

Dear Clerk of the Faculty Senate Becky Yust and Members of the Faculty Consultative Committee,

I write on behalf of Faculty Senators Teri Caraway, Cesare Casarino, Gary Cohen, Francis Harvey, Amy Kaminsky, Richard McCormick, Jennifer Marshall, William Messing, Kevin Murphy, David Pellow, Riv-Ellen Prell, Naomi Scheman, JB Shank, and myself on the matter of the open letter to the members of the faculty senate calling for an independent investigation into the drug study conducted at the University of Minnesota and the death of Dan Markingson, the young man who died while participating in the study. We note that the letter was signed by 177 scholars many of whom are highly regarded specialists working on issues related to bioethics, clinical trials, and human subjects.

Grave concerns have been raised about the drug study in this case and repeated efforts to have an independent investigation into the circumstances of this case have been rebuffed. We are alarmed that the refusals to conduct an independent investigation are based on claims to exoneration by previous reviews. Even a cursory look at the nature of these earlier reviews points to their inadequacy and, thus, explains why this case continues to raise concerns in and beyond the University. We attach Professor Trudo Lemmens' table elaborating the history of these reviews and his explanations as to why such reviews are considered either non-existent or inadequate for those who are experts on these kinds of issues. The table can also be accessed here:

<http://www.scribd.com/doc/184747710/Table-of-Supposed-Reviews-of-Markingson-Case-Prepared-by-Trudo-Lemmens>

We believe that it is precisely the inadequacy of these reviews that is the source of the on-going concern about this case and of the on-going individual and collective reputational harm we are suffering as a result.

As stated in our earlier message to you, we are acutely aware of the importance to us all of the University's reputation for research integrity. This must rest on a foundation of honesty, transparency, and the highest standards of scientific and ethical practice. At this point, the only thing that will repair the harm we are suffering from the issues related to this case is an independent, credible investigation.

As Senators, we therefore formally request that the FCC put this item on the agenda and bring it before the Faculty Senate at its meeting on 5 December 2013, and ensure that there is ample opportunity for members of the Faculty Senate to discuss this matter. We also formally reiterate our request that a resolution calling for a full and independent investigation be presented for discussion and action be placed on the agenda. Finally, in order to facilitate a discussion that is as informed as possible, we ask that the open letter authored by Trudo Lemmens, along with the table he provides detailing concerns about prior reviews, be circulated to all members of the Faculty Senate prior to the 5 December meeting.

It simply is not enough to present this as an informational matter to the Faculty Senate. They can gather such information from multiple sources. The essential need is for the faculty senate to be able to engage in a full and open discussion of these issues *as a senate*. Discussing such issues is central to the purpose and mission of a faculty body committed to constructive governance within the university.

We herewith submit these items for inclusion on the agenda for the Faculty Senate meeting of 5 December, 2013, in accordance with item 5.b. of the Faculty Senate constitution, which states:

“Committees and faculty senators shall submit items for action to the clerk at least two weeks before the faculty senate meeting”

and under article III.2 of the rules of the faculty senate governing what is on the agenda:

“The agenda consists of items submitted for faculty senate consideration by the University senate, the student senate, a campus assembly, the senate consultative committee, the student consultative committee, by any committee of the faculty senate or campus assemblies, or by any member of the faculty senate.”

Sincerely,

Karen-Sue Taussig