

# School of Medicine Clinical Faculty Manual

2025



SAINT LOUIS UNIVERSITY

—  
SCHOOL OF MEDICINE

*Published for the use of present and prospective Clinical Faculty members of Saint Louis University School of Medicine by the authority of the President and Board of Trustees of Saint Louis University, effective July 1, 2025.*

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- Sent to the Board of Trustees for final approval.

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Approved by the Clinical Faculty Body on January 13, 2025.

Approved by Vice President of Medical Affairs and Dean of the School of Medicine,  
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# 1 INTRODUCTION

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The *School of Medicine Clinical Faculty Manual* is a foundational document setting out the role of the clinical faculty in University and School of Medicine governance.

Hospital partners and governmental entities, including but not limited to SSM Health Care Group d/b/a SLUCare Physician Group, SIHF Healthcare, VA St. Louis Health Care, and the Air Force, employ clinical faculty members. Clinical faculty members also receive faculty appointments at Saint Louis University and rights, powers, privileges, and responsibilities as outlined in this Clinical Faculty Manual. Where applicable, this Clinical Faculty Manual is incorporated by reference in all appointment letters issued by the University to clinical faculty members.

## 1.1 MISSION OF THE SCHOOL OF MEDICINE

The mission of the School of Medicine at Saint Louis University is to pursue excellence in education, research, and clinical care, and improve the health of our community through professional development, collaboration, and social justice, grounded in our Jesuit values.

## 1.2 CORE VALUES

- Cura Personalis – Care for the whole person, rooted in the Ignatian principle that God created us to do good in the world, and embrace the humanity in all.
- Scholarship – Delivering transformative education and creating new knowledge.
- Discovery – Research, scientific inquiry, and the application of that knowledge
- Equity – Striving for justice, fairness, and diversity in our education, research, and service to the community.
- Collaboration – Partnership across Saint Louis University, SSM, and the wider community

## 1.3 HISTORY, ORGANIZATION AND ADMINISTRATIVE STRUCTURE

Saint Louis University is a benevolent corporation established by a Charter granted on December 28, 1832, by the Legislature of the State of Missouri. It operates, therefore, under the relevant laws of the State of Missouri. According to these laws, legal authority for the Corporation is vested in a self-perpetuating Board of Trustees. In the exercise of its fiduciary duty to the Corporation, the Board of Trustees has final authority for all matters relating to the University and its governance.

Before 1967, all members of the Board of Trustees were members of the Society of Jesus, although the Charter did not specify any qualification for membership. In 1967, the Board of Trustees was enlarged to include non-Jesuits. Saint Louis University became the first Catholic university in the United States with a majority of lay Trustees.

The Bylaws of the Board of Trustees provides for the formation of an Executive Committee with the power to act for the Board in the intervals between regular and special meetings of the Board. The

Chairperson and Vice Chairperson of the Board and the President of the University are *ex officio* members of the Executive Committee. The non-ex officio members of the (Executive) Committee shall be appointed by the Chair in consultation with the President and shall serve a one-year term, subject to annual renewal.

### **1.3.1 President of the University**

The President is the chief executive and administrative officer of the University and is responsible for the general and active management, control, and direction of the business operations, educational activities, and other affairs of the University.

### **1.3.2 Provost**

The Provost is the chief academic officer of the University and reports directly to the President. The Deans of the University's Colleges, Schools (except for the School of Medicine and the Center for Advanced Dental Education), and Libraries report directly to the Provost, as do the Vice President for Research, Vice President for Student Development, Vice President for Enrollment and Retention Management, Vice President for Diversity and Innovative Community Engagement, Director and Dean for the Madrid Campus, Associate and Assistant Provosts, and several Directors. The Dean of the School of Medicine and Vice President of Medical Affairs reports directly to the President.

### **1.3.3 Vice Presidents**

The Vice Presidents are officers of the University and have executive responsibilities as members of the Office of the President. Complete position descriptions are available on the website of the Office of the President.

### **1.3.4 University Boards and Committees**

The University establishes boards and committees, both standing and *ad hoc*. Ordinarily, such boards and committees include faculty representatives appointed in consultation with the Faculty Senate Executive Committee. A list of these boards and committees and their members is available on the website of the Office of the Provost.

### **1.3.5 Faculty Senate**

The Faculty Senate is the principal voice of the faculty in matters of University-wide concern, and it is the primary means by which the faculty members of the University participate in the governance of the University as a whole. The Senate consists of faculty members elected by the full-time faculty of the Colleges and Schools and of the University Libraries, according to a system of proportional representation detailed in the bylaws of the Faculty Senate. The work of the Faculty Senate is accomplished principally through the deliberation and reports of its Committees, both standing and *ad*

*hoc*. The President of the Faculty Senate is a member of the University Leadership Council and the Provost's Leadership Team. They, and the Faculty Senate Executive Committee (FSEC), serve as the primary liaison between the faculty as a whole and the administration.

An important responsibility of the FSEC is to recommend to the President of the University and to the Provost faculty members to serve on University committees. Moreover, after consultation with the appropriate Vice President or comparable administrator, the FSEC recommends a faculty member to serve on each of the standing committees of the Board of Trustees on which faculty hold membership. In the interest of shared governance, the Provost and President of the University, and the Faculty Senate, have a responsibility to consult with one another on matters of academic and institutional importance.

### **1.3.6 University Committee on Academic Rank and Tenure**

The University Committee on Academic Rank and Tenure (UCART) considers and recommends to the Provost nominations for promotion and the awarding of tenure. It also reviews the College, School, or Library evaluation standards for making such appointments and recommends changes to the Provost, and performs the other duties assigned to it. The Chairperson of the UCART is a tenured Professor appointed by the Provost for a three-year term, renewable once, from a list of at least three names recommended by the FSEC. The chair votes on matters before the Committee only in the case of tie votes. Re-appointment as chair is made by the Provost on the recommendation of the FSEC, following the Provost's consultation with current UCART members. The Chair may be removed by the Provost only for good cause shown. The members of the Committee are ordinarily tenured Professors. The Committee is composed of one member of the faculty of each College or freestanding School and of the University Libraries.

Each member shall be elected by the Faculty Assembly or equivalent group. Members serve three-year terms, renewable once. If a member is completing an unfilled term for some reason, that term will not count toward the member's full terms.

### **1.3.7 School of Medicine**

The academic body of the School of Medicine consists of the faculty, the academic administrators and staff, and the students. The academic body of the School of Medicine is organized into Departments and Divisions. The School of Medicine is an administrative unit of the University consisting of a Dean/Vice President for Medical Affairs, the faculty, the administrative staff, and the students. A Department is an academic unit consisting of faculty members who are engaged in instruction, research, service, clinical work, and/or administration in each subject area, a Department Chairperson, and appropriate staff members.

#### ***1.3.7.1 Dean and Vice President for Medical Affairs***

The Dean and Vice President for Medical Affairs (VPMA) is the chief academic and administrative officer as Dean of the School of Medicine. Further, the Center for Advanced Dental Education reports to the VPMA. While this role reports directly to and is evaluated by the President, the VPMA regularly consults

with the Provost on faculty-related matters, including but not limited to, promotion and tenure, and grievances. The VPMA is appointed by the President following a recommendation made by a search committee convened by the President. The procedures for the evaluations of the Dean are established by the President following consultation with the faculty.

The Dean and VPMA is responsible for leadership, planning, and administration to fulfill the mission of the School of Medicine and of the University. As chief executive officer, the Dean executes University policies and procedures in the School of Medicine. The Dean has the authority to make administrative decisions on matters that relate solely to the School of Medicine, except in those situations specifically reserved or allocated to the jurisdiction of the Provost, President, or Board of Trustees. In establishing academic policy within the School of Medicine, the Dean consults with Department Chairpersons, Vice and Associate Deans, Standing Committees of the School of Medicine, and with the faculty members, particularly the Faculty Assembly. The Dean is responsible for ensuring that policies, faculty qualifications, and academic programs of the School of Medicine follow the professional standards necessary for accreditation. The Dean represents the School of Medicine for development, public relations, and alumni activities.

