

**Adams State University:**

**A Chronicle of Decline to the Brink of Failure**

**as submitted by  
current and former employees and students**

**March 2017**



## **Acknowledgments**

This document is the result of collaboration between current and former Adams State University employees and students, and with the help and advice of others who are concerned about the historical trend towards failure, the lack of transparency, poor management, and a refusal by leaders to take responsibility for ASU's current critical condition.

## **Distribution**

This document has been sent to the following:

The President of Adams State University and the Board of Trustees

Alamosa City Mayor and Councilors

Office of the Colorado Attorney General

Colorado State Legislative Audit Committee

Colorado Department of Higher Education

The Higher Learning Commission

Congressman Scott Tipton

Senators Michael Bennet and Cory Gardner

The Denver Post

The Pueblo Chieftain

The Valley Courier

Inside Higher Education

The Chronicle of Higher Education

The College Fix

9 News

The New York Times

The Guardian

# I. Summary of Findings

Founded in 1921 as a teacher's college in the rural San Luis Valley of southern Colorado, Adams State College is a central economic driver and cultural hub for the region.

In 1997 Adams State College had been twice-named as “One of America's 100 Best College Buys.” But by 2017, Adams State reached a budgetary crisis prompting the state auditor to investigate, was given repeated credit downgrades for ballooning deficits, and found itself on academic probation from its accreditor for egregious online coursework violations, among the lowest four year graduation rates in the nation, named as one of the “Top 10 Worst Drop Out Factories” and “One of the Ten Biggest Wastes of Money” among US colleges. Employees consistently report low morale, a lack of shared governance, high turnover, a culture of bullying and retaliation by administrators, and lawsuits and legal complaints continue to mount.

**What happened over the past 20 years? This document attempts to identify key factors in Adams State University's decline.**

Four primary criteria for judging a university's success are: 1) student enrollment, 2) retention rates, 3) graduation rates, and 4) quality of education. By these benchmarks alone, Adams State University, a public institution in rural southern Colorado, has been in decline for at least a decade.

ASU's integrity as a teaching institution has been questioned by its accreditor, the Higher Learning Commission, and ASU has been placed on two-year academic probation. ASU faces the prospect of losing its accreditation unless major reforms are implemented. An independent investigation into ASU's Extended Studies online programs determined that they were “largely dysfunctional” with “very serious deficiencies” and with “a culture of questionable academic practice that appears to have been in place for many years.” The report recommended that the department should be closed down and replaced with a more robust and accountable model. Then, the recently-arrived Vice President of Academic Affairs who commissioned the report abruptly resigned.

Recently, four new members were added to ASU's Board of Trustees and it is clear that they have not been fully and faithfully apprised of these circumstances. New students and employees, community members, state officials and news outlets are also unaware of the full scope of ASU's systemic problems. As such, they are not in a position to make decisions in the best interest of students, employees, taxpayers and constituents.

**This document is a chronology of events that detail: 1) the decline of ASU's quality and institutional viability, 2) attempts by numerous employees to help pull ASU out of its decline, and 3) how prominent administrators and trustees react to criticism, and how they maintain the status quo.**

This is a collective work representing more than 20 former and current ASU employees and students. Its authors remain anonymous because of a substantiated fear of retribution, many examples of which are documented here and still continue to this day. This chronology articulates the deep concerns of a community too fearful to speak out. If ASU does not make significant, systemic changes to the way it operates and to the way its leaders behave, then it will continue to decline to the point of failure.

We are all worried that if current leaders are allowed to continue their flawed trajectory, many ASU employees and their families will lose their jobs, their homes and their future prospects.

**The purpose of this document is reach out to decision-makers beyond ASU who can be apprised of these persistent, systemic problems and intercede. We are calling for those who have the power to institute much-needed change before ASU reaches the point of total failure.**

No doubt this document will be derided by some ASU administrators as “negative,” “misleading,” “anti-ASU,” and “the product of disgruntled employees.” Any number of independent sources we cite refute these claims. Rather, we are motivated by a deep desire to see ASU succeed because our families and the San Luis Valley community depend on ASU's success.

After repeated attempts at reform that resulted in retaliation and repressive administrative responses, we believe that the avenues for change from within the institution have been closed down. Now we appeal to those outside its corridors to intercede, to help save Adams State University.

## II. Chronology

### **1996 - 1997:**

Adams State College (ASC) twice named in The Student Guide to America's 100 Best College Buys.<sup>1</sup>

### **1995:**

ASC is officially designated as a Hispanic Serving Institution (HSI) by the U.S. Department of Education, affirming that a university enrolls over 25% Hispanic students.<sup>2</sup>

NOTE: Despite this, the institution continues to retain significantly fewer Hispanic faculty, and almost zero faculty of African-American ancestry, relative to the university's student body.

During the 2000-2010 decade, ASC's Spanish language program languishes with fewer faculty (currently only one). Programs like Cultural Awareness and Student Achievement Center (CASA) are underfunded, under-staffed, and under-utilized.

