

Academic Affairs Subcommittee
of the Board of Directors

November 7, 2005

Minutes

Attendees: P. Deckers, R. Galvin, J. Goldberg, A. Hand (representing L. Spangberg),
L. Jacobs, B. Koeppen, G. Maxwell, M. Mina, P. Setlow, A. Slaughter

Dr. Galvin called the meeting to order at 9:05 a.m. Dr. Koeppen introduced
Dr. Ann Slaughter, a new member of the Subcommittee who participated by phone.

1. Public Comment

Mr. Ed Marth, Executive Director of the UConn AAUP, spoke briefly on behalf of
Dr. Dorsky, who raised the question of potential denial of promotion based on his
efforts to create a faculty union. Mr. Marth stated that denial of promotion on those
grounds would be impermissible. The Senior Appointments and Promotions
Committee (SAPC) voted to recommend promotion after Dr. Dorsky argued that
Drs. Shanley and Garibaldi were hostile to him personally, and that they recuse
themselves from the voting process. The SAPC weighed the professional reasons for
and against promotion and voted in favor of promotion. He urged the Subcommittee
to look at the balance of information and decide if the SAPC's decision was correct.
He noted that he does not believe the actions of the Academic Affairs Subcommittee
should be a rubber stamp for the SAPC, nor should they substitute their judgment for
that of the medical professionals who felt Dr. Dorsky qualified for promotion without
substantial reasons for denial, especially when to do so would be without precedence.

2. Approval of the Minutes of the September 7, 2005 Meeting

Dr. Koeppen noted that he received an e-mail from Dr. Shanley asking that item #4 in
the minutes of the September 7 meeting be amended as follows: "Following a motion
to approve the recommendations for appointment and promotion to senior rank,
Dr. Shanley announced he would not be voting for the motion. When asked why, he
stated that there was a member who he could not vote for. When asked who this was,
he stated that it was Dr. David Dorsky. When asked to explain that decision, he noted
that Dr. Dorsky's nomination to the Senior Appointments and Promotions Committee
(SAPC) occurred without the support of either his Division Chief (Dr. Shanley) or his
Department Chair (Dr. Garibaldi)." A motion was made, seconded, and unanimously
approved to amend the minutes as requested. The amended minutes were
unanimously approved.

3. Dr. Koeppen announced that a request was made by Dr. Robinson to add an additional item to the agenda, specifically a School of Dental Medicine department name change. The recommendation from Dr. Robinson was distributed to the members. A motion was made, seconded, and unanimously approved to add the agenda item for discussion later in the meeting.

4. Business Items

- a. Recognition of Students Who Competed and Won "Medical Jeopardy"

The following recommendation was unanimously approved: **That the Academic Affairs Subcommittee recognize and congratulate the members of the School of Medicine student team that won the 7th Annual American College of Physicians Medical Jeopardy Tournament held at St. Raphael's Hospital on September 24, 2005. These members include Eric Oligino, Joshua Kallen, Erika Altneu, and Marshall Miller."**

Dr. Koeppen noted that the UConn team has won these tournaments in the last three out of four years. Dr. Ardolino thanked the committee on behalf of the students, who were unable to attend due to clinical activities. Dr. Galvin suggested that certificates be presented to the students.

- b. Stem Cell Initiative

Dr. Lalande provided an update on the stem cell initiative. The State of Connecticut recently passed legislation "permitting stem cell research and banning the cloning of human beings." The Act also provides for a stem cell research fund of \$10 million per year over the next ten years. A proposal to create a Stem Cell Institute has been developed and will bring together expertise from both campuses to develop stem cell therapies for human disease. Other goals are to train clinical and basic research scientists to lead this field of investigation into areas of medical practice, and to foster interactions between the Stem Cell Institute and biotechnology companies. A Stem Cell Working Group, chaired by Dr. Lalande, was formed on September 21, 2005. The Working Group's charge is to (1) explore recruitment of a stem cell core supervisor; (2) prepare a start-up budget for fiscal year 2006; (3) launch a national search for a director of the Institute; (4) propose an internal/external bioethical review panel; (5) provide a budget for fiscal years 2007, 2008, and 2009; (6) identify appropriate new space for the Institute; (7) develop an organization and reporting structure; and (8) prepare a grant application for the State Stem Cell Fund. A