In consultation with the School of Medicine Appointments, Promotion, and Tenure Committee the Dean recommends to the Provost initial tenure track or tenured faculty appointments, emeritus/a faculty appointments, promotion, tenure, leaves of absence, and notices of intent not to renew appointments of untenured faculty, and termination. Academic effort distribution for clinical faculty (Administration, Research, Teaching, Strategy) are approved by the Dean. The Dean ensures that every clinical faculty member, including every Chairperson and Dean's Staff, are annually evaluated. The Dean is responsible for soliciting feedback from faculty within a department to inform the evaluation of department chairs. The Dean is responsible for performing periodic department reviews in consultation with the affected faculty, see Sec. 6.8. The Dean is responsible for approving merit salary increases and other compensation for SLU-sponsored academic efforts within the limits of available funds. The Dean is also responsible for appointments of Vice and Associate Deans, Department Chairpersons, and other administrative personnel per School of Medicine policy and procedure. When hiring for these positions, the Dean will consult with the affected faculty to the extent appropriate to the position.

The Dean is responsible for administering all academic aspects of the student programs within the School of Medicine except those specifically within the jurisdiction of another board, committee, or office. The Dean shall ensure that academic advising is provided for all students. While the faculty, in consultation with the Dean, are responsible for establishing standards for the admission, transfer, and graduation of students, the Dean has final responsibility for implementing those standards. The Dean has the authority to dismiss students who have failed to meet the academic or professional standards of the School of Medicine. The Dean has a responsibility for the academic welfare and progress of students.

The Dean consults with the Department Chairpersons and with faculty on all major matters of policy within the School of Medicine. The Dean informs them of decisions that have been made. The Dean is empowered to call meetings, appoint committees, and obtain information from University sources pertaining to the School of Medicine and its students. Department Chairpersons, faculty members, and other personnel of the School of Medicine transmit through the Dean any proposals or recommendations forwarded to the Provost or to University committees, boards, or offices. The Dean

represents the considered position of the members of the School of Medicine to the University and to the community, and the Dean represents the actions of the Board of Trustees, the President of the University, and the Provost to the members of the School of Medicine. The Dean mediates relationships among students, faculty, staff, and administrators.

The Dean is responsible for the preparation and administration of the academic budget of the School of Medicine. After consultation with Department Chairpersons, the Dean prepares the budget of the School for submission to the President. When the Dean receives the budget approvals, that is conveyed to the Department Chairpersons or comparable administrators for administration. The Dean supervises the expenditure of approved funds and has the authority to reallocate the approved funds, in consultation with the Department Chairpersons of the affected Departments, from and to the various Departments in the best interests of the School of Medicine. In cooperation with the Department Chairpersons, the Dean is responsible for the assignment and productive use of School of Medicine building space.

#### **1.3.7.2 Department Chairpersons**

The Department Chairperson is appointed by the Dean of the School of Medicine, following the recommendation by a search committee as described in the *School of Medicine Leadership Search Committee Policy*. The Department Chairperson reports to the Dean of the School of Medicine for their educational and research leadership. The chairperson reports to their clinical employer for their clinical oversight role. The Chairperson is reappointed by the Dean.

The Department Chairperson is the academic, clinical, and administrative head of the Department. As such, they execute, within the Department, the policies and regulations of the School of Medicine and of the University. As an academic leader, they consult with the faculty members of the Department and are responsible for establishing departmental goals, promoting excellence in clinical care, teaching, research, and service, encouraging and stimulating faculty members in professional development, providing academic advising for learners, working toward obtaining appropriate resources, and establishing a climate of collegiality. As an administrative leader, they are responsible for the professional excellence of the Department and have the obligation to consult with the faculty and staff on major matters of policy within the Department, and to inform them of decisions that have been made. In developing the budget, the Chairperson considers the financial needs and recommendations established in Department meetings. The Department Chairperson will serve as a conduit between the Dean and the Department Faculty.

After consultation with the appropriate faculty members, the Department Chairperson makes recommendations to the Dean of the School of Medicine for initial and emeritus/a faculty appointments, promotion, tenure, sabbaticals, leaves of absence, notices of intent not to renew appointments of untenured faculty, termination, and faculty workloads. They or their designee supervise the personnel of the Department and ensure that each faculty member has an annual review discussed with their supervisor before sending it to the Office of Faculty Affairs and Professional Development.

The Chairperson holds meetings of the faculty members of the Department at least quarterly. In developing the budget of the Department, the Chairperson shall consult with the faculty members. The

Chairperson is responsible for the expenditure of Department funds, for safekeeping Department equipment and supplies, and for maintaining an inventory of Department equipment and property.

### **1.3.8 Clinical Faculty**

Clinical Faculty are defined as health care professionals not employed by the University with faculty appointments in the School of Medicine as specified in letters of appointment, letters of renewal, or memoranda of agreement.

Clinical Faculty members give their time and attention to their duties within the School of Medicine as specified in the Clinical, Administrative, Research, Teaching, and Strategy (CARTS) allocations, clinical service agreements, memoranda of agreement, or other comparable documents.

For faculty appointments (excluding adjunct appointments), the Department Chairperson or their designee must solicit faculty input within their respective department and/or division. The *Clinical Faculty Manual* shall be made available to current and prospective faculty members.

Each faculty member is appointed to a specific Department by the Department Chairperson. The title of record of faculty members includes the rank and department name (e.g., Non-Tenure-Track Assistant Professor of Internal Medicine).

Continued faculty appointment is by letter of appointment or memorandum of agreement, normally tendered by July 1, indicating the rank for the coming year. Acceptance of the appointment or memorandum of agreement is deemed to include an agreement by both the faculty member and the School of Medicine to comply with the terms embodied in that document and this *Clinical Faculty Manual*.

All faculty letters of appointment and memoranda of agreement are bilateral and cannot be terminated during the term of the agreement except by resignation, retirement, medical reasons, death, mutual agreement, or for one of the causes for termination listed in Sec. 9.5. In cases of termination of an appointment for cause during the appointment period, the procedures to be followed are described in Sec. 9.6.

## **2 TYPES OF FACULTY APPOINTMENTS**

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### **2.1 TENURE-TRACK APPOINTMENTS**

The four ranks of tenure-track and tenured faculty are, in ascending order, Instructor, Assistant Professor, Associate Professor, and Professor; however, for internal purposes, the University prefaces the name of the rank with “Tenure-Track” or “Tenured,” as appropriate.

Tenure is a contractual recognition of the faculty member's right to continuing faculty appointment that is subject to termination only by resignation, retirement, medical reasons, death, mutual agreement, or for one of the causes for termination listed in Sec. 9.5. In cases of termination of an appointment for cause during the appointment period, the procedures to be followed are described in Sec. 9.6.

The Provost is the University official empowered to make official faculty appointments for the tenure track.

Tenure is awarded through the norms described in Sec. 4.1, and, unless specific exception is made for a senior-level appointee using the process described below, through the review and promotion process. Tenure is normally associated with the ranks of Associate Professor and Professor. However, when the initial appointment is to one of these ranks, tenure is ordinarily withheld for at least two years, unless a specific exception to this guideline is granted by the Provost. In those rare cases where a senior appointee is hired with tenure the Provost will ensure that the appropriate faculty review has been obtained prior to authorizing the appointment.

Once a faculty member has been awarded tenure their faculty appointment becomes permanent.

A faculty member who begins on a tenure-track appointment is in a probationary period subject to the rights contained in the *Clinical Faculty Manual*. The probationary period expires at the end of the completion of the eighth year of service. A faculty member who begins service during an academic year will be considered to begin their probationary period for purposes of tenure at the beginning of the following academic year if their first day of appointment falls on or between January 1 and June 30. If their first day of appointment falls on or between July and December 31<sup>st</sup> of the academic year in which they are hired, their probationary period for purposes of tenure begins that year. The University does not recognize *de facto* tenure. A tenure-track faculty member who is not awarded tenure by the end of their probationary period will be given a one-year terminal appointment, at the conclusion of which the faculty member's appointment ends.

Subject to the qualifications noted below, the University will make a final decision to award tenure to a faculty member by the end of their probationary period. In exceptional cases, the Provost or designee may grant written approval to count an academic year as less than one year of service for purposes of the probationary period. Such situations include, but are not limited to, leaves of absence and administrative assignments. Where required by law, the probationary period may also be adjusted. Additionally, where an adjustment of the probationary period is available pursuant to University policy or where special adjustment is requested in writing by the candidate, written approval for the individual case must be obtained well in advance of the end of the probationary period (e.g., at the time of an administrative appointment or at the granting of a leave of absence) from the Dean and the Provost. An extension of the probationary period may also be obtained in accord with the *Policy on Extension of the Probationary Period That Applies to the Granting of Tenure*. The Provost will forward a copy of the written approval to extend the probationary period to the Dean and the University Committee on Academic Rank and Tenure.

