



Spring Meetings Bring Changes

Looking for the Crux of the Matter in the Adventist Biology Education Debate

BY BONNIE DWYER

CONTROVERSY OVER THE TEACHING OF creation and evolution in biology courses at La Sierra University continues despite the university's attempts to address the issue in its classrooms as well as its boardroom. An April 4 vote by the Adventist Accrediting Association (AAA) Board was the latest indication that the issue is not yet resolved.

On the docket for discussion at the AAA Board's regular three hour spring meeting were 65 actions for institutions of higher education and 280 actions for secondary schools. Of those, there were three extensions of accreditation, including the one for La Sierra University.

Given such a lengthy agenda and limitation of time, typically the 40-member board receives and votes the recommendations from their visiting teams that are sent to the campuses to interview administrators, faculty, students and board members about the institution.

La Sierra University was thus surprised when the AAA Board voted to extend their accreditation only to the end of 2012 rather than the eight years that had been recommended at the conclusion of the AAA site visit to La Sierra last November.

The chair of the 10-member visiting team, Niels-Erik Andreasen, president of Andrews University, had announced to the La Sierra faculty that by unanimous vote the team would be

recommending three years beyond the five year accreditation routinely given to colleges and universities. La Sierra would be recommended to receive an 8-year accreditation, similar in length to what it had just received from the Western Association of Schools and Colleges (WASC). La Sierra was commended for offering "high quality Christian education, with a Seventh-day Adventist character."

The site team's report, did, as usual, include recommendations as well as commendations. The number one recommendation was that "In particular, the biology and religion faculty, in collaboration with the faculty of the University Studies core courses curriculum, should seek ways to support the beliefs of the Seventh-day Adventist Church in an 'open' manner and monitor effectiveness through program review."

The board and administration were exhorted to "develop and implement a strategy to resolve the creation-evolution controversy, rebuild the reputation of the university, and regain the confidence of the constituency."

However, in addition to the report from the visiting team, a "letter of consultation" to the administration was written by three of the visiting team members—Lisa Beardsley, director of the General Conference Department of Education; Larry Blackmer, vice president for education of the North American Division; and David Steen, chair of the Andrews University Biology Department—and voted by the visiting team. According to Blackmer, this was the first time such a letter had been sent to an institution of higher education. He compared the letter to

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what auditors refer to as a management letter.

The letter presented a more detailed discussion of the creation-evolution issue based upon the three hour interview that Beardsley, Blackmer, and Steen held with the entire biology faculty, an extra interview that had been requested after the team arrived on campus.

When the report and the letter were shared with the university's Board, it became the lot of the boards' ad hoc committee on Creation and Evolution to respond. And in February it issued a ten page report to the board, including a summary of the survey that had been taken of biology students from the past four years. President Randal Wisbey and Board Chair Ricardo Graham issued an open letter regarding the teaching of creation in which they included the results of the biology student survey and apologized that stronger results in support of the Adventist view of creation had not been found.

All of these actions in response to the site team visit were noted at the General Conference headquarters in Silver Spring, however there was still some doubt that the AAA Board would approve the recommendation of the site team. So several days before the scheduled board meeting a group gathered to draft an alternative motion. That group, according to Blackmer, who was part of it, also included representatives of the General Conference president's office, education department, and the North American Division president's office.

The proposed motion began by stating that La Sierra has "issued a public apology regarding its performance in teaching creation in ways that depart from the official position of the Seventh-day Adventist Church, and further has commendably indicated a commitment to remedy that situation" followed by a list of commitments. But then rather than affirming the institution for what it has done to resolve the controversy and supporting the site team recommendation, the motion states, "Although La Sierra University has deviated from the philosophy and objectives of Seventh-day Adventist education, it is moved that the university be granted an extension of accreditation to December 31, 2012, in order for the university to act upon its commitments and implement changes and enhancements related to the recommendations set forth in the AAA Team report."

"This was a challenging and complex decision," Lisa Beardsley, the director of the General Conference department of education told the *Adventist Review*. "The AAA

Board took into consideration the report of the AAA team that visited the campus in November 2010, and events that have transpired since, such as the actions of the institutional board, the finding of its special subcommittee, and the open letter published in March by the university. After careful and prayerful consideration, the board expressed its will as a body by means of a written ballot so that all views could be honored."

