

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

JOHN F. KNIGHT, JR., and ALEASE S. SIMS, et al., individually and on behalf of others
similarly situated, *

Plaintiffs and Plaintiffs-Intervenors, *

UNITED STATES OF AMERICA, *

Plaintiff-Intervenor, *

v. *

Civil Action No.
2:83-cv-1676-HLM

THE STATE OF ALABAMA, et al., *

Defendants. *

**KNIGHT-SIMS PLAINTIFFS' MOTION FOR ORDER TO SHOW CAUSE
WHY DEFENDANT AUBURN UNIVERSITY AND ITS BOARD OF TRUSTEES
SHOULD NOT BE HELD IN CONTEMPT**

EXHIBIT D: Jack Stripling, *"SA CS concerned about AU diversity: University sits on
report for six months,"* OPELIKA-AUBURN NEWS, September 24,
2004

OPELIKA-AUBURN NEWS



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SACS concerned about AU diversity *University sits on report for six months*

Jack Stripling
Staff Writer
Friday, September 24, 2004

Jack Stripling Staff Writer Widespread complaints of unfair and perhaps discriminatory hiring practices are mentioned at some length in a report issued by Auburn University's accrediting agency. But the university only made the charges public after six months.

AU officials say it was their "interpretation" that SACS' permission was required before the report was released. Such permission is not required in SACS' view, and AU only sought permission three days ago.

"It's their call," said James Rogers, executive director of SACS. "I didn't make the decision one way or the other (about releasing it) ... I just assumed they'd already released it."

SACS' report details concerns made by three "highly credible" professional-level staff who allege managers fill positions with "friends and fellow church members" to the exclusion of blacks and other non-white groups.

The report also mentions complaints the SACS team heard "constantly" regarding AU's tendency to promote interim staff into permanent posts. AU has since instituted a policy forbidding interim deans from seeking permanent positions, but the university never mentioned the SACS report when the Opelika-Auburn News first reported on the change.

"Allegations of favoritism or cronyism ultimately undermine the collegiality and shared governance that characterize successful universities in the United States," the report states.

The SACS report does not comment on the five criteria for which AU was placed on probation in December. A separate team will investigate this matter during a visit next week. The combination of the visiting team's findings and those of the team that issued the late March report will ultimately determine the fate of AU's accreditation.

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The SACS report praises AU's cooperation, but raises concern that AU's self-assessment was "all but silent" with regard to its diversity commitment. AU's omission of diversity efforts is not a surprise to Janet Saunders, who was recently fired as head of the office of affirmative action.

"That's a philosophy of the administration," Saunders said. "If we don't write about it and we don't talk about it, we don't have to defend it."

A number of faculty have expressed dissatisfaction with Saunders' ouster as well as the decision to place the office of affirmative action under the umbrella of the department of human resources. Senate Chairman Willie Larkin said it was tantamount to "the fox guarding the hen house."

In a letter dated July 30, Saunders informed Interim President Ed Richardson that the shift of the office into human resources "creates a potential conflict of interest," rather than eliminating such conflicts. The office of affirmative action is effectively now under the control of the very department it should be monitoring, Saunders contends.

SACS' report, while raising concern, ultimately gives the university the benefit of the doubt.

"Because the Interim President has been clear and unhesitating in his commitment to address these issues (and indeed had no role in the writing of the silent self study), we take his words of commitment at face value," the report states. "It is entirely conceivable that the omissions noted above are accidental ..."

The omissions are not accidental in Saunders' view. She asserts that the concerns SACS cites, such as promoting white individuals over blacks with the same qualifications, are ongoing at AU.

"We've got some die-hard folks who are not willing to work with people of color," Saunders said.

??? To remain in good standing with SACS, the university is more or less obligated to take action with regard to recommendations made by the accrediting body. SACS had just two recommendations. It recommended a policy that would describe what constitutes a student's permanent record. SACS also recommended the university develop a process by which it can regularly evaluate its consortial agreement for the Marine Environment Sciences Consortium. AU addressed both recommendations in its July response.