

Interview with Paul Speaker (full panel)
2/15/08, 3:21 p.m.
753 Engineering Sciences Building

Roy Nutter: Explained Jan Boyles' role as recorder. Also explained that information may be made public through Freedom of Information Act requests.

RN: Describe overview of service in the West Virginia University College of Business and Economics.

Paul Speaker: Been at WVU for 26 years. Came in 1981. Originally started in economics department. Research in finance. Moved into finance department. Stayed there six or seven years. Created eMBA in Fall 1995. Five cohorts. Stepped down at end of 1998. Went back to finance faculty. eMBA program had most profit in terms of generating money and losing money. Asked to come back to position, agreed to step in as director.

Lori Franz: What year?

PS: March 2003. Officially started job on July 1, 2003. But active in the office after April 2003. Rebuilt the program. In 2001, the program lost \$100,000. Two years ago, the program had a \$1.6 million profit. Stepped down from position first week of September 2006. Present dean [Steve Sears] asked for resignation. Went back to finance faculty.

Art Centonze: Can you tell us more about that infamous lunch meeting?

PS: Doesn't know timing. Calendars don't go back that far. Has always kept an electronic calendar. Cohort based program. Two cohorts in 1995. Two cohorts in 1996. As the program is cohort based, there are a few instances where someone does not finish with the group. Bresch was making process in the program. At the end of her fourth semester, she was involved in court case. Missing class. Leah Summers – a graduate of the program – talked to Paul. Went to lunch. Guess was in summer. Remembers warm weather on date of lunch.

AC: Who initiated the lunch?

PS: Leah Summers. Brought two plans of study to the lunch.

1. [REDACTED]
Bresch could proceed with next cohort and finish her degree in Fall 1999.
2. [REDACTED]
Bresch could proceed with this cohort and finish her degree in Spring 1999.
Could be included in this program because worked at Mylan.

PS: Had hours remaining in program. Met over lunch. Went over Bresch's options and how she would complete each one. A claim has been made that Speaker told Bresch that she could write one paper and finish her degree. "That was not the case." May have been

able to incorporate a project for [REDACTED]. Would make arrangements with Linda Sybolt. Encouraged students to partner with instructors. Routinely worked with students.

John Burkoff: Where did this claim come from?

PS: Craig Walker mentioned at meeting [at Stewart Hall]. Students were welcomed to complete coursework aligned with business. For example, [REDACTED], [REDACTED]. Completed class papers based on his business plan.

JB: When you heard from Craig Walker, do you remember how he stated this?

PS: Asked what happened. Said she could complete paper to finish degree requirements.

JB: And how did you respond?

PS: "I said, 'No. I presented her plans of study.'"

LF: Did you have paper copies of the plans of study?

PS: Yes. Did have notes on case prepared for Craig Walker.

AC: When you got back from the lunch, would you have put a note in the file and confirm your conversation with a letter?

PS: Yes, and I would have sent her a copy.

AC: You would have sent a copy to Heather Bresch and not Leah Summers, right?

PS: Yes.

JB: How did Heather Bresch respond to the offer [at the lunch meeting]?

PS: Didn't really respond. Just showed her ways to complete her degree.

JB: She didn't respond or get back to you?

PS: No.

JB: Do you remember the date of the meeting?

PS: It was warm weather. Early in fall or late summer.

JB: Why was Leah Summers at the lunch meeting?

PS: She worked at Mylan. Heather Bresch had talked to Leah Summers. Shared concerns on how she was going to finish her degree. Summers worked as an attorney for Mylan. Summers talked to Speaker. Told Heather, "He'll get something worked out."

JB: Is that weird for another student to contact you about a current student's progress?

PS: Summers was graduate of program. She was also friend.

AC: Did Summers teach in the eMBA program?

PS: Yes, in later years.

LF: So you would have mailed Bresch a letter to follow-up on your conversation?

PS: I would have either faxed her, or sent her a letter or an e-mail.

LF: Can you find that letter for us?

PS: It would have been in the student's file. Electronic letter.

LF: Did you type the letter on your computer?

PS: Probably sent e-mail.

