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W. Ray Cleere Collection

MUM00750

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ACCESS RESTRICTIONS

Open for research. This collection is stored at an off-site facility. Researchers interested in using this collection must contact Archives and Special Collections at least two business days in advance of their planned visit.

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SUMMARY INFORMATION

Repository

University of Mississippi Libraries

Title

W. Ray Cleere Collection

ID

MUM00750

Date [inclusive]

1987-1995

Extent

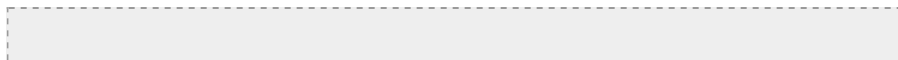
13.5 Linear feet (10 record storage cartons)

Location

Library Annex

Abstract

W. Ray Cleere served as Mississippi's first commissioner of higher education (1987-1995). His collection contains his personal files related to the Ayers case that alleged discriminatory funding practices on the part of the state between historically white and black colleges and universities.



Preferred Citation

W. Ray Cleere Collection, Archives & Special Collections, University of Mississippi

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BIOGRAPHICAL NOTE

W. Ray Cleere served as Mississippi's first commissioner of higher education between 1987 and 1995. During Cleere's tenure, his office became deeply involved in the Ayers lawsuit against the state.

In 1975, several African American residents of Mississippi filed the class-action lawsuit against the governor and the Board of Trustees of State Institutions of Higher Learning seeking to desegregate the state's system of higher education. The United States subsequently joined as a plaintiff. The district court ruled in favor of the state since it had adopted race-neutral policies and procedures and adopted affirmative action in the university system. However, the Fifth Circuit Court of Appeals reversed the decision on the basis that the effects of de jure segregation continued to impact the system, and the defendants appealed to the Supreme Court.

As the governor's office changed hands, the title of the case became and then In 1992, the Supreme Court upheld the decision of the Fifth Circuit. Their opinion required consideration of Mississippi policies and procedures that are remnants of de jure segregation, continue to manifest elements of segregation, are without sound educational justification, and can practicably be eliminated.

On remand, the lower court applied the legal standard outlined by the Supreme Court and ordered several reforms among them uniform standards governing admission to all state universities; the development of additional academic programs at historically black universities; and a study to consider state control of facilities maintenance funds for all institutions.

Later on appeal, the Fifth Circuit directed the lower court to examine the historical disparities in state funds received by white and black institutions and take corrective action if necessary, as well as monitoring summer remedial programs for students who failed to qualify for admission but might be capable of performing at the university level.

In August 1998, the U.S. District Court Judge Neil Biggers appointed Dr. Jerry Boone as a monitor to assist the court and all parties in implementing the remedial decree. A 1949 graduate of the University of Mississippi, Boone was a retired professor of clinical psychology and former vice president of Academic Affairs (1972-85) and interim

president of the University of Memphis (1980). Boone received a salary from the court for this part-time position which involved visiting campuses, collecting information from all parties, and submitting reports and recommendations to Judge Biggers.

In March 2001, most of the parties reached a settlement that provided state funds to the improvement of facilities and programs at historically black universities; to increase recruitment and retention of white students; and to support summer remedial programs. Several of the private plaintiffs opted out of the settlement and sought to have it invalidated. In 2004, the Fifth Circuit affirmed the settlement and the Supreme Court declined to hear the case.

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SCOPE AND CONTENT

The collection contains W. Ray Cleere's personal files related to the Ayers case. In addition to legal documents related to hearing and rulings, it includes depositions associated with pre-trial discovery including memoranda prepared by the Commissioner's staff.

The archives preserved the integrity of Cleere's filing system, although contents of notebook binders were removed to folders. The first folder contains a list and description of documents (generated by Cleere's office) removed from these notebooks. The folders that follow (Box 1, Folder 2 through Box 4, Folder 2) hold the contents of these binders and are arranged chronologically to cover the time span of December 1987 to April 1995.

The rest of collection contains various subject files on the case including a number of folders in Box 7 on media coverage. Oversized documents are stored in Box 10.

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ADMINISTRATIVE INFORMATION

Publication Information

University of Mississippi Libraries 2016

Access Restrictions

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advance of their planned visit.

