CLEVELAND STATE UNIVERSITY BOARD OF TRUSTEES SEPTEMBER 2, 2022

MEMORANDUM

REPORT OF AD HOC COMMITTEE REVIEWING REQUEST TO REMOVE NAME FROM LAW SCHOOL

To: Academic Affairs and Student Success Committee Chair Tim Cosgrove Academic Affairs and Student Success Committee members:

Patricia M. DePompei Alan G. Starkoff Vanessa L. Whiting Brittany N. Sommers Thomas E. Hopkins Anup Kumar

CC: Board of Trustees Chair David Reynolds
Board of Trustees Secretary Sonali Wilson

From: President Laura Bloomberg

Please find attached to this memo the report and recommendation of an Ad Hoc Review and Advisory Committee convened for the purpose of considering a request to remove the name of John Marshall from the Cleveland-Marshall College of Law. This ad hoc committee was convened in accordance with the procedural document developed to implement *Policy 3344-3-01: Space, unit, and entity naming*, which was Board approved in May 2022. The procedures outline a four-phase process for considering requests to remove a name. Those phases are:

Phase I: Request and Initial Review

Phase II: Review and Recommendation by Ad Hoc Review and Advisory Committee

Phase III: President's Review of Final Committee Recommendations

Phase IV: Review by Board of Trustees

The 14-member committee was convened and given their charge by the Provost in April 2022.

Office on

August 24, 2022. Law School Naming of the

the

The President shall review the ad hoc committee's final recommendation and shall have

making this decision, the President shall consider the nature of the allegations, the evidence in support of the request, and the potential impact on the university based on the information presented. In performing this review, the President may consult with other individuals as the President deems appropriate.

If the President decides to recommend removing or otherwise modifying the name at issue, the matter shall be advanced to the Board of Trustees for final review and action. The Office of the President will communicate the President's decision in writing to the requestor(s) with a copy to the Board, within 30 days of receiving the recommendation from the committee.

Upon receiving a recommendation from the President for the removal or amendment of a name, the Board of Trustees' Academic Affairs and Student Success Committee will evaluate the committee's report and the President's recommendation, along with any other relevant materials, and shall make a final decision as to whether such action is appropriate, and may approve, deny or modify any action recommended by the President. If the Academic Affairs and Student Success Committee decides that the recommendation to remove or amend a name is appropriate, it will then be advanced to the full Board of Trustees for final approval. Importantly, if the Board decides to remove or amend a name, any new name being considered shall be addressed in accordance with separate university processes. Removal does not indicate an agreement to implement a new name suggested by the requestor(s) or some other party.

Based on my consideration of all information provided and referenced in the report, the analysis of the ad hoc committee and the policy-related rationale outlined for their decision, I submit to you my acceptance of the recommendation to remove the name of John Marshall from

-Marshall College of Law.

Recommendation Concerning the Request to Remove the Name of John Marshall from -Marshall College of Law

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Introduction

A group of Cleveland State University faculty, staff and students were convened evaluate and put forth a

recommendation to the CSU President regarding the request received from students, city leaders, advocacy groups and others to remove the name John Marshall from the CSU Geveland-Marshall College of Law. Specifically, the Committee was asked to review documentation related to the request and determine whether to recommend removal of the name at issue.

The Committee was provided with a substantial body of information that had been previously compiled to support this work and had the benefit of being able to review and consider the newly adopted policy Space, Unit, and Entity Naming, CSU Policy number 3344-3-01 related to philanthropic naming and expounding upon commemorative and honorific naming. It is worth noting that a significant source of information came from the exhaustive work done by the Law School Naming Committee, to whom this Committee o

The original John Marshall Law School was founded in 1916 by David C. Meck, Sr., Alfred Benesch and Frank Cullitan out of a desire to provide an alternative mode of instruction to men and women who desired to pursue a career in the law or business. The new law school was designed to offer an alternative to the

Appendix A: Policy 3344-3-01: Space, unit, and entity naming

(A) Purpose

This rule sets forth university-wide policy for space, unit and entity naming

(B) Definitions

- (1) Funds:
 - in the current operating cycle.
 - (b) a specified period of time.
 - been permanently restricted by the donor to be used in perpetuity, with annual distributions to be used as prescribed by the donor.
- dean ship, chair, professorship, center, or program, which has defined leadership and resources supporting it.
- (3) me to a university space or entity.
 - name related to the function or location of a space or entity
 (e.g., South Garage) that is unrelated to a philanthropic gift or honorific recognition.
 - assignment of a specific name to recognize a distinguished individual or organization for outstanding service or commitment to the university that may or may not involve a philanthropic gift (e.g., Michael Schwartz University Library).

(c) specific name to express appreciation for a philanthropic gift from an individual or an organization (e.g., The Monte Ahuja College of Business).

(3)

- (10) The board of trustees has final approval for all naming opportunities at the university. However, to expedite the approval process, the board authorizes the university president and vice president, university advancement and executive director of the foundation to do the following:
 - (a) Coordinate gift agreements and naming designations on their behalf and to inform members of the university community affected by such gifts.
 - (b) Make decisions regarding philanthropic naming opportunities for gifts valued under one million dollars.
 - (c) Make recommendations to the board of trustees with regard to naming opportunities for gifts valued at or over one million dollars.
- (11) Commemorative, honorific naming of buildings, entities, units and other physical space for those who have made significant contributions in service, support or honor of the university, the community, state or nation shall be considered upon recommendation of the associated dean or appropriate university unit leader. For entities, units or spaces valued under one million dollars, the university president shall have final approval, and for entities, units or spaces valued at or over one million dollars the board of trustees shall have final approval.
- (12) Administrative naming of an entity, unit or space reflects the function or location of the entity, unit or space and shall be subject to paragraph (D) of this rule should there be a request to change the name.

(D) Changing and removing names

(1) The board of trustees reserves the right to remove and/or change names of spaces, units or entities, whether administrative,

philanthropic or honorific/commemorative, for any one or more of the following reasons:

- (a) The donor defaults on the terms of the gift agreement; or
- (b) The donor is subsequently convicted of a felony or otherwise engaged in conduct that, in the sole discretion of the board of trustees, is injurious to the reputation of the university; or
- (c) If at any time the university determines that the continued integrity or reputation.

(2)

Appendix B: Observations of the Ad Hoc Committee

Geveland or Geveland State University, nor is there any familial lineage or connection to the College of Law.

As a University and Law School which have taken painstaking measures and pride (e.g. motto of the Law School) to ensure the support, engagement and ultimate success of all those who wish to pursue higher it is examining ourselves with a critical and honest lens to ensure that we continue our legacy both in words, actions and ultimately, principle.

facing and future discussion, engagement and ultimately, accountability, in support of our larger mission and vision for our university and those we serve. This education must be ongoing and should be visible and public for all who enter or experience our University.

or future direction of Geveland State, particularly considering the CSU 2.0

this would be a crucial step in the right direction to ensure that students are proud to be connected to this great institution.

There was an article published in

majority-minority city or represent that community.

A perennial challenge for a historian is to measure the balance of the professional achievements with the biography of a person. To this day, John Marshall has been the longest-serving chief justice and fourth-longest serving justice in the history of the U.S. Supreme Court. With the process of

Therefore, my three bullets points are:

- Marshall was a slaveholder.
- His beliefs in terms of people from other ethnicities than his own are today morally and ethically despicable (even back in the 18th and 19th century, for that matter).
- Marshall was not a native from Geveland. He and his family had no association what soever with CSU.