

President Martha Saunders under Oath

Part 4

“Don’t count her out yet. There are plenty of low level colleges where she could rise again.”

[Name withheld](#)

If there is a chance that Martha Saunders can repeat her incompetence as an administrator at another college or university, its faculty and administrators should have a clear picture of her conduct as president of Southern Miss. This series provides a rare opportunity for the Southern Miss family, as well as potential employers, to consider Martha Saunders’ words, under oath. Click for [Part 1](#), [Part 2](#) and [Part 3](#).

Martha Saunders didn't just squander millions of dollars in student and taxpayer money on an airplane, or hundreds of thousands decorating the Presidential mansion's bedroom, or hundreds of thousands on a misguided, illegal computer tablet give-away scheme, or at least a million in mismanagement on athletics that we know of, etc. She spent approximately two and a half million dollars trying and failing to fire me for opposing and exposing the questionable conduct of USM faculty and administrators.

It’s your money -- your millions and millions of dollars. Taxpayer and students’ money. If you care to understand just how incompetent Martha Saunders is, take a front row seat at her deposition. And where were Hank Bounds and Aubrey Lucas? With millions being spent to try to fire DePree, you can bet they knew. And, you don't have to take anyone's word. Observe it for yourself. Her deposition continues below:

Questions directed to President Martha Saunders at her deposition on April 12 and 13, 2010--Q is question; A is President Saunders’ answer.

Part 18

Q. In paragraph six of [your] affidavit, did you state that Dr. Williams told you that Dr. DePree was the only accounting faculty member deemed neither academically [AQ] nor professionally qualified [PQ]?

A. That's what it says, yes.

Q. And did you rely on that?

A. Yes, I did.

Q. And is that true?

A. I assume so.

Q. One moment, please. Assuming for a moment that there were other faculty in the accounting department who were determined to be neither AQ nor PQ, would Dr. Williams have made a false statement to you?

A. Well, if there were others he would be wrong.

Q. It would be -- the statement would be false?

A. Yes.

Q. And if he made such a representation to you for the purpose of having a tenured full professor fired, would you consider that a serious matter?

A. Yes.

Q. If that statement was false?

A. If he did it with that intention, yes.

Q. He intended to have Dr. Depree fired didn't he?

A. I don't know.

Q. That's what his letter asked you to do, wasn't it?

A. I'd have to go back and look at the letter.

Q. Please take a look at his letter.

A. (Saunders looks at document.) Yes.

Q. He wanted Dr. Depree fired?

A. [Quoting Williams' letter, Saunders said] I feel Dr. Depree must be terminated.

Q. I'm going to provide you an excerpt from the AACSB maintenance accreditation report prepared and submitted to AACSB. Would you like to see the complete document or just the excerpt? Let me just provide you the complete document.

A. Yes, please.

Q. And I will turn the page I want you to look at sideways...And, of course, you're welcome to look at any portion of that you wish, but I have turned sideways the specific page.

A. Give me a minute (Saunders looks at document).

Q. For the record, would you state what the document you have in your possession is?

A. It says: AACSB Maintenance of Accreditation Report, College of Business, the University of Southern Mississippi, December 1st, 2006.

Q. Thank you.

A. (Saunders looks at document.) Okay.

Q. If you would, go to the page I've turned sideways. What is that page labeled?

A. School of accountancy and information systems. It has a list of faculty, whether they are academically qualified or professionally qualified.

Q. Is Dr. Depree the only one listed there as being neither AQ nor PQ?

A. No.

Q. How many are listed as neither AQ nor PQ?

A. Two.

Q. And Dr. Williams made a false statement to you in making that claim?

A. Well, I don't know, because this is the self-report that the college puts together in anticipation of the visit.

Q. Yes, so even by the --

A. What he says is that the visiting team -- I don't know if he said they drew that conclusion, but during the visit, Dr. Depree was the only one, so I don't know that.

EXHIBIT LETTER G WAS MARKED AND HANDED TO SAUNDERS

(Saunders looks at document.)

Q. If I represent to you that Exhibit G is the final table submitted to AACSB for their determination, does that show Dr. Depree is the only one neither AQ nor PQ?

A. No.

Q. So Dr. Williams' statement is false?

A. Tell me again where this came from.

Q. That was the final table submitted at the request of AACSB. It was provided by your counsel.

A. I'm sorry, but I don't know if I can answer that, because there may be some gaps in my understanding of when this happened and when this happened (indicating).

