SUPERIOR COURT OF THE DISTRICT OF COLUMBIA CIVIL DIVISION

| Dr. Edward O. Blews, Jr. |) |
|---|--------------------|
| 656 Massachusetts Avenue, NE |) |
| Washington, DC 20002 |) |
| |) |
| Plaintiff, |) |
| v. |) Civil Action No. |
| |) |
| Council for Christian Colleges & Universities |) |
| 321 8 th Street, NE |) |
| Washington, DC 20002 |) |
| |) |
| Serve On: |) |
| (25) |) |
| Kyle H. Royer, Resident Agent |) |
| 321 8 th Street, N.E. |) |
| Washington, DC 20002 |) |
| |) |
| Defendant. | ,) |
| |) |

COMPLAINT

I. PRELIMINARY STATEMENT

1. This is an action for breach of contract.

II. PARTIES

- 2. Plaintiff Dr. Edward O. Blews, Jr. is a resident of the District of Columbia and performed work for the Council for Christian Colleges & Universities ("CCCU") until his termination on October 12, 2013, effective October 22, 2013.
- Defendant CCCU is a corporation licensed and doing business in the District of Columbia. CCCU is an international association of intentionally Christ-centered colleges and universities.

III. <u>JURISDICTION</u>

- Venue is proper as the acts complained of herein occurred in the District of
 Columbia.
- 5. Dr. Blews entered into an Employment Agreement with CCCU on July 16, 2012, to serve as its President for five years beginning on January 1, 2013. The Agreement provides the procedures for dispute resolution in Paragraph 9. This provision states:

The parties recognize that conflicts or disputes may occasionally arise. In recognition of the biblical calling to make every effort to live at peace with one another and to resolve disputes with each other in private or within the Christian church, this Agreement commits the parties to attempt to resolve any dispute in a biblical manner, according to the principles stated in 1 Corinthians 6:1-8, Matthew 5:23-24; and Matthew 18:15-20. If any dispute cannot be resolved in private meetings between the parties, the parties agree to enter non-binding Christian mediation before pursing litigation.

Dr. Blews followed these dispute resolution procedures prior to the institution of litigation. He has waited three-and-a-half months before filing this Complaint, seeking and hoping to achieve reconciliation and resolution in a spirit of Christian grace. All parties and counsel met on November 25, 2013 in an attempt to resolve this dispute. While the November 25 mediation was being scheduled, counsel for Dr. Blews requested the presence of a mediator pursuant to the employment contract, but CCCU declined. When the dispute was not resolved during the mediation, Dr. Blews, through his counsel, proposed an additional mediation with an agreed upon mediator and secured the date of January 29, 2014, for the second mediation. Not only did CCCU refuse to make itself available for the January 29 proposed mediation, despite CCCU having five Board Officers and a total of 12 Board Members who could have attended the proposed January mediation, but CCCU said it would not make itself available for a second

mediation until March 2014. In the meantime, during the course of the months following his termination in October 2013, Dr. Blews has refrained from responding to numerous press inquiries in the Christian spirit of resolution, even though his reputation has been tarnished by CCCU's damaging press release saying that Dr. Blows was terminated after an "investigation." In fact, Dr. Blews did not commit any legal, financial, moral, or ethical wrongdoing or impropriety as CCCU President. Moreover, Dr. Blews' reputation was further damaged by an article supported by "anonymous" sources, an article filled with such outrageous allegations that apparently those sources were not willing to take responsibility for them, speaking only on the condition of anonymity. CCCU's acts violate the dispute resolution procedures "to resolve disputes with each other in private or within the Christian church." Also during these months, CCCU has refused to pay Dr. Blews the amount due under his contract for a termination with cause even though it is CCCU's very position that he was terminated with cause (a position Dr. Blews vchemently contests, as set forth below). In fact, CCCU ceased providing any salary and most benefits to Dr. Blews in October 2013. CCCU has not even paid unused, accrued leave time earned by Dr. Blews prior to the termination in breach of the Agreement.

¹ While the article refers to the anonymous sources as former employees, the article includes information that Dr. Blews "may sue the CCCU over his dismissal." Only CCCU Board members are privy to that information, showing that CCCU is encouraging and instigating the statements being made by these anonymous sources.

IV. FACTS GIVING RISE TO RELIEF

- On October 12, 2013, CCCU terminated Dr. Blews, effective on October 22,
 2013, allowing him less than ten months to perform in the position. Dr. Blews is 58 years old.
- 7. The Employment Agreement provides the method for unilateral termination in Paragraph 6. This provision states:
 - 6. Termination for Cause. After careful investigation and recommendation of the CCCU Executive Committee, the CCCU Board of Directors, at a duly constituted meeting, may terminate employment and this Agreement for cause. Termination for cause requires a two-thirds (2/3) vote of the full Board of Directors. Termination for cause is limited to the following:
 - 6.1 Action by President that is grossly immoral and felonious;
 - 6.2 An explicit and intentional denial by President of his Christian faith; or
 - **6.3** Intentional failure by President to give best efforts to perform his responsibilities as President and Chief Executive Officer of CCCU.

Upon termination for cause described in subsections 6.1 and 6.2 above, CCCU shall pay salary and benefits accrued as of the date of termination. Upon termination for cause described in subsection 6.3 above, CCCU shall continue to provide President with Base Salary and all benefits until the earlier of (1) twenty-four (24) months from the date of termination or (2) expiration of the term of this Agreement.

A. CCCU breached the Employment Agreement.

8. Dr. Blews was terminated in a meeting with Dr. Charles Pollard (Chair of the Board of Directors, hereinafter "Board") and Scott Whitaker (Board Member). The Board members did not indicate any grounds for termination for cause, nor did they identify any

provision of Paragraph 6 as a basis for termination. Dr. Blews has not engaged in any conduct or behavior that would trigger any of the provisions in Paragraph 6.

Dr. Blews began his term as President and Chief Executive Officer of the CCCU 9. on January 1, 2013. Prior to joining CCCU, Dr. Blews served as the President of the Association of Independent Colleges and Universities of Michigan, a position he held for 28 years.² CCCU approached Dr. Blews to recruit him for the President position, but he initially declined because he did not want to leave his job in Michigan. Dr. Blews was also concerned about dysfunction in the organization and unhappiness among the employees of CCCU. However, CCCU persisted in its efforts to lure him to CCCU and offered him the Employment Agreement to entice him to move to Washington, D.C. and take the job. Dr. Blews accepted with enthusiasm, although he continued to discuss his concerns about the dysfunction and serious problems within the organization and unhappiness among employees with the Board after his acceptance.³ The prior CCCU President also briefed him on numerous challenges within the organization. Before and after his appointment, the Board and its Officers assured Dr. Blews that he would have their full support in the efforts to transform the organization into a more efficient, focused, hard-working organization effectively serving its members, and that the Board recognized that he might need to bring in a new leadership team of vice presidents to work with him.

² Dr. Blews received favorable evaluations, salary increases, bonuses, commendations, and awards throughout his 28-year tenure as President of the Association of Independent Colleges and Universities of Michigan.

³ Dr. Blews' acceptance of the Employment Agreement also required his wife, Dr. Debra Blews, to leave her teaching position at Thomas M. Cooley Law School in Michigan.

- 10. As the new President, Dr. Blews discovered additional serious problems within the organization and was devoting significant time and efforts to address them, including but not limited to a conflict of interest on the part of an employee, nepotism in circumvention of organizational hiring procedures, violations of Board-adopted policies, apparent gender discrimination within the vice presidential salary structure, release of confidential presidential member email rosters in violation of policy, the inappropriate and unnecessary disclosure of employees' Social Security numbers and other private payroll and health information to other employees on the organization's computer system, a structural budget deficit, inefficiencies, and the set-up of profitmaking and other subsidiaries raising concern about the organization's tax-exempt status. After advising the Board of his concerns, in September 2013 Dr. Blews arranged for a confidential financial review of the organization because of red flags that had been raised.
- a letter from Dr. Pollard following up a regular Board meeting during which the Board discussed Dr. Blews' performance. The letter thanked Dr. Blews for all his "hard work" and for his "willingness to listen to us as we work together for the success of the CCCU." The letter stated, "The Board has seen many positive things in this first six months." It cited a number of significant achievements. While the overall feedback in the letter was very positive, Dr. Pollard offered a few sentences of "advice" to Dr. Blews relating to time management and how to communicate his authority within the office so as not to be "offputting." Regarding the advice, Dr. Pollard stated, "You expressed your ready willingness to address these concerns, and we appreciate that willing spirit."

- 12. Dr. Pollard also sent an August 21, 2013 email to the CCCU Board of Directors outlining the "talking points" from its discussion of Dr. Blews' performance. The email confirmed, "Good things have happened in the first six months . . . Ed is working very hard and is fully committed to the job . . ."
- Dr. Blews continued his good performance into the fall of 2013. In late September 13. 2013, Dr. Blews learned that the Board was conducting a confidential workplace investigation through an Interview Committee. On Saturday evening, September 21, the Board's Immediate Past Chair called Dr. Blews, informed him that the Board had met the previous day without notifying him as an ex officio Board member (in violation of the CCCU By-laws), and notified him that the Interview Committee would arrive at the CCCU offices the following Monday morning. During this time, Dr. Blews learned that the Chair or Board had consulted legal counsel. The Board did not disclose the nature of the investigation and instead requested confidentiality with all involved. The Board asked all employees to refrain from discussing the subject matter of the investigation or the investigation itself to protect the privacy of CCCU's employees. Dr. Blews did not know the subject matter of the investigation and was not interviewed as part of it. He respected CCCU's mandate for confidentiality and privacy and continued to perform satisfactory work as the President of CCCU. Before departing on Tuesday, September 24, Dr. Pollard ordered Dr. Blews not to "speak to anyone anywhere about this," not to make any further commitments regarding the 2014 CCCU International Forum, and not to hire any full-time staff or fill any full-time positions without Board approval, thereby hamstringing his ability to serve as Chief Executive Officer.

