

**West Virginia School of Osteopathic Medicine
Board of Governors – Regular Meeting
Friday, June 16, 2023
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 10:05 a.m. by Board Chair, Dr. Robert Holstein. Roll call was taken by Board Secretary, Marlena Kirby. A quorum was present. The WVSOM mission statement was read by Board Vice Chair, Dr. Randall Belt.

Members Present:

Robert Holstein, D.O., Chair	Frederick Morgan, D.O.
Randall Belt, D.O., Vice Chair	Michael Muscari, D.O.
Marlena Kirby, Secretary	Gary Poling, D.O.
Olivia Giambra (teleconference)	Caitlyn Santer, D.O.
Sharon Hall	Peter Ward, Ph.D.

Members Absent:

Thomas Cole	Todd Smith, D.O.
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Others in Attendance:

James W. Nemitz, Ph.D., President	Debbie Green, Scribe/Board Liaison
Jeffrey Shawver, J.D., General Counsel	

II. Introductions

Chair Holstein welcomed Dr. Santer to her first in-person board meeting since her appointment by Governor Justice on April 6, 2023. Chair Holstein also thanked Olivia Giambra for her service over the past year as student representative to the Board of Governors. Erin Reese will begin her term as student representative to the Board of Governors on July 1, 2023.

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 April 21, 2023 regular meeting as presented. Motion Carried

V. Election of Officers

On behalf of the current standing officers of the board, Marlena Kirby presented the following slate of officers for nomination for FY 2023-2024 as follows:

Chair, Dr. Randall Belt
Vice Chair, Dr. Fred Morgan
Secretary, Marlena Kirby

No other nominations were made.

Chair Holstein called for a voice vote to elect the slate of officers nominated for FY 2023-2024 as presented. Motion Carried

VI. Agenda Order

No changes were made to the agenda order.

VII. Rules

Dr. Ward, Chair of the Academic Committee, reported the committee reviewed the proposed revisions to the following group of Combined D.O. and Graduate Program Policies and recommended the policies as revised to the full board for approval.

A. Combined D.O. and Graduate Program Policies

1. E-09: Attendance (*revised*)
2. E-11: Grading Authority (*revised*)
3. E-16: International/Special Electives, Research, Special Interest Courses (*revised*); also includes non-program related revisions
4. F-05: Assessment and Payment of Tuition and Fees (*revised*)
5. GA-08: Drugs, Alcohol, Testing and Treatment (*revised*)
6. GA-20: Graduation Dates (*revised*)
7. ST-05: Student Health Insurance (*revised*)
8. ST-08: Student Mental Health (*revised*)
9. ST-16: Student Complaints (*revised*)

It was moved and seconded (Kirby/Hall) to adopt the group of Combined D.O. and Graduate Program Policies as revised and presented. No discussion. Motion Carried

Dr. Ward reported the committee reviewed the following group of new Graduate Program Policies and recommended the policies as presented to the full board for approval.

B. Graduate Program Policies

1. E-12 (GP-04): Grading Scale (*new*)
2. E-18 (GP-05): Student Examinations (*new*)
3. E-19 (GP-08): Academically at Risk (*new*)
4. E-21 (GP-09): Remediation (*new*)
5. E-22 (GP-06): Accommodations for Examinations (*new*)

6. E-24 (GP-11): Dismissal (*new*)
7. E-26 (GP-10): Leave of Absence (*new*)
8. E-27 (GP-12): Graduation Requirements (*new*)
9. E-30 (GP-07): Collection of Student Feedback (*new*)
10. E-36 (GP-02): Background Check for Students (*new*)
11. ST-01 (GP-01): Academic and Professional Standards (*new*)
12. ST-06 (GP-03): Proof of Inoculations/Health Form (*new*)

It was moved and seconded (Belt/Muscari) to adopt the group of new Graduate Program Policies as presented. No discussion. Motion Carried

Dr. Ward reported the committee reviewed the proposed revisions to the following group of D.O. Program Policies and recommended the policies as revised to the full board for approval.

