

**SAINT AUGUSTINE'S UNIVERSITY
OFFICIAL COMPLAINT FORM**

Person filing complaint: Debra Clark Jones, Vice President of University Advancement and External Affairs

Where can you be reached: _____

Street Address

City

State

ZIP

Telephone: _____

Date: 04-13-2020

Nature of Complaint: My complaint (attached) involves actions by the board chairperson Jim Perry, Trustee Brian Boulware, and Interim President Maria Lumpkin. The three modified approved minutes without board approval in an attempt to mislead SACSCOC. Others prevented the submission of the revised minutes (and another document not mentioned in this complaint). These actions posed a grave risk to the University's accreditation status.

Requested Remedy: My request is that an external and independent investigation be done related to Dr. Ronald Brown's allegations (which triggered the SACSCOC inquiry). The purpose of the investigation would be to ferret out activity that poses great risk to the University including non-adherence to policies and procedures.

Response: _____

Signature

Date

I am not satisfied with the decision of the President. I am requesting a hearing with the Board of Trustees.

Debra C. Jones

Signature

04-13-2020

Date



April 4, 2020

Mr. Joseph "Joe" Cheshire, V, Esq.
Cheshire Parker Schneider & Bryan, PLLC

Dear Atty. Cheshire:

This letter has been difficult to compose. Sharing concerning activity performed by individuals with whom I have collegial relationships is not easy. This submission would be easier perhaps if I was a disgruntled employee, but this letter is not an act of retribution. I believe simply that it is my duty to the University to report activity that puts the institution at grave risk and this duty extends beyond the relationships that may exist.

As you know, Saint Augustine's University received a SACSCOC letter dated February 14, 2020 from Dr. Crystal Baird requesting a response report addressing unsolicited information sent to SACSCOC. Dr. Baird's letter referenced allegations made by Attorney Charles Francis and Dr. Ronald Brown related to "board overreach." In developing the response report, I had the pleasure of working with Dr. Mariah Murrell and Atty. Kyle Brazile. We were fortunate to work with Dr. Joseph Silver, an external consultant, who provided outstanding and expert guidance. Dr. Silver advised our team on what the University needs to show to demonstrate compliance to the specific SACSCOC requirements and standards cited in Dr. Baird's letter.

Developing a response with the team was difficult for me because I believe, based on my personal observations, that many of the allegations made by Dr. Brown are true. I also believe that if the board performs a full, independent investigation into the allegations, you will find ample evidence to support the allegations. I chose to approach working on the response report like a "defense attorney" might by developing the best "defense" to the allegations while remaining truthful.

My moral dilemma reached a breaking point over the past several weeks. An event occurred that I believe warrants the Board's attention.

BACKGROUND

In his letter dated January 16, 2019, Dr. Brown alleges that Trustee Brian Boulware initiated and managed a contract with Hughes Construction. This allegation, if true, would be a violation of SACSCOC Core Standard 4.2.b. which states:

The governing board ensures a clear and appropriate distinction between the policy-making function of the board and the responsibility of the administration and faculty to administer and implement policy. (Board/administrative distinction)

The response report team was tasked, in part, with demonstrating that the University is compliant generally with Core Standard 4.2.b which included providing evidence to refute Dr. Brown's allegation. Evidence to demonstrate SACSCOC compliance should show that the University follows its procurement policies and processes. These evidences include bids/quotes, contracts, and minutes reflecting board approval.

When they came onboard in March and April 2019, Dr. Gaddis Faulcon (former interim president) and Dr. Brown expressed major concerns that the residential halls were not ready to receive incoming students. There was a sense of urgency to perform repair and renovation work to ensure that the condition of the residence halls did not have a negative impact on student enrollment and retention. Trustee Brian Boulware recommended the use of Hughes Construction, a company based in Atlanta, Georgia, to remediate the residence hall issues.

Hughes Construction performed work in the Summer of 2019 to repair and renovate residence halls before students returned to campus. The work totaled \$375,000 and the University paid Hughes in full. The former CFO, Tonya Jackson, told me that a contract, however, did not exist. She expressed frustration at the notion that she was expected to make payment to Hughes with no contract, no other bids, and no board approval. She voiced concerns about her reputation as a financial professional and her unwillingness to participate in activity that she believed violated, at a minimum, her professional ethics. I have attached a [summary of emails](#)¹ from and to Tonya Jackson that document her concern.