Copyright Restrictions

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Additions

No further additions are anticipated.

Acquisition Information

Dr. Cleere donated the papers to the University of Mississippi in May 2011.

Processing Information

Rachel McLemore processed the papers in 2015, and Political Papers Archivist Leigh McWhite composed the introductory notes.

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RELATED MATERIALS

Related Materials at the University of Mississippi

[Jerry Boone Collection](#). 1997-2004. Records of Dr. Boone's service from 1998 to 2004 as court-appointed monitor for the Ayers lawsuit. (5 boxes).

[1992]. Part 1 U.S. Department of Justice, Civil Rights Division, List of "properly challengeable policies and practices."; Part 2 Separate Statement of the Private Plaintiffs; Part 3 The United States Law Week, Full Text of Opinions; United States, Petitioner v. Kirk Fordice, Governor of Mississippi, et al., Jake Ayers, et al., Petitioner v. Kirk Fordice, Governor of Mississippi, et al.; Part 4 Private Plaintiffs' Outline of Their Position. Call Number: [KF4155.A1 A93 1992](#).

Ayers Lay Advisory Board. 1992. Call Number: [KF4153.3 A94 1992](#).

Jeff Baker. "The Ayers Decision: What It Will Mean to Ole Miss: Courts Decision Provides Few Answers." 1:1

(September 1992). Call Number: [KF4153.3 B35 1992](#).

[Evans B. Harrington Collection](#). Includes a 1994 letter from UM professor Charles E. Noyes to the editor of the Memphis Commercial Appeal on misleading coverage of the Ayers case (Box 12, Folder 7).

[Verner S. Holmes Collection](#). Material pertaining to higher education in Mississippi collected by Dr. Verner S. Holmes, a member of the Institutions of Higher Learning Board from 1956 to 1980.

[James H. Meredith Collection](#). Includes a 1983 letter from Jack Greenberg of the NAACP Legal Defense and Educational Fund to Meredith which mentions the Ayers case (Box 51, Folder 1).

Mississippi. Board of Trustees of State Institutions of Higher Learning. The Ayers Decision ([Jackson, MS]: Board of Trustees of State Institutions of Higher Learning, 1992). Two volumes. Call Number: KF4153.3 A93 1992.

[Nash and Taggart Collection](#). Includes an oral history with Johnnie Walls (former state senator and member of the Institute of Higher Learning Board) with comments on the Ayers case.

Joseph Philip Smith. (Ed.D., University of Memphis, 1998). Call Number: [LD3402.9 S55 1998a](#).

United States. Department of Justice. Civil Rights Division. Educational Opportunities Litigation Section. [Washington, DC: 1993]. Call Number: [KF4153 J34 1993](#).

United States. District Court (Mississippi: Northern District: Greenville Division). [1995]. Photocopy of typescript. Call Number: [KF4153.3 J34 1995](#).

[University of Mississippi Small Manuscripts](#), Series 10: Miscellaneous. Box 31, folder 14 includes a December 1994 Ayers admissions standards ruling. Box 31, folder 22 contains a 1998 memorandum from Provost Gerald Walton on the law suit.

[Vertical Clippings](#). Includes a file of clippings on the Ayers case.

Other related material may be discovered on either the [University of Mississippi Subject Guide](#) or the [Education Subject Guide](#).

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CONTROLLED ACCESS HEADINGS

Subject(s)

- College integration -- Mississippi
- Minorities -- Education (Higher) -- Mississippi
- Segregation in higher education -- Mississippi

- Universities and colleges -- Law and legislation -- Mississippi

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COLLECTION INVENTORY

Box 1

Folder 1: Ayers Materials Notebooks Index

Scope and Content

List of documents in notebooks with brief description of each document. Each notebook also contains the portion of the index contained therein.

Folder 2: Ayers Notebook 1, 10 December 1987- 19 November 1992

Scope and Content

Documents 1-26 contain Judge Biggers' initial opinion, the Supreme Court decision and order, and subsequent discussions of proposed remedies.