It is the responsibility of the faculty member to apply for tenure prior to or during the final year of the probationary period in accordance with administrative procedures and guidelines. A faculty member has the right to seek and rely upon a written statement from the Provost indicating the year of the final decision.

A faculty member who applies early for promotion to associate professor with tenure and is unsuccessful may reapply in subsequent years during their probationary period.

Time served in a non-tenure-track faculty position is not counted against the probationary period. However, teaching, research, and service during the non-tenure-track faculty position may be

considered toward the promotion and/or tenure decision. Promotion and tenure decisions will normally be made based on the candidate's teaching, clinical service, research, scholarship, and service while in rank.

A full-time faculty member who has tenure but who requests and receives the status of a part-time faculty member of the University, as defined as less than 80% of a full-time equivalent, automatically relinquishes tenure, unless there is a prior, explicit agreement in writing among the faculty member, the appropriate Dean or comparable administrator, and the Provost that tenure is retained.

Tenured faculty serving under the University's *Faculty Phased-Retirement Policy*, available on the website of the Office of the Provost, retain the rights and privileges of full-time tenured status during the phased-retirement period.

Tenured faculty members who separate from their SLU-affiliated clinical employer may seek to negotiate an agreement and salary with the University for full-time teaching, research, and/or administrative services provided, with a minimum base salary of \$60,000. This minimum base salary may be pro-rated if a tenured faculty member goes to phased retirement. This provision may not apply to tenured faculty members terminated for cause pursuant to Sec. 9.5.

## **2.2 NON-TENURE-TRACK APPOINTMENTS**

Non-tenure-track faculty members are individuals who are not eligible for tenure, with renewable appointments. Non-tenure-track faculty members engage in clinical service, and clinical training/supervision. In addition, they may engage in research supported by grants or contracts from organizations outside the University or intramural funding, and/or in formal classroom teaching or instruction. The four ranks of Non-Tenure-Track faculty are, in ascending order, Instructor, Assistant Professor, Associate Professor, and Professor; however, for internal purposes, the University prefaces the name of the rank with "Non-Tenure-Track."

Non-tenure-track faculty should have served for at least five years at the University to apply for promotion. Faculty may apply early if they have met the applicable standards for promotion.

A non-tenure-track faculty member may apply for an available tenure-track position unless that person previously held an appointment as a tenure-track faculty member at Saint Louis University. The Provost has the authority to grant an exception to this provision.

The Dean of the School of Medicine is the University official empowered to make official faculty appointments for the nontenure track.

## **2.3 SECONDARY AND JOINT APPOINTMENTS**

A faculty member who possesses the skills and competencies to justify an appointment in another academic unit or program may be given either a secondary or a joint appointment, subject to the approval of the Provost or designee, upon recommendation of the Department Chairperson of the primary academic unit and the appropriate Deans(s). A secondary appointment has no rank, is non-tenurable, is made for a limited period of time, usually three years, and involves no sharing of salary between academic units or programs. Secondary appointments are renewable. They may also be



discontinued, with written notice, by the faculty member or by the Chairperson of the secondary department, after consultation with the Chairperson of the primary department.

A joint appointment is made for an indefinite period of time and involves sharing of effort between departments. Absent a written exception from the Provost, joint appointees follow the advancement and tenure guidelines of the primary department specified in the initial appointment letter. In cases of termination of faculty appointment for cause during the appointment period, the procedure that will be followed is described in Sec. 9.6. Should a faculty member be terminated, all that person's faculty appointments cease. The primary academic department bears the ultimate responsibility for the faculty member.

Except where noted, the following conditions apply to both secondary and joint appointments:

- Appointments must be made to each Department separately, but not necessarily simultaneously.
- For faculty with joint appointments in departments outside the SOM, the norms of each school must be followed for advancement.
- Faculty members holding secondary or joint appointments must be willing and able to participate in the activities of each Department according to the standards established by the separate Departments and specified in writing at the beginning of the secondary or joint appointment.

## **2.4 GRADUATE FACULTY APPOINTMENTS**

The graduate faculty of the University consists of all those faculty members of the various Colleges, Schools, and other academic units who have been individually approved for the graduate faculty. Qualifications for appointment to the graduate faculty are established by the respective Department. The Provost and Dean are notified of individuals appointed to the graduate faculty. Applicants approved by the academic units are appointed for five years to the graduate faculty for teaching, advising, and examining graduate students and for directing theses and dissertations. Such appointments may be renewed using the same procedure as for initial appointments.

## **2.5 ADJUNCT APPOINTMENTS**

Adjunct faculty members are individuals who teach, do research, or supervise/evaluate medical students and/or trainees (residents and fellows) for the School of Medicine and who are not members of the SLUCare Academic Practice. An adjunct appointment is a temporary, as needed appointment, as distinguished from a secondary appointment, which entails an ongoing relationship. The four ranks of adjunct faculty are, in ascending order, Adjunct Instructor, Adjunct Assistant Professor, Adjunct Associate Professor, and Adjunct Professor.

Adjunct faculty members are not eligible for tenure at the University and may not be transferred to another type of faculty position. They may, however, apply for an open faculty position, with the

exception that any adjunct who previously held a tenure-track appointment at Saint Louis University is not eligible to apply for another tenure-track post.

## **2.6 VISITING FACULTY**

Visiting faculty members are individuals who, while holding equivalent faculty rank at another university, are temporarily serving as faculty members of the University. Normally such appointments are for one year or less. The four ranks of visiting faculty are, in ascending order, Visiting Instructor, Visiting Assistant Professor, Visiting Associate Professor, and Visiting Professor. The titles Visiting Scholar and Visiting Scientist are equivalent to the title Visiting Instructor. Visiting faculty members are not eligible for tenure at the University and may not apply for advancement or transfer to another type of faculty position. They may, however, apply for an open position.

## **2.7 ENDOWED CHAIRS AND NAMED PROFESSORSHIPS**

Endowed and named faculty appointments are reserved for members of the faculty who are deemed distinguished by virtue of their scholarly productivity and instructional excellence. Endowed chairs are often used to help recruit distinguished senior faculty, whereas named professorships are generally awarded to members of the current faculty.

## **2.8 EMERITI/AE FACULTY**

Upon recommendation of the department chair, the Appointments, Promotion and Tenure Committee, the Dean of the School of Medicine, and the Provost, emeritus/a status may be granted to tenured or non-tenure-track faculty members with at least ten years of full-time service who resign their faculty appointment. In extraordinary circumstances, faculty members with a shorter period of service may be considered for emeritus/a status. Emeritus/a status recognizes the achievement of high distinction on the part of tenured or non-tenure-track faculty members and their ongoing relationship with the University. Emeritus faculty are expected to continue to contribute to the School of Medicine through education, scholarship, or research. The Retired and Emeritus/a Faculty Policy available on the website of the Office of the Provost details the eligibility criteria, application process, and benefits.

# **3 GENERAL NORMS FOR APPOINTMENT BY RANK**

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In reviewing the norms for initial appointment, applicants should recognize that the items that follow are not simply lists of qualifications to be “checked off”; rather, tenure and promotion decisions involve professional judgments about the overall merit of an individual’s achievements. Faculty members are also expected to demonstrate the qualities of collegiality, such as the ability to work cooperatively and professionally with others, in all aspects of academic life.

Clinical Faculty may have an academic appointment at Saint Louis University as an Instructor, Assistant Professor, Associate Professor, or Professor.

### **3.1 INSTRUCTOR**

Appointment at the rank of Instructor presupposes the following qualifications:

- Possession of a Doctor of Medicine or equivalent, Doctor of Philosophy, or a graduate degree in a discipline related to clinical medicine.
- Respect for the educational philosophy of the School of Medicine and University.
- Possession of those qualities of character and personality expected of a faculty member engaged in clinical service, teaching, mentoring, research, and scholarship.

