

Articles from Promulgates

January 2010

President Tom Lindsay fires Director of Admissions Elaine Vincent; anxiety over executive powers and the security of Shimer's dialogical ethos

On September 3, Thomas Lindsay fired Shimer's admission director Elaine Vincent. The first member of the internal community to learn Vincent would be fired was Marc Hoffman, Shimer CFO and Administrative Committee Chair. The president first informed Hoffman of Vincent's pending termination less than one day before the face-to-face meeting where she was let go; Hoffman was contacted in his role as the school's human resources officer and was only informed of the termination, not consulted about it.

Apart from Hoffman, no other internal community members have said they were informed beforehand; a September 8 faculty resolution crafted largely in response to the firing states that Lindsay was known to have consulted only a trustee:

Neither the Directors, nor the Faculty, nor the Dean of the College, nor the Director of Finance and Operations, nor the Administrative Committee of the Assembly, nor the Board of Trustees, nor the Admissions Committee of the Board, nor the Executive Committee of the Board were consulted prior to the termination. We understand that there was individual consultation with the Chair of the Board."

Chair of the Board's Admission Committee Rebecca Sundin confirmed in conversations after a November 15 Assembly meeting that the president did not consult with her before the firing. The Assembly's Administrative Committee itself did not convene to discuss it until September 8, at an emergency meeting that the president did not attend.

Later on September 3, President Lindsay notified faculty, staff, and members of the Administrative Committee that Vincent was "no longer affiliated with Shimer College"; he

mailed a short Cosmos post the next day. Neither announcement bore information on Lindsay's rationale for the firing, although the Cosmos post ended, "If anyone would like to discuss this, my door is always open when I am on campus. Please do not hesitate to stop by to talk about this--or anything else of concern." According to attendees of a September 8 Fireside however, whenever community members pressed Lindsay for further details on the firing, the President pleaded liability exposure and declined to explain his action. He also declined to explain it in response to the faculty resolution quoted above, which requested such an explanation.

The community fell to speculating. Critics of the firing argued that Elaine Vincent, though not universally popular, was highly competent. Wrote alumnus Byron Keys on a September 5 post to Listen, "Elaine was hard, uncompromising and often unpleasant, but I believe she was doing what she thought best for the college." Numerous community members, including faculty, recalled that since Vincent's arrival in 2006 rates of enrollment and perhaps the quality of incoming students had improved. Forty-five students enrolled at Shimer in fall 2008, an entering class size unmatched for 30 years and greater than the previous year's by 28 students.

As President Lindsay had not consulted the Assembly's Administrative Committee and other governing bodies of the college, doubts were raised over the constitutionality and even legality of how he had handled a major personnel decision. Lindsay's strongest critics claim he overstepped the boundaries of his power in failing to consult, and they point to both the Constitution of the Shimer College Assembly and the By-Laws of the Board of Trustees. Since May 2008, Article V.4 of the By-Laws has read:

Subject to the direction and control of the Board of Trustees, [the President] shall be the chief executive administrator of the College and in that

capacity shall exercise such supervision, direction, and management of the College as shall promote its efficiency in the purposes thereof in consultation with the Administrative Committee of the Assembly.

In turn, Article V.2 of the Assembly Constitution specifies that the Administrative Committee plays an advisory role to the president in decisions related to hiring and other matters:

The Administrative Committee is responsible for advising and counseling the President and the Executive Team regarding the supervision, direction, and management of the College on matters including, but not limited to, the hiring of new non-academic administrators and the setting of policies and practices.

Before May 2008, both documents read differently from their current forms and were charged because they found to conflict: at the time, the Constitution required the consent of the Administrative Committee before the president could hire administrators, while the By-Laws were unclear on the committee's exact role in that process. A revision of the By-Laws was undertaken at the behest of then-president Ron Champagne, who suggested they would clarify college governance and make decision-making more efficient. The project was given to a task force on which students, faculty, directors, and trustees served, and following the task force's recommendations, delivered in April 2008, the Assembly revised its Constitution and the Board its By-Laws so that both documents expressly recognized the president's authority to hire personnel, with the Administrative Community occupying only an advisory role. According to some, the By-Laws changes also formalized the President's authority to fire employees without consulting the committee: President Emeritus Don Moon has claimed that the college president has always had this authority, and Moon's actual practice shows he used it. This interpretation of the revised By-Laws, however, has been contested.

