

# **"Kill da Wabbit, Kill da Wabbit!": How a University President Lost His Job from a Self-Inflicted Crisis and Poor Response**

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## **Abstract**

This paper will examine the crisis at Mount St. Mary's University in MD, a crisis brought on by careless comments by the new university president. The presentation will analyze the poor response to the crisis and discuss implications for other institutions of higher education and for business communication.

## **Introduction**

In July 2015, businessman Simon Newman was named president of Mount St. Mary's University in Emmitsburg, Maryland. "The Mount," as the school is called, is a private Catholic University of about 2500 students, the second-oldest Catholic college in the country. Newman lacked any experience in academia, but Mount St. Mary's had experienced years of annual deficits and had tens of millions of dollars in debt. The board felt that Newman's business acumen would improve the Mount's financial position. Initially, that happened as financial rating service, Moody's revised the school's credit rating from "negative" to "stable" because it began hitting enrollment targets and improving operations.

Some faculty were concerned with Newman's actions, such as a sudden influx of consultants Newman hired, an abrupt cut to retiree benefits and a series of employee terminations conducted in a way that — although perhaps not surprising in the business world — seemed out of place in a collegial, Catholic nonprofit institution. In addition, one of Newman's first initiatives was to implement a student retention plan that, among other features, would encourage freshman and transfer students who were having early academic and social adjustment problems to consider leaving The Mount (with a full refund).

Some faculty perceived the plan as a strategy to improve a college's retention rate to encourage students at risk of dropping out to do so in the first few weeks, so they won't be counted in the total numbers reported to the U.S. Education Department and other agencies. More troubling was that during a conversation with a faculty person about student retention in the fall, Newman said that faculty needed to stop thinking of freshmen as "cuddly bunnies," and that "You just have to drown the bunnies ... put a Glock to their heads."

Toward the end of the semester, emails leaked to the student newspaper, *The Mountain Echo*. The emails suggested that the president had such a plan to manipulate the retention numbers by forcing out weaker students -- despite opposition from some faculty members and other administrators. The *Echo* staff began to put together the story, and tried to get Newman and board members on the record. They did not respond by the newspaper's deadline, though the *Echo* did not run the story until school began in the spring 2016 semester.

Newman's "bunnies" statement was quoted in *The Echo* when it ran a special edition that ran the week that the spring semester began. Once the story appeared, it provoked a firestorm of reaction from both Newman and the Board of Trustees. The board chair, John Coyne, released an open letter in which he did not dispute the emails, but said they were taken out of context. The board chair's letter did not detail what was allegedly out of context. Primarily, his statement blasted the student journalists for publishing the contents of confidential emails. Coyne wrote:

I am responding on behalf of the Board of Trustees of Mount St. Mary's University. Initially, I am troubled that you have decided to publish an article that categorically provides a grossly inaccurate impression on the subject of the Mount's efforts to improve student retention and to intervene early on to assure that incoming students have every opportunity to succeed at our University. The slant that you have adopted by choosing to publish an article based on selected quotes of confidential email exchanges among senior faculty is quite frankly irresponsible. Equally troubling, however, is the fact that you, as the Managing Editor of the *Echo*, and apparently your faculty advisor, have become privy to confidential email communications among faculty colleagues, a violation of Code of Conduct at the Mount and the 'fair use' policy of our electronic email system. Beyond the issue of access is the fact that you propose to use those private, confidential emails to advance your journalistic interests and to do so without any concern for either the individual privacy interests of the faculty involved or the damage you will render to this University and to its brand. In the first instance, we understand that at least one faculty member quoted is quite disturbed that she was quoted verbatim from what she described as a "confidential email" and that she expressed her displeasure to the *Echo's* faculty advisor, Mr. Egan. Despite her objections, apparently you and he intend to forge ahead. As to the latter point, if this article is published in its present form, it will be both an inaccurate portrayal of the goals and objectives of the Retention Program that President Newman sought to introduce and will render incalculable damage to the reputation of this University and its institutional integrity.

