

**WEST VIRGINIA UNIVERSITY**  
**BOARD OF GOVERNORS**

May 30, 2008

The sixty-third meeting of the West Virginia University Board of Governors, called as an Emergency Meeting, was held on May 30, 2008, by telephone conference call. Board members attending in person were: Ellen Cappellanti, Thomas Clark, Steve Farmer, Steve Goodwin, Steve Kite, Carolyn Long, Paul Martinelli, Jason Parsons, and Parry Petroplus. Board members participating by telephone were, Hank Barnette, James Dailey, Linda Dickirson, Ted Mattern, Bill Nutting, Drew Payne, Ed Robinson, Sally Smith and Robert Wells.

Other WVU officers, representatives, and members of the press were also present.

**CALL TO ORDER**

The meeting was called to order by Board Chairman, Stephen Goodwin, at 1:00 p.m. A roll call was taken to determine who was in attendance and a quorum established.

**PURPOSE OF MEETING**

The purpose of this Emergency Meeting was to discuss receipt of the Interim Report on the Implementation of the Report of the Special Investigative Panel for Review of Executive MBA Program Records.

Chairman Goodwin advised that each Board member was provided with a copy of the Interim Report on the Implementation of the Report of the Special Investigative Panel for Review of Executive MBA Program Records, under date of May 29, 2008. Chairman Goodwin then introduced President Michael Garrison, who provided the following overview related to the Interim Report:

This Interim Report was prepared in response to the April 23, 2008 charge by the Board of Governors to present a plan of implementation of the policies and procedures I have determined necessary to correct any shortcomings highlighted within the Report of the Special Investigative Panel for Review of Executive MBA Program Records.

This report is presented to you as members of our Board of Governors, not only in fulfillment of your charge to me as president, but also as a strong statement of action and direction to the campus community and to our statewide and national constituents.

Through this report, I have endeavored to engage immediately in the thoughtful directives that the Panel has enumerated, as well as build upon its work.

Upon receiving the charge from the Board on April 23 to implement the Panel's recommendations, a group was formed the next day and met on April 25, 2008 to discuss the list of recommendations. At the conclusion

of the meeting, we formed the Task Force to implement the Panel's Report, chaired by Assistant Vice President for Graduate Education, Dr. Jonathan Cumming. The faculty group also discussed each recommendation and began a series of status reports, edited routinely by the Task Force.

Recommendation One is to rescind the degree, which I initiated by sending a certified letter to Ms. Heather Bresch on April 25, 2008.

Recommendation Two is to formalize the protocols in the President's Office when responding to inquiries on an academic matter.

Recommendations Three through Seven all concern academic records management at our University and the constituent policies and procedures related thereto.

The report also details a number of actions being taken in the College of Business and Economics to address policies, forms, and procedures that did not exist in 1998, or even until the Fall of 2007.

Recommendation Eight is to implement a University-wide FERPA training program; such training already exists and will be translated to an effective on-line program that we will mandate for certain positions and make available for all here at WVU.

Parallel with the work of the task force, I have interviewed both Panel members from the WVU faculty regarding their recommendations and observations; met with each of the academics who were part of the process of review and evaluation of Ms. Bresch's records; as well as those administrators who were principally involved with this matter. I was assisted in these interviews by Dr. Jonathan Cumming, Dean John Fisher of the WVU College of Law, and Ms. Bobbie Brandt, Associate General Counsel.

From my discussions with the Panel faculty members, I confirmed the following:

- The decision to award Ms. Bresch a degree was made solely by the administrators in the College of Business and Economics, with approval of the Provost.
- Students in the 1998 cohort (of which Ms. Bresch was a member) did not uniformly finish on schedule; some finished as late as 2003.
- Other students in Ms. Bresch's cohort graduated from the EMBA program with less than the required number of credit hours (up to 7 hours less than the required minimum of 48). The Panel distinguished these students from Ms. Bresch's situation, however, primarily because of the assignment of actual letter grade entries to Ms. Bresch, which were not based on supporting information such as evidence of enrollment or tuition being paid.
- Lack of oversight, personal animosity, and historical differences among those in academic positions served as contributing

factors to the outcome of this decision and the manner in which it was made.

