

Minutes, College of Medicine Faculty Council Meeting 1-21-14

Attendance:

Basic Sciences	Clinical
Blonder, Lee	D'Orazio, John
Jones, Davy	Jackson, Wendy
Kaplan, Alan	Kearney, Paul
Noonan, Dan	Nelson, Peter
Swanson, Hollie	Springer, Joe
	Stevens, Julia
	Valentino, Joseph

*in attendance

Guests: Professor Larry Cunningham and Assistant Dean Chris Feddock

OMFS Program Change. Professor and Residency Director, Larry Cunningham, Division of Oral and Maxillofacial Surgery, presented proposed changes to the Oral and Maxillofacial Surgery MD Curriculum (OMFS). Professor Cunningham explained that the proposed changes were made to accommodate the revised COM curriculum and increase the competitiveness of the OMFS residents. Professor Cunningham gave a brief description of the changes and addressed questions from the COM Faculty Council. After a brief discussion, a motion was made by Paul Kearney and seconded by Alan Kaplan to endorse the program change. The motion was passed unanimously.

Curriculum Committee report. Professor Joe Springer gave a report on the Curriculum Committee that meets twice a month. One concern has been redundancy in the material presented due a large number of instructors in some classes. An additional concern is ensuring that student learning outcome objectives are appropriately addressed by the instructors. These issues are a responsibility of the course directors. Finally, the importance of timeliness in course and instructor evaluations was discussed. Overall, Professor Springer opined that the curriculum appears to be doing well.

Progress and Promotion Committee report. Professor Hollie Swanson presented the results from the USMLE Step 1 and Step 2 CK examinations. Overall, the UKCOM students score within the range of the national average. The council members discussed why overall national scores have consistently increased over the past decade.

College of Medicine Practice Plan Committee discussion. Professor Davy Jones reviewed University policies for the College of Medicine Practice Plan Committee (PPC) and concerns about compliance. The

President's Administrative Regulation [3:14](#) (approved by the Board of Trustees for effect July 1, 2009) requires the existence of a committee elected by and from those faculty who are members of the COM Practice Plan. Under AR 3:14, the PPC (comprised of a minimum of five elected faculty, plus the dean *asex officio*) "[t]he proposed annual budget for the Plan **shall** be submitted by the dean to the Practice Plan Committee for review and comment prior to submitting to the Board of Directors..." In addition, the PPC "**shall** meet periodically and shall review the operation of the Plan and ... **shall** make such recommendations as it may deem appropriate ... In the event that changes are deemed necessary by the dean, they**shall** be brought before the college Plan members by the Chair of the Committee." [emphasis added]

According to AR 3:14, the "College [of Medicine] [Addendum](#)" constitutes a part of the COM Practice Plan. According to the Addendum, the agreement contract signed annually between UK and KMSF "is a part of this addendum and incorporated by reference." In turn, this [annual agreement](#) states that the department/division-level practice plans "are recognized as a part of this agreement." Jones reviewed that changes to the annual agreement and department/divisional practice plans had been made since July 2009. Professor Paul Kearney elaborated that on or about July 1, 2012 each department/division faculty was directed that it must vote to approve for their respective new, amended practice plan. Deleted from the new plan(s) was the previously existing voting rights clause that a 2/3 approval vote was required for change to the practice plan. Some department faculty refused (e.g., in Surgery) so that their practice plans continue to have that clause ([2012 Surgery Practice Plan](#)), but most practice plan faculties lost that clause in their plans.

Several of the Faculty Council members described their experience in trying to obtain information about who are the PPC's elected membership, and what the PPC had done for the past 3 ½ years concerning the annual budget plan, and concerning revisions to the annual agreement and the unit-level practice plans. Hollie Swanson described that in her official capacity as Chair of the College's elected Faculty Council, she had inquired in December 2013 to the Dean's staff officer for the committee membership, but was told 'there is no record showing the membership in the staff officer's office.' She then requested directly to the Dean for the elected membership of the committee, but as of the Jan. 21 FC meeting there had been no response from the Dean. Davy Jones described his efforts that were instead from the direction of the Open Record Law. Through that process he last fall obtained the information that no minutes exist of any meeting of the Practice Plan Committee for the period July 2009 – September 2013. He was then informed that no records of any meeting agendas exist for that period either. He was also informed that no record exists from that period showing even the names of the elected members of the committee. Jones was finally able to learn the names of the persons who the administration claims are the elected members, by his requesting the current Notice of Academic Appointment and Assignment contract of each elected member, and of the ex officio member.

Jones described to the Faculty Council that records he had secured by the Open Records law showed that on Oct. 29, 2013 a group of six faculty had been called together to be informed, for the first time, that they constituted the current elected membership of the COM Practice Plan Committee. The six faculty committee members were also to be informed that "*when they meet ... minutes are not required.*" Jones described to the FC how it could be that persons, who themselves are to be among the

voters, did not know that they had been elected as the members of the Practice Plan Committee. It turns out that in June 2009 three persons, former Dean Perman, former Provost Subbaswamy, and current EVPHA Karpf, had decided among themselves that there would not be an election in which the election call states to the voters that the purpose of the election is 'to elect the members of the COM Practice Plan Committee.' Instead, these three persons fixed that that the persons elected as members to the external KMSF Board of Directors (not a part of UK) are at the same time the elected members of the COM Practice Plan Committee (which is a part of UK). However, from July 1, 2009 to October 29, 2013, these three administrators had never informed those persons of their status and hence no COM Practice Plan Committee had been functioning since its inception on July 1, 2009. From the vantage point of the voting practice plan members, Paul Kearney described inquiries he had made in his capacity as a voting practice plan member. He was able to confirm that there had never been a correspondence to the COM practice plan faculty from the Dean, the Provost or the EVPHA explaining that the election for the external KMSF Board of Directors was also surrogate election for the internal COM Practice Plan Committee. Kearney also described that when he inquired to the COM Legal Office as to 'when will there be a direct election for the Practice Plan Committee,' the officer responded "*I'm not sure what you mean by direct election...*"

The Faculty Council discussed at length the implications of the above information. The FC decided that its first step will be to ask the Dean to effectuate the following:

- (1) a direct, separate election by the PP faculty for their representatives on a COM Practice Plan Committee,
- (2) consultation with the Faculty Council in advance of establishment of transparent policies pertaining to the PPC, such as number of elected members, length of terms, creation of minutes to inform their constituent electorate, minimum periodic meetings per year, etc.,
- (3) providing the members of department/divisional practice plans the opportunity to restore provisions of their plans that after July 1, 2009 were changed or lost without the prior guidance and recommendation of the college level Practice Plan Committee.

Additional Business: The Faculty Council also discussed concerns regarding faculty evaluations and the use of digital measures. It was suggested that pursuant to the Provost's annual memo on faculty performance evaluation, the Faculty Council is interested and available to work with the Dean to develop a more fair and effective faculty performance evaluation instrument than is currently being used. Chair Swanson agreed to discuss this with the Dean.

The meeting was adjourned at 7:10 pm.

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