- 14. Shortly thereafter, Dr. Blews learned that the Board was holding a special meeting on October 9, 2013. The Board did not provide at least fourteen days' notice as required by CCCU's Bylaws, but Dr. Blews waived the notice in good faith. The meeting was held telephonically.
- 15. On October 2, 2013, Board Vice Chair Dr. Barry Corey called Dr. Blews and informed him that the Board, through its Interview Committee, was issuing a devastating report about him based upon interviews of CCCU's employees. Dr. Blews was shocked to learn the substance of the investigation and report. CCCU never performed any formal evaluations of Dr. Blews' performance during the first nine months of his employment, so it is clear that CCCU never needed to address performance problems. In fact, while Dr. Blews received some "advice" amongst overall positive feedback less than two months prior, Dr. Blews was never disciplined regarding his performance throughout his tenure with CCCU. Dr. Blews had been working extraordinarily hard, far beyond the call of duty throughout the time he served as CCCU President. He had achieved remarkable progress for the organization in that short period of time, as acknowledged in the August communications and as detailed in his reports to the Board.

⁴ The CCCU's Employee Manual, in Section 5.3, provides, "If the dispute personally involves the president, and cannot be resolved with the president, then the matter should be brought to the attention of the chair of the board. The president should be notified of any communication with the board chair." CCCU's policy mandates that employees must try to first resolve any dispute with the president prior to bringing it to the attention of the chair of the board; however, the employees never tried to resolve any of the alleged complaints with Dr. Blews. Further, CCCU violated its own policies in failing to notify Dr. Blews of these employees' communications. Finally, the Board breached its Bylaws by holding a meeting on September 20, 2013 without providing notice to Dr. Blews, an ex officio director pursuant to the Bylaws.

There were a number of major achievements under his short time of leadership. He also articulated a new 7-point vision for the future of CCCU in extensive consultation with the Board and membership, which was adopted by the Board in July 2013. Under his leadership and insistence, he eliminated the substantial 2012-13 budget deficit, and a balanced budget was adopted for 2013-14. Dr. Blews was working on an executive reorganization, and as staff vacancies occurred, was examining some consolidation of positions to promote greater efficiency and savings. To help set an example in addressing the 2012-13 budget deficit, he personally assumed significant expenses during the first six months, and he and his wife made substantial contributions to the organization. The President's spouse, Dr. Debra Blews, a CCCU Senior Fellow designated by the Board, contributed substantial and valuable pro bono legal services for the organization's study abroad programs.

16. On October 3, 2013, Dr. Corey forwarded the report to Dr. Blews. Dr. Pollard conducted the investigation and issued the report along with Dr. Kim S. Phipps. The report included numerous false statements about Dr. Blews. Contrary to the basic principles and standards of internal workplace investigations, the investigators did not question Dr. Blews or give him any chance to address the specific allegations of any complaints. He was given no reasonable opportunity to defend himself, nor was he given an opportunity to provide names of witnesses or documentation to support his defense. Further, instead of sticking to the facts, the

⁵ The Board engaged biased internal Board members and a CCCU Senior Fellow. The Board members had little or no experience investigating claims.

report was filled with subjective and biased conclusions and adjectives. It cited and attempted to escalate minor complaints of current and disgruntled prior employees. Perhaps most striking was the fact that the investigators inserted the words "intentional failure" and "intentionally failing" into almost all of the report's subject headings, despite the fact that each section contained no factual support for the conclusion that any alleged conduct or "failing" on the part of Dr. Blews was intentional. Dr. Blews became alarmed that the report, containing allegations he heard for the first time and the result of an improperly conducted internal investigation, was a pretextual effort by CCCU to get out of its contractual obligations to Dr. Blews. It could not be coincidental that the report repeatedly echoed the exact language of the Employment Agreement's provision for termination for cause - "intentional failure." Nothing in the report established an "intentional failure by President to give best efforts to perform his responsibilities as President and Chief Executive Officer of CCCU."

17. Upon receipt of the report, Dr. Blews began drafting a response. Even though the report was already issued, this was his first opportunity to address the allegations. While his written response refuted the allegations, it also dispelled the unsubstantiated notion that Dr. Blews was intentionally failing to use his best efforts as President. His response began:

Let me begin by repeating my October 2 message to the Board. Please be assured that I remain completely committed to the CCCU and the cause of Christian higher education, and continue to work very hard in this role. I continue to be humbled and honored to have been called to this position. Truly this is a great cause we are privileged and blessed to serve. And again, it is my heartfelt desire to work with you to faithfully and appropriately address your concerns. I respectfully and humbly ask the Board to work with me and to support me as we together seek to transform the CCCU and advance the cause of Christian higher education as we committed to do when we entered into this relationship clearly intended to be long-term such a relatively short time ago.

- 18. Dr. Blews also understood that the purpose of discipline or an internal report is to improve performance and correct the issue. Upon learning of these allegations for the first time in the report, he began addressing the only legitimate purpose of such a report to remedy any perceived performance problem. His written response included three proactive proposals to improve and remedy any problem:
 - I) I propose that the CCCU authorize me to engage an "Executive Coach" to confidentially work with me to help me to better understand the CCCU and Christian higher education culture and to assist me in adapting my leadership style to effectively work with that culture and better lead the organization . . .
 - I propose that we bring in a mutually acceptable (to CCCU Board and President) mediator to work with the three Cabinet level staff who are talking of leaving and me together to encourage them to stay, assure them that there will not be repercussions against them, and to attempt to assess and address their concerns . . .
 - 3) Finally, I propose that we promptly bring in a mutually acceptable organizational consultant to review the organizational and staffing structure as well as the Board governance role and the Board-President relationship, and make recommendations to improve and adapt the organization to the priorities and goals identified in the seven points of vision endorsed by the Board at the July 2013 meetings...
- Dr. Blews distributed his written response via email prior to the October 9, 2013
 Board meeting. A copy of Dr. Blews' written response is attached as Exhibit A.
- 20. On October 7, 2013, Dr. Blews discussed the report with Dr. Corey via telephone.
 Dr. Blews expressed his shock at the contents of the report. He then sought advice and direction
 as to how he could address the allegations and correct any issues. Dr. Corey replied that it would

be "very difficult for you to overcome this report." Dr. Corey acknowledged that Dr. Blews had "worked incredibly hard" and that "whatever comes out of this, you are very seasoned and talented and great in advocacy." Dr. Corey then explained that the" real problem" is a "misfit" between Dr. Blews' style of leadership and the culture of the CCCU. Dr. Blews was relieved to hear the problem identified as a "culture misfit," as any "misfit" was clearly unintentional and something that could be addressed and remedied. He then asked Dr. Corey how to correct or address the "misfit," suggesting executive coaching as an option. But Dr. Corey questioned whether executive coaching could effect a change, responding, "You can't teach an old dog new tricks."

21. Dr. Blews attended the October 9, 2013 telephonic Board meeting. Unlike all other employees interviewed as part of the investigation, Dr. Blews was not interviewed privately by the three individuals conducting the investigation about the concerns or complaints. Instead, he was only given an opportunity to address the allegations before the full Board after the report was concluded and written. After Dr. Blews responded to the allegations, the Board did not respond with any open-ended questions and instead asked only leading questions about a few of the allegations. The Board did not ask Dr. Blews for names of other individuals who may have information about the allegations. Further, the Board did not accept or even show interest in Dr. Blews' proposals to correct any perceived problems, and in fact, the Board offered no steps to

⁶ Dr. Blews is 58 years old. This inappropriate remark related to Dr. Blews' age shows that CCCU was acting on a discriminatory stereotype in failing to allow Dr. Blews any opportunity to remedy the situation. Dr. Blews is filing a Charge of Discrimination with the Equal Employment Opportunity Commission, and once he receives the prerequisite Right to Sue letter, he will seek to amend this Complaint to allege his age discrimination count.

remedy the alleged concerns. The Board showed little interest in learning whether the allegations in the report were factual or whether the problems could be remedied. Instead it simply wished to rely on the report to get out of its contractual obligations to Dr. Blews.

- 22. Consistent with the Board's prior actions its failure to provide any initial disciplinary measures to allow Dr. Blews an opportunity to correct any performance concerns, its failure to communicate with Dr. Blews about any of the alleged concerns prior to issuing the report, its failure to interview Dr. Blews as part of its internal investigation, its issuance of the biased and subjective report, its failure to adhere to the standards of internal workplace investigations, its agist remark, and its refusal to consider any remedies to the alleged problems CCCU maneuvered to relieve itself of its contractual obligations and terminated Dr. Blews on October 12, 2013. The termination occurred only three days after the telephonic Board meeting during which be was allowed his first opportunity to respond to the allegations.
- 23. Pursuant to Paragraph 6, any termination for Dr. Blews' "intentional failure" to give best efforts triggers CCCU's obligation "to provide President with Base Salary and all benefits until the earlier of (1) twenty-four (24) months from the date of termination or (2) expiration of the term of this Agreement." Dr. Blews' Base Salary was \$303,850. Accordingly, if CCCU based its termination on an intentional failure on the part of Dr. Blews, it was obligated to provide Dr. Blews with Base Salary payments of \$607,000 and all benefits for two years plus accrued, unused leave time earned before he was terminated, with a total value of \$1,090,143.33. Yet CCCU was not finished with its maneuvering to get out of its contractual obligations. Even if Dr. Blews intentionally failed to use his best efforts, which he vehemently denies, there is no

dispute that CCCU must provide him with two years of Base Salary and all benefits. But CCCU continued its efforts to disregard its obligations under the Employment Agreement and stated its intention to breach the contract. CCCU offered Dr. Blews only \$200,000 and no benefits.

