

CASE WESTERN RESERVE UNIVERSITY  
Faculty Senate  
Meeting of January 24, 2007, 3:30 - 5:30 p.m.  
Toepfer Room, Adelbert Hall  
AGENDA

1. Approval of Minutes of the Meeting of December 18, 2006 J. Alexander
2. President's Announcements G. Eastwood
3. Provost's Announcements
4. Report of the Secretary of the Corporation J. Arden Ornt
5. Chair's Announcements J. Alexander
6. Report of the Executive Committee D. Matthiesen
7. Introduction of Sr. Vice President for University Relations and Development Bruce Loessin
8. Old Business:  
Report on the Research Council C. Musil
9. Revised MOTION from Graduate Studies Committee  
re Eligibility for Fellowship Courses  
(*Action item*) [see attachment] I. Manas-Zloczower
10. Proposal for a New Department of Plastic Surgery at UH  
(*Action item*) [see attachment] B. Guyuron
11. Report on Affiliation Agreement [see attachment] P. Davis
12. New Business
13. Announcements

Attachments:

1. Minutes of the Meeting of December 18<sup>th</sup> (item 1)
2. MOTION re Fellowship Courses (item 9)
3. MOTION and Supporting Documentation for Dept. of Plastic Surgery at UH (item 10)
4. Memo from Interim Dean Pamela Davis of December 28, 2006 (item 11)

CASE WESTERN RESERVE UNIVERSITY

**Faculty Senate**

Meeting of January 24, 2007, 3:30 - 5:30 p.m.

Toepfer Room, Adelbert Hall

Minutes

Members Attending

Daniel Akerib	Katherine Hessler	Ronald Occhionero
James Alexander	Kathleen Kash	John Orlock
Jeffrey Alexander	Elisabeth Koll	Martin Resnick
Cynthia Beall	Joseph Koonce	Sandra Russ
Christine Cano	Edith Lerner	Paul Salipante
Stanton Cort	Kenneth Loparo	Glenn Starkman
William Deal	Sana Loue	Philip Taylor
Dominique Durand	Ica Manas-Zloczower	Aloen Townsend
Gregory Eastwood	David Matthiesen	Rhonda Williams
Lynne Ford	Diana Morris	E. Ronald Wright
Paul Gerhart	Carol Musil	
Anita Gilliam	Eric Neilsen	

Others Present

Marsha Bragg	Bahman Guyuron	Lynn Singer
Pamela Davis	Lara Kalafatis	Barbara Snyder
Joanne Eustis	Bruce Loessin	Colleen Trembl
Donald Feke	Raymond Muzic	Peter Whitehouse
Robert Friedland	Jeanine Arden Ornt	
Grover Gilmore	Charles Rozek	

Professor Alexander, Chair of the Faculty Senate, called the meeting to order at 3:35 p.m.

**Introduction and Welcome for Present-Designate Barbara Snyder**

Chairman Alexander spoke words in a warm welcome. Ms. Snyder said that she has enjoyed good and open relationships with the Senate at Ohio State University and she looks forward to the same here.

**Approval of Minutes**

The minutes of the previous Faculty Senate meeting on December 18, 2006 were approved with the addition of several names to the attendance list. All were reminded to sign in as a way of accurately recording attendance.

**President's Announcements**

President Eastwood commented on an article in the Plain Dealer newspaper two days ago and the public perception of the university's financial condition. He said that while we can't always reach the monthly targets the variance is, to him, tolerable and we are still on track to reach the goals. He plans to continue this openness in communication.

He is delighted that Barbara Snyder is coming as the next president of the university, and

that Bruce Loessin has, again, joined the university's administration.

### **Provost's Announcements**

In Provost Anderson's absence, Don Feke reported on the beginning of the search for a new Vice President of Enrollment Management. We are working on the position description, and hope to have someone in place for Fall '07, sooner, if possible. The members of the search committee are Julie Amon, Donald Chenelle, Donald Feke, Carolyn Gregory, James Hurley, Lara Kalafatis, Lynn Lotas, Larry Parker, Dean Patterson, Peter Pintauro, Jerrold Scott, Peter Whiting, Elizabeth Woyczynski, and Mary Lou Cantini providing staff support.

### **Report of the Secretary of the Corporation**

Vice President Jeanine Ornt reported as follows:

