

Martin Luther King, Jr. Living History and Public Policy Center

Legislative History

In 1992, with the enactment of House Bill 997, the Virginia General Assembly established the Dr. Martin Luther King, Jr. Memorial Commission ("Commission") and directed it, among other things, to create a statewide memorial to Dr. King. Former Attorney General Mark E. Early, Vice Chairman, and former Delegate Jay DeBoer, Commission member, proposed that the Commission recommend and develop a living history and public policy center ("think tank") to memorialize Dr. King's legacy and continue his work. Focused on this mission, and to satisfy the statutory mandate, planning for the Center began in 1994.

In 2001, the Commission issued a request for proposals (RFP) for the development of the Center to all accredited public and private four-year institutions of higher education in Virginia. After reviewing the proposals, site visits to the institutions were conducted. Realizing that each of the responding institutions possessed unique and valuable expertise and characteristics, the Commission developed a consortium of nine public and private institutions of higher education, and established the Center as a virtual center to ensure the availability and access of the Center's programs, resources, and activities to students, teachers, scholars, policy makers, and citizens throughout the Commonwealth and the nation.

The initial institutions which compose the Center are Eastern Virginia Medical School, Hampton University, James Madison University, Norfolk State University, Old Dominion University, University of Virginia, Virginia Commonwealth University, Virginia Polytechnic Institute and State University, and Virginia State University. Virginia Commonwealth University is the designated home site and coordinator of the Center for administrative purposes.

The collective assets of these institutions in areas relevant to the legacy of Dr. Martin Luther King, Jr. equal or exceed those of any other state. The merger of the strengths and unique characteristics of these institutions under a single structure provide the capabilities needed for a national public policy center. This configuration also provides the substructure to coalesce and maximize Virginia's efforts in scholarly research and fund development, and the complementary expertise of the institutions facilitates the accessibility of Center programs and resources to all Virginians, and the effective and efficient performance of the Center's activities.

The implementation of the Center has not been without difficulty. Anticipating the need for seed money for the Center, the Commission was deliberately frugal in expending its general fund appropriations since 1994, to ensure that funds would be available to launch the Center. On May 23, 2002, the Joint Rules Committee, upon the recommendation of its Budget Oversight Subcommittee, conditioned the release of the Commission's unexpended funds on the development and submission of a written plan describing how funds to sustain the Center would be generated and detailing the specific purposes for which the funds would be used. Unexpended Commission funds totaled more than \$101,000, when the Joint Rules Committee reallocated these funds to the Legislative Reversion Account in October 2002.

In November 2002, the Commission presented the required written plan to the Joint Rules Committee, which deferred a decision on the release of the Commission's unexpended funds. The Joint Rules Committee also directed in November 2002, that the Center be funded solely by nonstate funds. To date, no action has been taken by the Joint Rules Committee relative to the reinstatement of the Commission's funds for the Center.

In 2003, the Virginia General Assembly enacted Senate Bill 827, patroned by Senator Henry L. Marsh, III, to create the Martin Luther King, Jr. Living History and Public Policy Center as a component of the Commission. This legislation also established the Center's Board of Trustees, and, in accordance with the edict from the Joint Rules Committee, required that the Center operate solely on nonstate funds. The Board held its organizational meeting in August 2003. The Center was incorporated as a nonstock corporation in Virginia in October 2003.

In 2004, the General Assembly amended the enabling statute further to distinguish and clarify the powers and duties of the Board and the Commission, and among other things, to extend to the Board the corporate powers given to corporations by Title 13.1 of the Code of Virginia. In addition, other legislation enacted allows individuals entitled to a Virginia state income tax refund to contribute a portion or all of the refund to the Dr. Martin Luther King, Jr. Commission Fund to support the work of the Center.