C. D.O. Program Policies

1. E-01 (DO-02): Educational Goals (*revised*)
2. E-05 (DO-04): Student Transfer (*revised*); also includes non-program related revisions
3. E-06 (DO-12): Audit of Classes (*revised*)
4. E-12 (DO-08): Grading Scale (*revised*)
5. E-13 (DO-03): Curricular Years (*revised*)
6. E-17 (DO-09): Grading Policies – Clinical Rotation Courses (*revised*)
7. E-18 (DO-10): Student Examinations (*revised*)
8. E-19 (DO-16): Academically at Risk (*revised*)
9. E-21 (DO-17): Remediation (*revised*)
10. E-22 (DO-11): Accommodations for Examinations (*revised*)
11. E-23 (DO-14): Promotion Requirement National Board Exam- COMLEX (*revised*)
12. E-24 (DO-19): Dismissal (*revised*)
13. E-26 (DO-18): Leave of Absence (*revised*)

14. E-27 (DO-20): Graduation Requirements (*revised*)
15. E-30 (DO-13): Collection of Student Feedback (*revised*)
16. E-35 (DO-15): Promotion Requirement - Objective Structured Clinical Examinations (OSCEs) (*revised*)
17. E-36 (DO-05): Background Check for Students (*revised*)
18. ST-01 (DO-01): Academic and Professional Standards (*revised*)
19. ST-06 (DO-06): Proof of Inoculations/Health Form (*revised*)
20. ST-12 (DO-07): Standardization of Student Clinical Lab Coat and Identification Badge (*revised*)

It was moved and seconded (Belt/Kirby) to adopt the group of D.O. Program Policies as revised.
No discussion. Motion Carried

VIII. Reports

A. Chair of the Board of Governors. No report.

1. Committee Reports.
 - a. Academic Committee. Dr. Ward, Chair of the Academic Committee, stated in addition to policy review and approval, the committee approved the Research Scholar Elective after receiving a report from Dean Boyd. Professor Emeritus status for Dr. Edward Bridges was also approved by the committee.
 - b. Finance & Audit Committee. Ms. Hall, Chair of the Finance & Audit Committee, stated the committee received the financial update as an informational item from Mr. Ware, Vice President for Finance & Facilities, and discussed various line items and projections. The committee also discussed the proposed Tuition for Research Scholar Elective and approved the resolution to support the tuition that is recommended for the Research Scholar Elective. The Overall Program Budget was reviewed and increasing admissions tuition waivers was discussed. The committee decided to reevaluate the proposal of increasing admissions tuition waivers at the September 8, 2023 meeting which will be after the conclusion of the 2022-2023 academic cycle. Ms. Hall stated the committee will receive the following reports at the September 8, 2023 meeting: an update on the financial support WVSOM provides to the Robert C. Byrd Clinic and an update on the research appropriation funding to be received.
 - c. Institutional Policy Committee. Dr. Belt, Chair of the Institutional Policy Committee, stated the committee did not meet.

B. President of WVSOM.

1. Administration.
 - a. President's Update. President Nemitz provided an update on the following topics. The full report was placed in the board's Microsoft Teams account.

