

OPEN LETTER TO PRESIDENT FREDERICK: We Gladly Accept Your Invitation!

AT HOWARD UNIVERSITY'S 159th OPENING CONVOCATION, PRESIDENT WAYNE A.I. FREDERICK INVITED HOWARD UNIVERSITY ALUMNI TO DISCUSS THEIR LAWSUIT. HERE IS OUR RESPONSE.

We, Plaintiffs in the lawsuit against the Howard University Board of Trustees (*Timothy L. Jenkins et al. Plaintiffs, v. Howard University, Inc.*), share your concern that more Alumni should support the University. Indeed, Howard deserves generous financial support from those whose lives it has enriched. At the same time, we acknowledge that *support for Howard* and *leadership accountability* are not opposing principles. Unfortunately, your comments at this year's Convocation missed that point.



Ten Plaintiffs—all former students, administrators, student leaders, and board members over the course of the last sixty years—filed the 2021 lawsuit because we love our alma mater. Also, we believe the University must honor the rules by which it governs itself. Plaintiffs allege the Board of Trustees violated its Bylaws when it abolished alumni, student, and faculty Trustee positions and, in doing so, broke trust with those stakeholders. For a century, Howard's Bylaws required alumni-elected Trustee seats on the Board. The Bylaws did not say that Howard University *may* have seats. It specifically stated there "*shall*" be three elected Alumni, two Student, and two Faculty Trustees.

Howard Alumni in 1923-26, and Howard student protesters (1968-2021) fought diligently for shared governance—and won. When the Board announced its 2021 decision to abolish said positions, multiple alumni groups emerged to discuss and, hopefully, resolve the issue with the Board. Instead, these groups were met with disdain and they were stonewalled. Sadly, litigation was the last and only option. Later in 2024, the Plaintiffs rejected a substantial cash settlement offer from the Board of Trustees because the central issue—shared governance, was ignored.

Our lawsuit—first filed in DC Superior Court, then "removed" to Federal court, and finally (following a Plaintiff procedural victory in the U.S. Circuit Court of Appeals)—is back in DC court. To be clear, no court has upheld the Board's actions on the merits. In fact, the court ruled in August 2026 that Alumni have "Standing" to sue and that the Plaintiffs sustained an "injury-in-fact." This is tremendously significant and our Counsel, alumnus Donald M. Temple (Class of 1975), has filed a Motion for Reconsideration and an Appeal of the dismissal.

Remarkably, after five years of litigation (on which the University has likely expended more than \$1M in legal fees fighting Alumni), the question remains quite simple: *Did Howard University comply with its Bylaws when the Affiliate Trustee elections for alumni, faculty, and students were suspended and ultimately abolished?*

You, sir, and the Board, cannot reasonably ask Howard University alumni to see themselves as indispensable stakeholders when seeking their financial support, yet give them zero notice of their disenfranchisement. Neither can you reasonably argue in your legal papers that alumni, students, and faculty have no rights to challenge Board decisions (even when those decisions directly affect the stakeholders' roles in University governance).

Again, alumni giving is important *and* it should not be positioned only as a financial transaction. We maintain that alumni giving relies on mutual trust, respect, as well as confidence that the institution actually values the people whose loyalty it seeks. Trust, respect, and confidence cannot be commanded from a Convocation podium or an insular boardroom but must be earned through transparency, accountability, and respect... not stonewalling.

We, nevertheless, warmly welcome your invitation to discuss the lawsuit – despite you characterizing the legal case as a “waste of time and money.” We have but one focus and that focus does not center alumni contributions or the cost to Howard for denying us our rights. Our focus is embedded in the question that led us to court: *Did Howard University follow its own Bylaws?* The Howard University community deserves a clear answer.

Dr. Frederick, we accept your invitation to dialogue. We suggest Rankin Chapel or Blackburn Center for this discussion. We ask that it be open to the public and livestreamed. We reject, however, your demand for proof of our donation “receipts” as a prerequisite to meeting with you. At its core, your demand is, without question, the very essence of our tension. We affirm that our rights and responsibilities to interrogate, analyze, and demand accountability from the very body that governs the policies of Howard University are neither birthed by, nor tethered to, receipts. We stand before you and the Board as an entity more profound than flesh, bone, and dollars. In fact, that which is material is the least of our powers. Guided by a certain ancestral lineage, we understand that, as human beings, we are more valuable than what's on the books. We only wish to address the sacred integrity of Howard's promise to its worldwide community.

In Truth and Service,
The Howard University Alumni Plaintiffs