start-up budget of approximately \$850,000 has been requested to create a core laboratory of 3-4 scientists dedicated to the production, culture, and differentiation of embryonic stem cells and to purchase equipment for the lab. Possible space for the Institute has been identified on Farmington Avenue near the Health Center. He presented the proposed organizational structure but noted that this has not yet been approved. The target date for submission of the grant application is April 15, 2006. He also noted that a Stem Cell Advisory Board is being formed but has not yet been finalized. Dr. Galvin added that the Health Department has been actively pursuing legislators to make these appointments and that a meeting of the Board, as it is currently formed, will be held next week. Dr. Galvin noted that meetings have been held with Connecticut Innovations, an organization charged by the State legislature to administer the stem cell fund, which have been very productive. He also noted that the stem cell initiative is a considerably difficult project and that efforts are being made to make this a collaborative and not exclusive venture between the two major universities in Connecticut. Dr. Jacobs noted that the Commissioner of Economic Development currently sits on the UConn Health Center Board of Directors and suggested seeking his involvement in this initiative.

c. Update on Public Health Initiative

Dr. Storey provided an update on the Center for Public Health and Health Policy. Two center offices have been established at the Health Center and Storrs, and they will soon be moving into space in East Hartford. A postdoctoral program in public health was approved by the Board of Trustees and will now go before the Board of Higher Education. They are also working to develop two additional Ph.D. concentrations and a Dr.Ph. program over the next two years. Core research capacity has been enhanced with the Connecticut Health Information Network, a program designed to increase the capacity, utilization, and quality of health data across State agencies. An Urban Health Partnership Institute has been established in Hartford to develop a model transferable to other urban centers that brings University talent to the challenge of addressing urban health while establishing a research laboratory for community participatory research. This initiative is moving forward slowly in order to seek input from many areas before working on a needs assessment in Connecticut. A group of outside deans visited the University in June, and Dr. Storey was very pleased by their response to our efforts. They were very impressed by the multidisciplinary nature of the work being done and noted that in order to maintain this level of enthusiasm, the

University needs to decide on a permanent structure, but they did not advise whether it should be a school or a center. However, the Strategic Planning Team has informally outlined what would be required for both structures and are currently leaning towards establishment of a center. Dr. Storey has also been pleased by the level of enthusiasm among faculty within the University as well as the support of the leadership. She also noted the involvement and support of Dr. Galvin and the Public Health Department and the excitement among other State agencies about the challenge of instituting a Public Health Institute. Some of the major challenges they are facing include developing a structure to form permanence to these successes, recruiting new faculty, securing funding, and securing space. Dr. Deckers noted that President Austin will be sending out a broadcast message this week institutionalizing this center and making it responsible for the integration of the University's educational and research public health initiatives within its governance structure and establishing it as the voice of the University relative to public health when interacting with other State agencies.

d. School of Dental Medicine Department Name Change

Dr. Koeppen explained that the Board of Directors approved a reorganization of the School of Dental Medicine departments in November 2004. At that time, one department was named "Oral and Maxillofacial Surgery, Orthodontics, Pediatric Dentistry, and Advanced General Dentistry." The members of the Department feel that a shorter name is appropriate and proposed that the name be changed to the "Department of Advanced Oral Sciences." Dr. Goldberg asked whether the other two Dental School departments were aware of this change. Drs. Mina and Hand were unsure, so it was recommended that this issue be tabled until the February meeting to allow time to solicit the opinions of the other Dental School departments.

e. Promotion Recommendation for Dr. David Dorsky

Dr. Koeppen provided background information regarding Dr. Dorsky's promotion. He explained that appointments at senior rank and awarding of tenure require approval by the Board of Trustees. That authority was delegated by the Board of Trustees to the Board of Directors, who delegated it to the Academic Affairs Subcommittee provided a two-thirds majority vote occurs. At the September meeting of the Academic Affairs Subcommittee, action on Dr. Dorsky's promotion to the rank of Associate Professor was deferred pending additional information. The Subcommittee asked Dr. Koeppen to prepare a

