

**West Virginia School of Osteopathic Medicine  
Board of Governors – Regular Meeting  
Friday, August 23, 2024  
Location: John Manchin, II, D.O. Conference Center, Room #2  
Clinical Evaluation Center**

**I. Call to Order, Roll Call/Quorum, and Mission Statement**

The meeting was called to order at 10:03 a.m. by Board Chair, Dr. Belt. Roll call was taken by Board Secretary, Ms. Kirby. A quorum was present. The WVSOM mission statement was read by Board Vice Chair, Dr. Morgan.

**Members Present:**

Randall Belt, D.O., Chair	Sharon Hall
Frederick Morgan, D.O., Vice Chair (teleconference)	Michael Muscari, D.O.
Marlena Kirby, Secretary	Gary Poling, D.O.
Thomas Cole	Caitlyn Santer, D.O.
Ryan Fitzwater, D.O.	Peter Ward, Ph.D.
Ethaniel Galloway	

**Members Absent:**

Todd Smith, D.O.

**Others in Attendance:**

James W. Nemitz, Ph.D., President	Debbie Green, Scribe/Board Liaison
Brian Lutz, J.D., Interim General Counsel	

**II. Introductions**

Chair Belt asked President Nemitz to introduce Ethan Galloway in person to the board since the previous meeting was via teleconference.

**III. Public Comment**

There were no public comments.

**IV. Approval of Minutes**

It was moved and seconded (Ward/Muscari) to approve the minutes of the July 30, 2024 special meeting as presented. Motion Carried

**V. Agenda Order**

There were no changes to the agenda order.

**VI. Reports**

A. Chair of the Board of Governors. Chair Belt had no report.

1. Committee Reports.

- a. Academic Committee. Dr. Ward, Chair of the Academic Committee, stated several items were on the committee's agenda which included: the administrative response to public comment at the June 21, 2024 meeting and an update on clinical resources available to students. During the administrative response to public comment, Dr. Linda Boyd, Vice President for Academic Affairs, Dean & Chief Academic Officer,

addressed the various student concerns regarding board preparation as well as strategies being implemented to improve student board preparation at WVSOM. COMLEX-USA Level 1 board prep student survey results were placed in the full board's Microsoft Teams account. An update on WVSOM's COMLEX first-time pass rate and comparison to the national average will be provided to the committee at the November 1, 2024 meeting. Of note, Raeann Carrier, Ph.D., Director of the Office of National Boards and Exam Center (ONBEC), had planned to meet with the students who spoke at the June 21, 2024 board meeting; however, senior administration felt that the most effective way to follow up on student concerns would be to schedule several focus groups to allow all Year 3 and Year 4 students the opportunity to participate. The focus groups were scheduled to be led by a neutral party during August 2024, and a summary and update of the focus group discussions will be provided at the November 1, 2024 committee meeting.

Dean Boyd also provided the committee a cost analysis of the current clinical library resources. Discussion occurred regarding the benefits of DynaMed versus UpToDate, a clinical resource previously offered to WVSOM students. UpToDate is considerably more expensive than DynaMed, and Dean Boyd will provide the cost information of UpToDate at the November 1, 2024 meeting as well as the financial feasibility of offering one or both of those clinical resources to students in the future.

Questions and discussion followed. Dr. Ward stated senior administration is addressing the students' concerns, and the Academic Committee will continue to provide follow up to the full board.

The committee had no action items to be presented to the full board at this time.

- b. Finance & Audit Committee. Ms. Hall, Chair of the Finance & Audit Committee, stated David Meadows, Vice President for Finance & Facilities & Chief Financial Officer, presented the WVSOM financial update ending June 30, 2024. The committee also received a Robert C. Byrd Clinic (RCBC) financial update by Mr. Meadows as well as an RCBC operational update by Dr. Drema Hill, Vice President for Community Engagement & Chief Operating Officer. The Finance & Audit Committee has accepted oversight of RCBC and will continue to receive ongoing RCBC updates at every meeting indefinitely; however, major issues will be taken to the full board. The committee recommends the following: an annual financial audit of RCBC which will be presented to the full board and engagement of an operational consultant who would provide a mid-year report to the Finance & Audit Committee. Dr. Fitzwater, with support of the committee and Chair Belt, has agreed to serve as a voting member of the RCBC Board of Directors (BOD) in order to strengthen the linkage between the WVSOM Board of Governors and the RCBC BOD.

Questions and discussion followed. The committee had no action items to be presented to the full board at this time.

- c. Institutional Policy Committee. Dr. Santer, Chair of the Institutional Policy Committee, stated the committee did not meet.

1. Administration.

a. President's Update. President Nemitz provided an update on the following topics: students, faculty and staff; upcoming WVSOM events including the White Coat Ceremony on Friday, September 13, 2024 at 2:00 p.m.; and other important dates for state and national events. The full report was placed in the board's Microsoft Teams account.

i. Admissions Update. President Nemitz stated WVSOM recently completed an outstanding year in admissions and the next cycle has begun. Admissions continues to develop strategies to attract qualified applicants.

The Masters of Science in Biomedical Sciences (MSBS) program has exceeded expectations, and senior administration anticipates WVSOM should be able to double the class size for next year after existing space on campus is renovated into a teaching kitchen.

