



## University Faculty Council

Meeting: Tuesday, November 1, 2022 - 4:00-5:30 PM

Location: G204 | <https://neomed.zoom.us/j/93232446550?pwd=UE9WRy94WDRZbTBhVIZBVzJxYk9lQT09;>

### ZOOM Information: Connection time 3:55 PM

<https://neomed.zoom.us/j/93232446550?pwd=UE9WRy94WDRZbTBhVIZBVzJxYk9lQT09;>

Or Telephone: +1 312 626 6799 (US Toll); +1 646 876 9923 (US Toll)

Meeting ID: 932 3244 6550 | Password: 860195

**Members (attendees in bold):** **Natalie Bonfine (chair), Jeffrey Mellott (vice-chair), Timothy Barreiro,** Mariquita Belen, **Yeong-Renn Chen, Angelo DeLucia, Sheila Fleming, Stacey Gardner-Buckshaw, Alex Galazyuk,** Patrick Gallegos, **Alex Hoffman, Yong Lu, Erin Reed-Geaghan, Erica Stovsky, Taylor Watson,** Liya Yin

**Guests:** George Litman, Jeffrey Wenstrup, Joseph Zarconi, Stacey Barrenger Kris Baughman, Petrea Cober, Janice McDaniel, Merri Rosen, Maria Schimer

**Administrative Support:** Andrea Coard, Deborah Loyet

Time	Agenda Item	Discussion/Next steps
4:00 p.m.- 4:05 p.m.	1 <b>Welcome</b> <i>Natalie Bonfine, Ph.D., Chair, University Faculty Council</i>	Dr. Bonfine thanked everyone for attending and shared the following announcements: Bitonte College of Dentistry event – Wednesday, Nov. 2 at noon – faculty are invited and encouraged to attend. Diwali celebration – Friday, Nov . 4 – seeking faculty participants. Reminder to council members to sign up to attend the weekly Executive Management Team(EMT) meetings. Reach out to Drs. Bonfine and Mellott with any questions. Dr. Bonfine acknowledged and thanked the council members for their participation and engagement on the UFC task forces.
	2 <b>Approve previous UFC minutes (10.04)</b> <i>(Approved minutes located on <a href="#">NEOMED website</a>)</i>	Dr. Galazyuk moved to approve the minutes, and Dr. Mellot seconded. The minutes were approved.
	<b>OLD ACTION ITEMS (from previous meetings)</b>	
4:05 p.m.- 4:15 p.m.	3 <a href="#">Executive Management Team Notes.</a> <a href="#">Executive Management Team Spring 2023 meeting sign ups</a>	Dr. Bonfine highlighted the links to the EMT notes and the sign-up sheet for Spring 2023 meetings. Some of the recent meetings were cancelled due to the HLC visit and COM Dean interviews. The notes will be updated to reflect the cancellations.

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	4	<p><b>Ohio Faculty Council update</b>  <i>George Litman, MD., NEOMED University Faculty Council Representative</i></p>	<p>Dr. Litman provided an update on the Ohio Faculty Council meeting.</p> <p>Drop in student applications – University of Toledo drop in student population from 20,000 students in 2013 to 13,000 in 2022. Has caused difficulties with budgetary cuts. Kent State University noted budget problems that have occurred 3 or 4 times over the past several years. Wright State University also reported some problems. Miami University has an issue with faculty going through a collective bargaining problem.</p> <p>The Ohio Senate Bill 135 was briefly mentioned.</p> <p>Student health problems discussion and in particular mental health. A significant number of student withdrawals due to mental health issues. There was a discussion about mental health in Ohio and a requirement for more counselors and support staff. KSU is looking at developing a peer center for students for outreach and training. This is also a necessity for faculty.</p> <p>Dr. Delucia said it is well known national problem that undergraduate applications are down across the state and asked if there are any solutions. Are they going to cut programs and the size of the university? Dr. Litman reported that no one had a specific answer and that some of the universities have been asked to cut programs. It is a major issue. Each university is looking at it in a different way.</p> <p>Dr. Barreiro asked if the Federal Bill for student loan repayment applications was discussed during the meeting and how would it affect active and incoming NEOMED students. Dr. Litman advised it was not discussed during the meeting and he could not answer Dr. Barreiro’s question.</p>
		<b>DISCUSSION ITEMS—NEW &amp; FOLLOW-UP</b>	
4:15 p.m.- 4:45 p.m.	5	<p><b>Academic Freedom Task Force</b>  <a href="#">AFTF Univ Fac Bylaws -9-27-2022 recommendations.doc</a>  <a href="#">AFTF Appendix C -9-27-2022 recommendations.doc</a>  <a href="#">AFTF Appendix E -9-27-2022 recommendations.doc</a>  <i>Joseph Zarconi, M.D., Chair, Academic Freedom Task Force</i></p>	<p>Dr. Zarconi shared an update on the work by the Academic Freedom Task Force with the council members.</p> <p>Following approval from the University Faculty Council, an Academic Freedom Statement had been posted on the NEOMED website. The next step was to determine what changes to bylaws were required. A small subgroup from the Academic Freedom Task Force worked on proposed edits to the bylaws. The Academic Freedom Task Force met twice to deliberate on the suggested changes and made some additional revisions. There are some open questions the Task Force felt were beyond their scope of work.</p> <p>The proposed edits to the University Faculty Bylaws, Appendix C and E were distributed to the faculty on Oct. 21, 2022, for their review and further suggestions.</p>