chronology of the events that led to Dr. Dorsky's nomination for promotion to Associate Professor. He noted that he only included certain documents with the agenda, but had all of them available which he could read upon request. Also requested at the September meeting were statements from Drs. Shanley and Garibaldi explaining why they did not nominate Dr. Dorsky for promotion to senior rank, and a statement from Dr. Dorsky. The Chair of the Senior Appointments and Promotions Committee (SAPC) was also asked to attend. Dr. Howard Tennen, Chair of the SAPC, explained that although he was present at the meeting when Dr. Dorsky's nomination was being considered, he did not comment or vote, and the meeting was chaired by Dr. Bruce White. Both Drs. Tennen and White were in attendance at today's meeting. Dr. Koeppen noted that after Dr. Dorsky received the agenda book, he felt some of the statements made by Drs. Shanley and Garibaldi were inaccurate, and he provided a letter, distributed today, to clarify those inaccuracies. Dr. Dorsky also asked that the discussion be conducted in public session and that he be allowed to videotape the procedures. Both requests were granted. Dr. Galvin clarified the voting process, noting that six voting members were present, and four votes were required to pass a motion. The options available to the committee were approval of promotion, denial of promotion, or remanding the nomination to the SAPC. The voting will be conducted in public session.

Dr. Tennen then responded to questions. When asked whether any of the information provided to the Subcommittee was available to the SAPC, Dr. Tennen responded that the material which reviewed Dr. Dorsky's scholarship was available to the SAPC, but specific items with regard to complaints that were made were not available to them, nor were they included in other letters the committee received. When asked why a complete data set was not provided to the SAPC, Dr. Tennen explained that the committee has a new procedure they follow to decide where information on nominees will come from. Dr. Dudley Watkins, the Dean's Liaison, selects primary and secondary reviewers who request information from people in addition to the information provided by the candidate. The Dean's Liaison reviews all the information and determines when there is enough to make a decision. Dr. Tennen's role is to ensure that the procedure is followed. In this particular case, Dr. Garibaldi, Chair of the Department of Medicine, declined the opportunity to nominate Dr. Dorsky. When Dr. Koeppen received a letter from Dr. Dorsky asking that the Dean's Office nominate him for promotion, Dr. Koeppen spoke to Drs. Garibaldi and Shanley (Dr. Dorsky's Division Chief) and confirmed that neither wished to nominate him because they both felt he did not earn the credentials to be successful if brought before the SAPC. Although the normal procedure for recommendation for

promotion and/or tenure is through the department chair, there is a method by which a faculty member can go forward to the SAPC without the chair's support. When the SAPC learned that Dr. Garibaldi did not recommend Dr. Dorsky and did not support his nomination, a request was made to Dr. Shanley to write on behalf of Dr. Dorsky. Dr. Shanley declined, stating that he too did not support Dr. Dorsky, but he did not wish to provide details. Dr. Tennen explained that when the SAPC guidelines were revised in 2001, there was a specific change regarding a chair declining to nominate a candidate. The revised guidelines specifically state that in such situations, the SAPC must follow their usual and customary procedures. He further explained that the SAPC's customary procedure is not to pursue people who decline to write or who indicate that they do not support a nomination but do not explain why. Dr. Maxwell noted that the SAPC voted 6:4 in favor of promoting Dr. Dorsky and asked if there had been similar circumstances in the past where the SAPC vote was as close. Dr. Tennen responded that within the past two years, there were probably five cases out of approximately 100 where the vote was as close. Dr. Maxwell further noted that the Academic Affairs Subcommittee has not had this information available to them in the past and asked how a review process will be developed. Dr. Koeppen explained that one of the outcomes of the September meeting was a change in how this material is presented to the Subcommittee. People who are nominated for promotion in a way other than the normal process will now be flagged when presented to the Academic Affairs Subcommittee. He will also provide background information on each individual recommended for tenure, as well as on faculty requesting approval of sabbatical leave. Dr. Mina asked for clarification of the process once the SAPC approves a recommendation for promotion. Dr. Koeppen explained that the recommendation is forwarded to the Dean. Dr. Deckers accepted the SAPC's recommendation regarding Dr. Dorsky, and it was then put on the agenda of the September meeting of the Academic Affairs Subcommittee. Dr. Koeppen further explained that at that meeting, when Dr. Burrow asked for a motion to accept the recommendations for promotion, Dr. Shanley said he would not be voting. When asked by Dr. Burrow why he was recusing himself, he stated that he did not feel Dr. Dorsky should be promoted because he was not recommended by the department. A lengthy discussion ensued regarding the process by which Dr. Dorsky was nominated for promotion, which resulted in the Subcommittee deciding that they had a number of unanswered questions which required additional information. Dr. Galvin urged the Subcommittee to not attach any negative connotation to the fact that