Q. That was the 2006 accreditation.

A. Final report.

Q. The final report.

A. But he's referring to the visiting team's report in 2007, so I can't answer that. I'm sorry.

Q. But based on the information there, is there any reason to believe that Dr. Depree was the only one neither AQ nor PQ?

A. What you have shown me, I see two faculty.

Q. Okay. Have you conducted any investigation of this matter?

A. No.

Q. And I believe you said you read your deposition?

A. I did.

Q. Before appearing here today?

A. I did.

Q. And, in fact, Mr. Fountain raised the same question with you [in 2008], didn't he?

A. He may have. I didn't memorize it.

Q. Did you make any inquiry?

A. About?

Q. About whether Dr. Depree was the only accounting professor neither AQ nor PQ?

A. I don't recall.

Q. Do you know if there are other professors in the college of business who are neither AQ nor PQ?

A. I don't know that.

EXHIBIT LETTER H WAS GIVEN TO SAUNDERS

Saunders looks at document.

Q. That's a listing that appears to be of other faculty in the college of business, am I correct, Dr. Saunders?

A. It has another department.

Q. Okay. What department is that?

A. Economics, finance, and international business.

Q. Are there faculty in economics, finance and international business who are not academically or professionally qualified?

A. This table indicates there are three.

Q. Were any of these faculty excluded from Joseph Greene Hall [as DePree was]?

A. No.

Q. Were they assigned to full-time research [as DePree was]?

A. No.

This reporter usually adds some comment to explain or provide context to Dr. Saunders' testimony. However, based on such incredible testimony, what can one really add to Dr. Saunders' words? Her behavior goes beyond simple indifference or mere incompetence. Based on statements that were false, and which the University's counsel knew were false, Dr. Saunders singled out for punishment the editor of usmnews.net. She took no action to investigate or punish those who made false statements. To the contrary, she has rewarded and sheltered them.

Part 19

Q. Would you read the first sentence of that (from Saunders sworn affidavit) paragraph?

A. In light of the apparent sincerity of the letters and the urgency of the threat potentially arising from Dr. Depree's continued presence at the college and in light of Dr. Depree's research deficiencies, I made the decision to relieve Dr. Depree from his teaching and service obligations to the university.

Q. Okay...How did you test the apparent sincerity of the letters?

A. I'm not sure what you mean by testing, but the impression was in the fact that they were written at all, in the fact that they were reviewed and affirmed at two different administrative levels.

Q. What were those two different administrative levels?

A. The interim department chair [Jackson] and the interim dean [Williams], and they had been reviewed by the provost before they got to me.

Q. And that was Dr. Middlebrooks?

A. Correct.

Q. Did you know if the claims in these letters were true?

A. No.

Q. Do you still know if they are true [three years later]?

A. No.

Q. You mentioned the urgency of the threat. What was the urgency of the threat?

A. I felt like if -- again, judging from the strength of the letters -- and that's a subjective view on my part -- that would be what I would have thought.

Q. Were there any specific allegations concerning actions taken by Dr. Depree in those letters?

A. Yes.

Q. What were the specifics that Dr. Depree had done that created the sense of urgency?

A. (Saunders looks at document.) Well -- that created the sense of urgency?

Q. Yes.

A. Let me refer to them.

Q. Please do.

A. (Saunders looks at document.) In just reflecting on them, I think they did mention increasing behavior.

Q. And what were those increasing behaviors, Dr. Saunders?

A. Well, the letters referred to disruptive behavior.

Q. What specific disruptive behaviors?

A. They referred to specifically a faculty meeting [May 4, 2007].

Q. But we, again, confirmed that the ombudsman was not able to confirm their claims; is that correct?

A. He said -- as I recall the ombudsman said he was not able to get -- well, let me go back to the ombudsman's report.

Q. Please.

A. (Saunders looks at document.) Actually, he didn't dispute the claim, if I'm reading this correctly. Let's see he said while every faculty member I interviewed said they had experienced to one degree or another Dr. Depree's volatile temper these allegations are often vaguely described and impossible to substantiate.

Q. So we have no specific acts on the part of Dr. Depree?

A. I think the original questions were what were they saying.

Q. No. What were the specific allegations of acts taken by Dr. Depree?

A. In their letters, which were what I had when I made my decision [in August 2007], the specific allegations were disruptive behaviors --

Q. What disruptive behavior?

MR. GORE, USM Counsel: Ms. Jude, you've asked that question probably four dozen times.

