

R. KYLE ALAGOOD

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Chancellor Jack M. Weiss
LSU Law Center
1 East Campus Drive
Baton Rouge, Louisiana 70803

Dear Chancellor Weiss:

As a third-year student, I am deeply concerned with the LSU Law Center's outward displays of decision-makers' values, particularly regarding racial diversity. Over the past decade, the school has shown its commitment to diversity among the student body, but I fear the Law Center is not actively providing much-needed structural resources to foster diversity and encourage success once students enter law school.

Why Diversity Matters and Proposed Reforms

The LSU Law Center's overwhelmingly white faculty makeup and lack of other visible commitments to diversity in discretionary decision-making has devalued students' degrees and harmed students' competitiveness on the national market. Because the LSU Law Center was, in fact, the all-white state law school and has, until recently, had an almost homogeneous student body, the school is perceived as still being the all-white school it was in 1950. This institution has a moral duty to actively and overtly commit to diversity and combat the school's segregated image. Faculty and administration must take a public, active stand for racial diversity, so I never again hear a Black classmate lament that in polite conversation, the inevitable follow-up question to "I am a law student" is "Are you at Southern?"

To meaningfully achieve diversity, the Law Center must ensure minority students are welcome and have tools needed to succeed. In addition to recruiting diverse students, I ask that you commit the Law Center to (1) pursuing full racial diversity among faculty, (2) establishing structural resources (including, among other things, a Vice Chancellor for Student Affairs and Diversity) that cultivate student diversity, (3) instituting policies and procedures that guarantee racial diversity as a valuation factor in discretionary decision-making at all levels of administration, and (4) mandating cultural competency education for students.

For reasons set forth below, I respectfully request a meeting with faculty and administration, at which I and other leaders of the student coalition for racial diversity and cultural sensitivity can present our concerns and proposed reforms, and at which LSU Law Center faculty and administration will address those concerns and either endorse or reject the proposed reforms.

Racial Diversity Among Faculty Members

Faculty diversity benefits everyone. “A diverse faculty both (1) measurably benefits the education, broadly defined, of law students; and (2) contributes to rich, cutting edge legal scholarship.”¹ Unfortunately, while the LSU Law Center has progressed in recruiting a more racially diverse student body, the lack of diversity among full-time faculty is alarming. The Law Center’s full-time faculty is overwhelmingly white and male. Only three in thirty-six full-time faculty members are people of color—that is 8 percent. Only eight members, or 22 percent, of our full-time faculty are women. Darlene Goring is the only woman of color among full-time faculty.

Apprenticeship Week as a Microcosm of LSU Law Center Decision-Making

I recognize that decisions to hire full-time faculty have occurred over decades, during which the Law Center’s decision-making has progressed, particularly on issues of diversity; however, the racial make-up of Apprenticeship Week faculty calls into question the Law Center’s long-term commitment to faculty diversity. Since the Law Center secures Apprenticeship Week faculty on an ad hoc basis to teach for only one week and the faculty do not come from the traditional applicant pool, Apprenticeship Week was the ideal opportunity for administration to display its commitment to racial diversity. That was not the case. The Law Center’s recruiting practices ultimately led to an overwhelmingly white Apprenticeship Week faculty (twelve white men, three white women, and two men of color), which suggests the Law Center’s valuation of diversity is low or non-existent. The message this sends to students—especially minority students—is that only white men are “master lawyers and judges” fit to teach practical legal skills.

Harms Flowing From Racial Homogeneity Among Faculty Members

Ultimately, I fear Apprenticeship-Week-faculty homogeneity is a symptom of a greater illness—the Law Center’s systemic lack of commitment to diversity. As a result of the Law Center’s having a disproportionately low number of minority faculty members, racial minorities enrolled here have few positive role models with similar life experiences to help guide them through school and into the legal profession. The hundred-plus minority law students at LSU have three full-time faculty members to look to as role models whose life experiences and perspectives on the legal profession may be similar to the students’ own. And because full-time faculty are the face of the Law Center, I worry the message the school sends to minority students is “You are not welcome here.”