Dr. Dorsky used an alternate process to be nominated to the SAPC. He further indicated that the process appeared to be intact and that the Subcommittee is dealing with the content of the material provided to them. Dr. Tennen added that this was a situation in which Dr. Dorsky was a tenured faculty member and, therefore, not required to be promoted within any particular time frame, and that it is not unusual for someone not supported by their department chair to come to the SAPC through this route. However, Dr. Goldberg expressed his concern about the process if it limits the data being provided to the SAPC. Dr. Tennen suggested that if the current bylaws were changed to require either a letter of nomination by the chair, or a letter explaining why the chair is not supporting the nomination, then such information would be available to the SAPC, and they could follow their customary procedures. The Subcommittee agreed with this suggestion.

Dr. Garibaldi was then asked if he wished to make a brief statement. He declined, but offered to answer questions. He was asked if the material he provided regarding Dr. Dorsky is an unusual profile of concerns. He indicated that it is unique among Department of Medicine faculty.

Dr. Dorsky was then asked if he wished to make a statement and declined.

The Subcommittee then recessed for 10 minutes to provide Dr. Wetstone, Mr. Kleinman, and Ms. Comerford an opportunity to confer regarding voting procedures. When the Subcommittee reconvened, Mr. Kleinman clarified the process, indicating that the Subcommittee could vote in favor of promotion, in favor of remanding the matter to the SAPC for further consideration based on the discussion and information provided today, or they could deny the promotion. Dr. Galvin confirmed with Dr. Dorsky that these procedures were clear to him. A motion was made and seconded to affirm the recommendation of the SAPC and promote Dr. Dorsky to the rank of Associate Professor. The motion was defeated by a vote of 2 in favor and 4 opposed. A motion was then made and seconded to remand the matter to the SAPC under the existing rules and with whatever additional information is deemed appropriate for the SAPC to consider. The Subcommittee then discussed what information should be provided to the SAPC. Mr. Kleinman suggested forwarding to the SAPC only the substantive material provided by Drs. Garibaldi, Dorsky, and Shanley, which the Committee would receive in the normal course of events, and exclude the chronology of events prepared by Dr. Koeppen. However, there was general consensus among the

members that the chronology did not contain any information that might bias the SAPC in their judgment and that it might actually help clarify the matter. Dr. Galvin also suggested that Dr. Dorsky be allowed to submit additional information, other than what was provided at this meeting, to support his case. The committee then voted on the motion to remand Dr. Dorsky's nomination for promotion to the SAPC for review, and that documents which came to light today, including the chronology, and any additional documentation within reason which Dr. Dorsky would like to include to support his case, be provided to the SAPC. The motion was unanimously approved.

5. Consents

Dr. Koeppen noted that the promotion of Dr. Peng to Professor was not reviewed by the SAPC but was recommended by the Dean on academic grounds. The promotion of Dr. Ferrer to Associate Professor was also not reviewed by the SAPC and was recommended by the Dean on non-academic grounds. Dr. Goldberg asked for clarification of "academic grounds" and "non-academic grounds." Dr. Deckers explained that in the case of Dr. Ferrer, promotion to Associate Professor on non-academic grounds was recommended in recognition of his new administrative responsibilities as Surgeon-in-Chief at the Connecticut Children's Medical. Dr. Peng is a well qualified research scientist who has a significant medical problem. Dr. Deckers is recommending his promotion to Professor out of respect for his many academic contributions to the Health Center. Following this discussion, the recommendations for promotion, reappointment, emeritus appointment, and sabbatical leave were unanimously approved.

There being no further business, the meeting was adjourned at 11:25 a.m.

Respectfully submitted,

Bruce M. Koeppen, M.D., Ph.D.