HSC FACULTY ASSEMBLY
University of Colorado at Denver and Health Sciences Center

Minutes – September 28, 2005

Attendees 9th Avenue: Dennis Lezotte, Elizabeth D’antonio-Gan, Vicki Erickson, Leslie Jameson, Marilyn Krajicek, Lewis Pizer, David Port, Jay Gershen, Hollie Stevenson, Gerald Perry, Marie Hastings-Tolsma

Attendees Fitzsimons: Claire Collins, Tonya Ewers, Mike Glode, Laurie Shroyer, and Donna Stach

Excused Absences: James Shore, Ed Abraham, Richard Bakemeier, Carol Catalano, Sue Hagedorn, Jeff Holt, John Sbarbaro, Clyde Tucker, Daniel Wilson

Guests: Jeff Cheek, Weldon Lodwick, Denise Sokol

I. Call to Order

Dr. Lezotte called the meeting to order at 11:38 a.m., as well as thanked all participants for coming. The minutes from the June 28, 2005 meeting were approved.

II. Updates

Dr. Lezotte reminded all Faculty Assembly representatives to go to the open forum for the Chancellor candidates. The first candidate, Dr. Darrell Kirch (currently Dean and HSC Chancellor at Penn State), was in town last week and meetings with governance groups and an open forum were held. This week, the second candidate – Dr. Bruce Dowton – will meet with governance groups and hold an open forum. Given the high caliber of candidates for this top level leadership position, all representatives were encouraged to participate.

Dr. Lezotte noted two finalists for the President for University Hospital were undergoing a set of interviews. Drs. Glode, Shroyer, and Lezotte had met with these candidates. Both candidates were viewed positively overall.

Dr. Lezotte solicited nominations for faculty representatives to provide support for a joint program discontinuance policy that would be used for both the Downtown Denver Campus and HSC. He requested faculty be available to work on this project, which may have important implication for future program changes and faculty impacts, be coordinated by the School Senates at their earliest convenience and to forward names of representatives to him.

He also noted that Faculty Council had established a new ad hoc committee related to communications. Towards the goal of supporting this new committee, he announced that two HSC individuals were added to this committee (Catherine Bedell from the Chancellors office and Catherine Worster from the SOM office). The goal is to provide timely, accurate, and reliable public communication channels to further enhance CU’s image and public trust in CU faculty initiatives.

III. Potential Bid with Lockheed Martin for Las Alamos Research:

Dr. Lezotte introduced Dr. Jeff Cheek, the Assistant Vice President for Academic Programs and Research. Dr. Cheek stated that a letter of invitation from Lockheed Martin in collaboration with University of Texas related to a bid being placed related to coordinating academic support for the Los Alamos facility. The time frame for the contract was unknown, but the primary bid was being coordinated by Lockheed Martin.

Once the bid is accepted, a formalized proposal will be coordinated that outlines strategies for collaborating with these groups. More information related to the bid (with a fact sheet) as well as the opportunities for a partnership institution was distributed. As with any academic endeavor, concerns were raised relating the perception that CU may be moving into classified military research versus open academic research. It was noted that if faculty member chooses to pursue this type of research, then this is currently possible within the current 1/6th rule under current polices and restrictions for classified research. Under this policy, this type of research could not be used in promotion and tenure considerations. Dr. Glode noted that there was no 1/6th rule for the Schools of Medicine and Pharmacy, consequently there is an inequity for the HSC (as HSC faculty would not have equal opportunity to participate in these type of Los Alamos research-related endeavors).

Historically, University of California had run the Los Alamos lab. Dr. Lezotte asked if overhead costs would remain as high (over 100%) as in the past? Dr. Cheek clarified that if Lockheed Martin were to receive the bid, their for-profit orientation may change the level of overhead. Thus, the a portion of the funding available to support research related to reduced administrative costs possibly.

IV. System-wide P&T Committee:
Dr. Lezotte introduced Dr. Weldon Lodwick from the Department of Mathematics on the Downtown Denver campus. He is the new Chair of the P&T (Privilege and Tenure) Committee with 30 faculty members that are organized within 4 to 5 panels that handle any perceptions of inappropriate challenges that arise related to faculty member promotion and tenure processes. The panel chairs are assigned cases by the Committee Chair. The panels evaluate grievances brought by the faculty member to the P&T Chair mostly for issues related to dismissal for cause (e.g., sexual harassment or scientific misconduct). In terms of grievances brought, the greatest number are non-reappointments. The grievant has 60 days from date of notification to file a letter of intent to file a grievance. For P&T grievances, he noted that uniquely the burden of proof is placed on the faculty member, but preponderance of evidence includes: 1) beyond reasonable doubt; 2) clear and compelling argument; or 3) preponderance of evidence to show grievance is valid.

Cases of second highest prevalence deals with rights and privileges. The P&T Committee deals with process – not merit. The merit is deemed the right of the individual faculty committees within Schools. The third major topic is sexual harassment or sexism/racism brought by the University against a faculty member – and these policies are unique, in that there are no time limits for bringing these issues forward as P&T grievances. Dismissal for cause with formal hearings and lawyers present, with the Panel Chair serving as the hearing officer.

