person's sexuality, or going beyond the consensual sexual

contact you both agreed to without the knowledge of the other person, for any purpose. Here are just a few examples (*see page 8 of the Policy for more information*):

- threatening to disclose a person's sexual orientation, gender identity, or gender expression
 - observing another person's nudity or sexual contact, or allowing another person to do so, without the knowledge and consent of everyone involved
 - streaming images, photography, video, or audio recordings of sexual contact or nudity, or distributing these things, without the knowledge and consent of everyone involved
- **Interpersonal violence:** Encompasses a broad range of abusive behavior committed by a person who is or has been in a romantic or intimate relationship with the person reporting the conduct or who is a spouse or partner, family member; or a roommate. Interpersonal violence includes physical, sexual, emotional, economic, or psychological actions or threats of actions that a reasonable person in similar circumstances and with similar identities would find intimidating, frightening, terrorizing, or threatening.
 - **Stalking:** Repeated, unwanted attention; contact that is either physical, verbal, or electronic (e.g., email, social media, text messages); or any other conduct directed at a person that is sufficiently serious to cause physical, emotional, or psychological fear or to create a hostile, intimidating, or abusive environment for a reasonable person in similar circumstances and with similar identities.
 - **Complicity:** Knowingly aiding, assisting, promoting, or encouraging another person through your actions to commit an act of conduct that is prohibited by this Policy.
 - **Retaliation:** Acts or words taken (e.g., intimidation, threats, coercion, or unfavorable employment or educational actions) against a person because the person participated in good faith in:
 - the reporting, investigation or resolution of an alleged violation of the Policy
 - opposing policies, practices, or actions that the person reasonably believes are in violation of the Policy
 - requesting accommodations on the basis of religion or disability
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(2) HOW TO REPORT AN INCIDENT AND GET HELP

Reporting an incident:

In emergencies, call 911 for immediate assistance from local law enforcement.

Everyone is encouraged to report prohibited conduct to the University so that they can learn about options to address the incident under the University's Policy and to receive interim protective measures (e.g., changes to housing or work schedules, no-contact orders, changes to housing) by contacting the resources below, either in person, by phone, in writing, or by email:

- EOC
 - Report and Response Coordinators (a resource for all types of reports)
 - Ew Quimbaya-Winship – egw@unc.edu or (919) 843-3878
 - Rebecca Gibson – rmgibson@unc.edu or (919) 445-1578
 - Kathryn Winn – kmwinn@unc.edu or (919) 843-2993
 - Director of Title IX Compliance/ Title IX Compliance Coordinator (a resource for all for reports of sex discrimination, harassment, sexual assault or sexual violence, sexual exploitation, interpersonal (relationship) violence, and stalking)
 - Adrienne Allison – adrienne.allison@unc.edu or (919) 962-7177
 - [Online report submission form](#) (a resource for all types of reports)
- [Office of the Dean of Students](#) (a resource for students for all reports)
- [University's Department of Public Safety](#) (a resource for all reports involving criminal conduct)

You are not required to decide whether to request any particular course of action at the time a report is made. The University recognizes that deciding how to proceed is a process that unfolds over time. The University will make every effort to respect your decision about how to move forward and will keep you updated throughout the process. Resources and interim protective measures are available to you regardless of the course of action chosen.

Those employees who are Responsible Employees are required to report prohibited conduct under the Policy. [View information on reporting incidents for Responsible Employees >>](#)

Anonymous reports:

You can make a report to the University without telling us who you are; however, please keep in mind that the University's ability to respond to an anonymous report may be limited depending on the level of information available about the incident. Here is an option for anonymous reports:

[UNC Police's Silent Witness form >>](#)

Other resources (e.g., confidential, emotional, medical, law enforcement):

There are additional resources that are available to you on campus and in the community, including law enforcement reporting options for the purpose of pursuing a criminal investigation, confidential medical care (e.g., evidence preservation, pregnancy prevention, treatment of STIs), and confidential psychological and emotional support.

[View information about all available resources >>](#)

Your privacy:

For any report under this Policy, every effort will be made to respect the privacy of all people involved in a way that is consistent with the need to carefully assess the report and to take any necessary steps to stop the conduct, prevent it from happening again, and address its impact. Information will only be shared with those people who have a need to know in order to protect the safety and well-being of those involved. See page 14 of the **[Policy](#)** for more information.

Good samaritan reporting/disciplinary leniency for reporting:

Any person who makes a report will not be subject to disciplinary action by the University for their own personal consumption of alcohol or other drugs at or near the time of the incident, provided that the consumption did not harm or place the health or safety of any other person at risk. The Office of the Dean of Students may require a follow up meeting in which support, resources, and educational counseling options may be required for a person who has engaged in the illegal or prohibited use of alcohol or drugs.

(3) WHAT HAPPENS WHEN A REPORT IS MADE

After a report is made:

- A small response team consisting of EOC staff and partner departments who have a need to know will meet to conduct an initial assessment of the incident, any risk of harm to those involved or to the broader campus community, and the need for any interim protective measures for the safety and protection of those involved.
- An EOC staff member will contact the affected person to discuss the report, advise about potential next steps based on the procedures that apply to the particular situation (see below), and to offer appropriate resources and interim protective measures (e.g., medical care, counseling resources, safe housing).
- At the conclusion of the initial assessment, EOC staff will work with the person who reported the incident to determine how to address the conduct. If the person requests that their name or other identifiable information not be shared with the person who they reported committed the conduct or that no formal action be taken, EOC will consider this request along with several factors, including the nature of the conduct and the risk posed to the campus community. The University will make every effort to respect the decision of the affected person about how to move forward.
- If a report has been made against you and an investigation is pursued, the University will notify you of the investigation in writing and will reach out to you to schedule a time for you to meet with an investigator.

Support persons and attorneys:

At any meeting or hearing related to the resolution of a report under the Policy, both the affected person and the person responding to allegations of prohibited conduct may have a support person present. In addition, each may have a second person present: an additional support person, a non-attorney advocate, or, at the party’s own initiative and expense, an attorney.

[See FAQs for more information >>](#)

Procedures for addressing reports:

There are specific procedures for responding to reports under the Policy based on the relationship of the people involved to the University. Here are a few highlights.

Procedures	Key Points
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**Procedures for Reporting and
Responding to Complaints Involving
a Student as a Responding Party**

Reports can be made at any time regardless of when the conduct took place. EOC will seek to resolve all reports within one academic semester.

Resolution may include (1) no further action, (2) voluntary resolution when appropriate to address the conduct without disciplinary action, or (3) an investigation and adjudication that may lead to disciplinary action.

Where an investigation and adjudication are pursued, sanctions may include educational, restorative, rehabilitative, and punitive components. Some behavior is so egregious in nature, harmful to the people involved, or so detrimental to the educational process that it requires severe sanctions, including suspension from the University or expulsion from the UNC System.

Procedures for Reporting and Responding to Complaints Involving an Employee as a Responding Party.

Reports can be made at any time regardless of when the conduct took place. EOC will seek to resolve all reports within forty-five to sixty business days of the EOC's determination of the appropriate course of resolution.

Resolution may include (1) no further action, (2) informal resolution when appropriate to address the conduct without disciplinary action, or (3) an investigation that may lead to disciplinary action.

Where an investigation is pursued, resulting recommendations may include corrective measures, such as educational, restorative, or rehabilitative components, and/or disciplinary actions. Some behavior is so egregious in nature, harmful to the people involved, or detrimental to the safety of our campus community that it requires severe disciplinary actions, up to and including termination of employment with the University.

Procedures for Reporting and Responding to Complaints Involving a Third Party as the Responding Party.

Reports can be made at any time regardless of when the conduct took place. EOC will seek to resolve all reports within forty-five to sixty business days of the EOC's determination of the appropriate course of resolution.