### **3.2 ASSISTANT PROFESSOR**

Appointment at the rank of Assistant Professor presupposes the qualifications for the rank of Instructor and the following qualifications in addition:

- Possession of a Doctor of Medicine or equivalent, Doctor of Philosophy, or a graduate degree in a discipline related to clinical medicine along with board certification or equivalent. An exception may be made for rare and unusual circumstances as determined by the School of Medicine Appointments, Promotion, and Tenure Committee.
- Respect for the educational philosophy of the School of Medicine and University.
- Possession of those qualities of character and personality expected of a faculty member engaged in clinical service, teaching, mentoring, research, and scholarship.
- An anticipated role with contribution to the clinical, teaching, or research mission of the School of Medicine.

### **3.3 ASSOCIATE PROFESSOR**

Appointment at the rank of Associate Professor presupposes the qualifications for appointment to the rank of Assistant Professor and the following qualifications in addition:

- A faculty member is expected to complete five years at the rank of Assistant Professor at a comparable institution to be appointed Associate Professor at Saint Louis University. Exceptions to this time requirement would include evidence of exceptional productivity during the time at rank as approved by the Dean.
- Evidence of teaching and mentoring effectiveness.
- Evidence of achievement in research and scholarship.
- Evidence of clinical service.
- Evidence of active service to the University or community.

- Evidence of recognition by colleagues at the rank of Associate Professor or Professor in the same discipline that the candidate possesses the appropriate qualifications and knowledge of their respective field.

### **3.4 PROFESSOR**

Appointment to the rank of Professor presupposes the qualifications for the rank of Associate Professor and the following qualifications in addition:

- A faculty member is expected to have completed five years at the rank of Associate Professor at a comparable institution to apply for appointment as a Professor. Exceptions to this time requirement would include evidence of exceptional productivity during the time at rank as approved by the Dean.
- Evidence of outstanding abilities in clinical service, teaching, mentoring, research and scholarship, and service to a University and/or community as to merit general recognition throughout the University.
- Evidence of recognition by colleagues at the rank of Professor in the same discipline that the candidate possesses the appropriate qualifications and accomplishments to expect continued success at St. Louis University.

## **4 PROMOTION AND TENURE**

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Department, School of Medicine, and University Committees concerning appointments, promotion, and tenure evaluate applications for promotion and tenure using the expectations in Secs. 4.1 and 4.2. Promotion decisions involve professional judgments by committees of faculty peers regarding the overall merit of an individual's achievements. Faculty members are also expected to demonstrate the qualities of collegiality, such as the ability to work cooperatively and professionally with others, in all aspects of academic life.

The Appointments, Promotion and Tenure Committee, the Faculty Assembly, and the Dean of the School of Medicine establish the specific criteria and relative weightings concerning teaching and mentorship, scholarly output contributing to the profession of medicine, clinical service, leadership, and University citizenship and community service, as specified in the School of Medicine Appointments and Promotions Guidelines.

For matters of tenure, the University Committee on Academic Rank and Tenure reviews new or revised criteria, relative weightings, and interpretations and makes recommendations to the Provost.

## **4.1 PROMOTION PROCESS & EXPECTATIONS FOR TENURE TRACK FACULTY**

Application for promotion, tenure, or both are the responsibility of the faculty member.

Applications should be submitted by the date specified by, and according to the procedures and criteria established by the School of Medicine Appointments, Promotions, and Tenure Committee in compliance with the schedule of the University Committee on Academic Rank and Tenure.

Faculty are expected to provide evidence of academic contributions while in current rank for promotion considerations.

A faculty member is expected to complete five years in rank to apply for promotion and/or tenure. Exceptions to this norm may occur when an applicant believes they have met the criteria for promotion or tenure before five years have elapsed.

Applications for promotion with tenure must be submitted no later than the start of the faculty member's eighth year in a tenure-track position. A faculty member who begins service during an academic year will be considered to begin their probationary period for purposes of tenure at the beginning of the following academic year if their first day of employment falls on or between January 1 and June 30. If their first day of employment falls on or between July 1 and December 31 of the academic year in which they are hired, their probationary period for purposes of tenure begins that year.

Tenure-track assistant professors must seek promotion to associate professor and tenure in the same application and decision process. In this case, both promotion and tenure must be granted or denied together.

Applications submitted after established calendar deadlines in any academic year or non-compliant with procedures will not be reviewed until the next academic year and may result in the faculty member not being granted advancement. Exceptions to deadlines may only be made in rare and unusual circumstances, with the concurrence of both the Dean of the School of Medicine and the Provost. Such exceptions, if approved, must be filed with the application for advancement.

Evaluations by the School of Medicine Appointments, Promotion, and Tenure Committee are based on documents prepared by the applicant and presented with the application, along with recommendations submitted by the Department Committees on Promotion and Tenure, the Department Chairperson, by colleagues, and other information presented to the committee. Evaluators may solicit additional information necessary to make an informed decision.

The School of Medicine solicits peer evaluations in support of a candidate's application for promotion from evaluators who will objectively assess the applicant's accomplishments. Peer evaluators will hold a higher rank than that of the applicant.

If changes to the criteria, as specified in the School of Medicine Appointments and Promotions Guidelines occurred in the three years prior to the application for advancement and/or tenure, faculty will be held to the pertinent previous standards. Otherwise, faculty members will be held to the new standards.

For applications for promotion and/or tenure by tenure-track Clinical Faculty, and tenured associate professors, the Dean will provide the applicant a written summary of recommendations by the department, the Department Chair, the School of Medicine Appointments, Promotion, and Tenure Committee, and the Dean, prior to the submission of the dossier to the University Committee on Academic Rank and Tenure.

To preserve the confidential nature of the advancement process, and to ensure consistent communication, information about the proceedings and recommendations is not shared by any person involved in the process other than the Dean. It is the tenure track faculty member's decision whether to continue or withdraw their application from further consideration. Absent a written request from the faculty member to the Dean to withdraw their application, the Office of Faculty Affairs and Professional Development will forward the dossier to the University Committee on Academic Rank and Tenure, along with all supporting materials, including a recommendation from the Dean of the School of Medicine.

The University Committee on Academic Rank and Tenure evaluates applications for advancement and tenure using the norms and the criteria, relative weightings, and interpretations described in SOM Guidelines for Faculty Appointments and Promotion. The evaluation is based primarily on the documents presented to the Committee. However, the Committee may solicit additional information deemed necessary to make an informed decision.

If the generation of income, including through grants and sponsored programs, is to be a condition for the awarding of tenure or promotion, that condition must be explicitly stated in a faculty member's appointment papers, established through an existing practice or policy of which the faculty member has received prior notice, or explicitly specified as a School of Medicine criterion.

The recommendations of the University Committee on Academic Rank and Tenure are forwarded to the Provost, along with all supporting materials. The final decisions rest with the Provost, who normally completes the consideration of applications for advancement and tenure by May 1.

When the Provost does not concur with UCART's recommendation, they will discuss their rationale with UCART prior to making a final decision. When the decision is not to grant promotion and/or tenure, the applicant may submit, within two weeks of the Provost's notification, a written request to the Provost for an explanation of the decision. In responding to the request, the Provost shall, within 30 days of receipt of the applicant's request, provide a written summary of all recommendations made at prior levels and a rationale for their decision. The applicant may appeal a denial in writing to the President of the University, within two weeks of the date of the Provost's notification, whose decision is final and not subject to further appeal.

Adjunct faculty are not eligible for tenure. Adjunct Clinical Faculty will follow the same process for considerations of promotion as non-tenure track clinical faculty.

#### **4.1.1 Extension of the Probationary Period That Applies to the Granting of Tenure**

The *Policy on Extension of the Probationary Period That Applies to the Granting of Tenure* is posted on the website of the Office of the Provost. A tenure-track faculty member is eligible to apply for an extension of the tenure probationary period, whether or not a leave of absence is involved, in accordance with the provisions of this policy, for reasons including but not limited to, the birth or

adoption of a child, a serious health condition of a family member requiring faculty caregiving, a serious health condition of the faculty member, or if required by law. If spouses are members of the full-time faculty, this policy covers both.

Tenure expectations for a faculty member who extends the probationary period under this policy are the same as the expectations for a faculty member who has not extended the probationary period.

Applications for extension are submitted to the Provost via the Dean, who will provide a recommendation concerning approval or denial of the application to the Provost with supporting rationale. The Provost will decide on the application and communicate approval or denial in writing to the faculty member and, if approved, specify the termination date of the probationary period. If the Provost denies the request, the applicant may ask the grounds for the denial and may appeal the Provost's decision to the President of the University, whose decision is final and not subject to further appeal.