LF: If you could find that letter, it would be very helpful to the panel.

PS: Kept all copies in the original student file.

LF: A lot of times, there's an electronic copy...

JB: There are courses with [REDACTED] with various accounts. What did you tell her about those courses?

PS: Showed her plans of study to date...

JB: Did those plans show everything that she had done and what she had partially completed?

PS: Yes. Needed [REDACTED] class. Everything else finished.

AC: Even [REDACTED]?

PS: Oh, yeah.

AC: So how many [REDACTED] did she have?

PS: Between [REDACTED] credits.

AC: At the lunch, how many [REDACTED] did she have?

PS: Probably [REDACTED].

JB: References incomplete with Blakely. How was letter grade awarded?

PS: Didn't know the status of that class.

JB: Did you tell her you'd take care of the [REDACTED]? Did you talk about [the grade] with Jerry Blakely this fall?

PS: May have talked about it.

JB: On what basis would you have changed the grade?

PS: With grade mod. Told [group] at some point – not sure if occurred at meeting on Oct. 15 – that I did not know the status of the grade.

JB: Do you recollect if a grade mod was filed?

PS: Knew that [REDACTED] was finished. Steve Taylor called Speaker on Friday, went through records. Was sure that Admissions/Records information was "absolutely correct." [REDACTED] had a grade.

JB: In October [2007], do you remember if you told Jerry Blakely if that class was complete?

PS: "I would have said, 'I did not know what the disposition of the class.'" Recalls class with [REDACTED]...

JB: Indicated that class was [REDACTED]. Did you teach in that course?

PS: No, just [REDACTED].

JB: How did you know that the [REDACTED] was finished?

PS: Were you given a copy of the grade mod? Believes were filed in October.

Michael Lastinger: What would happen with a grade mod if you got one?

PS: Started with faculty, went to grad office, then to Admissions/Records.

ML: What are the required signatures on the grade mod?

PS: Had [REDACTED] credits from [REDACTED]

AC: Records show she [REDACTED]

PS: "She didn't take classes in fall semester [1998], but she did in Summer 1997."
Contacted on a Tuesday morning, asked where to find records. Performed search. They [the records] were right there. Has spreadsheet from every semester.

LF: Students could only ask for reimbursement if received receipt showing payment, right?

PS: Yes.

ML: Student wouldn't receive grade until it is paid for.

PS: Two locations for grade information: master book of grades, her file.

RN: What is the difference between blue card and grade mod?

PS: Blue card – during grade reporting period; grade mod – other time.

ML: You use a blue card when the grade had not been entered?

PS: Yes, blue card if not entered before. Blue cards only used during grade reporting period.

AC: Is Sears aware of the discrepancy between courses in COB documents and courses placed on transcript?

PS: Not sure.

JB: If the grades were changed during the grade period and reflected that time, they should be dated 1997, right?

PS: Oh, yeah. Should be dated 1997.

JB: Do you recall the time period to file grades?

PS: Within days. For example, with the [REDACTED] course – filed grades week after reporting period.

LF: If a student received a grade, and a blue card was completed, then why is the class not on the transcript?

PS: Student didn't pay.

LF: Who would send a note to a student who had not paid for classes?

PS: Admissions/Records. Financial records would show who had paid.

RN: Panel told by another source that Speaker had to go out and collect fees. Was this true?

PS: "I never touched a penny." In five years, never failed to meet a [financial] target.

RN: So you didn't tell a student to pay tuition?

PS: Not then. Later on, after 2001, would send reminder.

RN: Would you know that a student had paid fees?

PS: No. Would calculate budget to the specific penny after semester ended. Worked with Extended Learning on report.

AC: If students were informed by Admissions/Records that they had not paid, and the student continued to attend classes, how would the instructor know the situation?

PS: Received paper rosters along the way.

AC: Would the name be removed from the roster?

PS: Yes. But never paid close attention to rosters.

LF: Asks Speaker to explain Extended Learning.

PS: Helps with off campus programs.

LF: What is the role of Extended Learning? Do they assist with registration or collection of fees?