MS. JUDE: I'm still trying to get an answer, Mr. Gore.

MR. GORE: Well, I think you've gotten the best answer you're going to get.

BY MS. JUDE: Q. Well, let's humor Mr. Gore, and let me ask you another question. This meeting occurred when?

A. Oh, the meeting occurred in May [2007].

Q. And you took action in August [2007]?

A. I did.

Q. Why did this become urgent -- May, June, July -- four months later?

A. Well August was when I learned about it.

Q. The faculty apparently didn't consider it urgent until four months later, did they?

A. I don't know.

Q. What urgency is conveyed to you in those letters [from DePree's accusers]?

A. Well -- (looks at document). Well, again, the impression -- I'm reading the dean's letter of increasing behaviors. I'm looking at the chair's letter.

Q. Did he give you an example of the increasing behaviors?

A. He gave me examples of behaviors.

Q. And those were?

A. And those were -- (Saunders looks at documents, again) -- the perceived recording device.

Q. There was no recording device that you know of was there Dr. Saunders?

A. But I didn't know it then.

Q. You know it now, don't you?

A. I know it was testified.

Q. So you would accept what the dean said over sworn testimony [contradicting the dean's letter given at Federal Court in September 2007]?

A. I accepted what the dean said when I took my action [in August 2007].

Q. You are continuing to take action, aren't you Dr. Saunders?

A. I have not changed my action, yes.

Q. Which is continuing action? Are you still relying on that as the basis for telling Dr. Depree he cannot teach and he cannot enter Joseph Greene Hall?

A. No.

Q. What are you currently relying on?

A. I'm relying on the ombudsman's report [December 2007].

Q. And where in the ombudsman's report does it say that Dr. Depree should not be permitted to return to his office and his classroom?

A. It does not.

Q. So you're not relying on that?

A. No. The ombudsman's report cites --

Q. Dr. Saunders, I think my question was: Is there any --

MR. GORE: Why don't you let her answer the question, Ms. Jude?

MS. JUDE: I would like for her to answer my question, Mr. Gore.

MR. GORE: She's looking right now to find the answer that you asked for.

MS. JUDE: Let me ask the question and make sure we're all clear.

BY MS. JUDE: Q. Is there anyplace in that report where Dr. Cannon says Dr. Depree should not be permitted to teaching and service?

A. No.

Q. Thank you. Dr. Saunders, is there another tenured full professor [other than DePree] who is denied access to an office?

A. I don't know that. I don't think so, but I don't know.

President Saunders acted “[i]n light of the apparent sincerity of the letters ... Let me repeat that, Saunders acted three years ago “[i]n light of the apparent sincerity of the letters...” and did nothing else then or since then to determine if the apparently sincere letters were truthful. She admits she took actions that were not recommended by the Ombudsman.

After three years, let me repeat that—after three years—and millions in costs squandered in a failed attempt to fire a tenured full professor, President Saunders couldn't look at the evidence she had readily available to her. Saunders hired two outside law firms, incurred costs of IHL attorneys and USM attorneys and half a dozen “expert witnesses”, hundreds of hours of faculty time and she couldn't find cause to fire Professor DePree. She also didn't take the time to review the evidence while incurring millions in costs in failed efforts over three years to fire Professor DePree. Tell me you wouldn't be held to account for that degree of incompetence. Tell me she can't do the same to you, dear colleagues. There's little doubt faculty are too insecure because of the recession and threatened faculty terminations to insist on calling Saunders to account. However, squandering millions of dollars during a recession is precisely the time to insist that USM be lead by competent administrators.

Part 20

Q. In the three years or two and a half years that have passed since October 2007 (her first deposition), is there anything, any current urgency that would have precluded you from testing the truthfulness of the statements made in those letters?

A. Current urgency?

Q. Uh-huh (affirmative).

A. No.

Q. So you could have tested the truthfulness of these letters (containing accusations against DePree) at any point?

A. I could have.

Q. Have you?

A. No.

Incompetence is defined as “not having or showing the necessary skills to do something successfully.” (New Oxford American Dictionary) Competent leaders determine facts and act on reliable information. They do not ignore readily available evidence and facts. In the three years President Saunders spent millions trying to fire Professor DePree, she “could have” but didn’t test the truthfulness of letters written by colleagues who had made false accusations about him. President Saunders does not demonstrate just questionable ethics. She demonstrates incompetence and an absolute indifference to the truth and the rights of faculty.