## **4.2 PROMOTION PROCESS & EXPECTATIONS FOR NON-TENURE TRACK FACULTY**

All the requirements below apply to Clinical Faculty members within the School of Medicine who wish to be considered for promotion.

Clinical Faculty at the Instructor level are expected to provide service to the academic medical center through clinical care and the teaching and supervision of learners in clinical settings, e.g., hospitals and clinics. Learners may include undergraduate-level students (medical students, nursing students, allied health students) and post-graduate resident physicians, fellows, and advanced practice nursing students. Clinical Faculty are also expected to participate regularly in their unit's didactic aspects of clinical training (e.g., conferences, journal clubs, board reviews, etc.) and be members of appropriate professional societies.

Promotion to Assistant Professor requires a demonstration of contributions to education and/or research/scholarship. Promotion to Assistant Professor is associated with contributions to the academy that garner local reputation. Promotion to Associate Professor normally requires 5 years at Assistant Professor rank. Exceptions to this time requirement would include evidence of exceptional productivity during the time at rank at Saint Louis University.

Promotion to Associate Professor requires a demonstration of contributions to education and/or research/scholarship. Promotion to Associate Professor is associated with contributions to the academy that garner regional reputation. Promotion to Associate Professor normally requires 5 years at Assistant Professor rank. Exceptions to this time requirement would include evidence of exceptional productivity during the time at rank at Saint Louis University.

Promotion to Professor requires a demonstration of sustained contribution to education and/or research/scholarship. Promotion to Professor is associated with contributions to the academy that garner a national reputation. Promotion to Professor normally requires 5 years at Associate Professor

rank. Exceptions to this time requirement would include evidence of exceptional productivity during the time at rank at Saint Louis University.

For non-tenure track Clinical Faculty, the Dean will provide the applicant a written decision based on the recommendations by candidates Departmental Promotion Committee, Department Chair, and the School of Medicine Appointments, Promotion, and Tenure Committee. The applicant may appeal a denial in writing to the President of the University, within two weeks of the date of the Dean's notification, whose decision is final and not subject to further appeal.

See the *School of Medicine Guidelines for Appointments and Promotions for Non-Tenure Track Clinical Faculty* for more information describing the process and listing of contributions to the academy deemed suitable for promotion.

## **5 RESPONSIBILITIES OF FACULTY MEMBERS**

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Teaching, clinical service, leadership, research, scholarship, and service expectations are established by the faculty member's Department Chairperson or comparable administrator and subject to review by the Dean.

### **5.1 CLINICAL SERVICES**

Faculty are required to provide clinical services as allocated in their clinical service agreements. Faculty are required to adhere to all clinical service and/or patient care policies and procedures defined by their employer or affiliated health care organization(s).

### **5.2 TEACHING AND MENTORSHIP**

An individual's instructional responsibilities may vary and may change over time, depending on the School of Medicine and/or Departmental need and the individual's other efforts as assigned. Faculty assigned to teach or direct the medical school's curriculum are required to follow all policies, procedures, and regulations set forth by the Office of Curricular Affairs, the Office of Student Affairs, the School of Medicine, and the University.

Faculty involved in teaching and supervision of trainees within the clinical setting must follow policies, procedures, and regulations set for by the Office of Graduate Medical Education (GME) and Clinical Institution Bylaws and Rules and Regulations.

In the classroom, faculty members should encourage free discussion, inquiry, and expression. They must allow students to take reasoned exception to the information or views they present and should reserve judgment about matters of opinion. They must hold students responsible for learning the content of the courses in which the students are enrolled, and they must evaluate student performance on academic grounds. Faculty members must not make prejudiced or capricious academic evaluations of students, and it is the responsibility of the Office of Curricular Affairs, and of the appropriate Dean, to



uphold this standard. The SLU Office of Professional Oversight upholds standards concerning professional interactions and evaluation of students and trainees in the clinical arena.

Faculty members provide assessment of the ability and professionalism of an individual student, normally with the student's knowledge and consent. It is a violation of professional ethics to disclose information about a student's views, beliefs, or political associations without prior consent. Faculty members will follow the applicable University policies, and state and federal laws (e.g., the Family Educational Rights and Privacy Act of 1974 [FERPA] as amended), regarding confidentiality of student records.

### **5.3 RESEARCH AND SCHOLARSHIP**

Research and scholarship are essential to the advancement of science, the practice of medicine, and teaching. No experiment that violates a fundamental human right can ever be justified. Any research investigation that involves human subjects must receive prior approval from one of the University's Institutional Review Boards, and any research investigation that involves animal subjects must receive prior approval from the Institutional Animal Care and Use Committee.

Each faculty member must avoid fraud and other misconduct in research. This includes falsification of data, plagiarism, and deliberate failure to comply with federal, state, or University rules and regulations governing the conduct of research. However, honest error or good-faith differences in interpretations or evaluations of data do not constitute misconduct. In furtherance of these principles, the University has adopted a Research Integrity Policy.

Each member of the University community also must act in the best interest of the University and must not let outside activities or outside financial interests and relationships interfere with their obligation to avoid or effectively manage potential, apparent, and actual conflicts of interest in funded research. Additionally, all labor charged to federally sponsored programs must be reasonable and reflect actual work performed. Any changes in actual effort must be reported when it differs significantly from the individual's planned effort. In furtherance of these principles, the University has adopted its Policy on Conflict of Interest and Effort-Reporting Policy.

Finally, faculty engaged in research and scholarly activity are advised to consult the Intellectual Property, Sec. 6.3. as well as other policies that appear on the website of the Office of the Vice President for Research.

### **5.4 SERVICE AND CITIZENSHIP**

Clinical Faculty members are expected to participate in service to their department, the School of Medicine, the University, and/or the Profession (via local, national, or international professional societies, organizations, or associations).

The University recognizes the value of faculty participation in shared governance, as described in Sec. 6.4. Therefore, faculty members are expected to serve on the appropriate committees of their Department, School, and the University.

Faculty members are encouraged to participate in the functional and ceremonial life of the institution. This includes but is not limited to, service on academic and non-academic University advisory and disciplinary boards.

Clinical Faculty are expected to be active members of professional societies and whenever possible provide leadership to advance their medical specialty.

Clinical Faculty are encouraged to provide leadership by serving on hospital and/or healthcare system committees.

The School of Medicine and University's mission encompasses service to the community around it. Faculty members are therefore encouraged to participate in community projects and organizations, helping to carry out the programs of community service that are appropriate to the mission of the University and the professional identity of the faculty member.

## **5.5 PROFESSIONALISM**

Clinical Faculty are expected to uphold the highest standards of professionalism. Clinical Faculty are expected to adhere to the School of Medicine Code of Professional Conduct and any policy or procedures described by their employer.

The Office of Professional Oversight is responsible for providing all stakeholders (students, trainees, and faculty) a fair and neutral environment to seek assistance and support, file a grievance, or report acts of unprofessional behavior or concerns occurring in the learning environment.

Matters of faculty unprofessionalism that impact patient care or outcomes will be decided using a peer review process as determined by the faculty member's employer.

## **6 RIGHTS, PRIVILEGES, AND IMMUNITIES OF FACULTY MEMBERS**

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### **6.1 ACADEMIC FREEDOM**

All members of the University, especially students and faculty members, have not only the right but also the duty to participate in this task of freely seeking after and sharing truth.

Every student and every faculty member have the freedom of thought, of discussion, and of action that are required by the common pursuit of truth.

- All scholars are welcomed within the University, without any personal religious requirement.
- It is the right of every faculty member of the University to be protected by the University from all inappropriate pressure and harassment.
- The specific material covered in a course is not to be determined for faculty by the opinion of administrators, trustees, fellow faculty members, or students, as long as it is appropriate to the course objectives, descriptions, and/or syllabi adopted by the School of Medicine.

- Faculty members can and should present to students accepted as well as newly discovered facts and laws, new developments, or new applications of old knowledge, and accepted as well as new hypotheses and theories that may be advanced in the explanation of facts and laws.