PS: There were benefits to using off-campus system. Extended Learning had relations to rest of state. For Extended Learning programs, University would keep 17 percent of the revenues. Remainder went to individual colleges. Extended Learning, at one point, managed offices throughout the state. Used for student recruitment, registration. COB did not use this office for a lot of functions. Would have handled funds for some students. Everything paid directly to University. Worked with Margie Pinnell on these issues.

LF: Would Extended Learning have duplicates of student records?

PS: Doubt kept records separately from University records.

AC: How does COB certify graduates?

PS: Have database manager – Clark St. Clair – who assembles a certification list. Created Access database because Banner kept getting delayed.

ML: What was the database manager's name?

PS: Clark St. Clair.

ML: Would this individual look at student transcripts?

PS: Produced reports. Faculty entered grade sheets to do certification. Put report together from faculty-generated data.

LF: Would anyone go into STAR to double check the records?

PS: Yes. During the certification process.

LF: How often did this certification process take place?

PS: During the student's final semester.

LF: So, because Heather was not in the final semester, she would not have gone through this certification process.

PS: No [she would not have gone through the process].

ML: On Bresch's transcript, it says that the degree was awarded in 1998.

PS: "That would not be true."

AC: Did she ever complete the degree?

PS: Not in 1998. May have completed requirements between 1998-2001. Prepared list of students who had not finished program. Called students on the list. Didn't call Heather Bresch.

LF: Why was she not on the list?

PS: Had people who had not completed the degree and students who had graduated. Merged the two to create an alumni list.

LF: Who compiled this list?

PS: Staff in graduate programs office. Completed in March/April 2001. [Refers to PS 6].

AC: Who would be in the best position to know if the student had completed the degree?

PS: Director in grad programs office. Submitted graduation list to Admissions/Records.

LF: What is the graduation list?

PS: List of students certified for graduation. Submitted to Admissions/Records. For fall semester, submitted first 10 days in January. For spring semester, certify right after grades.

LF: Do you have a copy of the list, Roy?

RN: Have not asked for a list of students certified for graduation.

PS: Graduate programs in COB would have kept a copy of the same list.

ML: [Refers to PS 6]. If you go to STAR/Banner, can you find some students who appear on the "graduation" list [PS 6], who had not graduated?

PS: Yes.

ML: Gives example – [REDACTED].

PS: Says that some students may mistakenly appear on the list.

LF: Number of students marked as DNF – Did not finish. How used as graduation list?

PS: Created list from file of when students joined each cohort. List of anyone in those cohorts.

ML: [Refers to PS 6, pg. 3 of 4]. Example – [REDACTED]. Record contradicted by [REDACTED] [REDACTED] transcript with Speaker].

AC: Do you know of students who graduated with less than 48 hours?

PS: Yes. Students may have transfer credits. May have hours from another program.

AC: Would there be a notation on the transcript?

PS: Should be.

JB: Is it common that students would receive credit for work experience?

PS: Can't think of anyone.

JB: Program not specifically geared toward experiential learning?

PS: Permitted students to do projects. Example – [REDACTED].

JB: Offered Bresch workout plan. Was this plan similar to what you would offer other students?

PS: Sure.

JB: Do you know of other students that you made a workout plan for with that number of outstanding hours?

PS: Can't think of anyone who did not finish with intended cohort, but finished with another one. References [REDACTED] again. Another student – [REDACTED]. Plans were "all pretty cookbook."

JB: Since Fall 1998, have you had contact with Heather Bresch or Leah Summers?

PS: Leah Summers taught in eMBA program a few times. When dedicated Mylan facility, Summers attended. Summers in charge of Mylan Foundation.

JB: Did you have any conversations with Heather Bresch after that time?

PS: Talked on Oct. 14, 2007.

JB: What did that conversation consist of?

PS: E-mailed notes to her.

JB: But what did you tell her?

PS: Told her [Bresch], "Let me know how I can help."

JB: Did she disagree with your account [of the events surrounding her degree]?

PS: Don't know if she disagreed...

JB: Is there anything that she did pursuant to the plan that was constructed?

PS: Details written in there [documents submitted to the panel].

