1. Call to Order

2. Swear in new Board member, Thomas V. Flaherty

3. Executive Session (Under authority in West Virginia Code §6-9A-4(b)(2)(A) and §6-9A-4(b)(9), (10), (12) to discuss:
   a. Personnel issues
   b. Legal matters
   c. The purchase of real estate
   d. Approval of Honorary Degree Candidates (if approved-this item will be moved to the Consent Agenda)

4. Discussion emanating from Executive Session

5. Board Item
   Update on proposal for a smoking ban at WVU Health Sciences Center

6. Information Item (written only)

7. Consent Agenda (for Board Review and Action)
   a. Approval of WVU Board of Governors’ Policy 55 entitled West Virginia Freedom of Information Act Policy
   b. Approval of a WVU Board of Governors’ policy (# TBD) entitled Drug and Alcohol Testing for Federal Transit Administration (FTA) & Federal Motor Carrier Safety Administration (FMCSA) Covered Positions
   c. Approval of purchase of Floors #2 and #4 of the Marina Tower Condominium Association, Inc., Wharf District, Morgantown, West Virginia
   d. Approval of a Financing and Reimbursement Resolution of the West Virginia University Board of Governors to enable the University to reimburse costs incurred for the acquisition and build out of two floors of Marina Tower from the proceeds of a future financing transaction
   e. Approval of Honorary Degree Candidates (if moved to Consent Agenda)
8. Discuss scheduling a Special Meeting at the end of January, 2010, to approve WVU Board of Governors’ Policy 54 (heretofore adopted as an Emergency Policy) entitled Rule on Identity Theft Detection and Prevention Program

9. Other Business and General Discussion

10. Plans for February 5, 2010 Meeting

11. Adjournment