

# Center for Civil Rights 2008-09 Annual Report

University of North Carolina School of Law

## Mission Statement

The Center's mission is to advance civil rights and social justice, especially in the American South. The Center strives to empower individuals and communities to overcome economic disadvantages, racial discrimination, social isolation, governmental unfairness, and political exclusion.

April 2009

## Current Initiatives

**Education:** promoting educational opportunities by seeking resource equity and diversity in K-12 and advancing diversity in higher education.

**Community Development:** enhancing low-income and minority communities by combating municipal exclusion, protecting assets in land, and promoting fair housing.

**Voting Rights:** advancing voting rights of minorities and helping to assure participation in national, state and local elections.

## In This Report

Education	2
Diversity in Education	2-3
Voting Rights	3
Engaged Student Participation	3
Community Development	4-5
Center Staff	6
Recognition	6

## Strategies for Pursuing These Initiatives

**Community Empowerment:** helping communities organize and advocate for solutions to their needs

**Public Advocacy:** bringing public attention to problems and issues

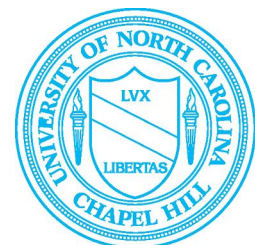
**Legal Protection:** when required, engaging in litigation and seeking new legislation to protect rights

**Advancing Knowledge:** conducting and disseminating scholarship and research

**Hands-On Conferences:** convening conferences for community advocates, public officials, scholars, and students

**Training the Next Generation:** attracting and involving law students to become civil rights and social justice advocates

**Joining With Advocates:** connecting with state, regional, and national social justice organizations



# EDUCATION

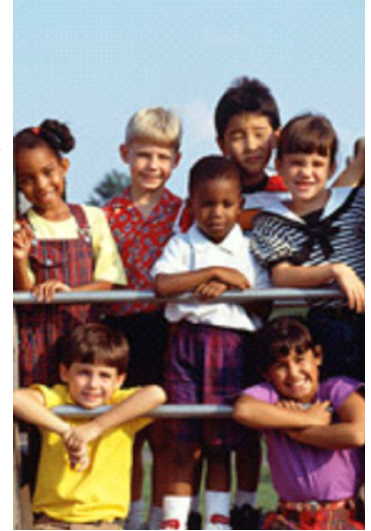
## 2009 Conference

In April 2009, the Center, in partnership with the Civil Rights Project at UCLA and the University of Georgia Education Policy and Evaluation Center, hosted a national conference at the University of North Carolina. The conference theme was “Looking to the Future: Legal and Policy Options for Racially Integrated Education in the South and the Nation.”

In recent years, schools in the South and nationwide have experienced rapid re-segregation and deprived Hispanic and African American students of equal educational opportunities. The conference examined the future of public education after the 2007 Supreme Court decision in *Parents Involved in Community Schools v. Seattle*

*School District No. 1*. This case limited what school boards can do to pursue racial integration. Despite imposing limits, the Supreme Court reaffirmed that integration is a permissible goal and that school boards may craft creative integration plans to pursue diversity.

Some 20 nationally known social scientists and attorneys served as panelists, examined the case for integration, and evaluated the long-term policy options for achieving integration. Approximately, two-hundred-fifty scholars, activists, school officials, policy-makers, researchers, litigators, school board attorneys, organizational leaders, students, and additional interested persons from across the nation attended this conference.



## Integration in Schools

In a case that might have significant precedential value, a white parents' organization challenged, in Federal District Court, the Pitt County North Carolina School Board's redistricting plan and attendance policy as not in compliance with a 1970 judicially-imposed school desegregation order.

The Center is working with four families and the Pitt County Coalition for Educating Black Children to build public support for integrated schools and to litigate this issue.

The Coalition asserts that the education opportunities are not equal because some schools are underfunded and have fewer resources. The Coalition argues that the challenged redistricting plan is both necessary and legal

**“Pitt County is not desegregated and still needs race conscious assignment plans.”**

to ensure equal access to high quality teachers, sound education programs, and resources for all Pitt County students.

In August 2008, the white parent's organization filed a motion for declaratory relief and an injunction against any further race conscious assignment plan. The Center opposed the motion, which the court denied.

The Center participated in mediation and is engaged in discovery on behalf of the Coalition. The Center is working to show that Pitt County is not desegregated and still needs race conscious assignment plans.