ASC has the lowest graduation rate among any Colorado HSI, with substantially fewer Hispanic students graduating than the general student body.<sup>3</sup>

### **2003:**

Until 2003, a single governing board known as the Trustees of the State Colleges in Colorado held joint oversight responsibilities for Adams State College, Mesa State College, Metropolitan State College of Denver, and Western State College. Financial reviews for this four-college system were conducted on a consolidated basis. Effective July 1, 2003, Colorado House Bill 03-1093 dissolved this four-institution board and established separate, independent governing boards for each of the state colleges. .<sup>4</sup>

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1 "ASC again honored as one of America's Best College Buys" ASC website, 12/24/97

2 "Adams State celebrates HSI Week" ASU website, 8/29/16

3 "Putting future at risk" The Pueblo Chieftain, 5/7/16

4 "CO House Bill 03-1093" General Assembly of the State of Colorado, 3/25/2003

## **2008-2012:**

ASC undergoes major renovations across campus, including the creation of additional athletics facilities. The estimated cost is \$62 million in construction projects and touted as "by far the most ambitious building endeavor on our campus in nearly 50 years," according to ASU VP for Administration and Finance, Bill Mansheim in 2008.<sup>5</sup>

According to a 2017 Performance Evaluation by the Huron Consulting Group, a final total of capital construction expenditures between fiscal years 2009-2015 reached \$98.7 million.

ASC undertakes massive debt to build a new football stadium and indoor running track in the belief that recruiting student athletes will increase enrollment and grow the university's funding streams. Similar emphasis is placed on online programs in the Office of Extended Studies during this time.

NOTE: Athletic activities at ASU are commonly perceived among faculty as being of a higher priority than academic programs. Investigation into funding streams and salaries later confirm many of these beliefs. One online poll in 2016 asked, "Does ASU place too much priority on athletics over academics?" Of more than 100 votes cast, 72.55% answered "Yes, definitely" and 13.73% answered "Yes, sometimes." Just over 12% stated "no" to this question.<sup>6</sup>

According to February 21st, 2017 testimony in the Colorado General Assembly, 42% of ASU's students are athletes, versus 18% of the university's NCAA peers.

## **2009 - 2016:**

Multiple ASU campus climate surveys note a pattern of dissatisfaction among staff and faculty, sharing the perception that administrative decisions are often not responsive, equitable, or transparent. This culminates with "Issues of Shared Governance That Need to be Addressed" by Professor Rob Demski, presented to the Faculty Senate in January 2016.<sup>7</sup>

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<sup>5</sup> "College construction good for local economy" ASU website 9/10/08

<sup>6</sup> "Does ASU place too much priority on athletics over academics?" Watching Adams online poll, 2/22/16

<sup>7</sup> "Issues of Shared Governance that Need to be Addressed: The Faculty Perspective" Dr. Rob Demski, January 2016

**2012:**

According to Colorado Department of Higher Education, ASU's undergraduate student population reaches 3,033. This represents “peak” enrollment data and on-campus undergrad student populations begins to drop between 2-5% each year thereafter.<sup>8</sup>

**May 2012:**

Adams State College designated as Adams State University (ASU).<sup>9</sup>

Faculty and staff inquire about any meaningful improvement of available resources, academic funding, compensation, or other related factors with “university” status. Employees are told that the designation is largely a branding exercise.

**March 2014:**

The Atlantic publishes PayScale research citing ASU as “one of the ten biggest wastes of money” in US higher education, based on return on investment data of degree completion and earnings.<sup>10</sup> President Svaldi criticizes the metrics used to make this assessment, calling it misleading and unfair.<sup>11</sup>

NOTE: Similar assessments are made by U.S. News & World Report and College Factual, stating: “Adams State University's overall average net price combined with a poor quality education, results in an average value for the money when compared to other colleges and universities in Colorado.”<sup>12</sup>

**July 2014:**

National Center for Education Statistics publishes ASU graduation rates as among the lowest nationally – 21% in four years, 24% in six years.<sup>13</sup>

As enrollment and graduation rates decline, and in the face of increasing competition from other universities, ASU leadership resists dedicating resources for recruiting and marketing,

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8 “Fall Enrollments by Institution, Residency” Colorado Dept. of Higher Education, 2004-2016

9 “Adams State becomes a University” ASU website, 5/22/12

10 “These U.S. Colleges and Majors Are the Biggest Waste of Money” The Atlantic, 3/26/14

11 “The More You Pay, the More It's Worth” Huffington Post, 4/21/14

12 “Is Adams State University a Good Educational Value for the Money?” College Factual, 2016

13 “Most Affordable Bachelor’s Degree Colleges in Colorado” Affordable Schools, 2016

citing costs. Funding and personnel for marketing are reorganized, downsized, or cut altogether.

NOTE: ASU is the only university in the state and one of the few in the nation that does not use advising software. This has resulted in students being mistakenly advised, requiring students to complete extra courses they need not have taken for graduation. These mistakes have increased costs, delayed graduation, and caused general dissatisfaction among students. ASU has recently bought advising software, to be implemented in the 2017-2018 academic year.

### **August 2014:**

Recently-terminated former ASU Police Chief Joel Shults writes an editorial, "It's not about me", outlining numerous concerns of safety, fairness, and administrative wrong-doing.<sup>14</sup> Upon further investigation, Shults' termination appears to be the immediate result of filing a complaint against ASU basketball coach Louis Wilson on behalf of one of his officers, Alisha Riggs, who was allegedly threatened by the coach during a traffic stop.

