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Finding aid for the Jerry Boone Collection

MUM01769

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ACCESS RESTRICTION

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

Creator

Boone, Jerry

Title

Jerry Boone Collection

ID

MUM01769

Date [inclusive]

1997-2004

General Physical Description note

5 boxes (5.42 linear feet)

Location:

Modern Political Archive

Abstract:

Records of Dr. Jerry Boone's service from 1998 to 2004 as court-appointed monitor for the *Ayers* lawsuit on desegregation and disparate state funding of Mississippi's higher education institutions.

Preferred Citation

Jerry Boone Collection, Archives and Special Collections, J.D. Williams Library, The University of Mississippi

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BIOGRAPHICAL NOTE

In 1975, several African American residents of Mississippi filed the class-action lawsuit *Ayers v. Allain* 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 *Ayers v. Mabus* and then *Ayers v. Fordice*. 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.

Bibliography

The following sources were used to prepare the biographical note for this collection:

Elias Blake Jr. "Is Higher Education Desegregation a Remedy for Segregation but not Educational Inequality?: A Study of the Ayers v. Mabus Desegregation Case" *Journal of Negro Education* 60:4 (Autumn 1991), pp. 538-565.

Andy Kanengiser. "Advisor to Ayers Case Judge to Tour Schools" Jackson *Clarion Ledger* (8 December 1998), pp. 1B & 3B.

Faye McDonald Smith. "Twenty Years in the Making and Still Unresolved: Ayers Desegregation Suit Has Far Reaching Impact on Black Colleges" *Southern Changes* 16:4 (1994), pp. 8-16.

Faye McDonald Smith. "Ayers v. Fordice: An Update" *Southern Changes* 17:1 (1995), p. 19.

Mississippi. Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER). "[Report to the Mississippi Legislature: Mississippi's Compliance with the Ayers Settlement Agreement,](#)" accessed 4 May 2012.

Crystal Gafford Muhammad. "Mississippi Higher Education Desegregation and the Interest Convergence Principle: A CRT Analysis of the 'Ayers Settlement'" *Race Ethnicity and Education* 12:3 (September 2009), pp. 319-336.

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SCOPE AND CONTENT NOTE

Some of the contents of the Boone Collection will be duplicated in the official court records of the Ayers case. However, the collection also includes correspondence, newspaper clippings, report drafts, and supplementary data and information used to compile reports that are not part of the official court record.

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ARRANGEMENT

Files are organized alphabetically in Boxes 1 through 3 according to folder labels that preserve Dr. Boone's organizational system. Newspaper clippings on the Ayers case are in Box 4.

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ADMINISTRATIVE INFORMATION

Publication Information

University of Mississippi Libraries 25 May 2012

Access Restrictions

The Jerry Boone Collection is 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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Additions

No further additions are expected to this collection.

Acquisition Information

Donated by Dr. Jerry Boone, April 2012

Processing Information

Collection processed by Political Papers Archivist Leigh McWhite, May 2012. Finding aid encoded by Kathryn Michaelis, May 2012.

Folders retain the original files of Dr. Boone with some

minor modifications to labels with regards to elaborating upon abbreviations. Archivist reordered folders alphabetically with newly-organized clippings folders at the end.

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RELATED MATERIALS

Resources in Archives and Special Collections at the University of Mississippi

[Ayers Information Packet]. [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. *Initial Report of Recommendations to Governor Kirk Fordice, Lieutenant Governor Eddie Briggs, Speaker Tim Ford, Attorney General Mike Moore, Board of Institutions of Higher Learning*. 1992. Call Number: [KF4153.3 A94 1992](#).

Jeff Baker. "The Ayers Decision: What It Will Mean to Ole Miss: Courts Decision Provides Few Answers." *SouthVine* 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). Finding aid [available online](#).

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. Finding aid [available online](#).

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). Finding aid [available online](#).

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 & 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. Finding aid [available online](#).

Joseph Philip Smith. *A History of College Admissions at the University of Mississippi Since 1954: Implications of the Brown v. Board of Education, Meredith v. Fair, and Ayers v. Fordice upon Student Selection Criteria* (Ed.D., University of Memphis, 1998). Call Number: [LD3402.9 S55 1998a](#).

United States. Department of Justice. Civil Rights Division. Educational Opportunities Litigation Section. *Jake Ayers, Jr., et al., Plaintiff, and United States of America, et al., Plaintiff-Intervenors, v. Kirk Fordice, Governor, State of Mississippi, et al., Defendant: Practicable Alternatives to Remnants that State Contends Are Justified; Submitted by the United States* [Washington, DC: 1993]. Call Number: [KF4153 J34 1993](#).

