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To Do the Right Thing

Feature — 01 April 2007



Fall 2006 commencement at UT Knoxville seemed a fitting homecoming for civil rights pioneer Rita Sanders Geier. Thirty-eight years after filing suit against the state of Tennessee to desegregate its higher-education system and just 3 months after the end of the protracted legal battle, Geier delivered her message of hope and perseverance to more than a thousand graduates.

Being the commencement speaker was a special honor to her—an ironic ending to a long contest in

which the university was sometimes an adversary. “It is not as big a surprise as many may think because it is the culmination of a relationship that was born in contention decades ago, but that has grown into mutual respect, shared vision, and accomplishment,” she said.

It was UT’s announcement of its plans for a Nashville campus that prompted Geier, then just 23 years old, to challenge the action in U.S. District Court. She claimed a full-fledged UT campus would divert state resources from Tennessee State University in Nashville and force it to remain “a second-rate college designed to service only African Americans despite the end of legal segregation in higher education.

“What I did 38 years ago was not special or heroic: it was opportunistic,” Geier told the graduates. “I was in the right place at the right time to do what needed to be done, and I did it. There was no lofty moralizing. It was simply the choice to do the right thing or to acquiesce to a status quo that was unjust.”

Geier was attending Vanderbilt University’s law school then and worked as a clerk in attorney George Barrett’s office. Barrett filed the suit on her behalf. Looking back, she said several factors led her to take action. “It was not so popular in many parts of the community, and I was seen by many as a troublemaker,” she explained in a recent interview. She said the run-down condition of the TSU campus, its stagnant curriculum, unequal funding, and poor faculty support played a large role.

“I was deeply affected by the assassination of Dr. Martin Luther King in April of that year and felt a real sense of despair for the country. I simply felt a great sense of urgency to do what I could do to bring about the social justice to which he had given his life,” said Geier.

After the original filing in U.S. District Court, many parties joined her as plaintiffs, including TSU faculty colleagues Raymond Richardson and Coleman McGinnis and the U.S. Department of Justice.

In 1984, the court ordered a settlement that imposed racial goals for all Tennessee colleges. Both sides agreed in 2001 to replace it with a stipulation agreement—the Geier Consent Decree. That agreement led to the state’s allocating \$77 million for diversity initiatives. Across the state, such efforts as recruiting and retention programs for both faculty members and students, scholarships, new facilities, and endowments have affected every state college and university.

“We were incredibly honored to welcome Rita to our campus so that she could share her journey and her advice with our graduates,” said Chancellor Loren Crabtree. “Her life’s work has served as an inspiration in our efforts to ensure access, opportunity, and success for every Tennessean.”

Four years ago, Crabtree had a long conversation with Geier about the future of the decree and of plans to work together to resolve the long-standing case. “We talked about how it should come out—in a way that was best for the students and for the state,” Crabtree said. “She has always been extremely gracious and truly concerned for the best result. I believe that it is her demeanor that has

allowed for the healing that's occurred."

Crabtree hosted a reception for Geier and invited UT students who've benefited from Geier scholarships. The students told her about plans for medical school and furthering their education in the fields of nursing and law. "I think she was thrilled to know that we could attract the outstanding students that we have and play such a role in preparing them for a great future," the chancellor said.

Geier was escorted for much of her campus visit by another notable figure in Tennessee civil rights—Theotis Robinson, UT's vice-president for equity and diversity. Robinson made history when he was denied admission to UT in 1960 because he was black. Later that year, the UT Board of Trustees changed the admissions policy, and Robinson enrolled in January 1961 with two other black undergraduate students. Robinson has played a key role in implementing UT's statewide objectives throughout the consent decree and continues to do so post-Geier.

He describes Rita Geier as a person of great tenacity. "To stay engaged in a legal action to rid Tennessee of the vestiges of a dual system of higher education required commitment and persistence. Too often, people view efforts to bring more diversity into the classroom as being beneficial to one group. But diversity in higher education is beneficial to all students," Robinson said.

When asked which programs she's most proud of, Geier answers quickly.

"Without a doubt, the Geier scholarships, because they made a difference in the lives of thousands of individuals. Among them are future leaders—lawyers, managers, doctors, teachers—who will not only contribute to the economy and progress of the state but will strengthen the civic infrastructure," she said. "I believe they will be personally committed to see that those doors of opportunity stay open for others."

For the 5 years of the decree, more than 1,300 black students benefited from scholarships at UT Knoxville. Black enrollment grew from 6.5 percent to 8.7 percent. About 10 percent of this year's freshmen are black. Systemwide, UT has grown its numbers of African American students from 10.5 percent to 12.4 percent over the same period, Robinson said.

Geier said she never expected the case to last 38 years, but its gradual development helped to pave the way for progress. "There was an evolving process of learning what things worked and didn't work. Perhaps, most significantly, there was a growing sense of common purpose and mutual respect between the parties that made working out the solutions a lot easier," she said.

Geier was born in Memphis in 1944, the second of Edwin and Jessie Sanders's three children. Her father was a Methodist minister, and her mother taught public school. In the course of Sanders's ministry, the family moved to several cities in Arkansas and Tennessee. In 1961, Geier graduated from the segregated Melrose High School in Memphis.