- Graduation. The Commencement Ceremony for the Class of 2023 was held on Friday, May 5, 2023. Facts of the Class of 2023 included:
 - 177 graduates; 81 women and 96 men
 - 100% residency placement
 - 35 (20%) placed in West Virginia residencies
 - 110 (62%) entered primary care residencies
 - 31 Graduation awards were presented totaling \$47,700.
 - Transitions/Reorganization. Dr. Edward Bridges retired April 28, 2023. Mr. Larry Ware will retire September 8, 2023. WVSOM has hired Mr. David Meadows as the new Vice President for Finance & Facilities. Mr. Meadows will begin employment on August 16, 2023. Dean Linda Boyd will oversee the Research, Grants and Accreditation Departments; Dr. Drema Hill will oversee the Marketing and Communication and Audiovisual Production Departments; and Mr. Jeffrey Shawver will oversee the areas of security and external relations.
 - Graduate Program. The Higher Learning Commission's (HLC) accreditation site visit is scheduled for September 11-12, 2023. Recent hires for the graduate program include: Shelden Mullens and Adrienne Williams, Ph.D. Marketing and IT are working to develop recruiting materials and a website for the graduate program to be used as soon as HLC approval for the graduate program is achieved.
 - Center for Rural and Community Health (CRCH). New funding of over \$1 million has been awarded primarily for substance use disorder programs. WVSOM has been notified of a \$3 million Health Resources and Services Administration (HRSA) grant which will fund Robert C. Byrd Clinic's Medication-Assisted Treatment (MAT) program and mobile clinic.
 - Visibility. WVSOM was featured in a recent series on rural health by the Public Broadcasting System. Dr. Rahul Gupta, Director of the Office of National Drug Control Policy, visited WVSOM on June 10, 2023 to discuss substance use disorder programs.
 - Marketing. A listing of WVSOM ads and media coverage was placed in the board's Microsoft Teams account for review.
 - BOG Member Birthdays. The following board member birthdays were recognized: Ms. Giambra and Ms. Hall.
- i. Fundraising Update. President Nemitz presented the WVSOM Foundation Fundraising and Development Update. New gifts and commitments from July 1, 2022 to April 30, 2023 totaled \$968,448.35.

President Nemitz also provided a development update which included the following fundraising goals and activities:

- Annual Fund. Solicitation mailings are occurring quarterly. The first quarter mailing focused on the Maier Foundation Challenge.
- Planned Giving. A redesigned planned giving brochure was mailed in April 2023 and included the announcement of the new donor recognition club, *Society 1972*. A *Society 1972* event will be held in October or November for planned giving donors.

- Donor Prospects and Donor Stewardship. A top priority donor prospects list, including corporate/foundation prospects, has been created. Both stewardship and cultivation visits are currently ongoing.
 - Capital Campaign. Future funding priorities and needs are being identified in order to determine the appropriate time to embark upon a capital campaign.
 - Other. The Marketing and Communications Department developed a series of social media posts to enhance the success of the Maier Foundation Challenge. The WVSOM Foundation has created *The President's Circle*, which will recognize any donor contributing a \$5,000 unrestricted gift annually. A solicitation mailing going to all alumni and friends is scheduled for July. A donor recognition event for *The President's Circle* donors will be held in the fall. Special fundraising and alumni events will be scheduled on campus and throughout West Virginia. Opportunities are being developed to recognize our generous donors.
 - Development Director. WVSOM's search for a full-time Development Director is ongoing.
- ii. Follow-up on Commission on Osteopathic College Accreditation (COCA) Report. President Nemitz stated that Ms. Hall requested a follow-up report at the March 24, 2023 board meeting regarding WVSOM's recent COCA accreditation site visit, specifically in research and professionalism. As previously announced in December 2022 to the Board of Governors, WVSOM was granted full accreditation through academic year 2029-2030 based on the COCA comprehensive site visit which occurred September 20-23, 2022. Overall, the COCA comprehensive site visit report was very strong.

President Nemitz stated WVSOM did not receive a citation for research. However, COCA asked WVSOM to quantify the institution's research goals. President Nemitz stated a report will be given at a future board meeting regarding goal setting in order to build WVSOM's research enterprise.

WVSOM did receive a citation regarding professionalism during the COCA site visit. President Nemitz asked Dr. Predraj Krajacic, Assistant Dean of Curricular Affairs, to provide a presentation to the board on professionalism and professional identity formation. Key points of the presentation were as follows:

- Training on professional identity formation begins in Year 1 orientation and is also taught in Years 1 and 2 curriculums.
- The student professional behavior form is located on the WVSOM intranet which provides the student the opportunity to report exemplary behavior as well as disrespectful behavior. A flow chart detailing how administration addresses unprofessional behavior was also reviewed.
- The same expectations and rules given to students are applied to WVSOM faculty and staff. The faculty/staff professional behavior form is also located on the WVSOM intranet, and any reports regarding faculty and staff are forwarded to human resources.
- The majority of professionalism reports received are for exemplary behavior.