Following an Initial Assessment, the Director of Equal Opportunity and Compliance or Title IX Compliance Coordinator may: (1) take no further action; (2) initiate an inquiry that may include providing resources, accommodations, or other remedial measures to the Reporting Party, and may also lead to corrective measures that involve the Responding Party; and/or (3) take other measures tailored to address the reported conduct.

Corrective measures that may be implemented include, but are not limited to:

- **Educational Requirements.** Completion of projects, programs, or requirements designed to help the *Responding Party* manage behavior and understand why it was inappropriate.
- **“No Contact” Orders.** Compliance with orders of no contact that limit access to specific University areas or forms of contact with particular persons.
- **Trespass Notices.** Compliance with orders by law enforcement not to enter campus property.
- **Contract Adjustment or Termination.** Adjusting the terms of or terminating a contract between the University and an individual(s) or entity that has been found to have violated the Policy after a thorough *Inquiry*.
- **Denying Access to Campus Facilities or Events.** Responding Parties found to have violated the Policy may be denied the ability to use campus facilities or attend/participate in campus events or programs

[*Learn more about the development of this Policy and procedures >>*](#)

[*View other related non-discrimination policies >>*](#)

- [Policy Statement on Non-Discrimination >>](#)
- [Policy on Non-Discrimination for Program Participants >>](#)

N.C.G.S. § 115C-407.15(a)(2)

Article 29C.

School Violence Prevention.

§ 115C-407.15. Bullying and harassing behavior.

(a) As used in this Article, "bullying or harassing behavior" is any pattern of gestures or written, electronic, or verbal communications, or any physical act or any threatening communication, that takes place on school property, at any school-sponsored function, or on a school bus, and that:

- (1) Places a student or school employee in actual and reasonable fear of harm to his or her person or damage to his or her property; or
- (2) Creates or is certain to create a hostile environment by substantially interfering with or impairing a student's educational performance, opportunities, or benefits. For purposes of this section, "hostile environment" means that the victim subjectively views the conduct as bullying or harassing behavior and the conduct is objectively severe or pervasive enough that a reasonable person would agree that it is bullying or harassing behavior.

Bullying or harassing behavior includes, but is not limited to, acts reasonably perceived as being motivated by any actual or perceived differentiating characteristic, such as race, color, religion, ancestry, national origin, gender, socioeconomic status, academic status, gender identity, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics.

(b) No student or school employee shall be subjected to bullying or harassing behavior by school employees or students.

(c) No person shall engage in any act of reprisal or retaliation against a victim, witness, or a person with reliable information about an act of bullying or harassing behavior.

(d) A school employee who has witnessed or has reliable information that a student or school employee has been subject to any act of bullying or harassing behavior shall report the incident to the appropriate school official.

(e) A student or volunteer who has witnessed or has reliable information that a student or school employee has been subject to any act of bullying or harassing behavior should report the incident to the appropriate school official. (2009-212, s. 1; 2009-570, s. 39.)

Facebook Post 1



American flag hanging on your wall and centered in your zoom background is big MAGA energy, and I appreciate my (white male)MAGA law school colleagues outing themselves so easily and visibly.

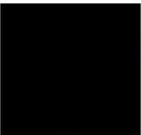


[Redacted] and 11 others

2 Comments

 Like

 Comment



[Redacted] Saw a guy with a NC flag all over their background, what's your assessment of that?

Like Reply

2 

shared a link.
February 20 at 1:36 PM · 🌐

Hi y'all! For those of you who are thinking through if you want to sign onto the letter from the 1Ls, I wanted to offer some food for thought. I know some of you have concerns, or questions, and I ask that you: sit with those questions, think through why you're asking them (and to what end), and ultimately that you don't miss the forest for the trees.

A few specific thoughts and resources:

- I know we're all in school to be lawyers, and we're all learning and practicing how to word things in the way that we think is the most persuasive, compelling or powerful. Here, those words that are most persuasive, compelling, and powerful, are the ones written directly by our BIPOC peers -- and especially, the words written by our Black peers. It's really important that those of us who are white don't assume that we know how to write/word/say something "better" than our BIPOC peers -- which is what we're doing when we choose not to sign onto something because we would've written it differently.
- Remember that, in the United States, we have all been brought up within a White Supremacy Culture (WSC), and characteristics of that culture are at play here: perfectionism, power hoarding, fear of open conflict, individualism, feeling a "right to comfort." I know that, as white people, it can be hard to see these -- because it's the water that we swim in (to steal from David Foster Wallace). But, just because we don't notice the water, doesn't mean it's not there. For more on this, check out the foundational piece on characteristics of WSC, written by Tema Okun in 2001: https://www.dismantlingracism.org/.../okun_-_white_sup...
- For more information on what it means to be a white, anti-racist, check out Showing Up For Racial Justice (SURJ), an organization of people (mainly white people) learning and unlearning with each other, and showing up for racial justice. <https://www.showingupforracialjustice.org/>
- If you generally support the 1L letter, but still have questions/additional thoughts, then I encourage you to consider what Jason Davidson said in the GroupMe: "Finally, if you want to sign but still have some reservations, I want to point out that the form has a comments section where you can add that information. Think of it as a place to write a concurring opinion, maybe you agree with the substance but not the entire form, please feel free to express that in the comments."

Finally, you can sign on here:

Facebook Post 2



News & Observer Article

DUPLICATE

UNC Law addressing concerns after student reported racial harassment in class on Zoom

BY KATE MURPHY

FEBRUARY 23, 2020 09:59 AM, UPDATED FEBRUARY 23, 2020 04:04 PM



The Old Well on UNC Chapel Hill's campus southwest of its usual springtime visitors on the evening of April 1, 2020. University campuses across North Carolina closed in March to prevent the spread of COVID-19. JWALL@NEWSOBSERVER.COM



Listen to this article now
08:06
narrated by Trinity Audio

UNC-Chapel Hill law students are pushing the school to confront institutional racism and a lack of diversity and equity after an incident last month on a Zoom class where a student of color says he felt racial harassment by a white student.

On Jan. 14, students in a first-year law class were discussing colonialism during a session over Zoom. Using the chat function, they debated the history of indigenous people's land rights, including the violent actions of European colonizers and tribal warfare among native people.

🔒 This story is a subscriber exclusive

TOP ARTICLES

Gov. Cooper is expected to announce relaxed COVID-19 rules today. How to watch.

At one point a white student claimed that people live with a degree of privilege in America because of European conquest.

Zachary Boyce, who identifies as Afro-Indigenous, questioned that saying, "Oh I live in privilege? Tell me more about my privilege."

"You are an American attending an elite law school in the 21st century. If you are looking for a good cause, you can always travel to Cameroon and fight the colonizers there," the other student wrote, according to a written transcript of the Zoom chat provided by Boyce.

Another student chimed in to say that while they may disagree, students should be respectful of each other.

Boyce responded by saying "Did you just tell me to go back to Africa?"

The white student replied "What? Dude, what are you saying?" and then continued to explain his point that "if you want to fight colonization, there are actual civil wars occurring now between natives and colonizers (like in Cameroon)."

Boyce did not publicly identify the white student. The News & Observer reached out to the student but did not hear back.

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After a few more exchanges, Boyce said to the other student, “Your point is racist.”

The other student asked Boyce to explain.

Boyce said that’s when the professor jumped in and essentially ended the chat conversation.

“Initially, I was panicked, I was frightened. I knew that I was encountering racism immediately,” Boyce told the News & Observer.

Boyce said while some students came to his assistance, others supported the other student “to invalidate me and to add on to the narrative of white supremacy that he was targeting me with.”

“I felt shame. I felt dehumanized,” Boyce said. “I felt like Carolina Law is not a place that wants to safely foster the professional and personal development of Black students and students of color.”



