Response to Factual Inaccuracies and Mischaracterizations

One of the hallmarks of religious leadership is the ability to hold privileged confidential information in trust. Starr King teaches this principle as a core professional competency: it is a responsibility for which we work to prepare religious leaders.

This private dispute, now regrettably public, involved the consequences of a breach of confidential, privileged documents. Because the Board did not have sufficiently clarity about the involvement of several students scheduled to graduate, the Board granted those students’ degrees conditionally pending the results of a more formal, arms-length independent inquiry.

The Ad Hoc Committee is diligently undertaking an investigation of the events that unfolded during the Presidential Search process, including the breach of confidential information. We look forward to receiving their report and working toward the restoration of right relationship among members of the Starr King community.

# We are saddened by the inaccuracies and mischaracterizations cast on the school and members of the Starr King community published in the UU World article entitled, “Starr King seminary continues investigation of students,” and the New York Times article entitled, “Inquiry Focuses on Leaked Documents at Starr King School for the Ministry.” Below we have highlighted these factual inaccuracies and mischaracterizations in gray text. Under each is our correction to the record in black text.

# Thank you for your support during this process.

UU World

“Robert Packenham, who worked for six years as Starr King’s part-time communications coordinator, resigned in September. He said he told McNatt he was leaving because he objected to the two graduates being denied their degrees and also to the way they found out: on the night before graduation—via email—when their families and friends were already in town to attend the ceremony.”

During conversation with Rev. McNatt prior to his departure from the school, Mr. Packenham stated different reasons for resigning, such as the completion of major projects for which he was responsible.

“On May 19, in a letter to the Starr King community, Garcia said some students would not receive their diplomas. Instead, their degrees were being “conditionally granted,” at least until they cooperated further with the investigation. Cooperation would include but not necessarily be limited to turning over electronic and other information the school wanted.”

The letter to the Starr King community on May 19 did not say that degrees were being granted conditionally until the students cooperated. Nor did the letter say the students being given conditional degrees were required to hand over electronic documents or information.

In fact, the May 19 letter said, “The Board met today and voted to confer degrees. Because it could not with certainty confer degrees unconditionally on all students, a few of the degrees were conferred with conditions *pending the outcome of a more formal phase of the investigation*. To be

clear, the conditional conferral *does not suggest that the board has concluded that those students have engaged in improper conduct.* Rather, we have concluded that we *do not yet have sufficient information* to be able to grant the degrees unconditionally**.**” [*Emphasis added*]. For more, please refer to the public letter to the Starr King community, which can be found on the Starr King [website](http://www.sksm.edu/wp-content/uploads/2014/06/HFG-Letter-to-SKSM-Community-5-19-14.pdf).

“The school has no evidence the two seminarians have done anything wrong, Garcia told *UU World*. But since they were early recipients of the leaked documents, it wants to examine their electronic communications and other items to try to find how the breach happened.”

Garcia stated that there is currently no evidence that the students who received conditional degrees did anything wrong as the Ad Hoc Committee is still in the process of investigating how the documents were leaked. As stated in the letter to the Starr King community on May 19, “To be clear, the conditional conferral does not suggest that the board has concluded that those students have engaged in improper conduct. Rather, we have concluded that we do not yet have sufficient information to be able to grant the degrees unconditionally.”

Further, the students publicly declared at an April 4th meeting of the student body that they were there to discuss the leaked, confidential documents and that they had distributed the documents. Garcia did not state a desire to examine the students’ electronic communications in any public document, nor in the interview. In fact, Garcia stated that because the students stated publicly that they were in possession of the documents there was a desire to find out how these students came into possession of the documents.

*“Garcia believes that students’ refusal to turn over their personal communications to the school is relevant to their fitness to be ministers.”*

The author is attributing a belief to Garcia rather than a statement, and she has no evidence by which to attribute a belief to Garcia. Garcia *stated* that a refusal to cooperate in a process to discover how confidential documents became public, and the distribution of those documents, is relevant to their fitness to be ministers.

This statement is based on the requirements for graduation, as Garcia’s public letter on June 2 reflects, stating that, “Trustees have a fiduciary obligation –and a legal obligation – to attend to the needs of the School. One of the functions of a school is to certify, through both objective and subjective criteria, that a student has fulfilled requirements for graduation. The Degree Requirements section of Starr King’s website (http://sksm.edu/academics/master\_of\_divinity.php) clearly state: “Requirements for graduation include not only “completion of explicit requirements but of your personal readiness—intellectually, spiritually, emotionally, psychologically, professionally, and practically—for the form of ministry, chaplaincy, or religious leadership for which you are preparing.” Religious leadership includes a duty to respect privileged confidential information.” For more, please refer to the public letter to the Starr King community, which can be found on the Starr King [website](http://www.sksm.edu/wp-content/uploads/2014/06/HFG-Letter-to-UU-Community-6-3-14.pdf).

“Rachel Lederman, their lawyer, told *UU World* that Spangenberg and Brock “have met all the requirements to get their degrees and fulfilled all their obligations. There’s nothing in the student handbook or anything else that says to get a degree, you have to give up your laptop and turn over these communications.” Brock and Spangenberg are “preparing to sue” the school “very soon,” Lederman said. “My clients weren’t involved in the so-called ‘Strapped Student’ email.” And, she added, “I’ve looked at the documents attached to [that email], and there’s nothing confidential about them.””