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		<p>University Faculty Bylaws proposed edits (in italics):</p> <p>(C) <i>“Academic Freedom” refers to a faculty member’s right to: the free search for truth and free exposition in education, scholarship, governance, and service; the freedom to express their own views as a private citizen; and the University’s obligation to protect a faculty member when exercising such freedoms.</i></p> <p>Additional responsibilities added to:</p> <p>(D) The President  (E) The Vice-President for Academic Affairs (“VPAA”)  (G) The Vice-President for Research (“VP for Research”)  (H) The Dean (all colleges)  (G) Department Chair</p> <p>Language below proposed:  <i>Will defend Academic Freedom and protect the right of faculty to think and express their thoughts freely including the right of dissent.</i></p> <p>COGs do not have department chairs but instead have program directors. There will need to be a way to ensure program directors also see this added to their list of responsibilities but those are not spoken to in the university bylaws.</p> <p>Maria Schimer informed the council she had discussed this issue with Dr. Aultman, Amy Furey-Ligan, Deborah Loyet and Phil Jenkinson and they have a plan in place on how to recognize program directors in the bylaws.</p> <p>(J) Faculty  (2) Rights and Responsibilities  (a) <i>Are entitled to Academic Freedom in the conduct of education, research and publication of results, subject to the adequate performance of their academic obligations, regardless of their tenure status;</i></p> <p><i>Will respect Academic Freedom and the right of fellow faculty to think and express their thoughts freely including the right of dissent.</i></p> <p>(6)<i>The University will protect the Academic Freedom of its faculty and defend the right of its faculty to think and express their thoughts freely and to make those choices within the law guaranteed to every citizen. This includes the right of dissent particularly when the public opinion of the community would restrain or curtail the free play of ideas. The University has a duty to maintain an independence of judgment in the face of public opinion.</i></p> <p>(a) <i>Any faculty member who feels their right to exercise Academic Freedom as set forth in the bylaws has been violated may file a Grievance in accordance</i></p>

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		<p><i>with the procedures established in Appendix E – University Faculty Grievance Policy and Procedures.</i></p> <p>Dr. Bonfine asked for clarification that all faculty are protected when serving in their role as a faculty member for NEOMED including affiliated faculty and research faculty. Dr. Zarconi confirmed this was correct.</p> <p>Dr. Wenstrup stated this is from the perspective of how NEOMED views these individuals and not necessarily how the hospital views the individuals.</p> <p><u>Appendix C – University Faculty Code of Professional Conduct proposed edits:</u></p> <p>(D) General Considerations  <i>It is expected that at a minimum all faculty will conduct themselves with honesty, integrity, and civility. Faculty shall perform their roles in education, scholarship, governance, and service to their profession and the public on the basis of Academic Freedom, as that term is defined in the bylaws and supported by the University.</i></p> <p>(1) Responsibilities to Students by Faculty  <b>(b)</b> <i>impart knowledge and understanding of a field of study, correct inaccuracies, and assist students to develop professional skills, attitudes and behaviors;</i></p> <p>(E) Violations  <i>Alleged violations of the Code of Conduct may result in the initiation of the procedures outlined in Appendix D of these Bylaws. Alleged institutional violations of Academic Freedom shall be adjudicated through Appendix E - University Faculty Grievance Policy and Procedures.</i></p> <p><u>Appendix E – University Faculty Grievance Policy and Procedures proposed edits (in italics):</u></p> <p>(D) Body of the Policy  (1) Standards and Procedures  <i>The Vice President for Academic Affairs (VPAA) or the VPAA’s designee is responsible for implementing Step II of this Policy. Where the VPAA may have a conflict of interest, the President will appoint a comparable administrator to address the Grievance.</i></p> <p>Questions for further deliberation by the UFC or a larger group concerning the Formal Grievance process:</p> <ol style="list-style-type: none"> <li>1. To whom should it go to first – a faculty body or the VPAA?</li> <li>2. Who should appoint the members of the Faculty Grievance Committee – a faculty body or the VPAA?</li> <li>3. Should the Grievance Committee render a decision, or make a recommendation to the VPAA?</li> </ol>

