

Joseph M. Spivey, IV

February 5, 2025

Mr. John D. Adams, President
V.M.I. Board of Visitors
Virginia Military Institute
P.O. Box 932
Lexington, VA 24450

Re: Board of Visitors Meeting February 6-8, 2025

Mr. Adams, Members of the Board,

I submit my correspondence covering multiple issues of concern. Sadly, I am repeating many, as this Board seems unable to muster the mettle necessary to extricate the Institute from its current wayward path. This Board's lack of fortitude continues despite multiple notices and warnings from a variety of sources and organizations.

It won't surprise you my first issue is the Board's ONGOING FAILURE to resolve the matter of a permit for cadets who write for The Cadet newspaper. This impasse is a FAILURE to lead by both the administration and the Board. The administration's pettiness is UNNERVING. As I have previously told this Board, college newspapers possess special legal protections, some held in federal law. These cannot be subverted by unwarranted administration requirements. Obviously, the administration doesn't like this fact. Bluntly, they need to get over it. VMI's new strategic plan's first initiative is "Preparing Exceptional Leaders." Put simply, the administration is not preparing leaders when its own leadership team is unable or unwilling to resolve such a simple matter.

In earlier correspondence I explained to the Board that the administration controls and is the final arbiter of the Corps' permit process. Despite the administration's oblique behavior, the Board must recognize the administration is the reason these cadets do not have a standing permit. It isn't the cadets' fault; it isn't the Cadet Foundation's fault or some other outside organization. Based on the duration of the impasse and the Board's FAILURE to direct the administration to resolve the permit issue, the Board now owns more blame than the administration does for why the matter remains unresolved. Allowing this stalemate to persist for years, through multiple iterations of Board membership, the Board of Visitors is FAILING the Corps of Cadets.

Doesn't the Board recognize how feeble it looks when it can't resolve such a simple matter? Each Board meeting the administration gives assurances for when the matter will be finished fully knowing the dates or given timeframe is illusory. The Board of Visitors has been misled multiple times and the Board's FAILURE to act on this issue and the companion matter of an agreement with the Cadet Foundation is EMBARRASSING.

Last month despite the standoff, The Cadet newspaper's staff, through the remarkable efforts of the Cadet Foundation, enabled these cadets to attend the 47th Presidential Inauguration. The cadets received full press credentials equal to all major media outlets.¹ Their attendance means that the only representatives from the Corps of Cadets at the Presidential Inauguration were The Cadet newspaper's staff. I duly recognize the commandant's office for issuing a special permit so these cadets could attend the Inauguration. Kudos to the Cadet Foundation for sponsoring The Cadet newspaper. However, as of today, two and ½ weeks after the Inauguration neither the administration nor the Alumni Agencies have published a notice or news story about the newspaper's cadets attending the Inauguration. Neither the

¹ [Facebook](#)

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administration nor the Alumni Agencies have linked to a WSLS 10 Roanoke television station interview with two cadets who attended all the Inauguration events.² Worse, rather than support and inform the Corps, Alumni, and supporters about these cadets' attendance at the Inauguration, on January 31 VMI posted a news story wherein it whined and complained about VMI's absence from the Inaugural parade. The administration and the Alumni Agencies acts are beyond petty. They are spiteful and SHAMEFUL.

This Board of Visitors is FAILING its assigned leadership role by allowing the administration to continue its feud with the Cadet Foundation. Direct the administration to immediately solve the newspaper's permit issue, incorporate the newspaper into the activities of the Institute, and conclude the Cadet Foundation MOU dispute. Or, take responsibility and resolve the matter yourselves.

I am not just a proponent of The Cadet. I am also a consumer of its content. The recent article *Bridging the Divide: Reclaiming fairness and unity in VMI's landscape*³ clearly articulates problems within the Corps, a "deepening divide," it attributes to administration favoritism toward NCAA cadet-athletes and against non-NCAA cadet-athletes. The article delivers a compelling narrative and provides some interesting support data. Identical to the permit process, the administration is the Institute's single author for policies, regulations, and directives related to NCAA and club teams. Disputes between athletes and non-athletes stem from administration policies and regulations and not from Corps actions. The administration should minimize its partiality toward NCAA cadet-athletes. Only then will this rift be removed.

While the article focuses on funding disparities between the NCAA team sports and non-NCAA club sports, one of its references drew my attention. That reference is the Cadet Activity Fees AY2024-2025 report. This report generates several serious questions about the administration's oversight of cadet club sports teams and cadet clubs overall. I address part of this matter below and other more significant issues in separate correspondence to the Board.

