



August 3, 2022

Joy Beasley, Keeper
Sherry A. Frear, Chief
National Register of Historic Places
National Park Service
1849 C Street NW, MS 7228
Washington, DC 20240

Sent via email to: ad_cultural_resources@nps.gov; sherry_frear@nps.gov

Re: Petition under 36 C.F.R. § 60.6(t) to Reject the Nomination of the Highlander Folk School Library to the National Register of Historic Places

Dear Keeper Beasley and Chief Frear,

We are the Co-Executive Directors of the Highlander Research and Education Center—widely known simply as Highlander¹—a Tennessee-based nonprofit organization that is the living legacy of the Highlander Folk School. We, along with our legal counsel at the Center for Constitutional Rights and Advancement Project, submit this petition² to voice our impassioned opposition to the nomination of the Highlander Folk School Library in Monteagle (Grundy County), Tennessee to the National Register of Historic Places.³ We urge you to reject the nomination based on the defective manner in which it was prepared and submitted—which excluded Highlander’s current and former staff, leadership, and supporters who are in the best position to tell and honor the history of Highlander—and the adverse effects that the listing would inflict upon our ability to preserve, share, and carry forward Highlander’s historic legacy.

When the state of Tennessee mounted a legal assault against Highlander in the 1950s and 60s for our role in training civil rights leaders and promoting racially integrated education, we were forced to reincorporate and relinquish our property in Grundy County. Despite these challenges, Highlander never stopped serving as a beloved gathering place and training ground for activists at the forefront of social justice movements in Appalachia, the South, and across the nation. We continue to do so today. As the first Black woman co-director of Highlander, born and raised in Tennessee, and a white Southern minister and human rights activist, we embody the

¹ All references to “Highlander” in this petition are to the well-known and legally-recognized owner of this title, the Highlander Research and Education Center, or to our historic forebear, the Highlander Folk School.

² This petition is submitted pursuant to 54 U.S.C. § 302104(d)(1) and 36 C.F.R. § 60.6(t).

³ 87 FR 39868 (July 5, 2022) (publishing notice of nomination of Highlander Folk School Library (SG100007964)).

ongoing fulfillment of the vision seeded at Highlander ninety years ago of a multiracial, multi-gender, working-class movement toward justice and liberation for our people.

As detailed below, we oppose the nomination of the Highlander Folk School Library on the following grounds and request that the Keeper substantively review the nomination in light of these considerations:

- (1) The Tennessee Preservation Trust (TPT), the private entity that owns the nominated property and prepared the nomination form, has demonstrated that it is not fit to serve as steward of the site or Highlander’s historic narrative because it is wracked by financial and administrative instability and lacks any meaningful connection to our history of incubating the civil rights and Black freedom movements;
- (2) Approving the nomination in its current form will undermine federal and state commitments to promoting equity and diversity in historic preservation—including Tennessee’s own avowed commitment in its approved state historic preservation plan to promote racial, ethnic, and gender diversity in National Register nominations—in contravention of 36 C.F.R. § 60.6(a); and
- (3) The nomination form prepared by TPT and submitted to the Keeper by Tennessee’s State Historic Preservation Officer (SHPO) is not “adequately documented” or “technically and professionally correct and sufficient,” as required by 36 C.F.R. § 60.6(o).

BACKGROUND

Our History

State hostility to Highlander’s civil rights and racial justice mission and activities led to the revocation of our charter and the loss of our historic home in Grundy County

The Highlander Folk School was founded in Summerfield, Tennessee (just outside of Monteagle, in Grundy County) in 1932 by several educators and organizers who envisioned the creation of an institution for adult education and the training of grassroots leaders who would work throughout Appalachia and the South.⁴ In the 1930s and 40s, Highlander became involved in the labor struggles in Grundy County and across the South.⁵ From its earliest days, Highlander also fought racial segregation in the labor movement, holding its first integrated workshop in 1944.⁶ Highlander’s founders took a strong stance against fascism, racism, and anti-labor violence—not only from Southern state governments and industry bosses, but also from federal New Deal policies that excluded Black workers.⁷

⁴ Our History, HIGHLANDER RSCH. AND EDUC. CTR., <https://highlandercenter.org/our-history-timeline/> (last visited Aug. 3, 2022) [hereinafter “Our History, HIGHLANDER RSCH. AND EDUC. CTR.”].

