

12/21/2011

David,

I appreciate our call this morning. I wanted to respond regarding a couple of the questions raised.

While Roman Catholic documents vary to some extent from school to school (hence my hesitancy in responding this morning), the bishop, as a corporation sole essentially "owns" a diocesan seminary and has full authority, with the board serving in an advisory capacity. Obviously this is not the case with Erskine; I understand that Erskine's board has full authority, and "the purpose of the corporation shall be to own, maintain, and operate... the college, which might include from time to time professional and graduate schools..." according to the Charter of the Trustees of Erskine College.

We have other denominational schools where trustees are appointed/elected by the "church," but the "church" does not withdraw appointment of, dismiss, or remove trustees once they are appointed in freestanding schools. The board alone has authority for removal of trustees. Our Board of Commissioners would not consider the allowance of such removal or withdrawal of appointment of trustees by an ecclesial body to be good governance—it means that the church is the *de facto* board, if it has the authority to remove board members for a variety of causes.

I did want to reiterate another point that we discussed this morning. ATS/COA differs from SACS in that the ATS/COA accredited Erskine entity is the seminary only, not the college, while the accredited entity for SACS is the college including the seminary.

One issue that we did not address this morning has to do with Article XIV.2 regarding "Amending Procedure." I understand that section to specify that only the board may make amendments, not the Synod. The request from the Synod for the amendment states that the bylaws belong to the school, but the charter belongs to both the school and the Synod. I could not find evidence of the latter.

The question of who owns Erskine and how Erskine formally relates to the ARPC will be one that will be asked during the spring comprehensive visit. We look forward to continued conversation.

Thanks, David.

Tisa

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