JB: But what did she tell you?

PS: I told her, "Let me know how I can help."

ML: Did she call you?

PS: She called me. Also sent her an e-mail.

[Produces copy of e-mail sent to Heather Bresch. Gives to panel].

AC: Did she respond?

PS: Yes. Gave message that if there's anything can do, would help. Received e-mail from friend Steve.

JB: Did she respond to the e-mail?

PS: Sent one/two e-mails back/forth.

JB: In those conversations, she didn't say anything about...and this is conjecture...why she would have a differing recollection of the lunch meeting?

PS: "Here's what I recall. I told her, 'Let me know how I can help.' The call was short."

JB: Speaker had conversation with Bresch on Oct. 14. Had meeting on Oct. 15. Heard hearsay account of the lunch meeting – an account that stands contrary to Speaker's recollection. That didn't surprise you?

PS: Yes, it did surprise. Things Craig had learned on Friday.

LF: How did you respond at that meeting? The meeting at Stewart Hall. Did you react?

PS: Was sitting next to Craig Walker. He was even-handed. Said, "Here's my account."

LF: You had just given them the document [Speaker's notes]?

PS: Group asked questions.

JB: Were you asked if Heather Bresch misconstrued what was said [at the luncheon meeting]?

PS: Wasn't asked at that meeting.

AC: Who chaired the meeting at Stewart Hall?

PS: Craig Walker would have been in charge. Jerry Lang at the other end of the table.

AC: You were already in Walker's office at the time [before the meeting was called]?

PS: Right. Talking to Craig. Asked other individuals from COB to join meeting in Stewart Hall. Walker was reading notes in his office before the meeting was called.

ML: Other individuals saw your notes for the first time at that meeting?

PS: Yes.

ML: What did Craig Walker say in that meeting?

PS: Indicated what Heather Bresch, Leah Summers had said.

ML: Was there discussion about how Heather Bresch had been talked to the previous day about the notes?

PS: Yes.

ML: So the notes were read?

PS: Yes.

ML: Was a right/wrong decision indicated?

PS: No.

ML: Was it your impression or your read that there was a decision deemed to be appropriate?

PS: No read. Surprised next day to hear something else.

RN: Where was this meeting held?

PS: Conference room in Stewart Hall. President's conference room. Went to see Craig Walker. Tried to get a meeting going.

LF: So there was a pre-meeting prior to the real meeting?

PS: Walked over to give Walker copy of notes. Read when arrived in office.

ML: So the meeting was in response to the document?

PS: Lays out timeline. Walker called to ask questions on Friday. Called again later in the day. Speaker came into office on Sunday. Assembled notes. Pulled one or two lines out of the notes given to Heather. Redistributed to Walker. Walker called for others from COB to join meeting. While waiting, chatted with Sara [Masters].

AC: Was there a tone of – how do we resolve this? Was it focused?

PS: Alex Macia put the problem very carefully. Macia said, "We need to have a decision. We're not telling you [Sears] to make this decision or that decision."

LF: Did you talk to Sears?

PS: Not good relationship with Sears. Only time saw the inside of his office was day Speaker was fired.

LF: Was there a sense from the meeting that this could be litigious?

PS: No. Look at the record. Bresch's [REDACTED]. Would have handled problems for any student. Wasn't COO at time going through program.

JB: [References statement from interview notes -- PS: At end of Oct. 15 meeting, Speaker's only direct comment to the suggestion that she had earned a degree in 1998 was, "That is the one thing that we know did not happen."] What was the basis of the decision to award the MBA?

PS: Never had conversation [with Sears] about.

JB: What was your reaction to the decision?

PS: If it was stated that made the decision as best believed, would have accepted. But did not accept that she had earned the degree in 1998. Only direct comment to Sears -- referring to the suggestion that she had earned a degree in 1998 was, "That is the one thing that we know did not happen."

AC: Explains BUE 4. Take it Speaker has seen the document.

PS: No one ever asked about document. First time saw was when the WVU panelists shared with him in his first interview.

ML: Speaker listed as instructor for independent study -- [REDACTED]. Received grade -- [REDACTED] " Do you remember?