President Newman will be reaching out to you to discuss these matters and, in particular, his Retention Efforts and will do so in the hope that you can meet personally tomorrow.

John E. Coyne, III  
Chair, Board of Trustees (Mountain Echo, 2016, January 19)

Newman immediately distanced himself from the story, stating that while there were some accurate facts in the *Echo* story, "the overall tone of the thing is highly inaccurate." He added, "The inferences, the innuendo, it's not accurate at all — the conclusions one would naturally draw from reading it." Newman defended his retention plan, describing it as an intensive, multi-pronged effort to improve retention rates, as the school loses 20-25% of its first-year students annually. Yet, Newman could not explain an email he wrote that stated: "My short term goal is to have 20-25 people leave by the 25th [of September.]. This one thing will boost our retention 4-5%. A larger committee or group needs to work on the details but I think you get the objective" (Svrluga, 2016, January 2016).

Newman, along with the chairman of the board, blamed a small group of faculty as trying to undermine the progress his administration was making. In fact, within a week, Newman fired two professors — one with tenure, the other the adviser to the student newspaper — though both Newman and the board denied the action was retribution. Because of this action, the crisis began to receive national

recognition. Scholars nationally were outraged, with over 8000 signing an online petition demanding the reinstatement of the faculty and defending academic freedom.

After two weeks, Newman and the board relented, and the professors were reinstated, but the internal damage was done. The faculty voted 87 to 3 to ask Newman to resign. Reports emerged that applications were down at the university based on the bad publicity. The biggest blow, though, was that on February 15, the Middle States Commission on Higher Education (the school's accrediting body) requested that the Mount provide a report that addressed the impact controversy in terms of whether it would "have implications for continued compliance" with standards that the commission established for accreditation. In particular, Middle States, which had given the Mount strong reviews the previous June, wanted answers to questions about institutional integrity, leadership and governance. The Mount had until March 15 to respond (Jaschik, 2016, February 26).

Two weeks later, Newman did resign. The board chairman praised Newman's work and said that some of the changes he implemented would continue. Several board members also handed in their resignations.

In mid-March, the Mount's chairman of the Board of Trustees, John E. Coyne, stepped down. Coyne had been a staunch advocate of Mr. Newman, seeing him as someone who could reimagine the school. Mr. Coyne said in a written statement. "It's important for a new president to have a chair of the board at their side, not only at the outset of the process but throughout the entire transition period" (Brown, 2016, March 15). Coyne had fought hard to defend Newman, blaming a small group of disloyal faculty who resisted the changes that Newman was trying to put into place. Replacing Coyne was Mary Kane, the chief executive officer of the Sister Cities International, a Washington-DC not-for-profit organization.

In March, another five additional board members resigned. Interesting, they were mainly current or retired financial executives (DeSantis, 2016, March 25). Mount spokesperson Christian Kendzierski could not explain why the trustees left their positions, except to say he was not aware of any conflict among board members. The departing board members were not available for comment (Bauer-Wolf, 2016, March 24).

Using a case study approach, this paper examines Newman's response to his self-inflicted crisis. Employing both Benoit's Image Restoration Discourse Theory and Smith's work on the Categorical Apology, the following pages will analyze how Newman handled the crisis.

### **Image Restoration Discourse Strategies**

As noted elsewhere (Carveth, Ferraris, and Backus, 2007), reputation hinges upon the judgments that key publics make based upon an organization's -- or an individual's -- behavior. Sound reputations protect the organization or individual against existing and potential problems such as those that arise when controversial incidents occur (Baker, 2001). A previously solid reputation will not only help an organization or individual to ride out the storm, but also to successfully recover in the wake of its damage.

Image restoration becomes an issue when organizations or individuals have passed the point of anticipation and have lost the opportunity to act proactively in protecting themselves. All efforts thereafter must be made with the goal of regaining the confidence of all relevant publics, minimizing negative publicity, and returning the organization to either its previous state or one better.