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		<p>4. Should the process establish a right to appeal the decision? To whom?</p> <p>Dr. Zarconi advised the council members that the process relates to all grievances at NEOMED and not specifically to academic freedom.</p> <p><u>Questions/comments from council:</u></p> <ul style="list-style-type: none"> <li>• Can the UFC committee oversee grievance and not the VPAA</li> <li>• Faculty body is a good concept</li> <li>• What is the quorum on grievance committee</li> <li>• Grievance committee should make the decision</li> <li>• What do you envisage as a grievance – what can be used as a base for the grievance – something for legal to determine</li> <li>• How to handle if someone is using academic freedom as protection for deliberate misinformation – faculty have a duty to present accurate information, faculty have the responsibility to correct inaccuracies.</li> </ul> <p>Dr. Mellott talked about the proposed Senate Bill 135 and that the term academic freedom is not used but freedom of speech is and if the bill is passed the Board of Trustees of all institutions are required to develop a policy for grievances.</p> <p>Maria Schimer advised the provisions regarding freedom of speech in Bill 135, mirrors the language in the first amendment. Freedom of speech and academic freedom are two different things, but she feels the procedures developed in the grievance policy are appropriate for both. Bill 135 has not received overwhelming support in the legal community as it is a repeat of what is already in statute. She thinks NEOMED has met the letter of the law in terms of freedom of speech. The recommended modifications to appendix G will improve the grievance policy and are very much appreciated.</p> <p>Dr. Mellott asked if NEOMED/Board of Trustees have something in place for grievance. The Board of Trustees have delegated their authority to the administration.</p> <p>Dr. Zarconi confirmed the language in the documents is gender neutral in response to a question from the council.</p> <p>Dr. DeLucia thanked the Task Force for their efforts. Dr. Zarconi acknowledged Maria Schimer and Amy Furey-Ligan for their input in the process and said it had been extremely helpful.</p> <p>The council were asked to talk with faculty regarding the documents and suggested modifications and obtain feedback to bring to the December council meeting. The process for the UFC is to take all the comments and vote on</p>

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			<p>endorsing the proposed changes. Then the UFC will communicate these recommendations to the bylaws committee for their review and vetting.</p>
<p>4:45 p.m.- 4:55 p.m.</p>	<p>6</p>	<p><b>University Research Council Update</b></p> <p><b>Composition of the University Tenure and Promotions Committee (UTPC)</b></p> <p><i>Jeffrey Wenstrup, Ph.D., University Bylaws Committee</i></p>	<p>Dr. Wenstrup provided an update regarding the University Research Council (URC) on behalf of the University Bylaws Committee (UBC).</p> <p>Recommendations/changes from the University Faculty Council (UFC) regarding the University Research Council came to the University Bylaws Committee at their meeting on Oct. 26, 2022.</p> <p>The following three minor changes were added to the document:</p> <ul style="list-style-type: none"> <li>• To add faculty sufficiency to one of the things that the URC should evaluate when considering research focus areas</li> <li>• Specified there should be administrative support from the Office of the Vice President of Research</li> <li>• Change qualifying exams to candidacy exams</li> </ul> <p>The University Bylaws Committee voted unanimously to approve the change to the bylaws and the University Research Council was established. The final line stating the URC may designate additional representatives had been removed.</p> <p>In other business, Dr. Wenstrup talked about concerns arising due to the membership requirements for the University Tenure and Promotions Committee (UTPC). He said there is no indication that members are performing other than complementary and very thoughtfully. A number of other bodies including the chairs and members of the University Tenure and Promotions Committee (UTPC) and members of the University Nominating and Membership Committee (UNMC) all see an issue with the membership criteria constructed by the bylaws.</p> <p><b>Voting membership includes:</b></p> <ul style="list-style-type: none"> <li>• <i>Nine (9) tenured faculty members</i></li> <li>• <i>No more than two (2) members at the Associate Professor rank</i> <ul style="list-style-type: none"> <li>- no faculty at the Assistant Professor rank or below</li> <li>- no Department Chairs on the Committee.</li> </ul> </li> </ul> <p>A diversity of members representing the breadth of departments and faculty</p> <ul style="list-style-type: none"> <li>• <i>At least one (1) from each department with tenure track faculty</i></li> <li>• <i>At least two (2) from each College which grants tenure</i></li> </ul> <p><b>Other Aspects of Committee function:</b></p> <ul style="list-style-type: none"> <li>• Only Professors may vote on Promotion to Professor</li> <li>• Conflict of interest rules limit participation</li> </ul> <p><b>Challenges and Unintended Consequences:</b></p> <ol style="list-style-type: none"> <li>1. COP must have 2 members on committee but has no Full Professors.</li> </ol>

