

WEST VIRGINIA UNIVERSITY
BOARD OF GOVERNORS

February 6, 2009

The seventy-second meeting of the West Virginia University Board of Governors was held on February 6, 2009 at the Erickson Alumni Center. Board members in attendance were Ellen Cappellanti, Dr. Tom Clark, James Dailey, Steve Goodwin, Jason Parsons, Drew Payne, Dr. Steve Kite, Raymond Lane, Diane Lewis, Carolyn Long, Oliver Luck, Paul Martinelli, Ted Mattern, Bill Nutting, Ed Robinson, and Dr. Charles Vest.

WVU officers, divisional campus officers and representatives present were:

Interim President C. Peter Magrath;
Interim Chief of Staff, Jay Cole;
Interim Provost and Vice President for Academic Affairs and Research, E. Jane Martin;
Senior Associate Provost, Russell K. Dean;
Interim Vice President for Health Sciences, Fred Butcher;
Chief Financial Officer for Health Sciences, Wendy King;
Vice President for Administration, Finance & Human Resources, Narvel Weese;
Vice President for Student Affairs, Ken Gray;
Vice President for Legal Affairs & General Counsel, & Assistant BOG Secretary, Bobbie Brandt;
Deputy General Counsel, Beverly D. Kerr;
Vice President for Research, Curt Peterson;
Vice President for Human Resources, Margaret Phillips;
Executive Officer for Social Justice, Jennifer McIntosh;
Associate Vice President for Finance, Dan Durbin;
Executive Officer for Policy Development, Jennifer Fisher;
Associate Vice President for Planning & Treasury Operations, Liz Reynolds;
Associate Director-Organizational Advancement, WVU Extension Service, Ann Berry;
Assistant Vice President for Enrollment Management, Brenda Thompson;
Assistant Vice President for Branding and Creative Director, Dana Coester;
Director, Office of International Student & Scholars, Michael Wilhelm;
Athletic Director, Ed Pastilong;
Deputy Athletic Director, Mike Parsons;
Faculty Senate Chair, Virginia Kleist;
Faculty Senate Chair-Elect, Nigel Clark;
Staff Council Chair, Terry Nebel;
Director of Internal Audit, William Quigley;
Executive Director of Accounting, Reporting & Analysis, Anjali Halabe;
Executive Director of Student Affairs Business Operations, Les Carpenter;
Director of Treasury Operations, David Kosslow;
President and CEO, Erickson Alumni Center, Stephen L. Douglas;
Associate General Counsel, Shea R. Browning;
Associate General Counsel, Gary G. Furbee, II;
Executive Director, Internal Communications, Becky Lofstead;
Director of News & Information Services, Danial Kim;

Special Assistant to the Provost, Jessica Thomas;
Special Assistant to the President, Sara Master; and,
Special Assistant to the Board of Governors, Valerie Lopez.

From West Virginia University Institute of Technology:
Scott Hurst, Campus Provost.

From Potomac State College of West Virginia University:
Kerry Odell, Campus Provost.

Members of the Press were also present.

CALL TO ORDER

The meeting was called to order by Board Chairman, Carolyn Long, at 8:30 a.m. A roll call was taken to determine who was in attendance and a quorum established.

Chairman Long introduced and welcomed new Board member, Diane Lewis.

MOUNTAINEER SPORTS NETWORK OVERVIEW

Athletic Director, Ed Pastilong, and Deputy Athletic Director, Mike Parsons, collaborated on a presentation focusing on the Mountaineer Sports Network (MSN), which included an overview of the programming that features teams, coaches, and student athletes, along with program objectives, and the relationship with corporate partners as a means to secure revenue for the self-sustaining Athletic Department at West Virginia University. Highlights from the presentation included the following: Regarding compliance, the WVU Athletic Department is going through a re-certification program required by the NCAA every ten years. This report will be submitted in May, 2009. Regarding academics, WVU athletes have a higher graduation rate than the general student body. Regarding finances, the Athletic Department was in the black this year. Regarding programming, for nearly fifty years MSN has connected Mountaineer teams to their fans. The MSN internet presence is a crucial link in recruitment efforts and connecting to our fan base. Advertising, marketing (for athletics and the university), as well as programming and production efforts are all handled through WVU, resulting in important revenues generated by MSN to facilitate a self-supporting Athletic Department, to strengthen our total athletic programs, and to deliver programming at high standards through University-wide participation. In summary, the Mountaineer Sports Network is a powerful branding, marketing, and recruiting tool for Mountaineers by Mountaineers.