⁵ *Id.*

⁶ *Id.*

⁷ Robin D.G. Kelley & Makani Themba, *Why the Highlander Attack Matters*, THE NATION (Apr. 12, 2019), <https://www.thenation.com/article/archive/highlander-attack-arson-racism/> [hereinafter “Kelley & Themba, *Highlander Attack*”].

Starting in the 1950s, Highlander became deeply involved in the struggles for Black freedom and civil rights.⁸ Education director Septima Clark and Bernice Robinson established citizenship education schools at Highlander for disenfranchised Black adults.⁹ Highlander hosted racially integrated trainings to develop community leaders¹⁰ with workshops that emphasized a progressive, student-led pedagogy.¹¹ Rosa Parks famously attended a training at Highlander before the Montgomery Bus Boycott, and segregationists notoriously used Martin Luther King, Jr.'s attendance at Highlander's 25th Anniversary celebration to stir up fear and hatred toward Highlander as a "communist training school" across the South.¹² Despite these intimidation tactics, Highlander continued to train and provide organizing space for activists such as Ella Baker and the youth leaders of the Student Nonviolent Coordinating Committee (SNCC).¹³

By 1959, the fear and intimidation campaign against Highlander had reached a fever pitch.¹⁴ The Tennessee legislature ordered an investigation of the school for allegedly subversive activities.¹⁵ On the night of July 31, 1959, at the end of a training on community leadership, state troopers and sheriff's deputies mounted a raid on Highlander.¹⁶ They arrested Septima Clark and three other Highlander employees on false charges and stole and damaged Highlander property.¹⁷ The county prosecutor, at the direction of the state attorney general, initiated legal proceedings against Highlander to revoke its charter.¹⁸ In 1960, the Grundy County Circuit Court ruled against Highlander, but allowed the school to remain open while they appealed the order.¹⁹ Highlander's integrated classes were an explicit reason the court gave for its decision.²⁰ Workshops continued until, in 1961, the Tennessee Supreme Court upheld the lower court's decision, and the United States Supreme Court declined to review.²¹ The state then revoked Highlander's charter,

⁸ *Id.*

⁹ *Id.*

¹⁰ Letter from Martin Luther King, Jr., Eleanor Roosevelt, and others in support of Highlander (Dec. 1959), TENN. VIRTUAL ARCHIVE, TENN. STATE LIBR. AND ARCHIVES, <https://teva.contentdm.oclc.org/digital/collection/highlander/id/1854/rec/210>.

¹¹ Nico Slate, "*The Answers Come from The People*": *The Highlander Folk School and the Pedagogies of the Civil Rights Movement*, 62 HIST. EDUC. Q. 191 (2010).

¹² Labor Day Weekend at Communist Training School (1957), GA. COMM'N ON EDUC., DIGIT. LIBR. OF GA., <https://bit.ly/DLOG-Highlander>.

¹³ Kelley & Themba, *Highlander Attack*, *supra* note 7.

¹⁴ Letter from Septima Clark requesting donations (Aug 31, 1959), TENN. VIRTUAL ARCHIVE, TENN. STATE LIBR. AND ARCHIVES, <https://cdm15138.contentdm.oclc.org/digital/collection/highlander/id/1895> [hereinafter "Letter from Septima Clark"].

¹⁵ Statement from Highlander Folk School regarding the raid (Aug. 13, 1959), TENN. VIRTUAL ARCHIVE, TENN. STATE LIBR. AND ARCHIVES, <https://teva.contentdm.oclc.org/digital/collection/highlander/id/1316/rec/181>.

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Highlander Folk Sch. v. State ex rel. Sloan*, 345 S.W.2d 667 (Tenn. 1961), *cert. denied*, 368 U.S. 840 (1961); *see also Liveright v. Joint Comm. of Gen. Assembly of State of Tenn.*, 279 F. Supp. 205, 208-09 (M.D. Tenn. 1968) (recounting history of state investigation, raid, and charter revocation proceedings).