Analysis of crisis communication often focuses on the content of external communications such as apologies and speeches of self-defense (Seeger, Sellnow & Ulmer, 2001). Benoit's theory of image restoration comprises the typologies of self-defense to create a detailed typology of image restoration strategies for organizations (Benoit, 1995).

Benoit (1997) has identified two simple components of an attack:

1. The accused is held responsible for an action.
2. That act is considered offensive.

In addition, public figures and organizations need to address a variety of stakeholder groups, each with their own set of goals and concerns. Benoit (1997) urged that in crisis situations, it is important to prioritize these groups and tailor messages to their specific concerns.

Image restoration theory focuses on the variety of message options at a crisis communicator's disposal. The theory is comprised of five broad categories of image repair strategies and three of these are divided into more specific subcategories of tactics. *Denial* is the first category of repair strategies. There are four variants within this category: simple denial, shifting the blame, separation, and denying that the act was harmful (Brinson & Benoit, 1999). Simple denial is a rejection of the charges. The accused party may deny that the act occurred or that they even performed the act. For example, at first, Enron denied that it had engaged in any financial wrongdoing (George & Evuleocha, 2003). Shifting of blame entails an argument that another party is actually responsible for the undesirable act. Blaney, Benoit, and Brazeal (2002) demonstrated that both Ford and Bridgestone tried to focus the blame on the other company in the wake of the incidents involving rollovers of Ford sports utility vehicles that used Firestone tires. In an analysis of Texaco's racism scandal, in which executives were taped using racial slurs against African-Americans, Brinson and Benoit (1999) also identified a previously unrecognized form of shifting of blame that they termed separation. Separation seeks to place the blame on a small portion of an organization that can be separated from the remaining and presumably good part. Finally, denying that the act was harmful is an admission by the accused that they committed the perceived wrong; however, they refute the fact that anyone was damaged by it (1999).

*Evasion of responsibility* is the second category. Here the offender attempts to dodge or reduce responsibility of wrongdoing. Simply put, evasion of responsibility involves the crafting of excuses (Brinson & Benoit, 1999). This general strategy has four different versions: provocation, defeasibility, accident, and good intentions. Provocation occurs when the accused party claims that the offensive act was merely a response to another's offensive act, and that the behavior should be viewed as a reasonable reaction to that provocation. Another form of evading responsibility is defeasibility. Here, the accused party alleges a lack of information about or control over key elements of the situation. Arthur Andersen tried to blame the Enron scandal not on their accounting practices, but on the downturn in the economy (George & Evuleocha, 2003). Similarly, President George W. Bush attempted to use defeasibility in defending his first term as president during an appearance on "Meet the Press" (Benoit, 2006). A third option is to claim that the offensive action was accidental. If the audience can be convinced that the negative action was a mishap, then the reasoning is that the accused will be held less accountable and the damage to image will be mitigated. Part of the image repair strategy used by the U.S. Navy in 2001 when the USS Greenville collided with a Japanese trawler, killing nine people, was that the incident was an accident (Drumheller & Benoit, 2004). A final strategy within this category entails an attempt to convince the audience that the offensive act was performed with good intentions, that although an undesirable situation occurred, the accused meant well (Benoit, 1997).

The third major category involves *reducing the offensiveness* of events. This category is made up of six sub-categories: bolstering, minimization, differentiation, transcendence, attack accuser, and

