



MINUTES, FACULTY COUNCIL OF THE FACULTY OF MEDICINE

A meeting of Faculty Council was held on Monday, April 22, 2002, at 4:00 p.m., in Room 3153 of the Medical Sciences Building, University of Toronto.

Present:

B. Schimmer (Chair), R. Baker, J. Barrett, R. Braga-Mele, G. Brown, M.M. Carr, J. Challis, C. Cohen, B.E. Cruickshank, P. Ellison, L. Ferris, R. Freeman, B. Funnell, M. Gospodarowicz, J. Hay, E. Hayeems, A. Marks, W. McIlroy, D. McKnight, G. Mitera, R. Moore, D. Naylor, S. Parikh, H. Pastemak, H. Polatajko, X. Punthakee, S. Rappolt, A. Robertson, J. Rosenfield, M. Sefton, G. Sibbald, J. Tan, V. Tarasuk, P. van Lieshout, D. Wasylenki, R. Waxman, J. Weedmark, C. Whiteside, D. White, H. Yeger, C. Yip.

Administrative Staff: D. Keeling, S. Wadhvani (Secretary)

Regrets:

D. Alli, G. Anderson, J. Bradley, R. Bristow, M. Bronskill, C. Chalin, D. Cheung, D. Davis, L. de Nil, R. Frecker, B. Giblon, A. Gottlieb, P. Hallett, A. James, J. Lepock, P. McKee, R. Mousteph, D. Riddick, J.W.K Ritchie, J. Waddell, and W. Ward.

The Speaker welcomed everyone and called the Council to order.

1. In Memoriam

The Speaker recalled the memories of former colleagues and members of the Faculty of Medicine who had passed away during the 2001-02 academic year. He read out the names followed by a moment of silence.

2. Minutes of the Previous Meeting

The Minutes of the meeting of March 4, 2002 had been pre-circulated. The Speaker invited comments or corrections. None was raised. On the motion by Prof. Ellison, seconded by Prof. Sibbald, the minutes were approved as circulated.

2.1 Business Arising - None.

3. Communications

Reminding members that this was the last meeting of the 2001/02 academic year, the Speaker thanked all those members who were completing their terms on Faculty Council for their contribution and service to the Faculty and Faculty Council.

4. Reports from the Dean's Office

Dean

(1) The Dean reported on a disciplinary matter re Prof. Gideon Koren. He read the following statement:

"In 1998 Professor Gideon Koren submitted as senior author a manuscript investigating variability of response to the oral chelator, deferiprone, among heavily iron-loaded patients with thalassemia major. The two other authors, Drs Gordana Atanackovic and Orna Olav-Citrin, were research trainees. The paper appeared in 1999 in Therapeutic Drug Monitoring (1999; 21: 74-81).

The Faculty subsequently received complaints about this paper from Professor Nancy F. Olivieri. A Committee of Investigation examined these complaints. The Committee was chaired by Prof. William Sibbald, formerly Assistant Dean of the Faculty of Medicine, University of Western Ontario, and now Physician in Chief of Sunnybrook and Women's College Health Sciences Centre and Professor in the Department of Medicine of the University of Toronto. The committee included Prof. Kent Roach of the Faculty of Law and Prof. Wayne Sumner of the Department of Philosophy both of the University of Toronto. The Committee reported in late September 2000. The delay in reporting on the final adjudication of this matter has arisen because of related issues and appeals that have arisen over the last 18 months.

The Committee distinguished --- usefully, I believe --- between a scientist's right to access data as a co-investigator and his or her responsibility to consult others when publishing material drawing on shared data. The Committee categorically rejected "the notion that any of these data be regarded as the private property of only one of the co-investigators". However, they were clear in their finding of research misconduct against Professor Koren as a result of his actions in proceeding unilaterally to publish the findings concerning the efficacy of deferiprone. Specifically, the Committee found that, as senior author of the 1999 TDM article, Professor Koren used data arising out of the LAO3 study on which he was a co-principal investigator, without obtaining consent, review or participation by Dr Olivieri as principal investigator on the study. Similarly, he did not obtain consent, review or participation by Drs. Gary Brittenham and Robert Jacob, two external collaborators who had worked directly and exclusively with Dr. Olivieri.