EXECUTIVE SESSION

Chairman 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)(12) to discuss personnel issues; legal matters; the WVU Presidential Search; approval of Honorary Degree Candidates (if approved will be moved to the Consent Agenda); and approval of appointment of four (4) voting members of the Blanchette Rockefeller Neurosciences Institute Board of Directors (if

approved will be moved to the Consent Agenda). The motion was made by Dr. Tom Clark, seconded by Ted Mattern, and passed. Chairman Long announced that the regular board meeting should re-convene sometime shortly after lunch. The Board thereupon met in Executive Session. Following the discussion, Dr. Charles Vest moved that the Board rise from Executive Session. The motion was seconded by Ellen Cappellanti, and passed. The Board re-convened in general session at 1:20 p.m.

ACTIONS EMANATING FROM EXECUTIVE SESSION

Ted Mattern, as chair of a nominating committee previously designated by Chair Long, moved that the approval of four (4) voting members of the Blanchette Rockefeller Neurosciences Institute Board of Directors be removed from the Consent Agenda. This motion was seconded by Dr. Steve Kite, and passed. Mr. Mattern then advised the Board of his committee's recommendation that the following individuals be nominated to serve as the remaining four (4) voting members of the Blanchette Rockefeller Neurosciences Institute Board of Directors, namely: George Spirou, PHD., Uma Sundaran, MD, Robert Beto, MD, and Louis J. DeFelice, PHD. Paul Martinelli moved that the Board approve these nominations, as presented. This motion was seconded by Jason Parsons, and passed. There being no request for further discussion of this matter, Chair Long thanked the committee for their efforts. It is noted that Board members, Dr. Tom Clark and Chair Carolyn Long abstained from the vote on this agenda item.

Interim Provost and Vice President for Academic Affairs and Research, E. Jane Martin, provided initial information regarding Board approval of individuals for Honorary Degrees from West Virginia University, noting that the names of the persons to be honored will be announced at a later date. After discussion, Ed Robinson moved that the Approval of Honorary Degree Candidates be moved to the Consent Agenda. This motion was seconded by Bill Nutting, and passed.

APPROVAL OF MINUTES

Ted Mattern moved that the minutes of the December 12, 2008 meeting be approved. The motion was seconded by Dr. Tom Clark, and passed.

INTERIM PRESIDENT'S REPORT

Interim President, C. Peter Magrath, reported on the following issues:

Our fundraising activities are moving forward. Under WVU's strategic plan for the Research Trust Fund (Bucks for Brains initiative) we are processing pledges/gifts for approval and request for matching funds from the State.

We anticipate that under the Federal Stimulus Package there will be funds available for West Virginia Higher Education. WVU has projects ready to go and we will work with the Governor's Office and Higher Education Policy Commission to accomplish these goals.

Governor Manchin will give his State of the State Address next week in Charleston. Dr. Magrath is confident that WVU will receive the best possible budgetary recommendation that the Governor can give us. Board member, Jason Parsons, the president of the Student Government Association, also advised the Board that the students at WVU will be engaged with various legislators during the upcoming legislative session, to advance efforts on behalf of WVU.

Also this week, officials at WVU Hospitals and Monongalia General Hospital signed an agreement renewing and updating a joint open-heart surgery program, reaffirming a commitment to bring high quality treatment to people facing life-threatening illnesses. This is a shining example of what can be accomplished when an academic teaching hospital and a community hospital work together in the interests of better serving patients, and the collaborative efforts of all involved deserve special recognition.

Interim President Magrath and 11 students will be attending the 2nd annual meeting of the Clinton Global Initiative University (CGI U), in Austin, Texas on February 13-15, 2009. CGI U is an annual gathering of college students, university presidents, and youth leaders who gather together to address some of the world's most pressing issues in the areas of energy and climate change, human rights and peace, global health, education, and poverty alleviation. Each attendee is asked to make a "Commitment to Action," a concrete, sustainable measure to make a difference within any of these five areas. Some of the WVU commitments include establishing an immigration law clinic, developing courses on the history of poverty and health care reform, establishing a poverty awareness week, a student-driven literacy initiative, and special community service projects.

COMMITTEE REPORTS

Chair Long announced that due to time constraints, we had no committee meetings today. However, we have the following reports from yesterday:

Audit Committee: James Dailey, Chairman of the Audit Committee, announced that all Board members are welcome to attend the Audit Committee meetings. He reported that the committee met yesterday afternoon, during which it received reports from the Chief Financial Officer, General Counsel, the Director of Internal Audit and other members of his staff, and representatives from Deloitte & Touche, the independent auditor. Chairman Dailey announced that the University received an unqualified opinion with respect to its financial position from Deloitte & Touche, and that there were no outstanding, unresolved issues to bring to the attention of the Board. Mr. Dailey advised that Deloitte & Touche had delivered to the Audit Committee, during yesterday's meeting, the *West Virginia University Research Corporation – Financial Statements for the Years Ended June 30, 2008 and 2007, Independent Auditors' Reports, Report on Federal Awards in Accordance With OMC Circular A-133 for the Year Ended June 30, 2008, and Additional Information for the Year Ended June 30, 2008* – and that all other Board members attending in person were given a copy of this report prior to the beginning of today's meeting.