Comparing the activity fees report to the vmi.edu webpage "Clubs and Activities" reveals mismatched lists for cadet clubs, extracurricular activities, and groups. The report doesn't list several clubs including, Cadence, the Fishing club, Men in Grey, the Motivation club, the Recon club, the Timber Framers, or the BOMB yearbook. A broader review of vmi.edu website exposes more unlisted clubs including the Cadet Ethics Team, the Cadet Leadership Enrichment Opportunities group, the Cadet-Superintendent's Advisory Board group, the Cross Fit club, and the Regimental Band's various groups: Pipe Band, Jazz Band, Brass Ensemble, Herald Trumpets, and Concert Band. Alumni Board members may wonder why there is no club titled "Hop and Floor".

On the activity fees report's third page is a stated total AY24-25 expenditure of \$487,000. The Cadet article notes that this year cadets are charged "\$2,526 per cadet for 'Cadet Facilities/Activities'."⁴ For the AY24-25 VMI's budget assessed a Corps end strength of 1,523 cadets.⁵ Therefore 'Cadet Facilities/Activities' fees generated revenue of over three and three-quarters million dollars (\$3,847,098) this academic year. Cadets don't own, lease, rent, control, or manage "Facilities" so, it is a reasonable assumption the majority of revenue collected under this descriptor shall be spent on cadet "Activities".

So, where is the \$3.36M? I ask because the Cadet Foundation which I support in order to support The Cadet newspaper, recently solicited donations to support the 2025 BOMB yearbook.⁶ From the Cadet

² [VMI cadets, student-journalists attend President Donald Trump's Inauguration](#)

³ [Bridging the Divide: Reclaiming fairness and unity in VMI's landscape |The Cadet](#)

⁴ Ibid

⁵ VMI Budget | <https://www.vmi.edu/media/content-assets/documents/finance-administration-and-support/VMI-FY-2024-Budget.pdf>

⁶ [The Cadet Foundation](#)

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Foundation's website, "The Bomb Staff is facing a difficult time with many challenges and obstacles in funding the purchase of the needed film and processing."

Reviewing the vmi.edu website, the BOMB webpage has statements promoting 1) the BOMB's availability for purchase, 2) the option to purchase prior editions, and 3) solicitations to advertise in this year's edition.⁷ How can the BOMB, identified by VMI as a club, be empowered to sell individual yearbooks and advertising space and then not have "adequate resources"⁸ for film and development costs? Why can't or why hasn't, VMI allocated "adequate resources" to purchase whatever the BOMB staff needs to produce this year's BOMB? Are there other clubs or club sports teams also being denied "adequate resources"?

Equally vexing is this statement on the vmi.edu website: "the BOMB is an 'independent cadet publication'."⁹ At best the statement is splitting hairs. At worst it is outrightly false because the Office of Commandant's cadet activities' staff¹⁰ controls the yearbook's finances, holds jurisdiction over the yearbook staff, and the Cadet Extracurricular Activities Board, whose membership is 100% administration officials, controls the BOMB staff's ability to exist as a club.

What is going on? I offer two possibilities. First, the Office of Cadet Activities Standard Operating Procedures (SOP), the Green Book, is poorly written and contradicts itself regarding finances. It states "The DACs* and officers of all cadet organizations have a fiduciary obligation that shall not be delegated or ignored. Accordingly, these regulations prescribe policies and procedures, which apply to the financial management of all cadet organizations at VMI regardless of the source of funding."¹¹ The SOP also states club funding comes from VMI's budget. "Institute Funds' derive from VMI's Budget; they include funds from private donors, both restricted and unrestricted under the control of VMI. The S3 for the Commandant allocates Institute funds to cadet organizations."¹² These statements mean club DACs and cadet officers only spend what they are provided by VMI officials. (* DACs – directors, advisors, coaches)

VMI controls all cadet club funding no matter the source of the money (advertising, gifts, etc.). Everything has to go to and through VMI. Therefore, it is to assume the S3 for the Commandant denied this year's BOMB staff requests for money for film and film developing. Maybe the S3 for the Commandant did not know in advance what the BOMB's expenses for this year would be. Except...

