



HMS/HSDM Faculty Council

Faculty Council Minutes  
January 10, 2024

**Present:** Aduayo-Mazzucato, Agudo, Becker, Chen, Cluett, Daley, del Carmen, Daley, Giannobile, Goldstein, Greenberg, Haberer, Haigis, Hatfield, Hedt-Gauthier, Henske, Huang, Ingelfinger, Irani, Jena, Kaban, Katz, Mathis, Meyerson, Morton, Murray, A. Nazarian, R. Nazarian, Parangi, Royce, Shih, Stern, Treister, Wagers, Wu

**Guests:** Drs. Mayer, Muto, Shin, Westlund; Mss. Bittinger, Brodrick, DeCoste, Ivins, Lewis, Lincoln, Neale

**Staff:** Mss. Hecht, Ryan, Spearman

*This Faculty Council meeting was held virtually, via Zoom.*

Dr. Josh Goldstein welcomed the Faculty Council and called the meeting to order at 4:02pm. Dr. Goldstein then asked for and received approval for the December 6, 2023, meeting minutes. Next, Dr. Goldstein turned the floor over to Dean George Daley for brief remarks.

Dean Daley thanked Dr. Goldstein and welcomed the Faculty Council to the new year. Dean Daley acknowledged that Harvard has gone through quite a bit of turmoil over the past couple of months. Dean Daley stated that he feels that the institution is extraordinarily strong and its strength derives from the Harvard community, specifically the collective good work that we do. He acknowledged Alan Garber, Interim President and Provost of Harvard University, for his stewardship of the University's academic mission. In his role as Provost, Garber has been a remarkably good partner for HMS and Dean Daley is confident that he is the right person to lead at this moment.

Dean Daley explained that Interim President Garber has already brought together deans twice and they have started to consider the issues that Harvard is facing and how our community can strengthen our capacity for civil dialog and discourse. As an institution, we have some important lessons to learn and that sometimes our harshest critics can be our most constructive teachers. Deans are working to develop programming around open and civil dialogue which will commence during the week of the February 19<sup>th</sup>. Every school in the University will have programming around open and civil dialog in hopes of cultivating a culture that is respectful of discourse and allows us to have vigorous discussions with respect for others and alternative points of view. He stated that if any of the Faculty Council members have ideas that they should please share them with him, he is happy to listen. Dean Daley concluded by stating that he really does think we are a strong community and that he looks forward to reasserting the fact, specifically the remarkable work done at HMS. He is incredibly proud of the research base, the education training, and the remarkable care that we give across HMS.

Dean Daley turned the floor back to Dr. Goldstein who asked the Faculty Council to raise their hands if they had questions. Dr. Henske asked how the students are reacting to the news and how that is affecting them. Dean Daley stated that he is not sure. He has been unfortunately out of the northeast and opened the floor to others who might have heard from the students first-hand. Dean Daley has only heard indirectly from Dean Saldaña, HMS Dean for Students, that the students are busy and thoughtful. Harvard School of Dental Medicine Dean, Will Giannobile, echoed the sentiment that Dean Daley gave stating that it was a great overview for what the Deans have been

looking at doing university-wide. He stated that Interim President Garber has been an amazing partner in supporting the Longwood Medical Area and that there is a lot of confidence in Interim President Garber's leadership. Dean Giannobile explained that HSDM students are very busy and engaged. They seem to be coping quite well and they are addressing their concerns in a thoughtful manner. Dean Daley added that he will be holding a series of breakfast meetings with students, staff and faculty with the objective of listening and learning more about how people are feeling and what they are thinking. It will be important to follow this over time.

Dr. Goldstein gave a brief preview of the February Faculty Council meeting which will take place in person in the Waterhouse Room in Gordon Hall.

Next, Dr. Goldstein welcomed the HMS Standing Committee on Conflicts of Interest and Commitment, including Robert J. Mayer, MD, Chair, Kristin Bittinger, MS, JD, Dean for Faculty and Research Integrity, and Kim Lincoln, JD, Director for Outside Activities.

Dr. Robert Mayer thanked Dr. Goldstein. Ms. Kim Lincoln projected slides regarding the HMS Standing Committee on Conflicts of Interest and Commitment. She began her presentation by giving a brief overview of the history of the Committee and its current membership. This Committee is responsible for 1) interpretation and implementation of the HMS COI policy, assuring consistency across all Affiliates, 2) continual evaluation of HMS COI policies and procedures to ensure accordance with best practices and high ethical standards, 3) reviewing and making recommendations on matters referred to the Committee, and 4) making recommendations to the Dean (and Affiliates as applicable) concerning oversight of protocols, cases involving non-compliance, and disciplinary action. The overarching goals of the HMS/HSDM COI policy are to ensure faculty members' outside interests and activities do not interfere with or detract from obligations to HMS/HSDM.

Then Ms. Lincoln explained the coverage of the policy, and the disclosure requirements for faculty whose primary appointments are with an Affiliate. She explained the section of the policy pertaining to disclosure and transparency requirements as well as conflicts or commitment. The main section of the policy is presumptively prohibited activities. Ms. Lincoln expanded on this section, explaining that HMS COI policy prohibits participation in certain types of activities while simultaneously holding related financial interests. There are four parts to this section, including clinical research rule, research support rule, executive rule and external activity rule.