Zachary Boyce, a UNC Chapel Hill law student, said he faced racial harassment by another student in a class on Zoom. PROVIDED BY ZACHARY BOYCE

DIMINISHING STUDENTS CONCERNS

Boyce reached out to the Black Law Student Association to ask whether any other students had experienced similar situations in classes and to get advice on how to

handle it through the school.

He reported the incident to administrators and spoke with multiple UNC staff members with the Equal Opportunity and Compliance Office about what happened as part of a potential investigation. More than a month later, Boyce said he finally heard an update about the decision to launch a formal investigation.

On Tuesday, Boyce said the EOC Office staff contacted him and said they determined that the other student's comments were not perceived as "sufficiently violent to constitute a policy violation," nor were they "exclusive enough" to inhibit his access to the learning space they share.

The process has been "useless" and he and the other student still take online classes together every week, Boyce said.

"I have to show up to class and talk in front of him and pretend I'm not anxious or afraid, in my own home while I'm learning, that something like that won't happen to me again," Boyce said.

He doesn't want an apology or for the other student to be kicked out of the law school. He wants the law school to implement an immediate and retroactive pass/fail grading system for last fall and this spring semester. Boyce said that would help level the playing field for students of color.

As an elected student senator representing the law school in the UNC-CH Graduate & Professional Student Federation, Boyce also wants UNC administrators to address his recent [legislation regarding UNC Law's legacy and curriculum](#).

And he expects Law School Dean Martin Brinkley to take further steps regarding the [Black Law Student Association's demands](#) outlined in a June 2020 letter sent to administrators in the wake of George Floyd's death. Those include creating a UNC Law Office of Diversity and Inclusion, hiring more Black professors and mandating a "Critical Race Theory" class in the law school curriculum.

Protesters march on the campus of The University of North Carolina during a protest against white supremacy, sparked by the death of George Floyd in Minneapolis, a Black man who was killed by a white police officer, in Chapel Hill, N.C. on Friday, June 5, 2020. Ben McKeown

Over the summer, law students also publicly expressed their concerns about the "lack of support and [culture of antipathy towards Black students](#)," The Daily Tar Heel reported. A group of [Black students published a letter](#) criticizing the law school's environment, Brinkley's response to George Floyd's death and the UNC Center for Civil Rights losing its ability to litigate.

In response, the law school acknowledged it had work to do and later announced [a resolution on faculty diversity](#) and a review of the law school's practices that included a \$1 million commitment Brinkley said would go toward changes.

Boyce said the administration hasn't done enough.

"It never gives us an action plan," Boyce said.

LAW STUDENTS TAKE ACTION

Sloan Hampton Taylor, a third-year law student and social action chair for the UNC chapter of the Black Law Students Association, said Boyce isn't alone.

"For a lot of Black students and brown students, this isn't a new thing," Taylor said. "And a lot of times what happens is things will be said in a classroom and it's like a

dog whistle.”

On its face, a comment or action might not seem harmful or outright racist, Taylor explained. Some things are obvious and overt, he said, but there are also subtle racist actions and microaggressions that need to be addressed in order to move forward.

“How is the law school going forward going to ensure that Black students and brown students can engage in these conversations in class ... and when [a racist incident] happens the professors have a toolkit to address what happened ... and make sure the law school is for everybody,” Taylor said.

Nan Gressman s v v d artwork vens up the rotunda at UNC s Schoo of Law bu d ng SHAWN ROCCO SHAWN ROCCO

Elise Jamison, a UNC law student leader, sent out an email to other law students addressing concerns about the “racist remarks made by a member of the 1L class” and the lack of response from the professor and administration.

“This is a clear and flagrant act of racial harassment and it is appalling that this student has not been held accountable and measures have not been taken to prevent further comments of this nature,” Jamison wrote.

She shared [an online petition](#) and a [letter from the members of the UNC Law Class of 2023](#) demanding that the administration condemn racial harassment in the classroom environment and address the incident.

The letter describes the impact of allowing these types of comments, saying some students are afraid of speaking up during class.

The students asked that new rules be implemented for law school classes on Zoom for the rest of the semester. They want students to be able to choose which breakout groups they can join for in-class discussions, particularly because those conversations can’t be recorded.

On Sunday, a letter signed by an anonymous group of other UNC law students was posted on Facebook. It defended the student it says was “labeled as ‘racist’ by activist groups” and discusses what it calls “omnipresent cancel culture” at UNC’s law school.

The letter, which was shared with The News & Observer, said the exchange was “taken out of context and misquoted” in saying that a law student told his peer to “return to Africa.”

“This cancel culture is a form of bullying that has normalized silencing people without engaging each other in good faith,” the letter said. “Those who stand up to this bullying are vilified.”

UNC LAW SCHOOL RESPONSE

In a letter to the law school community Friday evening, Brinkley acknowledged the incident, saying “students engaged in a discussion around racial issues in which some students felt attacked and offended.”

He said the professor and the administration are “addressing the situation” with the individuals who are involved. He said the Law School administration can’t fully disclose information about what action has been and is being taken, citing the Family Educational Rights and Privacy Act.

Martin Brinkley, dean of the UNC Chapel Hill School of Law, is opposing a proposal to ban the school's Center for Civil Rights and others' right from representing clients. Steve Exum *UNC CHAPEL HILL*

Brinkley described how he and others have been having “long overdue and painful conversations about structural and systemic racism — in our nation, on this campus and in this law school.”

“Many of the roots of structural racism can be found in legal arrangements designed to perpetuate white power and oppress persons of color,” he wrote.

Brinkley said law students, faculty and staff must step up to confront that history in the classroom and while pursuing careers.

“Our school will continue to equip future lawyers with an awareness of historical unfairness within the legal system, as well as with tools for dismantling the remaining vestiges of injustice and inequity in our society,” Brinkley wrote. “We will do this while fostering an inclusive learning environment that welcomes and values diverse perspectives, backgrounds, and lived experiences.”

The [Black Law Students Association is hosting a Town Hall](#) with Brinkley and other Carolina Law community leaders Wednesday night to discuss the issues and solutions outlined in the June 2020 letter to the law school’s administration and faculty. The event was scheduled weeks before this recent incident took place, but student leaders say it will be addressed at the meeting.

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DUCAT ON

Most UNC students must get COVID-19 tests to return to campus. Why not grad students?

JANUARY 5, 2021 7:30 AM

DUCAT ON

UNC professor challenged top health officials about COVID-19 guidance. She was right.

JANUARY 29, 2021 4:48 PM



Protesters march on the campus of The University of North Carolina during a protest against white supremacy, sparked by the death of George Floyd in Minneapolis, a Black man who was killed by a white police officer, in Chapel Hill, N.C. on Friday, June 5, 2020. B. N. MCKEOWN

Kate Murphy covers higher education for The News & Observer. Previously, she covered higher education for the CNN national Enquirer on the investigative and enterprise team and USA Today Network. Her work has won state awards in Ohio and Kentucky and she was recently named a 2019 Education Writers Association finalist for digital storytelling.

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COMMENTS

ARTS & CULTURE

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NC artist with a social justice focus showcases multimedia work in new exhibit

BY HEIDI INLEY

FEBRUARY 24, 2021 06:30 AM, UPDATED 2 HOURS 29 MINUTES 5 AGO



"Beyond Any Means" by Stephen Hayes is on display at the Eder Gallery in Charlotte soon. Hayes is joining the faculty of Duke University in the near future.

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FEBRUARY 23, 2021 09:00 M

NC school board will rename school honoring segregation-era leader despite concerns

FEBRUARY 23, 2021 06:49 M

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DUPLICATE

Should bill to teach about Holocaust in NC schools include Black history lessons, too?

FEBRUARY 24, 2021 8:00 AM

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Meredith College investigating professor who used a racial slur in class last fall

FEBRUARY 23, 2021 5:54 M

DUPLICATE

After a nationwide search, St. Augustine's finds its new president here in Raleigh

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GOP bill would let UNC and NC State fans attend games. What are the current COVID limits?