General Order 67 the Extracurricular Activities and Clubs Policy, requires clubs to submit a 4-year budget when forming a club.¹³ The Green Book states that to form or maintain a club, DACs and cadet club officers must annually deliver a budget to their assigned VMI supervisor agency (commandant, dean, Institute chaplain, etc.).¹⁴ Consequently, every year the administration possesses more than 'adequate' knowledge about every club's prospective expenses. DACs and cadet club officers manage only the funds apportioned to them by VMI. Therefore, the S3 has at a minimum, the BOMB staff's initial four-year budget, a backlog of annual updates from prior years' editors of the yearbook, and prior years' expense reports. This budget information applies to all clubs, extracurricular activities, and groups.

⁷ VMI website - Clubs & Activities -Publications

⁸ VMI Green Book, Ch. 1 Section 2 para. 4.a.ii., "The second objective is to program **adequate resources** annually providing for program growth, flexibility in offerings based on changing cadet interests, and other expenses..." pages 2-3.

⁹ VMI website - Archives, VMI Yearbook Digital Archives

¹⁰ GENERAL ORDER NUMBER 67 VMI Extracurricular Activities and Clubs Policy, Para. 5., page 4.

¹¹ VMI Green Book, Ch. 1 Section 4 para. 25 page 10.

¹² Ibid, para. 26 page 10.

¹³ GENERAL ORDER NUMBER 67 VMI Extracurricular Activities and Clubs Policy, Para. 4.a.1., page 2.

¹⁴ VMI Green Book, Ch. 1 Section 3 para. 6.a., "Clubs are established or continued in the following manner: ... a proposed budget for the academic year;" page 4.

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Based on the revenue identified in the VMI “Tuition and Fees” schedule,¹⁵ there should be plenty of money available to “adequately resource” all Corps extracurricular activities. I mean, we’re talking about almost \$4 Million dollars. Unless a request is wildly unreasonable request or violates a published regulation, the S3 or director of activities should support any request by default. Any rejected funding request must provide a detailed explanation why the request cannot be supported. I suspect they often do not. When a club’s request is denied the club’s cadets suffer, not the S3.

The Board may wonder what the resolution process is when a funding request is denied for clubs with approved budgets? This, I think, is the second possibility. The process, explained in the Green Book, requires DACs or club officers to petition the Cadet Extracurricular Activities Board (CEAB). The CEAB “...is the governing body that reviews all organized cadet extracurricular activities that are considered clubs, teams, or societies. The CEAB has the authority to approve or disapprove new club formation proposals as well as to suspend or terminate existing clubs.”^{16,17} Astonishingly the CEAB lacks any cadet representation.

All CEAB members are administration officials. This construct wholly stacks the CEAB in favor of the administration and against the Corps. In contrast, three of nine Board of Visitors’ committees have a cadet representative. It is interesting to note the current CEAB lacks a named representative from the VMI Alumni Agencies.¹⁸ Why does the CEAB specify a requirement for an Alumni Agencies representative, (non-voting), but doesn’t have any cadet representation, not even regimental staff, or class officers?

Combined, General Order 67 and the Green Book practically invalidate the Unifying Action Plan’s declaration to “deliberately build (*sic*) leaders who: possess unwavering character, demonstrate great skill in sound reasoning, make appropriate ethical decisions, lead naturally among their peers and in their communities, engage in societal problem-solving yielding wide impact, stand and deliver through strength and conviction, and above all else, lead honorably and serve selflessly.”¹⁹

If the Corps embodies the characteristics espoused in the UAP, especially the first four, why do General Order 67 and the Green Book use such authoritarian methods to oversee cadet clubs and activities? Lack of cadet representatives on the CEAB is a FAILURE by the administration to follow through on VMI’s commitment to “preparing exceptional leaders.”

Having written the Green Book to its singular advantage, the administration clearly can use it to support clubs or activities it favors and summarily minimize or dismiss clubs it finds disagreeable. This seems to be the exact subject The Cadet article addresses regarding the administration vis-à-vis NCAA cadet-athletes and non-NCAA cadet-athletes. Shouldn’t the Corps be the final arbiter of what clubs belong at VMI? Based on the Green Book’s content, the administration demonstrates it thinks cadets are incapable, even if they have a DAC mentor, of responsibly forming, operating, and managing their clubs including handling club finances. Together, General Order 67 and the Green Book are an “imbalance... of systems that dominate the daily lives of our (*sic*) Cadets.”²⁰ It is a FAILURE by the administration and the Board of Visitors if the BOMB yearbook or any other club or extracurricular activity isn’t fully funded every single academic year.²¹ The administration has built a one-sided enterprise that “runs against the

¹⁵ VMI website - [Tuition and Fees - Financial Aid - Virginia Military Institute](#)

¹⁶ VMI Green Book, Ch. 1 Section 2 para. 5.f.i-vii., pages 3-4

¹⁷ GENERAL ORDER NUMBER 67 VMI Extracurricular Activities and Clubs Policy, Para. 5., page 4.

