

# Mary Birch Papers, 1972-1985

## Overview of the Collection

|                            |  |
|----------------------------|--|
| <b>Creator</b>             | Birch, Mary b. 1941  |
| <b>Title</b>               | Mary Birch Papers  |
| <b>Dates</b>               | 1972-1985 (inclusive)<br>1972 1985   |
| <b>Quantity</b>            | 0.5 linear feet  |
| <b>Collection Number</b>   | Mss 574  |
| <b>Summary</b>             | This collection contains materials related to University of Montana-Missoula professor Mary Birch's discrimination complaint filed with the Montana Human Rights Commission against the University, her colleagues' (Marlene Salway and Patricia Roesch) District Court discrimination suits, and memos and news clippings regarding gender equity at the University of Montana.       |
| <b>Repository</b>          | <a href="#">University of Montana, Mansfield Library, Archives and Special Collections</a><br>Archives and Special Collections<br>Maureen and Mike Mansfield Library<br>University of Montana<br>32 Campus Dr. #9936<br>59812-9936<br>Missoula, MT<br>Telephone: 406-243-2053<br>Fax: 406-243-4067<br><a href="mailto:library.archives@umontana.edu">library.archives@umontana.edu</a> |
| <b>Access Restrictions</b> | Researchers must use collection in accordance with the policies of Archives and Special Collections, the Maureen and Mike Mansfield Library, and The University of Montana--Missoula.  |
| <b>Languages</b>           | English  |

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## Biographical Note

Mary Birch received a B.A. in International Relations from Stanford University in the early 1960s. She enrolled in Columbia University School of Social Work in 1963 and graduated in 1966. From there, Birch, married with one child, moved to Missoula, Montana where she was hired as the first social worker with the Missoula Head Start program. She completed a second masters degree in sociology at the University of Montana in 1968.

Birch began teaching at the University of Montana in 1968, going from part time to full time in 1970. She initiated a course in wholistic health and throughout her tenure at the university, continued to offer courses reflecting her interests in non-conventional subjects ranging from the impact of environmental degradation to a celebration of spirituality diversity.

In 1979, after a unanimous finding of discrimination by the University Discrimination Committee and the failure of the University President to implement the recommended remedies, Birch initiated a successful sex discrimination complaint against the University through the Montana Human Rights Commission.

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<http://archiveswest.orbiscascade.org/ark:/80444/xv64299>

She was also very involved in the District Court discrimination suits of two colleagues, Marlene Salway and Patricia Roesch, through the late 1970s and early 1980s.

Through the 1980s, Birch became involved in AIDS programs in Missoula, Montana, attending training programs, conducting a research project, serving on AIDS prevention committees, facilitating support groups, and including content on AIDS in all her social work courses. In 1989 she was selected by the Montana Department of Health and Environment Sciences as the first recipient of the Outstanding Community Volunteer in Montana for her AIDS related work. The following year she was awarded sabbatical leave and spent a year in San Francisco, California, working in AIDS programs.

During her career at the University, Birch was instrumental in bringing about salary equity for women faculty. She retired from full-time teaching in 2000 and continued part-time on a post-retirement contract for another three years. She continues to reside in Missoula, Montana.

## Content Description

This collection includes Mary Birch's narrative of the events and emotions surrounding her Montana Human Rights Complaint and her colleagues' District Court discrimination suit. The collection contains correspondence and initial documentation gathered and prepared for the Discrimination Grievance Committee that preceded the Montana Human Rights Complaint, the Committee Findings, The Montana Human Rights Complaint and Findings, the District Court Case and Findings, and memos and news clippings related to gender equity at The University of Montana.

## Use of the Collection

### Restrictions on Use

Researchers are responsible for using in accordance with 17 U.S.C. and any other applicable statutes.

### Preferred Citation

[Name of document or photograph number], Mary Birch Papers, Archives and Special Collections, Maureen and Mike Mansfield Library, The University of Montana--Missoula.

## Administrative Information

### Arrangement

The collection is divided into five series

Series I: Narrative of events, 2 folders, 1978-1982

Series II: Documents prepared for Discrimination Grievance Committee, 0.2 linear feet, 1978-1980

Series III: Montana Human Rights Commission Complaint, 2 folders, 1979-1982

Series IV: Salway & Roesch District Court Discrimination Suit, 0.2 linear feet, 1973-1985

Series V: Memos and news clippings, 3 folders, 1972-1985

## Custodial History

The collection components were gathered and held by Mary Birch prior to being donated to the K. Ross Toole Archives.

## Acquisition Information

The body of the collection was donated to the Archives by Mary Birch in 2003. An edited version of "Sex Discrimination and The University of Montana, 1978-1982" was donated in November 2004

## Processing Note

The collection arrived with much of the material divided into categories by the donor. The categories were maintained and similar groupings were initiated for material that fell outside of the initial divisions.