In responding to this matter, I have taken careful consideration of the context. Members of Faculty Council will, I expect, be familiar by now with the extraordinarily bitter dispute that has arisen since 1997 involving Drs Koren and Olivieri, the pharmaceutical company Apotex, and various other institutions and parties. The manuscript submission in question occurred more than three years ago as that dispute was at its apogee. Other misconduct by Professor Koren arising from the same period led to serious disciplinary measures imposed approximately two years ago, and I sincerely hope that resolution of this trailing item brings the entire episode to an end. I note that since the misconduct in question, Professor Koren has maintained an exemplary record. He is a Senior Scientist of the Canadian Institutes of Health Research. He is currently supervising or co-supervising 10 post-doctoral fellows and 15 graduate students in clinical pharmacology. He has co-authored approximately 120 items indexed on Medline between 1 June 1999 and 31 December 2001, along with various book chapters --- a publication output unmatched in the Faculty. Some of Professor Koren's recent publications have major public health implications (e.g. papers on the relationship between in utero exposure to organic solvents and vision damage in the newborn, or between second-hand smoke and Sudden Infant Death Syndrome).

In the circumstances, I am publicly recording a finding of research misconduct against Professor Gideon Koren for reasons stated above. I have also insisted that Professor Koren write to the Journal to acknowledge his error in not involving or acknowledging colleagues, and to request of the editor that the offending article be deleted from the scientific record through appropriate notification of indexing services. He has done so, and also sent appropriate personal letters of apology. I consider the matter closed.

I wish to emphasize, more generally, the point that the occurrence of a scientific or personal dispute does not absolve co-investigators of the responsibility for making genuine efforts to involve even estranged colleagues from a research team in the process of publication or dissemination of findings based on shared data. This does not mean that disputants have a veto over the publication rights of each other. It does highlight the need for continued communication among erstwhile collaborators. Further, it will often be appropriate to notify journal editors at the time of submission of a manuscript that there are contrary views within a fractured research team. Such disclosure can help editors be attuned to relevant issues during peer-review of a potentially controversial manuscript, or permit them to solicit editorials presenting a contrary view of the subject matter. The resolution of disputes may be facilitated by the existence of explicit agreements among members of the team concerning publication rights and responsibilities. Last, the Dean's Office is prepared to offer dispute resolution services for these instances of failed collaboration. I urge colleagues to avail themselves of such services rather than take unilateral action leading to adverse consequences."

(2) The Dean reported that there had been a very positive progress in a number of capital projects. The CCBR was moving along well with Profs. Yip and Friesen leading the project team. Some first steps toward conditioning the site would be taken shortly and this would disrupt parking at the back of the MSB. There would be other disruptions inevitably, but every effort was being made to reduce these to a minimum.

The renovations plans for 500 University Avenue were on schedule to facilitate the move of the Rehab sector in the fall of 2002.

It appeared clear now that the Board of Education building would be used by the Community Health sector along with the Faculty of Nursing. In time it could also accommodate the Department of Family & Community Medicine.

Renovations to existing laboratory and office space had variously been completed or were in progress inside the MSB, the Fitzgerald building, and the Best Institute.

A very active set of plans was in place for the MD accreditation in 2004. Prof. Rosenfield, Prof. Frecker and the rest of the team had been working very hard on curriculum renewal.

On the policy front, there had been a lot of positive movement. New draft policies for Research Misconduct were moving through the consultation phase on their way to governance. New Conflict of Interest Guidelines were also moving through consultation, as were new Divisional Guidelines for the Evaluation of Promotions.

For the last several weeks an important Task Force on policies for clinical faculty had been working very actively. For 30 years there had been a policy vacuum with respect to clinical faculty. The Task Force was progressing well and the first consultation paper would be rolled out very soon.