Because the central freedom of an individual in the University lies within the framework of human activity and human life, it is subject also to limitations and norms:

- Teaching, student advising, research and scholarly activity, and service to the University and community must be carried on within the framework of legal norms, clearly- established written policies and procedures of the University, and the ethical requirements of the respective disciplines and professions, and with appropriate respect for Christian scripture and Judeo-Christian tradition.
- While faculty members are expected to challenge students to reexamine their beliefs and opinions, they are also expected to respect the rights of students. Faculty members must not use their positions to force upon students their own personal views and partisan loyalties.
- All persons joining the faculty of the University are expected to understand and respect the fact that they are coming into an institution in which Christian scripture and Judeo-Christian tradition are recognized as sources of knowledge as valid as natural human experience or reason, and where theology is recognized as a discipline. This expectation, of course, does not prevent them from stating and explaining their own personal views.

## **6.2 FACILITIES & PRIVACY**

In recognition of the academic efforts of clinical faculty, the University will provide reasonable access to appropriate workspaces including but not limited to offices, laboratories, and meeting spaces. Moreover, the University acknowledges that each member of the faculty has a reasonable expectation of privacy regarding the contents of their office, laboratory, or other workspace, and regarding their records, files, and communications, including those made or kept in electronic form using University technology systems. The University's interests, however, override a faculty member's expectation of privacy when it is necessary for the University or the faculty member to comply with or meet legal or contractual obligations, or professional credentialing, licensure, and accreditation requirements, and whenever there are reasonable suspicion that violations of federal, state, or local laws or serious violations of University policies have occurred or will occur. The University's policies and procedures respecting the content of a faculty member's office, laboratory, or other workspace, may not be substantially changed without prior consultation with the Faculty Senate.

Of course, there is no reasonable expectation of privacy where a faculty member has waived his/her interest in privacy.

## **6.3 INTELLECTUAL PROPERTY**

The Intellectual Property Ownership Policy available through the Office of the Provost website governs ownership of intellectual property arising from an individual's efforts in their role as a faculty member. The policy addresses both technical and creative works that commonly are protected through copyright, patents, and trademarks. Faculty are the owners of all the works they produce as a normal outcome of

their scholarly endeavors, including course preparation, with limited exceptions (e.g., work for hire as defined by the policy). Should a faculty member be unable to perform their University obligations, and for a period of up to one year after a faculty member has left the University, the University may use course materials (regardless of format) without further consent from the faculty author of those materials, but only to the extent necessary to fulfill the educational mission. In addition, the University may use and reproduce course materials for administrative purposes (e.g., accreditation) both while the faculty member is an employee and for a period of ten years after they have left the University.

## **6.4 SHARED GOVERNANCE**

The variety and complexity of the tasks performed by the University produce an inescapable interdependence among the Board of Trustees, the President, other members of the administration, faculty members, students, and the University staff. This interdependence calls for adequate communication among these groups, for full opportunity for appropriate joint planning and effort in a variety of forms, and for shared governance of the University. Shared governance means that important areas of action will involve, at one time or another, the initiating capacity and decision-making participation of each of the institutional components. Differences in the weight of each voice, from one point to the next, will be determined by reference to the relative responsibility of each component for the matter at hand.

The faculty has a major role in establishing or modifying general policies that affect the academic mission. On these matters, the views of faculty members will be solicited through the standing committees and/or the School of Medicine Faculty Assembly before action is taken. The University recognizes the value of participation by faculty members in developing budgets. For this reason, the Faculty Senate has representatives that participate in the University's budgeting process. In formulating the budget for the School of Medicine, the Dean consults with the Chairpersons and the Faculty Assembly. Similarly, in developing the budget for a Department, the Department Chairperson considers the financial needs and recommendations established in Department meetings.

There are three major avenues for faculty participation in the governance of the University.

### **6.4.1 University Level**

At the University level, the faculty acts primarily through the Faculty Senate, which is empowered by the faculty to represent it or act for it on any matter. The constitution and bylaws of the Faculty Senate are available on the website of the Faculty Senate.

Also at the University level, faculty members participate in governance by serving on University committees, boards, and councils, whether advisory, judicial, or administrative. Faculty members serve on those committees dealing with such fundamental areas as curriculum, subject matter and methods of instruction, academic affairs, research, and faculty status. The recommendation of faculty members to serve on University committees and committees of the Board of Trustees is normally made by the

Faculty Senate Executive Committee, although members of the University Committee on Academic Rank and Tenure are elected by the appropriate Faculty Assemblies or equivalent groups.

#### **6.4.2 School of Medicine Level**

At the School of Medicine level, the Faculty Assembly is how faculty members discuss matters of interest to the School, initiate proposals, or communicate their views and recommendations to the Faculty Senate, to the Dean, to the administration of the University, and/or to affiliated health systems, as appropriate. The specific organization and regulations for the School of Medicine Faculty Assembly is determined by the School of Medicine Constitution, Bylaws, and Faculty Assembly Charter. Moreover, the faculty, participating in standing committees of the School of Medicine, have primary responsibility for setting the academic requirements for the degrees offered; determining the contents of courses and the methods of instruction to be used; setting standards for admission; recommending the specific individuals who will be granted earned degrees; and recommending faculty appointments, promotions, and tenure according to the norms and procedures of Sec. 4.

#### **6.4.3 Department Level**

At the Department level, Department or divisional meetings offer an important forum for faculty discussion and participation. Here faculty members have the responsibility to develop the aims of the Department, to devise means by which the aims will be accomplished by the Chairperson and by the entire Department, to address the concerns of the Department members, and to oversee the results of their efforts and the execution of their decisions.

### **6.5 REVIEW OF FACULTY SENATE RESOLUTIONS**

In areas of University-wide concern where the Faculty Senate exercises its role as an advisory body, resolutions passed by a vote of the Senate will be communicated to the appropriate University administrator by the FSEC within ten calendar days of approval. Under normal circumstances, that administrator will convey directly to the Faculty Senate Executive Committee, within thirty calendar days, their decision regarding implementation of the resolution. When the decision is negative, the administrator will convey their reasons to the FSEC.

### **6.6 PARTICIPATION IN THE SELECTION AND EVALUATION OF ADMINISTRATORS**

A search committee is established to help the Board of Trustees or the appropriate administrator locate and interview suitable candidates for senior-level administrative positions (e.g., President, Provost, Vice Presidents, Deans, School Directors). Exceptions to this process include administrative positions that require the approval of the Jesuit provincial and/or the archbishop.

When vacancies occur in the positions of other key administrators whose work substantially affects the academic and fiscal condition of the University (e.g., Treasurer), the counsel of the Faculty Senate

Executive Committee will be solicited. Ordinarily, these positions are filled through a national search. In those cases where such vacancies occur and it is necessary to appoint an interim officeholder, a search committee typically is appointed, and a national search process is initiated at or near the same time that the interim appointment is made.

Faculty members form the majority of search committees for the position of Dean. For other leadership positions, the number of faculty members on the search committee will reflect the extent of faculty involvement with the position. When the position has University-wide responsibilities, faculty members of this committee will be recommended by the Faculty Senate Executive Committee. For leadership positions within the School of Medicine, the Faculty Assembly will make the recommendation. The person chosen for an administrative position will be selected from among those found by the search committee to be qualified for the position.

Faculty members participate in the formal, ongoing evaluation of academic administrators. These evaluations help administrators to enhance their performance and are a significant factor in the decision to retain or terminate an administrator. The procedures for the evaluation of the Dean of the School of Medicine are established by the President, following consultation with the faculty. Moreover, because it is important for academic administrators to continue developing their skills and abilities between formal evaluations, and because decanal evaluations typically cover multiple years, Deans or comparable administrators should themselves establish means for obtaining timely feedback regarding their performance, such as seeking informal input from Chairpersons, Directors, and other faculty.

## **6.7 PARTICIPATION IN EVALUATIONS FOR ACCREDITATION**

Accreditation is a joint enterprise between the University and the various accrediting commissions of regional or professional associations to evaluate a program, a Department, a School or College, or the entire University on a regular basis. Evaluations conducted as part of accreditation review require the cooperative effort of the faculty and the administration and, to a limited extent, the Board of Trustees.

The accrediting commission ordinarily establishes the contents, standards, and procedures for its evaluation. Generally, the primary responsibility for an evaluation rests with the Dean and the appropriate office or offices within the School of Medicine.

Prior to its submission to the accrediting commission, a completed evaluation may be made available for review and comment to all faculty members and administrators participating in the program(s) being evaluated. During a visit to the University by an accrediting commission, and if not prohibited by the rules of the accrediting commission, faculty members are given an opportunity to meet with the evaluators to discuss questions of concern, in a manner determined by the accrediting commission or by the program evaluators.

