

Faculty Council Meeting
Meeting Minutes
Monday, May 18, 2020
4:00-5:30PM – BRB 105

4:00-4:10PM	Welcome and Chair Announcements	Gary Clark
4:10-4:15PM	Faculty Council Steering Committee Report	Jennifer McBride
4:15-4:20PM	Approval of Minutes from February and April	Gary Clark
4:20-4:40PM	Presentation of Proposed Bylaws Amendments	Darin Croft
4:40-4:55PM	Continued discussion of proposal of ad hoc committee to look at tenure salary guarantee in the SOM bylaws	
4:55-5:10PM	Faculty Council Elections	
5:10-5:20PM	Faculty Senate Executive Committee Report	Cynthia Kubu
5:20-5:30PM	COVID-19 SOM Update	Mark Chance
	New Business	

Members Present

Corinne Bazella	Monica Gerrek	Anna Miller
Robert Bonomo	Ana Maria Hibbs	Vincent Monnier
Matthias Buck	Amy Hise	Anand Ramamurthi
Cathleen Carlin	Jeffrey Hopcian	Satya Sahoo
Sudha Chakrapani	Alex Huang	Ashleigh Schaffer
Shu Chen	Darrell Hulisz	Hemalatha Senthilkumar
Gary Clark	Beata Jastrzebska	Patricia Taylor
Travis Cleland	David Katz	Carlos Trombetta
Darin Croft	Suet Kam Lama	Heather Vallier
Brian D'Anza	Cynthia Kubu	Satish Viswanath
Pamela Davis	Maria Cecilia Lansang	Susan Wang
Piet de Boer	Charles Malemud	Nicole Ward
Philipp Dines	Jennifer McBride	Jo Ann Wise
Todd Emch	Peter MacFarlane	Jamie Wood
Judith French	Maureen McEnergy	Richard Zigmond
Thomas Gerken		

Members Absent

Alicia Aguilar	Varun Kshetry	Abhishek Ray
Jae-Sung Cho	Vinod Labhasetwar	Steve Ricanati
William Dupps	Ameya Nayate	Ben Roitberg
Robert Hughes	Vicki Noble	Barbara Snyder
Ankur Kalra	George Ochenjele	Daniel Sweeney
Allyson Kozak	Clifford Packer	Allison Vidimos
Laura Kreiner	Nimitt Patel	

Others Present

Mark Chance	Peter Harte	Matthew Lester
Nicole Deming	Joyce Helton	Danny Manor

Chair Announcements

Gary Clark, Chair of Faculty Council, called the meeting to order at 4:00PM and welcomed everyone to the second Faculty Council meeting being held via Zoom.

Dr. Clark reminder everyone that the Dean's Third Meeting with SOM Faculty is scheduled as a livestream meeting for Thursday, May 28, from 1-2:30 PM. Topics have been solicited from faculty, which Dr. McBride will summarize in her Faculty Council Steering Committee Report. Mark Chance will address communications from Case University regarding the reopening of the campus and a COVID-19 update later in the meeting. The standing committee annual reports will be submitted by the committee chairs for the June Faculty Council meeting.

Today's focus is on Faculty Council elections for the positions for Faculty Council Chair Elect, Faculty Council Steering Committee and Faculty Council members on the Nomination and Elections Committee. We will review the candidates and the ballots for those vacancies today with the opportunity for nominations from the floor. Once completed the ballots will be sent out. Voting will be open through Tuesday, May 26 at 5:00PM. Another election will be coming shortly (SOM faculty elections for the various standing committees, Faculty Council representatives-at-large, and ad hoc committees). Dr. Maureen McEnery, Chair of the NEC will speak to that as well.

Faculty Council Summary Report (Jennifer McBride)

The Faculty Council Steering Committee last met on May 4. Since the April Faculty Council Steering Committee meeting minutes had just been posted, the committee opted to review them via e-mail and go on to amend those minutes as needed at the next meeting. An emeritus packet was reviewed for recommendation to the Dean. Topics that were solicited for the Dean's Third Meeting with SOM Faculty had to be submitted by May 12 and would be finalized by May 13. The three topics chosen were:

- What is the financial impact of COVID-19 on the SOM especially the changes to hiring faculty and staff, salary and benefits;
- What are the updated guidelines for ramping up research activities on our campus; and
- What are the initiatives in place or being developed to support education on campus and HEC with COVID-19.

The activities of the Nominations and Elections Committee were discussed in addition to the response rates for the Faculty Interest Survey. Voting for the positions of Faculty Council Chair

Elect, Faculty Council Steering Committee members, and openings for Faculty Council members on the NEC were discussed.

In the interest of time, the committee agreed that the option of submitting their annual report as a written report in lieu of a presentation would be given to several of the Faculty Council standing committees. The FCSC reviewed with Dr. Croft the proposed changes to the bylaws and discussed the continuation of the remote meetings for the rest of the academic year, as many people are doing in this climate.

Review of Meeting Minutes from the February and April Faculty Council Meetings

The draft Faculty Council meeting minutes for the February and April Faculty Council meetings were disseminated via the meeting e-mail announcement to the members for their review. It was noted that there was no Faculty Council meeting held in March.

When the committee was polled for edits or corrections, Dr. Piet de Boer stated that he was listed as absent on the April 20 minutes, but did attend the meeting. The minutes will be corrected to reflect this change. A heading was also incorrect on the April 20 minutes and will be corrected.

A motion was made and seconded to approve the February 17 Faculty Council meeting minutes as presented. There being no further discussion, a vote was taken. 44 were in favor, 0 were opposed, and 1 abstained. The motion passes.

A motion was made and seconded to approve the April 20 Faculty Council meeting minutes with the corrections as noted. There being no further discussion, a vote was taken. 42 were in favor, 0 were opposed, and 1 abstained. The motion passes.

Presentation of Proposed Bylaws Amendments (Darin Croft)

Dr. Croft reminded the members that the presentation of the proposed bylaws amendments for Articles 5.7, 5.9 and 5.10, and then additional proposed changes to article 3, ran out of time at last month's Faculty Council meeting. There are many issues with the text of Article 5.7 that fall outside of the Bylaws purview. The suggested modification to the bylaws themselves is fairly modest.

Dr. Clark reminded the members that the discussion, and a motion to consider appointing an ad hoc committee to explore the language that is in Article 5.7 – Tenure Guarantee, was postponed to today's meeting since Faculty Council no longer had a quorum after that motion was made and seconded. It will be the next agenda item after the suggested changes to the bylaws. It is a separate and distinct issue and not related to these bylaws changes.

A member commented that the best base salary is equal for faculty no matter where they are based, but there is not a lot of clarity on that point in the bylaws and it is open for interpretation, and crucial that it be defined. Another member stated that a person with tenure should not receive the same base salary as someone who has been there 20 years. Dr. Croft stated that FC is being asked to consider a proposed amendment that would = insert the word salary into the heading of this paragraph. The current language in the bylaws is being questioned, and the current language regarding salary is aspirational.

A member stated that PhDs in clinical science and basic science departments should be compensated the same. MDs who are in clinical departments and doing clinical service, have different salaries.

A member of Faculty Council asked if the Faculty Council Chair could clarify what the suggestion for the ad hoc committee is and would they address all the issues raised in this brief discussion.

Dr. Clark stated that the motion was made at the last Faculty Council meeting to establish an ad hoc committee to look at the tenured salary guarantee in the SOM bylaws. If this body approved the committee, the next step would be to appoint a group to create the charge and detail membership composition. This could then be approved by Faculty Council and proceed. The charge would look at some of the language issues regarding salary and benefits potentially given the basis for proposing changes. If the proposed changes are approved by Faculty Council, they are then sent back to the Bylaws Committee for the language to implement that, then back to Faculty Council, to the SOM faculty, and the Faculty Senate for approval.