The *Review's* report about the AAA vote seemed to indicate the amount of ire that church officials feel about the topic. "La Sierra University Granted Window to Show its Faithfulness to Church's Creation Belief," was the headline.

News of the vote caught the attention of the local newspaper in Riverside, California where La Sierra is located. On April 11, the *Press Enterprise* ran a front-page story about the AAA vote and noted the possible wider impact it might have.

"The pressure on La Sierra is causing concern at WASC, a federally approved accreditation agency that, among other things, measures academic quality and integrity at public and private colleges and universities. Federally approved accreditation is required for acceptance of university class credits by most other universities and many employers, and for most financial aid," the article said.

Stating that WASC planned to send a team to La Sierra in the next few weeks because the controversy over creationism could threaten La Sierra's academic autonomy, Ralph Wolff, president of WASC, was quoted as saying, "What we want to make sure of is that non-academic outside forces are not controlling the curriculum. While we respect that it is a faith-based institution, it is still an academic institution."

Inside Higher Education, in an April 12 story, said that, "La Sierra is caught between two accrediting groups using different measuring sticks. There is the Adventist association which measures the university's fidelity to church beliefs and judges whether it will remain an Adventist institution. And there is the academic accreditor, the Western Association of Schools and Colleges' Accrediting Commission for Senior Colleges and Universities, which includes measures of academic freedom and institutional autonomy in its evaluation."

Usually the two groups do not conflict, the web-based news service said: "the Adventist accreditor relies on WASC to judge administrative, financial and educational issues, while focusing its own analysis on whether the institution fulfills the mission of the church. But what raises red flags for one committee might trouble the other for different reasons."

Beardsley told the *Press Enterprise*, "The real crux of the matter is whether the Bible has a privileged position as a source of knowledge." She suggested that "inadequate teaching of Biblical creation 'is a symptom of a problem,' an indication that La Sierra hasn't done enough to ensure students are thoroughly exposed to the Adventist worldview," the paper said.

At La Sierra, Provost Steve Pawluk pointed to page 130 in Ellen G. White's book *Education* saying that Adventists have long considered both Scripture and nature to be revelations from God and that faculty are attempting in good faith to harmonize the two.

For Blackmer, who is a biologist by training, the whole controversy has been misunderstood. "We want LSU to teach evolution with vigor," he said. "Biology students need to come out of college understanding the theory of evolution. The church is only asking that the theory of evolution not be presented as the only theory for the origin of life on this planet. Nobody wants LSU to be a bible college that only teaches creation. The Adventist Church believes as a corporate body in a literal creation week and professors in all our institutions should share that with their students."

For La Sierra Board members who have spent the last year working on the issue, there was disappointment over the AAA vote. One board member commented that he did not know what else the university could have done. He thought that the board had worked diligently with its subcommittee to address the issues identified by the AAA visiting team in their report. "The quoted wording of the AAA vote makes life difficult," he said.

Beardsley maintained that the most recent efforts of the university to address the concerns of the site team had helped LSU during the AAA discussion. "The survey of students and their open letter outlining plans to address the issues led to the decision for an extension of accreditation so that LSU could have the time to provide evidence in support of what they said they would do in their Open Letter."

The crux of the matter that she did not explain is why there was such a huge difference between what the visiting team recommended and what the board voted.

Blackmer, however, says there was not a big difference between the visiting team and the board. The site report had stipulated coming back to LSU in 24 months and 5 years. "The board received the report in total and didn't change any of the commendations or recommendations. We agreed to those. The university remains fully accredit-

ed with no pejorative comment," he noted. "The board simply wanted to see the university make changes."

WASC, however, has a different view of the actions taken by the LSU Board to please AAA. After WASC's team revisited the campus on April 19, it told the Board that doing surveys by themselves is an insufficient way to assess learning outcomes, and the Board should stay out of curriculum decisions.

The next meeting of the LSU Board will be in early May. The WASC commission will meet on June 20, at which time it will receive this report and decide what, if any, action to take. ■

Texas Conference Constituents Reject Leaders Embroiled in Legal Controversy

BY JIGGS GALLAGHER

THE SITUATION IN THE TEXAS CONFERENCE which resulted in the expulsion of Leighton Holley as president on April 3 has a long and rather complicated history. As is often the case when passions run high in church politics, money is a factor. But so are individual egos, conflicting agendas and generational changes.

