

Monday of Easter IV, A.D. 2022
May 9, 2022

Dear members of the CUWAA Board of Regents,

Grace and peace to you in this holy Eastertide, where the joy and hope of resurrection and restoration pervades all that we do! It is in this resurrection confidence that I write this letter. Before I write some hard things, I want to note that Dr. Cario and his team were very accommodating and cordial to our visitation team of 10. We were granted access and treated well, and there was no effort to restrict staff, student, and faculty access to our interviews. There are many truly great things going on at CUWAA.

A full report of the findings and conclusions of the visitation team are forthcoming, but I wanted to send you this letter in advance of your May 12 Board of Regents (BOR) meeting, previewing some of our findings and giving you a clear path forward. My primary concerns are fourfold: Bylaw violations, mission drift, faculty frustrations, and loss of trust from the Synod.

Bylaw violations

In addition to the concerns about Bylaw violations that I expressed to you in my Oct. 13, 2021, email—further expressed in my March 9, 2022, letter to Dr. Cario outlining the reasons and purpose of my visit—the visitation team uncovered the following concerns.

- First, in violation of 3.10.6.4 (g), the BOR impermissibly delegated its responsibility fully to participate in the selection of a president. The selection of a search committee is specifically required by the Bylaws in 3.10.6.6.2 (b)(1), but it must be done in a manner consistent with 3.10.6.4 (g).
- The BOR violated 3.10.6.6.2 (b)(1). The Search Committee was comprised of 15 members of which only six members of the Search Committee were Regents. The rest were advisors, faculty, and staff. This created a situation where Search Committee votes could be determined without a single Regent voting in favor of a proposed action. It was a breach of fiduciary duty to commingle its authority in this way with a body that included a majority of non-board members. (Bylaw 3.10.6.5: “under no circumstances shall a board delegate its authority to, nor commingle its authority with, any other body that includes non-board members.”)
- In violation of Bylaw 3.10.6.6.2 (b)(2), the BOR delegated all responsibility for preparing the Presidential Prospectus to Gretchen Jameson. Input from the BOR was not sought.
- In violation of Bylaw 3.10.6.6.2 (b)(3), the Search Committee delegated the development of written criteria to screen candidates to the executive board of the Search Committee, without input or approval of the BOR. The visitation team found that the screening criteria were created by Kimberly Masenthin based on the Presidential Prospectus prepared by Gretchen Jameson.
- The Search Committee then took upon itself to engage in a screening and notification process that was in direct contravention to the Bylaws. Polzin has been clear that he doesn’t like the current process set forth in the Bylaws. He prefers a process from an older version of the Bylaws that allowed the Search Committee to prescreen nominees before sending them on to the Prior Approval Panel. The direction he gave to the Search Committee throughout this process seems to be in line with his stated preference instead of with the current Bylaws.
- On Oct. 4, 2021, in an email to Gerhard Mundinger, Richard Laabs informed him that he believed they were following the Bylaws, that Polzin was used to interpret the Bylaws, and that a package of information would be sent to all Regents that included the full list of 38 nominees and the 11 men approved by the Prior Approval Panel. It seems that, at no time, was Laabs or Polzin willing

to admit that only those nominees approved by the Prior Approval Panel were the only names the BOR could consider. They continued to push forward the names of men and women who had not been approved and desired to choose a man from the pool of the 38 names, not the 11. Most of the 11 were informed they would, in fact, not be considered. And to this very hour, board leadership has refused to interview ANY candidate approved, including the three candidates both on the Prior Approval Panel's list AND the Regents-preferred short list. This act gravely dishonored the 11 candidates officially approved, especially belittled candidates from the CUWAA theology and philosophy departments, and precipitated the Schultz matter.

- July 2021 changes to the faculty handbook include referring to the president with the pronouns "he or she" and "his or her," in violation of the teaching of Holy Scripture that spiritual and doctrinal oversight in the church and its universities is given to qualified men. Accordingly, Commission on Constitutional Matter rulings have consistently ruled that presidents of CUS schools must be qualified men. Mr. Polzin's errant council to the Regents, even after I spoke at length with the Regents in person, about this matter, is unacceptable.

Mission drift

CUWAA is a tremendous institution. The positives are many. But throughout our visit, concerned faculty, staff, and students expressed concern over the introduction of secular diversity, equity, and inclusion language and initiatives into the mission of the university. This philosophy is laden with ideas antagonistic to the sacred Scriptures, including great lies about human sexuality and race. Much of this seems to have been promoted and pushed by administrators and faculty who are no longer at the school. This, along with the presidential search, pose a unique opportunity for the university to reassert its Lutheran identity and mission; identify, define, and embrace diversity that is intentionally biblical (all are created in the very image of God, and each worth the very blood of Christ); and give the theological faculty a greater role and responsibility in shaping the Lutheran ethos of the institution and catechizing new faculty in a Lutheran worldview.