United States. District Court (Mississippi: Northern District: Greenville Division). *Jake Ayers, Jr., [et al.], plaintiffs, United States of America, [et al.], plaintiff-intervenor, v. Kirk Fordice, Governor, State of Mississippi, [et al.], defendants: memorandum opinion and remedial decree*. [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 Collection. Includes a file of clippings on the Ayers case. Finding aid [available online](#).

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

Separated Material

The Jerry Boone Collection includes 61 3.5 inch floppy disks containing 4.03 megabytes of digital files. Digital Initiatives Librarian Kathryn Michaelis downloaded and converted documents into pdf files. These born-digital records are duplicated in print in the collection boxes, but do not represent the entirety of the collection. Researchers may access the digital files in the J.D. Williams Library with advance notice.

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CONTROLLED ACCESS HEADINGS

Format(s)

- clippings (information artifacts)
- correspondence
- reports

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: CT Cut Off Scores

Box 1, Folder 2: Admissions

Box 1, Folder 3: Appropriation Bills

Box 1, Folder 4: Bi-Monthly Reports

Box 1, Folder 5: Community Colleges

Box 1, Folder 6: Community Colleges & Jackson State University

Box 1, Folder 7: Conclusion of Fifth Circuit Appeals Court Ayers Case

Box 1, Folder 8: Correspondence Defendants' Attorneys

Box 1, Folder 9: Correspondence Plaintiffs' Attorneys

Box 1, Folder 10: Court Order

Box 1, Folder 11: Delta Desegregation

Box 1, Folder 12: Desegregation in Other States

Box 1, Folder 13: Diversity Enhancement Information

Box 1, Folder 14: Docket Sheets

Box 2, Folder 1: Draft Reports

Box 2, Folder 2: Enrollment (1 of 2)

Box 2, Folder 3: Enrollment (2 of 2)

Box 2, Folder 4: Equipment Funding

Box 2, Folder 5: Extended Enrollment Tables of 13
September 2000 and Sources

Box 2, Folder 6: Facilities Maintenance

Box 2, Folder 7: Facilities Maintenance – Alcorn State
University

Box 2, Folder 8: Facilities Maintenance – Delta State
University

Box 2, Folder 9: Facilities Maintenance – Jackson State
University

Box 2, Folder 10: Facilities Maintenance – Mississippi State
University

Box 2, Folder 11: Facilities Maintenance – Mississippi State
Valley University

Box 2, Folder 12: Facilities Maintenance – Mississippi
University for Women

Box 2, Folder 13: Facilities Maintenance – University of
Mississippi

Box 2, Folder 14: Facilities Maintenance – University of
Southern Mississippi

Box 2, Folder 15: Final Statement & Judgment

Box 2, Folder 16: Funding Implementation

Box 2, Folder 17: Graduate School Admissions

Box 2, Folder 18: Gulf Coast Campus

Box 2, Folder 19: Jackson State University

Box 2, Folder 20: Judge Biggers

Box 2, Folder 21: Law

Box 2, Folder 22: Law School/Legal Education

Box 2, Folder 23: Meetings at Mississippi Institutions of
Higher Learning Board

Box 2, Folder 24: Mississippi Institutions of Higher Learning
Board Correspondence

Box 2, Folder 25: Pharmacy

Box 2, Folder 26: Pharmacy Education

Box 2, Folder 27: Pressman

Box 3, Folder 1: Requests for Information

Box 3, Folder 2: Remedial Programs

Box 3, Folder 3: Remedial Programs – Cost of Developmental Education

Box 3, Folder 4: Remedial Programs – Remedial Courses (Not Summer Program)

Box 3, Folder 5: Remedial Programs – Study of Remedial v. Developmental

Box 3, Folder 6: Response – Duplications

Box 3, Folder 7: Response – Letters re: Settlement

Box 3, Folder 8: Response – Money

Box 3, Folder 9: Response – Settlement

Box 3, Folder 10: Status

Box 3, Folder 11: Status Conference 1998

Box 3, Folder 12: Summer Remedial Program

Box 3, Folder 13: Trust Funds

Box 3, Folder 14: Universities Center Report

Box 3, Folder 15: Universities Center Control

Box 4, Folder 1: Clippings, 1997

Box 4, Folder 2: Clippings, 1998

Box 4, Folder 3: Clippings, 1999

Box 4, Folder 4: Clippings, 2000

Box 1, Folder 1: Clippings, 2001

Box 4, Folder 6: Clippings, 2002

Box 4, Folder 7: Clippings, undated

Box 5: Computer disks

Scope and Contents note

See Separated Material note.