PS: No. All [REDACTED]s were under [REDACTED].

RN: [References notes from Speaker's first interview]. At that time, Speaker told panelists that experiential learning was "fairly common."

PS: Gives example -- [REDACTED]. At that point in the program, not fairly common. Independent study is now part of the program. Become more commonplace. Work with faculty. Example -- [REDACTED].

LF: Was it common for students not to be able to go to class?

PS: Yes. Because missed class, would need to wait year and get courses she needed to finish degree. Encouraged that.

LF: Would an independent study accompany a course or replace a course?

PS: Up to individual faculty.

LF: Who would be instructor of record – the faculty member leading the independent study or the faculty member who taught the original course that was replaced by the independent study?

PS: Could be either. If out of sequence with cohort, would make independent study credit with instructor leading the independent study.

LF: Is there a maximum number of hours on independent study credit?

PS: University policy – variable 1-6 hours of credit. Typically 2-3 hours of credit.

LF: Is this six hours per course or six hours during time in the program?

PS: Per course.

LF: Someone could do 24 hours of independent study?

PS: Conceivable.

LF: Why wouldn't Heather Bresch have done independent study then? Why would you have recommended for her to take a class with another cohort and finish late?

PS: She was here in Morgantown.

ML: Do you know of any other cases like Heather's?

PS: Someone from her class – [REDACTED] Account was not paid. Was being reimbursed by [REDACTED]. Wouldn't give him grades early because he was "scamming their [reimbursement] system."

LF: Scary that someone would be reimbursed without first paying the University.

PS: Would prepare letters quickly so that employers could know and could reimburse students. "We did anything that we could do."

LF: You encouraged Heather Bresch to take part in convocation. Why?

PS: Always encouraged students to take part. Want people to walk with cohort. Encouraged everyone to walk.

LF: Do you think that someone could misinterpret that just because you walk doesn't mean that you have graduated?

PS: Don't know.

LF: Do you think that Heather Bresch could have taken that as a sign that she completed her degree?

PS: "That'd be a stretch for someone to think that."

LF: Given when [before grades are submitted] students graduate or given what was left for Heather to finish?

PS: Made plan of study for her to finish.

LF: At that same meeting, did you suggest for her to go with the next cohort?

PS: Yes.

AC: Do you invite employers to convocation?

PS: Did in later years.

AC: So you are saying the [REDACTED]

PS: "[REDACTED]"

ML: You mentioned [REDACTED] did not graduate. He did graduate from the eMBA program later. He also [REDACTED]

JB: Was this through a joint [REDACTED] program?

PS: No. [REDACTED]. Smart guy. Later hired [REDACTED]. Went to [REDACTED]

RN: WVU panelists were told that if a student did not complete a course, a faculty member was offered \$300 to do an independent study course. True?

PS: Really? Doesn't know if was done at the time. May have compensated people for independent studies.

RN: Would you find a faculty member to help a student finish an incomplete?

PS: "Sure, it's possible." Find faculty to sponsor.

RN: If an NR is on a class, could you make arrangements with a faculty member to complete?

PS: Couldn't pay faculty during school year. But could pay in summer. For Bresch's business law incomplete, "possible we could have done something like that."

ML: Explain the certification process.

PS: Graduation list goes to Admissions/Records. Verified by Mary Woods. May submit more names on list than actually graduate. For fall, confirm list 10 days after new year. For spring, certify right before graduation. For August, later in September.

ML: What begins the process?

PS: Clark St. Clair makes report. Stack of individual plans of study, grades. Provided to Paul Speaker. Confirm those students had applied for graduation.

ML: There's another list of students who have applied for graduation, right?

PS: Yes, students must apply for graduation within the COB.

ML: The student begins the process?

PS: Yes.

ML: Compares to Arts/Sciences application process. How does business student apply for graduation?

PS: Pays fee (\$50?) and completes form.

LF: How does a student know that he/she needs to apply for graduation?

PS: E-mail.

LF: Assume all students included on e-mail.

PS: Everyone on distribution list. If not enrolled or not set to graduate, then may not have received e-mail.