Some Shimerians, while believing in President Lindsay's constitutional authority to fire without consultation, claim that he nonetheless violated the school's long-standing practices of democratic governance and dialogue. At least one official document besides the By-Laws, the "Board of Trustees Expectations of the Shimer College President," received by the Faculty from Board Chair Nelson in September 2008, is cited by critics who argue that the President, far from having the power to fire without consultation, is explicitly expected to consult. The document was authored from within the Board and specifies guidelines for the use of executive power in Shimer's management. The Sixth Expectation reads: "In making personnel and operating decisions, the President will seek the advice and counsel of the stakeholders at the College among trustees, faculty, students, and the various committees of the College and the Assembly." The Expectation then specifies what typically counts as "advice and counsel": "The President shall maintain Shimer College's tradition of candid and frequent communications with trustees, faculty, students, and staff through fireside chats, open spaces, Assembly meetings, committee meetings, and Board meetings."

Another of Lindsay's personnel decisions prompts accusations of unilateral decision-making

Community discussions of Vincent's firing came to re-examine Lindsay's earlier personnel decisions. One near the end of spring 2009 was fresh in memory. At a meeting with an Assembly committee in late April or early May, Lindsay first revealed his intention to engage IIT Dean of Students Doug Geiger as an interim Shimer dean of students for the 2009-2010 academic year. Students later learning of the appointment were quick to denounce it. Lindsay explained that his decision was motivated by finances: he had made a preliminary request, and Geiger had since

agreed to stand in as Shimer's dean of students at low cost. And cost was crucial: there was not, Lindsay reported, enough money in the budget to keep both a new salaried administrator and new faculty members. (Shimer had lacked a full-time dean of students through spring and was also seeking new professors to manage growing class sizes.)

All the same, many students continued to attack the Geiger decision. Listen posts variously suggested that involving IIT staff in Shimer's internal student affairs was inappropriate; that the Administrative Committee, which had been reviewing applicants for the post, was not sufficiently involved in the pending appointment, and that the option to hire Geiger was announced too late for the community to respond. (Classes ended on May 1 and final conferences ended on May 14.) In a May 5 Listen post, student Meg Nelson invited the Shimer community to collaborate on a letter of protest to the Board, set to meet on campus May 8. The invitation began a thread of e-mails on the subject of Geiger's pending deanship, some of them qualifiedly positive. Dean of the College David Shiner wrote:

While I'm not happy about us not hiring a new Dean of Students (no one is, including Tom) ... , for a couple of weeks ... it looked like we might not be able to hire any new faculty members for next year It has worked out -- not wonderfully, but well enough so the [Academic Planning Committee] was able to staff courses for next semester without raising class size or burning out the faculty. Given the financial situation of Shimer ... I'm grateful for that.

Shiner continued:

It seems that a lot of the problem with the situation as it has unfolded has to do with Tom's being new to Shimer. I can't (and don't want to) speak for him, but it's got to be really hard to spend 30 years in much more conventional settings and then have to adjust to Shimer in a few months.

Ultimately the Board was not given the letter Nelson had proposed through Listen; Professor Stuart Patterson agreed to serve part-time as Dean of Students for fall 2009.

Faculty requests that Lindsay explain Vincent's firing; he declines

On September 8, the faculty passed a formal resolution, passed unanimously with one abstention. The resolution read in part:

Resolved: The Faculty of Shimer College respectfully asks President Thomas Lindsay for an explanation of his not having consulted relevant governance bodies and officers of the College prior to the termination of Director of Admissions Elaine Vincent on September 3, 2009.

Having attended the Fireside discussion on the 8th of September, in particular we request clarification of what potential detriment to the College, including liability exposure, led the President to bypass consultation with relevant governance bodies and officers. We ask how it would have been dangerous for the College for the President to have consulted in the way it is customarily done at Shimer and elsewhere when personnel issues arise, that is, in confidential or executive session.

The resolution continued to name the grounds of the faculty's request, among them the "Board of Trustees Expectations of the Shimer College President." So too the past controversy over Geiger:

Conversations with the President, and statements by him, especially following widespread complaints and protest regarding the appointment of a Dean of Students in the spring of this year, led us to believe that the President was in agreement with the policy that at least major decisions are to be made after proper consultation.

