

Press Release

## I. King Jordan continues to deliberately mislead the public

Wednesday, November 14, 2007, 3:20 a.m. Eastern Time

A [letter to the editor](#) is appearing in the current issue of the Chronicle of Higher Education written by former Gallaudet President Irving King Jordan, Jr. In the letter, Jordan attempts to continue to mislead the public into believing that Gallaudet's current probationary accreditation status is due to last year's protest.

In fact, as shown by [a December 7, 2006 article in the Washington Post](#), the eight points brought up by the MSCHE in their November 2006 letter were not based on the fact of the existence of the protest itself.

[Two memos written by Jordan](#), one on October 22, 2006 and one on December 1, 2006, show how [Jordan attempted to mislead the Board of Trustees](#) into believing that Gallaudet's accreditation would be in jeopardy if they voted to terminate Fernandes.

By October 22, the hunger strikers were into their second week with no food, and the Board was scheduled to fly in on Saturday, October 28 and meet in the Dulles Hyatt Hotel on Sunday, October 29. Jordan's October 22 memo states: "Last week, the vice president of the Commission contacted me and informed me that the Commission is concerned about the protest that led to closure of the University for three days and that there is concern about how this affects compliance with accreditation standards."

Actually, as shown by the December 7 Washington Post article, the accreditors were alarmed that they had not been informed about Gallaudet's "ineffective" rating on the recent PART assessment. They were reacting not to the fact of the university closure itself, but because of the information that the protest had forced out into public debate-- not only issues about the failing PART rating, but also the issue of grade changing, which had been widely discussed throughout the protest, also later appearing in the Washington Post article titled: "[A Conflict on Integrity Surfaces](#)".

Jordan finally sent out an [inter-departmental memo on December 8, 2006](#), which gave the real reasons for the accreditation delay:

QUOTE:

Since the PRR [Periodic Review Report] was submitted to MSA [Middle States Association], various allegations have been made in the press about Gallaudet's programs, its students, and its relationship with the federal government. As MSA has become aware of these allegations, it has decided to postpone reaffirmation of Gallaudet's accreditation while it compiles additional information.

## UNQUOTE

Jordan never released the December 8 inter-departmental memo to the media and it was never posted on Gallaudet.edu.

The day before, on December 7, 2006, [FSSA attorney Edward Correia sent a second letter](#) addressed to the Board. The second letter disclosed the fact that Correia's first letter had been intercepted by the Jordan administration and not transmitted to the Board. The interception of the letter shows the great lengths to which Jordan went to force his will onto the Board and the Gallaudet community.

By Friday, December 15, Jordan's manipulations succeeded and [the Board announced that](#) the 130-plus protesters arrested on Black Friday, October 13, 2006, would face serious reprisals. Contrary to Jordan's false characterization, the occupation of the HMB building in October 2006 was in fact a peaceful sit-in, not a hostile or violent "takeover." Jordan told bald-faced lies to the Board, claiming that the Hall Memorial Building had (allegedly) been vandalized and also that faculty members sympathetic to the protest had (allegedly) pressured students to participate by threatening to withhold grades. Nothing of either sort had actually ever happened, and the Board and general public were misled in major ways.

Jordan's malevolent actions actually had the effect of prolonging the protest, and [the protesters were forced to put political pressure on the Board](#) in response by issuing an ultimatum.

By January 12, 2007, the accreditors felt obligated to take into account serious, though completely unfounded, allegations emanating from the Jordan administration, and, apparently for the first time, [the accreditors mentioned in print](#) being concerned about the university closure that had taken place in October.

The accreditors bought into Jordan's false characterization of the 3-day closure as being a suppression of the free exchange of ideas, when actually the closure was a carefully conceived and peacefully executed act of civil disobedience performed for the purposes of better *enabling* the free exchange of ideas and *increasing* such, not inhibiting it.

The closure was actually prompted and caused by Jordan's actions, in response to:

- 1) his barring the media from entering the campus at times,
- 2) his interception of communications between the protesters and the Board, and
- 3) his general Machiavellian and unilateral takeover of university governance,

--all in clear violation of federal law ([Title 20, US Code, section 4303 \(b\) \(1\)](#)), as the Board's actions had become nearly all pro-forma in nature.

The closure was, in essence, an act of communication--an emergency measure which was intended to draw the world's attention to the fact that Jordan had illegally taken over university governance and prevented the Board from functioning as a bona fide, legitimate body. The fact that Jordan usurped the Board's authority is not speculation, but has been confirmed by Board members themselves, though they cannot make such admissions public, since doing such would invite prosecution by federal authorities.

Clearly, the protesters' actions were completely justified under the circumstances. They were necessary and proper.

