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Mary Grace Almandrez, Interim CDO
Community, Equity and Diversity
University of Rhode Island
Green Hall, Room 306
35 Campus Ave.
Kingston, RI 02881

Dear Mary Grace Almandrez,

Notice of Legal Action for Discrimination Based on Race, Sex and Age

It is with profound sadness and grave concern about the dearth of African-American diversity at the University of Rhode Island, that I inform you of our intention to sue you in your capacity as the interim Chief Diversity Officer (CDO). This will be a legal action for social justice based on race, sex, and age discrimination at URI. This action is joined by diverse groups of faculty, students and administrators. It is also part of a hands-on social justice experiential learning project aimed to expand diversity at URI and reflective content for my participatory pedagogy in the classroom where I teach: “U.S. Constitution and the Supreme Court” and “Examining Institutional Power, Checks and Balances, and Advocacy for a More Equitable Society”.

It is appropriate that this social justice action for URI students commenced during Black History Month and sixty-five years after *Brown v Board of Education*. We live in a U.S. state that greatly benefited from the abject discrimination of African-Americans – the dehumanizing institution of slavery. Therefore, the deliberate and steady expansion of diversity for African-Americans should be a core value and ethos at Rhode Island’s flagship university in the 21st Century. Your efforts as Chief Diversity Officer have failed to create a diverse, equitable, and inclusive university for African-Americans to work, learn and thrive, and we intend to make that case in state and federal court.

It is important for you to know that the lack of competence to create and implement a realistic and practical plan to recruit and retain African-American faculty, students and administrators brings us to this difficult decision to take action. The lack of progress on this critical issue of

diversity is deeply troubling and regrettable, because the vast majority of us who belong to FSAAD (faculty, staff and administrators of color) think you are personable and had expected you to take this issue of diversity more seriously. For equity, fairness and justice in higher education, we must engage in difficult argument and uncomfortable debate with friends and colleagues who are oftentimes the unconscious beneficiaries of structural racism and discrimination against African-Americans, and others.

After discussions with good people of conscience at URI and other concerned African-Americans in Rhode Island, and at the national level, I have been chosen to initiate this social justice advocacy to begin a systematic process of dismantling deep-seated structural racism in our URI community. This precise social justice advocacy to protect African-Americans is within my area of expertise and to me, diversity matters greatly. I have respectfully and successfully demanded justice from the powerful to restore dignity and equilibrium to those suffering in silence or under unmitigated duress. I have never lost a single advocacy campaign. From my first policy job as Congressman Rangel's Legislative Fellow, where I gained his respect after fiercely advocating to prevent his withdrawal from the Clean Diamonds Bill—I only acted when all reasonable pleas from civil society failed to reach his hearing; to my most lengthy and complex advocacy that successfully resulted in the FDA revising a drug warning label—I only acted after my friends, colleagues, Pfizer and other powerful reproductive health stakeholders continued to conceal and minimize significant breast cancer risk from an injectable contraceptive called Depo Provera. African-American women have the highest mortality rates from breast cancer, and to me, this matters greatly. There were numerous settlements with Pfizer. I have not yet lost an advocacy campaign because: (1) I do not take on frivolous issues; (2) I build an ethical and dedicated community coalition to build a momentum of support; and (3) I build a powerful coalition of lawyers to protect and shepherd the social justice advocacy through initial negotiations to court (you have permission to view my resume and file that can be found on URI's *Interfolio*).

This is how substantial change occurs in America with civility and how we arrived at civil rights policy. Even though it was African-American brilliance, advocacy and life extinguished by hate, that orchestrated this country's greatest policy achievement towards equality – the 1964 Civil Rights Act – it has been white women who have benefited the most from our civil rights advocacy. Meanwhile, African-American males continue to be marginalized at the workplace and treated with suspicion for their brilliance instead of being respected and embraced for their dignity, expertise and diversity of knowledge. African-American intellectuals, leaders and mentors such as Charles R. Lawrence III have educated and trained me for this very purpose, and the time is now to begin the systematic process of confronting and dismantling racial inequity in our URI community. We think big.

In the following paragraphs I will discuss several problems with URI's diversity strategy, your tenure as the diversity chief, and the final straw that led to this organized social justice advocacy for change—CED's botched and discriminatory process that derailed Dr. Harry Alston.