Dr. Croft stated that he had no problem accepting tenure salary guarantee as formulated, as it calls for further discussion of so-called base salary, and no problem leaving this in and addressing base salary later. There is a misalignment between the title and the content of the paragraph and we are trying to correct that. If there is subsequent discussion about the nature of the salary guarantee, that is another issue. The Bylaws Committee recommended adding the word “salary” to the title to accurately reflect the content of the paragraph.

Whether or not to amend would be only to accept the text as recommended by the Bylaws but not the title change including salary. A subsidiary motion was made to change the wording that was proposed by the Bylaws Committee to only insert “of” instead of “based in” and leave the title as it was to be determined later. The motion is to approve it as amended. There being no further discussion, a vote was taken. 19 were in favor, 20 were opposed, and 4 abstained. The motion does not pass.

A motion was then made and seconded to proceed with the motion from the Bylaws Committee to improve the language on 5.7 as proposed. “Salary” inserted into the title and the word “of” was added to the first sentence. There being no further discussion, a vote was taken. 33 were in favor, 7 were opposed, and 5 abstained. The motion passes.

Article 5.9 – The first part deals with the consideration or recommendations for appointments, promotion and tenure. The committee felt the language was pretty contorted and cleaned it up. The other change was a correction about the qualifications and standards where they are set forth in the SOM Appendix 1 and not Exhibit 1, as originally written.

The committee is proposing adding a sentence for secondary appointments and promotions that have a distinct process. Within the sub-heading, we are suggesting a modification of text that was there. Originally, this was only the case for GMS but it is a good process for all departments to follow. The DCAPT would review secondary appointments and then have the Dean review and consider their recommendations. This promotes faculty involvement.

The only suggestions for Article 5.9 were that the Dean shall submit recommendations to the CAPT. A member asked if the bylaws allows a candidate, whose recommendation for promotion was denied by their own department, to submit directly to the CAPT for consideration. When asked how one could reconcile the sentence that the Dean shall submit when people want to submit directly, it was explained that this describes the typical process and the process of initiation is dealt with elsewhere in the bylaws. Self-initiation would follow the same process for

higher review including the SOM CAPT, then to the Dean. The Dean then forwards all of the applications to the Provost.

A motion was made and seconded to approve Article 5.9 as amended. There being no further discussion a vote was taken. 36 were in favor, 2 were opposed, and 3 abstained. The motion passes.

The only change to Article 5.10 was to insert two commas to clarify wording. A motion was made and seconded to approve the proposed amendments to Article 5.10. There being no further discussion, a vote was taken. 45 were in favor, 0 were opposed, and 0 abstained. The motion passes.

Dr. Croft noted that this is the end of the regular process of the 5-year review and the last changes of that review that the Bylaws Committee would be proposing. The appendix is a different issue as it went through some revision and recommendations were made. There will be a substantive re-evaluation of Appendix 1 with the results being presented to the Faculty Council Steering Committee. The changes are organizational in nature rather than substantive. Structural aspects of the index were reviewed; substantive changes were reviewed by another committee.

There are two other separate issues. The first one was brought to us by the Faculty Council Steering Committee specific to amend language on how to cancel meetings of the Faculty Council and Faculty Council Steering Committee. This is addressed in Article 3 (specifically the sections are 3.6 and 3.7). Article 3.6 addressed the Faculty Council Steering Committee, in particular, who comprises the committee and what they do. The following clarification was added to cancel meetings: Steering Committee meetings may be canceled by proposal of the Chair of Faculty Council and majority vote of the Steering Committee Members. Similarly, the bylaws did not state how to cancel Faculty Council meetings. The sentence “A Faculty Council meeting may be canceled by proposal of the Chair of Faculty Council and majority vote of the Steering Committee members, except when canceling such a meeting would violate the mandate above” was added.

A member commented that by doing this the Faculty Council Steering Committee is given a lot of power. It might be better to require approval by a vote of the entire Faculty Council, or is Faculty Council comfortable allowing the Faculty Council Steering Committee to act. It was noted that the Faculty Council Steering Committee is empowered to act for Faculty Council.

A motion was made to approve the changes made in Articles 3.6 and 3.7. There being no further discussion, a vote was taken. 43 were in favor, 2 were opposed, and 0 abstained. The motion passes.

Article 3.6b, Nomination and Elections Committee, outlines the membership of that committee and what they do, with the rationale for this being that it removes the ambiguity about items that are on the ballot but not per se. When the question of which entity reviews the organization and justification of the ballot of the Faculty of Medicine was posed, it was unclear who should review that in terms of faculty. The organization and justification of proposed amendments on the ballot sent to the Faculty of Medicine can significantly affect how faculty interpret and vote on the proposed bylaws amendments. The Bylaws Committee suggested inserting “The organization and justifications of proposed amendments on the ballot shall be reviewed by the Nomination and Elections Committee prior to distribution to the Faculty”. The NEC should

oversee all ballot issues whether electing someone or not. This arose from the last batch of amendments brought to the Bylaws Committee by The Faculty Council Steering Committee. Having the Nomination and Elections Committee perform this duty acts as an independent check on the process, and is also congruent with this committee's role in distributing election ballots.

It was noted that the NEC cannot decide to not move amendments forward for a vote. This does not provide latitude for the deletion or lack of inclusion of any amendments. The NEC is essentially acting as a filter and the amendments are currently organized by Nicole Deming and the Faculty Affairs & HR Office. If they have concerns, they should be forward to her. It is essentially a feedback process, for content review and organization. This clarifies where this is in the process (get the required signatures, propose the amendment, and go back to Faculty Council for passing). These amendments will accumulate for some time and then go to the entire faculty of the School of Medicine for a vote. The Faculty Affairs & HR Office keeps track of the amendments and justifications in order to make sure that everything is clear to the voters.

The comment was made that this gives a significant amount of power to a small committee. It could slow down the entire process even more and ties up members of Faculty Council in reviewing all of this information, and needs additional monitoring as the risk of obstruction is there. Faculty Council plays a zero role right now in the organization and justification. It is not giving power to a committee, it is essentially sharing what is now a role exclusively occupied by the Faculty Affairs & HR Office and broadening it so faculty have a voice in that process.

The comment was made that until there is diverse representation on NEC, the small group is not truly representative. The discussion is really about the language which is left overly vague. It gives that committee quite a bit of substance control on the amendment. The proposed changes recommended for the NEC will assure a much more diverse membership in its future. Currently the changes are somewhere in limbo between the School of Medicine, and the faculty of Medicine. Dr. Croft stated that there was not faculty oversight in terms of the language that accompanied these amendments. When we vote on the amendments, it can sometimes take years to advance to an election. It is important to separate these two different amendments by votes. The substrate for what the ballot is, and that it is important to have some faculty group to look over it, see if is aligned and text present, casting vote for discrete change. That is what is the anticipated role for the NEC.

It was suggested that the phrase be changed to "shall be approved" rather than reviewed. The chair stated that if he understood the premise, it was interpreted as approval of format. It was sent back to the Faculty Affairs & HR Office but not changed by NEC, which was a concern. It could be referred back for further review, amendment and resubmission.

A subsidiary motion was made and seconded to amend this motion by substituting the word "approved" for "reviewed". Dr. Croft thinks that the Bylaws Committee would be supportive of this amendment. There being no further discussion, a vote was taken. 31 were in favor, 10 were opposed, and 3 abstained. The subsidiary motion passes.