The resolution closed by requesting that President Lindsay either reply in seven days with the demanded explanation or inform the faculty if he would need more time. After asking for more time, President Lindsay

responded on September 26 with a brief letter. "I cannot say anything more than what I shared at the Fireside conversation," he wrote. "I am committed to dialogue and will engage the appropriate committees and groups as available. But there are rare times when such dialogue is not appropriate. This was one of those times. It is time now for us to move on." The letter then mentions the approaching review of Shimer's mission and vision statements as mandated by the Higher Learning Commission, the body through which Shimer regularly renews its academic accreditation. "I am eager to meet with you soon to discuss the foundational principles that support a Great Books education and Shimer College."

"It would not be a mischaracterization," said Albert Fernandez, a month later of the reply, "to say that the President stone-walled."

After receiving the President's reply, the faculty in turn crafted another, more strongly worded resolution on October 6. It passed unanimously with no abstentions. This second resolution read in full:

The Faculty of Shimer College takes strong exception to the lack of consultation on the part of President Thomas Lindsay prior to the termination of the Director of Admission on September 3, 2009. The unilateral way the decision was reached violates the written Expectations of the President that the Faculty received from the Board (document attached) as well as verbal declarations by the Board and by the President himself. The Faculty believes that executive power without adequate consultation in the making of major decisions that deeply affect the future of Shimer College threatens its distinctive identity and mission in American higher education.

This resolution was submitted to both the president and the Board. The faculty expected it to be read and discussed by trustees during one of the sessions of the approaching October 16-17 Board meeting. The student body was purposely not told of the faculty's first resolution, pending a reply from President Lindsay. (Once the faculty had received a reply,

Fernandez informed students of the Faculty's resolutions at a community meeting on October 19.)

Search for an admissions director begins; several student members of the Administrative Committee accuse Lindsay of ignoring community input

President Lindsay initiated the search for Elaine Vincent's replacement in mid-September.

Student Administrative Committee members Peter Vincent and Jonathan Timm have explained the procedure for hiring new directors. The process is split between current directors, the Administrative Committee, and the president, who each evaluate candidates' CVs. All three then present the candidates they think the most promising, and eventually a group of finalists is drawn up. Directors then interview the finalists by telephone and reveal the salary range. The finalists who "pass" this preliminary interview and remain interested in the position are then flown to campus, where the directors, the committee, and the president separately interview them. The community at large is also invited to meet the candidates during their visits; community members thereafter submit voluntary written evaluations. The directors and the Administrative Committee, having considered all the collected input, then give their final recommendations to the president, who makes the final decision.

Hoffman placed notices for an admissions director on websites listing higher-education job openings. Inquiries soon arrived, and from about sixty applicants, the Administrative Committee compiled a list of eight finalists to interview by telephone and possibly bring to campus for an in-person evaluation. One candidate whom the committee did not include in its list was Amy Pritts, a 2008 MBA graduate from the University of Dallas. President Lindsay, however, insisted that a director give her the preliminary telephone interview and, later, that she be brought to the school, as she

was, on October 5.

Between October 5 and 13, four candidates in all made campus visits: Amy Pritts, Rod Bugarin, Michael Morsovillo, and John Lucchesi. At a morning meeting on October 14, the Administrative Committee analyzed community feedback, members' opinions, and the short essays each candidate had written in response to a prompt from the president. Eventually, the committee drew up a recommendation that either Rod Bugarin or another of the candidates besides Pritts replace Elaine Vincent, with the committee declaring Bugarin and the other candidate the only two viable ones among the interviewed finalists. The committee further recommended that, if the president disapproved of both Bugarin and the other candidate, then the search be continued, as many applicants remained in the pool and Cassie Sherman had recently agreed to continue as an interim admissions director if needed. Before they adjourned, Hoffman notified the Administrative Committee that, if Lindsay made a decision contrary to the recommendations, the committee would meet with the president at lunch.

Near 12:50 P.M. the committee was told to reconvene in Room Pi and await Lindsay, who appeared after ten or fifteen minutes. It would be the first appearance he had made at any Administrative Committee meeting for the duration of the Admissions Director search. Lindsay announced that he would need more time to come to a final decision, but he would choose between Bugarin and Pritts. The president cited various reasons for his preference that, according to Peter Vincent, the committee found vague and not compelling.

Fearing that the president would not make his decision until after the imminent Board meetings, several Administrative Committee members as well as students closely following the search conjectured that the move was calculated to prevent the school from appealing a possibly unpopular choice to the Board. They further accused President Lindsay of treating his duty to consult with the Administrative Committee as perfunctory. According to them,

that President Lindsay had twice reinstated a candidate rejected by both the Administrative Committee and the college community demonstrated a pattern of unilateral decision-making against traditions of self-governance.