¹⁸ Ibid, Para. 3.f., page 2.

¹⁹ Ibid.

²⁰ One Corps – One VMI, A Unifying Action Plan, para. 4 & 5., page 7

²¹ Virginia Military Institute Statement Of Governance, para. 2

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fundamental notion of a common purpose for producing young men and women who represent the fulfillment of the VMI mission.”²²

My third concern iterates on my earlier correspondence to the Board regarding VMI’s Division 1 athletic program with two issues related to NIL and one about future success. First, despite the NCAA’s establishment of a name, image, or likeness (NIL) policy, almost four years ago,²³ VMI does not have a published NIL policy. I counseled the Board a year ago VMI’s lack of an NIL policy would manifest as a serious danger to the stability of the athletic department’s finances. Now, the NIL genie is out of its bottle.

The *House v. NCAA* settlement probably won’t provide substantial support to VMI, but VMI’s opponents will use theirs to rapidly adjust in ways benefitting their programs. Nine of 13 Commonwealth of Virginia, NCAA D1 universities presently have one or more NIL collectives financially supporting their schools’ athletic programs. Several in-state, private universities also have NIL collectives. This fall the VMI football team will play two Southern Conference opponents with NIL collectives. Assuredly, the number of VMI opponents backed by NIL-collectives in most sports will grow. This growth will make even the small number of victories VMI enjoys more elusive. To find success VMI could schedule and ‘play down’ smaller college opponents. Unfortunately, VMI’s multi-conference affiliation limits its opportunities to play a sufficient number of these types of schools to produce annually successful seasons. The fact VMI is a full or associate member in four separate conferences is recognition VMI finds athletic success challenging.

Second, NIL businesses are forming and marketing themselves to both individuals and teams. Though the current NIL fashion is to deliver monetary compensation to athletes, that is just the tip of the iceberg involving payment to college students. The high profile effort by Dartmouth University basketball players to unionize has ended,²⁴ but collegiate dancers, musicians, video makers, engineers, theater actors, and other young people with imagination and initiative will seek compensation for their talent when it is used in some form of promotion by their university. VMI’s condition as a senior military college will not exempt it from these societal changes.

As an example, Influxer,²⁵ is an online NIL business paying college athletes and regular students by selling NIL merchandise licensed by the individual. The college students’ supporters purchase products knowing they’re directly supporting their college student or athlete. College students are often the merchandise designers which gives them the opportunity to literally cash in on the NIL phenomena. Athletes and students who use these businesses do not need to be prominent high school prospects or on-field superstars. Second and third-string players, and regular, talented students are using this growing industry. In states allowing it, online businesses enable high school students to create their own NIL enterprises.

Members of the Corps are participating in NIL enterprises now. As such, they are competing against the Alumni Agencies’ Keydet Club for financial support to VMI’s NCAA teams. The tax-deductions Keydet Club donors receive may alone be insufficient in the near future to offset the opportunities a benefactor can realize knowing they can support an individual cadet/cadet-athlete.

Imagine cadet-athletes and cadets, directly receiving financial support from Alumni. This would make them immediate competitors to the Keydet Club. Oh, what irony!

²² Ibid

²³ [NCAA](#)

²⁴ [Dartmouth players end union attempt](#)

²⁵ [Influxer | Shop Officially Licensed College Athlete Merch](#)

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Third, by using the metric of wins versus losses across all VMI's Division 1 NCAA teams, the athletic program has been unsuccessful for many years. No amount of rhetoric will change this situation. This fact does not diminish the outstanding effort, competitive ethos, and Never Say Die spirit of past and present cadet-athletes and teams. However, viewed through an NIL lens, it makes sense for VMI to change its commitment to NCAA Division 1 now and find commonality among similarly sized universities with comparable academics, missions, and standards. VMI must make this change. As outlined above, VMI's delayed decisions about NIL is costing VMI now. Further delay will extract a larger penalty. VMI is behind the times and in a dreadful position of having decisions made for it because it persisted in remaining an NCAA Division 1 program. This intransigence is in spite of overwhelming evidence it struggles to be even moderately successful at this level. VMI also wouldn't, for any number of reasons, take the transfer portal seriously. It is foolish to think these issues won't continue to have detrimental effects on VMI athletics.