Furthermore, all students suffer, because they are rarely, if ever, exposed to minority legal experts in the classroom, whose perspectives on law would enlighten students’ thinking and prepare them to approach legal problems from multiple angles. Collectively, increasing minority faculty will indubitably bring students into contact with legal analyses different from those of white professors, thereby steering LSU Law students toward legal innovation, not regurgitation. Just as having more women faculty to teach criminal law would undoubtedly provide a different perspective on issues such as rape, minority faculty are likely to have different life experiences and perspectives on law that may challenge students to think beyond themselves on issues such as criminal justice, community-police interactions, or even contract negotiation.²

¹ Kevin R. Johnson, *The Importance of Student and Faculty Diversity in Law Schools: One Dean’s Perspective*, 96 U. IOWA L. REV. 1549, 1557 (2011).

² See PATRICIA J. WILLIAMS, *THE ALCHEMY OF RACE AND RIGHTS* 146-48 (1991) (discussing Black women and formality/informality in negotiation).

The Lack of Resources to Foster Diversity

The Law Center has few to no structural resources in place to foster diversity, support minority students, and ultimately prepare all students for legal practice among people different from themselves. In the classroom, course topics and pedagogical focus are informed primarily by a predominantly white faculty's interests, experiences, and perspectives. Students rarely, if ever, are confronted with an alternative perspective on law informed by minority life experience. Outside the classroom, the Law Center has no administrative structure in place to foster diversity, oversee cultural competency, institute and enforce diversity policies, or advocate for students' interests, which ultimately leaves students—particularly minority students—to navigate law school alone.

The Practical Inaccuracy of Uniform Courses and Pedagogy

Course topics and faculty pedagogy tend to reflect the Law Center's traditional focus on Louisiana law and professors' personal interests. Such focus leaves little room for faculty to explore alternative legal theories, such as critical race theory or feminism in law, which would expose students to diversity in legal thought and help prepare them for race-conscious legal practice. In effect, course homogeneity and the lack of pedagogical diversity results in students who may not even know they are ill equipped to adequately represent minorities or argue cases in which minority status may matter (e.g., hate crimes, discrimination, rendition, or criminal law generally). LSU Law Center students are seldom exposed to diverse legal perspectives and theories that would provide them with tools to assemble legal cases grounded in theory and informed by diversity. The Law Center's generally homologous pedagogy and traditional course offerings likely stem from faculty Groupthink, itself a product of racial homogeneity and source of course offerings that inaccurately present law as a uniform system. Ultimately LSU Law Center students leave the school unprepared to work with and among actual people, whose lives and experiences unquestionably differ from the students' own.

Why the LSU Law Center Needs a Vice Chancellor for Student Affairs and Diversity

The LSU Law Center's commitment to all students, not just minority students, falls behind peer institutions. Having no vice chancellor clearly dedicated to student affairs and a high-level administrator dedicated to diversity leaves students with no one to serve as an advocate or ombudsman, institute and oversee diversity policies, or direct students to campus resources for academic and personal success. This structural void injures students—particularly minority students—and illustrates the school's failure to meaningfully foster diversity once students enroll at the Law Center. Furthermore, without a person dedicated to students and to whom students are comfortable directing their concerns, there is no real repository for data relating to student grievances. Without data on student affairs and grievances, there can be no effective evaluation of student complaint patterns, successes in developing cultural competency among students and faculty, or any other issues that directly bear on student development, satisfaction, and progress. This dangerous situation can easily be remedied if the Law Center creates a new administrative office, the Vice Chancellor for Student Affairs and Diversity, to oversee these matters.