Recognizing that this action breached the Employment Agreement, Dr. Pollard threatened to publicly disseminate the false report – a report considered confidential under CCCU's practices, policies and procedures to protect employee privacy and confidential pursuant to standard internal workplace investigation practices - unless Dr. Blews released all of his rights under the Employment Agreement within one week. Dr. Pollard offered to issue a press release stating the following if Dr. Blews resigned and gave up all his legal rights under the contract: "The Board of Trustees of the Council for Christian Colleges & Universities and Dr. Edward Blews have mutually agreed for him to step aside from the presidency of the CCCU because of philosophical differences over the leadership approach to the Council. The Board is grateful for his service and wishes him all God's blessings as he seeks new opportunities to use his gifts and talents to further God's kingdom."

24. CCCU has no grounds for terminating Dr. Blews for cause. It is simply trying to avoid paying Dr. Blews the payments he is contractually entitled to upon a unilateral termination without cause, payments totaling \$2,204,894.72. CCCU is refusing to pay Dr. Blews through the remainder of his contract, until December 31, 2017. Further, CCCU is now requiring additional terms beyond the employment contract for any payment. The additional terms include additional

⁷ The CCCU's Employee Manual, in Section 5.2, promises, "Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action."

confidentiality obligations and a full release of claims. The Employment Agreement does not entitle CCCU to receive these items. CCCU is once again fabricating a termination for cause in an attempt to obtain a full release from Dr. Blews.

V. <u>CLAIMS FOR RELIEF</u>

COUNT I (Breach of Contract)

- 25. Paragraphs 1-24 are repeated and realleged the same as though pleaded in full.
- 26. By failing to pay Plaintiff pursuant to the terms of his Employment Agreement,

 Defendant has breached its contract with Plaintiff, thereby causing him monetary damage.

WHEREFORE, Plaintiff requests that this Court enter a judgment:

a. Directing Defendant to pay Plaintiff damages for its breach of contract.

Respectfully submitted,

RIFKIN, WEINER, LIVINGSTON, LEVITAN & SILVER, LLC

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Attorney for Plaintiff, Dr. Edward O. Blews, Jr.

Date: February 12, 2014

VERIFICATION

I, Edward O. Blews, Jr., being duly sworn on oath, do hereby state that I have read the

foregoing Complaint and that it is true to the best of my knowledge, information, and belief.

Edward O. Blews, Jr.

Subscribed and sworn to before me

this 124 day of February

My Commission Expires: 11 14 2016

KRISTAL WIGGINS
Dishict of Columbia Notary Public
My Commission capites lieve the 14, 2016

CCCU PRESIDENT EDWARD BLEWS' RESPONSE TO SUMMARY REPORT OF COUNCIL FOR CHRISTIAN COLLEGES & UNIVERSITIES (CCCU) BOARD "INTERVIEW COMMITTEE"

Respectfully submitted by Edward O. Blews, Jr. CCCU President

After reading the Summary Report of the CCCU "Interview Committee," I am completely surprised and shocked by the assertions and allegations in this narrative and am stunned by the claims of intentional failings on my part, assertions which in many instances are patently untrue. Since taking office as CCCU President on January 1 of this year, I have devoted my whole heart, mind, and body to serving as the President of the Council for Christian Colleges & Universities, and have worked very, very hard, giving every ounce of my energy and devotion to this great cause, as has been kindly acknowledged on many occasions and in many forums. Generally, I work an average of 60-70 hours a week for the CCCU, except on the rare occasions when I have been able to take some vacation time (and even then I was staying in touch with CCCU electronically.) When I reflect back on my whirlwind work and schedule and on the things we have accomplished and the issues we have addressed since the first of this year, it seems hard to believe that it has only been nine months since I became CCCU President. Certainly I freely acknowledge that I have made mistakes (unintentionally, I assure you) and at times have been overwhelmed by the extensive demands during these early months of this position as I attempted to address many issues and reach many constituencies and as my wife and I transitioned from Michigan to Washington, DC, but I have given the full measure of my devotion and energy and professional commitment to this cause.

Having said that and as personally painful as it is to read it. I want to say that I am grateful to the Board for giving me this opportunity to respond to the Interview Committee Report, because I sincerely want to understand the Board's concerns and am committed to doing everything appropriate to address all legitimate concerns. I also care deeply about what the CCCU staff thinks, as evidenced, I believe, by the steps I have taken to work, communicate, and reach out to the staff serving under my leadership, including chairing staff meetings (which were not chaired by Presidents in the past) and engaging in open dialog with the staff. This past weekend after returning from speaking at the Huntington University Presidential Inauguration on behalf of the CCCU and conducting an interview with a vice presidential candidate as well as meeting and talking with numerous persons and then hosting a Calvin College event in our CCCU Dellenback Center on Saturday, I carefully studied and prayerfully pondered the Interview Committee Report. Please know that I have spent much time in scripture and prayer as I contemplated this hard report. I am praying for God's gracious guidance and wisdom in attempting to respond to this voluminous report.



POSITIVE PROPOSALS OF COMMITMENT TO ADDRESS BOARD'S CONCERNS

Let me begin by repeating my October 2 message to the Board. Please be assured that I remain completely committed to the CCCU and the cause of Christian higher education, and continue to work very hard in this role. I continue to be humbled and honored to have been called to this position. Truly this is a great cause we are privileged and blessed to serve. And again, it is my heartfelt desire to work with you to faithfully and appropriately address your concerns. I respectfully and humbly ask the Board to work with me and to support me as we together seek to transform the CCCU and advance the cause of Christian higher education as we committed to do when we entered into this relationship clearly intended to be long-term such a relatively short time ago.

In that spirit, I propose to the Board the following steps:

- 1) I propose that the CCCU authorize me to engage an "Executive Coach" to confidentially work with me to help me to better understand the CCCU and Christian higher education culture and to assist me in adapting my leadership style to effectively work with that culture and better lead the organization, recognizing that my prior 28 years of higher education association presidential leadership were in the broader sector of private higher education generally, which is a different culture. Further, permit me to suggest two names for this purpose. The first is Dr. Alvin O. ("Bud") Austin, the President Emeritus of CCCU-member LeTourneau University, a longtime administrator and now consultant in Christian higher education, and a former Chair of the CCCU Board. The second is Al Lopus, the President and cofounder of the Best Christian Workplaces Institute. The idea of providing an executive coach was raised in Chairman Pollard's August 9 letter to me. I wholeheartedly embrace that idea.
- 2) I propose that we bring in a mutually acceptable (to CCCU Board and President) mediator to work with the three Cabinet level staff who are talking of leaving and me together to encourage them to stay, assure them that there will not be repercussions against them, and to attempt to assess and address their concerns, as I continue to lead and serve as your President. I care deeply about the CCCU and them, and wish to try to restore and enhance those working relationships. Given the sincerity of their concerns about the CCCU, I'm confident that they would be willing to engage in this approach as it's in the best interests of the CCCU.
- 3) Finally, I propose that we promptly bring in a mutually acceptable organizational consultant to review the organizational and staffing structure as well as the Board governance role and the Board-President relationship, and make recommendations to

improve and adapt the organization to the priorities and goals identified in the seven points of vision endorsed by the Board at the July 2013 meetings. The current vacancies give an ideal opportunity for executive reorganization as we transform and move the CCCU forward into the future. The organizational structure of the past may not be the best model for our future.

PERSPECTIVES TO GIVE CONTEXT TO BLEWS RESPONSES

Before addressing specific concerns in the Interviews Committee Report, I would like to offer some important perspectives to place the situation and my responses in context, which I hope will be helpful reminders to all of us.

First, I did not seek the Presidency of the CCCU, but rather the Board pursued me for the position, for which I am humbly honored. Though apparently nominated by a number of presidents and leaders, I did not submit an application and declined to be a candidate. After being further approached by the CCCU Presidential Search Committee and agreeing to have a conversation (not an interview) with the Committee, I asked that I not be brought forward as a semi-finalist or a finalist for the position. This was not because I didn't highly respect and love the CCCU, which I did and do, but because both Debra and I had dream jobs in Michigan (I as the President for 28 years of the Association of Independent Colleges and Universities of Michigan and she teaching at the Thomas M. Cooley Law School) to which we felt we had been called, we were living in our dream house on a beautiful spring-fed lake in a State we loved, and our lives, though extraordinarily busy, were rewarding and joyful. And then, as recounted in my Inaugural Address and in the Spring 2013 Edition of the CCCU Advance, first the CCCU Board and then the Lord came calling in a dramatic fashion. It is probably important to remind ourselves at this apparent crisis point that then-CCCU Chair Kim Phipps and Search Committee Chair Carl Zylstra asked Debra and me to meet with them in Chicago where they informed us that the Search Committee and Board, after careful prayer, felt led to call us to the CCCU Presidency. We agreed to pray about it, making clear that there would have to be a clarion call from God to us as well and a sense of being released from our calling in Michigan. And then, as told in the CCCU Advance, in a Sunday morning service, the Lord dramatically called us to the CCCU Presidency. Nonetheless, when I subsequently interviewed with the full Board, I emphasized that though we felt the call of God, the final decision whether to call us was in the Board's hands. Subsequently, the Board voted (unanimously, I was told) to offer me the CCCU Presidency, and it graciously endorsed the appointment of Debra Blews as a Senior Fellow in recognition of her leadership and international law expertise. During that process, the Board and Board leadership emphasized that I would have the full and strong support of the Board for my leadership of the organization, even in dealing with challenging situations.