ORANG COUNTY

NC school board will rename school honoring segregation-era leader despite concerns



1/14/2021 Transcript

15:45:01 From [REDACTED] to Everyone : Isn't that the same as the principle of imminent domain now?

15:49:39 From [REDACTED] to Everyone : On page 34, Marshall acknowledges that his assertion about the tribes violent nature is not on solid ground when he recognizing that white people were often the aggressors. "Frequent and bloody wars, in which the whites were not always the aggressors, unavoidably ensued." (top of page 34)

15:50:39 From [REDACTED] to Everyone : Thank you for that Michael. I have often preserved that a lot of colonizer reasoning enables a self-fulfilling prophecy of white supremacy.

15:50:45 From [REDACTED] to Everyone : observed*

15:51:16 From [REDACTED] to Everyone : Thank you Sam

15:53:34 From [REDACTED] to Everyone : And this is still good law. Something to think about when we say we need to "respect our institutions" when those institutions continue to uphold these ideas

15:55:06 From [REDACTED] to Everyone : hmmm its kinda like property rights (certainly at this time; debatably still today) are the codification of existing social hierarchies and power structures and those that write the rules write them to benefit themselves

15:55:32 From [REDACTED] to Everyone : Amazingly, Native people lived here for 60,000+ years w no problems, and in 600 years of colonialism the planet has been set on fire.

15:57:13 From [REDACTED] to Everyone : I don't think it's accurate to say that there were no problems. Conquest, enslavement of defeated tribes, human sacrifice, ritualized rape, etc. were all war tactics used in tribal warfare, from the Mayans to the Comanche. That does not excuse Spanish or English colonization, but in the name of academic honesty, thought it was worth mentioning.

15:57:23 From [REDACTED] to Everyone : Gimme a source

15:57:30 From [REDACTED] to Everyone : This is history
101

15:57:30 From [REDACTED] to Everyone : To say There were "no problems" before is a drastic misrepresentation of history

15:57:52 From [REDACTED] to Everyone : Sure it's a reductionist perspective

15:58:06 From [REDACTED] to Everyone : Any passable source ever written confirms tribal warfare prior to colonization.

15:58:17 From [REDACTED] to Everyone : They were very frequently at war. The iroqui nation conquered and took the hunting lands from the tribes of the ohio valley

15:59:04 From [REDACTED] to Everyone : Without a social cast system based on skin tone

15:59:08 From [REDACTED] to Everyone : Is he still selling moon acres?

15:59:13 From [REDACTED] to Everyone : [REDACTED] and [REDACTED] what argument are you trying to make here?

15:59:42 From [REDACTED] to Everyone : There is a pervasive myth everything was peaceful in the United States pre-colonization

15:59:43 From [REDACTED] to Everyone : That the

argument that there were "no problems" prior to colonization is objectively incorrect

15:59:53 From [REDACTED] to Everyone : Like the Europeans weren't warfaring countries? IF you would characterize Europe in the 1600's as "no problems", then there is an argument to be made for pre-colonial America as "no problems"

15:59:59 From [REDACTED] to Everyone : No, your argument is that white people were entitled to do so

16:00:09 From [REDACTED] to Everyone : That is not what I'm saying

16:00:15 From [REDACTED] to Everyone : That is not my argument

16:00:24 From [REDACTED] to Everyone : No, it's human nature, the idea of war and conquering

16:00:29 From [REDACTED] to Everyone : My argument is that the claim that there were "no problems" for centuries is factually wrong

16:01:07 From [REDACTED] to Everyone : None of the problems resulting from white supremacy perhaps would have been more succinct.

16:01:42 From [REDACTED] to Everyone : by problems I mean environmental racism

16:01:51 From [REDACTED] to Everyone : I'm not sure what that means. My point is that the peaceful tribal existence prior to European arrival is objectively incorrect, and conquest was not an innovation

16:02:18 From [REDACTED] to Everyone : Does that justify white supremacist conquest with a monopolization of reasoning and moral authority?

16:02:29 From [REDACTED] to Everyone : I don't think it's in good faith to assume [REDACTED] meant a utopia, I understood that it was in reference to environmental problems

16:02:35 From [REDACTED] to Everyone : I agree with you [REDACTED] when you said that none of the things in this debate currently justify what we were talking about in class.

16:03:40 From [REDACTED] to Everyone : It offers historical context. Europeans were successful because they were far more technologically advanced and carried smallpox.

16:03:57 From [REDACTED] to Everyone : Successful at what [REDACTED]?

16:04:00 From [REDACTED] to Everyone : Conquest was an entrenched tradition in the Americas far before our arrival

16:04:00 From [REDACTED] to Everyone : Pillaging?

16:04:14 From [REDACTED] to Everyone : Successful in this sense: it explains why you now live in privilege now that the lines have been drawn.

16:04:44 From [REDACTED] to Everyone : Oh I live in privilege? Tell me more about my privilege.

16:05:14 From [REDACTED] to Everyone : You are an American attending an elite law school in the 21st century. If you are looking for a good cause, you can always travel to Cameroon and fight

the colonizers there

16:05:37 From [REDACTED] to Everyone : If we're going to disagree, let's remember that we all should be respectful of each other. We all come from different perspectives and backgrounds. There is no need for us to attack each other

16:05:54 From [REDACTED] to Everyone : Did you just tell me to go back to Africa?

16:05:58 From [REDACTED] to Everyone : What?

16:06:02 From [REDACTED] to Everyone : Dude, what are you saying?

16:06:08 From [REDACTED] to Everyone : yup

16:06:48 From [REDACTED] to Everyone : I'm saying that people talk about colonization like it we're all culpable for great evil. My point is that if you want to fight colonization, there are actual civil wars occurring now between natives and colonizers (like in Cameroon)

16:07:12 From [REDACTED] to Everyone : Thank you for that lesson in my privilege.

16:07:34 From [REDACTED] to Everyone : It wasn't intended to be edifying. Merely mentioning that we all live in a world because of American conquest of tribal land

16:07:52 From [REDACTED] to Everyone : I don't care what your intent was.

16:08:00 From [REDACTED] to Everyone : Ok, my point still stands

16:08:08 From [REDACTED] to Everyone : Your point is racist.

16:08:15 From [REDACTED] to Everyone : I pray, explain

BLSA Letter

February 22, 2021

Dear UNC Law Administration:

For many of us first-year law students, beginning our law school careers over Zoom presented a challenge unlike anything we have ever experienced. For those of us that come from diverse backgrounds, we have suffered through and fought various forms of harassment throughout our lives; this year, however, we are doing so while isolated from our support network of friends, professors, and families. As such, we arrived at UNC Law with fear and uncertainty of what to expect during classroom discussions with people we had never met, a fear that has been present every single day since classes began and that is heightened for every Black and Brown student – many of whom are the only students of color in their classes. This fear and uncertainty has explicitly materialized this semester.

Recently, there were multiple racist incidents that occurred within 1L classrooms that have yet to be publicly acknowledged and addressed by the UNC Law Administration. As a whole, the Class of 2023, upperclassmen, and many of our professors have been kept in the dark about the repulsive and derogatory comments that were aimed directly at a student of color. The administration has made it clear that its concern lies with protecting the possible tenure of the professor who emboldened a student to feel comfortable making numerous racist, bigoted, and harmful comments that disproportionately affected the students of color in our class. Not only did the professor fail to address the egregious comments in the moment, he, as well as the administration, has failed to publicly address it since.

Furthering the general discourse through the exchange of ideas and information does not include permitting a student to make the offhand suggestion that a Black peer should return to Africa. Many students find such comments genuinely disruptive, if not outright triggering, and some of us have expressed genuine fear of speaking up during class precisely because of this racial harassment. Students of color do not have the luxury of ignoring the realities of the existing power dynamics and structural racism inherent in our society; their identities are inextricably tied to their lived experiences. As such, racist remarks and behavior make the classroom environment that much more challenging for students of color. Moreover, this behavior adds nothing of value to the learning experience which we as students seek from UNC Law, and it is immensely upsetting in an environment that is supposed to be a temple for developing professionals and not yet another battleground to defend our own existences and lived experiences.