The 73-year-old Holley, who had been elected president in 2004, was not renominated by the nominating committee, which made its report to the constituency in early March. Also rejected by the committee were Errol Eder, treasurer, and his wife, Bonnie Eder, who had held the position of education director. A field of three new nominees was offered to the constituency which would gather on April 3 in Keene to accept or reject the nominating committee's slate.

Holley's leadership had been controversial for several years, primarily over a situation regarding the conference's boarding school, Valley Grande Adventist Academy in Weslaco, Hidalgo County, in the southern tip of the state. In the 1960s (long before Holley's term began), a nursing home currently named Valley Grande Manor was established on the property of the academy to serve the community and also to provide a source of steady income for the academy, which had struggled like many other denominational boarding academies throughout North America. An income of \$450,000 per year was contractually agreed on, with the money deposited in a

newly created entity called Valley Educational Foundation (VEF) in order to keep the revenue stream directed to the academy (and not to the parent conference).

When the foundation was created, three healthcare facilities were placed under its aegis. Two were faltering and were eventually closed or sold off. Valley Grande Manor is the surviving facility, and it experienced a major turnaround under the leadership of Glen Hamel, its current head. Hamel came to the facility originally as a consultant and eventually took over fulltime. He oversaw the creation of an entity called ElderCare to operate the manor and contract with VEF. The manor became a respected care facility, winning awards and serving as a training ground for health inspectors because of its outstanding reputation. For many years, it was financially sound and proved to be a financial lifeline for the academy.

However, in the past decade care facilities for the elderly have increasingly encountered financially troubled waters as Medicaid and Medicare payments were cut. Malpractice insurance also rose in cost to the point where premiums effectively cost more than coverage. Financial problems at ElderCare began in 2004 when Hamel and his group chose not to renew insurance coverage through the General Conference's insurance program. Hamel says the coverage was not mandatory; it appeared they were conserving cash at a difficult time.

Holley and other directors of the VEF argued otherwise, saying that Hamel and ElderCare had violated Texas law by giving up the coverage, and that as a result ElderCare had defaulted on its lease. Efforts to force ElderCare to reinstate its insurance coverage failed, and the foundation noted that ElderCare also failed to renew its lease agreement when it expired on December 31, 2007. Holley further argued that Hamel and ElderCare had transferred their operations to a shell corporation, also in violation of their lease with the foundation. Rather than negotiating with ElderCare, the foundation directors sued ElderCare to force their eviction for alleged violations of their lease agreement.

ElderCare filed bankruptcy to stop the eviction. They also countered with a suit against the foundation, seeking to cut its rent almost in half. They further sought to recover more than one million dollars in alleged damages from the foundation. All of these actions embroiled both parties in a multi-year legal action that continues to this day.

The case was first heard in bankruptcy court where the court denied VEF's motion to compel ElderCare to

vacate the premises. On appeal, the District Court reversed the judgment of the Bankruptcy Court rendering its opinion in a brief, telephonic hearing. Neither side was pleased and both sides appealed to the 5th Circuit Court of Appeals where retired U.S. Supreme Court Justice Sandra Day O'Connor, who takes cases on assignment, was appointed one of the judges to hear the appeal. The court ruled in May, 2009, reversing the district court's decision and coming down in favor of ElderCare (and against Holley and the foundation).

"I think the new conference president (Larry Moore) will find it extremely risky, politically, to try to continue to fight," Hamel said. "It could be risky for him even to try to settle with us now. I think our best chance is for a third party to act as a mediator between us and come to a settlement."

Hamel says he has five to six more years on his current lease, and he hopes to continue operating the manor during that time and perhaps "earn-out" some of the money ElderCare is seeking from the foundation.

"I told them, you can pay me now or pay me later," he said. "But the conference rejected us. It became a very personal issue—Holley wanted me and my company out of the picture."

In the meantime, legal costs have mounted. For the foundation, the tab is estimated to be at least \$800,000 (some sources say it is closer to \$1 million). When the legal actions became known, Seventh-day Adventists in the conference had several reasons to be concerned. One was moral and religious—in view of Biblical and church teachings which strongly advise against members going to court against members, how could an SDA organization sue another SDA organization when both are controlled by Adventists?