compensation. Bolstering attempts to boost audience good will toward the accused in order to offset the negative feelings connected with the offense. Stressing the good traits of the offender or describing the offender's positive acts in the past achieves it. In the wake of the Enron crisis, the American Institute of Certified Public Accountants (AICPA) engaged in bolstering by stressing the positive activities and attributes of the profession (Rogers, Dillard & Yuthas, 2005). Minimization seeks to reduce the negative feelings associated with the wrongful act so that it appears less harmful than it may have initially seemed to be (Benoit, 1997). A third option is the employment of differentiation, distinguishing the present negative act from other similar, but more offensive actions in the hopes that this will reduce negative sentiment toward the act and concurrently toward the accused (Brinson & Benoit, 1999). U.S. Congressman Gary Condit attempted to employ differentiation in explaining his role in the disappearance of Chandra Levy, an intern in his office with whom he was having an affair (Len-Rios & Benoit, 2004). Transcendence attempts to place the act within a broader, more favorable context and appeals to values and group loyalties in order to improve the offender's image. In attempting to shore up his sagging approval ratings, in an April 2004 press conference, President George W. Bush employed transcendence as a strategy by claiming he was a "war president" and thus should not be judged according to the usual criteria for evaluating presidential performance (Benoit, 2006b). When attacking the accuser, the offender tries to cast doubt upon the attacker's credibility to reduce the intensity of the attack. During the August 1, 2006, broadcast of his TV show, *The O'Reilly Factor*, host Bill O'Reilly responded to charges he personally attacks guests by charging his attacker, Oregonian TV critic Peter Ames Carlin, with not doing his own reporting, thus attempting to undercut his (Carlin's) credibility (O'Reilly, 2006, August 1, "Most .."). The sixth and final strategy within reducing offensiveness is compensation. In this strategy, the accused offers to reimburse the victim of the offense, which, if it is acceptable to the victim, should help reduce the negative feelings arising from a failure of some sort (Brinson & Benoit, 1999).

The fourth category of image restoration theory is *corrective action*. Strategies of corrective action involve the offender promising to correct the problem. The offender may promise to restore the situation to the state of affairs before the event by repairing existing damages, and/or promising to take preventive action (such as revising policies) to avoid a recurrence (Benoit, 1997).

The last category of defensive rhetoric is *mortification*. Apologists who use mortification confess to the wrongdoing and ask for forgiveness or express regret (Benoit, 1995, pp. 74-79). The rationale here is that the admission of guilt and a display of regret can often lead the audience to pardon the negative action (Brinson & Benoit, 1999).

Benoit (1995) argued that the more successful apologies will be those that use a combination of strategies. He also counsels the apologist to admit fault (if at fault) immediately and to report plans to correct problems and prevent recurrences. He argued that denial, shifting blame, and minimization do not typically work to preserve an apologist's image.

Even though Benoit argued that corrective action and mortification are more effective strategies than denial, shifting blame, and minimization, Smith (2008) suggests that those two strategies are most effective if they form a categorical apology. According to Smith (2008), a categorical apology contains the following elements:

- 1) The transgressor must confess to the facts surrounding the offense and establish a record to which the parties agree. In other words, the record of the offense must be factually corroborated; there can't be any doubt as to what occurred.

- 2) The transgressor must accept causal responsibility and not just express sympathy for the wrong. Often, apologies take the form of “I am sorry the act occurred,” which is a non-apology. A true apology takes the form of “I am sorry that I did the action that caused you harm.”
- 3) The transgressor must identify each moral wrong. If a company, such as the Japanese chemical company, Chisso, dumps chemicals into the Minimata River, which later causes Minimata Disease in its victims, and then covers up research demonstrating the health consequences of their dumping, then Chisso needs to accept responsibility for two moral wrongs. First, the company committed a wrong by dumping the chemicals. Second, the company committed a wrong by trying to cover up the action.
- 4) The transgressor must share a commitment to the moral principles that were violated. If someone says a sexist joke and a female co-worker objects, saying, “I am sorry you were offended” is not an effective apology. Rather, the transgressor should apologize by saying that he was sorry to have offended his co-worker. The moral value that is shared is that one should not offend other people.
- 5) The transgressor must engage in categorical regret. Categorical regret implies that the transgressor knows the transgression is wrong, wishes that the offense could be undone, and vows not to commit the act again. It is not merely that the transgressor is sorry for the act.
- 6) The transgressor has to perform the apology. In addition, the transgressor should perform the apology in any context upon the victim’s request. If the victim should desire a public apology, the transgression should do so. Should the victim desire a private apology, then that is what the transgressor should do.
- 7) The transgressor needs to both reform his or her behavior, and to provide some manner of reparations to the victim. Providing reparations for a transgression suggests that the transgressor is trying to make a victim “whole” by returning what the offense has taken away. While it is unlikely that the reparations will actually return the victim to the state before the harm occurred, what is important is that the transgressor and victim share a similar conception of how to respond to the offense. In other words, the transgressor and the victim should agree on the appropriate conditions of redress. Not only does this mutual process give voice to the victim, it also protects the transgressor from unreasonable demands from the victim who seeks to exploit the transgressor’s vulnerability and guilt.
- 8) The transgressor needs to have “standing,” that is, only the actual transgressor can provide a categorical apology. While it is not uncommon, particularly with organizations, to have a third person deliver the apology, in reality only the actual transgressor can provide the meaning of the apology and can stop the negative impact of the transgression of the victim. In addition, only the transgressor has the legitimacy to declare that the transgression will never happen again.
- 9) Categorical apologies speak to the offender’s character rather than to his or her mere ability to navigate a maze of social expectations in order to maximize her self-interests. As a result, the transgressor should intend to apologize and to make amends.
- 10) The transgressor should not only display that he or she was wrong from a cognitive point of view, but some sort of affective response should accompany the apology. It is one thing to say that you are “wrong.” It is also important to say one is “sorry.” “Sorry” implies regret or remorse.