- The EC approved the minutes for the December Board Executive Committee;
- the EC passed a number of resolutions through the Consent Agenda, including primarily faculty appointments, professorships and establishment of endowments;
- the EC reviewed and passed a resolution for the sale of the Tudor Arms Building (10660 Carnegie Avenue a/k/a the Job Corps Building) contingent on a two-week due diligence period, which has not yet passed;
- the EC passed a resolution authorizing the University officers to accept a settlement proposal with Forest City regarding the build out allowance for the Halle Building.
- In Mr. Sadid's absence, Ms. Ash provided the Finance Report and explained that the projected deficit is on track with the budgeted deficit of \$10.5M. This includes use of about \$4 million of the budget contingency. The outlook for the year shows that we are running behind in our budgeted graduate and professional tuition income, indirect cost recovery income and unrestricted gifts in several schools. The mid-year forecast of the university's operating budgets will provide a better estimate for the year.
- It was noted that there will be savings based on the debt restructuring (projected savings of %3.5-4M) and lower than budgeted utility costs (projected savings of \$1-2M).
- Ms. Lebold, the Director of Audit, provided a summary of the Financial Accountability Task Force report, noting in particular that the research area was estimated to present the highest compliance risk to the University, that there is a need to implement a functional data warehouse, that the grants accounting function be reassessed by an outside consultant to determine if there may be untapped efficiencies, that control issues be identified with PwC in reviewing the 2007 audit, that a business analysis be conducted at the departmental level in order to review cost transfer issues, that efforts be made to hold faculty accountable for all research compliance requirements rather than relying solely on department assistants, and that effort reporting documentation be improved.
- Mr. Robison provided the Development Report and explained that the University is now 3% ahead of its annual fund goal, gift transactions have increased by 27% over last year and that four schools have already exceeded their annual goals, with all others (except one) either ahead or on track with their annual goals. The one outlier is Law, which is typical for that school at this time of the year. There were, at the time of the meeting, 196 proposals over \$100,000 open, which is a

University record. All development metrics are up and Mr. Robison believes that the University will achieve its year end goal of \$77.9M.

- Mr. Wheeler provided the report on the University Arts and Retail District (“UARD”). There are no significant bumps in the process and the developers are on a fast track. As part of this process, there will be focus groups led by a national expert retained by the developers in order to position the project for success. The goal is to have a master plan by March 15, 2007 and to have a development agreement that same month. Mr. Wheeler noted that the developers will carry the burden of the responsibility for this project but that Mr. Berusch has been instrumental in getting this project to this point.

- The EC moved into executive session, as it does at every meeting.

### **Chair’s Announcements**

Professor Jay Alexander reported on progress with development of the Triangle area and the space on the north side of Euclid Avenue referred to as “the Beach.” He noted a web page and opportunities to provide feedback in the near future.

Student Information System: he again asked for nominations so that the Senate may recommend a faculty member from each school to serve on the implementation committee.

The position description for the next Secretary of the University Faculty will soon be posted and he asked for nominations of internal candidates only.

The UUF report on the proposed new B.S. in Systems Biology will be reviewed by the Executive Committee and recommendation to approve forwarded to the next steps.

### **Report of the Executive Committee**

Chair-elect David Matthiesen reported on the Executive Committee meeting of January 17<sup>th</sup>. There was a report from Professor Ron Wright on the recent meeting of the ad hoc Committee on Pandemic Flu with members of the university committee who are looking at very broad issues related to preparedness for any major event/disaster effecting our campus. The other topic of major discussion was on the issues of tenure. Chair Alexander noted that this is an important issue which has been put off and now is the time to address it. Professor Starkman asked for a summary of the current state of those discussions. The proposal for a new Department of Plastic Surgery was approved for the Senate agenda today.

### **Introduction of Sr. Vice President for University Relations and Development**

Mr. Bruce Loessin was introduced and welcomed (back) to the university. He said that he looks forward to opportunities to address the Senate again very soon, and that he is glad to be here at this time.

### **Proposal for a New Department of Plastic Surgery**

Dr. Bahman Guyuron, Chief of the current Division of Plastic Surgery was present to present the proposal and respond to any questions. Supporting documentation with the agenda was quite complete as to approvals for such a move, and Dr. Guyuron answered questions on the expected outcome: reinstatement of a residency program with 180 applicants. The division has

seven full-time faculty nationally and internationally recognized, notably Dr. Arun Gosain, and \$3 million in grants, exceptional for research in this area. The potential is here to be even better if this division becomes a department.

There was a question on whether University Hospitals would be part of the new department's name to which Dr. Guyuron responded no, that this is to be a department of the School of Medicine with most faculty situated at U.H. though others could be department members. Dr. Resnick noted other examples of surgery fields being separate departments and parallel departments also. Other questions were on numbers of expected students - two and four students in each of the respective dual pathways and the addition of four additional residencies expected this year. The MOTION to approve the formation of a new Department of Plastic Surgery was approved unanimously. The recommendation from the Faculty Senate will be forwarded to the president for further approval by the Board of Trustees.

*Resolved:* The Senate approves the creation of the Department of Plastic Surgery, as documented, and subject to the conditions, in the supporting documentation.

### **Report on the Research Council**

Carol Musil, chair of the Senate Research Committee, reported. This council was formed two years ago with the mission and membership being revised this past July to be representative of research at all schools. The agenda is planned by both faculty and administration, with the goal of being interdisciplinary; examples of SOPHIA project, core research facility, and promotion and tenure at the university. This council continues in a state of metamorphosis. There were a number of questions, among them Why the focus on interdisciplinary research? and to whom does this council report? [the provost] It seems that there are many committees working in this arena; re-visiting this at a later date was suggested.