Students signal discontent at a meeting of the Board of Trustees; trustees rally to support Lindsay's authority

Just before the Board meetings of October 16-17, Student Trustees Bob Carpenter, Heath Iverson, and Katie Martin-Seaver learned that trustee Patrick Parker had prepared a counter-resolution to the October 6 faculty resolution. The counter-resolution in part would have the Board express "its support for President Lindsay and his leadership at a critical time in the history of the College" and urge "Dean Shiner and the faculty to respect the leadership of President Lindsay, as chief executive officer of the College." The Shimer community has interpreted the import of this counter-resolution variously. Trustees have cited it in arguing that complaints about Lindsay's use of executive authority are groundless, while students generally think the counter-resolution is too vague to clarify the issues composing the controversy.

When the counter-resolution was first received by student trustees in October, however, it threatened to produce at least one definite effect: it would prevent the faculty's own resolutions from being discussed by the Board or even seen by the majority of trustees until the following day.

Carpenter, Iverson, and Martin-Seaver (who was also an Administrative Committee member), as well as Jonathan Timm and Peter Vincent, held a student-only meeting in the Gunsaulus dormitory on October 14. There, Administrative Committee members shared their grievances over the course of the admissions director search, while the student trustees revealed Parker's counter-resolution.

At the same student meeting, an effort was coordinated to show the Board of Trustees the

pitch of student discontent. Concerned students were asked to come to the Board lunch on October 16 dressed in black (as a show of solidarity and of “mourning” for Shimer’s ethos) and ready to engage trustees in conversation with talking points agreed on by the meeting’s attendees: (1) “We want to protest the President’s termination of the Director of Admission without consultation/explanation”; (2) “We want to express our support for Rod Bugarin’s candidacy in the search for a new director of admissions”; (3) “We want to express our displeasure regarding the President’s tendency to bypass or disregard the community’s input, which we feel violates the democratic traditions of Shimer College.” Another idea to refuse food at lunch was dropped as antagonistic. After the meeting let out, its organizers drafted a student resolution overnight, which sixty-one students would later sign. It read in part:

We, the undersigned, take strong exception to President Thomas Lindsay’s neglect of the community’s advisement regarding the selection of candidates for the Director of Admissions. We believe this neglect represents a continuation of the President’s unilateral approach to decisions that affect the future of the college and violate the written “Expectations of the President” as well as verbal declarations by the Board and the President himself. In agreement with the Faculty, the students believe that executive power without adequate and good faith consultation threatens the College’s commitment to democratic self-governance and its distinctive identity and mission in American Higher Education

Worrying about credibility and faculty vulnerability, the student meeting’s organizers were careful to present the resolution and the lunch dialogues as efforts arising from the student body. After several tweaks to the plan, student trustees decided that the student resolution would be given to Board Chair Nelson privately and read by one student trustee at one of the sessions of the two-day Board meeting.

Roughly thirty students appeared in black to

the October 16 Board lunch in Cinderella Lounge, on the day of Convocation. Opinions vary on the results of the student-trustee dialogues. One student at the lunch reported feeling “very ‘mission-accomplished’” after telling a trustee her concerns, including her fear that new and largely conservative Board members might exercise undue influence on Shimer’s curriculum. At least one internal community member worries that some students represented extreme or incorrect views of the college’s positions and governance policy.

The agenda of the day’s Board meetings included a plenary session devoted to Parker’s counter-resolution. Roughly fifteen students, along with professors Stuart Patterson and Ann Dolinko, entered to hear the proceedings just after the session began in IIT’s Technology Business Center. Board Chair Chris Nelson closed the meeting to non-trustees so that the Board could discuss whether or not non-trustees should be privy to the discussions. Non-trustee Shimerians waited for a short time outside of the conference room until the Board voted to let them return.

After Nelson’s introductory remarks on his hopes for the session’s outcomes, President Lindsay opened by asking the Board to establish “clarity”—for both his benefit and that of students—on the extent of his executive powers. He suggested that recent grievances over his actions had resulted from a misconception of Shimer’s present governance structure: “For over thirty-five years, Shimer was run as a participatory democracy. Yet when I was hired two years ago as Shimer’s president, I was told that was no longer the case.” President Lindsay reported that his attempts to claim his legal “final say” on personnel matters had repeatedly earned “ultimatums, threats, and subtle expressions” of defiance that impeded him from doing his work and could harm Shimer.