The central issue with diversity at URI is the complete absence of a clear commitment and strategic plan or policy for hiring and retaining African-Americans. Certainly, no one expects President Dooley nor Provost DeHayes to be diversity experts. It is your job to advise President

Dooley and other administrators about concrete strategies to effectively recruit and retain African-Americans at URI. However, to be a competent advisor to URI leadership, it is critical that you prioritize building a strong professional working relationship with your core constituency, FSAAD—not superficial briefings with flowcharts and Venn diagrams that have had no meaningful impact on URI diversity policy. In my experience, all good social justice policy comes from community participation – not from creating insular, handpicked committees that perpetuate the status quo of structural racism. Good policy is created by carefully identifying knowledgeable experts in the community; but also, by having an open-door policy to include community members who volunteer their expertise and knowledge. Smaller working groups of experts are organically formed out of that larger community participation. These self-selected working groups create authentic, dynamic, and inclusive social policy that will be owned, accepted and implemented.

Evidently, your top-down approach has not yielded policy resulting in significant progress for African-Americans on the URI campus. It has been our experience that your insular group at CED shuts out persons and suggestions intended to support effective policy change and stronger relationships with people of color. It is critical to know how to build long-term, meaningful internal and external partnerships with African-Americans. Leading a social justice movement for diversity at URI requires a brilliant advocate who takes dynamic and courageous action for change. As a visionary diversity leader, you are required to have a sense of urgency for the African-American community, be willing to plan and strategize with partners, and work with an overwhelming enthusiasm to get the job done.

Structural Racism at URI

Let us visit your office on-line and discuss your tenure as Chief Diversity Officer https://web.uri.edu/diversity/plan_and_reports/. Review **Exhibit 1** titled **CED Strategic Plan 2017-2022**. For a flagship research institution like the University of Rhode Island, it is inexcusable that our diversity strategy has egregious omissions about African-Americans. This diversity strategy, which is a recruitment and retention tool for us, does not contain the words “Blacks” or “African-Americans”— an important protected class in America who are grossly underrepresented below 3% at this university. It is noticeable to us that URI’s diversity office lacks the will and authentic diversity expertise to propose effective, implementable short and long-term policy. For many, this document is disingenuous and inauthentic. President Dooley should have been advised that if any diversity plan is to be effective it has to directly and warmly embrace African-Americans into our community. The mantra “...***we actively select and recruit...African-American/Black faculty and administrators...***” should be central to our ethos of diversity and inclusion at URI. It is deeply troubling that you do not recognize this.

It was your job as interim CDO to conduct a review of diversity documents. There are no legal risks or compliance issues with having a specific diversity strategy that refers to historically subordinated, enslaved and excluded groups that have sacrificed life and limb to make America a more equitable society. As an academic institution we should not contribute to the historical whitewashing and concealing of harm and discriminatory practices against African-Americans. In the original US Constitution, the words slavery and slaves are never mentioned and African-Americans are invisibly included in code as “other persons” without reference to our true identity. This URI CED strategy document borrows from James Madison’s evasive

discriminatory strategy of exclusion and sadly, marginalized African-Americans are invisibly referred to in euphemistic code such as “underrepresented groups” without reference to our true human identity.

Another glaring example of structural racism at URI is the fact that the Criminal Justice Department is all white (see **Exhibit 2**). The competency of the teaching staff is not the question here, the problem is the structurally racist recruitment and hiring process, which is blind to diversity in the 21st Century. It is indefensible that during this critical time in our nation’s history, as all bear witness to Blacks assaulted and murdered with impunity by the hand of white law enforcement, we are preparing future criminal justice professionals inadequately to respond to complex race issues. This has proven to be demotivating to our students of color who speak to us persistently about this disturbing matter. How do we explain the indignity of an all-white Criminal Justice department to our students? This, while African-Americans are leading advocates who have transformed Criminal Justice policy nationally. Your CED office seems oblivious to this fact and has not promulgated or discussed any corrective policy that will end and prevent this systemic absence of diversity across all URI departments. These are blatant equity and diversity issues at URI that cannot be ignored. Our questions are: (1) Why do you not see or hear this? And, (2) why have you not promulgated any new policy to mitigate these glaring issues of inequity?