Second, we accepted the Board's offer with complete enthusiasm and great joy—and from that day have been "all in" for the CCCU, viewing this as a wonderful organization, a calling to a great global Godly cause, and the culmination of my life's preparation and career. We bought a townhouse, at significant financial sacrifice, four blocks from the CCCU office and within walking distance of the U.S. Capitol. This enables me, when in town, to spend long days and late evenings working in the office before walking back home at night, and to walk over to the office to put in additional work on weekends. We have placed our Michigan dream house on the market in a still-challenging economy in that State. We are all-in. In a set of talking points which CCCU Chair Chip Pollard provided to the CCCU Board in August, he stated "Ed is working very hard and is fully committed to the job (moved to Capitol Hill, etc.)."

Third, we sacrificed financially to accept the CCCU Presidency, accepting a reduction in my compensation compared to Michigan, giving up Debra's law school faculty position, and incurring the dramatically higher cost of housing and living in this area vis-à-vis mid-Michigan. We did so gladly because of God's call and our joyful commitment to the CCCU.

Fourth, as the Board and I discussed hriefly in executive session at the July 2012 Board meetings and more extensively at the January 2013 meetings, we realized that there were some serious problems and challenges in the internal culture of the CCCU organization, that the organization had bureaucratic tendencies, that there were performance problems in some significant areas, and that there was a silo mentality between various units and particularly toward the president's office. As Board members, we heard previous CCCU President Paul Corts state that the third floor (professional development and research) doesn't speak to the fourth floor (finance and administration) doesn't speak to the second floor (president's office and communications) doesn't speak to the Dellenback Center (student programs). We discovered during the July 2012 meetings, that the Finance and Administration Unit had ignored and missed the "safe harbor" for removing abortifacients under the Affordable Health Care Act, even as the CCCU was encouraging testimony and lawsuits against the abortifacients mandate. While we were discussing my appointment to the position and during and after the July 2012 Board meetings (shortly after I had been named CCCU President-Elect) and the January 2013 Board meetings (a month after I had taken office), the Board and Board leadership emphasized that I would have the Board's strong support and recognized and emphasized the importance of having "your own team" of Vice Presidents and cabinet members, even if that meant making changes.

Fifth and very importantly, during the first nine months of my presidency (it's only been three-quarters of a year!), we have achieved many important successes, made very significant progress, and pursued strategies to position the organization for the future—and I have covered a tremendous amount of territory serving as your president. The first seven months

of my service to CCCU was a worldwide whirlwind as we built the base, communicated the vision, set the stage for the future, and addressed many issues and challenges internally and externally. Permit me to briefly cite some highlights.

- A) Our January CCCU Presidential Inauguration and Presidents Conference were very successful, setting the stage for the future and a new sense of excitement among our member college and university presidents, including prominent speakers and a special Town Hall confidential conversation I engaged in with our presidents on the last day of the conference.
- B) As the Board knows, a top priority for the first seven months of my Presidency was to carry the message and vision of the CCCU to as many of our constituents and other audiences as possible, to connect with as many of our presidents, administrators and faculty as possible, and to hear feedback from our full constituency through a series of Town Halls, with the goal of building excitement and support for the CCCU. In addition to the Presidents Conference, I traveled to each and every one of our other CCCU Conferences to give CCCU Keynote Addresses tailored to each audience, to conduct Town Hall conversations to obtain feedback from our constituents, and to meet with each of our CCCU peer group commissions, including our Financial Aid Officers Conference (Orlando), Chief Enrollment Officers Conference (Phoenix), Chief Institutional Advancement Officers Conference (Austin), Chief Academic Officers/Senior Student Development Officers Conference (Phoenix), Campus Ministry Directors Conference (Ashville), Technology Conference (Chicago), New Faculty Institute (Philadelphia), Changing Faces Conference (Portland), Chief Finance Officers Conference (LA), Multi-Ethnic Leadership Development Institute (Sumas), and Public Relations Officers Conference (Seattle). We continue to receive very positive feedback from presidents and other administrators as a result of these efforts.
- C) In these first nine months, I have delivered 30 formal speeches on behalf of CCCU in Washington, across the country, and around the world, including speeches to the Faith and Law Forum in the U.S. Capitol complex, Commencement Addresses at Asbury University (Debra also delivered a Commencement Address there), Newbold College, and Spring Arbor University, and remarks at three CCCU college Presidential Inaugurations.
- D) Senior Fellow Debra Blews and I have traveled to three countries to provide leadership and address major matters for our CCCU Best Semester programs in those venues. We spent a whirlwind week in Uganda, working with and observing the CCCU Student Academic Programs Commission program review process, meeting and working with our Uganda Studies Program staff and Uganda Christian University leadership, and

delivering speeches (including my chapel address the day after my sister died). We traveled to Australia and the campuses of Christian Heritage College, the Wesley Institute, and Alphacrucis College to negotiate the agreement and finalize the very important move of our Australian Studies Program from Sydney to Brisbane to assure its success. We flew to England for critical meetings with our CCCU Oxford Program staff and the current and incoming leadership of Wycliffe Hall to address a pending challenge to our program there due to Oxford enrollment restrictions. And here in Washington, I interacted with our American Studies Program and Washington Journalism Center staff and students, including speaking at and participating in several student events.

- E) On the advocacy front, working with Shapri, we crafted and submitted our formal comprehensive CCCU statement and positions on religious liberty in response to the HHS Abortifacients Mandate Notice of Proposed Rulemaking. We submitted to the leaders of the U.S. House Tax Reform Working Group (including my good friend, House Ways & Means Committee Chair Dave Camp) a strong statement in support of the charitable contributions deduction. In both cases, I circulated copies and special messages to our CCCU membership. And I signed onto the Evangelical Statement of Principles for Immigration Reform. I have communicated and worked regularly with NAICU President David Warren, including participating in and speaking at the NAICU Board Tax Policy Committee on which I serve and at the NAICU Board meetings in San Diego. Recently I participated actively in the fall meeting of the ACE Washington Higher Education Secretariat, after participating in the earlier Spring meeting of the NAICU Higher Education Secretariat.
- F) As the Board knows, I have been evaluating and addressing a number of organizational and performance problems within certain areas of the CCCU, which have required extensive time and attention.
- G) We eliminated a mid-year deficit projected at nearly half a million dollars in our 2012-13 CCCU Budget, balanced the budget, and closed the fiscal year with a projected surplus of \$11,383. (In order to set an example and help balance the budget, I personally delayed implementing several of my fringe benefits and absorbed some reimbursable expenses during the first six months of 2013 to save a projected \$13,750 to help balance the budget.) We produced for the Board a 2013-14 CCCU Budget which addressed and resolved the structural CCCU deficit.
- H) During a long week in July, we conducted successfully (based on the feedback), in Albuquerque, a New Presidents Institute and a Governance Institute, over which I presided and at which I made numerous presentations (along with presentations by other experts we brought in, Debra as a Trustee, and Shapri).

I)Our formal John Templeton Foundation grant proposal for up to \$1.7 million for the CCCU/SCIO project "Oxford Interdisciplinary Seminars in Science & Religion" was completed and submitted with Stan Rosenberg in the lead and with review and input from me. Our prospects based on the response so far are very encouraging. And the Green Family Foundation has agreed to work with CCCU/SCIO to take the lead on the Gren Scholars Logos Conference for the next five years.

The Interview Committee report quotes in several places the post-July Board meeting communication from the Board Chair critiquing my management in terms of timely responses to emails and telephone calls, time management and delegation, and off-putting communication of my authority as president (and those are areas I have been diligently working to address, as is acknowledged in subsequent emails and in the Committee Report.) However, the same post-July Board meeting communication also contained the following paragraph (for which I am grateful) but which I don't see in the Interview Committee Report:

"The Board has seen many positive things in this first six months. The move of the Australian Study Program from the Wesley Institute to the Christian Heritage College is a good decision that was well executed. We were glad to hear about the hiring of Doug Magnuson as the new director of Middle East Studies Program, and we look forward to future stability in that program. We appreciate your advocacy efforts to advance and protect our universities' religious liberties on several important issues in these first six months. We have heard good reports from a variety of sources on your inaugural speaking tour at the peer group conferences this past six months. We also appreciate your hard work and your deep commitment to the cause of Christian higher education.

"We also recognize that some things are still in flux in these first six months. We know that you are still trying to get a handle on the finances of the organization and that you are short staffed because of some resignations and normal attrition. We look forward to the results of the forensic financial audit and for you to have the chance to hire key positions and build your own team. We also know that the upcoming International Forum represents a great challenge and opportunity for the CCCU. Because of schedule and staffing, the organization is behind in the planning for the conference, but we appreciate your assurances that a successful Forum will be your primary objective over the next six months. We will do what we can to help you with that objective."