## Diversity in Education

**Higher Education:** The Center has convened discussions with leading admissions officials and university attorneys to encourage the consideration of diversity in admissions. Specifically, in June of 2008, we discussed implementing a college admissions advantage for high school students with diversity experiences and inclusion skills with admissions directors from our leading

private colleges and universities—including Stanford, Yale, and Amherst.

**K-12:** The Center has engaged in research to understand the benefits of diversity in education. In the Summer of 2008, the Center collected data on 17 selected North Carolina high schools. The data consisted of racial demographics, teacher quality, and

school lunch program participation. The data were analyzed and distributed at a presentation for University of North Carolina graduates planning to work at these high schools.

In the Summer of 2008, the Center, in partnership with the Cedar Grove Institute for Sustainable Communities, also

*(Continued on page 3)*

# VOTING RIGHTS

## ELECTION PROTECTION YOU HAVE THE RIGHT TO VOTE

The Center works to expand non-white citizen access to voting and to protect single member electoral districts from legal attacks. The Center has worked with jurisdictions to successfully oppose legislation and districting changes that would negatively impact black voters.

### The Center and Election Protection 2008

On November 4, 2008 (Election Day), the Center helped inform voters on what to expect at the polls and provided an avenue for them to report denials of voter rights. The Center provided a hotline as part of the nonpartisan Election Protection Project, a national program sponsored by the Lawyers' Committee for Civil Rights under Law.

When volunteers received calls from voters, they contacted teams of volunteer lawyers that traveled to the polling stations, called the board of elec-

tions, and directly resolved problems. Between the hours of 6:30 a.m. and 8:30 p.m., volunteers responded to approximately 1000 calls. More than 120 students, staff, and faculty from the University of North Carolina School of Law volunteered for this project.

**"Volunteers responded to approximately 1000 calls"**

Prior to this day, the Center trained *Pro Bono* students at UNC about potential problems voters might encounter at the polls and the federal or state laws that address those problems. The Center believes these efforts helped many voters cast a ballot.

## ENGAGED STUDENT PARTICIPATION

In March 2009, the Center, Legal Aid of North Carolina, and the University of North Carolina School of Law co-hosted a Spring Break *Pro Bono* Trip to Eastern North Carolina. The trip was designed to help address the fact that African American landowners are currently losing their land two and a half times faster than white landowners, contributing to the nationwide wealth gap.

Part of the problem is a function of land passing without a will, thus creat-

ing fragmented land ownership interests that are governed by state property law. Due to inequities in these laws and inadequate legal representation, long held family property is often lost.

Nineteen UNC law students participated in the Spring Break trip to assist in preparing wills and advance directives for low-wealth clients in rural Eastern North Carolina counties. The primary goal of the trip was to give landowners the opportunity to decide how their property will be distributed and, there-

fore, reduce vulnerabilities inherent in fragmented land ownership. One student participant reflected: "I will never forget the face of a client as she said she just wanted to know what would happen to her land when she died."

**"The right to peace of mind in the face of death is one of those rights we would rather not think about, though it springs from our condition in the same way that other protected human impulses do."**

*(Continued from page 2: Diversity in Education)* began analyzing data from the N.C. Department of Public Instruction, the National Center for Education Statistics, and other sources to track trends in racial and economic isolation by district. The analysis highlights trends of unequal educational opportunities in funding, curricula, teacher quality, and students' post-schooling outcomes.

In the summer of 2009, the Center will release the results of this study to a targeted audience of community advocates, attorneys, state and local policy makers, and education scholars. The study and report are made possible by a start-up grant secured in August 2007, from the Poverty & Race Research Action Council. This grant has enabled the Center to purchase the data needed for this

project from the N.C. Department of Public Instruction.



# COMMUNITY DEVELOPMENT

## Municipal Underbonding

The Center has continued to empower minority communities that are excluded from water, sewer, and other public services by local municipalities. It is believed that, in NC alone, there are more than 31 minority communities that face some form of municipal exclusion.

In Moore County, NC, the Center helped leverage more than \$3 million in funding for improved public infrastructure. NC awarded the Town of Southern Pines \$750,000 to supplement the town's \$350,000 commitment to extend water and sewer to Waynor Road, a fifty year old African American community.

The Center helped the community by conducting needs assessment, researching the water and sewer needs, and edu-

ating the community on this issue. The Center's work helped the community qualify for grants to continue advocacy efforts and to pursue voluntary annexation and political inclusion in the town.