Reversing the Keydets' decades-long losing seasons and building a successful program at a different NCAA level will take effort and resources. But **long-term success** in VMI athletics will generate new interest among fans and Alumni (and revenue). In conjunction with an athletic program realignment, VMI should establish a Call to Duty-like program for recruiting. The term 'athletic scholarship' **must be** permanently abandoned. It does more harm than good. Instead, a 'Never Say Die' financial support program should be inaugurated to bring VMI-quality athletic talent to VMI.

Finally, during the September 2023 Board of Visitors meeting Mr. Adams you spoke passionately about the necessity for VMI to obtain external support for communications in order to address VMI's disappointing communications department's performance. As an analogy you cited how the U.S. Marine Corps successfully conducts its communications and marketing. I think VMI's communications insufficiency stems from two conditions.

First, VMI shares its communications department with the VMI Alumni Agencies. This shared arrangement has pulled the VMI communications department away from the critical responsibility to prepare for crisis management communications should unfortunate events occur on Post. Perhaps the department is too busy monitoring Jodel.²⁶ For several years the Alumni Agencies has focused solely on the easier task of marketing VMI. It has avoided confronting negative issues or unflattering stories appearing in the national press. Instead, the Alumni Agencies routinely admonishes Alumni and delivers "Just the Facts" paroxysms. Please note how they have mistreated The Cadet newspaper's cadets who attended the Presidential Inauguration, despite the simplicity of linking to the WSLs 10 interview.

Second, due to the shared arrangement the entire marketing and communications apparatus lacks objectivity. The standard routine for VMI and the Agencies is to avoid responding to issues or bad news. Instead, they wait for the matter to dissolve in the 24-hour news, weather, and sports cycles. Though rare, when VMI or the Agencies addresses an issue, no matter the circumstances and occasionally in the face of contrary and compelling evidence, VMI characterizes itself as faultless. These approaches fail to acknowledge that trivial events at VMI can be and are taken out of context. They fail to recognize or understand that VMI's lack of response can be maliciously used by people with bad intent. When this happens, VMI is harshly judged by people with less intimate knowledge about the Institute.

Mr. Adams, you have served on the Board of Visitors for three years and been president for more than six months. Why haven't you expressly directed the administration or empowered the Board's Executive Committee to retain a company specializing in communications, public relations, and crisis management?

²⁶ VMI, Quarterly Report 1, Commonwealth's Equity Audit, July 1, 2021 – December 15, 2021, pg. 38.

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Many faithful Alumni and VMI supporters expected Governor Youngkin's appointees to the Board of Visitors to immediately address and expeditiously remediate the injurious initiatives, harmful decisions, and bad policies put in place by the former governor's appointees. This has not happened. This failure to act and LEAD has led to a reduction in donations (gross contributions receivable) at the VMI Alumni Agencies. "The Board is responsible for oversight of the Institute's budget development process"²⁷ and Mr. Gottwald has eloquently explained VMI's precarious financial position resulting from the reduced Class 2027's class size. Reduced financial support for VMI is an unsustainable condition.

In summary, the Board must change its current direction. It is charged with ensuring "the Superintendent complies with all Board and statutory directives."²⁸ Using this authority the Board must instruct the administration to completely resolve the situation with The Cadet newspaper. Additionally, and as necessary, it should form one or more ad hoc committees to correct the issues related to, a) fully restoring cadet club accountability, b) addressing the lack of cadet representation on the CEAB, c) establishing a Corps-wide name, image, and likeness policy, d) realigning the NCAA athletics program and, e) overhauling the communications department.

*"The simple step of the courageous individual is to not take part in the lie."
- Aleksandr Solzhenitsyn*

"VMI is at a crossroads. As the world around VMI changes, the Institute must continue to evolve or risk becoming irrelevant. Keeping pace with change, if not leading it, is necessary to meet the demands and complexities of the 21st century. With change so comes opportunity."²⁹

Don't allow the opportunity to escape.

Board Members – Fix VMI's problems NOW.

Sincerely,


Joseph M. Spivey, IV
VMI Class of 1985

²⁷ Virginia Military Institute Statement Of Governance, para. 2.

²⁸ Ibid, para 3.

²⁹ One Corps – One VMI, A Unifying Action Plan, page 14