- To address student concerns regarding reporting of professionalism, WVSOM implemented the following changes prior to the COCA site visit in 2021: a new procedure for reporting student professional behavior in policy ST-01 (renamed to DO-01); a change to the procedure in policy E-30 (renamed to DO-13) for collection of student feedback; and the removal of punitive verbiage from instructions and class emails.
- The number of negative reports has dropped significantly since the changes have been implemented.

Questions and discussion followed. Ms. Hall wanted to know how administration supports students who are fearful of retaliation for reporting a faculty or staff professionalism issue. Dr. Krajacic stated all faculty and staff professional reports are forwarded to human resources, and he stated any sort of retaliation from faculty or staff to students may result in termination based on WVSOM policy. All faculty behavior reports are also forwarded to Dean Boyd. Dean Boyd detailed the process in which unprofessional behavior reports for faculty are addressed. Dean Boyd also stressed that she takes professional behavior very seriously and wants all students, faculty and staff to be held to the same standard. Dean Boyd stated WVSOM submitted a follow-up progress report to COCA in May 2023 which will be voted on at the COCA meeting in August 2023. Ms. Hall requested an update at the September 8, 2023 board meeting after the COCA response in August 2023 has been received.

- iii. Admissions Update. President Nemitz stated the full admissions report was placed in the board's Microsoft Teams account. Currently, the Class of 2027 has 51 in-state students and 153 out-of-state students enrolled. All five full tuition waivers have been awarded. President Nemitz stated occasionally a tuition waiver is forfeited by the recipient which is due to a variety of reasons, including the faulty perception that a student's option is limited to practicing family medicine when attending WVSOM. President Nemitz will begin working with marketing to launch a campaign to debunk the faulty perception and ensure that applicants are aware that WVSOM students are able to practice in any specialty. The WVSOM Foundation has partnered with the Maier Foundation to offer seven retention scholarships to West Virginia students totaling \$50,000 for one year. Additionally, Mag Mutual is also partnering with the WVSOM Foundation to offer two retention scholarships to West Virginia students totaling \$2,500 each for four years for a grand total of \$20,000 (\$10,000 per student).

President Nemitz concluded his report by congratulating Dr. Belt, Dr. Morgan and Ms. Kirby on their board officer roles for FY 2023-2024. President Nemitz also thanked Dr. Holstein for his many years of service to WVSOM as a board member and leadership as chair.

2. Finance.

FY 2022-2023 Financial Update. Mr. Larry Ware, Vice President for Finance & Facilities, presented the financial statement ending April 30, 2023. Actual revenues totaled \$47,266,313 which is 95% of budget. Operating expenses totaled \$37,380,179 which is 69% of budget for the quarter. Capital outlay expenses

totaled \$4,455,865 which is 79% of budget. Total estimated capital outlay expenses were \$41,836,044 which is 69% of budget. The estimated uncommitted balance as of April 30, 2023 is \$67,173,486.

WVSOM continues to operate within its approved budget with no concerns at this time.

Chair Holstein thanked Mr. Ware for his many years of service to WVSOM in anticipation of his retirement September 8, 2023.

- b. Tuition Waivers Update. Mr. Ware provided an informational update on graduate teaching assistant and other professional tuition waivers in the board's Microsoft Teams account.

IX. Board Education

Annual Staff Report. Scott Maxwell, Staff Chair, provided the FY 2022-2023 Staff Council report to the board. Mr. Maxwell reviewed the current Staff Council membership and the constituency groups they represent. Staff goals of 2022-2023 included:

- To improve staff finances. The Staff Council worked to update staff finance policies and to increase the quality of staff fundraising events. The beginning balance of the fiscal year was approximately \$1,200 and the ending balance was approximately \$5,400.
- To provide opportunities for staff to participate in WVSOM events both here and within the community. The first annual pet food drive benefitting the Greenbrier Humane Society was held in April 2023, and the fundraising goal was achieved for the Betty Baker memorial bench.
- To advocate more on behalf of the staff. The Staff Council has corresponded with the Mayor of Lewisburg about the possibility of getting a crosswalk painted across GMS Drive and Lee Street; conducted a survey of all WVSOM employees regarding O'Café online ordering and the development of outdoor recreational space; and discussed with Mr. Ware staff concerns about some of the facilities.
- To participate in institutional duties as required. Staff Council was involved in the presidential evaluation process and human resources audit.