In the ensuing discussion, most trustees appeared unconvinced by the internal community’s criticisms of the president’s actions. To student and faculty trustees’s complaints that Shimerian self-governance was

under threat or being besieged by outsiders' demands to reform, most Board members who spoke argued that the abandonment of the participatory model was necessary, even mandated by changes made to the By-Laws in May 2008. To Faculty Trustee Steven Werlin's argument that self-governance and participation were not independent from Shimer's curriculum or pedagogy, recently inducted trustee Matt Franck replied, "How is it harmful to the education of Shimer students to learn that participatory democracy is not always the best way?" Kathleen McCreary and Patrick Parker called Shimer's past democratic model "dysfunctional," so proven by the school's troubled recent financial history. Shimer must give up the participatory model, argued McCreary, as "doing what it did in the past—because it doesn't work." Shimer, in her words, "was a failed institution—financially, not intellectually." As Shimer's current finances were "bordering on dysfunctional," she offered that the school's best solution was to adopt a "modern, non-profit corporate model." Patrick Parker added, "The democratic model has been proven to be dysfunctional." To this Faculty Trustee Albert Fernandez replied, "If anything has been shown, it's that the corporate model has turned American higher education into a business."

Many trustees affirmed aloud that "consultation" is not "obedience," and two trustees the formula, "Let the students learn, the teachers teach, and the administrators manage."

After brief argumentation over language and a second from Trustee F.H. Buckley, the Board passed what has since become known as the "Parker-Buckley Resolution," twenty-two to eight with two abstentions.

The meeting did not end before Christopher Nelson had offered Fernandez, as Speaker of the Assembly, to start a task force, composed equally of Assembly and Board members. This task force would be dedicated, in Nelson's words, to "studying the effects of the changes in the Board By-laws and the Assembly Constitution through May 2008."

Fernandez, who regretted aloud that "people [had] spoken about this college without knowing it," replied that the offer would be put to the Assembly. Numerous students at Shimer have since repeated Fernandez's complaint, that many of the trustees who are most vocally opposed to participatory government at Shimer are the newest to the college.

Discussion of the president's and the Assembly's contested authorities and obligations spilled over into the next day's Board meetings, which were closed to all but Board members. The student resolution, though read near the end of the day, was left off the minutes because it was not addressed to the entire Board.

A student-planned information session was held on October 19, the Monday after the Board meeting. Fernandez, who attended the information session, noted that the Board had voted to urge respect for the President's authority by over two-thirds, although the Faculty's resolutions were not read until the very end of the discussion and only partially, the first faculty resolution never being read. He felt that the board had treated the issue too narrowly: trustees insisted on seeing the resolutions as challenges to the president's ability to fire Elaine Vincent rather than his manner of firing or his ability to fire without substantive Assembly or community consultation. It was noted that President Lindsay had introduced sixteen new Board members within only the past year. (The Board now numbers 34.) Their newness to Shimer, claimed several students, weakened the right of these trustees to judge or legislate over the school's culture. Fernandez speculated that new trustees and President Lindsay himself may have been "sold" Shimer by being informed of its Great Books curriculum and of its small classes but not adequately of its self-governance traditions. One student also suggested that most Board members, particularly the new ones whom Lindsay had recruited, were probably eager to show loyalty to the school's chief executive officer. A consensus emerged at the meeting that the

resolution did little to clarify the questions surrounding the president's authority.

Many spoke of a cultural gap between the college and its trustees. Peter Vincent observed that trustees often came from business backgrounds and were probably accustomed to "top-down" management. Meg Nelson and Allie Peluso worried that new donors and trustees, in Nelson's view consistently conservative, hoped to reform Shimer's curriculum and left-leaning culture, although Fernandez cautioned against believing that a "hostile corporate or right-wing takeover" was underway, these being "extreme scenarios." Multiple students reported feeling neglected as stakeholders of the school.

The meeting ended after identifying ways of bridging the gap between the Board and the internal community: these included Chris Nelson's suggested task force, increased trustee attendance at Assembly meetings, and broad community participation in the Board-led review which President Lindsay will undergo this year and potentially next.