A motion was then made and seconded to approve the original motion as amended for the changes in Article 3.6b. There being no further discussion, a vote was taken. 31 were in favor, 6 were opposed, and 2 abstained. The motion passes.

A motion to establish an ad hoc committee to look at tenure salary guarantee in the SOM bylaws had been previously made at the April Faculty Council Meeting. We ran out of time and no

longer had quorum, so it was deferred to today's meeting as a business item. It had not been stipulated what would define the structure of the committee, when it would start, and when it would be completed. If this is approved by Faculty Council we would request someone to take the lead to create the charge, the composition of the potential membership and a timeframe, which would then come to Faculty Council for approval.

A subsidiary motion was suggested that the members of this ad hoc committee only be made up of tenure track faculty, those people who will be most affected. If there is no motion to second, the proposed motion dies and becomes a subsidiary issue. The original motion is to create an ad hoc committee; membership will be discussed at later date. The motion was withdrawn.

A member speculated how this ad hoc committee would interact with the standing Committee on Budgets, Finance and Compensation and if there would there be an overlap or conflict. There would have to be communication and collaboration, the details of which are not yet clear. It is possible to task that committee with this question. If Faculty Council votes to create this ad hoc committee, it could be determined afterwards.

A motion was made and seconded to establish an ad hoc committee to look at tenure salary guarantee in the SOM bylaws. There being no further discussion, a vote was taken. 38 were in favor, 4 were opposed, and 2 abstained. The motion passes.

The Dean stated that financial exigencies and the impact on the SOM should be prioritized. The university has asked us to take 10% out of the unrestricted budget this year. We are asking the Budgets and Finance Committee to think about that and work with the Dean. Putting things within that recommendation would limit flexibility making this year very difficult. There are going to be many financial considerations and she would suggest prioritizing what we want to preserve now, where we do not want to cut. A committee could be formed later to concentrate energy so that the medical school comes roaring out of this rather than crawling.

Maureen McEnery volunteered to take the lead to develop this charge. Anyone interested in volunteering to work with her should contact her or inform Nicole Deming.

Faculty Council Elections

The two candidates for Chair Elect are Darin Croft and Nicole Ward. Both candidates will make brief statements detailing their qualifications. The ballot will be going out after this meeting. The Chair then solicited nominations from the floor for the Chair Elect of Faculty Council. None were forthcoming. The Chair then asked for any nominations from the floor for candidates for the Faculty Council Steering Committee. No nominations were made. The Chair then asked if there were any nominations from the floor for Faculty Council members on the Nomination and Elections Committee. No additional candidates were suggested. The chair announced that the ballot was now formulated.

Darin Croft summarized his qualifications and stated that he was proud of the work that the Bylaws Committee has accomplished. He believes himself to be open, honest and fair-minded, someone who listens more than he speaks and feels that hearing from others has real value. He stated that his role, if elected, would be not that of leadership but that of a facilitator.

Nicole Ward has been serving as basic science at-large representative and as a Dermatology representative. She stated that she brings experience from both the School of Medicine and from an affiliated hospital, providing her with a unique understanding of clinical demands, a science

career and that of a clinician. She would continue to promote inclusion and diversity recognizing faculty from all of our affiliates and their unique contributions that are extremely important to our culture. Topics of focus would be to celebrate excellence in teaching, professional conduct, continue to recognize the service that people perform, and the COVID-19 pandemic and the impact it will have on the university in the long term and affiliated hospitals. Departments have been asked to cut 10% out of their budget; there are staff furloughs and terminations, and plans to eliminate planned retirement for next year. The SOM is quite different from other colleges and schools in that it pays itself from grants. These are issues we want Faculty Council to recognize and that need to be addressed. Dr. Ward also feels that her role as Faculty Council Chair would be that of a facilitator.

Dr. Clark informed the members that they will receive an e-mail ballot and, and given that Monday is a holiday, voting will close on Tuesday at 5:00PM. The open positions are that of Chair Elect, nominees for the Faculty Council Steering Committee, and if any clinical colleague would stand up to run on NEC, it would be greatly appreciated, otherwise it may be left for another time.

Cyndi Kubu's Senate Report will be deferred until the June meeting. The bottom line is the substantial financial issue to which the Dean and Nicole Ward have alluded. There is a saying that when things get tough put your head down and row as a team. This is not easy, as it may fundamentally change the university and provide different ways of delivering education.

Mark Chance suggested that he postpone his COVID-19 SOM update until after the Dean's Third meeting with SOM faculty on May 28.

A motion was made and seconded to adjourn the meeting. There being no further discussion, a vote was taken. All were in favor, no one opposed, and no one abstained. The motion passes.

Dr. Clark adjourned the meeting at 5:34PM.

Respectfully submitted,

Joyce Helton



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Faculty Council Meeting
Draft Meeting Minutes
Monday, February 17, 2020
4:00-5:30PM – BRB 105

4:00-4:10PM	Welcome and Chair Announcements	Gary Clark
4:10-4:15PM	Approval of Faculty Council Meeting Minutes from the January 27, 2020 Meeting (with proposed edits)	Gary Clark
4:15-4:35PM	Update on the Office of Equity	Darnell Parker
4:35-4:55PM	Faculty Senate Executive Committee Report	Cynthia Kubu
4:55-5:25PM	Professional Code of Conduct Presentation	Cynthia Kubu
5:25-5:30PM	New Business	Gary Clark
5:30PM	Adjourn	

Members Present

Corinne Bazella	Beata Jastrzebska	Satya Sahoo
Cathleen Carlin	David Katz	Ashleigh Schaffer
Shu Chen	Allyson Kozak	Hemalatha Senthilkumar
Gary Clark	Varun Kshetry	Daniel Sweeney
Darin Croft	Cynthia Kubu	Patricia Taylor
Piet de Boer	Suet Kam Lam	Carlos Trombetta
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Members Absent

Robert Bonomo	Jeffrey Hopcian	Vicki Noble
Matthias Buck	Alex Huang	Clifford Packer
Sudha Chakrapani	Robert Hughes	Nimit Patel
Jae-Sung Cho	Ankur Kalra	Steve Ricanati
Travis Cleland	Laura Kreiner	Ben Roitberg
Brian D'Anza	Vinod Labhasetwar	Barbara Snyder

1 **Members Absent (cont.)**

Jennifer Dorth	Peter MacFarlane	Krystal Tomei
William Dupps	Jennifer McBride	Satish Viswanath
Judith French	Ameya Nayate	Jamie Wood
Amy Hise		

2 **Others Present**

Alicia Aguilar	Nicole Deming	Matthew Lester
		Anna Miller
Mark Chance	Joyce Helton	<u>David Miller</u>

3 **Chair Announcements**

4 Gary Clark, Chair of Faculty Council, called the meeting to order at 4:00PM. He reminded the
5 members of an e-mail that they had recently received from the Office of Interprofessional
6 Education, Research and Collaborative Practice at Case Western Reserve University announcing
7 that they are hosting a retreat on Tuesday, March 3, 2020, from 8:00AM-5:00PM in the Samson
8 Pavilion at the HEC. All should consider attending this event.

9
10 Eleven individuals have submitted their statements of interest for four faculty slots on the
11 Faculty Senate. The NEC is in the process of ratifying the ballot.

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13
14 Approval of the January 27 Faculty Council meeting minutes will be deferred until later on in the
15 meeting as we do not have a quorum at this time.

16 **Faculty Senate Executive Committee Report (Cynthia Kubu)**

17 Dr. Kubu stated that it was a privilege to serve as a SOM representative of the Faculty Senate
18 Executive Committee. If any of the council members have questions or concerns they should
19 feel free to reach out to her and the other senators. The broad topics that will be covered today
20 are: safety, teaching, benefits, new initiatives, and Think Big.