¹⁹ Statement from Highlander Executive Council (Mar. 10, 1960), TENN. VIRTUAL ARCHIVE, TENN. STATE LIBR. AND ARCHIVES, <https://teva.contentdm.oclc.org/digital/collection/highlander/id/978/rec/205> [hereinafter "Statement from Highlander Executive Council"].

²⁰ *Id.*

²¹ *Highlander Folk Sch.*, 345 S.W. 2d at 670; *see also* Confidential memo from Myles Horton to 300 friends of Highlander (Oct. 6, 1961), TENN. VIRTUAL ARCHIVE, TENN. STATE LIBR. AND ARCHIVES, <https://teva.contentdm.oclc.org/digital/collection/highlander/id/1055/rec/26>.

confiscated its land and buildings, and ordered the property sold at auction.²² The property was divided up into smaller parcels that have passed hands multiple times over the years.

Despite these attacks, Highlander’s legacy of social justice work continues unbroken to this day

Even before the Tennessee Supreme Court had issued its decision, the Highlander staff had plans in place to re-charter as the Highlander Research and Education Center, to relocate to Knoxville, and continue the school’s pivotal work.²³ The school reopened in Knoxville a day after the seizure, and the work resumed.²⁴ By 1962, Highlander was, for example, training SNCC organizers who would soon begin voter registration efforts in Mississippi.²⁵ Even after Highlander’s dispossession and relocation to Knoxville, the state of Tennessee continued its harassment and intimidation. In 1963, police raided an interracial camp training activists on nonviolent civil disobedience, and four days later the camp was burned down.²⁶ In 1966, the Ku Klux Klan marched on Highlander, and a few months later a Molotov cocktail was thrown through its front window.²⁷ Despite the constant threats, Highlander continued the work in Knoxville for ten years.

In 1971, Highlander moved to its current home in New Market, Tennessee. In the 1970s we focused on uplifting Tennessee workers’ demands for better health and safety, supporting grassroots efforts to fight pollution and toxic dumping, and connecting to international activists fighting for human rights.²⁸ Despite the assaults that continue even today—arsonists burned down one of our buildings in 2019—the Highlander Research and Education Center continues its work training the next generation of activists fighting for justice across the South.²⁹

Our claim on Highlander’s name and narrative is grounded not only in history and morality; it is also enshrined in intellectual property law: Highlander Research and Education Center holds exclusive rights over the name “Highlander” and “Harry Lasker Memorial Library”—the alternative name listed for the Highlander Folk School Library in the nomination form prepared by TPT and submitted to the Keeper.³⁰ That exact name is still in use today at our New Market location, where the library contains archives dating back to Highlander’s founding in the 1930s. Highlander recently sent a cease and desist letter to TPT regarding TPT’s infringement on Highlander’s federally registered and common law service marks for “Highlander” and “Harry Lasker Memorial Library,” respectively.³¹

²² *Id.*; Highlander fact sheet about its work in 1961 (June 8, 1962), TENN. VIRTUAL ARCHIVE, TENN. STATE LIBR. AND ARCHIVES, <https://teva.contentdm.oclc.org/digital/collection/highlander/id/1507/rec/36>.

²³ Confidential memo from Myles Horton to 300 friends of Highlander, *supra* note 21.

²⁴ Our History, HIGHLANDER RSCH. AND EDUC. CTR., *supra* note 4.

²⁵ Highlander Folk School, SNCC DIGITAL GATEWAY, <https://snccdigital.org/inside-sncc/alliances-relationships/highlander/>.

²⁶ Kelley & Themba, *Highlander Attack*, *supra* note 7.

²⁷ *Id.*

²⁸ Our History, HIGHLANDER RSCH. AND EDUC. CTR., *supra* note 4.

²⁹ Kelley & Themba, *Highlander Attack*, *supra* note 7.

³⁰ See National Register of Historic Places Registration Form for Highlander Folk School Library (DRAFT) at 1, Tenn. Historical Comm’n, <https://bit.ly/NRHP-HFSL> (last visited July 25, 2022) [hereinafter “Nomination Form”].