The procedure for formulating a grievance is that the faculty member contacts the P&T Chair. From this point, the Chair must make a ruling to evaluate if the grievance fits within the scope of the Committee’s responsibilities. Once the jurisdictional judgment has been made, the grievance may go forward with an investigation. Thus, typically Department Chairs, Deans, Chancellors, and Presidents may be interviewed. Once the investigators (that work with the panel) make a report, the panel makes a report to determine if the grievant has a case or not. Once this report is done, a recommendation is made to the Chancellor, who has only 10 days to respond. The P&T Chair informs the faculty of the P&T committee vote and the Chancellor’s response. These documents, as desired, may be used as evidence in court for proceeding forward.

In summary, the two “take-home” points are: 1) have campus policies note that if non-reappoint occurs, the faculty member has the right to contact the P&T within 60 days (and this should be noted in all unit-based policies, that deal with promotion and tenure); and 2) all faculty should be made aware that there are P&T mediators (available for free on each campus to attempt to assure that the normal channels are used and to attempt to settle the grievance at the lowest level possible). From the School of Medicine, Dr. Barry Rumack is a certified mediator and certified to provide profession support to either administration and/or faculty members.

Dr. Lodwick noted that he would like to move the P&T Committee towards mediation rather than coordinating grievances. Dr. Pizer asked who was qualified to request P&T intervention. Dr. Lodwick noted that any CU faculty senate member would be able to provide a request to P&T. The Faculty Assembly Chairs provided panel chairs and panel members are balanced by the Chair of P&T to reflect campus needs appropriately. In general, the composition of each panel is mixed with membership representing all campuses.

Dr. Lodwick responds to Dr. Port’s question - “why the burden of proof is placed on faculty member” - is that this was the rule set in place by the Board of Regents. Independent of who from the institution brings the charge forward, the burden of proof is always on the faculty member.

Vice Chancellor Gershen noted that there is an Ombudsperson office. Dr. Lodwick noted that this referral was commonly made, but often the grievant could make a decision to use or not use this resources. Marie Hastings-Tolsma asked what time commitment was involved to participate as a member of the P&T panels? Dr. Lodwick noted that this was a commitment of service with three-year terms, where significant time and learning process time may be involved. A grievant has the right to request a gender/ethnic mix, which will be honored to the degree possible. Marie Hastings-Tolsma asked if the P&T process was public? Dr. Lodwick noted that the entire process was confidential, except as required by law. The formal hearing is recorded and archived, with disclosure only by legal subpoena.

Dr. Glode noted that there was a system audit conducted, where a given faculty member was provided little notification and an few opportunities to raise challenges related to communication. Dr. Lodwick noted that he would try to assure the processes were held appropriately. Dr. Lezotte noted that if there is a research ethics or ethics question, these are handled by campus-based committees. Dr. Lodwick noted that the key is for the P&T committee to address the regulations and the legal requirements with the hope that ethical issues would be dealt with the campus-based committees. These types of challenges would be handled on a case-by-case basis.

Dr. Jameson noted that a “basic flow sheet” as to what faculty members should do to file a grievance should be developed and distributed. Dr. Lodwick agreed this was a good idea, as well as to provide this by the end of this semester with an outline of the timeline. Vice Chancellor Gershen noted that administrative dismissal and faculty
grievances were separated in his prior experience. Combining these together in one P&T Chair position, may cause complexities and challenges. Dr. Lodwick noted that legal counsel advice was available to provide support if/when needed.

V. Dr. Denise Sokol, Assistant Vice Chancellor for Institutional Research, Planning and Analysis Provided a Student Information System Replacement Overview

Dr. Sokol and Dr. Mason provided handouts (to be distributed by Ms. Starbuck) related to the planning process to provide an update related to the new Student Information System. Questions were raised as to why to make the Student Information System now – as the system failure risk for 1988 (as there are only 5 Universities remaining on this very old technology) and the vendor support is being discontinued in 2009. The database programming and administrators are nearing retirement. The system runs on COBOL programming where there are challenges for future support. The goal is to replace SIS with a more user friendly interface to support schools, colleges, and programs.

Options being considered: 1) keep using the current system after vendor support is discontinued – with risks related to student financial aid support programming challenges; 2) build a new system ourselves to program exactly what is needed – and the viability of this option was questioned; 3) select a vendor with a proven track records. There was a SIS oversight committee, which was beginning to explore the major vendor products available.

Dr. Sokol noted that demonstrations were being evaluated, with a decision point for planning going forward in October. The leadership of the University will need to be approached for their support to move into the next phase of planning. The question is what is in/out of SIS replacements – such as admission, student financial aid, housing, and other components. An RFP could not be coordinated without this level of detailed specification. In 2006-2010, RFA design, selection and implementation will be coordinated after approvals. How much will the system cost is a key unknown challenge. Funding models by senior executives have been evaluated, but many different financing models were being proposed. A new Steering Committee will be created to lead this project forward if/when approved with regular communication to the campus faculty/staff communities.