## Analysis

At almost every step, Newman made the crisis worse. At first, Newman tried to employ the image restoration discourse strategy of *denial*. He denied the nature of the retention program. Unfortunately for Newman, his own emails contained details about the retention program that his critics blasted him for. In terms of the “bunnies” remark, Newman said he didn’t remember exactly what he said in the conversation that was quoted, but acknowledged he has sometimes used language that was regrettable. Newman then engaged in the image restoration discourse strategy of *minimization*. He observed: “I’ve probably done more swearing here than anyone else,” Newman said. “It wasn’t intended to be anything other than, ‘Some of these conversations you may need to have with people are hard’” (Svrluga, 2016, January 19).

Newman’s next step was to engage in the strategy of *shifting the blame*. He agreed with the Board’s chairperson in blaming the faculty and student newspaper for the problem. Following this charge, he fired one of his chief faculty critics, tenured philosophy professor, Thane M. Naberhaus. In his letter firing Naberhaus, Newman accused him of disloyalty to the institution: “As an employee of Mount St. Mary’s University, you owe a duty of loyalty to this university and to act in a manner consistent with that duty. However, your recent actions, in my opinion and that of others, have violated that duty and clearly justify your termination.” In addition, Newman’s letter told Naberhaus he was “designated persona non grata” and banned from the campus. Newman also fired Ed Egan, an alumnus of the university, who had been serving as faculty adviser to *Echo*, among other duties, such as directing the pre-law program. Unlike Naberhaus, Egan did not have tenure (Jaschik, 2016, February 9).

That action prompted not only near-universal condemnation among the Mount’s faculty, but faculty across a number of U.S. campuses. An online petition circulated across campuses drew several thousand signatures. The firings also drew a rebuke from the free speech group Foundation for Individual Rights in Education (FIRE). FIRE noted “While Mount St. Mary’s is a private, Catholic institution, it makes promises of free speech and academic freedom to its community that it is morally and legally obligated to uphold.” The Student Press Law Center’s executive director, Frank D. LoMonte, noted that the organization would be watching the situation at the Mount closely.

Having drawn scorn for firing Naberhaus and Egan, Newman reversed course a week later (February 12), and offered to reinstate both faculty members. Egan said the president called him and offered to reinstate him as an act of “mercy,” which implied that he and the student journalists, who had published the first article about the controversy, had done something wrong. Egan said he would think about it. Naberhaus refused, saying he would not return to campus so long as Newman was president (Mangan, 2016, February 12).