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22
23 The administration is committed to safety and there has been considerable discussion on this
24 topic. While the perception has been that crime has increased, it has, in fact, remained the same.
25 There have been, however, an increase in sending out alerts. The safety data for the past three
26 years is available online for anyone to review. Other safety measures in place are the Rave
27 Guardian smart phone app, an increase in Safe Ride vehicles, more than a thousand security
28 cameras on campus, an available escort service, and plain clothes officers who patrol the
29 campus. When tasked with how best to address faculty concerns regarding safety, the Senate
30 looked at the expertise within faculty across the university to come up with the best practices to
31 help develop policies and resources.

32
33 Under the topic of teaching, the Committee on Undergraduate Education and the General
34 Education Requirement Task Force report came out in November and addressed course
35 evaluations and bias, online courses, and tuition allocation for interdisciplinary courses. The
36 allocation of tuition for interdisciplinary courses (who gets tuition money and how it is
37 distributed equitably between departments) was a topic of discussion.

1 The Music School Settlement and CWRU have come to an agreement whereby the Music School
2 Settlement will provide a \$1,000 subsidy for childcare at either location. Paid parental leave
3 (includes adoption, foster care, and birth of children) has been extended to eight weeks for all
4 post-doctoral students and staff beginning July 1, 2020. The cost is covered by the host
5 department, not by grants.

6
7 The idea of a Space and Classroom Utilization Committee was raised as something that may be
8 very relevant to faculty, and a study consultant will be looking into this. The university is also
9 looking into several other committees that will be coming down the pike. The General Counsel
10 is soliciting faculty input and participation regarding a policy for wheeled transportation
11 (scooters, bicycles) on campus.

12
13 The Think Big initiative acknowledges that Case Western Reserve University is a high-impact
14 research university that aspires to be a community where humanity, science and technology meet
15 to create a just and thriving world. They hope to achieve these goals by following four
16 pathways: 1) ignite interdisciplinarity, 2) integrate humanity and technology, 3) achieve social
17 impact, and 4) shape the Agora.

18
19 There is funding associated with the Think Big initiative. The deadline for the RFP was January
20 31, 2020. Think Big provides an opportunity to leverage and to note the strength we have to
21 pursue some of these funding opportunities. An agora would be a safe, welcome environment
22 and space to have and discuss ideas.

23
24 There was a competition earlier and we were informed that the medical school was awarded a
25 total of \$650,000 dollars from our submission. These funds would support two recruitments in
26 the medical school, two graduate programs, and an add-on to the prep program for under-
27 represented minorities. This would provide them assistance for getting into grad school and
28 hopefully to persuade more of them to stay here as opposed to going somewhere else.

29
30 The total funds available for each year are \$7.5 million, for a 5 year period. It is not clear how
31 much was distributed in the last go round; the relevant people are being notified first. It was
32 emphasized, that while this year's RFP deadline has passed (January 31, 2020), these are annual
33 competitions, and afford us a tremendous opportunity.

34
35 The idea of job fairs has been repeatedly brought to the Senate floor. They are a great
36 opportunity (interdisciplinary across schools) to obtain seed money. Faculty Senators present at
37 the Faculty Council meeting were asked to raise their hands so their colleagues could know who
38 their Senate representatives are.

39
40 Dr. Clark informed Faculty Council that we now have a quorum.

41
42 **Proposal for an Ad Hoc Committee to Study Professional Codes of Conduct**

43 The sense is that there are gaps in how unprofessional inappropriate behavior is dealt with on an
44 inter-faculty level. A draft charge has been created for the ad hoc Committee to Study
45 Professional Codes of Conduct with suggestions as to how this might be addressed.

46
47 Discussion of the professional codes of conduct came up last spring and the Dean addressed it in
48 her May or June meeting with faculty. An ad hoc committee to study professional codes of
49 conduct was approved by Faculty Council. The draft charge states that this committee will study
50 professional codes of conduct at other institutions, and use this information to develop a

1 proposed Professional Code of Conduct for the SOM's consideration. It could include the
2 formation of a permanent SOM Committee, if deemed appropriate, and would present best
3 practices for resolving professional concerns between faculty members, look at mechanisms that
4 will ensure that we are all the best that we can be.

5
6 There are several types of professionalism. Medical professionalism is based on a covenant of
7 trust, a contract clinicians have with patients and society; professional organizations;
8 professionalism in science/research (Nuremburg Code; Declaration of Helsinki, Belmont Report,
9 The Common Rule); and research integrity – a pattern of behavior identified with scientific
10 integrity (honesty, excellence in thinking and doing, collegiality, mentorship, COI, scientific
11 malfeasance and misconduct).

12
13 Some common elements indicated that there is significant cost associated with unprofessional
14 behavior (loss of patients, low staff morale and turnover, medical errors and adverse outcomes;
15 malpractice suits). Escalating unprofessional behavior by an individual has been shown to have
16 a contagion effect. It stresses the system and creates an environment not pleasant for
17 some.

18
19 The CWRU Code of Conduct states that “The mission of Case Western Reserve University is to
20 improve and enrich people’s lives through research that capitalizes on the power of
21 collaboration, and education that dramatically engages students. This goal is realized through:
22 scholarship and creative endeavors that draw on all forms of inquiry; learning that is active,
23 creative and continuous; and promotion of an inclusive culture of global citizenship.”

24
25 While it touches on aspects of professionalism, it does not embody the core features contained in
26 a professional code of conduct.

27
28 If there is a conflict between a faculty member and administration (hierarchal) then they proceed
29 to a grievance procedure. If intercollegial, the process is that they first consult with colleagues,
30 their department chair, and then go to the Conciliation Officer (Jonathan Hinton). The
31 Conciliation Office is able to mediate with both parties, who are willing to meet, without
32 escalating further. The problem occurs when both parties are not willing to meet and discuss,
33 then they are stuck. There is a gap in terms of existing CWRU policy.

34
35 This proposal is asking for Faculty Council support the formation of an ad hoc committee to
36 study this problem. Professionalism is the key component. The SOM faculty serve as role
37 models of professionalism to students, trainees, and colleagues. Our behavior should dictate how
38 they should behave. It was suggested that this committee could develop into a permanent SOM
39 Committee, if deemed appropriate.

40
41 The ad hoc committee would be tasked to study professional codes of conduct at other
42 institutions and use this information to develop and make recommendations for a proposed
43 Professional Code of Conduct for the SOM's consideration. The committee would be comprised
44 of senior faculty, who are either elected by the faculty or appointed by the Dean (a mixed
45 committee). There will be one elected and one appointed faculty representative from each home
46 institution (i.e. CWRU main campus VA, UH, MHMC, and CCLCM) for a total of 10 members.
47 Leadership at each home institution shall make recommendations to the Dean for appointments
48 on the committee and faculty, based at each institution, will elect one member.

49

1 There will be five appointed members and five elected members (two from each institution). If
2 the professional code of conduct is endorsed by faculty, it will require the endorsement of all
3 institutions that employ faculty. The joint model addresses both concerns.

4
5 While committee members do not need to be current Faculty Council members, current or past
6 service on SOM committees will be preferred. The charge was edited based on the feedback
7 received from the Faculty Council Steering Committee (e.g. committee members must be at the
8 rank of associate professor or professor). The ad hoc committee will elect a chair from among its
9 members and inform the Chair of Faculty Council by April 15, 2020.