³¹ See Trademark Status & Document Retrieval: Highlander (Registration No. 86255502), U.S. PATENT AND TRADEMARK OFF., <https://bit.ly/3zvim2u> (last visited Aug., 2, 2022) (active registered service mark); Trademark

The Tennessee Preservation Trust

TPT acquired of the Highlander Folk School Library property and prepared the nomination to the National Register

In 2014 the Tennessee Preservation Trust, Inc. (TPT)—a private preservation organization based in Nashville, Tennessee³²—purchased the property at 120 Old Highlander Lane where the Highlander Folk School Library is located (the parcel labeled number 21.00 in the map below). In the past decade TPT has also bought up several of the other parcels that comprised the old folk school campus:



Fig. 1: Map of TPT-owned parcels of Highlander Folk School campus³³

Since purchasing the library property, TPT has featured the property and Highlander’s history prominently in its public fundraising and promotional efforts, and has begun running programming at the site.³⁴

Status & Document Retrieval: Harry Lasker Memorial Library (Registration No. 97416689), U.S. PATENT AND TRADEMARK OFF <https://bit.ly/3cP2P62> (last visited Aug. 2, 2022) (application submitted, awaiting examination).

³² According to TPT’s website, its mission is to “promote, preserve, and protect [the] state’s diverse historic resources through education, advocacy, and collaborative partnerships.” Our Mission & History, TENN. PRESERVATION TRUST, <http://www.tennesseepreservationtrust.org/about/mission> (last visited July 21, 2022).

³³ Real estate assessment data generated from a search of the Tennessee Property Viewer: <https://tnmap.tn.gov/assessment/>.

³⁴ See, e.g. *Tenn in Tennessee: 2014 Ten in Tenn: Highlander Folk School (Grundy)*, TENN. PRESERVATION TRUST, <http://www.tennesseepreservationtrust.org/ten-in-tn/2014-ten-in-tennessee/?property=highlander-folk-school> (last visited July 22, 2022); *Power Of Place: A Legacy Of Social Justice In Tennessee*, TENN. PRESERVATION TRUST, <http://www.tennesseepreservationtrust.org/projects/power-of-place> (last visited July 22, 2022); *Preservation50 in Tennessee Celebrates Civil Rights History in Monteagle*, TENN. PRESERVATION TRUST, <http://www.tennesseepreservationtrust.org/news/preservation50-in-tennessee-celebrates-civil-rights-history-in-monteagle> (last visited July 22, 2022).

TPT prepared the National Register nomination form for the Highlander Folk School Library with the assistance of Thomason & Associates, a preservation firm with close ties to TPT, and submitted the form to the Tennessee Historical Commission (THC), the state’s historic preservation office.³⁵ To our knowledge, THC approved and forwarded the nomination form unaltered to the Keeper.

TPT excluded Highlander’s current and former leadership from every step of the process

TPT never formally notified us, or anyone else connected with Highlander, of its plans to acquire our original property and seek the Highlander Folk School Library’s inclusion in the National Register. We first learned in a letter we received from THC on April 21, 2022—many years after TPT purchased the property and only weeks before a hearing on the nomination by the state review board—that TPT would be applying to THC to nominate the Highlander Folk School Library for listing in the National Register. TPT representatives did not contact us or anyone else at Highlander to join in or contribute to the application, or even review it for accuracy. TPT did not involve us in or actively inform us of any aspect of planning, fundraising, and programming at the library building or other parts of the old Highlander Folk School campus. Instead, for nearly ten years, Highlander has devoted precious resources and hours working to mitigate and undo TPT’s negative impact on our relationships and correctly tell the story of Highlander’s past and present work and intentions in Grundy County.