Competence and racism are not mutually exclusive. In complex human relations in America, competence and racism have historically been deeply entwined in institutional structures. Rhode Island is not immune to this history. Let’s review the following examples: (1) no one doubts that James Madison and Thomas Jefferson were competent prolific geniuses who wrote masterful documents to establish democratic American institutions that were woefully created to be structurally racist. These same competent geniuses who we deeply love and respect for their high intellect, had the additional burden of being racist and slave owners. The celebrated Founding Father and President Thomas Jefferson, who was an adulterer and misogynist, had multiple sexual relations with powerless slaves— an egregious act that is considered rape (a 15-year-old female slave) under criminal statutes. (2) Brilliant criminal justice and legal minds during the Dred Scott opinion, Plessy opinion, Korematsu opinion, and many other subsequent cases were produced by an all-white male U.S. Supreme Court that was a structurally racist institution.

Through those Supreme Court opinions and many other examples, I demonstrate to my students that having competent, erudite judges and administrators does not equate to fair, equitable or just policy decisions in structurally racist institutions. And, that is the very reason why diversity is essential in all modern institutions, especially education institutions seeking equity and social justice. I teach students that inequitable institutions and societies that lack diversity invariably create unjust laws and policies detrimental and harmful to marginalized people and communities and ultimately detrimental to our future—it does not matter how competent, intelligent or personable those at the helm appear to be. These are core flaws that permeate hiring policy at URI to perpetuate structural racism and inequality. While the racism might not be consciously deliberate, a lack of diversity in policy decision making ultimately results in a racist outcome. We cannot continue to teach Criminal Justice majors by example that there are no repercussions for a homogenous workforce and that pluralism and diversity does not matter in their department. Your indifference and silence about inequity, and defensive, insular organizational

posture at CED, which shuts out constructive criticism, rejects contrary feedback and disengages from important debate; and is antithetical to your own creed of “**Equity-Mindedness**” described in the attached CED documents as, “*an approach to work, projects, or any undertaking that is mindful of diversity, equity, inclusion and social justice, and a willingness to adapt the undertaking based on feedback around those issues.*” (see **Exhibit 1 / page 11**).

We need an enlightened CDO who has this deep knowledge and understanding of the subtleties of racial prejudice against African-Americans today. The CDO should be able to confidently articulate and synthesize complex issues and cogent theories into several practical policy recommendations that can be implemented with a dedicated and heightened sense of urgency to help end structural racism at URI. That CDO will also recognize us at FSAAD as core and critical community partners in this permanent social justice advocacy for transformative change to benefit URI students.

The final time I discussed this Criminal Justice department issue with CED and our community was via email under the subject “tout blanc” (see **Exhibit 3**). As usual, the question was never answered by CED. Instead, I received a response from Dr. Joanna Ravello defending your good, hard work, and I diplomatically agreed with Dr. Ravello to be the case. It is this selective, insular non-responsive system of communication at your CED office that invariably supports structural racism at URI. It should be noted that I report to Chairperson Marc Hutchison, however, my core constituency, who I respond to dutifully with respect when they have issues or need help beyond the classroom, are our students. In the same vein, you report to President Dooley, while FSAAD is your core constituency that provides expertise regarding diversity and merits respect, responsiveness, open and frequent consultation.

Background on Hiring of Director, Diverse Faculty Recruitment and Retention

As your core constituency, FSAAD through our leader Dr. Christopher Hunter, provided you with our recommendation for Director, Diverse Faculty Recruitment and Retention. That recommendation was communicated to you verbally and officially in writing by Dr. Christopher Hunter on or around December 16, 2019. The following discussion involves FSAAD’s recommended choice—the highly accomplished and exceptionally knowledgeable Dr. Harry Alston. This discussion details how you allegedly manipulated and sabotaged his candidacy when you perceived Dr. Alston, an African-American scholar and change agent, as a threat.

On November 5, 2019 I received an email from a dear friend at URI informing me of community sessions set for three candidates for Director, Diverse Faculty Recruitment and Retention in the Office of Community, Equity and Diversity (see **Exhibit 4**).