More than a month has passed since these racist incidents occurred, and the UNC Law Administration has yet to condemn the words and actions of the student nor has it offered public support for the students of color in our class. Performative displays of concern are no substitute for meaningful action. The UNC Law Administration has yet to instill faith in our class that it cares about the mental well-being and safety of all its students. As members of the UNC Law Class of 2023, we are writing this letter to take action and show support for the students of color at UNC Law, given the complete and utter lack of interest and inaction demonstrated by the

current administration. We are writing to say that we wholeheartedly condemn and vehemently disavow the abhorrent racial harassment that was carried out during our classes on January 7th and 14th, respectively.

As a class, we stand in solidarity. We will not continue to permit our administration to sit back and allow racist rhetoric carried out against students of color to go unaddressed. We demand that the UNC Law Administration join our class in repudiating racial harassment in the classroom environment. We demand that the UNC Law Administration take proactive steps to ensure the abominable events that occurred in January never happen again. Attached to this letter is a copy of BLSA's Expectations of Administration and Faculty of which the administration has possessed a copy of since the Summer of 2020. As this situation has shown, we have a lot of work to do before this law school is a safe and inclusive space for all students rather than a space where some feel empowered to perpetuate and inflame a racial animosity that has inflicted students of color their entire lives.

Furthermore, we demand that the UNC Law Administration immediately begin to implement the following safeguards when utilizing breakout rooms for the remainder of the semester. The law school must require professors to enable the feature within Zoom that allows the host to open multiple breakout rooms and allow participants to choose which room they go into. Given there is no way to record the conversations that occur within breakout rooms, we demand that this action be taken for all breakout rooms moving forward. The professors will have the option to limit the number of rooms they open and the number of students they allow to join each breakout room. We believe implementing this tool will allow all students to feel safer going into an unmonitored space, where we at present have no guarantees that we will not be subjected to racial harassment that will go unrecorded and otherwise unmonitored by our professors and the administration.

We sincerely hope the UNC Law Administration will stand with our class as we move to create and foster a safe and inclusive space for every student at UNC Law.

Signed,

115 Members of the UNC Law Class of 2023*

*In addition, this petition is signed by members of the UNC Law Classes of 2021 & 2022, UNC Law alumni, law students from numerous law schools across the country, and members of the North Carolina legal community at large.

From: [REDACTED]
Sent: Thursday, February 18, 2021 10:33 PM
To: Carolina Public Interest Law Organization List [REDACTED]
Subject: [p f] CPILO auction statement

Hi public interest folks,

Thank you to those of you who attended and donated to the CPILO auction this evening! We are writing to address the statement made on behalf of the board at the beginning of the event because we want to ensure that you are all aware of the situation and our position on the matter as an organization.

As many of you are aware, there is a petition circulating regarding racially offensive comments that were made during a 1L class. We made a brief statement at the beginning of the CPILO auction because we chose to remove some items due to these concerns. We want to make very clear why we, as CPILO, chose to do this and encourage you to sign this petition. We also encourage you to read the letter accompanying the petition, written by members of the class of 2023.

During a zoom class last month, a 1L student made racially harassing comments to a Black student in the class Zoom chat. This incident was brought to the attention of the administration, but they have not taken action. The comments were not addressed during the class, afterward, nor have they been handled administratively to our knowledge.

As an organization, we work every day to support the students here who are trying to do the hardest work in the legal profession. We are here because we want to eliminate racial, ethnic, wealth, and gender inequality in this country. For these reasons, we chose to remove the auction items associated with professors and administrators involved in this incident because we want to make it clear that we stand with the Black students at this school.

We stand in solidarity with BLSA's demands and expectations of the administration in order to address the systemic racism that occurs within our law school. We also stand in solidarity with the letter written by the 1L class. This type of harassment is unacceptable, appalling, and we are very upset that a student was made to feel as though they do not belong by both a classmate and faculty. We will not tolerate racism on this campus, in this law school, or in this country.

The petition, the accompanying letter, and BLSA's demands and expectations can be found here:

[REDACTED]

Please reach out to me with any questions or concerns and thank you for your support tonight.

Best,
CPILO Board

[REDACTED]

- [REDACTED]

[REDACTED]

1L Class Co-President Statement

February 20, 2021

To My Fellow Peers,

I speak only for myself in this letter, but I wanted to provide you an answer to your questions.

Upon reviewing ALL of the evidence presented to me, I simply cannot come to the conclusion being disseminated within the law school. It is not rooted in genuine fact. The BLSA Letter refers to a specific incident. One that, within context, cannot be classified as racism or hate speech.

The BLSA Letter mentions that a student of color was told to “return to Africa” during class. This is a very serious accusation and one that deserves to be reprimanded. Upon reading the transcript from that class, and analyzing the context of the discussion, the transcript does not reflect that the student was told to “return to Africa.”

I do believe in endorsing any and all initiatives to promote equity within the classroom atmosphere. My voting history and advocacy within the Student Bar Association this year is representative of that commitment. I know some of you will not be happy with this conclusion. I took this position to make tough decisions on behalf of all my classmates. This is one of them.

Academic institutions are meant to be settings in which students can engage in deep thought and discussion. Sometimes these discussions can be controversial and uncomfortable. Sometimes people will have views that differ from our own. The capacity for free exchange of ideas is a core principle of this country and this university. I hesitate to endorse any action that inhibits free exchange of ideas or asks for anyone to be reprimanded for utilizing this right.

I recognize many of you are upset. We are navigating a tumultuous path. I empathize with my fellow minorities, but we cannot expect change without having tough conversations first. Censoring such conversations would be a detriment to future advancement.

Best,




UNC School of Law Class of 2023 Co-President



Shared a document: <https://s.groupme.com/yqHLttkV>



Statement.pdf (48 KB)



So you're racist



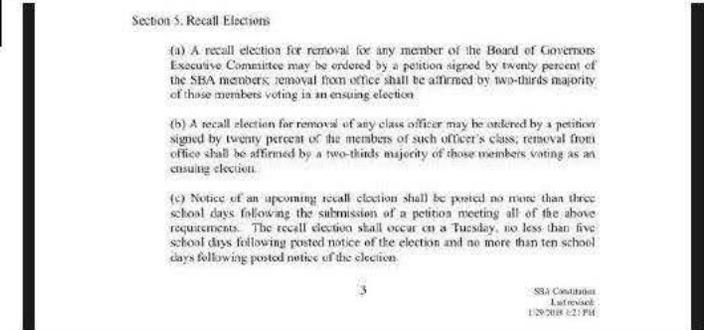
So you're racist



TLDR summarization basically



here's your answer



Someone was asking earlier about recall elections, here you go

Sat, 10:34 PM



, I think the issue here is with what you disagree with within the PLCA letter



Send Message...



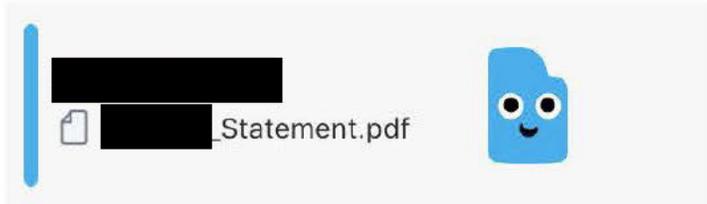
3:14



UNC Law 2023



[Redacted]



28

Idk about everyone else here but ima have to accept this as your letter of resignation. You aren't addressing us as your peers, peers talk about coffee and homework. This is a letter letter your constituents and you are in an elected position of power. Who do you think you are to declare that something a black person has experienced is or is not racism? 🤪🤪🤪🤪🤪🤪🤪🤪 With your resignation you can worry a little less about speaking with your foot in your mouth and a little more about the critical race reading you obviously haven't done. Thank u, next

[Redacted] letter to*



Sun, 10:38 PM

[Redacted] Fwiw I'm gonna email Dean Brinkley's office because that's what will possibly make a difference in making UNC a less racist place



[Redacted] Personally that's how I'm going to try to use my advocacy vis a vis this issue.



