

THE PENN STATE BOARD OF TRUSTEES: DOES IT ANSWER TO ANYONE?

In November 2011, when the Grand Jury Presentment to indict Jerry Sandusky became public, Penn State Athletic Director Tim Curley was put on administrative leave, head football coach Joe Paterno was terminated, and University President Graham Spanier was put in the position of having to resign because the Board of Trustees was unwilling to support him. These three men were relieved of their duties without due process. Moreover, the Board had no evidence of any wrongdoing on the part of these individuals.

On July 12, 2012, The Penn State Board of Trustees issued the following statement (in part) within hours of the release of the Freeh Report.

Today's comprehensive report is sad and sobering in that it concludes that at the moment of truth, people in positions of authority and responsibility did not put the welfare of children first. **The Board of Trustees**, as the group that has paramount accountability for overseeing and ensuring the proper functioning and governance of the University, **accepts full responsibility for the failures that occurred.**

This raises the question: How do these trustees, who 'accept full responsibility for the failures that occurred', still retain their positions and duties on the Penn State Board? If they accepted bearing ultimate responsibility for Sandusky's crimes, then why has there been no change in their status or positions on the Board?

The Board terminated Paterno and Spanier because they lost 'confidence in Paterno's and Spanier's ability to lead.' Well, the Board has 'paramount accountability for overseeing and ensuring the proper functioning and governance of the University.' Since they admit they failed in their oversight and governance, why are they still leading and running this University? They have, as an entity, accepted blame for Sandusky's crimes. They are paying out tens of millions of dollars under the theory that the University was responsible for Sandusky, even in the years after his retirement. Many of the Penn State stockholders, that is, the faculty, alumni, students, and supporters, have virtually zero confidence in the Board's ability to lead. Therefore, based on the Board's yardstick, all of the seats of the November 9, 2011 trustees should be revoked.

In fact, former Chief Deputy Attorney General Frank Fina claimed in a recent interview on 60 Minutes Sports that he found NO evidence that Joe Paterno conspired to cover up Sandusky's crimes. Why hasn't the Board acknowledged this or apologized for their unwarranted firing of Paterno?

Why doesn't our University's governing body have to answer to their stockholders or some higher power for their decisions? Isn't this the exact 'unchecked power' that Freeh accused Joe Paterno of having?

The Board revoked the duties of three honorable Penn State employees who collectively worked for the University 120 years, yet the same rules and criteria for termination somehow do not apply to them. How ironic is that? Clearly, Penn State has a culture problem. This culture problem, however, is not with football but with the members of the Board of Trustees.

Eileen Morgan

September 4, 2013