[A high-placed member of the Davila administration acknowledged privately](#) that the issue of the university closure was not actually "on the table" at all. Though the accreditors brought up the issue in meetings with the campus community, they were forced to do so in response to Jordan's hysterical accusations in order to fulfill their obligation of handling the issue in an impartial manner.

The fact of the existence of the discussions themselves, which is cited by Jordan in his recent letter to the CHE, proves nothing at all. For example, any neighbor can call the police and make accusations against another neighbor. Any judge in the country would order comments stricken from the record if a witness testified that he knew some contested point were true merely by virtue of the fact that the police asked questions about it or discussed the situation in a hypothetical manner. The accreditors were discussing the possibility of "dire consequences" in reaction to the concept of a university closure that inhibited the free exchange of ideas. Since this was not the purpose of the 2006 protest, and indeed the purpose of the 2006 protest was to save and protect Gallaudet University and actually *encourage* the free exchange of ideas thereby, the discussions then were effectively hypothetical in nature.

On February 13, 2007, justice began to be brought to the situation, as shown by [this recorded interview](#) conducted by the Chronicle of Higher Education with the newly chosen President of Gallaudet, Robert Davila:

QUOTE:

Q. You made the decision this week to not punish the students who protested the appointment of Jane Fernandes. Why did you make that decision?

A. Because the students who were arrested did not really create any other problems other than blocking a driveway and refusing to move. ... It was a classic example of civil disobedience. Students were arrested, and they were taken downtown to the courthouse, and they were fined, and they were booked, and then they were sent back. So I think for them that was a lesson they will always remember for the rest of their lives. And I think they were exercising their rights to engage in civil disobedience...

UNQUOTE

A [memo released by the Davila administration](#) on February 23, 2007 confirms that the accreditation delay was not due to the fact of the protest itself, but was due to the issues that were raised *during* the protest:

QUOTE (*emphasis added*):

Following submission of its PRR [Periodic Review Report], Gallaudet experienced a period of protests and a brief closure of its campus following selection of a new president. The contract of the president-designate was subsequently rescinded by the Gallaudet Board and an interim president, Dr. Robert Davila, was appointed and took office on January 1, 2007. *Because of issues that were raised during the protest and what MSCHE felt were inadequacies in the University's PRR*, the Commission decided to postpone its decision on reaccreditation pending receipt of additional information from the University addressing concerns that were communicated to Gallaudet by MSCHE.

UNQUOTE

By July 2007, when the University was formally put on probationary status, the accreditors had ceased mentioning any concerns about the October closure, as their [Public Disclosure Statement](#) at the time shows. Concerns about the campus climate had now reverted back to the same type of concerns that were [brought up by the accreditors in 2001](#).

Jordan also made the following claim in his recent letter to the editor of the CHE:

QUOTE

The statement made to Mr. Basken that Gallaudet "had been warned since 2001 about the need to meet updated standards from the accrediting commission and yet failed to act" is untrue.

UNQUOTE

In fact, Mr. Basken did indeed convey information which was correct in its essential nature. As the [February 21, 2007 Associated Press article](#) about the January MSCHE letter reports: "In her letter, Suskie said a June [2006] review report submitted by the university was 'dismissive' and *did not adequately address previously raised concerns*. Follow-up correspondence in October 'did not present concrete plans that reflected current realities,' she said." [*Emphasis added.*]

Contrary to Jordan's false characterization, Ms. Suskie's letter of January 2007 specifically states:

QUOTE (*emphasis added*):

1. Gallaudet's Periodic Review Report, submitted by June 1, 2006, did not meet Middle States expectations because it did not include the required comprehensive plan to assess student learning and institutional effectiveness, because *the reviewers felt there had been inadequate attention to some of the 2001 evaluation team recommendations*, and because the Committee on Periodic Review Reports found the institutional response dismissive.

UNQUOTE

Jordan cannot hang his claim of malfeasant journalism on the shades of difference in meaning between the words "warning" and "recommendations." According to the consequences of his failure to act, the recommendations of 2001 had the exact same effect as failure to act upon a warning, whether they were issued as a formal warning or not. It is not the nature of the perceived nicety in the mode of expression of original recommendations which is in question, but rather the effect of ignoring them which is the pertinent issue. Since all actions in relation to accreditation relate to the achievement and the maintenance of accreditation, all are very serious, and every recommendation made by the accreditors has the same effect as a warning.

Whether the original recommendations/warnings made were done in relation to updated standards which were formally announced and published as updated standards is a side point and is irrelevant. Focusing on a side point in this instance constitutes evasion of the main issue.

Jordan's comment is therefore unresponsive, deceptive, and, in fact, constitutes a lie--an action which would warrant revocation of tenure and the rescission of his president emeritus status.

