

EXHIBIT 14



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Transcript of the Testimony of **Robert Wiggins**

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1 A. Well, it says most colleges have multiple levels of
 2 residential housing available, and that we happen to have
 3 campus apartments where if there was a possibility, that
 4 would be someplace where students could learn some things.
 5 It doesn't say that the program relies on housing as a
 6 necessary component.
 7 Q. I didn't ask if it was a necessary component. Was it
 8 considered as a component of the OPTIONS Program?
 9 A. It was considered.
 10 Q. And so you're talking about the program in that sentence
 11 that I read, you're referring to the OPTIONS Program
 12 correct?
 13 A. That's correct.
 14 Q. You're not referring to a program at some other university?
 15 A. That's correct.
 16 MR. DAVIS: Can we take a quick break for a second.
 17 (BREAK HAD AT 10:07 A.M. TO 10:15 A.M.)
 18 Q. (Continuing by Mr. Davis:) Back on record. These meetings
 19 helped formulate and develop the OPTIONS Program, was
 20 housing discussed as a component at those meetings?
 21 A. Not that I recall.
 22 Q. Was there any advertising promoting the program done?
 23 A. Aside from the brochure?
 24 Q. Aside from the brochure.
 25 A. No.

1 what's been marked as Exhibit 3. Had a chance to look at
 2 it?
 3 A. Uh-huh.
 4 Q. Please identify what that is?
 5 A. That was a letter that I sent to faculty on campus to let
 6 them know the students, the participants in the OPTIONS
 7 Program were on campus.
 8 Q. This did not go outside of the university to your
 9 knowledge?
 10 A. No, it did not.
 11 Q. To your knowledge it did not?
 12 A. It was not intended to.
 13 Q. But that was an author, that letter was authored by you?
 14 A. Yes, it was.
 15 Q. And it was dated August 28, 2007?
 16 A. That's correct.
 17 MR. BOONIN: 28th did you say?
 18 MR. DAVIS: Yes, correct, 28th.
 19 Q. (Continuing by Mr. Davis:) Was it sent out at that time,
 20 or was it, wait around a little bit before it went out?
 21 A. I don't recall.
 22 Q. All right. Were there any other aspects of the program,
 23 the OPTIONS Program when it was being created, that were
 24 considered and has since been dropped?
 25 MR. BOONIN: Do you mean dropped or not yet

1 Q. Anything sent out to different communities, particular
 2 school districts at all?
 3 A. Only the brochure.
 4 Q. Was there any public meetings held regarding the creation
 5 of the OPTIONS Program?
 6 MR. BOONIN: What do you mean?
 7 Q. (Continuing by Mr. Davis:) By public meeting, let me
 8 clarify that. Were there any public meetings, and by that
 9 I mean where comments were suggested from the public, or
 10 public notice was given, public comments?
 11 A. No.
 12 Q. In creation of the OPTIONS Program, were professors asked
 13 their opinions about the program and suggestions about the
 14 program?
 15 A. Not that I recall.
 16 Q. Was the housing department ever brought in to discuss the
 17 OPTIONS Program what participants may or may not be able to
 18 have access to in housing?
 19 MR. BOONIN: At what stage?
 20 Q. (Continuing by Mr. Davis:) We're talking about during
 21 these opening meetings where they're just formulating the
 22 program.
 23 A. No.
 24 (EXHIBIT NO. 3 MARKED)
 25 Q. (Continuing by Mr. Davis:) Take a moment to review No. 3,

1 implemented?
 2 Q. (Continuing by Mr. Davis:) Let me rephrase it. Are there
 3 any other aspects of the OPTIONS Program in those meetings
 4 that were creating the program, that were discussed and
 5 either not implemented, or are still not yet implemented?
 6 A. I guess I want some clarification as to what you mean by
 7 the program.
 8 Q. The OPTIONS Program.
 9 A. Right, right.
 10 Q. And one thing that was discussed earlier you said was that
 11 there would be a core requirement, and the other thing you
 12 said earlier that was discussed was that there might be a
 13 certificate of completion. Were there any other aspects of
 14 the program that were discussed that have not yet either
 15 been implemented yet, or the decision has been made not to
 16 implement?
 17 A. Of the program as it was approved, I would have to say no.
 18 Q. How about in the stage where it was being considered and
 19 the discussions in those advisory board meetings?
 20 A. One thing that we thought about was whether there was a
 21 possibility for student employment on campus.
 22 Q. And that has not been implemented?
 23 A. It can't be implemented.
 24 Q. And why can it not?
 25 A. Federal law requires that student workers be degree seeking