- **Clinical Research Rule** – presumptively prohibited from participating in clinical research on a company's technology if investigator has a financial interest in the company
- **Research Support Rule** – presumptively prohibited from receiving research support from a company in which the investigator owns equity
- **Executive Rule** – full-time faculty prohibited from serving as an Executive for a for-profit biomedical company
- **External Activity Rule** – strict prohibition from receiving research support from a company or conducting clinical research on company's technology while simultaneously serving in fiduciary role for the company

Next, Ms. Lincoln focused upon coordination with affiliate partners, explaining that they rely on affiliates to apply and enforce HMS COI policy and notify of any non-compliance. To avoid

duplicative processes, affiliates coordinate the annual collection of outside activities information and noted that each institution can have a more restrictive COI policy than the HMS COI policy.

Next, Ms. Lincoln reviewed recent matters reviewed by the standing committee and petitions for exceptions to COI policy restrictions. Additionally, Ms. Lincoln touched upon the issue of potential conflicts arising from senior institutional leaders serving on fiduciary boards of for-profit biomedical or healthcare companies. She explained that at the request of Dean Daley, the Standing Committee evaluated HMS policies pertaining to senior leaders serving on fiduciary boards of for-profit biomedical and healthcare companies. They focused on the uniquely broad scope of senior leaders' institutional responsibilities and the key HMS academic interests that may be impacted by serving on a fiduciary board. They also focused on the uniquely broad scope of senior leaders' institutional responsibilities and the key HMS academic interests that may be impacted by serving on a fiduciary board, and gathered input from various stakeholders, including CEOs/Presidents of the 5 largest Affiliates, members of faculty-led Affiliate COI committees, and senior industry leaders.

As a result, three major areas of potential conflict were identified, which include the following:

1. Conflicts between the senior leader's obligations to act in the best interests of Affiliate/HMS and their fiduciary obligations to act in the best interests of the company
2. Financial conflicts as a result of the senior leader's compensation package with the company and the obligation to make unbiased decisions on behalf of Affiliate/HMS
3. Conflicts of commitment between the senior leader's obligations to company and the leader's full-time commitment to Affiliate/HMS

A report was submitted by the Committee to Dean Daley outlining a range of possible options that could be implemented by HMS to bolster existing review processes for these types of conflicts

In conclusion, Ms. Lincoln focused on things to come including conflicts of commitment and potential changes to the University Statement on Outside Activities, corporate engagement policies/processes, graduate student entrepreneurship, and the Institutional Conflict of Interest (ICOI) policy. Ms. Lincoln then opened the floor to questions from the Faculty Council. Dr. Mayer thanked Ms. Lincoln and Dean Daley briefly expanded this process.

Next, Dr. Goldstein introduced Melissa Brodrick (Ombuds and Director of the Harvard Ombuds Office) and Lisa Neale (Ombuds, Longwood). Ms. Brodrick showed the Faculty Council a year in review (AY 2022-2023) and various office data. The number of cases in the Harvard Ombuds Office is approximately the same as the year before (AY 2021-2022). Ms. Brodrick explained that the most important thing to show Faculty Council was work and academic environment, the most self-reported issue by visitors. She noted that self-reported abrasive behavior has increased by approximately 10% in the past year. Ratio is 2:1 for female to male visitors. Then Ms. Brodrick focused in on the first 6 months of this academic year. Abrasive behavior numbers are high, which she believes this could be related to the amount of stress that is around with global and national concerns. Ms. Brodrick touched on positives from the Ombuds Office, and then focused on the question she was asked to address to the Faculty Council which was: what is the most difficult to solve problem for the Ombuds Office. She explained that the biggest challenge for the Ombuds Office is helping people to talk to each other directly. They hope to help members of our community to develop a sense of openness. The Ombuds Office is focusing on how to help our community to build skills for difficult conversations. Ms. Brodrick posed the following rhetorical questions to the

Council: How many of you seek out difficult conversations that you feel need to be had? What would it take for you to come into our office for a coaching session?

Then Ms. Brodrick read excerpts from emails from past visitors to the Ombuds Office. These were examples of the impact of a “successful difficult conversation.” She also shared a few stories from the Ombuds Office. Then, Ms. Brodrick introduced this meeting’s group work to address the question: Am I comfortable engaging in difficult conversations when challenges arise? Group 1 and Group 2 discussed the following questions: What gets in your way of having these difficult conversations? What concretely would help you to have such a conversation and is there one step you can commit to taking towards this goal? Group 3 and 4 discussed the following questions: What do you think is needed to support others in the community to gain the skills and courage to have these difficult conversations? What concretely can you do to help others in this way?

Dr. Goldstein reconvened the Faculty Council to report back on what each group discusses. Group 2 explained that they discussed that not wanting to be confrontational gets in the way of having difficult conversations. Group 3 discussed how to address challenging situations and focused on the goal of moving dialogue forward. Group 4 mentioned that encouraging small groups to meet in person may support others in the community to gain the skills and courage to have these difficult conversations. They explained that the courage it takes to address any conflict should be highlighted and strategies, specifically conflict resolution, should be introduced into the curriculum. Ms. Brodrick left the committee with the challenge of helping people to have difficult conversations.

Dr. Goldstein thanked everyone for their participation. Dr. Goldstein adjourned the meeting at approximately 5:30pm.