Folder 3: Ayers Notebook 2, 23 November 1992-12 May 1993

Scope and Content

Documents 27-48 consist of various amicus briefs filed on behalf of different university groups, motions and hearings regarding aspects of the case, and continued negotiations over remedies.

Folder 4: Ayers Notebook 3, 30 June 1993

Scope and Content

Documents 49 & 50 are responses to Discovery Requests contained in Notebook 2.

Folder 5: Ayers Notebook 3, 30 June 1993

Scope and Content

Documents 49 & 50 are responses to Discovery Requests contained in Notebook 2.

Box 2

Folder 1: Ayers Notebook 4, 1 July 1993-3 September 1993

Scope and Content

Documents 51-77 contain communications, mainly letters, concerning various aspects of the case including affidavits, exchange of documents and records, and negotiations of terms and policies.

Folder 2: Ayers Notebook 5, 8 September 1993-29 September 1993

Scope and Content

Documents 78-101 contain letters primarily regarding Discovery, essentially how to effectively evaluate education in Mississippi through reporting and expert visits, and exchange of materials.

Folder 3: Ayers Notebook 6, 1 October 1993-2 November 1993

Scope and Content

Documents 102-132 consist of communications regarding the expert witnesses, especially concerning campus visits.

Folder 4: Ayers Notebook 7, 3 November 1993-1 December 1993

Scope and Content

Documents 133-184 are letters discussing the gathering of materials, expert witnesses, depositions, and other legal documents.

Folder 5: Ayers Notebook 8, 1 December 1993- 24 January 1994

Scope and Content

Documents 185-231 contain letters about the legal aspects of the case, including testimony, witnesses, and an upcoming hearing. Also included are several letters and memos regarding media outlets and news stories.

Box 3

Folder 1: Ayers Notebook 9, 25 January 1994-21 April 1994

Scope and Content

Documents 232-263 contain information on pretrial conferences, news items, and final information requests.

Folder 2: Ayers Notebook 10, 26 April 1994-22 October 1994

Scope and Content

Documents 264-285 consist of pretrial motions and decisions, the schedule for the trial, and information about witnesses.

Folder 3: Ayers Notebook 11, 30 September 1994-10 November 1994

Scope and Content

Documents 286-310 are defendant's responses and defendant's motions.

Folder 4: Ayers Notebook 11 Attachments

Scope and Content

Document 288

Folder 5: Ayers Notebook 11 Attachments

Scope and Content

Document 289.

Box 4

Folder 1: Ayers Notebook 12, 10 November 1994-8 December 1994

Scope and Content

Documents 311-323 contain information about Judge Biggers' visit to the campuses, recommendations or agreements from Alabama and Louisiana, and legal documents.

Folder 2: Ayers Notebook 3, 13 December 1994-10 April 1995

Scope and Content

Documents 324-337 contain the Ayers decision and documents related to the conclusion of the case.

Folder 3: Cleere Deposition, 10 December 1993

Folder 4: Cleere Deposition, 11 December 1993

Folder 5: Cleere Testimony

Folder 6: Material Pursuant to 1994 Trial not included in the Ayers Notebook Series

Folder 7: J. Kent Caruthers Deposition, 22 December 1993

Folder 8: Caruthers Outline of Potential Testimony, 20 June 1994

Folder 9: Hunter Boylan Deposition, 1 January 1994

Box 5

Folder 1: Defendants' Daily Reports, 1-25

Folder 2: Defendants' Daily Reports, 26-47

Folder 3: Defendants' Daily Reports, Bound

Folder 4: 1994 Trial Testimony - A Daily Summary of Proceedings

Folder 5: The Ayers Case: The Supreme Court Decision

Folder 6: The Ayers Decision, Volume I

Scope and Content

Unbound draft of publication

Folder 7: W. Ray Cleere Packet

Scope and Content

Contains Harvard Law Review article, Ayers Decision Outline for Discussion, and The Ayers Decision, Volumes I & II

Folder 8: The Ayers Decision, Volume I

Scope and Content

Two copies.

Folder 9: The Ayers Decision, Volume II

Scope and Content

Two copies.