Shults' claims cause widespread concern among ASU employees, prompting President Svaldi to commission a local retired judge, John Kuenhold, to investigate problems of safety and fairness at ASU. His report is released in August 2015.<sup>15</sup>

### **December 2014:**

The investigative report "Confessions of a Fixer" by The Chronicle of Higher Education finds that ASU's deficient online security and identity verification in print-based correspondence courses has enabled an anonymous athletics director named "Mr. White" to abuse ASU's Extended Studies program, resulting in inflated grades, and passing student athletes through ASU's program to remain academically eligible at their own institutions nationwide.<sup>16</sup>

### **January 2015:**

Outgoing President David Svaldi condemns anyone who has abused ASU's Extended Studies program. Svaldi cites difficulties in improving security measures with some distance

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<sup>14</sup> "It's Not About Me" by Joel Shults, 8/5/14

<sup>15</sup> "Adams State Trustees authorize policy review" ASU website, 9/3/14

<sup>16</sup> "Confessions of a Fix" The Chronicle of Higher Education, 12/30/14

education programs and suspends print-based correspondence coursework.<sup>17</sup>

The Higher Learning Commission (HLC), ASU's accreditor, sends a letter of inquiry regarding the revelations of the Chronicle investigative report, citing serious concerns about the institution's academic integrity.<sup>18</sup>

During the 2015 calendar year, the HLC conducts a site investigation and concludes that the problems with Extended Studies go beyond security measures—including grossly over-enrolled online courses with 400-600 students, insufficient faculty contact with students, problems with courses in degree sequencing, and inadequate course deadlines in which semester-based courses were treated as open enrollment courses.<sup>19</sup>

### **June 2014 – August 2015:**

A group of concerned ASU employees form the Campus Advocacy Group (CAG) to address issues of low employee morale, and barriers to campus fairness and equity on campus. CAG is formally approved by President Svaldi, who attends its early meetings, but he later withdraws his support when the group proposes, among other things, stronger anti nepotism provisions and improved shared-governance practices.

Within months, CAG projects and initiatives are sidelined, delayed, attacked as having ulterior motives, or simply ignored. Senior administrators such as Margaret Doell, Assistant Vice President for Academic Affairs, refer to CAG as “that rogue group” in a President's Cabinet meeting during the spring of 2015. Members are characterized as a “bozo explosion” that should be “fired fast” according to senior faculty such as Dr. Michael Tomlin, Professor of Business.<sup>20</sup>

By the end of the 2014-2015 academic year, CAG members experience pronounced shunning, retaliation, bullying, and other hostile work conditions. In the months to follow, at least six employees undergo constructive dismissal, attrition, funding termination, or outright

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17 “Opinion Column” Dr. David Svaldi, Valley Courier, 1/19/15

18 HLC Inquiry into ASU Extended Studies, 1/28/15

19 HLC Notification of Probationary Status, 3/3/16

20 Watching Adams Comments page, December 9, 2016 at 10:39am

exile. This chapter in ASU history becomes known as “The Killing of CAG.”<sup>21</sup>

### **May 2015:**

After extensive review of candidate score sheets, retiring Adams State Office of Equal Opportunity (OEO) Director Joel Korngut acknowledges technical, procedural, and factual errors and omissions in the Mass Communications faculty hiring process. These errors prevent visiting professor Danny Ledonne from being interviewed for a job he had been performing as an adjunct and visiting professor for four years.

Ledonne meets with outgoing President David Svaldi and is encouraged to bring the matter to the Board of Trustees. The Board declines Ledonne's efforts to reach an agreement and ignores his request to mediate the situation with The Center for Restorative Programs, a community mediation service.<sup>22</sup>

Subsequently, the candidate hired instead of Ledonne leaves after one year of employment. The position remains unfilled.

### **June 2015:**

Despite significant opposition on campus, the Board of Trustees selects Dr. Beverlee J. McClure as ASU's incoming president.

Dr. McClure was previously a business lobbyist who ran a negative fund balance heading the New Mexico Association of Commerce and Industry (ACI). During this time, Dr. McClure retained her six figure salary despite these diminished revenues from member organizations.<sup>23</sup>

McClure had also previously been sued in 2004 for hiring discrimination while president of Clovis Community College, though the jury acquitted McClure and CCC of wrongdoing in the case.<sup>24</sup>

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21 “The Killing of CAG (That 'Rogue Group')” Watching Adams Commentary, 2/15/16

22 “Cover Letter to ASU Board of Trustees” Danny Ledonne, 4/17/15

23 “Adams State U Prez Bans “Disruptive” Adjunct Activist From Campus” Adjunct Nation, 10/29/15

24 “CCC acquitted in lawsuit” Eastern New Mexico News, 12/8/04

McClure was also named “Worst Person in the World” in 2010 by the New Mexico Center for Civic Policy<sup>25</sup> for “incorrect and damaging statements” made by McClure while heading ACI regarding the Better Choices coalition.<sup>26</sup> NMCCP concludes, “The trouble is that most of what McClure [said] was without basis in fact – she simply made the stuff up.” McClure's fabricated statements would emerge as a pattern of conduct at Adams State University.