### **Revised Motion from Graduate Studies Committee on Eligibility for Fellowship Courses**

The principle of allowing students to take courses beyond their degree requirements to enhance and round out their experiences at no tuition cost was approved by the Faculty Senate in the Fall. The question arose as to which students would be eligible to participate in this program of fellowship courses. The clarification on that question is the subject of this revised MOTION:

The University implement "fellowship courses" as defined below subject to the following provisions.

A "fellowship course" is a course taken by a student pursuing a graduate degree that is not required for the degree. A **"student pursuing a graduate degree" is a person enrolled in a graduate program under the jurisdiction of the School of Graduate Studies.**

A student pursuing a graduate degree shall be charged tuition at the standard hourly rate for all of the credit hours which are intended to count toward the degree. In any semester for which a student is registered for a minimum number (as determined by the school) of credits that will be applied toward the degree, fellowship courses will not incur a tuition charge. Grades for students taking fellowship courses are to be assigned as if the student were a regular student; these grades will appear on the student's transcript, but will not be included in calculating the student's GPA.

In order to enroll in a fellowship course, the student must be in good standing, meet course prerequisites, and obtain the consent of the instructor. In addition, the student must obtain permission from his/her advisor and the Office of Graduate Studies. Up to eight fellowship courses may be permitted in aggregate.

Thesis research (651 and 701) and similar courses cannot be taken as fellowship courses and prior rules for 701 and 703 (dissertation fellowship) are not changed by this policy.

Notwithstanding any of the foregoing provisions and policies, the rules, regulations, and terms of tuition and credit enrollments for each school shall remain in full force and effect.

There was discussion and concern expressed about the possible lost tuition dollars which was somewhat alleviated by the reassurance that the course instructor must give permission for such participation, and no other degree can be earned in this manner. The level of interest has not yet been determined. Other professional schools may later join the program. There was a suggestion that the program be limited to students in participating schools. When the vote on the MOTION was called, it passed by a majority, 16 to 8.

### **Report on Affiliation Agreement**

Interim Dean Pamela Davis discussed the issues of faculty in the School of Medicine educating students and conducting research in patient settings in one of our four affiliated hospitals: MetroHealth Medical Center, the Cleveland Clinic Foundation, the Veterans Administration Medical Center and University Hospitals, this last being the one with the most programs. Our faculty are employed by these hospitals as well as by the university. Cleveland Clinic faculty employees cannot hold tenure in the School of Medicine. The affiliation agreement signed in April of 2006 between University Hospitals and the Case Western Reserve University administration provides for bilateral flow of funds, with many benefits restored and/or shared. U.H. has established a unified practice plan, the difference being that previously there were a number (19 or more) of individual practice plan groups operating differently. Unified practice plans offer better opportunities for collaborations in clinical care and research and for insurance claim purposes. Governance of the practice plan includes department chairs so all are fairly represented. The affiliation agreement specifies that the Faculty Handbook and faculty rights are not abrogated, there is no effect on faculty tenure. University Hospitals rejected the model of the university being the common paymaster that was in place with the separate practice plans. The issue that was brought to the Faculty Senate in November was a benefits issue for faculty who would no longer get the majority of their pay through the university. Dean Davis expressed appreciation for this approval [to change the text of the Faculty Handbook so that retirement contributions could continue for those faculty receiving less than 50% pay from the university, on that portion of their salary paid by the university. They will no longer receive the other benefits such as health care contributions or the education benefit from the university.] She also regrets the hurried process, but believes this practice plan contract is positive and we continue to work forward on issues in good faith. Faculty with clinical activity will have two employers

There were comments and concerns on the secrecy around these agreements but those conditions are not new or unique to this negotiation as this area is very competitive. The U.H.

policy manual is not yet available. The fact of bypassing the Senate process of going through committees earlier has contributed to feelings of concern. Dean Davis said that she has asked Professor James Kazura to reactivate his former commission within the School of Medicine to again take up their study and recommendations on tenure and salary.

Professor Wells indicated that because the appropriate Senate committees were not involved to protect faculty these questions must be revisited; these are not solely School of Medicine issues. She referenced an ad hoc committee whose recommendations to the Faculty Senate were approved on April 24, 2002.

Professor Durand asked what the negative implications are. Dean Davis replied that assets of existing practice plans go first to pay the university any money owed.

Professor Wright commented on other experiences with the School of Medicine of not fully reviewing agreements to which Dean Davis responded that President Hundert had said that a School of Medicine conflict of commitment policy was OK if it was not more restrictive than the university policy. But, she noted, on the tenure and salary questions, if tenure resides with the school, then that is where the discussions should take place.

Professor Russ noted that the issue that was deferred from full faculty consideration and a vote on modification of the Faculty Handbook language in 2002-2003 discussions was a “guarantee of substantial salary” for every tenured faculty member, and that the SOM should work that out to be competitive with other medical schools. She suggested that Professor be invited to the Senate Executive Committee. Professor Lerner reviewed the names of the people involved during that time and the reasons for delaying the discussions. She applauds Dean Davis for asking the Kazura Commission to again take up the issue. Other comments were made and the statement that it should be continued at the next Faculty Senate meeting.

The meeting adjourned.

Lynne E. Ford  
Secretary of the Faculty Senate