

Robert D. Simari, M.D.

Professor and Executive Vice Chancellor, University of Kansas Medical Center

Akinlolu O. Ojo, M.D.

Professor and Executive Dean, KU School of Medicine

February 17, 2021

Dear Dr. Ojo and Dr. Simari,

In the spirit of transparency, accountability and shared governance, the Faculty Council (FC) of the University of Kansas School of Medicine tenders this letter to recommend a course of action in response to the recently approved KBOR policies related to employment policies of faculty and staff (January 20, 2021 revision of the Board Policy Manual, CHAPTER II: GOVERNANCE - STATE UNIVERSITIES; C. CHIEF EXECUTIVE OFFICER, FACULTY AND STAFF; 6. SUSPENSIONS, TERMINATIONS AND DISMISSALS). This letter was approved by electronic vote of the FC with 63 yeas, 6 nays and 1 not voting.

This policy revision effectively allows termination of any staff or faculty without cause or reasonable due process. **The FC believes that the suspension of tenure for faculty and protections for staff will have devastating consequences for the School's missions of research, education, service and patient care. We urge you to oppose implementation of this policy for the School and to advocate, in the strongest terms, for its suspension at all KBOR institutions.**

Financial challenges to the higher education system in Kansas have been a consistent theme for more than a decade and the COVID19 pandemic has created unprecedented fiscal difficulties. The FC recognizes the need for a range of tools to address these challenges, to ensure the survival of the School. However, application of the KBOR termination policy in any meaningful way will critically damage the School in the present and ensure future difficulties in recruitment and retention of talented, committed staff and faculty. The net result will be to reverse the 116-year upward trajectory of the School and install immense hurdles to future progress.

The year 2020 was marked by two major crises in the US, the COVID19 pandemic and a reckoning with structural racism and violence. Institutions of higher education have been, and will continue to be, an indispensable resource in addressing these crises. Restoration and improvement of the health, economy and comity for our nation following these crises will require the full expertise and commitment of the faculty and staff of KBOR Universities. Our School provided physicians who treated those who fell ill from the virus, scientists who contributed to developing vaccines and treatments and social scientists who continue to call for equity and inclusion in healthcare. Going beyond the School and considering KBOR institutions as a whole, we include not only those listed above but the entire spectrum of trained professionals: lawyers, policy-makers, engineers, business people, artists and poets, all who help society understand and address these frightening and difficult challenges. Even using a highly parsimonious estimate, the return on investment from a vibrant system of higher education is immense; the crises of 2020 have highlighted just how invaluable that return is. Finally, and perhaps most importantly, we are faced with historical application of suspended employment protections in a manner that disproportionately impacts oppressed and/or discriminated- against groups. These policies risk strengthening the systemic violence in academia against faculty who belong to under-represented groups, violating the principles and aspirations of our faculty and institution.

Focusing more specifically on the core mission of the School, the education of physicians and scientists, KBOR institutions have an irreplaceable role in preparing students to enter the School. Typically, about 60% of our matriculating medical school class earned their undergraduate degrees from KBOR universities. While the focus is often on scientific preparation for medical careers, equally (if not more) important is the education in non-scientific disciplines. Our entering students must have a humane and empathetic world view and be able to think deeply about complex problems. They must be able to communicate that thinking effectively to a diverse population. They need to understand important cultural and social differences and similarities in the populations that they will care for. They will be called upon to develop means to address health care inequities and address the social forces that work against good health. Beyond this, our graduates must appreciate the historical dynamics that have shaped health care delivery and scientific research in this country so they can address the enormous challenges of financing health care and ensuring a robust research enterprise. All of these tasks that our graduates are called upon to adopt require knowledge beyond biomedical science. Our students must enter the School prepared to consider and apply legal, social, economic, psychological and other concepts to the health of individuals, communities and the country as a whole.

Where does this critical preparation occur? For more than half our medical class the answer is: Emporia State, Fort Hays State, Kansas State, Pittsburg State, the University of Kansas, Washburn, Wichita State and the more than two-dozen community colleges in Kansas. These are high quality, accessible institutions and their contribution to the training of future physicians for Kansas is simply irreplaceable. Since these institutions also represent value in their programs, they provide access for the student populations we most need to fill the ranks of the School's classes: rural students, those with socio-economic challenges, urban students and those from racial backgrounds under-represented in medicine. The KBOR policy on *Suspensions, Terminations and Dismissals* will have a predictable outcome: a reduction in the breadth, quality and availability of prepared students for the School of Medicine. The ultimate consequence of implementing the policy will be to change the quality and type of physicians the School graduates; this change directly contradicts our mission and shared values as a faculty and will negatively impact the health of all Kansans.

The FC understands the enormous financial challenges facing KBOR institutions and the State of Kansas as a whole. Reviewing and potentially re-aligning missions of KBOR institutions is a normal and critical process to maintain the health of higher education in Kansas. However, such an undertaking should not be done in the midst of crisis by application of new policies that will have devastating, immediate impact. The FC is painfully aware that individuals and institutions are staggering under the economic and social fallout of the crises of 2020. Disinvestment in the means to recover from these crises – eating our seed corn – will have a predictable, painful outcome for Kansas. We urge you to actively work to prevent the application of the KBOR policy for the School of Medicine and all schools of KUMC. More broadly, your vocal support for preventing implementation of this policy at other KBOR institutions is as important, to ensure the success and future of the University of Kansas Medical Center.

Most sincerely and on behalf of the Faculty Council,



Joseph D. Fontes, Ph.D.
Chair, Faculty Council



Sufi Thomas, Ph.D.
Vice-chair, Faculty Council