1 that decision?
 2 A. I do not.
 3 Q. Did Mary Beth Snyder, the vice-president, did she ever tell
 4 you that she was the one that made that decision?
 5 A. I don't believe so.
 6 Q. Did Lionel Maten ever tell you that he was the one that
 7 made that decision?
 8 A. I don't believe he did.
 9 Q. You don't believe he told you or you?
 10 A. I don't remember anybody telling me who made the decision.
 11 I'm in academic affairs, I'm not in student affairs, and I
 12 don't know what the level of authority is, or how high it
 13 had to go, or who it was that was making the final
 14 decision.
 15 Q. It was your, to your knowledge, was he initially approved
 16 for housing and then denied?
 17 A. Not to my knowledge. This is what I was told, but I don't
 18 have direct knowledge of what the approval process is, so
 19 the person who told me could have misunderstood what it
 20 meant to be approved.
 21 Q. And who was the person that told you that?
 22 A. Mr. Feldman.
 23 MR. DAVIS: I think I'm, we're done. I don't have
 24 any other questions.
 25

1 A. In academics we would call that setting a theoretical
 2 frame, you give a rational in any academic paper for why
 3 you're thinking about the things you're thinking about,
 4 what is influencing your thinking. And then based on that
 5 you say, if that's the thinking we have, here's something
 6 we can do.
 7 Q. Did he -- go ahead, go ahead.
 8 A. I was just going to say, none of these paragraphs are
 9 stating to say, this something that we will do, they were
 10 thoughts about what might be possible at some point in the
 11 future, what they might be doing at other institutions that
 12 leads us to believe that we could do this.
 13 Q. But the part that was approved is just the part that
 14 follows?
 15 A. Exactly.
 16 Q. That's the provision of the courses?
 17 A. Uh-huh.
 18 Q. There was no budget at this time for how housing would be
 19 dealt with or anything?
 20 A. No, housing was not even considered as part of the program
 21 at that point.
 22 MR. BOONIN: That's it. Thank you.
 23
 24 RE-EXAMINATION
 25

1 EXAMINATION
 2
 3 BY MR. BOONIN:
 4 Q. I want to clarify one area. Referring you to Exhibit No.
 5 2, which was the proposal, this proposal you said was
 6 presented to the dean?
 7 A. That's correct.
 8 Q. And was the, was everything in this proposal approved
 9 finally?
 10 A. Everything in the proposal?
 11 Q. Yes.
 12 A. I don't think everything in the proposal was approved.
 13 Q. The dean did approve some things?
 14 A. Some things.
 15 Q. What part of the proposal?
 16 A. She approved the program outline that we had put in the
 17 proposal to say, this is what we are now going to start,
 18 begin to do.
 19 Q. Could you identify that in the document?
 20 A. It would start on page three, middle of page three where it
 21 says program outline.
 22 Q. There is quite a bit of discussion about the paragraphs
 23 that precedes that?
 24 A. Uh-huh.
 25 Q. What were those paragraphs intended to be about?

1 BY MR. DAVIS:
 2 Q. Just maybe one quick follow-up question. Just to be clear,
 3 you said the dean had approved a portion of this, we're
 4 talking about Dean Otto; is that correct?
 5 A. That's correct.
 6 Q. Did anybody assist you with the creation of this proposal?
 7 A. How do you mean assist?
 8 Q. Contribute in researching it, contribute in writing it?
 9 A. No, I believe I did it myself. I certainly talked to other
 10 people about ideas. When it came to writing the proposal,
 11 I wrote it.
 12 Q. Who did you discuss ideas with?
 13 A. People I knew who were in the field, some of the people
 14 that I mentioned before who have expertise in community
 15 service agencies and in public school services to students
 16 with disabilities.
 17 Q. Other than those that you already mentioned, do you recall
 18 any others?
 19 A. I don't think so, not that I can remember at this time.
 20 MR. DAVIS: I'm done.
 21 MR. BOONIN: Thank you.
 22
 23 (WHEREUPON THE DEPOSITION CONCLUDED AT 11:00 A.M.)
 24
 25