Mr. Maxwell also reported the results for the recent staff elections held in April 2023 for the Staff Council for FY 2023 – 2025.

Questions and discussion followed. President Nemitz thanked Mr. Maxwell for his leadership.

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

X. Board Items

- A. Approval of Proposed Meeting Schedule for 2023-2024. Chair Holstein reviewed the list of proposed board meeting dates for the upcoming fiscal year which is as follows:

September 8, 2023
 November 3, 2023
 January 25, 2024 (Charleston, WV)
 March 29, 2024
 April 26, 2024 (teleconference)
 June 21, 2024

It was moved and seconded (Kirby/Hall) to approve the proposed meeting schedule for 2023-2024 as presented. Motion Carried

- B. Approval of Professor Emeriti Status – Edward Bridges, Ph.D. Dean Boyd reported that the Faculty Council recommended Edward Bridges, Ph.D. be granted Professor Emeritus status, and Dean Boyd concurs.

It was moved and seconded (Ward/Poling) to grant Professor Emeritus status to Edward Bridges, Ph.D. Motion Carried

Chair Holstein asked Dean Boyd to convey sincere congratulations to Dr. Bridges on receiving this well-deserved honor. President Nemitz also congratulated Dr. Edward Bridges as well as Mr. Larry Ware on their retirements and for their many years of dedicated service to WVSOM.

- C. Tuition for Research Scholar Elective. Dean Boyd provided a detailed overview of the Research Scholar Elective in the board's Microsoft Teams account. The overview of Dean Boyd's presentation is as follows:

The Research Scholar Elective was created to give WVSOM students, who wish to enter a highly-competitive specialty, the opportunity to take a year off from medical school to complete a year of dedicated research which is usually in an academic center or research institute. Students will typically take the Research Scholar Elective between Years 3 and 4 in order to focus on research in their intended specialty of choice with the goal of yielding presentations and publications. Prior to the creation of the Research Scholar Elective, students at WVSOM have occasionally done this by taking a Leave of Absence (LOA). Financial aid is not available for students on LOA, and many research opportunities do not offer a stipend which can create a financial burden for students. The proposed structure of the Research Scholar Elective is as follows: students will be enrolled in a six-credit Research Scholar Elective where they identify a Principal Investigator (PI) at another medical school or research institute and are involved in full-time research projects for one or two semesters. A WVSOM faculty member will be assigned to communicate with the PI at the beginning of the elective and at the end of each semester in order to verify that the student was indeed fully engaged and earned a grade of "Pass".

When taken between Years 3 and 4, the student would be required to complete and pass their COMLEX Level 2CE exam before starting the Research Scholar Elective. If a student wishes to enroll in the Research Scholar Elective after an unsuccessful match, essentially adding a Year 5 to their medical education, the student will not complete all graduation requirements prior to entrance into the Research Scholar Elective. The WVSOM Curriculum Committee has approved the Research Scholar Elective. Students who complete the Research Scholar Elective will graduate with a distinction in research which will be noted on

their Medical Student Performance Evaluation and Transcript. All applicants must be approved by Dean Boyd and must be in good academic standing with WVSOM.

The proposed tuition and fees for the Research Scholar Elective, as prepared by Mr. Ware, is as follows:

- Pro-rated fees up to a maximum of \$500 per semester based on credit hours. Pro-rating fees for part-time students is required by West Virginia Code §18B-10-1(f)(1).
- Tuition would be reduced to \$250 per semester since WVSOM faculty and staff effort for the elective would be minimal.