TO DOWNLOAD A COMPLETE PDF FILE OF THIS PRESS RELEASE PLUS ALL RELATED INFO:

<http://gallyprotest.org/duplicity.pdf>

ADDENDUM:

Wednesday, November 14, 2007, 3:37 p.m. Eastern Time

In his recent letter to the Chronicle of Higher Education, I. King Jordan attempts to perpetuate the myth that there exists an impending crisis relating to the types of students Gallaudet will need to serve in the near future:

QUOTING Jordan's letter:

The vision for an inclusive deaf university also took into account the reality of the increasingly diverse pool of deaf students. Most deaf students attend public schools; a growing number have cochlear implants; and many do not use American Sign Language.

UNQUOTE

To dispel this myth, please see the November 2, 2007 press release:

[http://www.gallyprotest.org/red\\_herring.pdf](http://www.gallyprotest.org/red_herring.pdf)

The truth is that the "inclusive deaf university" campaign, cited by Jordan, was simply an effort to emphasize a redundancy. In fact, Gallaudet has *always* been inclusive and always will be. Qualified deaf students have always been accepted, regardless of their background. There simply is no controversy at all on this issue.

For further proof that this is a red herring, please see Anthony Mowl's opinion piece from an issue of the Gallaudet student newspaper, Buff and Blue, from March 2006:

[http://gallyprotest.org/pointing\\_the\\_finger.pdf](http://gallyprotest.org/pointing_the_finger.pdf)

This article, titled "Pointing the Finger" appeared six weeks before Jane Fernandes was even selected to become President, therefore, it cannot be said that the points he brings up in the article are a reaction to Fernandes being selected. In fact the three finalists for President in 2006 were not even chosen until four weeks after this article appeared, and the prospect of a prospective Fernandes presidency had not yet become an issue.

As for the myth pertaining to the issue of large numbers of deaf children being implanted with cochlear implants, while it is true that their numbers are increasing, the idea that there is going to be a tidal wave of *auditory-oriented* deaf students needing to attend Gallaudet in the future is false. See the article from the Spring 2006 newsletter published by the Gallaudet Research Institute (GRI), titled: "Spotlight on Cochlear Implants: Ongoing Issues and Research":

ARTICLE:

[http://gallyprotest.org/spotlight\\_on\\_cochlear\\_implants.pdf](http://gallyprotest.org/spotlight_on_cochlear_implants.pdf)

ENTIRE SPRING 2006 NEWSLETTER:

[http://gri.gallaudet.edu/Publications/ragu\\_spring2006.pdf](http://gri.gallaudet.edu/Publications/ragu_spring2006.pdf)

The article makes reference to a recent study of 22 children with cochlear implants which was conducted at Gallaudet's Cochlear Implant Education Center (CIEC). Of the 22 children studied only 4 were mostly auditory and none of the children were fully auditory.

In fact, most of the deaf children growing up today who use cochlear implants will be very similar to the deaf students who grew up from the 1950's onward who used modern hearing aids. These types of students did not pose any crisis to Gallaudet's mission or services. They were in fact representative of the typical type of deaf student Gallaudet has always served. The children growing up with implants today will be no different from those students, in terms of how Gallaudet needs to, or should, structure its main types of services.

A small minority of cochlear implant users, perhaps 10%, 15% or 20%, will grow up as hard-of-hearing students, and they will not use any type of sign language. Those of them that attend college will simply take advantage of the services offered at mainstream universities all over the country (notetakers, tutors, etc.) These types of students have always existed, and the fact of their existence has nothing to do with whether or not Gallaudet is a federally funded institution.

The issue properly pertains to the US higher education system *as a whole*. Government funds are spent to create all types of different programs all over the country for all different types of people. It's a ruse on I. King Jordan's part to suggest that Gallaudet needs to be able to modify the essential nature of its services to accommodate any conceivable type of student. Federal dollars are spent to create the US Navy, but no one complains that Navy is not a land-based force, or that the Navy somehow needs to become "more inclusive" in this respect and buy tanks, jeeps, etc.

The fact is that Gallaudet serves *visually oriented, not auditory-oriented* deaf students. There is no controversy on this issue. Even Jane Fernandes admitted such in comments made in a May 2, 2006 [article in the Washington Post](#):

QUOTE:

"[I]t's important for me to clearly say that I see ASL as the fabric that holds together Gallaudet's diverse community. So Gallaudet will always be a signing university. We will always use visual communication. We will always use that."

UNQUOTE

Yet in other comments to the media she has pandered to this misconceptions of the general public and attempted to perpetuate the myths being discussed here.

Members of the media need to be strongly forewarned that both I. King Jordan and Jane Fernandes are political pragmatists who will not hesitate to resort to major obfuscations in their attempts to achieve what they perceive as being to their short-term

strategic advantage. It is inadvisable to accept their comments for their face value. The situation with deaf education in America is complex, with most media personnel not even understanding why [American Sign Language is an autonomous language](#) or how and why ASL is incorporated into the lives of most deaf people. Both Jordan and Fernandes take advantage of journalists' naïveté on these points. That is their modus operandi. They will continue to do this until awareness is raised amongst the journalist community (i.e., standards manuals are updated, etc.)