After FSAAD attentively participated in various CED sessions to meet with and assess each candidate, FSAAD members took very seriously our role to provide feedback, so we convened discussions and meetings to share and process our response. Dr. Hunter’s detailed feedback for the Director, Diverse Faculty Recruitment and Retention and my response to him is shared in the email “tout blanc” on December 3, 2019. All feedback from our members overwhelmingly chose Dr. Harry Alston as exceptionally qualified for the job and he stands head-and-shoulders above the other two candidates. Below is how FSAAD arrived at our objective decision:

Exhibit 5: Rachel Andoscia dossier, including resume and cover letter (White/Latina)

Ms. Andoscia was first to be interviewed on Nov 7-8th. From all feedback we received, she was your preferred choice, but her presentation was a failure. Moreover, her mediocre presentation performance could have been predicted from her inadequate resume and cover letter. She is not qualified for this job. We could someday consider a novice or someone mediocre if African-Americans were at 10, 11 or 12 percent or overrepresented as Asians and Whites are at URI. As an African-American group committed to our students of color on this campus, inexcusably underrepresented at less than 3% of the faculty, we require an experienced, dedicated professional with precise recruiting and retention skills to rectify this. A skilled and conscientious CDO who handpicked her search committee for this serious job would have rejected Ms. Andoscia for an interview because she was utterly unqualified to begin with.

Exhibit 6: Jianguo (Jay) Zhu dossier, including resume and cover letter (Asian).

Mr. Zhu was the second candidate to be interviewed on Nov 18-19th. From all feedback we received, he performed dismally and was rejected by everyone, like Ms. Andoscia, he did not answer any questions with clarity or knowledge. However, here again his dismal performance at his presentation could have been predicted from his grossly inadequate resume and cover letter. He is not qualified for this job. A skilled and conscientious CDO who handpicked her search committee for this serious job would have rejected Mr. Zhu for an interview because he was grossly unqualified to begin with. He had zero qualifications for this job, unless you think our needs are not a serious priority.

Exhibit 7: Dr. Harry Alston's dossier, including resume and cover letter (African-American).

Dr. Alston was the third and final candidate to be interviewed on Nov 26-27th. From all feedback his performance was exceptional and with one clear difference from the other two candidates, he had excellent credentials and was uniquely qualified for this position and had a proven track record of forging changes in diversity (many wondered aloud why he would not interview for your job as Chief Diversity Officer). During Dr. Alston's presentation I took the liberty to ask many difficult questions that I had been asking since I arrived on campus and never received adequate answers from CED. My friend and I asked the same difficult questions to the other candidates. To our surprise, Dr. Alston answered every question knowledgeably, contextually and confidently – not the empty ramblings of Mr. Zhu or pleasant diversions of Ms. Andoscia. Dr. Alston was highly impressive and after his presentation he received many requests for his PowerPoint, because it contained the excellent information we had been seeking. Dr. Alston effortlessly answered question after question during Q & A. The questions I asked were difficult and complex and did not necessarily have an immediate solution; these were asked to test his temperament under pressure, and he answered all our questions with knowledgeable precision and grace.

Dr. Alston then presented his conclusion after his strategy and vision for recruitment and retention as the Director – which is also detailed in his PowerPoint presentation. Everyone responded with very enthusiastic applause and praise, because for once here was someone who was intelligent, direct and discerning about difficult and challenging issues—he was action oriented and he gave insightful answers. Dr. Alston was viewed by those at the presentation as an enthusiastic visionary diversity leader with a sense of urgency for the African-American community. He was admired for how he answered questions clearly and in context. During Dr.

Alston's successful presentation, we observed you grimacing and continuously frowning and later in a huddle with a Latina faculty member whose name I will not mention in this document.

At the end of the presentation when Dr. Alston said it was ok to forward his PowerPoint, you did not bother to email the document until I complained in a message to my FSAAD community about your persistently unresponsive character. At that point, Dr. Christopher Hunter obtained Dr. Alston's PowerPoint for our group and forwarded it to me. I, in turn, shared it with Dean Riley and others in my College who I believe are transformational and seek diversity (see **Exhibit 8**). Within two hours after I sent an email to my colleagues, your email finally arrived with Dr. Alston's PowerPoint attached (see **Exhibit 9**).

Subjective Racist attacks on Dr. Harry Alston's character

The last straw that triggered this social justice advocacy and collective legal action against you was due to spurious subjective racist attacks on Dr. Harry Alston's character to derail his candidacy. This occurred after you could not find anything substantive and objective to challenge his brilliance and suitability for the diversity position for which he is uniquely and exceptionally qualified.

Soon after Dr. Alston's presentation FSAAD members began to receive reports about the process that led us to believe that the fix was in. It should be noted that to date, attendees have not received a notice about what happened to Dr. Alston's candidacy. As part of this lawsuit we will request a full audit of the process that led to this highly qualified and exceptional African-American candidate being derailed by URI and the CED office.