Pritts hired; mission statement review and Strategic Planning intensify distrust of Lindsay and the Board

On October 22, President Lindsay announced to the college by Cosmos that Amy Pritts would be hired as Shimer's new admissions director:

Earlier today, I sent the following message to the Administrative Committee:

Dear Members of the Administrative Committee,

Thank you for your consultation last week on the director of admissions position. After completing reference checks and consulting further with a number of other faculty, students, the directors, and board members, I have decided to extend an offer to Amy Pritts. I have informed the directors as well as Cassie Sherman. I am informing you, the members

of the committee, before making the general announcement on Cosmos.

Tom Lindsay

Let me add to this my thanks to all of you with whom I consulted about this decision. I understand that passions have run high on this issue. Now that it has been decided, I ask that we all come together to support the admissions office in its critical efforts to spread the good news to prospective students about the unique and ennobling education that Shimer offers.

Shortly after hiring Pritts, Lindsay relocated his office to within Shimer's admissions office on the first floor.

Accusations that President Lindsay, the Board, or both had violated the Shimer ethos reappeared in disputes over the approaching review of Shimer's mission statement, which the community is scheduled to reconsider regularly. On November 2, Lindsay distributed through Cosmos his "Suggested Guideposts," a document suggesting that Shimer adopt a mission statement differing markedly from the current one. The "Guideposts" have drawn criticism: Professor Steve Werlin wrote in an open letter sent October 9 to Stuart Patterson:

When I read the Guideposts that President Lindsay shared, I was struck by how little they have to do with our current mission statement. As interesting as they might be, and as much as we might learn by working through them, they fail to recognize that we are a College with a history of more than 150 years. We're not starting from nothing.

The current mission statement invokes "active citizenship" and "informed, responsible action" as the ends of education. Neither phrase is found in the "Guideposts," which omission is frequently targeted by critics. Posts on Listen have also attacked the references to the Founding political documents of American government:

In the course of examining the whole of existence, Shimer recognizes that, to be true to its quest, it must likewise examine its act of

examining; that is, must explore the context in which its inquiry takes place. Accordingly, Shimer studies the Founding documents -- the Declaration, U.S. Constitution, and *The Federalist* -- as well as the other original sources that both informed the Founding and, later, reacted to it.

The “Guideposts” mention no other text of Shimer’s Great Books curriculum by name; they also reprise parts of the president’s inaugural speech. This has intensified speculation among students and alumni that Lindsay or conservative trustees have a predetermined agenda and eschew community input, that they seek to reform Shimer through its academics. “Is there a particular ‘strategic planning’ reason for this patriotic rhetoric?” asked student Kathleen Hisey in a November 2 Listen post addressed to Lindsay. “Is it to make us eligible for grants? If there are underlying motives for the increased focus on America in your Suggested Guideposts, it would be responsible of you to let us know what they are so that we can accurately evaluate your proposal.”

Lindsay has defended the allusion to Founding documents on the grounds that a superior education like Shimer’s must lead students to examine the conditions of free inquiry and to recognize that liberal education can operate at “an institutional basis” only in the context of a “liberty” secured in political systems like American democracy. The references to America are not jingoistic, he claims. “If we were in France,” Lindsay said in a November 23 interview, “I would say that we should be studying the origins of the French government, because, in order to understand who we are, you have to understand how you got there.”

The school’s Self-Study Committee was charged with collecting both model mission statements from the community and thoughts on the direction that the review should take. The committee recently released a compendium of this input. Of 43 submitted comments on the review, none expressed support for Lindsay’s “Guideposts,” and of 6 submitted

model missions statements, all included either the phrase “responsible action” or “responsible citizenship.”

Another departure from Shimer precedent was found in the first version of the president’s Strategic Plan prospectus, e-mailed to the community with his “Guideposts.” While Shimer College has had a regularly updated Strategic Plan since before leaving Waukegan, the original prospectus for a new update placed the “responsibility” of drafting the plan’s components on the Board, which would later solicit “other stakeholder groups”—such as faculty, students, staff, and alumni—for their input through “group and personal conversations, drafts disseminated, and comments invited.” According to Fernandez, in the past, the Assembly attended to the review of the mission statement. The language of the Plan prospectus has since been changed from Board “responsibility” to the Board “coordinating” Strategic Plan updating, after objections to the language by Fernandez and Chris Nelson at a meeting of the Education Committee of the Board.

