

Dean's Faculty Advisory Council
University of Tennessee, College of Medicine

October 3, 2022

Call to Order

The meeting was called to order by the president, Dr. Mace Coday, at 12:04 PM on October 3, 2022, in person and on the Zoom online platform.

Attendance

The following members were present:

Kevin Beier, MD, EM, Suleiman W. Bahouth, PhD, Dave Bhattacharya, MD, Ryan Buckley, MD, Mark Bugnitz, MD, Mace Coday, PhD, Julio F. Cordero-Morales, PhD, Terry Cooper, PhD, Denis DiAngelo, PhD, Tina Dudley, MD, Ian Gray, MD, Chris Ledbetter, MD, Patrick McConville, MD, James McLoughlin, MD, F. Matthew Mihelic, MD, Erica Mitchell, MD, MEd SE, FACS, DFSVS, Haavi Morreim, JD, PhD, Katherine Nearing, MD, Lawrence Pfeffer, PhD, Crystal Pourciau, MD, Burt Sharp, MD, Claudette Shephard, MD, Thad Wilson, PhD, Jillian McCarthy, Ph.D., CCC-SLP

The following guest(s) was (were) present:

Alicia M, Diaz Thomas, MD, Andrea Malkin, JD

Approval of minutes

The minutes of the previous meeting were approved as written. Minutes had previously been distributed by electronic means.

Business

With Dr. Cooper presenting, the DFAC resumed its discussion of individualized extensions of the usual 6-year timeframe for tenure. As he described it earlier to the DFAC, Dr. Strome's underlying concern is that, particularly for those engaged in externally funded research, the timeframes for obtaining grants, and also for renewing or obtaining second grants, do not always fit well within this 6-year frame. Sometimes the researcher's initial work may need significant adjustment in light of interim research findings; sometimes grant funds for his/her work may be exceptionally sparse for a period of time; sometimes the deadlines or processes for grant applications may be altered; or any of a variety of other events can make it difficult for a research faculty member to reach the goal of properly funding some promising research. Therefore, Dean Strome queried would it not make good sense to permit such a faculty member additional time before the "tenure clock" expires and s/he must leave UTHSC. It could be an avenue for retaining, rather than losing, some of UTHSC's most promising faculty and the expenditures required for their recruitment and setup.

As the project was then initially routed through the DFAC committee structure, the DFAC Policy Committee created a list of 19 questions for DFAC exploration of how a request for an extension of the tenure clock might be addressed. Those questions were then discussed at the September 12, 2022, meeting. In view of that discussion and in preparation for today's meeting, the Policy Committee created

a draft description of how such an extension of the tenure timeframe might work and presented it for DFAC discussion.

Dr. Cooper indicated that the document sent to the DFAC on Friday, September 30, is what a new ByLaw might look like if changes in BOT policies permitted such an approach to be used. DFAC members were then invited to comment. DFAC discussion observed, as noted above, that the issue began initially with the reality that tenure decisions can potentially be made too early in the case of research investigators, given the realities of obtaining and renewing grant funding. Much is at stake for the investments already made, both by the University and by the faculty member. One point raised was that an initial extension limit of only 1 or 2 years, followed by a difficult road to secure another extension, may be insufficient. Perhaps an extension of 2 to 4 years should be written in, instead.

Dr. Cooper explained that a justification for the proposal is different from what a bylaw would look like. This document is not a justification, but rather is simply a draft of a potential bylaw, hence must be in the language of bylaws. A justification would be a different document. It was also noted that gaining approval of such a change would likely be an "up-hill battle," given that the only current exceptions are quite narrow. A direct request for a 4-year extension would almost certainly be rejected by the Board of Trustees.

In response, it was suggested that language in the introduction might be phrased in terms of "highly promising" faculty. It would also seem important that the Chancellor, deans and others help show the Board the value of any changes in BT00006. And it was suggested that there be greater emphasis on the investments that can go for naught if tenure is denied or awarded too early.

Two approaches of working towards Board approval were noted, top-down via the upper Administration (Deans, Vice-Chancellor, Chancellor, Vice-President and President) and bottom-up via the UTHSC Faculty Senate and UFC. Irrespective of the route taken, the conversation should be a transformative conversation – a way of moving UT forward. Dr. Cooper noted that these considerations would be very important in a document on justification; however, that is a different document from the one under consideration today – a draft of the Bylaw, which is a *process* document rather than a *substantive* document outlining the policy's justification. The purpose of the draft Bylaw is to show that any evaluation of a tenure extension would proceed in a very careful, step-by-step fashion, not arbitrarily, hastily, or capriciously.

Further discussion noted that, given the uncertainties in research funding, the CoM's tenure policies need to recognize that grant funding is constantly changing, and becoming ever more difficult to obtain – and particularly, secure additional grants. Hence an educational document will be very important. The Research Committee will need to write the "educational pamphlet" for this project in collaboration with the Policy Committee..

Additional suggestions from administration:

The initial paragraph, "For good cause, e.g., extended illness, mid-stream significant change in research direction, pregnancy leave, or other good cause," might be construed overly broadly. It could be better and simpler just to say "For good cause." Additionally, the question arose whether the process may have too many steps and could actually take a lengthy period of time to complete. Committees would be better to have an odd rather than even number, given the possibility of a tie. In response, it was noted that even a split decision from a committee is not inconsequential, since a committee's findings are strictly recommendations, not determinative. The draft also recommended tenure evaluations at 2 years and at 4 years, which (especially at 4 years) can provide ample time to construct the case for an extension. Additionally, the process described in the draft could often be completed within a few months.

Further discussion noted that the value of including things like pregnancy leave, medical issues etc., in the first paragraph, is that this is a very important issue at some other campuses, e.g. Knoxville.

Dr. Cooper emphasized that the document under discussion is strictly for the Dean, to use, change, or discard however he may see fit. As he noted, this discussion has been for the purpose of input, not approval.

Next Meeting

The next meeting of the committee will be held on November 7, 2022, at 12:00n CT / 1pm ET by Zoom and in person in room 502, 910 Madison building.

Adjournment

There being no further business, the meeting was adjourned at 1:05 PM.

Respectfully submitted,

E. Haavi Morreim, JD, PhD
Secretary