

Summary Update Number 3

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As most of you are probably aware, Vice-President Gary Wiggins resigned on Friday, July 9, 2004. There are some facts, as well as some personal opinions, that I would like to convey to all Faculty and Administration.

Dr. Wiggins made his decision voluntarily. He was not asked to resign by either the President or by the OSU Board of Regents. He made it clear that he believes that he knows what things need to be done in the IT Division to make it function efficiently, but he had doubts, given the present situation, about his ability to lead and to execute those plans. Therefore, he felt that it was in the best interests of the University that he submit his resignation. I concur.

The President plans to place the IT Division under the direction of Vice-President David Bosserman for an interim period of six months. Dr. Bosserman has some experience in IT matters and a wealth of experience and expertise in financial and personnel management matters. He is fully aware that the University is on a very short time frame to make e-mail and other technical matters in IT functional before the students return in August. He plans to solicit advice from current staff in IT and from the IT Committee of the Faculty Council as to who should be on his leadership team and as to the best plan to make things function efficiently. The Faculty Council IT Committee and the IT Staff are meeting Saturday morning, July 10, to address these issues.

On Friday at 3:00 PM, I met with the President Schmidly, Provost Strathe, Vice-President Bosserman, Chief of Staff Goodbary, and the University's Legal Council, Scott Fern, to examine both the separation letter and Dr. Wiggins' resignation letter. The separation letter provides 3 months of salary, \$8,000 in moving expenses, and pay for all accrued annual leave. There are no other provisions or stipulations in this agreement that guarantee positive recommendations, violate first amendment rights, or that require silence. In my opinion, the agreement is fair, reasonable, and appropriate. I recommend the Faculty and Staff support it fully. I found Dr. Wiggin's letter of resignation to be

honest and forthcoming. It is a class performance that has spared the University a great deal of expense and damaging publicity.

I wish to take this opportunity to emphasize two additional points:

First, there is no evidence that Vice-President Wiggins was involved of the theft of intellectual properties from Texas Tech University. He neither authorized such action nor did he know about it in advance. On the afternoon of June 25th, M. Scott Fern, University Legal Counsel, met with Dr. Moder, Dr. Strathe, and me for 90 minutes. During this time, he went over all the evidence that had been collected in 41 days of intense investigations that involved interviews of over 30 individuals, some multiple times. He responded fully to all questions. Over the weekend, I realized I still had questions and some doubts. I requested and was accorded another meeting with Mr. Fern the following Monday. This meeting lasted another 90 minutes during which I explored all remaining questions. At this point, I am completely convinced that there is no evidence tying Dr. Wiggins to any of the actions taken by the two IT employees who have resigned.

Second, a report that appeared in the Daily Oklahoman on Thursday, July 8, 2004, to the effect that President Schmidly knew in advance of the secret agreements signed by Dr. Wiggins with the two IT employees is unequivocally incorrect. At our meeting on Thursday morning, July 8, Dr. Schmidly expressly denied having such knowledge or having approved of these agreements in advance. Moreover, the Faculty Council officers had already obtained independent corroborating evidence that he had no advance knowledge of those agreements.

The past five months have been a difficult time for the University. We still must address some technical problems in the IT Division, but Dr. Bosserman and the IT personnel have the expertise and determination to handle these problems.

I want to close this third summary update by extending my thanks to Professors Carol Moder, Bob Darcy, Birne Binegar, and Mark Weiser who have worked more hours than I can count and devoted all of their considerable skills to finding solutions to the problems that continued to arise. The members of the Faculty Council's IT Committee have been working almost everyday conducting what is probably the most extensive and thorough investigation ever undertaken by any Faculty Council in the history

of the University. Many Faculty, Staff, Alums, students, and citizens of Oklahoma have taken the time to write to us expressing support and advancing suggestions as to ways we might effectively proceed. I am deeply grateful for this support. The OSU Legal Council was helpful throughout the past months. Many members of the Administration had to make difficult decisions. They made them and they made them with the best interests of the University, the students, and the citizens of Oklahoma in mind.