With the Center assisting its client's community organizing efforts, in 2008 the town of Aberdeen extended sewer services



to the Midway community and Pinehurst began sewer construction in the Jackson Hamlet community.

In Halifax County, a long-time African American community was annexed without notice by Roanoke Rapids, a predominantly white city, as part of its new "entertainment district." The community was annexed over 3 years ago but the city refuses to extend sewer or other basic services.

The Center is providing legal assistance to this community and issued a press release exposing the inequitable treatment of this community. In response, the Chief of Police met with community leaders to discuss their concerns, the Roanoke Rapids Mayor has agreed to meet, and the Public Works department began roadside landscaping and right of way maintenance.

## Protecting Minority-Owned Land

**Protecting Land from Destructive Highways:** The Center has worked closely with the Needmore Community Improvement Association to ensure that the construction of a new N.C. bypass would not destroy the historic African American community of Needmore.

In December 2008, the North Carolina Department of Transportation removed two proposed routes from consideration. The community, along with the Center, had organized community meetings, community surveys, letter writing campaigns, and attended meetings with the DOT. Although there are still routes "on the table" that may affect this community but not run straight through it, this decision was a win for the preserva-

tion of minority communities. The efforts of the Center, UNC School of Law faculty, the UNC *Pro Bono* program, and the community were critical to this goal.

**Protecting Against Heirs Property Land Loss:** In November 2008, the Center researched and negotiated to help one family re-establish ownership of their property in Warren County, NC. This property was originally sold without the consent of those with a vested interest in that property. The Center worked with the UNC School of Law *Pro Bono* students and the Land Loss Prevention Project to establish that the conveyance was wrongful. By contacting opposing counsel and providing this evidence, the Center resolved the dispute without litigation.

**Collaborating with Other Advocates:** The Center is a member of the Heirs Property Retention Coalition (HPRC), a group of state and national organizations committed to creating a model statute addressing the needs of low-income land-

owners in partitioning heirs' property. The Center shared its experience and the work of pro bono law students to provide research support. The model statute should be adopted by the National Conference of Commissioners on Uniform State Laws in Summer 2009.

The Center also participated in a collaborative effort with the HPRC to bring more legal resources to minority landowners in NC to prevent land loss and to help landowners maximize the value of their assets. The Center met Coalition members in February 2008 to plan how to encourage law school clinics, pro bono lawyers, and legal service providers to increase the services available to low-income minority landowners.

In 2009, the Center testified before the Joint Legislative Study Commission on Partition Sales about possible state statutory revisions to make the partition laws more equitable and to better protect heirs property and minority landowners.

**The Center's work has resulted in a number of "big wins" for the preservation of historic minority communities.**

# COMMUNITY DEVELOPMENT



In January 2008 in the Midway com-

munity, a 9-acre piece of land became available in the neighborhood. At the request of community residents, the Center pulled together a coalition of non-profit affordable housing developers and investors, including Moore County Habitat for Humanity and Self-Help Community Development Credit Union, to purchase the available land to construct 14 single-family affordable homes. On January 18, 2008, Self-Help, on behalf of the community, successfully outbid all others at the auction. The Center is continuing to work with the community, Habitat and the town to ensure that this project moves forward consistent with the community's long-term goals and priorities.

## Affordable Housing Development

### Strategic Improvement Initiatives

**Radio Station:** The Center worked with Voices for Justice, Inc. (VFJ) to help them try to secure a full-power, non-commercial education (NCE) radio station serving the low-income, minority communities in Southern Moore County. With the help of the Center, pro bono engineers, and FCC lawyers, VFJ was able to find an available frequency, raise pledges of money to support the application, and secure donations. The Center and Womble Carlyle, Sandridge and Rice will represent VFJ through the application process.

The Center helped establish a micro-loan fund "to support economic development initiatives in low-income communities."

**Community Loan Fund for Development:** The Center worked with the Southern Moore Alliance for Excluded Communities to pursue opening a credit union in Moore County. Community members decided, instead, to create a community loan fund for economic development initiatives in the low-income communities. The Alliance surveyed community residents and business leaders to set up the micro-loan fund. The fund was created on June 30, 2008 with over \$15,000. The first three loans were made earlier this year and the Alliance is reviewing applications for possible funding in May 2009.

**Grass Roots Education:** The Center hosts regional "Workshops for Excluded Communities." These grassroots, community-led trainings equip residents with tools to address municipal underbunding in their own communities. On June 14, 2008, the Center and the communities held a Workshop for Excluded Communities in Spindale, NC. These workshops help create a campaign for annexation and laws that better serve minority and low income communities.