Issue 1

After a flawless Skype interview, some members of the search committee commented that Dr. Alston answered the questions too perfectly and they were suspicious that his excellent performance might be a problem working with you and CED. This sounds absurd, but such experiences are not uncommon for accomplished black men. We are judged at a higher standard and expected to walk on water. When we perform excellently, we are looked at with suspicion and something must be wrong. Dr. Alston's diversity experience, high intellect, social connections and grace are unmatched.

However, another member on the search committee was incredulous by those remarks and insisted that Dr. Alston must be interviewed, because he was the most qualified candidate, and that answering questions perfectly cannot be a disqualifying characteristic for the job.

Issue 2

Before he arrived for the two-day presentation an attempt to discourage him was made by using a salary cap; but Dr. Alston insisted on coming for the campus interview.

Issue 3

On Nov 27, your office sabotaged Dr. Alston's scheduled meeting with the Diversity Task Force and cancelled the meeting (see **Exhibit 7**). You were responsible for ensuring that Dr. Alston received the same equitable and fair process as the other White and Asian candidates. This was our most accomplished candidate for the diversity job, and it was in your purview to ensure that

Dr. Alston meet with the Diversity Task Force. That is unacceptable during an organized interview forum, also not probable unless someone with authority intervened to sabotage this meeting. Is it a coincidence that the only African-American male candidate who is highly accomplished is discriminated against and denied a full, fair and equitable process?

Issue 4

After all attempts to sabotage and discourage Dr. Alston failed, you were plainly rude and condescending at his presentation grimacing and twitching in your chair. In spite of your unprofessional behavior, Dr. Harry Alston received accolades and praise from his audience that was also attended by Vice Provost Dr. Gifty Ako-Adounvo. Coincidentally, you scheduled Dr. Alston on a day students had left for Thanksgiving. Is this another coincidence that Dr. Alston's URI campus visit is scheduled to coincide with a school holiday when faculty are not on campus? Dr. Alston is in a protected class and racial discrimination is prohibited.

Issue 5

Then as time passed you began floating the notion that Dr. Alston was not a "good fit" but you received some push back, because he was an exceptional candidate. I have news for you, accomplished intelligent Black men are not a good fit anywhere: not in the Whitehouse, not on the golf course, not in space, not as deans, not as vice presidents, not as provosts, not as presidents, not even as criminal justice lecturers—we are never a good fit, but we get the job done with excellence. Dr. Harry Alston was a uniquely qualified talent being hired to do a leadership job that involves acumen, strategy and relationship building—he is THE perfect fit for CED. The fact that you are an insular staff at CED, who have not significantly improved diversity; should not prevent a highly experienced and qualified African-American male from being hired. His senior-level leadership qualifications, affable and gentle nature fit perfectly for an effective Diversity Director with gravitas.

Issue 6

Your campaign to disparage Dr. Alston, the only African-American male candidate, did not end there. You took it a step further and informed another FSAAD colleague that during Dr. Alston's meeting with CED he was arrogant. What you described as an example of his arrogance was that during his CED meeting with you and other colleagues, he abruptly reminded you that he had a meeting with President Dooley and quickly ended the Q & A session to leave. This was because he wanted to be punctual for an important meeting with our university president. We are aware of the old racist stereotypes and tropes used to disparage assertive black men and women. Intelligent assertive black men are routinely described as arrogant (we all laugh and trade stories about this experience) and intelligent assertive black women are routinely described as angry. But the reality is, historically, we have been proverbial "Magical Negroes" selflessly restoring equity, justice, humanity and dignity in America. It is no accident that the "Magical Negro" is a phenomenon routinely depicted in American movies by Hollywood – it is art imitating life – *in many ways Hollywood got it right, because it is magical that African-Americans have survived all this unsolicited hate with such grace and perseverance*. Open your eyes and look at how amazing we are. To live in America as an African-American and not be associated with blemishes of spirit or anything negative is a privilege not afforded to us—but we are fantastically resilient. Dr. Harry Alston comes from a dignified and educated lineage of African-Americans who survived slavery and the brutality of the civil rights movement; you cannot intimidate us

with painful racist tropes and insults to cover up and protect your grossly failed leadership as the interim CDO.

