

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

May 4, 2009

The seventy-sixth meeting of the West Virginia University Board of Governors (scheduled as an Emergency Meeting via telephone) was held on May 4, 2009, with the call originating in the Stewart Hall President's Conference Room. Board members participating included Ellen Cappellanti, Dr. Tom Clark, James Dailey, Steve Goodwin, Dr. Steve Kite, Ray Lane, Diane Lewis, Carolyn Long, Oliver Luck, Paul Martinelli, Ted Mattern, Bill Nutting, Drew Payne, Jason Parsons, Ed Robinson and Dr. Charles Vest.

**Other WVU officers and representatives present were:**

Interim President, C. Peter Magrath;  
Interim Chief of Staff, Jay Cole;  
Vice President for Legal Affairs & General Counsel &  
Assistant BOG Secretary, Bobbie Brandt;  
Deputy General Counsel, Beverly D. Kerr;  
Associate General Counsel, Gary G. Furbee, II;  
Associate Dean, WVU College of Law, and Academic Integrity  
Officer, Marjorie A. McDiarmid; and,  
Special Assistant to the Board of Governors, Valerie Lopez.

**CALL TO ORDER**

The meeting was called to order by Board Chairman, Carolyn Long, at 10:00 a.m. A roll call was taken to determine who was in attendance and a quorum established.

**EXECUTIVE SESSION**

Chairman Carolyn Long requested that the Board go into Executive Session, under authority in West Virginia Code §6-9A-4(b)(2)(A), and §6-9A-4(b)(10) and (12) to discuss legal matters and personnel issues related to the Writ of Prohibition case involving the academic integrity process. The motion was made by Dr. Steve Kite, seconded by Paul Martinelli, and passed. Chairman Long announced that the regular board meeting would re-convene following this Executive Session, but was uncertain as to an exact estimate of time. The Board thereupon met in Executive Session. Following the discussion, Drew Payne moved that the Board rise from Executive Session. The motion was seconded by Dr. Tom Clark and passed. The Board re-convened in general session at 11:35 a.m.

## **ACTIONS EMANATING FROM EXECUTIVE SESSION**

Chairman Long thanked all Board members for their time and participation during this morning's meeting, and announced that there were no actions emanating from Executive Session.

## **ADJOURNMENT**

There being no further business, Jason Parsons moved to adjourn the meeting. The motion was seconded by Diane Lewis, passed unanimously, and the meeting was adjourned at 11:40 a.m.

John T. Mattern, Secretary