November 15 Assembly meeting devoted to reaffirming Shimer’s dialogical ethos

As the November 15 Assembly meeting approached, the finalized agenda was sent to the Shimer internal community on November 10, and also to alumni and external trustees who had said they would attend. The agenda held a series of resolutions originating within the internal community: the first, Item IV, was motivated by Professor Stuart Patterson, while the remaining resolutions, Items V to VII, were motivated by the Assembly’s own Agenda Committee.

As Patterson would admit at the Assembly meeting, his “resolution addressed to the Board of Trustees” was modeled after the four-part Parker-Buckley Resolution the Board had passed nearly a month before. Whereas the Parker-Buckley Resolution’s last item “urge[d] the Dean Shiner and the faculty to respect the

leadership of President Lindsay,” however, Patterson’s “urge[d] the Trustee and the President to respect the moral authority of the Faculty and of the Assembly, as the embodiment of the College’s democratic ethos.”

The next resolution, motivated by the Assembly’s Agenda Committee, proposed that the Assembly adopt a “Declaration of Principles of Shared Governance at Shimer College.” The document outlined seven principles on the role of the entire community in Shimer’s management, among them:

1. All members of the Shimer College community -- which embraces students, faculty, trustees, administrative staff and alumni ... -- have both a right and a responsibility to participate in its governance and direction

3. It is an integral part of education at Shimer College ... that students actively concern themselves with the welfare of the College community

4. Shimer College recognizes and appreciates the value of experience, education, and expert knowledge in the making of decisions, in reaching them expeditiously

5. Notwithstanding all the preceding, all decisions that will substantially influence the identity, ethos, or future of the College must be reached, even when the consent of others is not constitutionally required, after adequate consultation and discussion, and in accordance with the dialogal traditions of the College and the process set forth in its constitutional documents.

6. [C]onsultation must be in good faith and never merely perfunctory.

7. The mere general invocation of peril to the College, including legal liability exposure, is not a justification for decisions or conduct that violate the letter or spirit of its ethical norms or constitutional processes.

Item VI of the agenda, another resolution from the Agenda Committee, was a reaffirmation of the historical, ethical, and constitutional grounds for the continued place of shared governance at Shimer College; it ended with a list of “specific constitutional and other official documents” that the resolution claimed supported shared governance, among

them the Constitution of the Shimer College Assembly, the By-laws of the Board of Trustees, and “The Expectations of the Shimer College President.” Item VII instructed “the Speaker to address and disseminate the resolutions adopted” at the November 15 Assembly “to all the constituencies of Shimer College, including Trustees and alumni.”

Interest and concern over the resolutions of the agenda—and over the controversies to which the resolutions responded—reached an uncommon intensity among alumni in the days before Assembly. Alumni, learning of the conflicts at their alma mater primarily through Listen, Facebook posts, and word-of-mouth, contributed their thoughts with growing frequency and concern. Several lamented the lack of dependable information available through the Internet. Many alumni resolved to appear at the oncoming Assembly. To accommodate the anticipated swell in attendance, the Assembly meeting would be broadcast using Internet conference technology.

At 4:00 P.M. on November 15, an impressive body of Shimerians gathered in Cinderella Lounge. A graduate from 2003 looked about the room and declared it “a reunion.” More trustees than usual had also decided to come, among them Kathleen McCreary, Rebecca Sundin, and Edward Walbridge. Two faces were conspicuously absent: President Lindsay was away fundraising but sent his regrets through Speaker Fernandez, while Professor Eileen Buchanan was at home recovering from cancer surgery. (Buchanan was in fact attending Assembly by video conference.)

After the approval of minutes and a brief treatment of committee reports, Dean of the College David Shiner delivered his yearly State of Academic Affairs report, which outlined the college’s situation in many areas: the next semester’s course offerings, the anticipated expansion of the Shimer-in-Oxford Program, the relative health of the Weekend College, the Teaching Fellows Program, the imminent curriculum review, the expansion of the faculty,

and the secure authority of the faculty and the Academic Planning Committee over academic life.

Speaker Fernandez then read two and distributed two of six statements sent *in absentia* by trustees Patrick Parker, Michael McDonald, Matt Franck, Carson Holloway, Bob Chitester, and Claudia Allums, the last two being received just hours before the meeting. Iverson presented a motion to keep the statements off the minutes because they were addressed to the speaker and not the Assembly; yet Jim Donovan and Stuart Patterson, arguing that the Assembly should show courtesies to the Board which the Board itself had withheld, convinced Iverson to withdraw it.