On July 25, 2019 (as shown in Ms. Jackson's emails), Ed Patrick (former and current Chief Financial Officer) requested confirmation from Judge Perry that the board approved Hughes work. Her emails do not show a response from Judge Perry related to board approval. Trustee Brian Boulware sent Ed Patrick and others an email on July 26, 2019 that states "Per Chairman Perry, with board approval, make payment [to Hughes Construction] ASAP." Mr. Patrick asked his staff to attach Trustee Boulware's email to the payment record. As shown in the emails, Ms. Jackson states as late as September 17, 2019 that there was no contract and no formal board approval (i.e. board vote) for the work performed by Hughes Construction.

The Board of Trustees had several meetings (including committee meetings) where they discussed concerns related to the condition of the residence halls. It is my understanding that Board members were aware that Hughes Construction was working on the residence halls and Board members did not raise any objections. Although there was apparent "consent" by the Board, the response report team sought to include evidence of a formal board approval action for this work to demonstrate compliance. The team scoured board meeting minutes from 2018 and 2019 searching for a mention of a board approval action related to the work performed by Hughes. We found none.

MODIFICATION OF BOARD MINUTES

On the evening of March 22, 2020, I was on a call with Dr. Maria Lumpkin (interim president), Judge Jim Perry (chair of the Board of Trustees), Trustee Boulware, Ed Patrick (Vice President of Business and Administration), and Dr. Silver. Trustees Perry and Boulware stated that a vote took place by the board approving the work performed by Hughes Construction. Dr. Silver emphasized the importance of providing the approved minutes showing board approval in the response report.

¹ The emails and documents associated with the email summary are available upon request.

I received a call as soon as we ended our call with Dr. Silver. The parties on this second call were Dr. Lumpkin, Judge Perry, Trustee Boulware, and Mr. Patrick. During the conversation, Judge Perry stated, "We should just amend the minutes of the April 18th Meeting." I asked if they intend to have a special called meeting to amend the minutes and the response was "No." I stated on the call my objections to the modification of approved board minutes without a proper vote of the board. Trustee Boulware stated "Debra, you can be 'right' or you can be 'dead right.'" I am not certain what he meant by this statement (nor did I ask), but it felt like a veiled threat which further angered me. It also bothered me that no one on the call admonished him for the remark.

Judge Perry asked if I had a copy of the April 18, 2019 minutes that I could send him in Word. He also asked if I had shared the current version of the April 18th minutes with Dr. Silver and I said "No." I emailed a copy of the April 18th minutes to Judge Perry as he requested and copied everyone on the call. I was asked later to "close my ears" on the call when they were discussing additional changes (i.e. the signature dates on the contract) "to make the dates work" and I said, "No. I'm not going to just 'cover my ears,' I'm actually getting off the call." And I did. Later that night, Dr. Lumpkin emailed me a modified version of the April 18, 2019 minutes (See [Lumpkin email](#)). Her version included the following language that was not in the actual approved minutes:

The Board went into Executive Session to discuss a personnel and contractual matter. After coming out of Executive Session, the board approved entering into a contract with Hughes Brothers Construction for the renovation of the residence halls in the amount of \$500, 000 or less of their estimate.

Dr. Lumpkin indicated that I should submit the modified version of the board minutes for the response report to SACSCOC. (See [modified minutes](#) for April 18, 2019 board meeting and [approved minutes](#) for the April 18th meeting).

In a status update call with Dr. Silver, Dr. Lumpkin stated that the University has minutes that show board approval. Members of the response report team stated that there are no minutes that show approval. Dr. Silver questioned the validity of the minutes cited by Dr. Lumpkin, Judge Perry, and Trustee Boulware and expressed deep concern. His questions and comments and the concerns expressed by the response report team prompted the removal of the modified minutes from the report.

CONCERNS ABOUT THE MODIFICATION OF BOARD APPROVED MEETING MINUTES

My concerns related to the modification of approved board minutes include the following:

- Approved board minutes should not be modified without proper board approval.
- There should not be any attempt to send fraudulent documents to SACSCOC. The lack of integrity surrounding this document violates both general ethics, but also SACSCOC's Core Requirement Section 1 which states:

*The institution operates with integrity in all matters. (Integrity) [CR]
(Note: While this principle is not addressed by the institution in its Compliance Certification or its application for accreditation, failure to adhere to this principle will lead to the imposition of a sanction, adverse action, or denial of authorization of a Candidacy Committee.)*

Institutional integrity serves as the foundation of the relationship between SACSCOC and its member and candidate institutions... In order to comply with these requirements for integrity and accuracy in reporting in its relationships with the Commission, the chief executive officer and Accreditation Liaison must review and ensure the accuracy and integrity of materials submitted by the institution.

Submission of the revised minutes could have placed the University's SACSCOC accreditation at risk.