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## Detailed Description of the Collection

### Series I: Narrative of events, 1978-1982

2 folders

| Container(s) | Description  | Dates |
|--------------|--|-------|
| Box/Folder   |  |       |
| 1/1          | "Sex Discrimination and the University of Montana: A Tale of Three Faculty Women, 1978-1982," by Mary Birch                | n.d.  |
| 1/2          | "Sex Discrimination and the University of Montana: A Tale of Three Faculty Women, 1978-1982," edited version by Mary Birch | n.d.  |

### Series II: Documents prepared for Discrimination Grievance Committee, 1978-1980

0.2 linear feet

| Container(s) | Description                                | Dates     |
|--------------|--|-----------|
| Box/Folder   |  |           |
| 1/3          | Documentation regarding sex discrimination | Fall 1978 |
| 1/4          | Retaliation charges with documentation     | 1978-1979 |

| Container(s) | Description  | Dates              |
|--------------|--|--------------------|
| 1/5          | Faculty statements and responses to Discrimination Grievance Committee,            | May 1979           |
| 1/6          | Query from and response to Grievance Committee                                     | 1979               |
| 1/7          | Discrimination Grievance Committee findings and subsequent events,                 | 1979-1980          |
| 1/8          | Documentation concerning charges of retaliation by Arkawa against Cummings         | 1979               |
| 1/9          | Documentation on development of Wholistic Health course material                   | 1977-1980 and n.d. |
| 1/10         | Miscellaneous notes regarding documentation  | 1979 and n.d.      |
| 1/11         | Incidents occurring after May 30, 1979, Discrimination Grievance Committee hearing | 1979               |
| 1/12         | University Discrimination Grievance Procedure                                      | n.d.               |
| 1/13         | Correspondence with Richard Solberg, Dean, College of Arts and Sciences            | 1978-1979          |

### Series III: Montana Human Rights Commission Complaint, 1979-1982

2 folders

| Container(s)      | Description   | Dates            |
|-------------------|---|------------------|
| <b>Box/Folder</b> |   |                  |
| 1/14              | Correspondence regarding complaint filed with the Montana Human Rights Commission | 1979-1981        |
| 1/15              | Correspondence and billing from attorneys   | 1979, 1980, 1982 |

### Series IV: Salway & Roesch District Court Discrimination Suit, 1973-1985

0.2 linear feet

| Container(s) | Description   | Dates                                  |
|--------------|---|--|
| Box/Folder   |   |  |
| 1/16         | Initial complaint filed in District Court                       | January 24, 1980                       |
| 1/17         | Amended complaint filed in District Court                       | July 29, 1980                          |
| 1/18         | Motion for separate trials and opposition to motion             | November 25, 1980 and December 9, 1980 |
| 1/19         | Deposition of Dr. Morton Arkava                                 | December 1980                          |
| 1/20         | Salway and Roesch interrogatories                               | n.d.                                   |
| 1/21         | Plaintiff's Proposed Findings of Fact and Post-Trial Memorandum | March 3, 1982                          |
| 1/22         | Defendant's Proposed Findings of Fact and Post-Trial Memorandum | March 3, 1982                          |
| 1/23         | Defendant's Rebuttal Brief                                      | March 30, 1982                         |
| 1/24         | Court Findings  | 1982-1985                              |
| 1/25         | Correspondence with attorneys                                   | 1980-1982                              |
| 1/26         | Handwritten notes regarding case                                | n.d.                                   |
| 1/27         | Marlene Salway's documentation of discrimination                | 1973-1977                              |

## Series V: Memos and news clippings, 1972-1985

3 folders

| Container(s) | Description  | Dates         |
|--------------|--|---------------|
| Box/Folder   |  |               |
| 1/28         | Memos regarding faculty women at the University of Montana | 1973 and n.d. |

| Container(s) | Description  | Dates            |
|--------------|--|------------------|
| 1/29         | University President Richard Bowers' memo regarding affirmative action                           | October 10, 1979 |
| 1/30         | News clippings regarding the discrimination suits and gender equity at the University of Montana | 1972-1985        |

## Names and Subjects

### Subject Terms :

Sex discrimination against women--Montana

Sex discrimination in higher education--Montana

### Personal Names :

Roesch, Patricia--Trials, litigation, etc

Salway, Marlene--Trials, litigation, etc.

### Corporate Names :

University of Montana--Missoula--Trials, litigation, etc.

### Other Creators :

#### Corporate Names :

Montana. Human Rights Commission

(author)

United States. District Court (Montana)

(author)

Finding aid prepared by Teresa Hamann

2003



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