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		<p>- COP members must be Associate Professors</p> <p>2. Because maximum allowed ## of Associate Professors is 2</p> <ul style="list-style-type: none"> <li>- no opportunity for Associate Professors In COM to serve</li> <li>- no succession process for COM Associate Professors to gain experience on UTPC</li> </ul> <p>3. Because no COM Associate Professors can serve</p> <ul style="list-style-type: none"> <li>- Psychiatry has no representation – Dr. Wenstrup is the representative for psychiatry (because it has no full professors)</li> <li>- Family and Community Medicine has only one member</li> </ul> <p>4. Gender diversity will be a challenge</p> <ul style="list-style-type: none"> <li>- Full Professor women are / may be excluded due to promotion to senior administrative positions</li> <li>- No other tenured full professors who are women at this time</li> <li>- COM Associate Professors, which include more women, are unable to serve.</li> </ul> <p>5. With the current committee size, and conflict of interest rules</p> <ul style="list-style-type: none"> <li>- It can be more challenging to meet the quorum</li> </ul> <p><b>Recommendations:</b></p> <ol style="list-style-type: none"> <li>1. Revise Appendix G to address these issues by June 30, 2023</li> <li>2. Increase number of allowable Associate Professors on UTPC <ul style="list-style-type: none"> <li>- Allows opportunity to diversify membership</li> <li>- Allows for pipeline of experienced members</li> </ul> </li> <li>3. Maintain or increase numbers of Full Professors on UTPC (≥ 7) <ul style="list-style-type: none"> <li>- Ensures quorum for promotions to Full Professor</li> </ul> </li> <li>4. Maintain Conflict of Interest rules</li> </ol> <p>The council members had a discussion, and the following comments were shared:</p> <ul style="list-style-type: none"> <li>• Membership construction and voting rights changed due to COI as Associate Professors could previously vote.</li> <li>• Look at other universities and follow practice</li> <li>• Use junior members for observation</li> <li>• Use outside folks</li> <li>• Reminder that this is an issue of workforce (to populate the committee) and not about specific tenure decisions that are made</li> </ul> <p>It was suggested the VPAA office would coordinate this work and bring recommendations to the UFC for their consideration.</p> <p>In response to a comment from Dr. Barreiro, Maria Schimer, shared with the council that a workgroup within the College of Medicine are making revisions to the bylaws regarding non-tenure promotion for clinical faculty. If anyone has any specific suggestions, please share these with Drs. Hamad and Jouriles. Dr. Hamad will be speaking at the UFC meeting on Jan. 10, 2023, on this topic.</p>

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4:55 p.m.- 5:00 p.m.	7	<b>Travel Policy Discussion</b> <i>Natalie Bonfine, Ph.D., Chair, University Faculty Council</i> <i>Jeffrey Mellott, Ph.D., Vice-Chair, University Faculty Council</i>	<p>Some changes have been made to travel arrangements and a new travel policy is in place. Council members were asked to speak to faculty within their area for their insights and bring feedback back to the UFC to share with the administration.</p> <p>Mary Taylor, VP for Finance and Operations will be joining the December meeting to answer any questions regarding travel procedures.</p>
5:00 p.m.- 5:10 p.m.	8	<b>Faculty Compensation Task Force (Empowerment Plan)</b> <i>Jeffrey Mellott, Ph.D., Vice-Chair, University Faculty Council</i>	<p>Dr. Mellott provided a brief update on the compensation task force. The document was received from Mary Taylor, and the Task Force met on Oct. 24. A number of items remain unresolved, and the UFC chairs are meeting with Dr. Langell, Mary Taylor, and Andre Burton on Nov. 10 to share these issues.</p> <p>Items for discussion include:–</p> <ul style="list-style-type: none"> <li>• Individuals in pilot should be given an additional pilot year</li> <li>• Document is not sufficient from Mary Taylor</li> <li>• Dr. Mellott is writing up a hybrid document.</li> <li>• Still no system on how to ramp individuals for promotion</li> <li>• Very large inequity regarding some RFAs receiving stipends and some not receiving stipends. Equity issue.</li> </ul> <p>Dr. Bonfine thanked Dr. Mellott for his leadership on the Task Force.</p>
5:10 p.m.- 5:30 p.m.	9	<b>Open Forum &amp; Departmental updates</b>	<p>The Biomedical Sciences (BMS) committee is currently putting forward a policy to provide rotating students currently in a NEOMED lab, a computer, a stipend for software once a year and potentially reimbursement for travel.</p> <p>The Academic Management Program (AMP) approved a revised faculty referral to CAPP form and a remediation form. Both forms will be posted on the registrar's intranet when final tweaks are completed. They are both helpful tools for faculty.</p> <p>Dr. Gardner-Buckshaw asked Dr. Mellott if legislation she is involved in writing to bring resources to NEOMED would count under her research line. He thought how the plan is currently written it would not.</p> <p>Dr. Bonfine thanked everyone for their engagement and the meeting was adjourned at 5:32 p.m.</p>