Mel Tucker's Response to MSU's Intent to Terminate Employment
For Release by Neil Cornrich: 9/19/23

I am disappointed—but not surprised—to learn that MSU intends to terminate my contract over Ms. Tracy's improper public disclosure of the entire 1200-page investigation file regarding her baseless complaint against me. Let's be clear. I don't believe MSU plans to fire me because I admitted to an entirely consensual, private relationship with another adult who gave *one* presentation at MSU, at my behest, over two years ago. A cursory reading of the facts and timeline should cause any fair-minded person to conclude that other motives are at play. Here is why:

- MSU knew about the information on which it supposedly relies to end my contract since at least March 2023. (The complaint was filed in December 2022.) Yet only *after* Ms. Tracy and potentially others leaked the confidential investigation report to the press, did MSU suddenly decide this same information warrants termination. MSU is punishing me for Ms. Tracy's leak, which violated MSU's rules regarding confidentiality of the investigation.

- MSU cut off any semblance of interest in the truth or due process by terminating me weeks *before* the hearing. I chalk this up to another about-face. In AD Haller's press conference on September 10, he suggested MSU was suspending me as an "interim measure" and "while the investigation continues." About one week later, with *no* new information, MSU moved to terminate me—sanctimoniously and illogically claiming this action has no impact on the ongoing investigation. The investigation is *designed* to determine if I violated policy. I did not. But regardless, basic fairness requires that process play out before any sanction(s) are determined.

- MSU ignored my concerns about leaks relating to the confidential investigation. *Weeks* before Ms. Tracy disclosed investigation details to the national media, MSU received FOIA requests for investigations related to me. MSU denied them, citing privacy. On August 25, well before Ms. Tracy went public with the full file, I demanded an investigation into leaks. MSU never acknowledged my request, let alone responded. Yet after Ms. Tracy's attorney recently complained about an alleged leak of her client's name, MSU hired an outside law firm to investigate, stating confidentiality in these matters "is paramount." So when I complain, nothing happens; when she complains, MSU acts? This double standard reflects the bias against me throughout this process.

- MSU sent its notice of intent to terminate just days after I emailed Alan Haller requesting a medical leave under the Family and Medical Leave Act for a serious health condition.

I can only conclude that MSU does not care about my rights, the truth, or its future liability for policing its employees' private lives. Ms. Tracy manufactured false allegations against me. MSU ignored its own policies in pursuing a biased investigation into them. MSU was supposedly going to let that flawed process play out before deciding what to do, but has now reneged on even that. While this miscarriage of justice has devastated me and my family, I find solace in knowing that the investigator concluded we had a "personal relationship." Ms. Tracy expressed consent to every facet of our relationship. I look forward to one day obtaining discovery against MSU, including the Trustees and the Athletic Department, to see what they really knew and said about this matter, as well as their motives in handling the entire investigative process. MSU now claims that *after having already terminated my employment,* it is committed to completing the "formal grievance process"—a process that expressly calls for confidentiality (which MSU publicly acknowledged failing to provide)—to determine *if* I violated any school policy. The public can decide if any of this rings true or fair.