President Nemitz stated increased admissions does present housing challenges for Lewisburg and the surrounding area.

ii. Security Update. President Nemitz stated senior administration has faced challenges with creating a WVSOM Police Department. Contracts have been signed through the end of December 2024 with the Lewisburg Police Department, the Greenbrier County Sheriff's Office and a local security firm to provide 24-hour coverage effective September 3, 2024. Senior administration will continue to monitor and evaluate campus security needs. President Nemitz placed a cost analysis in the board's Microsoft Teams account which compares creating a WVSOM Police Department versus continuing the current law enforcement and armed security contracts. The cost analysis showed continuing the current contracts will provide a cost savings to WVSOM which senior administration will continue to monitor through the end of December 2024. President Nemitz stated annual security training with students and employees has been completed, and campus carry exclusions have been implemented. Questions and discussion followed.

iii. WVSOM Foundation Update. President Nemitz stated the WVSOM Foundation procured over \$2 million dollars in new gifts and commitments during FY 2023-2024. The WVSOM Foundation continues to work on fundraising strategies. President Nemitz stated The Health Plan scholarships are now available to osteopathic medical students and recently two of the three scholarships were awarded to WVSOM students. A media announcement regarding these awards will occur on August 29, 2024.

2. Finance.

a. WVSOM FY 2023-2024 Financial Update as of June 30, 2024. Mr. Meadows presented the unaudited end of the year financials for FY 2023-2024. He was pleased to report that WVSOM employees and spending unit managers decreased expenditures by \$3.2 million during FY 2023-2024. Mr. Meadows is committed to work with senior administration during FY 2024-2025 to continue to reduce expenses. WVSOM's estimated uncommitted reserves total \$80,427,582. Questions and discussion followed.

- b. Facilities Update. Mr. Meadows provided an update to the board regarding deferred maintenance projects. Two architectural firms have been contracted to work on key deferred maintenance projects. The Frederic W. Smith Science Building renovation/addition project is progressing through the schematic design phase.

Questions and discussion followed. Dr. Muscari requested that Mr. Meadows provide the total dollar amount for deferred maintenance needed at RCBC.

- c. Follow-Up Information Request on AllofE. Mr. Meadows provided information to the board in their Microsoft Teams account that was requested at the June 21, 2024 board meeting.

Questions and discussion followed regarding the AllofE contract and the fact there is no record of a WV-96 being signed for the current contract period of June 2022 – May 2025. Dr. Muscari requested a list of significant contracts that do not have a WV-96 attached. Mr. Meadows stated his department and the legal department are working together to develop a straightforward protocol concerning contracts and are developing a database to track contracts and their affiliated documents to eliminate future issues.

#### **VII. Board Education**

- A. Annual Staff Report. Scott Maxwell, Staff Chair, provided the FY 2023-2024 Staff Council report to the board. Mr. Maxwell reviewed various staff accomplishments over the past year, staff constituency groups and the Staff Council representatives. The Staff Council's goals are: to advocate for staff concerns and needs; to provide events and assistance at WVSOM to promote unity within the WVSOM community; to promote community relationships with WVSOM; and to maintain a healthy staff account. President Nemitz thanked Mr. Maxwell for his leadership and the staff for their support.

This one-quarter hour board education will be submitted to the West Virginia Higher Education Policy Commission toward training credit hours required for the Board of Governors.

#### **VIII. Board Items**

- A. Approval of Graduates. Dean Boyd presented the graduate for approval who will successfully complete all requirements for graduation, has been approved by the Student Promotions Committee and has also been approved by the faculty.

It was moved and seconded (Ward/Cole) to approve the graduate as presented.

Motion Carried

- B. Administrative Response to Public Comment at June 21, 2024 Meeting. Dr. Ward stated he did not have anything to add to his previous Academic Committee report.
- C. Updates on WVSOM Office of General Counsel Personnel, AllofE Contract Investigation, Contracts, and Potential Real Property Opportunity. Chair Belt stated this item would be discussed in Executive Session.

**IX. Executive Session – State Code §6-9A-4(12) Attorney/Client Privilege; State Code §6-9A-4(b)(2) Personnel; and State Code §6-9A-4(b)(9) Real Property**

Chair Belt stated the following: The West Virginia Open Governmental Proceedings Act (“Act”) permits state entities to go into executive session during a properly noticed meeting if a specific item on the entity’s posted agenda falls under one of the permitted exceptions to the requirements contained in the Act. On this meeting’s posted agenda, item: *Updates on WVSOM Office of General Counsel Personnel, AllofE Contract Investigation, Contracts, and Potential Real Property Opportunity* falls under the Act’s exception for: *discussion of personnel employment issues, discussion of potential real property and legal matters.*

In accordance with the West Virginia Open Governmental Proceedings Act, do I hear a motion to go into executive session to discuss the *Updates on WVSOM Office of General Counsel Personnel, AllofE Contract Investigation, Contracts, and Potential Real Property Opportunity* agenda item, which falls under the *discussion of personnel employment issues, discussion of potential real property and legal matters exceptions* in the Act?

It was moved and seconded (Cole/Fitzwater) to move into executive session at 11:21 a.m.

Motion Carried

Chair Belt will ask individuals other than board members to join the executive session as needed.

The Board of Governors returned to regular meeting session at 3:45 p.m.

**X. Actions Emanating from Executive Session**

Chair Belt stated only topics indicated prior to going into executive session were discussed. No items emanating from executive session required action from the board.

**XI. Information Gathering**

No items were brought forth.

**XII. Next Meeting Date**

The next scheduled board meeting will be on Friday, November 1, 2024 at the John Manchin, II, D.O., Conference Center, Room #2, located in the Clinical Evaluation Center.

**XIII. Adjournment**

It was moved and seconded (Hall/Fitzwater) to adjourn. The motion carried and the board adjourned at 3:47 p.m.

Approved on November 1, 2024

Signed by:



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Marlena R. Kirby

Secretary

/dg