(The Board also approved a 3% salary increase for me at the July meeting, for which I am deeply grateful.)

If I may speak respectfully but candidly, I was surprised and remain baffled that things have escalated so unexpectedly and rapidly from the Board's perspective between the Board meetings at the end of July and the end of September.

RESPONSE TO (II) PROCESS SECTION OF INTERVIEW COMMITTEE REPORT

During the afternoon/evening of Saturday, September 21, while Debra and I were in New York for a gallery reception for a juried showing of our son's art, I received a message from and subsequently spoke with CCCU Past Chair Phipps who informed me that the previous day (Friday) the CCCU Board had met by conference call, unbeknownst to me as an ex officio director, that the Vice Chair had had conversations with CCCU staff, and that the Board had authorized Chair Pollard, Past Chair Phipps, and a consultant to meet with me Monday morning at 8 am and then to meet with the CCCU staff. I was instructed to meet them in my office at 8 am.

When we met on Monday morning, I expressed concern about the Board having met the previous Friday without any notice to me as an ex officio director, pursuant to Bylaws requirements, which was a legitimate question for the CEO to raise. I certainly did not mean to be "combative and uncooperative" in doing this. During that meeting, I did in fact ask what the Board and staff concerns were, as I asked for an opportunity to respond to them to the full Board, but Chair Pollard declined to share them citing fear of retaliation or public humiliation against the staff. I then expressed objection for the record to the plan for the three of them to meet collectively and then individually with the CCCU staff without me present over the next two days. It is oft-cited in higher education and association governance principles, that the Board has one employee and that employee is the CEO and that all other staff ultimately report to the president of his/her designees. I was concerned that Board leadership meeting with my staff in this way would severely undermine my ability to serve as the President and Chief Executive Officer of the CCCU under my presidential contract clause which outlines my responsibilities: "Edward O. Blews, Jr, shall serve as the President and Chief Executive officer of CCCU and shall have the authority and responsibility for the overall management and ongoing leadership of the CCCU. President shall report and be accountable to the CCCU Board of Directors. All CCCU vice presidents and other staff designated by president shall report directly to and be accountable to President and all staff shall be ultimately accountable to President, under the administrative structure and procedures designated by the President...." The Chair responded that they would proceed as planned and ordered me not to talk to staff about it. I was very concerned about this and felt that my hands were being tied. I wanted an opportunity to understand and learn about the concerns, and as important, I wanted to be sure I could fulfill my contractual job duties.

During their two days of meetings with the staff, I endeavored to continue to do my work, which naturally necessitated interactions with staff and the normal pleasantries. I was careful not to talk with or ask staff about the meetings, though the gag instruction puzzled me. I have no idea what "seemingly" invited them to talk about the meetings means. On the morning after their two days of meetings with the staff, I received a cc of an email from Chair Pollard to my

senior Vice President asking her to send his follow-up message to CCCU staff, including inviting them to contact him directly by email or various phone numbers. I did go to the Vice President's office to ask if she had sent the message yet, because I was concerned about a statement in it and was going to call the Chair to discuss it. She said it had already been sent to staff, and asked me why I was concerned. I briefly described my concern, and she gave helpful feedback. I did say that I realized she may have to report me. We discussed it no further.

The Chair, Past Chair, and Consultant did not share any of the "concerns" or issues with me, despite my repeated request for an opportunity to respond to the full Board. They indicated that I might eventually receive a copy of their written report, but added that there might not be a written report, and I probably could respond then to the Board, though the procedure was yet to be decided. With regard to the "concerns," the Chair only stated that in their meetings with staff there had been "significant concerns and consistent themes." Consequently, I did not have an opportunity to respond to the concerns before the report was written, and receiving the report was the first I learned of the concerns. The Chair then gave me a series of orders: 1)"You should not speak to anyone anywhere about this;" 2) "You should not speak to staff about this"; 3) The staff person acting as my assistant was reassigned by the Chair to report to another staff person, "to give her space," and would not be processing my emails, schedule or work. 4) "No commitments are to be made on the International Forum." 5) "You cannot hire anyone for long-term employment without Board approval." Obviously, this makes it difficult for me to function as President and CEO, but I have continued to work diligently and do my very best under the circumstances, with a sense of sadness.

RESPONSE TO "GENERAL REFLECTIONS ON RESPONSES"

It certainly has not been my intent to create a "toxic" or "hostile" workplace, the characterizations used in the Interview Committee Report. I am very surprised and puzzled by the sense of fear or anxiety reported about me. I try to be friendly and encouraging of staff, and to work with them cooperatively. After becoming CCCU President, I announced that I would chair staff meetings, and have made that a priority, because of the high value I place on the work of our staff, the importance I place the privilege of being their leader, and my desire to communicate and interact more closely with the staff. I did talk with certain trusted members of the President's Cabinet, but only them, about the performance of some positions and units, and sought their feedback and experiences, as part of my process of evaluating organizational performance and problems. One senior member of the President's Cabinet was quite outspoken about the poor performance and problems with certain staff, and I found her examples of problems and assessment of the situation, as a member of the President's Cabinet, helpful in evaluating circumstances. Perhaps it was an error for me to have these confidential conversations, but they gave me important history and perspective. This is not unlike the Board coming in and asking my staff what they think of my performance.

Let me emphasize that I have never intended, and to my knowledge have not, publicly denigrated staff and I have certainly never retaliated. Nor have I tried to create factions—I just want everyone to work hard and perform successfully for the organization. No examples are given, except the website error which is addressed later in this report, so it's difficult for me to even respond.

RESPONSE TO CONCERNS RE "STAFFING CRISIS"

Current Open Senior Positions: At the July Board meeting, I reported on my plans and strategy to address open senior positions, which I have continued to pursue after taking two weeks of working vacation to finish preparations to place our Michigan house on the market. To be clear, the Vice Presidents for Finance and for Professional Development announced their resignations in June, effective the end of July, so the positions have not been open that long. As the Chair noted in his August talking points to the board, "We look forward to Ed building his own team to lead the CCCU, and we ask for people's patience in the transition because the office is a bit short-staffed and it will take some time to fill the key roles."

Dr. Pam Jones continues to serve well as our Vice President for Communications.

After telephone interviews and then in-person interviews in August and early September with three very strong candidates identified for us by the financial services arm of our Auditing Firm, I brought on board as our Interim Chief Financial Officer (as planned) Janine Jackson, who was clearly the strongest, initially in a consulting capacity which is to our advantage and is initially necessary vis-à-vis our firm. She has very strong credentials, including undergraduate education at a Christian college and both an MBA and a Masters in Nonprofit Management, and excellent financial management and human resources experience in major organizations. She is doing a superb job for us, working closing with our Accounting Administrator. Currently Janine as Interim CFO is working half time for us, and accomplishing an impressive amount of work in that time, including handling our payroll, benefits and human resources issues and already solving several perennial problems. Janine is a professing Christian with a wonderful testimony. And she happens to be African-American, which is important to our diversity. I have asked her to let me know if she needs additional help during this interim period and our financial services firm is prepared to provide it, which will still keep us within budget. She has verified that we have proper internal controls in place. Under her leadership, our 2012-13 audit process is underway. She is also quietly conducting the forensic financial review we discussed, and will be advising on the staffing levels and structures actually needed for an organization of our size and type. After her part-time consulting period, I will probably offer Janine the full-time Vice Presidency, based of course on her ongoing performance.

Our Interim Vice President for Student Programs Deb Kim is doing an excellent job in that role, with extra appropriate supplemental compensation, but I will soon post the position (which probably needs to be a Ph.D. long-term) to identify the permanent Vice President by the second semester. Ms. Kim is assured of going back to her Director of Student Programs position in an enhanced title, but will be free to be a serious candidate for the Vice Presidency though she doesn't have a Ph.D.

As the Board knows, I had a finalist interview with a very excellent candidate for the Vice President for Professional Development and Research position last week. However, I have been denied authority to hire at this point.

Mid-Level Positions: The new VP for Professional Development, when named, will select the Director of Research. The Director of Conferences moved to Chicago with her husband, Vice President for Student Programs Ken Bussema, when he retired. During the time in question, the VP for Professional Development, Conference Director, and I had difficulty meeting because of the busy travel schedules for all three of us during that time. She and I actually met at a conference in Scattle in June as well as in the CCCU offices briefly, and she indicated that she would not be available to serve as a consultant to CCCU during the summer months and while interested in working with commissions was not interested in overall conference coordination for the International Forum. Consequently, I decided that it would be better to go in a different direction to seek full-time focus on our conference planning, and identified, talked with and proposed, as reported in detail to the Board Programs Committee, a nationally known major Christian conferences planning expert, Steve Cauble, who would be able to come alongside us virtually full-time for the International Forum as well as to advise us on the most effective conference staffing approach for the future. I set forth this conference consultant/staffing strategy in detail in my September 13 comprehensive memo to the Programs Committee. As already explained, Interim CFO Jackson is ably serving our human resources needs presently (everything is being processed on track) and will be advising on the best staffing structure for the future As the Board knows, there were major problems for the organization in this area previously, including our discovery that the prior HR Director had placed a number of employees' W-2 forms, social security numbers and health insurance information on a shared documents site accessible to all employees. Upon discovering that, I directed the immediate scrubbing and double-checking of our system to remove this employee privacy information from such access. Moving to the next staffing issue raised, in fact the BestSemester Campus Relations Director has been filled by Leah Mullen, an excellent professional who is already at work for us. I authorized and encouraged Vice President Jones to proceed with the posting of the Editorial Director position, after the previous selection chose not to join us. As noted, I am working on short-term and long-term strategies to serve in the Administrative/Executive Assistant to the President role, which was being temporarily served by our Administrative Coordinator until the Board Chair assigned her to another staff person. The junior positions in transition were normal

turnover when an employee was married and moved away with her husband to Boston and another started grad school. Those positions were filled.