This fact was noted in the ruling by the Court of Appeals. "In light of the church's policy that its members should not litigate against one another, the lease agreement included several uncommon provisions requiring good faith negotiations and mediation in certain contexts," the ruling said. The 31-page document tells the story of the many ways that negotiations and mediation failed.

The second reason for concern was financial. At a September 26, 2009, constituency meeting of the academy, Holley affirmed that to date ElderCare had not missed an annual payment of at least \$450,000, in spite of the legal costs to both sides, but he was asked in the forum whether ElderCare could continue to support the acade-

my foundation in the future, when presumably legal costs and possible fines or penalties could mount up.

Holley assured the academy's constituents that the foundation's legal actions were solely aimed at upholding the lease's validity and trying to uphold income for the academy. He admitted, however, that there was little likelihood of regaining the \$800,000 to \$1 million already spent in legal fees.

Phillip Brantley, an attorney with homes in both Berrien Springs, Michigan, and Sugar Land, Texas, has been active on behalf of ElderCare. He has spoken out publicly against the leadership of Holley and Eder. He has appealed to the national church leadership (General Conference President Ted Wilson and North America President Dan Jackson) to use their influence to resolve the situation in the Texas Conference.

Interestingly, Wilson made a special trip to the conference in early March. While he and Jackson have no direct responsibility for what takes place in a local conference—and in fact cannot influence the course of events—he conducted several speaking engagements, exhorting the faithful and seeking healing for all.

For his part, Jackson had responded to a letter from the Valley Grande Academy Alumni Association siding with them in their request for a chance to speak at the constituency meeting. He said their request that funds from the conference reserve be used to refund the Valley Educational Foundation for the money lost through the ongoing litigation deserved to be heard by the entire constituency, not just the conference executive committee. Jackson copied his letter to many people at the General Conference, the Union, and the Conference. The Alumni Association was given a spot on the agenda.

When the date for the conference constituency meeting approached in early April, the nominating committee was called back on Saturday night, April 2, because their nominee for Superintendent of Education had declined the position. Many members were absent, and the few who did attend chose to change their original slate and place Bonnie Eder's name back in play for the education slot. This created a firestorm on Facebook, Twitter and regular e-mail throughout North America. By Sunday morning, people were using phones and Blackberries to parse every word that was said, in public and often in private.

Retired Texas Conference president Steve Gifford had been selected to speak on behalf of the alumni association.

He was to be allotted 10 minutes for his speech; he and others had also prepared documents to support his case. The documents were confiscated at the door by conference personnel. And when it was time for Gifford to talk, the chair Max Trevino (Southwestern Union Conference President) put it to the vote of the constituents as to whether Gifford, a non-delegate, would be allowed to speak. This marked a turning point in what had been a decorous meeting to that point when, after remarks about Gifford were made from the platform, the constituents voted down giving him the microphone. Suzanna Facundo, the immediate past president of the Valley Grande Alumni Association was drafted to read from Gifford's prepared remarks. When the request for money that the Alumni Association was asking for from the conference was put to a vote, the constituents voted no.

Gifford and the alumni association representatives were displeased by the way that the meeting was going and the remarks that had been made.

Many bloggers and Tweepers suspected a conspiracy—some said the conference leadership was eating up the time with nonessential trivia and votes on other issues, hoping to delay the inevitable. Since the constituency meeting was held in Keene, many hours' drive for delegates from across the state and removed from many of the population centers, it was feared many anti-incumbent voters would give up and leave for home (and for work the next day) before the crucial votes took place, and that loyalists (conference workers, etc.) would remain to vote Holley, Eder and Mrs. Eder back in office.

But when the mid-afternoon votes finally took place, it was clear that the change in leadership the nominating committee had begun would be the order of the day. Larry Moore (*pictured, right*) was elected conference president by a vote of 720–250.



When Bonnie Eder's name was brought to the floor, there was a request that it again be sent back to the nominating committee which held a meeting in one of the back rooms. When they returned with William Reinke's name, instead of Eder's, he received an overwhelming vote of support.

What remains to be seen is how Moore and a new leadership team in Texas will handle the relationship with ElderCare. ■