

1 as possible with the opening statements.

2 President Wetherell, are you ready for
3 the institutional opening statement?

4 MR. WETHERELL: Yes, Mr. Chairman.

5 CHAIRMAN THOMAS: Thank you.

6 MR. WETHERELL: Thank you, Mr.
7 Chairman. The consultants and various people
8 provided me with some notes to make this
9 statement, and they started off with thanking
10 you for the opportunity to be here today. Upon
11 reflecting upon that a moment, I don't think I
12 can think of a place I would rather not be than
13 here today, quite frankly.

14 Florida State is embarrassed, quite
15 frankly, to be here. We are a better
16 institution than this. This is not something
17 that we are proud of, and it is not necessarily

18 our finest hour. But we do appreciate the help
19 and the support that we received from the NCAA
20 as we went through this process.

21 I kind of reflect back to Apollo 13
22 and remember that they started off to the moon,
23 and in the final analysis never made that, but
24 it well may have been NASA's most probable or
25 best performance of all.

1 I think Florida State will come out of
2 this a better institution, as embarrassed as we
3 might be. You have read the case, you have been
4 provided the information. To the best of my
5 knowledge, there is really no conflict in the
6 facts of the case. We self-reported this case.

7 It evolved in a way that we did not
8 expect it to evolve. The NCAA came down and
9 reviewed the matter after we had sent it up
10 pursuant to policy and procedures. There were
11 very few changes made. We then reacted to that
12 report and made very few changes.

13 So, the facts are pretty simple. It
14 seems like a relatively simple case on the
15 surface, but I think as you have read it and as
16 you hear testimony today you are going to find
17 out that this is a very complex issue.

18 Those of you in the law profession
19 will particularly note some of the issues and
20 the challenges that the institution had to face
21 as we went through various segments of this
22 proceeding.

23 We would point out that it really
24 doesn't fit in the NCAA Manual. We have
25 searched throughout NCAA records and can't find

1 a case that is of this particular nature with
2 this many different options.

3 This case does not involve misconduct
4 by any coach, any assistant coach. There are no
5 boosters, no donors, no trainers, no one
6 directly involved with teams in athletics.
7 That's highly unusual. We admit that.

8 The facts of the matter are that a
9 student-athlete went to the Academic Support
10 Center to do some work as they should do. While
11 at that center, the student-athlete was asked
12 about another student-athlete who was to come
13 and do some work.

14 The student-athlete number one
15 basically responded by saying he is not coming,
16 he is involved in some other things. That
17 happened to be an athlete that

1 is not coming, he is not going to take that
2 test. He was then advised to sit down and take
3 the test by a staff person at Florida State
4 University.

5 The athlete getting instructions from
6 a staff person did as he was told. He did not
7 ask to do this, he was not even enrolled in the
8 course.

9 The student-athlete took the test,
10 left the center, reported that to his coach.
11 His coach then reported it to the Compliance
12 Center, and FSU began an investigation pursuant
13 to NCAA regulations.

14 The issue at that point in time was
15 who was going to do the investigation, the
16 Athletic Department or some other entity? It
17 was my decision that we would let some other

18 entity do that investigation since it was not
19 involving a coach or an athletic issue at that
20 point in time, it was a personnel matter.

21 We determined that the Inspector
22 General at Florida State should do it in
23 conjunction with HR staff at Florida State. we
24 believed we were dealing with an employee
25 relations issue at that point in time.

1 The employee was so notified, the
2 athletic director was so notified because he had
3 been told by the coach, and we moved ahead in
4 that process.

5 Part of that investigation process
6 included talking to student-athletes that were
7 in the course. There were some 30-some student-
8 athletes talked to, amongst other people, and
9 basically as they went through that process it
10 was not much that we didn't know, didn't show
11 up.

12 It was only at the end when one
13 student-athlete basically told us that I don't
14 know what the big problem is. If you talk to a
15 student mentor or tutor, you could do the same
16 thing. That alerted us that there was some
17 other problems.

18 You have to realize that each of these
19 students was asked to come and give us
20 information regarding that system. They were
21 specifically told that they were not being
22 investigated.

23 Their eligibility was not in question,
24 and their scholarship was in no jeopardy. But
25 when a student-athlete then notified us that