GROUNDS FOR PETITION

1. The Tennessee Preservation Trust is not fit to serve as stewards of the site and Highlander’s historic narrative

As you are well aware, listing a property in the National Register of Historic Places gives property owners access to a range of benefits including federal and state funding opportunities and tax benefits as well as private grants. TPT, which will be positioned to reap those benefits if the Highlander Folk School Library is listed, has demonstrated that it is not fit to serve as steward of the site or Highlander’s historic narrative. First and foremost, TPT lacks any meaningful connection, past or present, to Highlander’s history or the movements for civil rights and Black freedom, which are at the heart of Highlander’s mission and identity. To the contrary, TPT is best known for its efforts to preserve Civil War history. Moreover, TPT has been wracked by serious financial and administrative troubles that call into question its ability to properly manage the site.

TPT is wholly disconnected from Highlander’s multiracial and working-class history, as reflected in its board of directors and leadership that is overwhelmingly white. Central TPT figures like board member David Currey, who has led the day-to-day work on this project since 2013, have long played an active role in championing the preservation of Tennessee’s Civil War sites and battlefields—sites whose past and present are intimately intertwined with the state’s repugnant history of white supremacist violence and the very forces that lined up to attack Highlander’s existence at the height of the Civil Rights era (and continue to do so today). According to a review of his academic work on the “Old South,” Currey has described the archetypal Confederate soldier

³⁵ See Nomination Form, *supra* note 30.

who fought against the United States to perpetuate slavery as “virtuous,” a “moral icon,” and a patriot “who sacrificed his life for a cause greater than himself.”³⁶

Publicly available records show that TPT suffers from significant financial and administrative instability. The Tennessee Department of State has administratively dissolved or revoked TPT’s nonprofit status multiple times—most recently in 2021.³⁷ TPT is not registered as a charitable organization with the Tennessee Department of State.³⁸ Although TPT was previously granted 501(c)(3) federal tax-exempt status, the IRS automatically revoked TPT’s nonprofit status in 2020 for failure to file the required returns for three consecutive years.³⁹ THC, the state’s historic preservation agency, even acknowledged TPT’s fundraising and staffing challenges in its most recent statewide preservation plan.⁴⁰ Apparently, TPT’s financial woes necessitated state intervention and an infusion of agency support and personnel resources to attempt to stabilize the organization.⁴¹

Moreover, TPT repeatedly used Highlander’s name in its public fundraising and promotional communications, in violation of the registered trademark held by the Highlander Research and Education Center.⁴² And despite its past (and possibly current) lack of federal tax-exempt status, TPT has been actively soliciting donations on its website, stating that those contributions are tax-deductible⁴³—a statement that is untrue if TPT lacks 501(c)(3) status. These potential violations of intellectual property and non-profit tax law, respectively, further call into question TPT’s ability to responsibly manage the site and honor Highlander’s history.

For these reasons, TPT should not be placed in a position to further benefit from and misappropriate Highlander’s history.

2. Approving the nomination will undermine federal and state commitments to promoting diversity and equity through historic preservation

³⁶ See Peggy McDowell, *Review of Monuments to the Lost Cause: Women, Art, and the Landscapes of Southern Memory*, CAA REVIEWS (Dec, 9, 2004), <http://caareviews.org/reviews/705>.

³⁷ See Business Entity Detail for Tennessee Preservation Trust, Inc., TENN. SEC’Y OF STATE, <https://bit.ly/TN-TPT> (last visited July 25, 2022). TPT applied to reinstate its Tennessee nonprofit status in August of last year.

³⁸ See Financial Reports for Registered Charities, TENN. DEP’T OF STATE, DIV. OF CHARITABLE SOLICITATION AND GAMING, <https://tnsos.org/charitable/CharitableOrgReports.php> (last visited July 21, 2022) (charity search for “Tennessee Preservation Trust” returned no results)

³⁹ See Tax-Exempt Organization Search results for Tennessee Preservation Trust Inc, INTERNAL REVENUE SERV. <https://bit.ly/IRS-TPT> (last visited July 25, 2022). There is a possibility that the information on the IRS’s website regarding TPT’s tax-exempt status is not up to date. See Tax Exempt Organization Search, INTERNAL REVENUE SERV., <https://www.irs.gov/charities-non-profits/tax-exempt-organization-search> (noting delays in updates to the search tool and processing of paper-filed 990s).