**Advocacy on Annexation:** The Center and the Southern Moore Alliance of Excluded Communities participated in

public hearing before both the NC House and Joint Legislative Study Commissions on Municipal Annexa-

tion Laws. Both concluded that there was a need to examine the effect of annexation laws on minority or low-income communities.

On February 26, 2009, Center Senior Attorney, Mark Dorosin published an Op-Ed piece in the News & Observer, a regional newspaper, challenging voluntary annexation. The article addressed the importance of mandatory annexation laws. The current law allows for voluntary annexation—municipalities selectively annex based minimum standards. Low-income communities, however, have historically failed to meet these minimum standards. The article concludes that mandatory annexation laws are necessary for communities to access vital public services and to achieve political inclusion.

**Expanding Collaboration and Help:** The Center introduces the communities it works with to other programs at UNC. In the Spring of 2008, the Center hosted an intern enrolled in the joint J.D./Masters of Social Work program. In Fall of 2008, a graduate workshop in the Department of City and Regional Planning worked with the Moore County excluded communities to develop long-term neighborhood plans to implement the communities' vision. Additionally, the School of Public Health has partnered with the Center and its clients on two different studies regarding low-income communities. One is a long-range study of the health care needs of African Americans in Moore County and the other is a study on the lack of infrastructure promoting physical activity, such as parks and bike paths. Three of the Center's client communities participated in this initiative.

Grassroots trainings empower minority and low-income residents to attack the problems in their communities.

## University of North Carolina School of Law

Campus Box 3382  
Law School Annex  
Chapel Hill, NC 27599-3382

Phone: 919-843-3921  
Email: [civilrights@unc.edu](mailto:civilrights@unc.edu)

[www.law.unc.edu/  
centers/civilrights](http://www.law.unc.edu/centers/civilrights)



## CENTER STAFF

In November 2008, the Center welcomed Fellow Sarah Krishnaraj, a three-time graduate of the



University of North Carolina at Chapel Hill, to the staff. Before she obtained her J.D., she earned a Masters of Social Work. Sarah received the Hank Tersango Public Interest Scholarship to pursue an internship with the National Women's Law Center after her second year of law school. In this position, she helped craft legislation and public policies to assist economically vulnerable women. Prior to law school, Sarah

worked as an assistant to a Senator for the North Carolina General Assembly and served as an Americorps VISTA.

In August 2008, Fellow Diane Standaert completed her fellowship at the Center. Currently, Diane is Legislative Counsel at the Center for Responsible Lending in Durham, NC.

### Current Staff:

Julius Chambers, Director and Clinical Professor of Law

Charles Daye, Deputy Director and Brandis Professor of Law

Ashley Osment, Senior Attorney

Mark Dorosin, Senior Attorney

Leah Aden, Fellow

Sarah Krishnaraj, Fellow

Bill Tobin, Coordinator of the Center's Fulfilling the Dream Higher Education Initiative

Adrienne Davis, Director of Research, Community Services, and Student Programs.

## CENTER RECOGNITION

On April 11, 2008, the Center was an invited participant in the 2008 Public Service Awards Luncheon and Ceremony, convened by Chancellor Moeser and Vice Chancellor of Engagement Mike Smith. In attendance were members of the UNC Board of Trustees and several hundred guests.

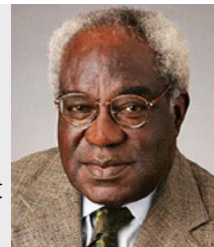


The Center was presented with the "Office of the Provost Engaged

Scholarship Award" for its ongoing work in Moore County. The award was presented for the center's advocacy on behalf of African-American communities that had been excluded from local municipal boundaries and services. Four of the community leaders from Moore County attended the Luncheon.

On September 20, 2008, The Charlotte Post Foundation honored Director Julius Chambers with its Luminary-Lifetime Achievement Award. The foundation focused on his victory in *Swann v. Charlotte-Mecklenburg Board of Education* that led to the integration of public schools across the country.

In 2009, Director Chambers was also honored with the American Bar Association's 2009 Spirit of Excellence of Award, recognizing his efforts to promote a diverse legal profession.



Julius Chambers

The ABA specifically noted his work in civil rights and his commitment to increasing diversity in the profession to which he has committed his life. The ABA presented this award on February 14, 2009 at the Sheraton Boston Hotel, during the ABA Midyear Meeting.