### **August 2015:**

Judge O. John Kuenhold releases “Safety and Fairness at ASU: a Study” after a review of campus documentation and interviews with more than 90 members of the ASU community. The report found dysfunctional departmental communications, perceptions of favoritism, insufficient promotions based on employee performance, a lack of shared governance, discontent with entities such as ASU Human Resources and Athletics programs, accusations of institutional sexism, and disfavoring of Hispanic employees.<sup>27</sup>

No significant changes are made to policies, procedures or practices as a result of the “Kuenhold Report.” In their response, ASU's executive council refuses to meet basic requests from students interviewed in the study, such as a campus health clinic.<sup>28</sup> However, campus police receive an upgraded fleet of vehicles months later.<sup>29</sup>

As later investigations reveal, salary inequities remained fundamentally unaddressed and in some cases, became more severe in the aftermath of the Kuenhold report.<sup>30</sup> To date, ASU's Human Resources department continues to generate dissatisfaction among employees, and perceptions persist regarding ASU Athletics' institutional favoritism.

During the 2015-2016 year, multiple complaints are filed by former employees with the U.S. Equal Employment Opportunity Commission, alleging workplace discrimination, wrongful termination, and related charges. Multiple employees leave the institution after experiencing sexual harassment in the workplace, handled discreetly and without satisfaction by the ASU Office of Equal Opportunity (OEO). No broader institutional intervention is made. To this day,

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25 “Beverlee McClure: Worst Person in the World” Clearly New Mexico, 3/16/10

26 “ACORN, Better Choices New Mexico And The Importance Of Newspaper Corrections” ABQ Journal Watch, 3/24/10

27 “Safety and Fairness at ASU: A Study” O. John Kuenhold, 8/20/15

28 “Safety and Fairness at ASU: A Study – Executive Team Action Plan” ASU Executive Team, 8/27/15

29 “ASU Police Department upgrades fleet” ASU News for You, 10/29/15

30 “CUPA Data Reveals Longstanding Pay Inequities at Adams State” Watching Adams, 10/26/15

these personnel matters remain confidential.

### **September 2015:**

President McClure directs incoming OEO director, Ana Guevara, not to meet with former faculty Danny Ledonne regarding his hiring concerns. Guevara refuses to meet with Ledonne even as he was directed to do so by the previous director.<sup>31</sup>

Ledonne's campus email account is terminated despite his multiple attempts to retain access while running the Southern Colorado Film Festival, for which he was festival director and using the ASU web server to host the site. HR Director Tracy Rogers refuses to grant account access to Ledonne.<sup>32</sup>

President McClure also informs Creative Relations director Mark Schoenecker “that he can no longer hire Ledonne” for video contract work, as stated in a phone call between Schoenecker and Ledonne. Ledonne had worked for Schoenecker for four years and had been repeatedly assured a contract in 2015-2016 by Schoenecker and by outgoing Senior Vice President Dr. Michael Mumper.<sup>33</sup>

After multiple attempts to resolve hiring concerns are ignored, Ledonne creates a watchdog website called WatchingAdams.org and begins filing Colorado Open Records Act requests for unpublished university salary data.

The resulting data publication at Watching Adams reveals significant disparities between administrative and faculty/staff pay and patterns of favoritism toward certain groups, such as programs within ASU athletics.

### **October 2015:**

Watching Adams releases its first article detailing ASU’s history of delaying payments to adjuncts, in violation of the Colorado Wage Act.<sup>34</sup> Another article documented how ASU obstructed the acquisition of public salary data behind a password-protected university

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31 Ledonne-Guevara emails, September 2015

32 Ledonne-Rogers emails, September 2015

33 Ledonne-Schoenecker emails, August 2015

34 “ASU Violates Colorado Wage Act Again... and Again...” Watching Adams, 10/12/15

website.<sup>35</sup> Another article revealed how ASU illegally delayed responding to employee Open Records requests and ignored confidentiality rules.<sup>36</sup>

The day after publication, President McClure forbids Ledonne from attending “administrative meetings” but refuses to specify which meetings are designated as “administrative” in nature.<sup>37</sup>

The following day, President McClure bans Ledonne from the entire ASU campus with a threat of arrest, citing unspecified safety concerns and without any previous notice, hearing or explanation. The university's stated “appeals process” requires Ledonne to meet with Vice President Kurt Cary, a direct subordinate to McClure, and without any formal notice of the charges against him.<sup>38</sup> Ledonne protests this process in writing several times, citing a violation of his Constitutional rights to due process and that the ban violates his First Amendment rights to publicly assemble on the university campus.<sup>39</sup>

#### **November 2015:**

Watching Adams releases additional articles, identifying disparities in peer group average pay data between some ASU administrative positions and those at other institutions – with some employees making over 120% of other institution averages while most employees make 72.5-80% of their peers.

The Foundation for Individual Rights in Education<sup>40</sup> and the American Association of University Professors both strongly condemn President McClure's treatment of Ledonne and of a proposed “Persona Non Grata” policy that would be retroactively applied to him.<sup>41</sup> The treatment of Ledonne and the PNG policy violates due process under the Fourteenth Amendment. The university ignores requests to have the PNG policy revoked and claims their actions have been endorsed by the Colorado Attorney General's office.