The Center received its federal tax exemption in February 2005. The statute was amended again in 2005 (§ 2.2-2725, Code of Virginia) to establish the Center "as an independent, nonprofit corporation exempt from taxation pursuant to § 501 (c) (3) of the Internal Revenue Code, for the purpose of implementing the provisions of subdivision 6 of § 30-192.4," as follows:

6. Establish a memorial to honor Dr. Martin Luther King, Jr., in which (i) records, oral histories, and memorabilia documenting his relationship with and impact on the Commonwealth may be acquired and preserved; (ii) information concerning his life, work, teachings, writings, and philosophy may be collected, preserved, and accessed for educational and cultural purposes; and (iii) scholarly inquiry and writing, undergraduate and graduate study, and policy analysis may be conducted;

A two-year transition period was granted by the Internal Revenue Service to facilitate the transfer of the Board's and Center's responsibilities from the General Assembly to the Board of Trustees, and to allow the Board time to employ staff and the Center to become acclimated to functioning apart from the Commonwealth as an independent nonstock corporation. The transition period expires on July 1, 2007.

In the 2006 Session of the General Assembly, Senate Bill 107 (Marsh) was introduced by the Commission and enacted to further amend Virginia law, which established the governing structure of the Martin Luther King, Jr. Living History and Public Policy Center, to conform the statute with § 501 (c) (3) of the Internal Revenue Code rules, and federal and state laws governing tax exempt organizations. The transition period expiration date of July 1, 2007, was not affected by the 2006 amendments.

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Transition Staff: Brenda H. Edwards, Division of Legislative Services
Center's Coordinating and Administrative Staff: Dr. Susan T. Gooden, Virginia Commonwealth University
Ms. Lindsey L. Evans, Graduate Research Associate, Virginia Commonwealth University
Fundraiser: Ms. Dianne Martin, University of Virginia (Contract expired October 25, 2006)
The Honorable Henry L. Marsh, III, Registered Agent

Mission of the Center

The duties and responsibilities of the Board and Center are numerous and specific, and are set out in § 2.2-2729, Code of Virginia. However, in summary, the Center's responsibilities include, but are not limited to, providing educational and cultural programs throughout the Commonwealth, conducting and issuing scholarly research and publications, interfacing with public and private undergraduate and graduate programs, supporting the academic programs in grades K-12 in public and private schools, offering doctoral fellowship programs, and performing policy analyses of issues specific to Virginia and contemporary issues relative to the principles of Dr. King. The statutory provisions authorizing the Board and Center (Article 8 of Title 2.2, §§ 2.2-2725 et seq.) will expire on July 1, 2007.

Implementation of the Center

In accordance with state law, financial support for the Center must be developed through the acquisition of external funds. Further, given the breadth of its statutory duties, full implementation of and funding for the Center will proceed in four phases.

Phase I. Personnel and Support Services

The Board is empowered to employ an executive director, a fund-raiser/grant writer, and such other staff as it may deem necessary and appropriate, and to secure technical support from one or more participating institutions of higher education with high tech capabilities. The Board has been unable to hire staff due to lack of funds. However, in the interim, the Division of Legislative Services has continued to provide staff support and to transition with staff at Virginia Commonwealth University. In addition, the University of Virginia has made a staff person available to conduct the Board's fundraising campaign, until a fundraiser and other staff can be employed.

Phase II. Creation of the Virtual Center

The Board hopes to be the beneficiary of the Commission's multifaceted website that is under development. The website is designed as a portal to American and Virginia history, Dr. Martin Luther King, Jr., civil rights history, Virginia's role in Brown v. Board of Education, the African Diaspora, and the Martin Luther King, Jr. Living History and Public Policy Center. The website will also (i) function as a repository for digitized historical records and other publications, (ii) facilitate scholarly research, (iii) support academic programs PK through graduate school, (iv) provide links to sites and information relating to Dr. King, (v) and include a comprehensive database to provide information on minority populations in Virginia. This database will include, but not be limited to, information and data concerning demographics, educational attainment, labor and economic development statistics, housing and criminal justice data, a profile of minority businesses, social and cultural issues, health status and chronic conditions and diseases prevalent among minority groups represented in Virginia. Currently, no database of this type exists in which accurate and reliable information on minority populations in Virginia is accessible to researchers, the business and corporate community, and policy makers in a centralized location. The availability of such data would facilitate and enhance planning and the targeting of resources. Significant works on the history, culture, achievements, and contributions of minorities to society will be acquired to provide access for research, educational and cultural purposes. This paradigm is ideal for the consortium configuration of the Center and will facilitate statewide access and links to participating institutions.