Weak and transparent were your subjective spurious and unconsciously racist attacks, after you could find nothing objective to challenge Dr. Alston's brilliance and suitability for this diversity position for which he is uniquely and exceptionally qualified. For the record, no one had problems with Dr. Alston: gay or straight; black or white; female or male; administrator, faculty, or student; everyone loved and respected Dr. Alston when they met him. Only those afraid of real diversity change at URI and your CED office had a problem with this dignified and brilliant African-American. You do not get to use subjectivity to decide who is a good fit at URI. In America, from the White House to Green Hall and other hamlets of learning, one does not have the unrestrained power to be a deceitful and manipulative incompetent leader without triggering dire repercussions. That is the beauty of checks and balances in America, a phenomenon not experienced in the Philippines and many other beautiful democracies I have visited in Africa, The Caribbean and Southeast Asia.

Issue 7

When all failed and everyone was ignoring your contrived subjective nonsense, you came up with an old discriminatory tactic to "raise the bar" or "move the goal post". However, you could not raise the bar, because there is no bar that the accomplished Dr. Alston could not reach and excel—he could easily have been our CDO. You chose to huddle with URI colleagues and leadership, then decided to surreptitiously change the job description, requirements and duties of the Director of Diversity. The next step was, you unofficially failed this Diversity Director search without a single word to the URI community and your core constituency FSAAD, because you do not respect us and you do not take us seriously. By informally failing the search, you are now conveniently circumventing your legal and ethical obligation to hire the best candidate Dr. Harry Alston after his exceptional performance and an outpouring of URI community support for his hire.

Let me be clear, if URI had the ability or was fortunate by sheer luck to recruit and select excellent diversity leaders such as Dr. Harry Alston, we would not be in this predicament of being a Black faculty underrepresented below 3%. We, as a body of highly accomplished black scholars, intellectuals and professionals in FSAAD, have the ability and expertise to identify high quality candidates who will work in the best interest of diversity. Respect that fact. Neither you nor URI's leadership who continuously make poor hiring decisions regarding diversity have lived the Black experience and you are incapable of spiritually identifying with the African-American struggle in the United States of America—and that is the crux of this diversity problem at our university. Being Southeast Asian, Mary Grace Almandrez and having Black friends or working with a Black woman, is not the same as living African-American experience with burden of racism and the accessory vestiges of slavery. Many Blacks in high level positions who look the other way when racism occurs, are Blacks like me born in Italy or of immigrant parents. Looking Black does not mean your soul identifies with African-American daily injustice. I mean no disrespect, but an African-American diversity officer who has the lineage would never stand by and allow the abusive and crude conduct that was experienced at URI by a shining prince like Dr. Harry Alston. I am ashamed and we will have these hard conversations.

In Dr. Harry Alston's case, the CED office under the leadership of Mary Grace Almandrez moved the goal post as a strategy to eliminate and discourage the employment of Dr. Harry Alston. Goal post moving, by stating that you have decided to change the focus and description of the job (after an extensive search and several interviews), is essentially a mask that you created to avoid hiring Dr. Harry Alston after your highly subjective assault on his character failed. Prior to your assault on his character, Dr. Harry Alston had proved himself highly competent and qualified in objective in multiple candidacy forums at URI. Moving goal posts is a recurring tactic at URI and this is prohibited, and has been the subject of very successful discrimination lawsuits against several multinational corporations. FSAAD and conscientious students, and other allies will not allow you to destroy the reputations of accomplished, brilliant African-Americans so you can feel safe and secure in your position as Chief Diversity Officer.

Current Chief Diversity Officer Interviews: Another ineffective corrupted process

Unfortunately, the same corrupted hegemonic machinery that conspired to derail Dr. Alston's candidacy is now working to keep you in the role of Chief Diversity Officer. This whole process of interviews is smoke and mirrors and a grand scheme churning minds, directing opinions and manufacturing consent in favor of Mary Grace Almandrez to continue in the role of CDO. It appears you serve an important purpose by using your disarming personality to maintain the status quo.

The mere fact that you made it to the final round—in spite of CED's aforementioned colossal failures and structural deficiencies (detailed from pages 1 to 8)—reveals that this is an unfair recruitment and selection process and the fix is in. This tells all who yearn for authentic diversity leadership that the other two candidates are props to create the appearance of a fair and equitable recruiting process at URI, similar to the process that derailed Dr. Harry Alston.

Furthermore, by scheduling you in the **Hope Room of the new Higgins Welcome Center**, while scheduling the other two accomplished CDO candidates in the **Memorial Union Ballroom**, your institutional handlers are being transparently confident about their influence and intent. This entire process is rigged to give you an air of institutional acceptance and importance; thereby, setting you up to be the **ONLY** logical choice for the establishment at URI. This CDO recruiting process has been covertly manipulated to ensure a result that would otherwise have been determined by a fair, equitable rigorous process that provides all candidates an equal opportunity for the job. This hiring process contravenes diversity and justice. It is a mockery to equity and inclusion—we will fight hard to expose and end a culture of exclusion at URI (see **Exhibit 10**).