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35 “ASU Sets Privacy Trap for Employees Wanting Public Information” Watching Adams, 10/12/15

36 “ASU HR Violates Colorado Open Records Act” Watching Adams, 10/12/15

37 Ledonne-McClure emails, October 2015

38 McClure No Trespass Order, 10/14/15

39 Ledonne Response to ASU No Trespass Order, 10/27/15

40 “What Does It Take to Get Barred from Adams State University? Not Much” The FIRE, 11/3/2015

41 CO AAUP Letter of Opposition to ASU PNG, 11/9/15

In campus-wide meetings and in an interview with the Valley Courier, President McClure claims Ledonne engaged in “harassment and terrorism” and that Ledonne is on a “Colorado police watch list.”<sup>42</sup> It was subsequently revealed in court, according to a signed affidavit by Sergeant Blake White of the Colorado State Patrol, that there is no such thing as a Colorado police watch list.<sup>43</sup> No FBI or DHS agent investigates allegations of “terrorism” by Ledonne.

In a campus-wide email, President McClure further claims that Ledonne engaged in “direct and indirect threats against individuals and the university as a whole” but offers no substantiation for these claims.<sup>44</sup> In campus meetings, McClure carries a thick binder represented as “Ledonne’s file” that was never shown to Ledonne or anyone else inquiring about evidence of her claims. Alamosa and ASU police departments have no records of any complaints against Ledonne.

In student and faculty senate meetings, President McClure claims that male student and faculty criticism of her decisions is due to “sexism.”<sup>45</sup>

Regional and national news outlets report on Ledonne’s campus ban and the issue gains national attention,<sup>46</sup> including from the American Civil Liberties Union.

### **December 2016:**

After approval from the Board of Trustees, President McClure announces a Guaranteed Tuition program and claims it will improve enrollment and retention.<sup>47</sup>

### **January 2016:**

Guaranteed Tuition is cited by Moody’s Investors Service as among the reasons for the university’s credit downgrade to the lowest acceptable investment grade: A3 with an underlying rating of negative, due to the university’s loss of control over tuition adjustments to help control costs.<sup>48</sup>

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42 “ASU cites safety concerns for barring Ledonne from campus” Valley Courier, 11/7/15

43 Signed Affidavit of Sergeant Blake White, 3/14/16

44 McClure email to ASU students, 11/17/15

45 “The Charge of “Sexism”: A Means of Suppressing Free Speech” Watching Adams, 12/7/15

46 “Adams State Officials Cite “Terrorism,” Columbine Concerns in Banning Ex-Prof” WestWord, 11/10/15

47 “Adams State announces Guaranteed Tuition” ASU website, 11/20/15

48 “Moody’s downgrades Adams State University (CO)’s to A3; outlook negative” Moody’s Investors Service, 1/28/16

ASU headlines its press release, “Adams State Well-Positioned to Improve Debt Rating” and fails to mention their credit has been downgraded, stating it has “changed” and then advertising Guaranteed Tuition.<sup>49</sup> Watching Adams reports on other universities that have abandoned guaranteed tuition programs due to budgetary crises.<sup>50</sup>

ASU enrollment continues to decline by several percentage points each semester, including 4.4% decline in spring 2016.<sup>51</sup>

### **February 2016:**

The ACLU of Colorado sues President McClure and ASU Police Chief Paul Grohowski in federal district court, alleging Ledonne was banned in retaliation for exercising his First Amendment rights to free expression and depriving public campus access without due process, as required by the Fourteenth Amendment.<sup>52</sup>

The same afternoon, President McClure publicly claims the university will prevail in the lawsuit, prior to Colorado Attorney General's lawyers reviewing the case. The Pueblo Chieftain headlines the declaration “Adams State on lawsuit: Bring it on!” on February 12th, 2016.

### **March 2016:**

After completing its 2015 investigation of online programs, the Higher Learning Commission (HLC) sanctions the university for violations by Extended Studies. The university is placed on a two-year academic probation but retains accreditation.

In response, President McClure claims ASU was unfairly targeted by the HLC as their “whipping boy” to “make some sort of political statement.”<sup>53</sup> In a phone interview, McClure maintains that Extended Studies only had one minor issue with a few online courses.<sup>54</sup>

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49 “Adams State Well-Positioned to Improve Debt Rating” ASU website, 1/27/16

50 “Other Universities Abandoned Guaranteed Tuition – Here’s Why” Watching Adams, 3/14/16

51 ASU Undergraduate Enrollment, Spring-Fall 2016

52 “Ledonne v. Adams State University” American Civil Liberties Union, 2/10/16

53 “Adams State’s President Says Her University Is Accreditor’s ‘Whipping Boy’” Chronicle of Higher Education, 3/9/16

54 “Adams State University on probation” 9 News KUSA TV, 3/10/16

### **April 2016:**

Upon review of financial documents, the Colorado Office of the State Auditor concludes that ASU has had four years of consecutive operating losses and initiates a performance audit on ASU and also Western State Colorado University. This audit is commissioned to more fully assess ASU's financial stress due to declining enrollment and mounting debts from construction projects.<sup>55</sup>

### **May 2016:**

Dr. Chris Gilmer is announced as the new Vice President for Academic Affairs. President McClure states that he was the top recommendation from all constituent groups and the search committee.<sup>56</sup> Dr. Gilmer's extensive experience with online and distance learning programs is cited among his qualifications for the position.

### **July 2016:**

After President McClure previously claimed ASU would prevail in court, McClure v. Ledonne settles out of court—with a strong preference indicated by the Colorado Attorney General's office to settle prior to the depositions of their client, Beverlee McClure.<sup>57</sup> The ACLU secures a \$100,000 settlement for Ledonne, ASU lifts the campus ban without comment as to why, if Ledonne was previously a threat to campus safety, he is now permitted access.<sup>58</sup>

ASU administration claims in a press release that they “won” during the settlement, headlined “Mediation decides in favor of Adams State University” and that the judge “ultimately ruled in favor of Adams State.”<sup>59</sup> Colorado ACLU director Mark Silverstein disputed these claims in quoted interviews with the Valley Courier and Denver Post.<sup>60 61</sup> Upon wide circulation, ASU's claims of victory are later scrubbed from the ASU website.

