

## Privileged Memorandum

TO: Elizabeth Barrie  
General Counsel

FROM: James J. Duderstadt  
President Emeritus

SUBJECT: A checklist for University admissions policies

This memorandum is intended to provide a “check-list” of individuals who could be possible resources in your effort to respond to the legal action brought against our admissions policies. In some cases these are individuals who have served in key administrative roles within the University and who have personal knowledge of our admissions policies. The list also contains individuals who have been strong advocates for the use of affirmative action in university admissions and who might be willing to assist in our case.

### Key University of Michigan Administrators

#### UM Office of Admissions

Rick Shaw (Dean of Admissions, Yale University)

Rick not only served as UM’s director of admissions during a critical period, but he came to Michigan from UC-Berkeley.

Cliff Sjogren (retired)

Cliff was long-standing UM director of admissions during the 1970s and 1980s. He tended to be somewhat conservative with respect to admissions policies and frequently sided with Regent Deane Baker on issues.

Don Swain (SUNY-Binghamton)

Don was second-in-command in the UM Admissions Office under both Sjogren and Shaw.

#### UM Office of the Provost

Mary Ann Swain (Provost, SUNY-Binghamton)

Mary Ann was the key Associate Vice President for Academic Affairs with responsibility for academic services, including admissions. She later served as Interim VP-Student Affairs

Bob Holmes (UM)

Bob was the assistant VP-AA for academic services, with direct reporting line responsibility for admissions (both Sjogren and later Shaw)

Niara Sudarkasa (President, Lincoln University)

Niara was Associate VP for Minority Affairs

under both Billy Frye and me, with broad responsibilities for minority issues and policies.

Chuck Moody (UM)

Chuck succeeded Niara with the new title of Vice-Provost. He was later succeeded by Lester Monts.

Harold Shapiro (President, Princeton)

Harold was key in shaping our admissions policies both as provost and then as president.

Billy Frye (Chancellor, Emory)

Billy Frye, as provost during the 1980s, was also a key player in the evolution of our policies.

Chuck Vest (President, MIT)

Chuck was provost for a brief but important period in the late 1980s.

Gil Whitaker (Dean of Business, Rice University)

Gil was provost during the 1990s, with responsibility for admissions

Bernie Machen (President, University of Utah)

Bernie was provost during the key period spanning the two admissions decisions being litigated.

Nancy Cantor (current provost)

### Presidents

Robben Fleming (President Emeritus)

Bob Fleming led the University during the key period in the 1970s when our affirmative action policies were developed.

Harold Shapiro (President, Princeton)

Serving as both provost and president during the decade from 1977 to 1987, Harold had great influence on the evolution of these policies.

Lee Bollinger (current president)

### Deans of LS&A

Peter Steiner (UM)

Peter was dean during the 1980s. While his relations with minority groups were sometimes not the strongest, he supported affirmative action.

Billy Frye (Chancellor, Emory)

As both LS&A dean and provost, Bill probably has as good an understanding both of the evolution of UM policies and the broader issues as anyone.

Edie Goldenberg (current dean)

### University of Michigan "Corporate Memory"

Richard Kennedy (retired Secretary and VP)

As the UM VP-Secretary under Fleming, Shapiro, and Duderstadt, Dick probably has as good a sense as anyone about the issues and the politics swirling around affirmative action at Michigan.

Elsa Cole (General Counsel, NCAA)

Elsa was generally the point person on any legal issues that arose concerning our admissions policies

Roderick Daane (Ann Arbor lawyer)

As the UM General Counsel during the Fleming and Shapiro years, Dick has a good understand of UM policies and practices during this period.

## Possible Resources

There are a great many university presidents, both current and retired, who could be of great assistance in this effort. Of particular importance are those with Michigan roots, including Frank Rhodes (Cornell and former provost and LS&A dean at UM), Harold Shapiro (Princeton and former provost and president at UM), Chuck Vest (MIT and former provost and Engineering dean at UM), and Niara Sudarkasa (Lincoln and former Associate VP-Academic Affairs at UM). In addition, there are several other distinguished retired presidents who feel deeply about these issues and would be willing to help: Chuck Young (UCLA), Derek Bok (Harvard), Don Kenney (Stanford), David Gardner (California), and Bill Danforth (Washington).

The higher education associations can also be very important allies. Interestingly enough, the three major associations are all led by former Big Ten presidents who understand these issues well: Stan Ikenberry (ACE and Illinois), Nils Hasselmo (AAU and Minnesota), and Peter McGrath (NASULGC and Minnesota). The resources of these associations could be of considerable use. Bob Atwell, former head of ACE, could also be a resource.

There are other groups that could be of great help. In particular, the Business-Higher Education Forum (sponsored by the ACE) could be very helpful in providing the strong support of corporate CEOs for our policies. (Stan Ikenberry would be the contact.) Chuck Vest could also provide the support of other key CEOs (particularly Gerstner at IBM).