After serving many churches, Edwin Sanders directed the Board of Education of the Southwest Conference of the segregated Central Jurisdiction for the Methodist Church until his death in 1959. "Given the times and knowing my father, I am certain his message of dignity and change helped people stand up for their rights in many communities. He always involved the whole family in his work; he published a newsletter, and my sister and I were quite adept at running a mimeograph to make copies, long before there was Xerox," she remembered.

Although her father died when Geier was 14, he had a tremendous influence on her life—as did her mother, who became a librarian and raised the family as a single mom. "Her legacy to me is that of an independent and capable woman who always had faith in her children and put them first," she said.

As an undergraduate at Fisk University in the 1960s, Geier watched civil unrest reach a fever pitch. "While I was not a person who regularly participated in protests and sit-ins, I had some experiences in these activities that were significant because they helped me learn how I could best contribute to the change that was taking place. My choice was to go to law school and fight my battles in the courts rather than in the streets," she said.

Along with a law degree from Vanderbilt, Geier earned a master's from the University of Chicago. She married her husband, Paul, in 1970. The couple lives in Maryland and has two grown sons, Chris and Jon.

Geier is the executive counselor to the commissioner of Social Security in Washington, serving as principal adviser on Medicare appeals, identity theft, and other matters. Each step in her career has been based on ensuring equity and opportunity.

Before her current position, she was the associate commissioner for hearings and appeals, providing leadership for the largest administrative adjudication system in the nation. She has worked as a trial attorney and administrator for the Department of Justice and as general counsel for the Appalachian Regional Commission. Before going to work for the federal government, she was a manager with Legal Services Corporation, an organization dedicated to improving the quality of legal services for low-income people.

Dean Rivkin, distinguished professor in UT's College of Law, met Geier in 1968 while both of them were attending Vanderbilt's law school. They shared an interest in civil rights, and their friendship has endured and now extends through their families.

"She's a dedicated public servant in the very best sense of the word," said Rivkin. "Through her public service she understood institutions and government and how to bring about change. She's a keen-sighted strategist, and that has served her very well in this case."

Until the case was dismissed last September, Tennessee was one of 11 states whose higher-education

desegregation efforts were still being monitored by the federal government. Alabama ended its 25-year-old case in December, and Louisiana and Mississippi are reportedly close to ending similar state suits.

Years of Change

- 1954-U.S. Supreme Court decides in *Brown v. Board of Education* that segregation violates the Constitution.
- 1968-Rita Sanders Geier files suit against the State of Tennessee; U.S. Department of Justice joins suit in support of her position.
- 1972-Ray Richardson, TSU faculty member, joins suit.
- 1977-Court orders merger of TSU and UT Nashville.
- 1982-Coleman McGinnis, TSU faculty member, joins suit.
- 2001-Parties enter into Geier Consent Decree.
- 2006-Suit dismissed; federal judge agrees the state has met all requirements.

A Promise for the Future

At Pearl-Cohn High School in Nashville, seniors in an advanced-placement English class crowded around a portable DVD player to hear a message from former classmate Briana Cooper, now a freshman at UT. From the video screen, Cooper described her classes, her dorm, and how she coped with homesickness. She talked about how important college is and how much she's enjoyed living and studying in Knoxville.

The high-school students listened intently, and when the video presentation ended, they got a chance to learn more about the new Promise Scholarship, which could make it much easier financially for them to attend UT Knoxville.

Last fall Chancellor Loren Crabtree and Dean of Enrollment Services Richard Bayer, both of UT Knoxville, visited schools in Memphis, Nashville, and Chattanooga to spread the word about the Promise. The scholarship is being offered for the first time in the fall of 2007 to a group of Tennessee high schools that traditionally send few students to UT's Knoxville campus.

About 35 of the state's high schools, many in the Memphis and Nashville metropolitan areas, were selected for the first year of the program. The schools were chosen because their students face financial and other kinds of obstacles to their attending college. The university is also recruiting students who will be the first generation from their families to attend college.

Each year's list of Promise high schools can vary and could be expanded if funding is increased. The program is estimated to cost the university about \$200,000 per year.

The Promise scholarship, along with the Tennessee Pledge scholarship that began in 2005 and allows low-income students to graduate debt-free, is designed to lift financial, social, or other barriers so that all qualified students can attend the state's flagship university.

At Tyner Academy in Chattanooga—one of the schools Crabtree and Bayer visited—Principal Carol Goss said the Promise gives her students an option that could change their lives. “For many of our students, the Promise program is the only way they will be able to afford college. I have some great students who deserve every chance to get a great education. Your visit has caused several to look at UT Knoxville as an option for their education. Thank you for looking for a way to put the needs of the student above the financial needs of the university.”

Likewise, at Howard School of Academics and Technology in Chattanooga, Principal Elaine Swafford said news of the scholarship, and the personal visit from the UT entourage, seemed to open some students' eyes to new possibilities.

“After your visit,” Swafford said, “I had a student come up to me and say, ‘I have been inspired. I must go to college. I cannot not go to school.’”

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