Mon, 8:57 AM



Send Message...





[Redacted] If you are so inclined, please support this petition to remove @[Redacted] from office.



https://docs.google.com/forms/d/e/1FAIpQLSc3E5gu0d5SwpjKp5VnAxiFHy_RtLP2nfvmaxGbdQKZNPfp8w/viewform?vc=0&c=0&w=1&flr=0&gxids=7628



[Redacted] left the group.



[Redacted] left the group.



2:01 PM

[Redacted] Hello all! According to Section 5 of the SBA's bylaws, "A recall election for removal of any class officer may be ordered by a petition signed by twenty percent of the members of such officer's class; removal from office shall be affirmed by a two-thirds majority of those members voting as an ensuing election."



[Redacted] This is a two step process. Essentially, 20% of the 1L class would need to vote to recall, and THEN two-thirds of the class would have to vote to remove from office.



[Redacted] Thank you for clarifying Asha!



Send Message...



1:49

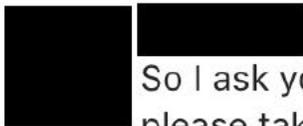
1L Class GroupMe 2



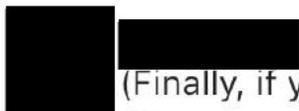
UNC Law 2023



education – for all of us. We all have something to gain from ensuring that racism, bigotry, misogyny, and hate have no place here at Carolina. And remember: silence is acquiescence. And here, the silence from the administration regarding what happened in that property class is unfortunately nothing but deafening.



So I ask you – especially white folks -- to please take the time to read through this letter, add your signature, and stand in solidarity with our peers. Add your signature to let them know we support their well-being. Add your signature to let them know we value their contributions. Add your signature to let them know we will not tolerate racism in any form. But most of all, add your signature to let them know that we care and will fight alongside them to ensure UNC delivers the education and experience that each and everyone one of us was promised.



(Finally, if you have any questions or disagreements, please DM me privately. None of us are experts, but there are some of us who have the emotional capacity to answer your questions, point you to resources, and talk this through with you. But, know that anything that could be construed as critical of the BLSA letter is NOT welcome in this large group chat – enough is enough.)



Send Message...



Facebook Post 3

[Redacted] uploaded a file.
February 22 at 12:00 AM · 🌐

This was sent to me anonymously to share on behalf of those that don't feel they can speak up



PDF

Anonymous_Letter.pdf

9 Comments Seen by 177

👍 Like

💬 Comment

[Redacted] We're studying to become lawyers. I think the discourse in a law school class warrants a higher level of discussion than our parents posting unaccountable, unverified sources they found on facebook. Please share the source of this so we can evaluate its weight. Otherwise you might as well delete it if you're unable to share any information or even verify if the letter is genuine. Thanks!

Like · Reply · 2d



[Redacted] You raise a valid concern. I will not share the names of students who shared this letter with me to respect their wish to preserve their anonymity.

I am glad you are thinking about these issues. I hope I can inspire you to look into more about anonymity:

<https://www.eff.org/issues/anonymity>

Like · Reply · 2d

Thanks for the condescending reply.

There is a critical difference between saying that this was shared with you anonymously, and saying that you made the personal editorial decision to publish this perspective anonymously.

Thanks for clearing this up and providing that further context that you privately know the students who have signed this.



Like · Reply · 2d

↳ View 1 more reply

Not a single 1L that endorses this letter is willing to come forward and say they do? How are people supposed to be practicing attorneys if they can't admit to their own beliefs? We're all adults here—no valid reason to hide behind an anonymous letter



Like · Reply · 2d

Anonymous Letter

February 21, 2021

To my fellow classmates,

We would like to address the omnipresent cancel culture at the University of North Carolina School of Law.

Recently, students exchanged dialogue about colonialism during a remote class over Zoom. One student rightfully brought up the destructive actions of European colonizers while others pointed out that tribal warfare and conquest existed prior to European colonization. Another student added that we all live with a degree of privilege in America because of colonization and that if the first student wanted to fight colonizers today, he could travel to Cameroon because of the civil war between natives and colonizers.

This exchange was taken out of context and misquoted. In fact, the last student was labeled as “racist” by activist groups. These groups publicly accused the student of telling his peer to “return to Africa.” Moreover, these groups formally demanded reprimanding the student and professor. Additionally, they demanded a new Diversity Dean and mandatory hiring of professors based on race.

The Class Co-President released a statement yesterday saying he carefully reviewed the transcript and concluded that there were no inherently racist comments. For that, the Class President was immediately called racist, too. He was asked to resign or face a recall election.

This cancel culture is a form of bullying that has normalized silencing people without engaging each other in good faith. Those who stand up to this bullying are vilified.

There have been recurring instances of such bullying. Some professors subtly humiliate students who offer a different point of view. Some students shout down others during Free Speech discussions. Students who have a visible American flag over Zoom are also targeted for ridicule. There have been threats to report such students to the bar association or their employers in hopes that they are disbarred or fired.

No one is endorsing the horrors of slavery, genocide, or any racially motivated agenda. Nor is anyone condoning racially charged remarks like “return to Africa.” Yet, bullying others into silence is not the path forward. All we ask is that we critically engage and debate each other in good faith without intentionally misconstruing or misrepresenting each other’s words.

These concerns have been raised multiple times yet are routinely ignored by the administration with a denial of the existence of this form of bullying with a reminder to fall in line.

We return to class worried that we may be next. What might we say that may be taken out of context?

Sincerely,

Members of the Class of 2021, 2022, and 2023

Facebook Post 4

proffering that conflict existed on a continent before colonization is not a meaningful - or good faith - rejoinder to the simple fact of colonialism in the original context.

Whoever wrote this letter is not engaging with anything or anyone in good faith: now OR in the original context of the class discussion as outlined in the letter.

The author or authors of this doc are the bullies, and this letter shouldn't be taken seriously.



on Sun Like Reply More

replies

I would love for someone to define "cancel culture" and the consequences of "cancellation." I think we might find that cancellation actually means having to hear about how your actions impact others and/or face the absolute bare minimum of accountability.



on Mon Like Reply More

replied · 4 replies

It's always a good time for:

Use of Racial Stress	Effect on Aspect of White Identity
Suggesting that a White person's viewpoint comes from a racialized frame of reference	Challenge to objectivity
People of color talking directly about their own racial perspective	Challenge to White taboos on talking openly about race
People of color choosing not to protect the racial feelings of white people in regards to race	Challenge to White racial expectations and need/reticence to racial comfort
People of color not being willing to tell their stories or answer questions about their racial experiences	Challenge to the expectation that people of color will serve White people
A fellow White person not providing agreement with one's racial perspective	Challenge to White solidarity
Receiving feedback that one's behavior had a racial impact	Challenge to White racial innocence
Suggesting that group membership is significant	Challenge to individualism
An acknowledgment that access is unequal between racial groups	Challenge to meritocracy
Being presented with a person of color in a position of leadership	Challenge to White authority
Being presented with information about other racial groups through, for example, movies in which people of color drive the action but are not in stereotypical roles, or "diversity" education	Challenge to White centrality



on Mon Like Reply More

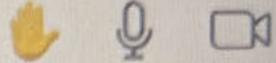
You know what, I'm glad these assholes know they'll get dragged for their bullshit. Good job ya!!! I'll miss you and I am rooting for you ❤️❤️

on Tue Like Reply More

Photograph of Zoom Chat from 1L
SBA Office Hours



[Redacted Name]



[Redacted Name]



[Redacted Name]



Invite

Unmute Me

Chat

[Redacted]

[Redacted] to Everyone 6:05 PM

I agree. I would call for a resignation.

