

Faculty Senate Meeting Minutes
January 27, 2020
Hofheimer Hall - 7th Floor - 5:00 pm

Present (in alphabetic order): Daniel, Dianne; Derkay, Craig; Ikonne, Uzona (A); Lattanzio, Frank; Morris, Shannon; Musto, Alberto (call-in); Rubino, Mary; Williams, Michael.

Visitor-Stacey Purcell, EVMS General Council

1. The Faculty Senate was called to order at 5:05 by Dr. Derkay.
2. The minutes from the December 2019 meeting were approved with a correction.
3. Dr. Derkay presented his report on meeting with Dr. Homan. Dr. Homan tore his Achilles tendon and is on crutches, after previously tearing his opposite one. We wish him a speedy recovery. (1) SAC preparations are ongoing, with the visit scheduled from March 30 through April 1. The major focus will be on the QEP, which was recently submitted. Major QEP areas include evaluation of student success (learner outcomes) with strong methodologies to assess this and sufficient resources from the school to do this successfully. The current QEP emphasizes cultural humility, with self-awareness, reflection on our own biases, cultivating a sensitivity and openness to other identities and their ideas. This aligns with the vision and mission of EVMS and our current strategic plan, including equity and inclusion. Possible areas of concern were identified as Credentialing and Board Governance. (2) The LCME preparations are also ongoing, with the visit this upcoming October. Areas of focus will include finances, such as student debt and its management, margins and improvements in the number of faculty and the levels of faculty salaries. EVMS has managed some improvements in these areas and has reasonable arguments as to what limited these improvements. The Dean noted that in-state tuition levels were held constant and some salary support had been increased to attempt to bring faculty salaries in line with the norm. The margin is positive, but not as robust as would be wanted, with Sentara having influence on the use of funds to be released to EVMS as discretionary support. (3) The Faculty lunch with the Dean in January had only 6 attendees, while the December lunch had about a dozen attendees. This lunch involved Primary Care

departments, with Family Medicine, Internal Medicine and Pediatrics invited. The January lunch was a good one in terms the number of questions fielded and overall positive interactions. To increase the number of attendees, the list of invitations would be expanded, as the original idea of targeting specific subgroups by specialty/interests may inadvertently reduced attendees' numbers. It was proposed that surgeons would attend the February meeting and the March meeting would be opened to the General Faculty. Dr. Mylona's department has been instrumental in sending out invitations and supporting the overall process. (4) Drs. Homan and Derkay will be part of the White Coats on Call (WCOC) group heading to Richmond to meet State Senators and Delegates on January 29. One of the major talking points for this group will be about making EVMS base adequacy levels comparable with other Virginia Medical Schools. Increases in EVMS base adequacy will support additional maintenance improvements in Lester and Waitzer Hall. EVMS has requested \$1.7 million in this regard. After the last state election there was a turnover in state legislators supporting EVMS, but we a new supporter in Louise Lucas, who will be met by EVMS WCOC members. (5) Annual training for EVMS faculty and staff has started in January and will close at the end of March, 2020. Dr. Derkay reviewed his recent experiences with this training. In several of the new modules exam questions are embedded in the video, rather than being given as a separate test after the video has been reviewed. This has created the problem that if an exam has to be re-taken, the video also has to be reviewed in its entirety, rather than just retaking the exam. Other concerns mentioned by Dr. Derkay include problems shifting between the questions and the video, being locked out of the video and having to restart the video, questionable "correct" answers and failures of the test results to be registered (for example, the Diversity and Unconscious Bias video). In the Branding video, the affiliations of faculty that have dual appointments need to be specified in their email signatures, rather than just having an EVMS affiliation. (6) The next General Faculty meeting will be on February 11 and the Faculty Senate has been asked to give a Senate activity report to the faculty present. Dr. Derkay will be at a meeting in Chicago at that time and he requested that either Frank Lattanzio or Alireza Hosseini give that short report. Dr. Derkay stated he would send that

report to the Faculty Senate representative prior to his departure to Chicago. (7) The Emeritus Faculty Committee will meet in the first week in February, with 5 candidates to be reviewed. The Faculty Senate has a representative that chairs this committee. Dr. Derkay is stepping down from that position and he has recommended Dr. Lattanzio for that role.