Part 21

Q. You know he (Mr. Gore, USM legal counsel) was involved in (administrative decisions with regard to) Dr. Depree?

A. Yes.

Q. I'd like for you to look at paragraph 13 of your affidavit [Saunders' sworn written statement]?

A. (Saunders looks at document.)

Q. Okay?

A. (Witness nods head affirmatively.)

Q. What does that say?

A. To my knowledge, Dr. Depree did not submit a grievance regarding my decision to refer the complaints to the ombudsman or my decision to direct Depree to devote his time to research.

Q. And by that, do you mean he should have filed a grievance or he was required to file a grievance under the faculty handbook?

A. I don't know that.

Q. What do you intend to convey by that paragraph?

A. Assuming that there was no grievance filed. I'm not sure I intended to convey anything else other than to disclose what I know --

Q. And why would you have --

A. -- what I knew.

Q. -- commented on his failure to submit a grievance?

A. I'm not sure.

Q. Did you write this affidavit [that she had signed as her own statement]?

A. Did I --

Q. Did you draft it, write it?

A. I wrote it in consultation with general counsel [Lee Gore].

Q. Now, what does it mean to you that Dr. Depree did not file a grievance?

A. It means what it says, he did not submit a grievance.

Q. Would it surprise you if the faculty handbook said that a grievance is not to be filed in situations such as this, termination proceedings?

A. It would not surprise me that, if you say so.

Q. Let's look at paragraph 12.2.1 of the 2007 faculty handbook?

A. (Saunders looks at document.)

Q. If I may say so, I believe it's on page 116.

A. I've got it.

Q. And I think it picks up with the first sentence in italics?

A. These procedures do not apply to cases involving termination of tenured faculty or termination of nontenured faculty prior to the expiration of the term of their contracted employment. These procedures do not apply to recommendations on promotion or the award of tenure.

Q. We can stop there. What are these proceedings referred to in that sentence?

A. Faculty grievance policies.

Q. So where you have referred something for an investigation for possible termination, a grievance was not applicable, was it?

A. Apparently not.

“Apparently not?” Professor DePree’s attorney is reading the USM Faculty Handbook President Saunders is not familiar with after four years on the job and applying her lack of understanding of USM Faculty Handbook to proceeding to fire a tenured faculty. Does President Saunders have any idea what she’s doing? Or, since Lee Gore doesn’t know what he’s doing, neither does President Saunders? Take your pick. And if she and Gore decided to get rid of you for budgetary or simply because she does not like what you say, do not look to guidance from USM Faculty Handbook. The “rules” were in the minds of Saunders and Gore and you do not have a copy.

Part 22

Q. I think in Dr. Williams’ letter [recommending DePree be terminated] he says that students did not feel safe to go about their usual business in Joseph Greene Hall ; is that correct?

A. I believe it is (Saunders looks at document.) Yes.

Q. And did you ask him for the identity of any student who had had come to him saying they didn't feel safe?

A. I don't recall.

Q. Do you have any record where any student complained that Dr. Depree made them feel unsafe?

A. I don't know that I do.

Q. Have you looked for any such records?

A. No.

Q. Could you tell me what that is?

A. It says it is the videotaped deposition of Dr. Alvin Williams taken on June 4th, 2008.

Q. And who is Dr. Williams again?

A. Well, Dr. Williams was the interim dean of the college of business.

Q. Does Dr. Williams tell you that there was a student who came to him and said they didn't feel safe?

A. No.

Q. What does he say?

A. He says that he included students as part of the total collection of people in Joseph Greene Hall, but no student came to him and said directly, "I don't feel safe because of Dr. Depree."

Q. And then it goes on to say: So really you have nothing to base the inclusion of students in the sentence upon, do you? And what does he say?

A. I have no specifics.

Q. Does it trouble you that Dr. Williams would include students as being fearful when he had no evidence?

A. It would.

Q. And, in fact, he had no evidence, did he?

A. He said no student had come to him.

Q. And that he had no specifics?

A. Yes.

Who is more incompetent and dishonest with regard to making baseless recommendations to terminate a tenured faculty, the administrator, Interim Dean Williams, who knowingly misrepresented accusations to terminate a tenured faculty or the deciding administrator, President Saunders, who knowingly continues to act on the misrepresentations of her fellow administrator, Williams, when she knows his accusations are false?