Again, the graduation requirements state “Requirements for graduation include not only “completion of explicit requirements but of your personal readiness—intellectually, spiritually, emotionally, psychologically, professionally, and practically—for the form of ministry, chaplaincy, or religious leadership for which you are preparing,” (http://sksm.edu/academics/master\_of\_divinity.php). For more, please refer to the public letter to the Starr King community, which can be found on the Starr King [website](http://www.sksm.edu/wp-content/uploads/2014/06/HFG-Letter-to-UU-Community-6-3-14.pdf).

Additionally, regarding the assertion that the leaked documents in question were not confidential, these documents were highly sensitive and confidential, meant only for the eyes of the search committee. All employment related documents are considered confidential. The private assessments of the final presidential candidates as well as responses to survey questions , which had been submitted to the search committee by students, faculty, staff, and others, were collected with the clear expectation they would be held in strict confidence, as were all of the evaluative materials reviewed by the search committee. The documents were affirmed as being highly sensitive and confidential when first brought to the attention of Garcia on April 4th, and at the student body meeting on April 4th by Abbey Tennis, who at the time served as a Student Trustee on the Board and a member of the Presidential Search Committee. And the significance and potential consequences of being in possession of or distributing these documents were clearly stated in the public letter to the Starr King community on May 8, which can be found on the Starr King [website](http://www.sksm.edu/wp-content/uploads/2014/06/HFG-Letter-to-SKSM-Community-5-8-14-copy.pdf).

New York Times

“This was an early episode in a controversy that still clouds the already foggy skies over this small, pluralist Bay Area seminary. It’s the story of a presidential search marred by leaked documents, an inquisition to find the malefactors and a religious community questioning the tolerance for which it is famous.”

The assertion that the presidential search was ‘flubbed’ and the investigation into the breach of confidential information is an ‘inquisition’ are gross mischaracterizations. The Presidential Search Committee was conducted with integrity and in fulfillment of all the requirements with which the Board charged the search committee. Furthermore, the Board of Trustees and the Ad Hoc committee has consistently and publicly been clear and transparent on the investigations’ process and importance, and acted in a way consistent with the values of religious leadership we teach.

“On March 30, as Starr King was completing its search for a new president, several students received an email — from whom, nobody knows, or will say. The attachment contained the results of surveys gauging support for the three finalists. The approximately 50 respondents, comprising students, faculty, staff and trustees, showed a clear preference for [the Rev. Susan Ritchie](http://www.sksm.edu/people/susan-ritchie/), a Starr King professor.”

The documents Mr. Oppeheimer is referring to are highly sensitive and confidential, meant only for the eyes of the Presidential Search Committee. The documents contained private assessments of the final presidential candidates as well as responses to survey questions, which had been submitted to the search committee by students, faculty, staff, and others with the expectation they would be held in strict confidence, as were all of the evaluative materials reviewed by the search committee.

Moreover, these surveys were one component of a much larger process by which the president was selected. The Presidential Search Committee, composed of nine representatives of students, faculty, the Board, the alumni and prominent UU ministers and an academic leader, undertook a nine-month long process that included hundreds of hours of work, meeting with a range of candidates, checking references, having candidates participate in campus visits, and discussing the position, the School, and the candidates exhaustively among themselves. And they were assisted by a highly regarded independent search firm. All of these factors were also part of the recommendation that was presented to the Board of Trustees.

“Most comments were unsigned, but one faculty member, the [Waldensian](http://www.waldensian.org/3-history/) theologian [Gabriella Lettini](http://www.sksm.edu/people/rev-dr-gabriella-lettini/), used her name. “What some of us in leadership have experienced,” Professor Lettini wrote of Ms. Ritchie, is “a very individualistic, almost solipsistic way of working.””

Quoting Rev. Dr. Gabriella Lettini from her confidential survey is particularly egregious. Her comments were part of a confidential survey, with the expectation that they would be held in strict confidence. Even though the documents in question were publicly leaked, this does not change that fact that the documents in question are property of Starr King School for the Ministry, and quoting Rev. Dr. Lettini from this survey contributes to this improper breach of confidential information, as outlined in a public letter to the Starr King community on May 8, which can be found on the Starr King [website](http://www.sksm.edu/wp-content/uploads/2014/06/HFG-Letter-to-SKSM-Community-5-8-14-copy.pdf).

Moreover, upon learning that Mr. Oppenheimer intended to include quotes from these confidential documents, Mike Vartain, Starr King’s attorney, contacted Mr. Oppenheimer to specifically ask that he not quote from these confidential documents. Vartain wrote to Oppenheimer, “As to any of the confidential presidential search materials that you have somehow obtained, these were improperly placed in a public setting; we  ask that you not quote from those who privately expressed their opinions on candidates who applied to be president of the Seminary. It is in the interests of a seminary, when conducting a process to hire a president, to obtain opinions of a diverse set of people on the candidacies.  If later their private opinions become public contrary to the expectations of the process, the result is to discourage in the future, the process of seeking a diverse set of opinions. In this current day, where it is far easier unintentionally to tarnish good persons’ reputations, than it is to correct the record or rehabilitate the tarnish, and in particular where you are a respected writer on spiritual matters, we would ask that you consider these unique concerns as you go about your work.”

“Besides, they said, they did not send either email, and in fact had not read the attachment from Strapped Student.”

The students publicly declared at the April 4th meeting of the student body that they were there to discuss the leaked, confidential documents and that had distributed the documents. The purpose of the investigation the students were asked to cooperate with is to find answers these questions on how this information was leaked, who had the documents and when.