Remaining Staff Commitments: I am very surprised to learn that three of my cabinet members have told the Interview Committee that they will leave if the current president continues or if we go ahead with the International Forum. It's unfortunate that the Board seems to be put in the position of choosing between its president and three staff who report to him. I repeat my sincere desire to address this situation through the proposal I have articulated earlier in this report. At the July Board meeting, I believe the terminology I used was that I had strong confidence in these staff persons (I generally use the term loyal in the context of loyalty to the mission and cause). In my September 13 comprehensive memo to the Programs Committee, I said that "We (I was using the editorial we) have been developing a staffing and professional services strategy, assuming that we go forward with the 2104 event..." As was explained, the discovery of Steve Cauble was a significant factor in that assessment. When I declared that certain staff would "devote significant leadership, time, and attention" to the International Forum, I assumed that if the Board said it was a go, and I as President asked them to do that as clearly a part of their responsibilities, that they as good and hardworking professionals would do so. Even now, after reading the Board's report, I would be surprised if they refused to do so if asked. This would be an inherent part of their responsibility, and mine, if the Board says we go forward with the Forum. Let me be very clear that the Vice President from whom I sought thoughts on the pros and cons of going forward, did express concern about our short-staffing, but did not suggest that we wouldn't all pitch in if it was a go. Her feedback was part of the confidential advice I sought as I endeavored to give my best recommendations to the Board, and I did identify concerns about short-staffing and that some staff would be relieved not to go forward with it.

RESPONSE TO ASSERTION OF "INTENTIONALLY FAILING TO EXECUTE DECISIONS IN A TIMELY FASHION"

I must declare most adamantly that I have NOT intentionally failed to execute decisions in a timely fashion or set up policies intending to fail them. In fact, if one were to comb the entire record, I believe it would show that I have made the vast majority of significant decisions in a prompt and timely manner. And I intend to make all decisions in a timely fashion, though that may not be the same timing as expected by a staff member.

As already explained in detail, during the first seven months of this year I was on a worldwide whirlwind of a very heavy schedule and was addressing many issues and demands. In some situations, responses may have been delayed or neglected (but never intentionally) because I was out of the country or out of the District and tied up in meetings and events.

The natural and proper reason for wanting a brief reference and/or quote from my Presidential Address and Town Halls in our website stories about our conferences was to help communicate the CCCU's message, vision, and commitment to its various constituencies as a presidential priority. This is a fairly common PR strategy for associations. In some cases, I provided copies of the texts of my speeches for the stories. In other cases, I was asked to provide a paragraph or two of description. I reviewed our website, and see stories of a number of our conferences there. Until reading this report, I did not realize that this was a problem or that I had missed requests for information. Certainly I did not intend that.

Some of our communication and telephone systems in the office cause some confusion in terms of incoming messages and where they go (even vis-à-vis my message boxes and those of my assistant). In my decades of service as an association president, I have always made responses to college and university presidents a top priority. Again, because of travel schedule and heavy demands, I missed some calls and communications from presidents and potential donors. I don't know what is meant by the general reference in the report about troubling preand post-communications for the Governance Institute and New Presidents Institute, but I do know that I personally spoke by telephone with every new president and every mentor president during the weeks prior to the Institute, to set up their mentoring relationships and get their advance feedback. And both Institutes, spanning between them a very intensive and long week, were very successful, based on the subsequent feedback from many participants. Recently I sent a comprehensive memorandum to NPI new and mentor presidents confirming the recommended mentoring strategies during the course of this academic year, and have received several positive responses. At the July Board meeting, I apologized to Pat Taylor for the confusion over his gracious Commencement Address invitation. The same day our oldest son was scheduled to compete in the Texas Iron Man Triathlon and Debra and I had promised to be there to cheer and help take care of our granddaughter, but he wasn't sure he would be able to compete because of his medial Fellowship responsibilities. I asked my prior Executive Assistant to let Pat's office know that I would love to do the Address, but had a potential significant conflict, and couldn't commit yet. In retrospect, I should have promptly and graciously declined the invitation, rather than trying to hold open the possibility of doing it. Regarding missing the Chair's deadline for issuing the July Board meeting agenda and booklets, on July 18, while still conducting the Governance Institute in New Mexico, the CCCU President circulated a message from the Chair indicating that the President "expected" to electronically send the Agenda on the following Monday and the full board books by midweek. Upon returning to Washington that weekend, the President and staff worked very hard on the final Board preparations, and issued the Agenda on Tuesday (one day later than the "expected" date) and dispatched the full meeting books on Wednesday (i.e by the "midweek" deadline).

Since this issue was brought to my attention at the July Board meeting, I have been working very diligently, including during vacation time as the record will show, to respond

promptly to messages and emails from the Chair, the Board, and Member Presidents, and the Interviews Committee Report and other emails acknowledge this. If the Interview Committee is aware of recent situations where I have not responded to Presidents, I ask you let me know and I will immediately respond and rectify the situation.

The illustration I use of the four levels of decision-making is fairly commonly cited in higher education and association management, with only the Level Four, which is the narrowest band at the top of the pyramid, requiring a presidential decision. They are things like changes in organization-wide policy, major funding proposals, final budget, sign-off on full-time hiring, adoption of new programs, and recommendations to the Board. Let me quickly respond to the six administrative items raised in this category. 1) We wanted to develop a whole new letter and message for the Dues issuance, and travel schedules in June delayed the process, but the invoices were issued at the very beginning of the fiscal year. 2) Please realize that the decision to defer the Fall 2012 Advance into a more robust Spring issue and my difficulty in finding time to produce my article in the fall occurred while I was still working as the President of the Michigan Private College/University Association midst a very intense legislative session, and had not even taken office yet as CCCU President but was working on CCCU transition matters on a part-time consulting basis. 3) Some time ago I gave verbal approval to BestSemesters going to a rolling application basis. I will follow through with staff to be sure there's no confusion. 4) At the time the Government Relations Director asked about my becoming one of the eight primary signatories on the Evangelical Immigration Roundtable, I expressed my reservation about being this far in front because of the varying views among some of our members and the potential of appearing to endorse certain specific bills or specific caucus views, but indicated I would give it further thought. We then discussed in August a communication to members, and I requested a draft, but I have deferred that until Fall after we get through the CR/Debt Ceiling trauma and as a possible window for taking up the Immigration legislation has been identified. I did not realize the Government Relations Director had communicated to NAE that I would be sending the message in August, and am sorry for that. 5) The first draft of the updated Profile had to go back to the drawing board because it cited graduation rates and loan defaults of only our Nontraditional Students, which was confusing and not strategic when looking at all of the data. I did make a decision about that. I did not realize that there is a new draft of it ready, but will follow through. 6) On my recommendation, the Board in July approved one new membership and three affiliates but additional information and clarification (as reflected in my recommendation) needed to be obtained on the affiliates. The very night the Board acted, I emailed the President of William Jessup University and congratulated him. Shortly thereafter I advised Pam that she could post the announcement on the website. We identified Christian Heritage College as an International Affiliate in our website membership area, which was technically retroactive to July I when we signed the Agreement for the relocation of the Australia Studies Centre to Brisbane. I have obtained the clarification needed for Southwestern Assemblies of God University, and have asked Pam to post it on our website. We are awaiting

the additional documentation needed for Mongolia International University which I have communicated to them again.

Let me declare that I have not "intentionally failed to develop and articulate long-range plans to address critical needs" where that was called for or warranted. I have shared with the Board my plans for staffing and have been working with the Programs Committee and articulated plans and strategies for the International Forum. I brief the staff in staff meetings as appropriate on plans and situations, and try to keep them informed as appropriate on things, as our staff meeting agendas reflect.

RESPONSE TO ALLEGATION OF INTENTIONALLY FAILING TO SCHEDULE OR ATTEND MEETINGS THAT THE PRESIDENT PROMISES OR SCHEDULES

Once again, I must adamantly declare that I have not intentionally failed to schedule or attend meetings that the President promises or schedules, though in the natural course of any president's schedule some meetings and commitments may have to be rescheduled because of unexpected travel or other developments or meeting priorities that take precedence (a dynamic that I have often experienced with college and university presidents, and totally understand). Occasionally I may run late to meetings because other meetings run long. But I can recall no situation where I simply failed to show up at a meeting. During the early days of my presidency before we occupied our house on Capitol Hill, we had some confusion with the prior Executive Assistant scheduling meetings on days when it turned out I was traveling. And occasionally flight changes and delays have affected my meeting schedules. Sometimes if staff want to squeeze in meeting time on a very busy day, I will ask them to stand by and we will call when available. But I categorically disagree with the "estimate" that I cancelled or delayed 75% of the meetings I had the Executive Assistant schedule, or anywhere remotely near that number, and with no specifies provided in the report, I am unable to respond more meaningfully.