- It is especially troubling that executive leadership, namely the interim president (Dr. Lumpkin), the chair of the Board of Trustees (Judge Perry), and another Trustee (Brian Boulware) were involved in the creation and attempted submission of a fraudulent document.
- If it had not been for questions raised and pressure applied by our consultant, Dr. Silver, and concerns expressed by the report writing team to, in essence, "block" the revised minutes, there is a high likelihood the University's SACSCOC response report would have contained the fraudulent minutes at the directive of Dr. Lumpkin.
- I recognize that Trustee Boulware has made negative comments to several individuals. Some people have labeled his remarks to them as "threats." His March 22, 2020 remark to me (i.e. "right or dead right") was my first time being on the receiving end. I was not only uncomfortable with the discussion to modify documents, but his remark felt like an attempt to intimidate me. Whether intimidation was his intent or not, I can only describe my interpretation of his remark. I find it reprehensible and inappropriate for a member of the governing board to not only make such a statement but to be party to the act described above.

CONCLUSION

As I stated at the beginning of this letter, sharing this information is difficult. I believe Dr. Lumpkin is an exceptional talent. She brings forth great ideas to advance various functions of the institution. The actions described above caused me to question her integrity which is more critical than talent. When she noted my apparent "detachment" in a conversation after the attempt to submit fraudulent minutes, I told her directly that I was extremely disappointed because I cannot understand why she would put her entire career in jeopardy when she has so much potential. I also believe that Judge Perry and Brian Boulware love the institution and have had genuine concerns about its dire state for several years. They have demanded a sense of urgency. However, despite their actions to the contrary, they do not have the unilateral authority to override established policy at will. I believe that they have conflated "love" of the University with actions that increasingly represent "minority rule." This behavior places policies and processes secondary to how they choose to manage issues facing the institution. Their concerns, shared by many, do not justify committing fraudulent acts. There is a saying that "Absolute power corrupts absolutely." I believe a lack of proper checks and balances and transparency leads to inappropriate activity and a hubris that convinces violators that no one will discover their activity.

As Vice President of University Advancement and External Affairs, I am especially committed to restoring the integrity of the University. The Advancement function (or any other function) cannot be successful without this restoration. I have met far too many individuals unwilling or hesitant to give to the institution

because our actions have caused us to lose their trust. We cannot survive as an institution without the trust of key constituents including our donors.

I would also like to add that there are quite a few individuals across the campus concerned about what they consider to be inappropriate activity. They want to speak out and express their concern, but they are afraid of losing their job. Their fear is understandable and one that I, too, admittedly share. Franklin D. Roosevelt once said, "Courage is not the absence of fear, but rather the assessment that something else is more important than fear." That "something else" for me is my duty to the University, particularly as a member of the leadership team. We, as leaders, must set the tone and demonstrate acceptable behavior if we are to expect others to do the same. I believe that we, as an institution, should exercise self-regulation before an issue becomes a scandal, a news report, an HBCU Digest article, or SACSCOC probationary status. In order to self-regulate, we must move away from a culture of trepidation and retaliation that silences those who only want to do what is right. The University cannot afford to lose great employees who seek to leave because of the valid concerns they are afraid to voice.

In my role, I had to ask myself "What is the 'right' thing to do in this situation? Do I simply ignore what I witnessed and bury my head in the sand?" I concluded that silence is not an option. The right thing to do, as evidenced by this submission, is to raise visibility on activity that compromises the viability of this great institution. I also hope that visibility on what has happened will prevent emboldening those involved and others contemplating similar acts.

I believe the Board should call for an external and independent investigation related to the allegations raised in Dr. Brown's and Atty. Francis' letters. There are issues related to other specific fiscal matters that the Board should also include in the investigation (i.e. grant expenditures, construction procurement practices with Hughes Construction on current federally funded projects, budget management, requisition approval process, etc.). This investigation should include interviews of current and former employees and a review of emails at a minimum. The purpose of the investigation would be to ferret out activity that poses great risk to the University including non-adherence to policies and procedures. We should take it upon ourselves to initiate this investigation rather than an outside entity compelling us to do so because we failed to mitigate this risk.

My aim is not to destroy anyone's reputation, but to simply share the facts. I am concerned that current leadership has demonstrated the propensity to commit acts that place the University and its accreditation at grave risk. My hope is that board members will handle the situation described above as a confidential board matter and not share this information in a manner that brings more harm to the University (i.e. sending this letter to HBCU Digest).

If you have any questions or need any additional information from me, please let me know.

Best,

A handwritten signature in cursive script that reads "Debra C. Jones".

Debra Clark Jones
Vice President, University Advancement and External Affairs