⁴⁰ See *Tennessee’s Historic Preservation Plan 2019-2029* at 59, TENN. HISTORICAL COMM’N (Sept. 30, 2019) <https://www.tn.gov/content/dam/tn/historicalcommission/plan-general/thc-plan-final-optimized.pdf> (“ . . . in recent years the TPT has struggled to raise funds to support staff and build programs . . .”).

⁴¹ See *id.* at 59-60.

⁴² See Nomination Form, *supra* note 30.

⁴³ See *Support Preservation > Become A Member*, TENN. PRESERVATION TRUST, <http://www.tennesseepreservationtrust.org/support/> (last visited July 25, 2022); *Salvage Donations: Preservation Station*, TENN. PRESERVATION TRUST, <http://www.tennesseepreservationtrust.org/support/preservation-station> (last visited July 25, 2022).

Federal regulations require that all nominations submitted to the Keeper by a state historic preservation office “shall be submitted in accord with the State priorities, which shall be consistent with an approved State historic preservation plan.”⁴⁴ The Tennessee Historical Commission’s approved state historic preservation plan contains an avowed commitment to promote racial, ethnic, and gender diversity in National Register nominations. Approving the nomination of the Highlander Folk School Library in its current form will allow an elite, white-led institution to coopt and control the historical narrative of a site most significant for its work with Black, multiracial, poor and working-class communities, thus undermining the THC’s diversity goals as well as federal commitments to promoting diversity and equity through government-supported historic preservation. The state’s goal of promoting diversity must mean something more than simply nominating more sites with connections to Tennessee’s Black history and the histories of other marginalized peoples without allowing those people to tell their own stories and participate in the planning, promotion, and management of the sites.

At the federal level, the Park Service, along with other federal agencies and offices, has been taking steps to recognize and address historic inequities and their current-day reverberations in the realm of historic preservation. In recent years, prominent journalists and preservationists have exposed the disproportionately low rate at which Black historic sites have been recognized and preserved.⁴⁵ The Park Service, in collaboration with local partners and private nonprofit initiatives like the African-American Cultural Heritage Action Fund at the National Trust for Historic Preservation, is beginning to address that historic imbalance.⁴⁶ More broadly, the Biden Administration has declared its commitment to advancing civil rights and racial justice through an executive order calling for an “ambitious whole-of-government equity agenda.”⁴⁷ Approving the nomination of the Highlander Folk School Library in its current form flies in the face of those commitments.

3. The nomination form is not adequately documented and is not technically correct

Before submitting a nomination to the Keeper, the SHPO must certify, among other things, that “[t]he nomination form is adequately documented . . . [and] technically and professionally correct and sufficient.”⁴⁸ The nomination form prepared by TPT for the Highlander Folk School Library is riddled with inaccuracies regarding Highlander’s history—an unsurprising result of our total exclusion from TPT’s planning and nomination process. Thus, the state’s certification was improperly provided here.

⁴⁴ 36 C.F.R. § 60.6(a).

⁴⁵ See Casey Cep, *The Fight to Preserve African-American History*, *The New Yorker* (Jan. 27, 2020), <https://www.newyorker.com/magazine/2020/02/03/the-fight-to-preserve-african-american-history>; see also Sara Bronin, *Op-Ed: How to fix a National Register of Historic Places that reflects mostly white history*, *Los Angeles Times* (Dec. 15, 2020), <https://www.latimes.com/opinion/story/2020-12-15/historic-preservation-chicano-memoratorium-national-register> (raising a similar critique regarding Mexican-American/Chicano history).

⁴⁶ See John Burnett & Marisa Peñaloza, *The National Park Service expands its African-American history sites*, NATIONAL PUBLIC RADIO (June 26, 2022), <https://www.npr.org/2022/06/26/1107088305/the-national-park-service-expands-its-african-american-history-sites>; Jay Reeves, *\$3 million in grants going to Black history sites, groups*, ASSOCIATED PRESS (July 15, 2021), <https://apnews.com/article/race-and-ethnicity-1ee444bb3b26356831573e199f2e6463>.