Although the Executive Provost and Vice Provost for Diversity at LSU's main campus will undoubtedly provide oversight at the Law Center, law students rarely cross to the main campus and should not have to rely on main-campus administrators to protect law students' interests in diversity and student development. Not having a Vice Chancellor for Student Affairs and Diversity is a major structural defect that leaves LSU lagging behind other public law schools, including the "similarly

situated law schools at flagship universities” the LSU System aims to emulate by merging the Law Center with main campus. Other law schools in the region have already committed to diversity at the highest levels of administration. The University of Mississippi School of Law, for example, has an Assistant Dean of Student Affairs *and* an Associate Dean for Administration and Diversity Initiatives. Subsequently, the University of Mississippi has won national commendation for its commitment to and active pursuit of diversity.³ Students at the LSU Law Center, on the other hand, have no administrator dedicated to their needs and interests.

Cultural Incompetency at the LSU Law Center

The Law Center’s focus on tradition and preserving Louisiana’s bijural legal system centers on the state’s legal heritage but ignores the law school’s heritage as a segregated institution that turned away Roscoe Turner, a veteran, in 1948 for being Black. In 1951, the Law Center’s minority students numbered three, which is, coincidentally, the number of racial minorities currently on the school’s full-time faculty. Although the LSU Law Center has greatly diversified its student body, especially over the past decade, an increase in minority students does not mean the school has overcome its segregated history. Take, for example, the many portraits hanging in the school’s classrooms to celebrate esteemed professors and alumni. Virtually every subject is a white male. What message does this send to students and faculty? Of course, the fact is that professors and alumni are overwhelmingly white, and the portraits reflect the school’s history of excluding non-whites. But these memorials dovetail with the lack of diversity among faculty and send two messages to students: (1) If you are white, you may someday reach the highest echelons of the legal profession. (2) If you are not white, you will not succeed.

Furthermore, the Law Center, to my knowledge, has done very little to provide students with any cultural competency other than understanding the European culture that spawned the civil law system in Louisiana. Too often at the Law Center, I have heard other white students flippantly use the “n” word, without a hesitation that it may offend me—a white male. Upon confrontation, the students often defend their word choice as a joke or their freedom of speech. To me, this demonstrates an alarming lack of cultural competency, maturity, and empathy about the state and institution’s not-so-distant history.

Given the school’s segregated past and my observations of racial antipathy, the Law Center should require some level of cultural competency education, whether through a stand-alone program or by diversifying course offerings, faculty pedagogy, and guest speaking opportunities. Increasing students’ opportunities to interact with minority alumni and legal professionals would help increase cultural competency among all our students by exposing them to attorneys who took varied paths to success. The Law Center can easily pursue diversity in its programming, speakers, and alumni events, which will illustrate to all students that accomplishment is not for white lawyers alone. Cultural competency and interaction with minority legal professionals will require some work, because the law school will have to reach beyond its alumni pool; but the institution can no longer rely on the oft-said excuse that speakers or guest lecturers are volunteers and alumni. To passively rely on alumni and volunteers as speakers and institutional leaders is to rely on and reinforce the school’s historical exclusion of minority men and women. The Law Center’s failure to acknowledge its history, produce culturally competent students, and actively work toward diversifying speakers and

³ See, e.g., Allen Hamilton, *UM Law One of 45 Law Schools Recognized for Promoting Diversity* (Apr. 1, 2014), <http://law.olemiss.edu/um-law-one-of-45-law-schools-recognized-for-promoting-diversity/> (announcing Ole Miss as one of forty-five inaugural award winners of the William A. Blakey award for diversity, given by the Council on Legal Education Opportunity).

special guests will only perpetuate the projected image that successful legal professionals—at least as far as the LSU Law Center is concerned—are white and male.

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Thank you in advance for your consideration of my request and proposed reforms. I look forward to your response. If you wish to follow up, please contact me by email (ralago2@lsu.edu) or in person at your convenience.

Sincerely,



R. Kyle Alagood, M.Sc.
J.D. Candidate, 2015
LSU Law Center

cc:

F. King Alexander, President, LSU System
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Stuart R. Bell, Executive Vice Chancellor and Provost, LSU
Dereck Rovaris, Sr., Vice Provost for Diversity, LSU
Kenneth Barnes, Jr., Executive President, LSU Law Center Student Bar Association
Andrew Hairston, President, LSU Law Center Black Law Students Association