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55 “Request for Proposal: Performance Audit of ASU and WSCU” CO Office of the State Auditor, 3/23/16

56 “Gilmer carries the torch for academic inclusion to Adams State” ASU website, 9/7/16

57 “ACLU Wins \$100K Settlement for Former Adams State Professor Who Was Banned from Campus after Criticizing the University” American Civil Liberties Union, 7/25/16

58 “Adams State Settles Lawsuit From Banned Former Prof, ACLU For \$100,000” WestWord, 7/25/16

59 “Mediation decides in favor of Adams State University” ASU website, 7/25/16

60 “ASU, Ledonne resolve lawsuit” Valley Courier, 7/26/16

61 “Adams State settles ACLU suit brought by ex-professor Danny Ledonne” Denver Post, 7/25/16

## **August 2016:**

In the ASU Board of Trustees meeting, Chair Arnold Salazar claims that “not one dime was paid to the plaintiff.”<sup>62</sup> In response, Ledonne publishes a photo of himself holding a check for \$64,289.48 from the ACLU.<sup>63</sup>

ASU Police Chief Grohowski, also implicated as a defendant in the ACLU lawsuit, promptly resigns from Adams State. No official explanation is given for this action.<sup>64</sup>

During the 2015-2016 academic year, at least 17 full time faculty depart due to non-renewal, retirement, resignation, or death. This turnover represents about 18% of all full time faculty at ASU.<sup>65</sup>

Analysis of the Department of Education’s College Scorecard concludes that ASU is one of the “Top 10 Dropout Factories” in US higher education, based on its 21.7% four year completion rate.<sup>66</sup>

## **September 2016:**

Despite President McClure publicly maintaining that there are no real problems with Extended Studies, the incoming VP for Academic Affairs, Dr. Gilmer commissions an external investigation from Dr. David Mathieu, educational consultant.<sup>67</sup>

“The Mathieu Report” finds “egregious” and systemic problems with the Office of Extended Studies (OES), confirming the findings of the HLC and noting numerous other problems. It reveals that senior administrators allowed faculty to abuse online coursework for more than double the salaries of on-campus faculty. The report observes, “there was often greater interest in remuneration rather than quality teaching and the maintenance of academic standards among many of the faculty teaching online courses for OES.”<sup>68</sup>

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62 “Adams State Trustees hear support of University mission” ASU website, 8/25/16

63 “How Legal Settlements Work 101” Watching Adams, 8/31/16

64 Grohowski resigns, 8/18/16

65 “At Least 17 Faculty Departed ASU in 2015-2016” Watching Adams, 8/22/16

66 “What Free Won’t Fix: Too Many Public Colleges are Dropout Factories” Third Way, 8/11/16

67 “Visit to Adams State by Dr Mathieu” ASU website, 9/15/16

68 “Final Report of Visit to Adams State University” Dr. David J. Mathieu, Consultant, August 8 to August 11, 2016, Evaluating Distance Education Programs

The report recommends that the OES be shut down entirely and rebuilt as the Office of Continuing Education.

**October 2016:**

After filing an information request, Watching Adams reveals that ASU Board Chair Arnold Salazar rented his private ranch to ASU for over \$12,000 as part of a five day cultural retreat in August 2016—as funded by a Title V grant. The Title V program at ASU is managed by Salazar's sister, Lillian Gomez.<sup>69</sup>

Multiple reputable sources, within ASU's financial guidelines and externally, demonstrate an obvious conflict of interest, potential nepotism, a violation of the university's own financial guidelines, and an abuse of public funds for non-competitive contracts.<sup>70</sup>

President McClure issues a statement claiming that the Salazar Ranch transaction is justified, fully transparent, and that there is no conflict of interest.<sup>71</sup>

In February 2017, The U.S. Department of Education launches an investigation into the propriety of Board of Trustees chairman Arnold Salazar renting out his private ranch to ASU. This investigation is currently ongoing.

In a letter to the Higher Learning Commission, President McClure cites the Mathieu report and takes credit for initiating the investigation, mentioning Dr. Gilmer only in reference to her hiring him, despite the fact that he ordered the report.<sup>72</sup>

The HLC acknowledges ASU's release of the Mathieu Report. Upon President McClure's request, the HLC agrees to delay ASU's site review for reaccreditation from April 2017 to November 2017. The HLC also reprimands McClure's previous behavior of publicly complaining about the HLC's sanction as unwarranted and in bad faith.<sup>73</sup>

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69 “Public university paid board chair \$12,000 to host social-justice retreat” The College Fix, 10/25/16

70 “ASU Paid Its Own Board Chair Over \$12,000 for Conference Services” Watching Adams, 10/24/16

71 “La Manzanilla Event Center/Jack Farms LLC Memorandum” Dr. Beverlee McClure, 10/24/16