⁴⁷ Pres. Joseph R. Biden, Jr., *Executive Order On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government* (Jan. 20, 2021), <https://bit.ly/racial-equity-EO>.

⁴⁸ 36 C.F.R. § 60.6(o)(2), (3).

One glaring inaccuracy that is repeated on multiple pages of the nomination form regards the date of Highlander Folk School’s closure. The form repeatedly states that Highlander’s Grundy County location was “forcibly closed” in 1959.⁴⁹ In fact, the school’s doors—other than a single building padlocked pursuant to a local court order—remained open until 1961, when the Tennessee Supreme Court upheld the lower court’s decision revoking Highlander Folk School’s charter.⁵⁰ From 1959 to 1961, Highlander continued to operate in Grundy County, welcoming participants to workshops, summer camps, and other programming,⁵¹ all the while raising funds, marshalling public support, and mounting a legal defense to the state’s relentless attacks on the school.⁵² At first glance, this may seem like a forgivable technical error, but it lies at the heart of a critical chapter in Highlander’s history. It also demonstrates why we at Highlander—not TPT—are best positioned to serve as stewards of Highlander’s historic narrative. And it impacts a central aspect of the nomination and proposed listing: the “period of significance” of the property, which is incorrectly listed as 1949-1959.⁵³

Another inaccuracy is the attribution of the historical photographs included in the nomination form.⁵⁴ TPT’s form credits the Highlander Folk School for the photos. As explained above (and in the nomination form itself), Highlander Folk School ceased to exist as a legally-recognized entity after the state revoked its charter over a half-century ago. If TPT obtained those photos from Highlander’s current incarnation—the Highlander Research and Education Center—they are required to credit those images to us and, if applicable, seek permission to do so. TPT failed to that.

Finally, much of the remaining content in the lengthy historical narrative portion of the nomination form is lifted from sources near and dear to our own history—including words drawn from our website and from our professional forebears like Septima Clark and Myles Horton. These borrowed truths and repeated inaccuracies, taken together, point to the dangers of allowing an entity like TPT with no personal connection to Highlander’s history and no proven track record of telling Black, multiracial, and working-class social movement histories to shape the public’s understanding of Highlander’s critical role in civil rights and social justice history.

TPT’s misappropriation of Highlander’s narrative compounds the historic injury of the theft of our land under the cover of state power.

CONCLUSION

⁴⁹ See Nomination Form, *supra* note 30, at 4, 5, 7, 24.

⁵⁰ See Statement from Highlander Executive Council, *supra* note 19.

⁵¹ See, e.g., Handbook, ‘60 Highlander Youth Project, TENN. VIRTUAL ARCHIVE, TENN. STATE LIBR. AND ARCHIVES, <https://teva.contentdm.oclc.org/digital/collection/highlander/id/1792/rec/51> (last visited July 25, 2022) (handbook for integrated summer youth camp at Monteagle location in 1960); New Alliances in the South Workshop (1961), TENN. VIRTUAL ARCHIVE, TENN. STATE LIBR. AND ARCHIVES, <https://teva.contentdm.oclc.org/digital/collection/highlander/id/1396/rec/127> (last visited July 25, 2022) (schedule for workshops at Monteagle location in February 1961).

⁵² See, e.g., Letter from Septima Clark, *supra* note 14; Statement from Highlander Executive Council, *supra* note 19.

⁵³ See Nomination Form, *supra* note 30, at 3, 4, 6.

⁵⁴ *Id.* at 42-44, 47, 56, 58, 70, 73, 75-77.

Based on the foregoing, we request that your office reject TPT's nomination to list the Highlander Folk School Library in the National Register of Historic Places. The Keeper should not approve any nomination for the property that does not have the full prior and enthusiastic endorsement and inclusion of the Highlander Research and Education Center.

Please do not hesitate to contact us with any questions regarding this petition. You may reach us through our legal counsel, whose contact information is listed below.

Thank you for your attention in this important matter.

Sincerely,




Ash-Lee Henderson
Co-Executive Director



Rev. Allyn Maxfield-Steele
Co-Executive Director

HIGHLANDER RESEARCH AND EDUCATION CENTER



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