Phase III. Programs and Services

The King legacy is a broad and powerful one, relevant to education, social policy, politics, economics, and culture. The Center's programs and services will enable it to make a permanent contribution to embedding King's relevance in the fabric of Virginia life.

- **Public Education**—An important component of the Center will be to promote public education, dialogue, an understanding and appreciation of the totality of Dr. King, and the examination of a range of matters relevant to King's principles and legacy. The Virtual Center is intended to assist in this component. The Center will be available as a resource to public and private schools, e.g., in teaching the SOLs and other curricula. The Center may also conduct various research and other projects focused on K-12 education and minority students. This focus may be related to the SOL program and other significant K-12 activities, such as the federal No Child Left Behind Act. Vehicles for helping educationally at-risk students may emerge through these research and education projects, producing a better understanding of their educational needs and resulting in strategies to promote academic achievement. The K-12 education focus will evolve as the issues emerge.
- **Higher Education**—Future initiatives of the Center will include affiliations with undergraduate and graduate degree programs at all participating institutions. It is envisioned that the existing technological infrastructure and capacity of the institutions will enable the delivery of online degree programs. Academic resources and staff of the Center will be available to provide assistance and support for such programs. The Virtual Center will also be an integral feature of this component.
- **Fellowship Program**—One doctoral or faculty fellowship will be supported at each of five participating institutions annually. These five fellows will be charged with examining issues relevant to the principles of Martin Luther King, Jr. These fellows will be recruited carefully to ensure, as much as possible, that they will produce scholarly publications that will endure. At least once each year, a meeting or other forum will be convened in which the fellows can share their work with other scholars and with the public.
- **Public Policy Analyses**—As it matures and obtains adequate external funding, the Center will produce policy analyses of issues specific to Virginia and contemporary issues relative to King principles to further the development of sound, feasible, and fair policies for all Virginians. These analyses may involve the assessment of education and health care for the poor and minorities, economic development, the nexus between public policies and quality of life, and many other issues with the intent to provide viable and important decision-making information.
- **Acquisition and Preservation**—The Center also functions as a clearinghouse and living history museum in which electronic media, including, but not limited to, films, digital audio and video recordings, and a digital library, as well as records, oral histories, and memorabilia documenting Dr. King's relationship with and impact on the Commonwealth will be acquired and preserved. In addition to information concerning his life, work, teachings, writings, and philosophy, documents, records, and memorabilia related to the Civil Rights Movement will be collected and retained. The Center will establish a working relationship with and a web site link to the King Center in Atlanta, the King Papers Project at Stanford University, and Boston University to facilitate research and scholarship.

Phase IV. Funding and Sustainability

Funding—Efforts to obtain external funding will be contemporaneously initiated with implementation of Phase I and will continue throughout the Center's history. This task will require an effective fundraising strategy, communication, and working relationship between the participating institutions and members of the Board. Fund development efforts will include, but not be limited to, leveraging funds, solicitation of private sector, philanthropic, and federal support, development of revenue streams. The participating institutions will collaborate in seeking federal support for the Center's activities through grants and contracts.

Sustainability—The Commission originally estimated annual support for the Center at \$500,000. However, recent projections for fiscal years 2007 and 2008 are just under \$1 million. Funding for the Center will be obtained from multiple sources, including endowments, revenue streams, public and private foundation grants, gifts and donations, in-kind services, federal and state grants, and creative collaborations between various public and private institutions. The annual recurring costs are based on operational and administrative costs, compensation and benefits for an executive director, a grantwriter/fundraiser, five fellowships, and other programmatic costs.