Executive Committee: Carolyn Long, Chairman of the Executive Committee, reported that the committee met yesterday evening, and that her comments regarding this meeting will be included in her Presidential Search Committee update.

INFORMATION ITEMS

There were no questions or concerns expressed by any Board members pertaining to the Information Items within the agenda that were addressed during today's meeting. Chair Long advised that due to time constraints associated with this morning's Executive Session, most Information Items listed on the agenda will be carried over for presentation during our February, 2009 Board meeting.

BOARD ITEMS

WVU Presidential Search Committee Update

Chairman Carolyn Long said the presidential search committee is expected to complete its work and present candidates' names to the Board following a Feb. 14 meeting. Those names will not be made public consistent with state Higher Education Policy Commission rules. Long said the committee remains committed to making an announcement regarding the next president on April 3. However, in all probability, the original timeline of mid-March for campus interviews and public meetings will not occur until later. The public and the University community will be informed of the dates and times as those forums are finalized.

Research Trust Fund

Drew Payne reported on the Research Trust Fund, listed initially as an Information Item on our current agenda. Under statute, HEPC rules, and our Research Trust Fund strategic plan, WVU has developed a protocol whereby the Provost brings forward the requests for approval by the Board only after the Foundation CEO (Wayne King) certifies a gift is secured; the appropriate dean or academic administrator affirms the purpose of the gift relates to the strategic plan; and the Vice President for Research confirms consistency with the strategic plan.

Mr. Payne advised that we have a total of \$918,453.00 of gifts in hand that fall under the focus areas of the strategic plan that the BOG approved in June, 2008. With the certifications above all achieved, Mr. Payne, as Chair of the Strategic Plans, Initiatives, and Accreditations Committee, recommended that the Board approve this request for match on its Consent Agenda. Upon such approval, the request can be sent to the Vice Chancellor for Science and Research in Charleston. Mr. Payne therefore moved that the Research Trust Fund agenda item described above be moved to our Consent Agenda for approval. This motion was seconded by Ted Mattern, and passed unanimously.

CONSENT AGENDA

Chairman Long called for discussion of the Consent Agenda items. Ellen Cappellanti moved for approval of all Consent Agenda items, with the exception of Item e – Approval of appointment of four (4) voting members of the Blanchette Rockefeller Neurosciences Institute Board of Directors - which had already been pulled from the Consent Agenda and voted on separately. The motion was seconded by Bill Nutting, and passed.

Thereupon, the following Consent Agenda items were approved:

1. Women's Soccer Practice Field Construction

Resolved: That the West Virginia University Board of Governors approves construction of the new Women's Soccer Practice Field with a total project budget of \$3,200,000.

2. Summit Hall Dining Renovation Project

Resolved: That the West Virginia University Board of Governors approves the Summit Hall Dining Renovations project with a budget of \$3,560,000.

3. Change in the Name of the Degree granted by the Division of Design & Merchandising, Davis College of Agriculture, Forestry & Consumer Sciences

Resolved: That the West Virginia University Board of Governors approves a degree name change from Bachelor of Science Family and Consumer Sciences (BSF&CS) to Bachelor of Science in Design & Merchandising (B.S. in Design & Merchandising).

4. Approval of Honorary Degree Candidates

Resolved: That the West Virginia University Board of Governors approves individuals for Honorary Degrees from West Virginia University. The persons to be honored will be announced at a later date.

5. Research Trust Fund

Resolved: That the West Virginia University Board of Governors approves the total of \$918,453.00 of gifts that fall under the focus areas of the strategic plan that the BOG approved in June, 2008, for a matching request pursuant to the provisions of said Research Trust Fund strategic plan

OTHER BUSINESS

Chairman Long announced that the West Virginia University Board of Governors had today received materials from a former student, which will be forwarded to the Office of the Interim Provost for review and response.

NEXT MEETING

Chairman Long announced that the next meeting will be on April 3, 2009, at the Erickson Alumni Center.

ADJOURNMENT

There being no further business, James Dailey moved to adjourn the meeting. The motion was seconded by Ed Robinson and passed. The meeting was adjourned at 2:30 p.m.

John T. Mattern, Secretary