A member asked whether the previous disciplinary actions related to Prof. Koren were taken into account when he was reviewed for misconduct this time. The Dean replied in the affirmative. The team was very aware of the previous disciplinary letter, and sought detailed legal advice of professionals prior to imposing the current sanction.

A question was raised as to how the Task Force had responded to the fact that clinical faculty were largely employed by the hospitals but their salaries were derived from hospital-based activities. The Dean noted that the majority of clinical faculty were employed by the hospitals or self-employed in practice plans. In either case there was a similar problem, i.e., a different status with the University where most of the policy structures had been put in place to deal with individuals who were employees of these institutions. To bridge these perspectives, the membership of the Task Force had included campus representation, a hospital CEO, a clinical departmental chair, and a variety of clinical faculty members. The idea was to deal with University responsibilities in areas such as academic freedom without exceeding the limits to our authority given our paymaster role here. It was believed that the Task Force had hit on a very acceptable set of compromises.

Vice-Dean, Research

Dr. Yip gave a follow-up on the CRC nominations. A total of 70 nominations were submitted to meet the April 15th deadline. Twelve were chosen for submission. The outcome of the nominations would be known by early Fall. The next deadline for nominations is September 2002.

Dr. Yip presented the results of the CIHR Personnel Awards for March 2002. Under the New Investigator category, 285 applications were submitted and only 59 were awarded of which UofT and affiliates received 12. For Investigator awards, out of 91 applications, 18 were awarded of which UofT and affiliates received 5. A total of 63 applications were submitted for the Senior Investigator award and 15 were awarded of which UT and affiliates received 4. It was noted that in this competition, the UofT and Affiliates did not do

that well compared to the Montreal academic Institutions, although the capture rate of the UofT was comparable to that of McGill.

The Dean added that not only did we have over 120 Canada Research Chairs from the CIHR competitions, we now had over 100 Endowed Chairs between the campus and hospitals and that number was rising steadily. So, here we have outstanding faculty members obtaining personnel awards, which have resulted in a competitive internal situation. These numbers suggested a need for a coordinated strategy around personnel award applications on which Prof. Yip was beginning to work.

Chair, Education Dean – The Education Deans had nothing to report.

5. Standing Committee Reports - for Action

i) Continuing Education Committee

Prof. Sibbald noted that the Centre for Faculty Development was being developed as a partnership initiative between the Faculty of Medicine and St. Michael's Hospital. It would maintain initiatives at the undergraduate, postgraduate and continuing education levels. The resources would be provided by both the hospital and the Faculty of Medicine, including the Dean's Excellence Fund. The Centre would also work to offer certificates, diplomas and master's level training in education and faculty development along with a number of other functions.

In response to a question concerning linkage to OISE master's and a Master's in Education, Prof. Whiteside noted that faculty development was not a graduate training program, so therefore the Centre did not have a degree granting facility. However, the intent was to link to graduate education. Currently there was planning in progress for enhanced opportunities for health professional education.

It was moved by Prof. Sibbald, seconded by Prof. Polatajko

That the establishment of the Centre for Faculty Development in association with and located at St. Michael's Hospital be approved as per the attached documentation. Motion carried unanimously.

ii) Research Committee

Prof. Funnell noted that this proposal for name change of the Centre for Sleep and Chronobiology had been brought forward by Prof. Doug Bradley, the current Director of the Centre. He had provided the Research Committee with the rationale for the name change. The mission of the EDU would remain unchanged

It was moved by Prof. Funnell, seconded by Prof. Naylor

That the name of the Centre for Sleep and Chronobiology be changed to University of Toronto Centre for Sleep Medicine and Circadian Biology as per the attachment. Motion carried unanimously.

6. Sounding Board

No item had been submitted for discussion.

7. Question Period

The Speaker invited questions, but none was raised.

8. Adjournment

On the motion from Prof. Challis, the meeting of Faculty Council was adjourned at 4:50 p.m.