10
11 The committee shall meet regularly and at least once a month. Members shall solicit input from
12 faculty at their respective home institutions. It is expected that the committee will include ex
13 officio members, in particular from the General Counsel's Office, a representative from the SOM
14 Offices of Faculty and Diversity, and leadership, who will be expected to help enforce any
15 recommendations and to help inform the work early in the process and to review the final
16 recommendations. The Committee will provide a report, with recommendations, to the Faculty
17 Council Steering Committee during their December 2020 meeting. Upon approval of the
18 Steering Committee, the report will then be placed on the agenda for the December 2020 Faculty
19 Council meeting.

20
21 This committee will sunset in January 2021 following submission of its final report, including
22 comments from Faculty Council representatives.

23
24 When the floor was opened for discussion, a member asked how many times per year, at the
25 SOM, does an incident occur between two faculty members. Dean Davis stated that while she
26 does not have the exact numbers on the total number of interfaculty disputes, she did speculate
27 that there is at least one every 18 months that gets tortured into an agreement. Disputes between
28 faculty members who could not work it out, invariably end with the agreement that somebody in
29 administration should have been able to provide some assistance.

30
31 Some forms of professional misconduct are research misconduct, falsification, plagiarism, or
32 fabrication. It does not come under the research misconduct mechanism. Questions concerning
33 authorship and destruction of samples are forms of unprofessional behavior on the part of some
34 individuals, but there is not a mechanism to adjudicate those in advance. Once the samples are
35 gone, there is no mechanism to get them back. There are, in fact, things going on that should be
36 addressed. With nearly 3,000 full time faculty in SOM, the chances are that someone is doing
37 something wrong. Some of them really fester and think there is no recourse. There are a fair
38 number of expectations of staff in the policies of the university, but nothing comparable for
39 faculty at that level. There is not that much available to guide conduct or point to. There are a
40 number of things that wind up in the grievance process.

41
42 Each of the affiliate hospitals do have codes of conduct of professionalism. It is critically
43 important that we be the best that we can be and know what we are expected to do.

44 The Faculty Council Steering Committee recommended that it should be sent to the Faculty
45 Senate to see if the text in the handbook was sufficient. There are codes of conduct that
46 determine professional standing of everyone who has a license. Cleveland Clinic has their own
47 code of conduct through their Legal Office of Compliance.

48
49 We have the opportunity to provide people a mechanism to discuss their grievances in
50 confidence (including the students who have less access to grievances and do not know where to

Deleted: Would like to see more data on what the problem is specifically. "Should one collaborator be permitted to destroy samples without the permission of another?" Dean Davis asked.¶
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1 go, other faculty and post docs). It is not sufficient to state that is just how that person is and
2 accept bad behavior.

3
4 It was noted that the charge is extremely well thought out, supported by the comments from
5 Dean Davis, and puts forth a very well spelled out plan to form a committee stating the
6 composition, objectives, data gathering data, comparing colleagues at other institutions,
7 determining our needs, time involved (monthly meetings), expectations of the committee, and a
8 sunset date. This committee will set guidelines to address other issues of conflict among
9 colleagues and general unprofessionalism, to prevent escalation to the level of legal lawsuits or
10 grievances, by dealing with colleagues and peers in a fair manner.

11
12 It was stated that the Faculty Handbook already covers all of these issues. Before starting a new
13 ad hoc committee and wasting a lot of time, it could prove helpful to look at what is already
14 there. Dr. Kubu reminded the members that the ad hoc committee may discover that what we
15 already have is great, but there still exists an intercollegial conflict gap. That point was
16 supported at the Faculty Council Steering Committee meeting.

17 A motion was made and seconded to approve the proposal for creation of an ad hoc committee to
18 study professional codes of conduct as described and come back with recommendations. David
19 Miller, Chair of the Faculty Senate, was invited to attend the meeting. When the floor was
20 opened for discussion, a representative asked Dr. Miller if the proposal that was seen by several
21 members of the FS was redundant with that is currently in the Faculty Handbook. Dr. Miller
22 stated that this particular proposal had been looked at by members of the FS executive committee
23 (?), and it was decided and determined that while we do have a Faculty Handbook, Faculty
24 Council can take it upon itself to look at it. There is a need to look at the different institutions
25 coming together, and believe that this is an opportunity. Why not pursue anything that can
26 improve intercollegiality between faculty. It was noted that students have seen the faculty
27 conflict and unprofessionalism, and would hope it would be addressed.

28
29 There being no further discussion, a vote was taken. 23 were in favor, 8 were opposed, and 3
30 abstained. The motion passes.

31 Approval of Minutes from the January 27 Faculty Council Meeting

32 Several edits were suggested and made to the January 27 meeting minutes. A motion was then
33 made and seconded to approve the January 27 Faculty Council meeting minutes as edited. There
34 were significant further discussions and objections were raised to the content of the January
35 minutes. It was clarified that the Nomination and Elections Committee did not have the
36 opportunity to review the Proposed Amendments to the Faculty Bylaws ballot before it was
37 distributed. A vote was taken. 28 were in favor, 2 were opposed, and 2 abstained. The motion
38 passes.

39
40
41 There being no new or further business to be addressed, a motion was made and seconded to
42 adjourn the meeting. All were in favor, no one opposed, and no one abstained. The motion
43 passes.

44
45 The meeting was adjourned at 5:06PM.

46
47 Respectfully submitted,

48
49 Joyce Helton

50

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Faculty Council Meeting
Draft Meeting Minutes
Monday, April 20, 2020
4:00-5:30PM – Zoom Meeting

4:00-4:10PM	Welcome and Chair Announcements	Gary Clark
4:10-4:15PM	Approval of Faculty Council Meeting Minutes from the February 17, 2020 Meeting	Gary Clark
4:15-4:35PM	Steering Committee Report	Jennifer McBride
4:35-4:50PM	Interprofessional Education Research and Collaborative Practice	Tyler Reimschisel
4:50-5:10PM	Bylaws Presentation	Darin Croft
5:10-5:20PM	Faculty Senate Update	Cyndi Kubu
5:20-5:30PM	New Business	Gary Clark
5:30PM	Adjourn	

Members Present

Corinne Bazella	Thomas Gerken	Charles Malemud
Robert Bonomo	Monica Gerrek	Jennifer McBride
Matthias Buck	Anna Maria Hibbs	Maureen McEnery
Sudha Chakrapani	Alex Huang	Vincent Monnier
Shu Chen	Darrell Hulisz	Ashleigh Schaffer
Gary Clark	Beata Jasztrzebska	Hemalatha Senthilkumar
Travis Cleland	Allyson Kozak	Carlos Trombetta
Darin Croft	Cynthia Kubu	Heather Vallier
Pamela Davis	Vinod Labhassetwar	Susan Wang
Philipp Dines	Suet Kam Lam	Jamie Wood
Todd Emch	Peter MacFarlane	Richard Zigmond

Members Absent

Alicia Aguilar	Ankur Kalra	Ben Roitberg
Cathleen Carlin	David Katz	Satya Sahoo
Jae-Sung Cho	Laura Kreiner	Barbara Snyder
Brian D'Anza	Varun Kshetry	Daniel Sweeney
Piet de Boer	Ameya Nayate	Patricia Taylor
Jennifer Dorth	Vicki Noble	Krystal Tomei
William Dupps	George Ochenjele	Allison Vidimos

Members Present (Cont.)

Judith French	Clifford Packer	Satish Viswanath
Amy Hise	Nimitt Patel	Nicole Ward
Jeffrey Hopcian	Anand Ramamurthi	Jo Ann Wise
Robert Hughes	Steve Ricanati	

Others Present

Mark Chance	Matthew Lester	Anand Roman
Nicole Deming	Anna Miller	Usha Stiefel
Joyce Helton	Tyler Ramschisel	

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Chair Announcements

Gary Clark, the Chair of Faculty Council, called the meeting to order at 4:00PM.