LF: Did students receive a hard copy notification/reminder to apply?

PS: Everyone in program had e-mail. First college to require laptops, wi-fi, e-mail.

RN: Did the e-mail go to the University account or personal account?

PS: No MIX yet. Went to work or private account. No GroupWise. Can't remember e-mail server at time.

LF: Would a student be aware about the application process?

PS: Note sent to cohort, best guess. Could have extracted people who did not qualify for graduation.

LF: *Do you have a different secretarial staff now?*

PS: Most experienced person – there three years.

RN: *Did the college have its own e-mail system at the time?*

PS: Every college had its own server. Kept electronic calendars. Can't pull up calendar.

LF: *Anything that you would like to tell us that we aren't asking about?*

PS: Most of case is fairly simple. "In Heather's case, she was an OK student. Probably on the bubble to graduate." Smart. Paid fees late. Did take all requirements until point of time in question.

AC: *What time?*

PS: May 1998. Should have been in final semester. Grade in [REDACTED] class should have been [REDACTED]

ML: *Mentions panel has copy of final exam. Does not appear [REDACTED] Before her letter grade [REDACTED] she was right on [REDACTED]*

[Will ask [REDACTED] again about grade in course].

LF: *Do you know what an [REDACTED] was chosen?*

PS: "Because that's the part where we're in trouble. Until that point in time, all we had was a bad decision. But then someone submitted grades that were not true, grades we know not to be true." Told grades were different by Bonnie Anderson. Then, the "bad decision steps into another realm."

LF: *Do you know if there was a discussion about the grades needed to keep her above a 3.0 cumulative GPA?*

PS: She was barely above a 3.0.

LF: *What would happen if a student fell below a 3.0?*

PS: If completed all 48 hours and had GPA below 3.0, would need to take additional courses.

AC: Knowing what you do today, do you think that it was the right decision [to award her the degree]?

PS: Needed to take longer looking into the decision. Wanted to err on the side of the student. Knew she had [REDACTED] hours.

AC: Why do you think the decision was made the way it was?

PS: Lot of speed. "Our dean is clouded when it comes to me." Sears made a decision. Was about to leave for China with Gov. Manchin. Left on Oct. 24. Not sure how that influenced his decision. Thinks bad decision, but what done afterward was the real problem.

LF: Do you think the dean consulted with anyone?

PS: Logar, Blakely. Know a grade mod was filed on Oct. 18 for [REDACTED] class.

ML: Did you see the grade mod forms?

PS: Saw in file.

ML: And what was the date again?

PS: Oct. 18. Came back from Orlando that Saturday.

ML: Grade mods were dated Oct. 23.

PS: No one ever asked me [about the matter].

LF: Why not give 12 hours of independent study than "real" courses?

PS: Example – [REDACTED]. Had independent study hours. [REDACTED] – asked in August about his graduation status. Has e-mails on issue. Contacted Aug. 20. Files were destroyed. [REDACTED]. Had e-mails, conversations with [REDACTED]. Created plans of study. Sent out e-mail – if prepare grade mods, get faculty to sign them. Records were non-existent. [Provides job description for St. Clair].

PS: Had faculty meeting Jan. 22, 2008 in COB about Heather Bresch matter. Has personal notes from that meeting. Claim at meeting: Jess Mancini ordered shredding of all of our old records. Disagreed with claim.

AC: Did any of the faculty comment?

PS: Sears says he has, "never met Ms. Bresch or talked to her."

PS: "The hard part is that people create a really good program. There's an implication of sloppiness [with student records]. It's an insult to students in the program."

JB: Don't you think part of the insult comes from Heather Bresch? Don't you think she could clear up the record?

PS: That's the primary insult. Blamed on bad record keeping from grad programs. Looked in January. Information needed [to make decision] was there. Grade reports were there for other students. Coming up with Bresch's record was fairly simple. Won't talk to press about issue. "It's a shame." Thinks pride, ego played into decision. Willing to take polygraph. Knows that she did not graduate in 1998. Doubts she ever finished.

Interview ending time: 5:10 p.m.