- No personnel actions whatsoever were recommended by the Panel.

Finally, in an effort to ensure that there remain no lingering questions about this matter, the matter of grade modification to Ms. Bresch's academic records by officials in the College of Business and Economics has been referred to the University's Office of Academic Integrity for its review and consideration.

President Garrison then introduced Dr. Jonathan Cumming, Assistant Vice President for Graduate Education, and Chair of the Academic Records Management Task Force, who addressed the Board on the Status Report, as of May 26, 2008, regarding the Action Items and Implementation Steps of the Executive MBA Panel Recommendations, all of which are fully enumerated within the Interim Report presented to the Board for review. Highlights from his presentation included the following:

The College of Business and Economics reports the following actions to implement recommendations of the Report of the Special Investigative Panel for Review of Executive MBA Program Records, all of which will be tracked and verified by the Assistant Vice President for Graduate Education in consultation with the Interim Dean for the College of Business and Economics:

- To strengthen the system of record keeping, the College of Business and Economics has created and will fill (approximately May 2008) a full-time position for graduate records.
- A longitudinal audit is being conducted on degree certification in the EMBA program to identify any other past issues. To prevent problems in the future, a procedure for certifying each EMBA degree prior to graduation ceremonies will be developed and implemented by the end of the Spring 2008 semester. The results of this audit will be reviewed by Internal Audit, the Board of Governors Audit Committee, and the Assistant Vice President for Graduate Education. The Assistant Vice President for Graduate Education will be charged with any required follow-up on the audit findings.

Working with the Task Force, a consultant from the nonprofit organization, American Association of Collegiate Registrars and Admissions Officers, has been identified and will be retained to assist the Task Force to:

- Review current university and college procedures related to Recommendations #4 through #7 of the Report of the Special Investigative Panel for Review of Executive MBA Program Records;
- Involve deans and faculty across all colleges to integrate discipline-specific requirements;

- Involve staff on campus with the necessary expertise;
- Explore technology's role in the design of systems and procedures;
- Elucidate standard requirements and state-of-the-art best practices at other universities around the country;
- Identify other potential problems or issues to be resolved related to these processes; and,
- Recommend responsive actions, policies, and practices and identify responsible academic, administrative, or Faculty Senate units.

Dr. Cumming pointed out that while the summary set forth within the Interim Report on the Implementation of the Report of the Special Investigative Panel for Review of Executive MBA Program Records addressed the specific recommendations of the Special Investigative Panel for Review of Executive MBA Program Records, the Academic Records Management Task Force has been asked by the President to further identify system-wide practices and procedures that may additionally need modification in light of the findings of said Panel.

### **EXECUTIVE SESSION**

Mr. Farmer moved that the West Virginia University Board of Governors go into executive session, pursuant to West Virginia Code §6-9A-4(b), to fully discuss the contents of the Interim Report on the Implementation of the Report of the Special Investigative Panel for Review of Executive MBA Program Records, under date of May 29, 2008, which discussion will include potential legal matters, personnel actions, and confidential student records. The motion was seconded and passed, and the Board thereupon met in executive session. Following the discussion, Mr. Petroplus moved that the Board rise from executive session. The motion was seconded and passed.

### **BOARD ITEM**

Chairman Goodwin announced that the Board, during Executive Session, had unanimously approved release of the following statement – which Chairman Goodwin read into the record:

The Board has met in public and in executive session, received a comprehensive Interim Report dated May 29, 2008, from the President, which has been made public and which we will continue to review. We concur with certain personnel changes indicated by the President. We are especially pleased with the appointment of Dean John Fisher as Senior Advisor to the President, Dr. Jane Martin as Interim Provost, Dr. Bill Trumbull as Interim Dean of the College of Business and Economics, and the work of Dr. Jonathan Cumming regarding academic records management. It's important to note that the Board believes there is no evidence whatsoever that President Garrison took any action to improperly influence the grant of an EMBA degree to Ms. Heather

Bresch. The Board will continue to review all appropriate matters, meet again on June 6 and will have further comment at that time.

### **ADJOURNMENT**

There being no further business, Dr. Clark moved to adjourn the meeting. The motion was seconded and passed, and the meeting was adjourned at 5:15 p.m.

John T. Mattern, Secretary