Finally, your presence as a finalist reveals these truths: (1) Those who interviewed you are handpicked by the leadership that has produced the same failed results for URI diversity in the past decades. We cannot expect to have different results in diversity leadership if the process of recruiting diversity officers continues to be the same that produced past ineffectual officers that do not stand up for change. As long as the process engages the filters and lenses of those who have historically benefitted from structural racism, there can be no meaningful and positive change at URI. (2) You were given a pass and did not produce a detailed comprehensive list of accomplishments beyond rhetoric. (3) You were given a pass and did not produce detailed implementable policies that you have promulgated by partnering with the FSAAD community – a powerful group of Blacks at URI underrepresented at less than 3%. Read your own lofty

proposals and rhetoric from your CED-Strategic-Plan 2017-2022, which could never be realized without proposing and implementing effectual and comprehensive policy. (4) You were given a pass and did not produce details about meetings with HR and proposed policy changes with HR to help end racial discrimination and unethical hiring practices, I will not discuss in this letter. (5) You were given a pass and did not produce detailed retention policies that you have implemented to keep African-American talent at URI. Do you want to know who created and maintains our FSAAD group and a series of interventions that significantly help URI to mentor and retain Black students and faculty? Dr. Christopher Hunter. We cannot continue to be proverbial “Magical Negroes” while our critical recommendations in support of highly exceptional talent like Dr. Harry Alston are ignored, and key diversity jobs allotted for those who only bring comfort, agreement and perpetuity to our nearly all-white leadership. To transform diversity, we will all need to accept African-American perspectives, brilliance and leadership, and get uncomfortable, because no one at URI needs to remain comfortable and silent about overt and unconscious racial discrimination in our treasured institution.

Conclusion

In my classrooms speaking truth to power is not only a philosophical and academic pursuit, it is a practical training for community and personal empowerment. I will end here by stating that while diversity in America and our university is a fact of life, we still have not developed an emotional or intellectual comfort to be able to live with it, and to recognize that diversity is a core American cultural value that should not be a source of conflict, but a source of strength and enlightenment.

If Dr. Harry Alston’s high intellect, vast knowledge and extensive experience in diversity could be dismissed summarily and treated with this level of disrespect and manipulation by you, then our FSAAD community does not stand the slightest chance of hiring any effective diversity change agents for African-Americans at URI.

While you and administrators provide contrived remarks about the progress of diversity at URI, I was the only visually identifiable Black person at URI’s new faculty orientation events last year. That sad moment was the reality of our gross underrepresentation of less than 3%. Your actions during your tenure at URI have determined that you are neither a change agent nor an honest broker with African-Americans and our community of color. We will force this change through the state and federal courts. For dynamic change in diversity to occur on our campus, we need to be heard and seen with clarity.

We are deeply offended, and I am ashamed, because your egregious actions against this brilliantly accomplished and dignified African-American, Dr. Harry Alston, were abusive, discriminatory and conspiratorial. You have acted with gross incompetence and abused your power and authority as Chief Diversity Officer; thereby placing URI at risk of several lawsuits and it is our recommendation that you are removed from office or we proceed to court in 90 days. We are ready to protect our dignity and expand diversity at URI; and this lawsuit, as an action of social justice advocacy, is supported by the URI African-American Legal Defense Fund and will be joined by other pro bono firms if this social justice campaign expands to federal court.

I will end here with three appropriate quotes during Black History Month, two of which I copied from an admired and spiritual FSAAD member with quiet strength: *"The ultimate measure of a human being is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy."* Dr. Martin Luther King. The second quote is: *"Injustice anywhere is a threat to justice everywhere. We are caught in an inescapable network of mutuality, tied in a single garment of destiny. Whatever affects one directly, affects all indirectly."* Dr. Martin Luther King. The third quote, is from the Purest Mind Collection: *"Babylon system is a vampire."* Hon. Robert Nesta Marley. Pax.

Sincerely,

A handwritten signature in black ink, appearing to be 'L. Fosu', written over a horizontal line.

Louis Kwame Fosu. JD/MBA
202-406-0911 / Loufosu@uri.edu