All faculty members and administrators participating in the program(s) evaluated are informed of the results and recommendations resulting from the evaluation and are provided access to the full report in a timely manner.

## **6.8 PARTICIPATION IN PROGRAM REVIEWS**

A program review is an evaluation of a program, a Department, or School that is initiated by the appropriate Chairperson or Dean. Ordinarily, the purpose of a review is program improvement. Program reviews require the cooperative effort of the faculty and the administration. Before a program review begins, notification of the purposes of the review is given to faculty members in the affected Departments and to the School, and Faculty Assembly.

Faculty members from the Department or School under review bear a substantial responsibility in the program review. An *ad hoc* committee of these faculty members prepares a self-study, using relevant standards for the evaluation. Following this internal procedure, evaluators external to the unit—whether faculty members or others from within or outside the University—may participate in the program review.

Prior to a review's submission to the appropriate Chairperson, Dean or comparable administrator, or the Provost, a meaningful summary of the evaluation is made available to all faculty members, Department Chairpersons, and administrators affected by the evaluation. The program faculty, in turn, are afforded the opportunity to supplement or otherwise respond to the evaluation, and provisions are made for reflecting significant differences of opinion.

## **6.9 POLITICAL AND PUBLIC-SERVICE ACTIVITY**

Many kinds of political and public-service activities by a faculty member represent service to the community that is consistent with the mission of the University, and with the responsibilities of faculty members. Included among these are holding part-time office in a political party, seeking election to an office under circumstances that do not require extensive campaigning, and serving by appointment or election in a part-time political office. Faculty members have the right, therefore, to participate in such activities, but must provide notice of their participation to their Department Chairperson or comparable administrator so that they can ensure that these political and public-service activities do not interfere with the faculty member's ability to perform his/her University responsibilities.

Other kinds of political and public service activity are so extensive that they require the faculty member to seek a leave of absence for a limited period. Included among these are substantial campaigning for elective office, serving in a legislative body, or serving a limited term in a full-time political, military, judicial, or other public service position. When such activities will add to the teaching effectiveness, research productivity, or professional status of the faculty member, or when they are required by law or evident public welfare, leaves of absence without pay will be granted as determined by the faculty member's employer.

## **6.10 LEGAL REPRESENTATION AND INDEMNIFICATION**

The employer shall provide professional liability insurance for the professional activities of the clinical faculty member performed as part of their employment unless otherwise stated in writing. The

University shall indemnify faculty members who are parties, or are threatened to be made parties, to any legal action, suit, or proceeding by reason of the fact that they hold faculty appointments with the University against expenses (including attorneys' fees), judgments, fines, and amounts paid in settlement actually and reasonably incurred by them, if they acted in good faith and in a manner they reasonably believed to be in, or not opposed to, the best interests of the University, and, with respect to any criminal action or proceeding, had no reasonable cause to believe their conduct was unlawful, all as more specifically set forth in Article VIII of the Bylaws of Saint Louis University, as amended or revised from time to time.

## **6.11 CONSULTING AND ADVISING**

All faculty members give their time and attention to their duties as described in their letters of appointment, letters of renewal, or memoranda of agreement.

Faculty are permitted to participate in external advisory/consulting activities including but not limited to the following: expert medical witness testimony, speaking engagements, serving on advisory boards, and participation in NIH or other funding agency review panels. Faculty are expected to follow all policies and procedures regarding external activities as provided by their employer and/or the School of Medicine.

Because advanced notice and management of time and commitment are essential to minimize disruption and undue interference with a clinician's University responsibilities, all faculty must notify their Chairpersons before engaging in medical expert witness testimony, associated legal work, or other extramural professional activities outside the scope of clinical services.

## **6.12 MEDIA ACTIVITIES**

When speaking or writing simply as citizens, faculty members are free from institutional censorship, but their positions as members of the University impose special obligations. Faculty members should remember that the public may judge their disciplines or professions, or the University itself, by their conduct. Hence, they should always attempt to be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should particularly make it clear, whenever circumstances might indicate otherwise, that they are not representing the University.

No faculty member, in any opinion or certification that is to be used for commercial advertising or promotion of any product, service, or business organization, may use the official title of the University or any of its parts, or refer to their professional connection with the University, without recommendation of the Dean and the expressed approval of the Provost.

Faculty members soliciting gifts on behalf of the University must follow the University policy available from the Office of University Development. All grants and contracts must be processed through the appropriate research office and follow all policies and procedures set forth by the Office of Vice President for Research.



## **7 BENEFITS, SABBATICAL & DEVELOPMENTAL LEAVES, AND RETIRED AND EMERITI/AE FACULTY**

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### **7.1 BENEFITS OF CURRENT FACULTY**

Compensation and benefits are provided to Clinical Faculty Members by their employer. Saint Louis University does, however, extend the opportunity for sabbatical leaves to qualified individuals and there are certain benefits available to retired and emeriti/ae faculty members.

### **7.2 SABBATICAL & DEVELOPMENTAL LEAVES**

The purpose of sabbatical leaves is professional development and renewal. Full-time tenured faculty members, who have obtained approval from their employer, may apply for sabbatical leaves of one semester at full non-clinical salary or one academic year at half non-clinical salary. A non-clinical salary would include any time that is paid for by the University for activities such as research, teaching, administration or other University service activities.

Six years of full-time service since hiring or since completion of the previous sabbatical leave are required for eligibility. Eligibility does not entitle a faculty member to sabbatical leave. Sabbatical Leave Proposal Guidelines are available on the website of the Office of the Provost.

### **7.3 BENEFITS OF RETIRED AND EMERITI/AE FACULTY**

Clinical faculty members are entitled to apply for Emeritus Faculty status and are afforded the benefits set forth in the *Retired and Emeritus/a Faculty Policies*, available on the website of the Office of the Provost.

## **8 REVIEW OF FACULTY PERFORMANCE**

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### **8.1 ANNUAL REVIEW**

Every faculty member is evaluated annually by the Department Chairperson or designee, and it is the responsibility of the appropriate Dean to ensure that such evaluations are timely and consistent with the mission of the University and the provisions of this *Manual*. All evaluations of faculty members are conducted openly with the faculty member present. All material collected is held in confidence in a manner determined by the School of Medicine.

The instruments and standards are determined by the Dean, the Office of Faculty Affairs and Professional Development, Department Chairs, and the Faculty Assembly.

The purpose of the annual review is to 1) allow the faculty member to thoughtfully consider their teaching, clinical care, research/scholarly activity, and service, 2) establish and/or review goals 3) to identify resources needed to accomplish goals 4) establish effort distribution of the faculty member during the upcoming year, and 5) provide an opportunity for feedback to be provided to faculty regarding their progress toward promotion consistent with the general norms for advancement [Sec. 4].

A faculty member is allowed reasonable access to their records and is allowed to add additional material.

Annual reviews are coordinated and overseen by the Office of Faculty Affairs and Professional Development following established policies and procedures. This section does not apply to adjunct faculty members.

## **8.2 MIDPOINT REVIEW FOR PRE-TENURED TRACK FACULTY**

Pre-tenure faculty will be reviewed during the 3<sup>rd</sup> full year of the probationary period. The purpose of this review, which is separate from the annual review, is to candidly assess the individual's progress toward achieving tenure, using established standards. While this evaluation is initiated at the School level, it includes the department promotion committee, the Chair, and the Dean. A positive midpoint review does not guarantee a positive tenure review.

Should a faculty member obtain an extension of their probationary period prior to the completion of their midpoint review, they may choose to delay the midpoint review for the time period equivalent to the extension. A faculty member's decision to delay must be submitted in writing to the Dean's office; this documentation will be a component of the midpoint review report.

# **9 NON-RENEWAL, TERMINATION, AND SANCTIONS**

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## **9.1 TENURED FACULTY**

Tenured appointments between the University and faculty member are permanent in the sense that they may be terminated by the University only for situations involving medical or other extended leaves, pursuant to academic reallocation or financial exigency, or for cause, and then only on the grounds given in Sec. 9.5, and only according to the procedures given in Sec. 9.6.

