

Dean's Council (DC)

May 21, 2007

Minutes

Present: Dr. Arnold, Dr. Deckers, D. Garibaldi, Dr. Gould, Dr. Jacob, Dr. Kenny, Dr. Koeppen, Dr. Lalande, Dr. Nissen, Dr. Pappano, Dr. Simon

Excused: Dr. Albertsen, Dr. Ford, Mr. Gillon

The meeting was called to order at 4:35 p.m.

1. The minutes of the May 2, 2007 meeting were unanimously approved with one revision.
2. Appeal of the Senior Appointments and Promotions Committee's Denial of Dr. Pamela Taxel's Promotion to Associate Professor (in residence) of Medicine

Dr. Koeppen explained that Dr. Pamela Taxel was nominated for promotion to Associate Professor (in residence) of Medicine in the clinician-investigator professional category. The promotion was denied by the Senior Appointments and Promotions Committee (SAPC) and, as a result, Dr. Taxel will begin her terminal year on September 1, 2007. He further explained that Dr. Garibaldi is appealing this decision first on a Bylaws technicality pertaining to change of professional category. If unsuccessful, he will then appeal on non-academic grounds.

Dr. Garibaldi then presented his appeal. He explained that lack of clarity in the Bylaws resulted in his misinterpretation of them. He specifically referenced the section of the Bylaws pertaining to change of professional category. The Bylaws state, "Change of professional category can and should occur with a change in job description. Change of professional category can occur at any time in the nine years after initial appointment as Assistant Professor, but must occur at least two years before consideration for promotion and must be signed by the faculty member and approved by the department chair and the Dean." Dr. Garibaldi explained that he interpreted this to mean that a faculty member needed to be committed to a professional category in the two years prior to going forward for promotion, and he did not realize Dr. Taxel could have transferred into the Medical Educator category before going up for promotion. Therefore, he believes she should not be penalized as a result of his error. If allowed to transfer into the Medical Educator category, Dr. Taxel would remain an Assistant Professor and would not be able to go up for promotion in that category for two years, but she would not be terminated from the faculty. Dr. Garibaldi believes she provides a valuable service to the institution and would regret losing her for this reason. He also explained that Dr. Taxel has had a

change in job description and is not spending as much time in research but is more clinically active. He was asked why Dr. Taxel did not change her professional category sooner. He explained that although he had suggested this to her, she had been fairly successful and was committed to being an academic physician in the clinician-investigator category. Once she was due to come up for promotion, he stopped suggesting it because he thought she was locked into that category at that point. For clarification, Dr. Koeppen explained that prior to consideration by the SAPC, a faculty member who is in an "up or out" professional category has the option of transferring to the Medical Educator category, if appropriate. Unlike the other professional categories, Medical Educator has no time limit for promotion to Associate Professor, but the individual would have to be in that category for two years before being considered for promotion. However, if unsuccessful, they would not be facing a terminal appointment. Dr. Garibaldi mistakenly thought this was not an option available to Dr. Taxel because she was in her ninth and final year for consideration for promotion.

Drs. Garibaldi and Arnold, who is Dr. Taxel's division chief, then recused themselves. There was some discussion as to whether other DC members who interact with Dr. Taxel in various ways should recuse themselves as well. However, because this appeal was based on a technical Bylaws issue, it was decided that they could remain for the discussion and voting. However, it was agreed that the issue of recusal will be discussed in more depth at a future meeting. The DC also discussed whether Drs. Garibaldi and Arnold should be allowed to vote on this issue. As chair of the Dean's Council, and as allowed by the Bylaws, Dr. Koeppen decided that they would be recused from voting as well. Following discussion, the Dean's Council voted 3:4 to deny Dr. Garibaldi's request to transfer Dr. Taxel to the Medical Educator professional category.

Dr. Garibaldi was then asked to present his appeal based on non-academic grounds. Dr. Koeppen first read the letter from the SAPC, which denied her promotion on academic grounds with their major concerns being her publication record and lack of independence. Dr. Garibaldi explained that Dr. Taxel's job description changed in the last 1½ years when, at his request, she assumed directorship of the Endocrinology and Metabolism Fellowship Training Program. He noted the importance of her assuming this role because the fellowship will be reviewed by the Residency Review Committee this year. In terms of clinical faculty members within her Division, Dr. Garibaldi noted that there are relatively few, and she is the only one who has any significant time for education. In addition to the fellowship and her clinical responsibilities, Dr. Taxel has also served on the Institutional Review Board since 2002. Her involvement in medical student teaching programs includes serving as a

preceptor in Principles of Clinical Medicine, teaching in the Clinical Skills Program, working with Ms. Lewis in the Selectives Program, and serving as a mentor for medical students, residents, and fellows. On the research side, Dr. Taxel has been an important contributor to Dr. Freilich's recently-funded grant on osteoporosis and bone transplantation. She has provided support to Dr. Greenstein in bone densitometry and helped develop a bone health clinic in the Cancer Center. She has also served as a reviewer for the Scientific Advisory Committee of the General Clinical Research Center. He believes she has proven to be a good citizen and that her numerous contributions to the institution would be difficult to replace. When asked what her most important non-academic contribution is, Dr. Garibaldi indicated that her work with the fellowship program was extremely important. Other members of the department concurred. Her clinical contributions and her work with the IRB were also thought to be very important and difficult to replace.

Following discussion, all members of the Department of Medicine were recused from voting. The remaining members voted unanimously to promote Dr. Taxel to Associate Professor (in residence) based on non-academic grounds.

3. Approval of Review of Alleged Misconduct of Research Policy

Dr. Koeppen explained that due to new federal guidelines, the Alleged Misconduct of Research Policy needed to be revised. The draft policy has been under review for some time and must be approved by the end of the week. The Research Council did not approve the policy because of two concerns. The policy states that when a new appointee to the Faculty Standing Committee is required, either the School of Medicine Dean's Council or School of Dental Medicine Council will be asked to submit names. Research Council feels they should have the responsibility of proposing nominees. Drs. Deckers and Jacob pointed out that this would be in violation of the Bylaws, which gives this authority to the Dean's Council. However, the Dean's Council may choose to delegate that authority to the Research Council. The policy also states that the EVP will select the chairperson of the Standing Committee. Research Council believes the Standing Committee members should be allowed to select their chair. However, because research misconduct has such a strong impact on the institution, Dr. Deckers feels it is prudent that the EVP retain this authority.

Because agreement cannot be reached on these two issues, and due to the time frame within which the policy must be approved, Dr. Koeppen recommended that the DC approve the proposed Alleged Misconduct of Research Policy. The policy was then unanimously approved.

4. Composition of Ad Hoc Committee to Develop Interactions with Industry Representatives

The DC discussed additional nominees to serve on the ad hoc committee charged with developing a policy on appropriate interactions with industry and devices. The final committee composition includes Drs. Anthony Ardolino, Robert Bona, Dan Henry, Lynn Kosowicz, Thomas Manger, Kourash Parham, Peter Setlow, Richard Soucier, Gail Sullivan, William White, Leslie Wolfson, Jen Dearborn (MS-2), Wei-Li Deng (MS-2), and Nitin Roper (MS-1). The DC agreed that Dr. Jacqueline Nissen will serve as chair.

The meeting was adjourned at 5:02 p.m. The next meeting will be held on Wednesday, June 6, from 4:30-6 p.m. in the Medical Dean's Conference Room, AG-078.

Respectfully submitted,

Lynn Donatelli