Instructions were given to the members for using Zoom e.g. asking a question or making a comment. Dr. Clark stated that Faculty Council meetings will be held via Zoom for at least the April and May meetings.

10 The Dean’s third meeting with the SOM Faculty is scheduled as a Zoom meeting for Thursday,
11 May 28, from 1:00-2:30PM. An email soliciting topics will be sent out shortly. The Faculty
12 Council Steering Committee will review the submissions and pare them down to 2-3 topics for
13 the Dean’s consideration, leaving a significant portion of the meeting as an open agenda.

14
15 The Faculty Council Steering Committee approved the listing of SOM graduates. The annual
16 reports from the various standing committees will be upcoming in the May and June Faculty
17 Council meetings (oral and written). An e-mail has been sent out from the Nominations &
18 Elections Committee (NEC) to determine which faculty members are interested in serving on
19 committees and endeavor to correlate that interest with the openings of the various committees.
20 Participation in the survey is encouraged. The CAPT will have a number of vacancies this year.
21 Elections are scheduled to be held in May.

Approval of Faculty Council Meeting Minutes from the February 17, 2020 Meeting

22
23 A motion was made and seconded to defer approval of the February Faculty Council meeting
24 minutes until the next meeting to allow the suggested edits and corrections to be reviewed.
25 There being no further discussion, a vote was taken. 39 were in favor, 3 were opposed, and 1
26 abstained. The motion passes.
27

Steering Committee Report

28
29 The Faculty Council Steering Committee held their last meeting on April 6. They approved
30 meeting minutes for the March 2, 2020 and December 4, 2019 meetings. They reviewed the
31 revised proposed bylaws amendments, submitted by the Bylaws Committee, that are on the
32 agenda today. They reviewed and approved several applications submitted for emeritus status.
33 They discussed the time frame for the ad hoc committee on the Professional Code of Conduct, in
34 view of the Covid disruption. The decision to move the time frame for the Committee on
35 Professional Conduct was made by the Faculty Council Steering Committee acting on behalf of
36 Faculty Council. It was decided to amend the time frame to solicit members for the ad hoc
37 committee in September, 2020, with the committee sun setting in July, 2021, after submitting
38 their final report to Faculty Council.
39

1
2 When solicited, there were no comments or questions on the Faculty Council Steering
3 Committee report.

4
5 **Interprofessional Education, Research and Collaborative Practice (Tyler Reimschisel)**

6 Tyler Reimschisel, Founding Associate Provost for Interprofessional Education, Research and
7 Collaborative Practice, provided an overview of the perspectives, challenges, and opportunities
8 to Faculty Council.

9
10 At the turn of the 21st century, the Institute of Medicine published three manuscripts: 2000 --
11 Patient Safety; a way to improve quality of care in 2001; and in 2003 they provided a roadmap
12 for ways of ensuring that healthcare provided by professionals is of the highest quality. The
13 presentation today focuses on teamwork.

14
15 Interprofessional education (IPE) occurs when students or members of two or more professions
16 learn with, from, and about each other with the goal of improving collaboration and the quality
17 of care/health outcomes. Learning from each other improves the collaboration of their team and
18 ultimately the quality of care for patients. There is a long history of interprofessional education
19 here at Case. Grants have been awarded to the university and health professional schools. Most
20 recently, there have been significant changes in physical structures that exist here on campus.
21 The HEC provides a means for interprofessional education with hundreds of students. It is a
22 single building with classrooms for large gatherings of students from multiple professions. IPE
23 is using strength already established at Case to guide what is being done in the future. The
24 university's commitment to interprofessional and interdisciplinary education is demonstrated
25 through experiential learning. Effective teamwork leads to improved quality of service in
26 business, health care, and nonprofits.

27
28 The Office of Interprofessional Education, Research and Collaborative Practice sits in the Office
29 of the Provost and not in the health professional schools. It is engaged in interaction across all of
30 the schools, in addition to the college.

31
32 Think Big, North Star and the four pathways are acknowledged as pathways to achieve the plan.
33 Having students continue to be engaged, learn to work as a team, and develop as professionals
34 will impact the university and around the Cleveland area.

35
36 The purview of the office encompasses all eight schools including the college, multiple affiliates
37 and partners, and major healthcare settings including over 50 community organizations.

38
39 The HEC provides a unique opportunity for the schools, and the students from those schools, to
40 learn with and about each other. The most recent edition of the Huddle was distributed this
41 afternoon. It provides a means for learning what is occurring about campus, and focuses on
42 interprofessional education or collaborative practice. The bottom of each Huddle edition has a
43 link to the webpage for any announcements you would like to include.

44
45 Pat Thomas established the Interprofessional Student Governance Committee before she left.
46 There is a committee for staff at the HEC so that they also have a venue to share ideas or
47 concerns as the group is staffed in the building.

48
49 Interprofessional dialogues consist of one-hour sessions where an invited speaker gives a talk
50 that appeals to faculty, staff and students across the schools. They can be either Zoom or live

1 and provide small groups the opportunity to discuss that topic and then debrief at the end of the
2 hour. IPE is building community in the building as well as spin-off groups to continue ongoing
3 conversation and identify common interests among faculty and staff across HEC and the
4 university. They do want to continue to work with students who run the student run health
5 clinic, which was interprofessional from the beginning.

6
7 The question was asked as to how this translates at the practical level. You educate people to
8 work together, haven't people done that for many years already across disciplines in terms of
9 direct patient healthcare delivery. Core communication across teams can be a factor in why
10 patient safety can be a concern in a modern healthcare setting. We foster an authentic and robust
11 team experience and that team communicates effectively, collaborating in work, and tapping into
12 the expertise in that team. The basis of this is while people are working in teams, it can be
13 ultimately utilized to improve patient outcome.

14
15 Dr. Clark stated that there are TeamSTEPS that have been implemented in a number of clinical
16 facilities to facilitate team functioning. The course called Collaborative Practice I is for entry-
17 level health students. There is a lot of content in TeamSTEPS, which focuses on clinical
18 scenarios, and skills that can be used from an administrative standpoint for use in community
19 work. Scenarios may be modified where the curriculum is supplied, and is definitely applicable.
20 Students can start to learn in their first year all things in the TeamSTEPS curriculum. A member
21 noted that this is a real opportunity for basic scientists, and does not necessarily include
22 clinicians. Most of what we do in the 21st century is done in teams.

23
24 Some team training is also being done for staff members. It was hoped that conversation would
25 continue on how we can provide the training that teaches effective teamwork and steers the
26 applicant to basic science or other fields. One idea is that many of the students who are doing
27 PhD work are asked to do one course outside of their major research area. One of the things
28 talked about with graduate studies programs is to develop a course on team skills specific to
29 researchers to use in lab settings or other research study. Once past Covid 19, the IPE will be
30 talking to the graduate study program directors; meet with them and graduate students and
31 determine what they are experiencing in doing teamwork and what support can we provide in
32 curriculum offering.

33
34 Dr. Clark stated that Faculty Council looks forward to hearing further information on how this
35 process proceeds. Any questions, or request for assistance, should be directed to Dr.
36 Reimschisel.

37 38 **Bylaws Presentation (Darin Croft)**

39 Dr. Croft stated that he would be focusing today on Article 5, Appointments, Promotion, Tenure.
40 The most effective way to approach this review is to go through the Word document with the
41 tracked changes and vote to approve the individual sections.