[Redacted] to Everyone 6:05 PM

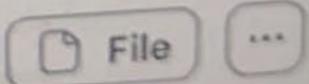
My guy clearly wants to be welcomed into the white boys club so of course it makes him feel good

[Redacted] to Everyone 6:06 PM

Your ONLY step that you can take to even remotely begin to [Redacted] credibility is to RESIGN

↓ 1 New Message

To: Everyone ▾



Type message here...

Leave

1/2

11:43

1L Class GroupMe 3



UNC Law 2023



LAST CALL



9:57 PM

[Redacted] Last chance!  9

[Redacted] You said you would so what's up  6

10:57 PM

[Redacted] <http://www.bu.edu/jewishstudies/becoming-evil-how-ordinary-people-commit-genocide-and-mass-killing/>  2

hope this brings this moment full circle as we endure the ongoing ethnic cleansing known as COVID19. Perhaps think about how those not acting as actively anti-racist will be written about in another 100 years as more white people die than are being born and the numbers flip. Good thing black people just want equality and not revenge for this little colonial settler state project. I hope you all may think of this everytime you hail the 13 stripes representing the 13 original colonies on the American flag.

11:40 PM



[Redacted] has left the group.



Send Message...



First Amendment Event Email

[REDACTED]

Wed 2/24/2021 9:17 AM

[REDACTED]

H [REDACTED]

Hope you've been able to enjoy the nice weather!

I have a few major updates since the last time we spoke. Professor [REDACTED] has backed out of the event because he no longer feels comfortable speaking at student lead events this semester.

I've reached out to Professor [REDACTED] who has agreed to speak. However, he doesn't think he will have much of a difference of opinion with Professor [REDACTED].

At this point though I can't think of anyone to ask who may have a different viewpoint, and who may be able to speak the first week of March. If that's ok with you, I will go ahead and accept Professor [REDACTED] as our speaker and we can pick a day for the event. It may not be a huge debate, but I'm sure they will disagree about some smaller points.

Do you know which days Professor [REDACTED] is available?

Thanks!

[REDACTED]

[REDACTED]

[REDACTED]

BLSA Expectations of Faculty

*BLSA's Expectations of
Administration & Faculty at
UNC Law*



Black lives matter. Black education matters.

BLSA's Expectations of Administration and Faculty

Black lives matter. Black education matters. We demand change.

In the wake of the murders of George Floyd, Breonna Taylor, and many others, UNC Law has been called upon to address its diversity and racial culture. The purpose of the following list of expectations is to give faculty and administration avenues to promote and create an inclusive space where Black and Brown students feel heard, supported, and included. As Black students, we want to feel like we are getting the most out of our legal education at UNC Law. We feel called to make this institution, the institution widely known as the "University of the People," a place that we can call home. Although we are living through a new era of the Black Lives Matter movement with new names of Black people taken at the hands of police and vigilantes, the call for justice remains the same. Similarly, this BLSA administration understands that this is not the first time UNC Law has been made aware of the lack of diversity in the law school, its effect on the experiences of Black students, and ways to address it. In fact, BLSA has reviewed the "Recommendation Tracking" of Diversity and Inclusion initiatives listed on My Carolina Law. We notice that few of the recommendations have been implemented. This supreme failure increases our frustration. These changes are long overdue. The cycle of listening to and addressing the issue of diversity at this institution only when a social crisis arises must end. True commitment to diversity is not only reactionary, it is proactive, consistent, and tireless. Now is the time to take responsibility, now is the time to increase transparency, now is the time to enact change.

These demands are listed in no particular order, and each one has its own significance in the successful transformation of the experience of Black students at UNC Law.

Black lives matter. Black education matters.

I. The Creation of a UNC Law Office of Diversity and Inclusion, which would House a Dean of Equity.

The Office of Diversity and Inclusion would collect, maintain, and report information on the law school's diversity metrics. The Dean of Equity should be selected by the administration with the help of various committees on diversity and inclusion, diverse faculty members, and multicultural student organizations. The Dean of Equity should be a tenured faculty member. In the Dean of Equity's responsibility of auditing law school's programs and efforts, the audit should consider the following:

- A. What are the demographics of your student body, and is this achieving representation?
- B. What are the demographics of your faculty, and is this achieving representation?
- C. Who has status in your institutions, and who is included in important institutional discussions?
- D. What Anti-racist curriculum and programming have you developed and implemented?
- E. How are individual faculty members preparing themselves to teach Anti-racist pedagogy in the classroom?
- F. Is administration advocating for all students in the same way?
- G. Are employers interviewing your students aware of your school's anti-racism expectations?
- H. Are your faculty protected against racial bias of students, alumni, and others?
- I. Do your promotion and tenure standards account for bias in student and other evaluations of faculty?
- J. Are Black students in your school disproportionately paying more for their education and thereby subsidizing discounted tuition for non-Black students? Ask the same question for other students of color, and measure to what extent subsidization is occurring and commit to mitigation.
- K. Are the ways of defining merit/eligibility for Law Review and Moot Court equitable to students of color?
- L. Do you recommend students to the bar who have engaged in conduct demonstrating racial animus during law school?
- M. Do you have an endowed scholarship fund for students who want to do racial justice work? If not, will you create such a fund and name it for a black life that has been ended by police power in your state or city?

II. Recruitment Efforts and Funding for Black Law Professors Must be Expanded.

The hiring and retention of Black professors are essential to providing a quality, racially contextualized legal education that provides adequate support for Black law students. The professors who taught doctrinal courses to the 1L class last year include: Chen, Conley, Eichner, Hirsch, Kennedy, Krause, Marshall, Nichol, Orth, Thomas, and Shaw. Only one out of these thirteen professors is a Black person. Currently, none of the professors teaching our esteemed legal research and writing courses are Black. We need more Black faculty and faculty of color teaching doctrinal courses and bar classes.

Ways this can be done:

- More targeted hiring programs
- Incorporating cohort hiring¹
- Establishing a Faculty of color hiring fund²
(UNC Faculty: Many professors who signed the Statement of support say they care and want to make a change. Do these professors care enough to take a pay cut to help fund the hiring and recruitment of prospective Black and Brown faculty members?)
- Offering more tenure-track positions to prospective Black and Brown faculty members.
- Adopting the Rooney³ rule
- Assuring that hiring criteria are transparent and designed to recruit faculty of diverse backgrounds
- The hiring criteria for faculty should not be constricted in such a way that it would exclude people from more diverse backgrounds and experiences



We would like for this image to be more reflective of our student body and for our student body to be more reflective of our nation and the world.

¹ <https://www.insidehighered.com/views/2020/02/06/how-cluster-hires-can-promote-faculty-diversity-and-inclusion-opinion>

² <http://idea.umn.edu/signature-programs/bridge-funding-faculty-color>

Photo: <https://law.unc.edu/faculty/>

³ <https://www.visier.com/clarity/how-hr-can-tackle-diversity-using-the-rooney-rule/>

Black lives matter. Black education matters.

III. Expanding the Presence of Critical Race Theory (“CRT”) at UNC School of Law by Making CRT a Mandatory Class and Establishing a Critical Race Theory Fellowship.

In many law school courses, we analyze the law in a vacuum, devoid of political, social, and racial context. For various reasons, professors dance around issues of race and class to focus solely on the law, not realizing that race, class, and gender are inextricable. Not only is the law a reflection of the political and social norms of the day, those who write and interpret the law are not objective agents of justice, unmoved by the various systems that operate by othering and marginalization.