An analysis of [listserv messages](#) posted by people in the Gallaudet community using pseudonyms last year indicates the strong likelihood that Fernandes saw the presidency job at Gallaudet as being merely a steppingstone to higher political aspirations. Her disingenuous comments and behavior have indicated her relative lack of concern for Gallaudet as an institution and a lack of concern for the people Gallaudet serves. Likewise, I. King Jordan had been preoccupied with the goal of joining boards of directors of major corporations, as other university presidents have done. See the video interview conducted in 1998:

QUOTING Jordan (4 minutes, 30 seconds):

I'm President of Gallaudet, a member of the consortium of universities in Washington, DC, 12 university presidents. I chair that group. I have the respect of those 12 presidents. But I'm not on any corporate boards. All of those presidents are on corporate boards.

UNQUOTE

VIDEO:

[http://gallyprotest.org/jordan\\_dpn10\\_special.wmv](http://gallyprotest.org/jordan_dpn10_special.wmv)

ALTERNATE LINK 1:

<http://youtube.com/watch?v=tRD4bLVP1n8>

On the issue of the campus lockdown of October 2006, please see comments Jordan made in the that same 1998 interview:

QUOTE:

[1:30 on video]

QUESTION: If you could turn the clock back to 1988, would you do anything differently during DPN? [*Referring to the Deaf President Now protest of 1988 at Gallaudet.*]

JORDAN: No. I don't think I would do anything different. I've talked with other people

about that, too. I think that week was perfect...

QUESTION: When is a protest appropriate, because not all protests are successful like DPN?

JORDAN: I described how many, many things happened before DPN happened and before the protest happened. Protest is appropriate when all of the other options have failed and people did try and work at rallies, wrote letters, they met with Board members. All of those things failed. Then the wrong decision was made. It was appropriate to protest.

UNQUOTE

This interview is also discussed in the Gallyprotest press release from January 11, 2007

[http://gallyprotest.org/when\\_is\\_protest\\_appropriate.pdf](http://gallyprotest.org/when_is_protest_appropriate.pdf)

It is quite obvious to all who know the facts that Jordan is being hypocritical on the issue of the campus lockdown of October 2006. Only journalists and media personnel think Jordan's current comments are newsworthy (about how, he claims, that the October 2006 campus lockdown was inappropriate). His comments are only newsworthy in that they show his hypocrisy, his state of denial, and the nature of the hysterically false allegations he made to the accreditors which caused them to be concerned (temporarily) about the issue. (See press release below.)

It is difficult to fathom that another such act of civil disobedience would ever be necessary again at Gallaudet. The message sent by the American deaf community is loud and clear. They will not tolerate any more disconnect between the Gallaudet Board and its constituency. Never again will the deaf community allow such type of disconnect to become overlooked to the extent that a campus lockdown becomes necessary.

As for the issue of the deaf children who grow up attending mainstream schools, this is hardly a new phenomenon at all. The current Gallaudet President, Robert Davila, appeared on the "Deaf Mosaic" program in 1989 and spoke about the mainstreaming trend. At the time, Dr. Davila held the post of Assistant Secretary of Education in the US Department of Education.

*By the time of the interview in 1989, it was already the case that 80% of deaf students throughout the US were attending mainstream schools.*

QUOTE (Robert Davila, Deaf Mosaic, 1989)

Back in 1975, when PL94-142 was first established, 80 percent of all deaf or hearing impaired children were in special schools, most of them residential schools. But now, 15 years later, 80 percent are in some kind of integrated placement. This doesn't

necessarily mean that residential schools for the deaf are any less important now. It just means that there has been an improvement in the quality of services provided in different settings.

UNQUOTE

Video:

<http://videocatalog.gallaudet.edu/player.cfm?video=1695>

This is not a crisis or any kind pressing issue necessitating any kind of major change in the way Gallaudet provides its services, contrary to Jordan's disingenuous comments in his recent letter to the editor. These mainstreamed students have been growing up, using sign language, and choosing to attend to Gallaudet for years now, for at least the past 20 years. This includes Ryan Commerson, a leader of last year's protests. He grew up attending a mainstream elementary school (before attending MSSD) and learned ASL from his interpreters.

What media personnel are not taking into account is the changing role of technology in the lives of deaf people. Deaf children in mainstream schools will soon be able to participate in video conferences with other deaf students around the country. This is going to lead to a *greater*, not less, emphasis being placed on the importance of American Sign Language.

Every rational interpretation of current trends shows that the role of American Sign Language in deaf education is going to become stronger and stronger with each passing year. Therefore, Gallaudet's place in the US system of higher education as being a bilingual English/ASL university is quite secure.