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Dr. Sokol noted that degree audit is the way that students is used to track students through their programs – where students can see their degree plan, their advisor plan, and how to have a roadmap for success. Once the requirements are completed, then the student is ready to graduate. The current SIS the degree audit component has never been fully implemented either within a campus or across programs. This represents a huge potential time saving for programs and campuses.

Dr. Sokol requested that it may not be possible to wait for degree audits, given the large faculty and program options. Thus, it may be that a third party product may be purchased as an interim strategy. She noted that her committee was open to comments and suggestions for improvement. She encouraged faculty members to review the web site materials, as well as contact other committee members.

VI. Chancellor’s Report: Dr. Jay Gershen, Executive Vice Chancellor

Dr. Gershen noted that Hollie Stevenson will be leaving the University to go to the Colorado Department of Health Care Policy and Financing as a Privacy/Security Officer. The entire Faculty Assembly wishes her well in her new endeavors, as well as will miss her contributions to the CU system.

As the first school to relocate its education component, the new Lazzara Center for Oral Facial Health opened at the Fitzsimons campus. Dr. John Sladek is working on the ground-breaking for RC 2. The groundbreaking may coincide with the next ResearchAmerica forum planned for May 2006. There was no news to report on Certificates of Participation. The Fitzsimons Redevelopment Authority [FRA] put out a RFP for a land developer and there were seven letters of intent, with applications due in October 2005. It is hoped that a decision can be made before the end of the year. The FRA Board put the Director position on hold, until the land developer for the Bioscience Park was selected.

Dr. Port noted that perhaps the UCH President position should be placed on hold until the new Chancellor position is filled, such that these positions were filled in series. These discussions had been hosted at many levels. Dr. Glode noted the collective wisdom was that there was an urgent need to fill these positions. The Presidential search committee had just met for the first time in the past week. However, the plan was to move forward on all these recruitments simultaneously.

Dr. Gershen distributed a report from the Office of State and Federal Government Relations regarding the September Legislative Council Revenue Forecast and the impact of TABOR. Ms. Stevenson presented the report, which shows
the differences in state programmatic spending and the state budget if Referendum C is passed in the November election.

VII. School Reports:

Library: The up-to-date database went up $340,000 for remote online services, thus a bit of shock wave was being felt throughout the library administration leadership team. Ms. Liz D'Antonio-Gan noted that more information may be solicited, as the medical students use this system quite heavily. Dr. Jamieson noted that this may be a key challenge, as well as future burden related to affiliate institutions providing access remotely. The cost of remote access to UpToDate has increased significantly and now exceeds $340,000, an untenable amount that would be equivalent to 42% of the library's budget for all resources. Most other health sciences libraries do not provide remote access while some refuse to deal with this vendor at all. The library is arranging trials of substitute products as well as a demo to be announced soon. Faculty were asked to encourage their students to participate in the trials and to respond to the survey with their preferences. Dr. Jameson noted the challenge that students on rotation experience in accessing needed resources and recognized that the university cannot provide for all of those needs. She will be working with preceptor sites to improve that situation.

Graduate School: Dr. Port noted that the Graduate Students are prohibited from wireless online access by the University of Colorado. He raised the question as to why the "guest accounts" were being closed? Dr. Lezotte noted that there was a student fee for computer access paid. At least one of Dr. Port’s students had been denied access. The Faculty Assembly viewed this challenge as a top priority. Dr. Shroyer agreed to contact JD Carlson to request his guidance and direction on this wifi request potential linkage difficulty with the HSC Denison system. Otherwise, Dr. Port had no further updates to share related to the Graduate School activities ongoing.

SON: Dr. Mary Blegen has accepted a new faculty appointment at University of California. Her contributions will be greatly missed.

Retired Faculty: No representative was present to provide a report.

SOM: Dr. Jameson noted that discussions were reviewed hosted on tobacco funding to support School of Medicine research endeavors. Moreover, professionalism statements were discussed. Dr. Port noted that tobacco companies have more diverse holdings than simply tobacco-related

SOD: Dr. Collins provided a note that she was excited to share that the new School of Dentistry building was now open!

Adjournment:

Dr. Lezotte adjourned the meeting at 1:30pm and reminded members the next meeting was set for October 25th. Moreover, a retreat for Faculty Assembly is scheduled on November 29th from 8 am to 1:30 pm at Shivers conference room. The purpose of the retreat is to facilitate communication between administration and faculty and to develop a working agenda for the HSC Faculty Assembly for the next two years. If FA members and Faculty Council members attending the retreat have questions of Deans and other administrators they can either ask in person or forward their questions to Dr Lezotte who will ask them anonymously. Dr Lezotte’s goal is to identify barriers at the HSC that inhibit our abilities to improve our stature in-light of all the new leadership coming to the campus and try to stop (or remove ) what’s stopping us from moving forward in a collegial and efficient manner.

Respectfully submitted,

A. Laurie W. Shroyer, PhD.
Professor of Medicine, Surgery, and Pathology, School of Medicine