By incorporating a mandatory Critical Race Theory course into the curriculum, the law school can foster a learning environment that’s anti-racist and honest about the law. Additionally, establishing a consistent Critical Race Theory Fellowship at UNC Law (the Fellowship could be modeled after the PepsiCo Foundation Civil Rights Fellowship that Professor Allen Buansi recently earned) will assist with improving the number of Black faculty. If this position becomes a permanent part of UNC Law, which it should, Black Professors at UNC Law will be able to be accompanied by other Black faculty who specialize in and can teach CRT. They will not have to do all the extra work they are currently doing. Students will also benefit from being able to see, engage with, and learn from more Black professors.

Ways this can be done:

- Hiring a Critical Race Theory Fellow to teach the course each year
-

IV. Establishing a Diversity Scholarship for Black Students.

49% percent of Black law school applicants do not receive admission offers, and for those who do, they receive little to no scholarship. Expanding scholarships to Black students will not only ease the financial burden on those students, it will also increase the number of Black applicants to the school. We need to care more about the experiences of the students in the law school than about the law school’s ranking.

Many Black students choose not to attend UNC Law because of financial limitations, even though UNC is one of the most affordable law schools in our state. However, with so few Black students receiving scholarship offers, law school may be more affordable for some and not others. This severely and negatively impacts the diversity of UNC Law’s student body. Last year, UNC Law had a total of 8 Black students in its 1L class. This is less than 4% of the law school class itself. This number is down from the 18 Black students in the 1L class the year before. There were a total of 3 Black women in last year’s 1L class. Each of them were placed in different colleges. Black students would not have to be separated to form small pockets of diversity if more Black students were admitted. Increasing scholarships for diverse applicants will allow Black students more access to UNC Law and help to address the law school community’s issue with diversity.

V. Installment of a Mental Health Counselor of Color to Provide Services at the Law School 2-3 Days Per Week.

Unpacking traumatic and racist legal history when reading cases like *Dred Scott v. Sanford* or *Plessy v. Ferguson*, or navigating daily micro-aggressions from fellow students and staff can be arduous on Black and Brown students' mental wellness. Just as we have NC LAP representatives visit the school and hold office hours to mentor and counsel students in need, having a Black or Brown practitioner who holds space for students of color as they navigate pedagogical and interpersonal challenges during their law school journey will be imperative to inclusion and community building within the law school. There may even be a field placement with an individual in the School of Social Work or someone who is seeking their LCSW, which would provide a mutually beneficial relationship amongst schools.

Ways this can be done:

- Remote learning and Zoom have opened up new and innovative ways to bring practitioners into our law school community. There are also multiple apps and services that make mental health care accessible to communities in need. UNC Law should look into giving students access to mental health services through Zoom or by subsidizing access to a mental health app.
- Find ways to make CAPS more accessible to the law school community.

Demands Dean Brinkley Has Agreed To:

Dean Brinkley has agreed to creating a “Black and Brown Admitted Students Day.”

It’s imperative that the recruitment and courting of Black pre-law and admitted students be more aggressive. By dedicating a “Black and Brown Admitted Students Day,” the school can increase the accessibility of students of color to their pillars of support in the law school, allow students to connect with one another--as well as Black and brown alumni, and encourage Black students to attend UNC Law. We intend to hold Dean Brinkley to execute this program.

Demands Administration Are Open To:

Assigning “Multicultural Fellows” to each Dean’s Fellow Section.

There must be at least one Dean’s Fellow per college/group who can serve as a “multicultural fellow” who will be trained on diversity issues and can provide short lessons on diversity, privilege, and the like during those required Dean's Fellow meetings.

We've Been Here Before

Check what has been asked for/pledged before by checking the Community Tracker:
(<https://my.law.unc.edu/community/diversity/tracking/>)

FACULTY DIVERSITY:

NOTE: None of the past demands in this area have been fully addressed by Administration

1. Diversity of instructors who will teach first-year students → has not been fully addressed by Administration
2. Identify other law schools that have increased faculty and staff diversity and review information about how those schools increased their faculty and staff diversity → allegedly in progress
3. Re-evaluate the methods used to advertise and publicize positions, specifically staff positions
4. Assess the role that structural limitations have historically played in the Law School's efforts to hire and retain under-represented faculty
5. Revise hiring procedures in the faculty handbook to ensure that these requirements are designed to attract qualified candidates from a broad pool of applicants
6. Explore the possibility of mentoring alumni who might want to return to the Law School as faculty
7. Use the University's targeted hiring program in a more systematic way
8. Continue soliciting applications through the University's post-doctoral program for faculty diversity fellowship
9. Assess current voting procedure for faculty appointments to determine how any changes might impact diversity in faculty hiring
10. Maintain an appealing mentoring climate for new and junior faculty that continues to proactively

INSIDE THE CLASSROOM:

NOTE: None of the past demands in this area have been fully addressed by Administration

1. Increase course offerings that directly address Diversity and Inclusion.
2. Diversity of Instructors who will teach first-year students.
3. Foster informal teaching communities about incorporating diversity and inclusion into the classroom.
4. Within existing courses, include opportunities to discuss diversity related topics.
5. Review course materials to incorporate case materials with more diversity.
6. Incorporate a statement about diversity, inclusion, and lawyerly disagreement in course syllabi.

OUTSIDE THE CLASSROOM:

NOTE: The following demands have not been fully implemented by Administration

1. Educate all students, faculty, and student-facing staff about the purposes and limits of free speech at a public university.
2. Host smaller workshops during which people can practice talking about differences, ideally with some guidance from a facilitator



Statement from President Collins On Recent Events at the School of Law

Dear Friends and Colleagues,

I write to you today both as a law student and as the elected representative of the nearly 11,000 graduate and professional students at the University of North Carolina at Chapel Hill. As an organization the Graduate and Professional Student Federation is committed to both inclusivity and to “advocat[ing] with and for students to ensure current educational, occupational, and social conditions are conducive to achieving their professional and personal goals.”¹ When I announced my candidacy for President, I made a commitment to building a truly welcoming, inclusive, and socially just campus community and to ensuring that these values permeated all of our work as an organization.

Recent events at the law school have illuminated how much work remains to be done to achieve this vision. These developments, however, are hardly new. Over the past year, our friends in the Black Law Students Association have called attention to the institutional racism and oppression that permeates the law school. This is present in everything from a curriculum that fails to address the white supremacist origins of many of our legal systems to the shortcomings of a national ranking system that is viewed by many in power as “essential” to the law school’s reputation and future success. Last year, as a group of Black UNC Law students released an [open letter](#) in which they shared that incoming Black students were given one of two choices: “conform to [the school’s] tokenized ideals of you, or be ostracized and impeded throughout your three years.” These are not isolated incidents, and speak to the urgent need for real, substantive change.

It has been said that law school should be a place where we freely exchange ideas, challenge perspectives, and engage in difficult debates. True enough. However, we must approach this endeavor in honesty and good faith, and accept that arguments that question a person’s dignity, humanity, or lived experience can never be made in service of academic discussion. We must also recognize that racism comes in many forms and that, intentionally or not, words can have a profound and negative impact, especially on marginalized communities.

As GPSF President and as a member of the law school community, I stand with our Black students and other marginalized communities in the continued efforts to ensure equity and inclusivity at the law school. I support the objectives outlined in BLSA’s Expectations of Administration of Faculty at UNC Law, and am committed to using my platform as the top elected leader for graduate and professional students to advance the goals of racial equity at the law school and across campus. This will not be easy and will require *all* of us working together to achieve meaningful change. Institutions may fail us, but I

¹ *Mission Statement of the Graduate and Professorial Student Federation*, 1 GPSF CODE § 101.

believe in the ability of hardworking, compassionate, and justice-oriented communities like ours to overcome. May we achieve what is set forth in our University's motto *lux libertas*—light and liberty.

Yours Most Sincerely,

A large black rectangular redaction box covering the signature area.A small black rectangular redaction box covering the name.

UNC Law Class of 2021