4. General Council Stacey Purcell and Member at Large Shannon Morris engaged the Faculty Senate in a review of the Faculty Grievance policy. The goal will be to update the Grievance policy and create a draft that will go to the BOV. Stacey Purcell introduced a draft she had made, with emphasis on several areas that have been under discussion for review. Items under discussion include (1) Who makes the determination of what can be grieved? Currently the Faculty Senate President must appoint a committee to evaluate whether the grievance satisfies the qualifications to allow the grievance to go forward. The Member At Large will chair the committee unless the grievant is in that person's department or if there is another type of conflict of interest. A discussion ensued as to whether the Chair (or possibly the Chair and Faculty Senate President) should review the material first and determine whether the grievance goes forward to the entire committee. Another possibility would be to have Dr. Mylona's department, Faculty Affairs, provide the review of format and related specifications. It was felt that the grievant might also need instruction into the preparation of a grievance in the form suitable for review. (2) What should be grieved through the Faculty Senate? There are issues that may be more the purview of HR, but it was felt that the Faculty Senate might need to be aware of such issues, as some of them might overlap into areas that the Faculty Senate would have to address as well. Other points of discussion included the suggestion that certain committees (Appointments and Promotions, Tenure) might have an internal grievance procedure, allowing the committee to review faculty concerns, rather than having these concerns have to go directly to the Faculty Senate as a grievance. For this approach to be utilized, a subcommittee with a chair different from the committee's chair would have to be formed. Other schools have embedded such a review process within their committees' structures.

A re-write of the Faculty Handbook is in the process of going through Dr. Mylona's department. The Faculty Senate will have a second (or third) look at this re-write. HR issues such as racial or gender discrimination, workplace violence and harassment may be handled through HR alone or may need to involve the Faculty Senate, as well, so there needs to be a flexibility in how this assignment is made or whether there should be a review by the Faculty Senate after first going through another group. An example might be faculty performance issues in combination with an evaluation of gender discrimination, the latter more of an HR issue and the former more amenable to Faculty Senate grievance review. Stacey Purcell wanted to take the revised policy to the BOV in March, with the possibility of further refining the policy later. The definition of what can be grieved is stated as when a faculty member has been directly and adversely affected by actions (or failure to act e.g. inactions) deviating from normal policies and procedures or by arbitrary and capricious acts. Note that what is grievable through HR can be determined by the Head of HR, separate from what is grievable through the Faculty Senate but there can be overlap between the two. There was a discussion on adjusting the number of Grievance Committee members from 5 to 3 to target specific expertise (clinicians to review clinical grievances) or to address committee size limitations caused by perceived conflicts of interest or having a fixed committee membership (which still might have vary due to conflicts of interest). However, it was decided to keep the same committee number (5), with the comment that both Senators and their alternates are available to serve on a Grievance Committee. A decision was made to formalize the storage of grievance materials, in that because the Grievance Committee varies from year to year as both the Member at Large was changed as well as committee members there was no centralized document storage. This potential for a loss of documentation might cause problems if a grievant returned later and a past decision had to be re-evaluated by examining the original documentation. One suggestion was that Faculty Affairs store such documentation and that a person from Faculty Affairs be assigned to the Faculty Senate to help support the grievance process and to assure storage of documentation. Currently, the chair of the committee bears the load of maintaining documentation, scheduling meetings, etc. In

terms of interactions with the grievant by the Grievance Committee, it was suggested that an initial dialog between the grievant and the committee chair could be allowed, which might improve the quality of the formatted grievance by re-iterating the correct format, time frame for submission and other administrative requirements. Changes in the timeline of the grievance process were recommended, with a move to 90 calendar days from date of action (rather than work days, which are more difficult to track) to file the grievance and the committee make an initial determination within 60 calendar days, with resubmissions from the grievant within 30 days. These longer timelines would allow more review and preparation time for all parties. To reduce conflicts of interest within the committee, both the grievant and the respondent could declare that conflicts might exist and request changes be made. The grievant could also request either an open or closed grievance meeting. Besides having a hearing, it was debated whether other forms of remediation could be available, such as arbitration. In that case, it was mentioned that the committee might offer such options to the respondent to re-consider before going to hearing. It was further discussed whether the Grievance Committee could offer an option or make a recommendation, rather than just a determination that the grievance was justified. It was recommended that all Faculty, including Community Faculty, be allowed to grieve. There was additional discussion about generating an excessive abuse of policy statute to reduce spurious grievances. Given the desire to revise the Grievance policy in a timely fashion, General Council Purcell offered to return to the Faculty Senate in February. A new draft will be sent out shortly by her for review by the Senate in February.

5. Dr. Derkay will report about the Hot Topics items at the next Faculty Senate meeting in February.
6. There is no update on the Faculty Handbook revisions. Revisions to the Faculty Handbook are on hold due to the upcoming SACS/LCME accreditation visits.

The Faculty Senate adjourned at 6:14 PM.

Next Meeting: February 17, 2020