McCreary contested the decision to read or distribute only four statements, claiming a deliberative body like the Assembly should publicize all six if it wanted to be well-informed. Fernandez said that Assembly precedent was to read statements from members *in absentia* only if they had been invited, and noted the shortness of the time frame. In a response to a question, he also claimed the two he planned to read adequately represented the rest. Alumna and trustee Mary Lou Kennedy, attending in person, spoke against straying from the agenda to address the letters: "Unfortunately one cannot have a dialogue with an e-mail." She reminded the Assembly that the opinions in the e-mails were those of the authors and not necessarily those of the whole Board. What Shimer needed most, she suggested, were clarifications of the May 2008 By-Law changes. Professor Jim Donovan also saw the larger issue being obscured by the letters: "It's unfortunate that we don't have these trustees here for dialogue. On a certain fundamental level, I'm with them: we shouldn't have a system where everyone is making every decision. And while I won't speak for the faculty, I know of no faculty members who are saying, 'The president should not have authority.' The goal is to figure out what the appropriate execution of the President's authority is, not his authority in and of itself."

Though it violated precedent, the Assembly

at last resolved to have all six statements read or distributed. The Assembly then recessed for ten minutes to allow attendees to read.

All six letters voiced dismay at the internal community's continuing demands for a form of shared governance the writers thought inconsistent with current policy. All the letters argued the May 2008 By-Law changes had definitively settled matters that the Assembly would soon revisit. Michael McDonald wrote, "Indeed, I understand that certain members of the Assembly may even plan to introduce measures to reinstitute the participatory model of decision-making that is no longer in effect and that the Board rightly discarded eighteen months ago because of its deleterious effect upon the College's academic, administrative and financial management. I would hope this is not the case; but if it is, I am genuinely amazed." Similarly, Patrick Parker, the only trustee of the six who has sat on the Board for longer than a year, wrote, "The lengthy deliberations last year which resulted in serious revisions of the Shimer [B]ylaws left no room for ambiguity as to the implications of the revisions [Shimer's largest donor and I] expect, in return for our support, that the rest of the community will do its job, i.e. for the teachers to teach, the students to learn, and the managers to manage."

Many students and alumni accused the statements' authors of misunderstanding the college. Alumnus Bill Arnold took issue with Parker's assertion that at Shimer "teachers should teach, students should learn, and managers should manage"; as a Shimer student, Arnold said, he worked only with "facilitators," never "teachers," and the process was much more complex and cooperative than Parker's formulation acknowledged.

The Assembly at last proceeded to the resolutions. The Assembly largely supported Patterson's motion. Student Juan Guerrero said it was clear that certain members of the board were ignorant of Shimer's governing structure; he pointed out that most of the trustees who had written statements were new, and so it was important to pass a resolution similar to the

Parker-Buckley Resolution, demanding the Board to respect the Assembly's moral authority and restore the balance of powers. Student Gerry Welch commented, "We demand the respect for dialogue." McCreary also voiced support for the motion; she further reported not being able to see where the recent disagreements between the campus and board arose.

Discussion over the remaining two motions was more contentious. McCreary took issue with the fifth Principle of the "Declaration." She called it inconsistent with both the preceding Principles and the purpose of the By-Law revisions; she also warned that the language on "consent" and "adequate consultation and discussion" was vague enough to cause legal difficulties and to alarm lawyers on the Board. Other attending trustees largely agreed. A motion to withdraw the resolution failed, however, as well as a series of friendly amendments intended as a compromise between supporters and opponents of its most controversial language. In the end, trustees' concerns failed to dissuade the Assembly from voting to pass this resolution with slight emendations.

The resolution occupying Item VI also drew criticism; McCreary claimed that the motion asked Assembly members, especially the trustees present, to judge upon the meaning of documents with which they were unfamiliar and could not now examine whole. (Short selections from those documents meant to the support the motion had been prepared and distributed.) Student Erik Boneff countered that it was not an unreasonable expectation that trustees would already examined those documents. Once again, the Assembly voted to pass the resolution.

A concluding motion instructed Speaker Fernandez to disseminate the passed resolutions to the constituencies of Shimer College, including trustees and alumni. Before adjourning, a Fireside discussion was announced, to work out a plan for a joint Board-Assembly Task Force, proposed by Board Chair Chris Nelson as part of the dialogue initiative accepted in principle by the

Assembly with its first resolution.

Over the course of deliberations lasting until 7:30 P.M., the Assembly voted to pass all four resolutions on the agenda.