42
43 How appointments should be classified – Article 5.1 -- Classification of Appointments. How
44 does the university define full time and part time faculty? A member asked if the first 50% is
45 compensation and the next 50% is academic activity? If based at a clinical affiliate,
46 compensation and fringe benefits may not be through the university and they may mean different
47 things. Nicole Deming clarified that effort was first and then compensation. The question is that
48 many people at clinical affiliates received less than 50% of compensation at Case but were
49 considered full time at the affiliate where the academic activity takes place. The intent is that the
50 first part with eligibility of appointment is based on academic effort, as a full time employee at

1 the affiliate or at Case. The description of what you do for your research, service and teaching
2 makes you eligible as full time faculty. Compensation is focused on eligibility of fringe benefits
3 through Case.

4
5 A motion was made and seconded to approve the reorganization of Article 5.1 with the part time
6 sentence moving before 50% compensation -- switching the order. There being no further
7 discussion, a vote was taken. 41 were in favor, 0 were opposed, and 1 abstained. The motion
8 passes.

9
10 Article 5.2 -- no suggestions for Terms of Appointment. Article 5.3. -- Academic Freedom –
11 correction of citation originally in Article 4.2. Article 5.4 – Tenure – When awarded, academic
12 tenure rests “at the constituent faculty level” was deleted and inserted “rests in the School of
13 Medicine rather than at the departmental level. For joint appointments, if tenure is granted across
14 two or more schools, tenure will reside in each school (as per Faculty Handbook, Chapter 3,
15 Article I, Section E).”

16
17 Article 5.4 – Tenure, added citation.

18
19 A member stated that she had heard rumors that with the Covid 19 crisis, and challenges with
20 finances at the university, that there is some talk that chairs may get rid of tenured faculty (not
21 contributing in a significant manner). When asked, the Dean felt that this protects them. It
22 outlines three ways to terminate a tenured faculty member. The concern was raised that with
23 finances the way they currently are, the university may start to get rid of NTT faculty and then
24 go to tenured faculty to maintain some fiscal level of health.

25
26 Dean Davis clarified that on all the calls that took place talking about issues in the university, no
27 one heard about termination of faculty. While there are a lot of issues in terms of the financial
28 hit the university has taken in Covid 19 e.g. had to return unused portion of dorm fees, time and a
29 half to hourly workers deemed essential and working on campus, and extra allocation to some of
30 those people regarding health benefits, she has not heard that anyone is terminating faculty. We
31 are going to wait and see what enrollment looks like. If we need additional faculty to teach, we
32 would be hiring staff. We will look at it and see what drives the revenue. You may proceed if
33 you have staff that you need to hire that would be on a research grant and if all externally funded.
34 We are really trying to have some fiscal responsibility and keep the university running, but heard
35 nothing about laying off faculty.

36
37 Dr. Croft continued with his presentation and discussed what happens when a department closes.
38 Faculty are tenured at the school level rather than the department. If the department goes away,
39 tenure remains. The School would find a department for the faculty member.

40
41 In addition, use of constituent faculty, not replaced in this case, accounts for faculty with joint
42 appointments so if, for example, Biomedical Engineering where they have joint appointments, it
43 might not be the SOM, it might be the School of Engineering in that case. The Bylaws
44 Committee kept constituent faculty because it stood out as something different.

45
46 A motion was made and seconded to accept the changes made in Articles 5.3 and 5.4. There
47 being no further discussion, a vote was taken. 40 were in favor, 0 were opposed, and 1
48 abstained. The motion passes.

1 Article 5.5 Pretenure Period – The Dean stated that although the extension is automatic for birth
2 or adoption of a child, faculty members should not assume that we are aware that it has
3 happened. We should be informed as soon after the event as possible to allow chairs to plan, etc.
4 Please make sure that written notification comes in for the birth of a child. Notification,
5 documented in writing, goes to the Provost Office right now; we are asking for it to go to the
6 Faculty Affairs & HR Office first. That is the Provost’s requirement. There is no limit for your
7 pretenure extension for the number of children.

8
9 The Faculty Handbook outlines the requirements for giving notice of non-renewal to a faculty
10 member. As part of the non-renewal process, the faculty member may request the reason that
11 they are being given the notice of non-renewal, which would then be provided to them in writing.
12 The process of notice of non-renewal will come from someone from the Faculty Affairs & HR
13 Office, the chair of the department, and the faculty member. Length of service impacts the timing
14 of the non-renewal notice.

15
16 The Faculty Handbook addresses the issue of appointments after tenure review and outlines the
17 process. Faculty who mainly have full time clinical activities are not in the tenure track.

18
19 A motion was made and seconded to approve Article 5.5 -- The Pretenure Period as revised.
20 There being no further discussion, a vote was taken. 38 were in favor, 0 were opposed, and 2
21 abstained. The motion passes.

22
23 The chair asked that the Faculty Senate update by Cindy Kubu be given at this time and they
24 would address Article 5.7 -- Tenure Salary Guarantee later in the meeting.

25
26 **Faculty Senate Update (Cyndi Kubu)**

27 The updates fall under two headings – non-pandemic related and pandemic related.
28 Centralizing Marketing may have a potential impact on what is going on in the SOM; it is
29 thought that centralized marketing can be a risk. Some outward facing websites are not ADA. It
30 is, however, essentially a done deal with Marketing.

31
32 Pandemic related, the Faculty Senate and Senate ExCom meeting will continue to meet remotely.
33 The Faculty Senate Committee on Undergrad Education was very proactive and good for Case’s
34 profile in terms of standardized testing options. There are a number of schools who have gone to
35 the Faculty Senate and ExCom in terms of changing the grading policy to pass or no pass. The
36 SOM did something similar but did not see that go through the Senate or Senate ExCom.

37
38 There is a proposed amendment to the Faculty Handbook in terms of extraordinary circum-
39 stances. The Provost may grant a one-year extension of the pretenure period for relevant faculty.

40
41 **Bylaws Presentation (Darin Croft) (continued)**

42 Article 5.7 -- Tenure Guarantee. This article only deals with salary; tenure is discussed in Article
43 5.4. If there is faculty interest in further modifying this text (and Article 5.8), the Bylaws
44 Committee recommends that Faculty Council create an ad hoc committee to explore the salary
45 issue in depth and propose modifications. The Bylaws Committee could not reach a consensus
46 on a course of action.

47
48 The comment was made that the most important issue here, not in the handbook, is the faculty’s
49 opportunity to formulate a committee so we can come up with a discussion that bridges Dean
50 Davis’ term as Dean and bridges it to Stan Gerson’s term as Interim Dean.

1
2 A motion was made and seconded to have the Faculty Council convene an ad hoc committee to
3 explore the language that is in Article 5.7 – Tenure Guarantee. Discussion continued. A point of
4 order was made. Did Dr. Croft and the committee confirm the fact that we are allowed to
5 entertain a paragraph that links tenure and salary based on overarching university bylaws. The
6 question of linking tenure and salary might be moot if the overarching university bylaws or
7 guidelines forbids such a link. The university is certainly involved here. Dr. Croft was not sure
8 that we could dictate to the university. It would have to go up higher to be incorporated into the
9 Faculty Handbook. The Bylaws Committee suggested that outcome could result from this. The
10 comment was made that it does not sound like the Bylaws Committee made a recommendation
11 for change. Discussion hinged on what is the purview of the Bylaws Committee and to further
12 clarify the language. There are important issues here that the committee wanted to highlight in
13 justification. They are not ignoring these issues, but it should be another committee that focuses
14 on this.

15
16 Dr. Clark stated that with respect to the relationship between the medical school and the
17 university, this is one of the most critical discussions, and not best served at the end of a meeting.
18 He suggested that the members vote on the motion that is on the floor and continue this
19 discussion at the May meeting. This requires considerable research and a lot of input from other
20 people.