Finally, Newman never really apologized for his remarks, at least to the university community. He did admit in an interview with *The Chronicle of Higher Education* that he used “an unfortunate metaphor” in a testy conversation with Gregory W. Murry, an assistant professor of history who oversees a freshman writing seminar that begins during orientation (Mangan, 2016, January 20). Ironically, the Board did apologize. The Board announced it would conduct a review of how controversy over the president’s student-retention plan mushroomed a nationwide furor, and that it was sorry for “a breakdown in compassionate communication” (Thomason, 2016, February 20).

Once news about the decline in student applications began to circulate, combined with the inquiry from the Middle States Commission on Higher Education, Newman’s presidency became increasingly

untenable. By February 28, Newman decided to step down. In resigning, Newman provided the following statement:

I am proud of what I have been able to achieve in a relatively short time, particularly in helping the university chart a clear course toward a bright future. I care deeply about the school, and the recent publicity relating to my leadership has become too great of a distraction to our mission of educating students. It was a difficult decision, but I believe it is the right course of action for the Mount at this time (DeSantis, 2016, February 29).

The school's business school dean, Karl Einolf, was named acting president.

In the end, Newman and several members of the board resigned. The damage to the institution could be long-term, however, as applications to the small private college are down significantly, meaning the institution could have a difficult time meeting future enrollments goals. The ultimate irony is that the person brought on to right the financial ship of the university may have, through ineffectual crisis management, made the school's economic situation worse. If nothing else, Newman's actions provide a case study of *what not to do in a crisis*.

### **Postscript**

In June, the Mount appointed to serve as its interim president an Army general who spent the latter part of his career as dean of the U.S. Military Academy. Brig. Gen. Timothy Trainor agreed serve for a two-year term beginning in early August. A 33-year veteran, Trainor served at West Point since 2001, including the last six as dean and chief academic officer overseeing 800 faculty and staff and 4,400 students.

Trainor said he saw numerous similarities between West Point and Mount St. Mary's, including their small size and focus on a strong liberal arts curriculum. "Both are committed to what I call the holistic development of students for success in the future," Trainor said. Trainor also noted that while he was fully aware of the controversy at the Mount, he found on a visit to the campus that faculty, staff and students "seemed really excited with moving forward and into the future. And that's what we need to do" (Shapiro, 2016, June 20). If nothing else, Trainor will know what moves to avoid.

Though this case study was of a not-for-profit institution of higher education, the lessons learned here can apply to for-profit businesses as well. Because of their high profiles, CEOs are highly scrutinized by the press. A verbal gaffe can stir up a hornet's nest of protest.

For example, when Marissa Mayer took over as CEO of Yahoo! In 2012, she announced that employees could no longer telecommute, but had to work at the office five days a week. This policy came about even though a number of female employees telecommuted because of child care considerations.

The announcement of the policy was a surprise because Mayer herself was pregnant. Mayer, however, got around the child care problem by building a nursery next to her office. Mayer then did several media interviews in which she gushed about how "easy" it was to have a baby, "way easier than everybody made it out to be" (CNN Money, November 28). Mayer obviously had not thought through that raising a child is much easier when you have a nursery built right by your office.

Mayer went on to say that she didn't have a particularly high regard for feminists, and does not consider herself one:



I don't think that I would consider myself a feminist. I think that, I certainly believe in equal rights. I believe that women are just as capable, if not more so, in a lot of different dimensions. But I don't, I think, have sort of the militant drive and sort of the chip on the shoulder that sometimes comes with that (Woodruff, 2013, February 27).

Many critics of Mayer thought that the quote displayed a lack of gratefulness for the efforts of the feminists who came before her that laid the groundwork for her have the opportunity to become a CEO.

Unlike Newman, Mayer did not lose her job. But, like Newman, Mayer incurred the scorn of both disgruntled workers, and fellow female professionals for her remarks. More importantly, as Yahoo! has seen its fortunes diminish during 2016, Mayer has received a considerable amount of harsh coverage in the business press. Many of those articles reference her early remarks upon entering Yahoo!

Thus, the lesson to be learned from not-for-profits and for-profits alike is to be careful what you say. If you do open your mouth only to insert your foot, then sincerely apologize quickly.

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