Folder 10: 1995 Memorandum Opinion & Remedial Decree

Box 6

Folder 1: 1994 Trial Testimony Calendar

Folder 2: Anzalone, Dr. J. Samuel

Folder 3: Anzalone, Dr. J. Samuel

Folder 4: Anzalone, Dr. J. Samuel

Folder 5: Boylan, Hunter

Folder 6: Crawford, Bill

Folder 7: Caruthers, Kent

Folder 8: Feisal, Victor

Folder 9: Garrett, Ricki

Folder 10: Lott, Lucy

Folder 11: Nored, Neal

Folder 12: Dr. James B. Olsen

Folder 13: Pickett, Charles

Folder 14: Rent, Clyda

Folder 15: Sisken, Bernard

Folder 16: Wharton, James

Folder 17: Contents of binder: Attach to Wharton
Testimony

Box 7

Folder 1: IHL On-Campus Interviews 1

Scope and Content

Includes two tapes Mississippi Valley State University, three tapes Mississippi State University, and four tapes University of Mississippi.

Folder 2: IHL On-Campus Interviews 2

Scope and Content

Includes two tapes Alcorn State University, three tapes University of Southern Mississippi, three tapes Jackson State University, and two tapes Delta State University.

Folder 3: IHL Ayers: Bill Goodman's Briefing

Folder 4: IHL Ayers Response Bill Goodman

Folder 5: IHL Ayers Response Bill Goodman

Folder 6: "They Came to College?"

Folder 7: "Ray Cleere Should Be Fired."

Folder 8: 36.42

Folder 9: 106.1

Folder 10: 2.5

Folder 11: Photocopies of articles about Ayers 1995.

Folder 12: Newspaper Clippings

Folder 13: Newspaper Clippings

Folder 14: Ayers Media Coverage, 1987.

Folder 15: Ayers Media Coverage, 1988.

Folder 16: Ayers Media Coverage, 1992.

Folder 17: Ayers Media Coverage, 1993.

Folder 18: Ayers Media Coverage, 1994.

Folder 19: Ayers Media Coverage, 1995.

Folder 20: Ayers Media Coverage, 1998.

Folder 21: Ayers Media Coverage, 2001.

Folder 22: Ayers Media Coverage, 2002.

Folder 23: Ayers Media Coverage, 2004.

Folder 24: Photograph Jamie Whitten & Ray Cleere

Box 8

Folder 1: Briefs

Folder 2: for Respondents, 1991.

Folder 3: , 13 November 1991.

Folder 4: Ayers Compiled Documents, 1900-1991.

Folder 5: Book 1 Board Plans & Supporting Data

Folder 6: Book 2 Board Plans & Supporting Data

Folder 7: Book 2 Board Plans & Supporting Data

Folder 8: Book 3 Board Plans & Supporting Data

Folder 9: Book 4 Board Plans & Supporting Data

Folder 10: Book 5 Board Plans & Supporting Data

Box 9

Folder 1: Higher Education Reports (Mississippi)

Folder 2: Articulation of the Agreement

Scope and Content

Between the IHL and the Mississippi State Board for Community & Junior Colleges.

Folder 3: Project '95

Folder 4: Higher Education Studies (National)

Folder 5: Southern Education Foundation File

Folder 6: Private Plaintiff's Proposal [Circa, 2000]

Folder 7: Draft of Boylan & Bonham Report

Folder 8: IHL Annual Report, 1991-1992.

Folder 9: "Accounting for Progress in a Time of Crisis, 1993-1994."

Folder 10: Analysis of Revised Operating Budgets, 1991-1992.

Folder 11: Memo: John Bowman to W. Ray Cleere, 9 February 1995.

Scope and Content

Capital Improvements Requests.

Folder 12: Fact sheets, undated.

Folder 13: List of Selected University Activities, Fiscal Year, 1989-1995.

Folder 14: Miscellaneous Office Materials

Folder 15: Ayers Correspondence Mississippi University for Women

Folder 16: Ayers Correspondence Mississippi State University

Folder 17: Ayers Correspondence Mississippi Valley State University

Folder 18: Ayers Correspondence Jackson State University

Folder 19: Draft of 1995 IHL Appropriations Bill

Folder 20: Mission Statements, 1981.

Box 10

Folder 1: "Do U?" Campaign materials

Folder 2: "Do U?" poster