It is true that I announced I planned to have "skip-level" interviews with the staff, hut subsequently indicated that we would have to defer that until later in the year because of my schedule and other Board priorities like the International Forum. I have conducted those skip-level interviews with the individual staffs of the three overseas BestSemester program sites I have visited. I have conducted some of them, as opportunities presented themselves, with some of the Washington staff without necessarily describing them as such, as I get to know the hearts and minds of our people. And I will complete my pledge by the end of this year.

Contrary to what is stated in the Report, I have had a number of meetings with staff members regarding different dimensions of the International Forum. However, my priority in September has been to pull together the information and recommendations requested by the

Programs Committee, and it would be premature to have the staff making commitments before the go/no go decision has been made by the Board.

I have declared that I have an open door policy, particularly for staff who report directly to me, and am happy to meet with them on the spot if I don't have other meetings scheduled or am not tied up in a critical time-sensitive project. And I am happy to schedule meetings at their convenience and based on my availability. I have never refused to meet with staff when requested. I have not knowingly asked a staff person to change vacation or holiday plans to meet with me. On rare occasions, staff have asked to meet with me in the evening, and I have been happy to do so. Occasionally, staff will work with me into the evening if we have a major and timely project to get out or before or during major events, which is very typical of associations and many organizations. But normally virtually everyone except me (and the staff who live in the Dellenback Center) is gone by 5:30 p.m.

Generally, I work 60-70 hours a week on average for the CCCU. Presidencies as you well know are not 9-5 positions, and presidents sometimes do work out of their home to get away from the distractions as I know from phone calls. But I work for CCCU from early morning until late in the evening. Sometimes I arrive in the office early before official 9 a.m. opening, and sometimes a bit later, depending in part on my schedule. Every weekday morning, I begin by monitoring CCCU messages and emails shortly after I awaken, so my work starts at home. Occasionally, I will work for a few hours on my computer or on the phone in the quiet of our home. But I am in the office for very long hours, starting in the morning, when not traveling. If I do not have a business luncheon, I work through lunch and do not take time to cat. On weekdays, I soldom leave the office before 8:00 p.m. (which gives me valuable phone time for our West Coast members who are three hours earlier) and am often there much, much later. Frequently, I have evening events. Most weekends, I go into my CCCU office to put in significant work time at least one day and sometimes both days. Occasionally I will take a half day of vacation in the morning or afternoon for personal business or family matters. I have no idea what is meant by me sometimes "leaving for hours during the day," except that sometimes I walk over to the Capitol or go out to meetings, and often I leave my office to go up to the third or fourth floors or across the ally to the Dellenback to meet with staff in their own offices, rather than always expecting them to come to my office. As you may know, my CCCU President's Office is not soundproof because of pocket doors and gaps in the doors when closed. So sometimes it is necessary to go somewhere else for very confidential calls or conference calls, as my predecessor sometimes did as well. (It probably should also be noted that under CCCU personnel policy, a number of staff regularly take telecommute days to work from home, in some cases once a week.)

RESPONSE TO CLAIM OF "INTENTIONALLY FAILING TO TAKE ACTION TO PLAN CCCU 2014 INTERNATIONAL FORUM IN A TIMELY MANNER Since shortly after the President's Conference the end of January, I have been attentive to the International Forum planning (while balancing the very busy schedule and addressing the many demands outlined earlier in this report) and since the July Board meeting have been working very hard and long on the International Forum to address the issues and requests of the Board and the Programs Committee. I certainly have not "intentionally failed to take action to plan the CCCU 2014 International Forum in a timely manner." I began our pursuit of Condoleezza Rice on February 7, when I met with West Coast Christian business leader and mover-and-shaker Dave Dias and another prominent leader in the CCCU offices on February 7. As the Board knows, one does not quickly or easily get a commitment from so prominent a speaker as Dr. Rice, and we have continued the pursuit, becoming increasingly aggressive and turning to other potential connections as well. I have not "promised" that we will get Dr. Rice, but have expressed strong optimism and more recently that a response was expected very soon, based on feedback from the people pursuing her on our behalf and our other inquiries. Our staff and I adopted the theme and general design and strategy for Forum communications, working in multiple meetings with Alliant.

In fact, the former VP for Professional Development and I had several meetings about the Forum, including discussion of our strategy and requests for commissions to develop break-out track sessions. He had many opportunities to discuss the Forum further with me. I assumed that much more had been done on the Forum planning (with the exception of the speakers being sought by me and the Board) than was the case when the VP resigned. Earlier in this memo, I have already described the reason why we didn't pursue Ev Bussema as Conference Director after they retired and moved to Chicago, instead identifying the very viable and valuable option of partnering with Steve Cauble.

Coming on the heels of the New Presidents Institute and Governance Institute, we worked to pull together the Board books and endeavored to compile and include as much information as possible about the International Forum. Earlier I addressed the Chair's deadline for the Board meeting materials. The CCCU Budget previously adopted by the Board and ratified at the July meeting had some general budget information about the Forum in the context of the full budget.

Following the July Board meeting, I spoke at the Spring Arbor University President's Retirement dinner, then returned to Washington to continue work on the Forum in early August. In mid-August, I kept a longstanding commitment to deliver a keynote address and conduct seminars for the faculty/administration retreat at East Texas Baptist University, then was in Michigan for necessary but working vacation the latter part of August as we made final preparations to put our house there on the market. During that time I also returned to Washington for an important dinner meeting with long-time friend, Murdock Foundation

Executive Director Steve Moore, and to work on the CFO selection process and the Forum. Right after Labor Day, I cut short my planned vacation time in Michigan to return to Washington and continue work on the International Forum. I was still working to compile the information, and having difficulty determining some of it, when the Programs Committee Vice Chair called me on September 4 and said we would reschedule the September 5 call. On September 13, as promised, I cmailed to the Programs Committee a comprehensive six-page briefing memorandum on the International Forum Budget, Analyses of Hotel Contract/Costs/Options, Strategic Staffing and Consultancy Plans for the Forum, and our work and progress on various other fronts for the Forum, along with several detailed reference documents. In response to questions raised by the Chair in a September 17 conference call about our initial suggested registration fee of between \$500 and \$600, I provided the same day a history of registration fees and subsequently circulated additional detailed financial analysis and a recommendation of a lower fee. It did not make sense to convene an all-staff meeting to move forward on the International Forum until the Programs Committee had made its decision whether to proceed with the 2014 Forum or postpone until 2015. Determining the hotel costs for that decision, as I explained to the Committee, involved delicate negotiations and analysis with the hotel, which were being pursued for us by an expert third party. I repeat my earlier explanation of why I believe that the staff would be fully professional and work hard to make the Forum a success if the Board approved going forward. I do not believe I mischaracterized the staff, and made it quite clear that some of them would be relieved if we did not go forward.

RESPONSE TO CLAIM OF INTENTIONALLY FAILING TO REPRESENT CCCU TO VITAL EXTERNAL AUDIENCES

Earlier this report describes our significant advocacy activities during the first half of the year, in our formal position statement filed in response to the NPRM on the HHS Abortifacients mandate, communications with the U.S. House Tax Reform Committee in support of the charitable deduction, advocacy communications to our members, identification with the Evangelical Immigration Reform table, and my strategic partnership work with NAICU and its President David Warren, including participating and speaking at the NAICU Board Tax Policy Committee on which I serve and the NAICU Board meeting. In close consultation with my Government Relations Director, I have approved signing CCCU onto many higher education and other types of advocacy letters, and have declined to do so in some other cases where not in our strategic best interest. We have also had meetings with numerous other advocacy groups, and I have had many strategic conversations and meetings with CCCU Member presidents about advocacy and their roles. As noted in the report, I spoke at the Faith & Law Forum in the Capitol complex and have been in the Capitol for various other meetings. However, there were no major higher education legislation or issues up in the Congress during the first half of the year. I have reported already what my focus appropriately was for the first half of the year. As I reported at the July Board meeting, one of my priorities for the Fall and beyond will be to work

with our Director of Government Relations to develop and implement a comprehensive advocacy strategy, in preparation and anticipation of the Tax Reform and Higher Education Reauthorization issues that will be taken up sometime within the next year and for the inevitable religious liberty battles in the Congress. I am and will be spending more time now in the Capitol, especially after the government reopens, to expand my relationships with Senators and Members of Congress as we set the stage for the issues coming in the future. This is a long process. I bave also been making overtures to some persons who have connections into the White House.

It is true that I have not yet met with Senators Thune, Coats, or Blunt, specifically, though I will do so soon, and certainly did not intend to imply at the September 9 dinner that I did. I'm truly puzzled at how that impression was created. And it's also true that I had to miss the Spring meeting of the ACE Washington Higher Education Secretariat, of which I am a member, because that very day I was speaking on behalf of CCCU at the Inauguration of Seattle Pacific University President Dan Martin, which was very important also. As long planned, I participated very actively in the recent October I meeting of the ACE Washington Higher Education Secretariat, and tag-teamed with NAICU President David Warren on some critical issues for us. I have worked with ACE President Molly Corbett Broad and NAICU President David Warren, as close friends and colleagues, for decades.

With regard to press inquiries, sometimes the Vice President recommends that I respond to a press inquiry and sometimes she recommends that I not (such as in transgender and sexual identity controversies that arise on our campuses). I also listen to my own instincts, and in at least one case felt it would not be wise to call the reporter. But my natural inclination is generally to talk to reporters. I may have unintentionally missed returning press calls a time or two because of travel or being tied up in meetings. It is not accurate to say I only return calls for stories about me. My motive in dealing with the press is always to advance the cause of Christian higher education.

Not only have 1 not intentionally failed to represent CCCU to vital external audiences, but in fact we have been following a deliberate immediate and long-term strategy to do just that.