21
22 A comment was made that when you look at clinical science departments, how is it determined
23 who is the employer and who is responsible for that salary. Faculty working at Cleveland Clinic
24 are not tenure eligible. Who is footing the bill for that? Isn't our salary currently divided
25 between a base salary and an incentive portion so the way this sentence is worded it seems that
26 some other kind of base salary is being implied? Dr. Croft thought that was true and that it was
27 open to interpretation and should be clarified. It is best to bring it forth at the next meeting and
28 be ready to discuss it. A quick discussion of this topic will not be helpful.

29
30 At UH and MHMC, we may make tenured appointments, but they have 100% of the financial
31 responsibility. This is quite positive and aspirational bylaws language that is not really reflected
32 in the handbook of the university.

33
34 The chair stated that at that point Faculty Council no longer has a quorum so a vote cannot take
35 place. It was asked that the motion be restated in order to bring it up at the May Faculty Council
36 meeting. The motion was to have the Faculty Council convene an ad hoc committee to explore
37 the language that is in Article 5.7 – Tenure Guarantee. The motion has been documented and
38 will be placed on the agenda for the May meeting.

39
40 There being no further business to address, the meeting was adjourned at 5:47PM.

41
42 Respectfully submitted,

43
44 Joyce Helton

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3.6: Committees of the Faculty Council

b. Nomination and Elections Committee.

...

In addition, the Nomination and Elections Committee shall nominate (1) candidates for the at-large representatives to the Faculty Council, (2) candidates for the representatives of the special faculty whose titles are modified by the adjective adjunct or clinical to the Faculty Council, (3) candidates for standing committees of the Faculty of Medicine, and (4) candidates for the University Faculty Senate. In the case of at-large representatives, senators, or members of the Committee on Appointments, Promotions, and Tenure, the number of candidates shall be at least twice the number of positions to be filled. In recruiting faculty for the ballot, the Nomination and Elections Committee shall strive to produce a diverse slate of nominees, considering gender, race, institutional affiliation and representation of basic and clinical departments. A nominee may not be put on the ballot if in winning the election they would serve on more than two standing committees of the Faculty of Medicine or Faculty Council (ad hoc committees are not included in this count). Exceptions will be made only if no other candidates come forward to fill a committee vacancy. Elections shall be conducted by email or other electronic means, using a preferential voting system. Ballots shall include a clear explanation of the preferential voting system. Ballots listing candidates for Faculty Council, senators, and standing committees of the faculty shall be mailed to all full-time members of the faculty. Ballots listing candidates for the representatives of the special faculty on the Faculty Council shall be distributed to all special faculty whose titles are modified by the adjective adjunct or clinical. Ballots listing candidates for committees dealing with the planning and approval of the curriculum, the execution of the instructional program, and the formulation of policies with regard to student affairs shall be distributed to all members of the faculty. Elections shall be conducted as far in advance of the completion of the terms of sitting members as is practicable. Elections shall be conducted by email or other electronic means. All electronic ballots shall provide space for write-in candidates. At least two weeks shall be allowed between the distribution of all ballots and the close of the election and determination of election results. Distribution of the ballots and the determination and publication of the results shall be the responsibility of the Nomination and Elections Committee. After each election, the Committee shall count the votes and publish all the vote totals. Any irregularities or issues in the conduct of the elections shall be investigated and resolved by the Committee. The Nominations and Elections Committee shall report its investigation and resolution to the Faculty Council and the Faculty of the School of Medicine. The dean shall be requested to supply administrative support for the elections.

Commented [d1]: Approved by Bylaws Committee 6-0 on 2020-03-26.

Justification: removes ambiguity about items that are on the ballot but not an election per se (e.g., proposed bylaws amendments).

Deleted: election

ARTICLE 6 - AMENDMENT OF THE BYLAWS

An amendment of the bylaws may be proposed by majority vote of the Faculty Council, by the dean, or by written petition of 20 or more faculty members or by the Bylaws Committee. The amendment must be accompanied by a rationale for the proposed change. All proposed amendments shall be submitted to the Chair of Faculty Council, the Secretary of the Faculty of Medicine and the Chair of the Bylaws Committee. The Bylaws Committee shall review each proposed amendment and report its recommendation to Faculty Council. All proposed amendments will be considered and voted on by the Faculty Council within the same academic year if submitted prior to March 1 of that year. All proposed amendments, their rationale, and the recommendations of the Faculty Council will then be sent by mail to full-time members of the faculty and may be discussed at a regularly scheduled meeting of the faculty held at least four weeks after notification. During discussion of proposed amendments at a faculty meeting, non-substantive changes in the proposed amendments may be made by majority vote. The organization and justifications of proposed amendments on the ballot shall be reviewed by the Nomination and Elections Committee prior to distribution to the Faculty. The vote on any proposed amendment shall be by electronic ballot of the full-time faculty. Approval shall require an affirmative vote by a majority of those faculty members returning ballots. Ballots shall remain open for three weeks. At least once every five years, the Bylaws Committee shall conduct a full review of these Bylaws and forward its recommendations to the Faculty Council for consideration by the procedures described above.

Commented [d2]: Approved by Bylaws Committee 6-0 on 2020-03-26

Substantive change.

The organization and justification of proposed amendments on the ballot sent to the Faculty of Medicine can significantly affect how faculty interpret and vote on proposed amendments. Since the Bylaws Committee is involved with the approval process of proposed amendments (as stated elsewhere in Article 6), having the Nomination and Elections Committee perform this duty acts as an independent check on the process. It is also congruent with this committee's role in distributing election ballots (Article 3.6b).

On December 3, 2019, the Faculty Council Steering Committee requested that the Bylaws Committee discuss adding specific language to amend the Bylaws regarding how to cancel meetings. This topic was addressed at the committee's February meeting, and the following recommendation was passed unanimously by the committee (6-0):

3.6: Committees of the Faculty Council

a. Steering Committee. The Steering Committee shall consist of eight members: the chair of the Faculty Council, the vice-chair of the Faculty Council, the immediate past chair of the Faculty Council, and five other Faculty Council members who shall be elected by the Faculty Council for one-year terms. These members may be reelected successively to the Steering Committee for the duration of their terms as members of the Faculty Council. The chair of the Faculty Council (or the vice-chair of the Faculty Council in the absence of the chair) shall serve as chair of the Steering Committee. The Steering Committee shall set the agenda for meetings of the Faculty Council. Steering Committee meetings may be canceled by proposal of the chair of Faculty Council and majority vote of the Steering Committee members. The Steering Committee shall be empowered to act for the Faculty Council between meetings. The Steering Committee shall report all actions and recommendations to the Faculty Council. Steering Committee meetings shall be conducted according to Robert's Rules of Order, Newly Revised. The Steering Committee shall act for the Faculty Council and faculty in reviewing actions of the Committee on Appointments, Promotions and Tenure in order to ensure equity, adherence to published guidelines, and proper procedure. The Steering Committee shall consult with the dean on such matters as the dean brings before it. The Steering Committee shall advise the president concerning the appointment of an interim or acting dean of the School of Medicine.

3.7: Meetings of the Faculty Council

a. The Faculty Council shall meet at least once every two months from September through June of each academic year. A Faculty Council meeting may be canceled by proposal of the chair of Faculty Council and majority vote of the Steering Committee members, except when canceling such a meeting would violate the mandate above. Special meetings may be called by a majority vote of the Steering Committee, by a written petition of 10 members of the faculty addressed to the chair of the Faculty Council, or by the dean.