Consider the example of Grove City College in Grove City, Penn., formerly affiliated with the Presbyterian church, now a self-described conservative Christian college with a Christ-centered mission. When concerns about the infiltration of Critical Race Theory into the mission and instruction of the college became public last year, the college owned up to ways in which it had drifted from its mission, appointed a committee to investigate concerns, and developed a plan to move back to its institutional Christo-centricity. Concordia University Wisconsin and Ann Arbor has such an opportunity right now, in the midst of a presidential search, to acknowledge past mistakes and move intentionally back to its clear Lutheran mission.

The Regents have consistently rejected the input of the elected pastors on the BOR and of my representative. They are seasoned men. They know the Scriptures and they are all deeply concerned about mission drift. The Regents reject the advice of the South Wisconsin District president, who is a voting member of the BOR and is likewise concerned about mission drift. I fear you will continue to reject my advice, to the continued detriment of Concordia and our life together.

Faculty frustrations

Our visitation team included educational, legal, corporate, and ecclesiastical experts. We interviewed some 80 individuals. It has become very apparent to the visitation team that many of the faculty of CUWAA are deeply frustrated. The theological faculty feels marginalized. Two prominent members of the theology department have left for other institutions; there may be other departures soon. LCMS Lutherans in other departments have expressed similar concerns. Recently, several faculty members have reached out to the CUS board and members of the visitation team to voice their concerns over new language in the updated faculty contracts, which they feel makes them more disposable and susceptible to

firing without due process. As the premier university in the Concordia system, CUWAA has enjoyed the strongest of theological and philosophy faculties. The science faculty is also very strong and faithful.

Loss of trust from the Synod

As a result of these very significant concerns, some of which have been made public across the Synod and in news reports beyond the church, many pious laypeople and congregations of the Synod have lost trust in the university's faithfulness to genuine Lutheranism and her mission to raise up both church workers and faithful citizens in other vocations, all while reaching the lost with the Gospel of Christ.

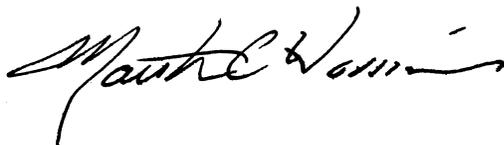
A Path Forward

Here is my proposal for a clear path forward—from confusion and uncertainty back to the proudly confessional Lutheran mission for which the university was once known.

1. Richard Laabs and Mark Polzin should resign from the Board of Regents. Their demonstrated unwillingness to abide by the Bylaws and their inability to oversee the presidential search process in a manner that inspires the trust of the Synod at large, have hampered the institution too long.
2. The BOR should restart the presidential search with the three candidates plus additional members of the CUWAA theological faculty from the list of 11 men approved by the Prior Approval Panel. CUWAA clearly needs a competent, compassionate theologian at the helm. My time interviewing faculty and staff made this painfully obvious to me. With no overall clarity and scriptural critique, secular ideas involving critical theory, inclusion, and equity have found harbor on campus. The new president can add to his staff those who are capable of assisting him with administering the \$100 million budget of the institution. However, to prioritize demonstrated competence in managing a budget of this size at the cost of eliminating from consideration for the CUWAA presidency very competent theologians is unwise and at odds with the mission of the university.
3. Demonstrate repentance for Bylaw violations and adoption of secular worldviews and agendas. Acknowledge uncritical haste that occurred in adopting language of secular diversity, equity, and inclusion initiatives. Assemble a team from within to assess the pervasiveness of this secular influence. Invite the participation of theologians from CUWAA and the Synod at large. Make use of the considerable abilities of the Synod's Commission on Theology and Church Relations. Use this unique opportunity to craft diversity resources based upon the inerrant Scriptures, without the additional baggage of secular inclusivity initiatives. Produce something of value—for all our universities—that will help us all to be and remain solid, biblically conservative institutions serving the church and her mission, and training young people to have meaningful lives. I stand ready to assist. The Synod stands ready to help.

Jesus is risen from the dead. This is certain. The gates of hell cannot prevail against His church. This, too, is certain. What we do as stewards of His gifts in the interim we do with this confidence. As long as this Synod remains and the people and congregations entrust me with this leadership, I will work to ensure that the Synod and her institutions remain faithful to Scripture and the Confessions; labor toward unity in our stewardship of Christ's gifts; and fight those who oppose our clear and confident proclamation of the crucified and risen Christ. For decades, Concordia has been an ally in this work and fight and an invaluable asset to the church's mission and ministry. I pray that this continues.

In Christ,



Rev. Dr. Matthew C. Harrison, President
The Lutheran Church—Missouri Synod