INTENTIONALLY MISREPRESENTING FACTS TO THE BOARD OR MISREPRESENTING THE BOARD TO THE STAFF

Once again, it is not accurate to state that I "intentionally misrepresented facts to the Board or misrepresented the Board to the staff." I assure you I did not intend that.

Let me clearly describe the circumstances of former Vice President for Finance Kyle Royer's conflict of interest. Under his authority as Vice President for Finance, he had annually

contracted with the Austen Group to conduct the CFI analyses for CCCU for the annual sum of \$18,000 paid by CCCU to the Austen Group. Then in the Fall of 2011, he himself approached the Austen Group and entered into a consulting arrangement whereby the Austen Group paid him \$18,000 a year to do accounting work for them. Simply disclosing would not be enough—he should also have recused himself from unilateral decisions to engage the Austen Group thereafter. In the Fall of 2012, Kyle renewed the annual CCCU Consulting Contract with the Austen Group while continuing his own consulting relationship. That transaction in conflict should have been but was not disclosed to me then in my capacity as President-elect or promptly after I became President on January 1. That's why I said to the Board that it should have been and had not been disclosed (i.e. to me for purposes of the 2012 transaction). Kyle and I had many long meetings in the Fall and first four months of 2013 when he could have disclosed it, but did not do so until May after Austen Group President Mike Williams (I learned later) had been telling him for months that he needed to tell me about this immediately. Or he could easily have emailed me. Moreover, according to our Auditors, the conflict should have been disclosed to them back in Fall 2011 and again in 2012-but it was not, which they characterized as raising "red flags," There was another concern here as well. Kyle was the administrator responsible for obtaining annual signed conflict of interest disclosure forms from the staff (just as we collect them from the Board). After entering into the relationship with the Austen Group in Fall 2012, he stopped circulating the staff conflict of interest forms. Finally, I have located the email to Paul Corts to which he referred. In it, he lets Paul know that he'll be doing some "very part time work" for the Austen Group, but does not disclose that he will be paid \$18,000, the same amount that CCCU is paying the Austen Group. He was also signing certain tax forms for the Austen Group, using the CFO title, so was actually identified as CFO of another organization while serving as our CFO.

The concern I expressed to the Board about the India Studies Program, was that, unlike our other programs, the India Studies Program was not owned by the CCCU but by a profitmaking corporation with no official connection to the CCCU. That in itself is very problematic. The directors of the profitmaking corporation owning the program were Kyle, Ken, an attorney in India and her daughter. The situation, particularly if payments are made to one of the directors (i.e. the Indian attorney) by the CCCU, could have serious ramifications for CCCU's tax-exempt status. I don't believe I accused anyone of unethical behavior in this case, but did express serious reservations about the arrangement and the potential tax-exemption consequences.

When some of the CCCU BestSemester Directors seemed upset and puzzled that I had asked that former Vice President Royer not come to their meetings in Nashville, I did not use the word "cloud of suspicion" but simply said it would not be appropriate for me to discuss the reason why I asked Kyle not to come. I realize that that may have caused some to infer suspicion.

With regard to Ken Bussema's retirement, I have checked the minutes of both the July 2012 and January 2013 meetings and do not see discussion or expectation that retired Vice President would be invited to the July 2013 Board meetings. I was not asked to place this on the Agenda. We did have a retirement celebration for him with the CCCU staff, and I gave a tribute to his leadership. I did not mean to say to a staff person that the Board did not think it was a good idea, just that the Board hadn't requested it.

With regard to the section about praising the President at Board meetings, you will recall our executive session discussion at the July Board meeting that the Vice Presidents didn't seem to acknowledge the appointment of the new President in their comments to the Board about the strategic plan. The Board and Board Chair reiterated to me several times that the Board recognized the importance of having my own team. As I was genuinely working with the previous vice presidents to give them an opportunity and encourage them to continue as part of the new team, I encouraged them to communicate to the board that they were part of the team. I really was not looking for praise for me, but a recognition that they were part of the new president's team.

To my recollection, none of the staff resignation letters cited difficulty in working with me as the reason for leaving. And of course the Board is fully aware of the performance problems with the resigned Vice Presidents, including significant violations of Board policies.

RESPONSE TO "LEADERSHIP CONCERNS"

Since the post-July Board message about communication of my authority as president being perceived as self-oriented or off-putting, I have tried to be careful about my use of the term president. Some of the examples in this section involve comments that were intended to be lighthearted bantering (i.e. apologizing for interrupting a meeting). It was generally thought that there were too many silos in CCCU (going back to my Board days) and Paul sometimes referred to people's sandboxes within CCCU units and programs. So my message was that there are no sandboxes but only a large beach of which we are all a part, that the Board owns the beach, and that I am the lifeguard roaming the beach. Maybe not a good analogy, but hopefully harmless enough. I have occasionally used the term presidential prerogative or decree when making a decision to carefully distinguish between what is Board policy or requires Board action and what falls within presidential authority. As I recall, the only picture enlargement I requested in Advance was the photo of our full family, because it was originally so small that the individuals scarcely showed though I may have also asked that the photo with President and Mrs. Webb be somewhat larger because of the effort they had made to be there after her stroke. We decided to display the certificates and plaques from our CCCU Members at a staff meeting, because we

weren't able to display them at the Inauguration itself (which is usually the practice followed by colleges). In retrospect, I wouldn't do that again.

In reviewing the July Board meeting materials, the only recommendations I can find which could be interpreted as praising the president's own work are the Australian Studies Centre recommendation which simply cites the ratification of the Agreement negotiated between the CHC Principal and me as CCCU President, the CHC membership recommendation reciting that I had conducted a comprehensive visit to CHC to confirm its academic strength and faith integration, and the CCCU Budget ratification recommendation which recited that the budget reflects the CCCU priorities and was rigorously developed under the direction and leadership of the President to resolve CCCU's structural deficit. In the first two cases, the references are simply relevant parts of the record. The language was used in the third case because of the fact that in the past the CCCU President had been left out of much of the budget development process by the VP and to reflect the fiduciary duty of balancing the budget. These were not meant to be praising my own work, and if so perecived, I apologize.

With regard to treatment of departing staff, the President generally notifies CCCU staff of departures from his Cabinet, and the Vice Presidents or other supervisors notify of departures of staff reporting to them. As the Board knows, I sent gracious messages to both the Board and the staff announcing Kyle and Ron's resignations and expressing our gratitude for their service to the CCCU. Since their resignations came with relatively short notice and they then commenced using accumulated vacation, there wasn't a lot of advance time to send out notices. With one exception while traveling, I have attended every farewell party for retiring, resigning, or departing staff and delivered a positive and affirming tribute on behalf of the CCCU. Sometimes I have not been able to stay for the full party in the middle of the work day, and sometimes I have sensed that they preferred to linger with their friends, but I stayed as long as I could in each ease. And I actually offered to host farewell receptions for Kyle and Ron, but they both declined the invitations, and I obviously didn't announce to the staff that they declined to let us hold a farewell gathering for them. It's my understanding that some of their friends did that privately for them—and that's fine.

My responses above have already addressed the issue of criticism of staff, but let me add that I don't even use the terms "A" team and "B" team. I admit that I did say to one VP that I don't worry about her staff performing professionally because she provides good leadership and oversight.

Several members of the Cabinet had talked with me about their concerns that their salaries were too low and not equitable. The Government Relations Director provided me helpful benchmark data regarding government relations salaries in comparable organizations. As I have shared with the Board, we were able to provide 3% salary increases for most of the staff

but we also addressed some serious inequities in our salaries structure. It's true that in those cases I met individually with these staff who report to me to explain (as I have always done for thirty years) the significant progress we had been able to make in their salaries (and I did identify the percentage increase compared to the 3% benchmark). I wanted them to know that we did care about fairness and equity for them. Let me assure the Board that my motive was to address their concerns about low salaries to help keep them at CCCU, not to "buy their loyalty." And I assure you that I have not implemented a divide and conquer strategy, but rather a let's all pull together working hard ethic.

Finally, I have already addressed several times the concerns about criticism of employees. But I will acknowledge, in the last paragraph of the report, that I good-naturedly used an item on our website as a point of humor in a speech. As I was flying to the Phoenix Chief Enrollment Officers conference right after officially becoming CCCU President, I looked at the conference program on our website and saw that I was listed to give an Address as CCCU President-tentative. So in my speech, I said that for six months I had been President-elect and had been eagerly waiting the day when I was no longer "elect" (no theological pun intended). But I just learned on our CCCU website that I'm now CCCU President-tentative. I guess I'm being sent a message that I'm still not quite President yet. The audience enjoyed it. It was not intended to embarrass anyone—in fact, afterward I thanked the staff for giving me some good humorous speech material. I have heard college and university presidents using this sort of humor in speeches—and I have been the good-natured target of some such humor myself. No offense was intended. (But we did quietly implement a new policy requiring triple-proofreading of material going onto our website to minimize the number of errors that we were making.)

In summary, since the day I took office, I have worked very hard and given my very best efforts and my full energy and commitment, and continue to do so, to carry out my duties as the CCCU President and to help advance the great cause of Christian higher education. Now that I have had opportunity to hear and understand your concerns and the feedback of the CCCU staff, I stand ready and willing to work with you to address them through the proposals presented earlier in this response and welcome your wisdom on how we can work together to make this work. Thank you for your consideration of this response which I prayerfully and sincerely submit.