72 ASU letter to HLC, 10/17/16

73 HLC letter to ASU, 11/17/16

### **November 2016:**

After years of unsatisfactory pass rates, the ASU Nursing Program is found to have the lowest student success for the National Council Licensure Examination in the state of Colorado, with only 41% of nursing graduates passing the exam. Most schools in the state have between 85-90% pass rates.<sup>74</sup>

The following month, the ASU Foundation releases an editorial claiming that the Watching Adams article on this data is misleading and inaccurate, assuring the public that the Nursing program is improving and the university's mission is well-served. The editorial does not explain what other pass rate data should be considered instead of the 41% pass rate.<sup>75</sup>

### **December 2016:**

A public feud between President McClure and VP Gilmer becomes widely known. Watching Adams publishes a commentary critical of President McClure's choice to wear a fat suit and prosthetic rotting teeth as a plumber.<sup>76</sup> This was for a Halloween costume party in the home of Dr. Gilmer, an obese man with an obese partner. Numerous employees report finding the costume offensive and undermining ASU's mission to serve working-class students.

### **January 2017:**

President McClure sets up 17 small mirrors in the east-facing windows of the ASU presidential home. These mirrors all face the residence of Dr. Gilmer, her neighbor. Speculation widely circulates as to the purpose and intention of these mirrors.<sup>77</sup>

Watching Adams releases itemized salary documents and analysis, identifying patterns of potential nepotism and cronyism. The articles reveal some senior faculty and administrators more than doubling their salaries in recent years by teaching online coursework in addition to their full time jobs. Business professors Dr. Linda Reid and Dr. Liz Thomas Hensley are discovered to have made 150% more than their base pay while teaching as many as 30 courses in one academic year. Through additional line items including online coursework, full time faculty member, double department chair, and faculty senate president Dr. Edward

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<sup>74</sup> "Adams State Nursing Exam Pass Rate Drops to 40.7% – A Record Low for Colorado" Watching Adams, 11/28/16

<sup>75</sup> "Letter to the editor: Community celebrates Adams State" Valley Courier, 12/16/16

<sup>76</sup> "President McClure's Lack of Empathy is Undermining ASU's Historic Mission" Watching Adams, 12/12/16

<sup>77</sup> "Marvel House Mirrors Raise Questions" Watching Adams, 1/26/17

Crowther made an additional 123% above his base salary. Former administrator Bill Schlaufman made almost double his base salary from teaching online in addition to working as the university's financial controller.<sup>78</sup>

In its 2015-2016 financial compliance audit of ASU, the accounting firm Wall, Smith, and Bateman concluded that the university was not correctly accounting its revenue, scholarships, or federal loan receipts and expenditures. ASU explained these errors as the result of staff turnover, improper internal controls, and incomplete accounting protocol issues. As a result, WSB found that a true and complete audit of the university's finances was all but impossible. The auditor concluded "the University did not have a review process in place to identify the errors in the financial statements."<sup>79</sup>

Dr. Jeff Elison of the Psychology department, one of ASU's most highly regarded and most published professors, is denied promotion. The records show that, despite the faculty handbook stipulating that the criteria for assessment is based solely on teaching capabilities, academic integrity and research output, his promotion was denied because he repeatedly raised attention to administrative irregularities and circulated a personal email advocating for a vote of "no confidence" in President McClure.<sup>80</sup>

### **February 2017:**

President McClure announces that VP Gilmer has "resigned" "effective immediately"<sup>81</sup> and provided a signed statement from Dr. Gilmer, dated two days prior, that makes no mention of his resignation nor his intention to leave the university. Dr. Gilmer's statement includes "the friendship which President McClure and I formed quickly and easily has unfortunately dissolved and has begun to affect the university in a negative way."<sup>82</sup>

Board Chair Salazar claims in the Valley Courier that "Dr. Gilmer voluntarily and at his own initiation resigned his position."<sup>83</sup> No explanation is given as to why a senior administrator who has recently moved from Mississippi would resign of their own initiation after seven

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78 "Several ASU Faculty more than Doubled Salaries from Additional Compensation" 1/17/17

79 "Financial and Compliance Audit – FY 2015-2016" Wall, Smith and Bateman, 1/18/17

80 "Dr. Elison's Email to Faculty Senate Regarding Censure" 1/25/17

81 Dr/ McClure email to campus regarding Dr. Gilmer's resignation, 2/6/17

82 Dr. Gilmer signed statement, 2/4/17

83 "Gilmer resigns ASU position" Valley Courier, 2/10/17

months of employment. A signed mediation agreement prevents Dr. Gilmer from speaking on the subject, being threatened with a lawsuit from President McClure if he violated this non disparagement clause.<sup>84</sup>

Online comments call for Watching Adams to be shut down as “revenge porn” and as “cyber bullying.” Margaret Doell, Assistant VP for Academic Affairs attempts to remove a Watching Adams article from Facebook, upon its publication by Antonito News.<sup>85</sup>

President McClure writes an online declaration: "I believe that stronger laws are needed to protect victims of Internet mobs and cyber bullying. I hope others will join me in the effort to support these laws at the state and federal level. We cannot continue to allow Internet mobs to stifle the free speech of others."<sup>86</sup>

The Colorado Office of the State Auditor hears testimony and reviews the Huron Consulting Group’s Performance Evaluation of Adams State University. The audit concludes that ASU continues to run an operating deficit of \$8.9 million in Fiscal Year 2015 and \$6.6 million in Fiscal Year 2016, as well as ASU's tuition rates “were among the highest Huron found in its peer group and concluded that above-market tuition rate hikes might not be a viable solution to the problem.”<sup>87</sup>