If a Year 5 student participating in the Research Scholar Elective needs to time out of research to do audition rotations, they would be required to pay a pro-rated tuition for the rotations they complete.

By maintaining student status, participating students remain eligible for federal financial aid for living expenses.

The goal of the Research Scholar Elective is to improve successful student residency placement in competitive specialties and to serve as a positive recruitment tool.

Questions and discussion followed. Currently, there is not a limit on the number of students eligible to participate in the Research Scholar Elective. Dr. Poling requested the Board be notified if future student participation in the Research Scholar Elective is limited. Dr. Belt expressed concern about the financial impact on WVSOM if a large number of students decide to participate in the Research Scholar Elective. Discussion followed regarding ways to offset the decreased tuition and fees of the Research Scholar Elective if necessary. Dr. Ward also suggested acknowledging WVSOM faculty who undertake the voluntary responsibility of overseeing students in the Research Scholar Elective. Dr. Poling concurred with Dr. Ward that faculty who voluntarily participate to oversee a Research Scholar Elective student should receive some type of benefit. Dr. Ward will begin overseeing a Research Scholar Elective student in the near future, and Dr. Poling has requested that Dr. Ward update the board on how much time is involved in the process once the elective is completed.

Dean Boyd requested the full board's approval of the following proposed resolution as prepared by Mr. Ware:

Approval is given to assess fees of up to a maximum of \$500 per semester and tuition of \$250 per semester for the Research Scholar Elective effective June 16, 2023.

It was moved and seconded (Hall/Belt) to approve the proposed resolution regarding tuition and fees for the Research Scholar Elective as presented. Motion Carried

- D. Overall Program Budget Review. Ms. Hall reiterated the Finance and Audit Committee has considered increasing admissions tuition waivers. The committee decided to reevaluate the proposal of increasing admissions tuition waivers at the September 8, 2023 meeting after

the conclusion of FY 2022-2023 and does not have a recommendation to the full board at this time.

- E. President's Evaluation. Chair Holstein stated this item would be discussed in executive session.

Chair Holstein 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: *President's Evaluation* falls under the Act's exception for: *discussion of personnel matters*.

In accordance with the West Virginia Open Governmental Proceedings Act, do I hear a motion to go into executive session to discuss the *President's Evaluation* agenda item, which falls under the *personnel exception* in the Act?

It was moved and seconded (Hall/Kirby) to move into executive session at 11:51 a.m.

Motion Carried

Members of the Board of Governors; Leslie Bicksler, Vice President for Human Resources; and Jeffrey Shawver, Vice President for Legal & Governmental Affairs and General Counsel, were asked to join the executive session. Ms. Bicksler and Mr. Shawver were dismissed at 12:17 p.m., and only members of the Board of Governors remained.

The Board of Governors returned to regular meeting session at 2:13 p.m.

Chair Holstein stated only topics indicated prior to going into executive session were discussed. The only item emanating from executive session requiring action from the board is formalizing President Nemitz's evaluation. Pursuant to evaluation procedures, the Board Chair will compile the board's evaluation points, as documented by the Board Secretary during executive session, into a formal written evaluation document to be provided to President Nemitz. The President will have the opportunity to provide written feedback and will sign the evaluation.

Chair Holstein asked for a motion to authorize the Board Chair to compile the board's evaluation points as documented by the Board Secretary during executive session into a formal, written evaluation document to be provided to the President for feedback and signature. The motion was moved and seconded (Kirby/Ward). Motion Carried

XI. Information Gathering

No items were brought forth.

XII. Next Meeting Date

The next scheduled board meeting will be held Friday, September 8, 2023 in the Conference Center located in the WVSOM Student Center.

XIII. Adjournment

It was moved and seconded (Ward/Morgan) to adjourn. The motion carried and the board meeting adjourned at 2:15 p.m.

Approved on September 8, 2023

DocuSigned by:
Marlena Kirby
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Marlena R. Kirby
Secretary
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