Legislators noted that the university's investment in athletics programs has limited its ability to grow other areas of the university, created a substantial debt burden from the construction and maintenance of athletics facilities, and reduced core focuses on retention and degree completion for students.<sup>88</sup>

Predictably, the university's press release proclaims “Adams State University improving its financial position.”<sup>89</sup>

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84 “Gilmer-McClure Mediation Agreement” 1/31/17

85 “Assistant VP Doell Attempts to Remove VP Gilmer Resignation Article from Facebook” Watching Adams, 2/13/17

86 “President's Message on Cyber Bullying” ASU website, 2/14/17

87 “ASU Performance Evaluation” press release, 2/21/17

88 “Colorado General Assembly live testimony” audio recording, 2/21/17

89 “Adams State University improving its financial position” ASU website, 2/21/17

Full time undergraduate student enrollment at ASU declines by another 3.6% in the spring of 2017, with an even larger decline (6.5%) in freshman, sophomores, and juniors.<sup>90</sup> This represents a two year decline of 7.6% undergraduate student enrollment, or around \$4 million in annual lost tuition and fees.

### III. Concluding Remarks

*"I theorize that many of these problems stem from Adams State University's isolated, rural location. A four-college board of trustees (CMU, Metro State, Gunnison, and Adams) once governed the school but was dissolved in 2003. While this four-college structure no doubt had its own challenges, it enabled Adams State to maintain valuable connections with other institutions. Benefits included the exchange of best practices and mutual accountability. Since the dissolution of the four-college board, Adams State has been largely left to its own devices. This, along with our extremely rural location and deep web of regional family connections are factors that I believe have fostered the rampant, entrenched abuse of a publicly-funded entity."*

- ASU employee

ASU's decline began under Dr. Svaldi's presidency during the 2000's, and this chronology shows that over the past 21 months of Dr. McClure's stewardship, the trajectory continues unabated and with an elevated level of vindictive conduct by senior administrators. If we include the fall in employee morale, including several employees who recently made public statements that morale was at its lowest in 20 years, the increased animosity and suspicion dividing different cliques, and a loss of confidence in the university's leadership, then arguably ASU is deteriorating at an accelerating rate.

When Dr. Svaldi retired in June 2015, almost all of his executive team remained. Most of those have been at ASU for years if not decades, and had been promoted from within, without contest. Dr. Svaldi fostered a workplace culture of "don't rock the boat", and insinuated a mandate to his administrators to quell apparent malcontent by whatever means necessary.

This culture of stasis is exemplified with ASU's 2020 Strategic Plan, which is almost identical to the two previous ones, despite their demonstrable failure to improve the university's performance.<sup>91</sup> **Suggestions for improvement, no matter how benign, are assumed to be personal attacks by administrators. Their response is procrastination, obfuscation, opprobrium, public castigation, and constructive dismissal aimed at those who suggest institutional improvements.**

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<sup>91</sup> "ASU's New Strategic Plan is Neither, Nor" Watching Adams, 8/22/17

Occasionally ASU recruits fresh perspectives but it soon becomes clear to anyone with new ideas that unless they submit to the old ways of doing things, their careers are at risk. The recent controversial “resignation” of Vice President for Academic Affairs Dr. Gilmer is a case in point. People who attempt to diagnose and fix problems are reprimanded, bullied into silence, and then disappeared from the institution. The prevailing notion on campus has become, “if they can do it to Dr. Gilmer, they can do it to anyone.”

ASU’s leadership is highly sensitive to even the most constructive criticism because its performance by any measure is so poor. They blame others for ASU’s fortunes rather than looking within to seek improvements. Dr. McClure’s insistence that the HLC was at fault for academic probation, not she or ASU, is a case in point. Without the ability to admit problems, it is not possible to fix them.

The leadership must take responsibility for ASU’s failure to thrive. At the top of the list is Dr. McClure, whose remuneration package is approaching an annual quarter million dollars, an investment of which our students, employees and taxpayers might reasonably expect a return. But after 21 months, there are no signs of pay-off.

Second on the list is Trustees chairman, Arnold Salazar, who has been on the Board since 2010, He has taken a wait-and-see approach. It is understandable that trustees have given Dr. McClure time to turn things around, but after nearly two years in office, she has not. Rather, ASU’s reputation, financial situation, academic standing and campus climate are worse than ever.

**Those currently leading the university have demonstrated an inability and unwillingness to effectively address the pressing concerns facing Adams State University. The Board of Trustees seems to be as incapable as Dr. McClure to alter ASU’s course. But if the Board can’t do it, then someone else from outside with the right skills and temperament needs to step forward.**

Adams State University is too important to fail. For the economic, vocational, and cultural health of the San Luis Valley, the university's role cannot be understated. Founded in 1921, ASU is among the central drivers of commerce and intellectual life in a region with high levels of poverty, homelessness, and limited opportunity. It is for this reason that ASU cannot be allowed to continue failing its students, its employees, and its community with persistently low graduation rates, escalating tuition and fees, deficit spending, high employee turnover, and a dwindling mission to serve the state education system of Colorado.

**We hope this document galvanizes state government and the local community to work together to find solutions to ASU's administrative and leadership problems before it is too late.**