## **9.2 NOTICE OF NON-RENEWAL FOR UNTENURED FACULTY & NON-TENURE TRACK**

Appointments between the University and untenured faculty and non-tenure track members, including non-tenure track, are normally for a one-year period, automatically renewable annually. The University

may decline to renew the appointment of an untenured faculty member if adequate notice of nonrenewal has been provided.

A written notice of non-renewal must be provided no later than December 30th, i.e. a 6-month minimum notice of non-renewal will be provided before the end of the existing appointment.

The University may terminate (for cause) the appointment of a faculty member during the term of an appointment for situations described in Sec. 9.5.

Faculty members who intend to separate from the University should give notice in writing at the earliest possible opportunity, but not later than 120 days prior to the proposed resignation date.

### **9.3 NOTICE OF NON-RENEWAL FOR ADJUNCT FACULTY**

The decision to renew the appointments of adjunct faculty and visiting faculty rests with the Department Chairperson and the Dean of the School of Medicine. Such decisions are final and not subject to appeal. Adjunct faculty are subject to a two-week notice of non-renewal.

### **9.4 NOTICE OF NON-RENEWAL APPEAL PROCESS**

An untenured faculty member on the tenure track or a non-tenure track faculty member who has been informed that their appointment will not be renewed, and who wishes to contest the decision, should first discuss the decision with the Department Chairperson and then with the Dean within thirty days of the date of the nonrenewal letter. In addition, the faculty member may request a review by the Provost within thirty days of the date of the nonrenewal letter. Upon request of the faculty member, the Provost will review the decision to determine that it was not illegally discriminatory or otherwise in violation of the University's commitment to nondiscrimination or was not in violation of academic freedom as described in Sec. 6.1, and was made after seeking the advice and counsel of other faculty members, as appropriate. The Provost's decision is due within sixty days of the date of the nonrenewal letter. If, following these administrative reviews, the faculty member still believes that they have been improperly discriminated against or that their academic freedom has been violated, the faculty member may file a written complaint.

When an untenured faculty member on the tenure track or a non-tenure track faculty member alleges that nonrenewal of their contract is discriminatory as described in the paragraph above, they should first follow the process set forth in the paragraph above. The faculty member may then file a written complaint with the University's Director of Equal Opportunity and Title IX within ninety days of the date of the nonrenewal letter. Decisions reached through the review process initiated through this office are due within 120 days of the date of the nonrenewal letter, are final, and are not subject to appeal.

When an untenured faculty member on the tenure track or a non-tenure track faculty member alleges that nonrenewal of their contract is in violation of academic freedom as described in Sec. 6.1, they should first follow the process set forth in the first paragraph of this section. The faculty member may then file a written complaint with the Faculty Senate President within ninety days of the date of the nonrenewal letter, with a copy being given to the Dean and the Provost. An individual who fails to file such a complaint within ninety calendar days of receiving their letter of non-renewal forfeits the right

to appeal. The Professional Relations Committee is composed of faculty members. If the complaint is filed outside the scope of the academic calendar, the Committee will commence review of the complaint on September 1 pursuant to the Faculty Manual guidelines.

When a timely appeal is filed, the Professional Relations Committee reviews the case, interviews the principals involved, determines, normally within fifteen working days, whether reasonable grounds exist for believing that the nonrenewal may be in violation of academic freedom, thus warranting the establishment of an ad hoc Judicial Committee to consider the matter, and notifies the President of the University, the Provost, the faculty member, and the President of the Faculty Senate in writing of the results of its review. If required, an ad hoc Judicial Committee shall be constituted within five working days under the supervision of the Faculty Senate President. The Faculty Senate President and the Provost jointly select a standing panel of ten faculty, serving staggered five-year terms, from which three voting members will be selected to form an ad hoc Judicial Committee. The Faculty Senate President selects the chairperson of the ad hoc Judicial Committee from the members of the standing panel; the chairperson may not be from the College, School, or Library in which the faculty member whose dismissal is sought resides. The Faculty Senate President randomly selects the other two members of the Committee by lot from the remaining standing panel members in the presence of both the President of the University or their designee and the faculty member whose dismissal is sought or their designee.

The faculty member has one peremptory challenge (which may be applied to the selection of any of the three panel members), as does the President of the University. The role of the chairperson is to direct and supervise the hearing process, participate in the deliberations of the Committee, and ensure, insofar as possible, that following the hearing, the Committee delivers a thoughtful, clearly articulated decision within ten working days. Any panelist selected must recuse themselves if that individual believes they cannot impartially fulfill their duties as a committee member. The Office of the General Counsel and, when reasonably available, a representative of the national AAUP, will conduct appropriate training about the hearing process for the panelists.

Within ten working days of its formation, the ad hoc Judicial Committee will establish a specific time and place for the hearing and will communicate that information to the faculty member who is challenging their nonrenewal and the Provost. In setting the date, at least fifteen working days will be allowed for the faculty member to prepare their challenge. The proceedings of the ad hoc Judicial Committee are private, and public statements about the nonrenewal by the faculty member, the administration, or the ad hoc Judicial Committee should be avoided.

Both the faculty member and the Provost are entitled to be present throughout the hearing, and each is entitled to the assistance of legal counsel or other representative during the proceedings. The faculty member's challenge and the administration's defense of the nonrenewal are presented and argued by the faculty member and the Provost, respectively, or by legal counsel or other representative of the faculty member's or of the Provost's choice. The role of counsel in these proceedings, however, is a limited one. In the event that counsel intrudes into the proceedings to such a degree that they are hindered in any manner, the ad hoc Judicial Committee is empowered to take such steps as are necessary to ensure the expeditious and unencumbered progress of the hearing. The Committee will determine the order of presentation for the hearing, may secure the presentation of evidence important to the case, and has the primary responsibility to question witnesses, the faculty member, and the Provost.

The purpose of the proceedings is to provide the affected faculty member with an opportunity to have their academic freedom claim assessed by peers. Therefore, the proceedings of the ad hoc Judicial Committee are informal; the rules of court proceedings and formal rules of evidence are not applicable. The principals and all witnesses are, however, required both to be truthful in their presentations and representations and also to respond candidly to questions from the Committee. An opportunity will be given to the faculty member, designee, counsel, or other representative to make an oral presentation, and a similar opportunity will be given to the Provost, designee, counsel, or other representative. The faculty member has the burden of convincing the Committee that their nonrenewal would constitute a violation of academic freedom. If any facts are in dispute, the testimony of witnesses and other evidence concerning the matter will be received. The faculty member normally will have the opportunity to confront all adverse witnesses. Where unusual and urgent reasons move the Committee to withhold this opportunity (e.g., a threat of retaliation), or where the witness cannot appear, the reasons for this and the identity and statements of the witness will be disclosed to the faculty member. Committee members, as well as the faculty member and Provost, or their representatives, will have the right to question witnesses who testify orally at the hearing, within reasonable limits to be established by the ad hoc Judicial Committee. A record of all proceedings will be kept. Failure to complete the hearing prior to the expiration of the faculty member's appointment shall neither preclude nor delay the non-renewal.

After all evidence has been received, the ad hoc Judicial Committee should reach its decision in a private conference, on the sole basis of the evidence presented at the hearing. The decision not to renew the faculty member's appointment shall be upheld unless the Committee is convinced that it would constitute a violation of academic freedom. The Committee may proceed to its decision promptly, without having the record of the hearing transcribed, or it may await a transcript if its decision would be aided thereby. A majority of the ad hoc Judicial Committee is required to render a decision. In those cases where the decision is not unanimous, a dissenting opinion can be filed. The Committee shall make explicit findings as to whether the faculty member's academic freedom has been violated and shall report its findings to the President of the University, with copies going to the affected faculty member and the Provost. The Committee will also provide the faculty member and/or the Provost with a copy of the record of the hearing, upon their request. All parties are obligated to treat both the Committee's written opinion(s) and the transcript of the hearing as private communications, not intended for public dissemination.

The President may put the decision of the ad hoc Judicial Committee into effect immediately or may decide to review the case. If the President elects to review the case, their review should be based on the record of the hearing, the report of the ad hoc Judicial Committee, and written arguments by the principals involved. The President shall defer to the decision of the Committee unless they find that the decision is arbitrary, capricious, or constitutes an abuse of the Committee's discretion.

## **9.5 TERMINATION OF FACULTY APPOINTMENT FOR CAUSE**

Letters of appointment between the University and faculty members cannot be terminated during their effective period except by mutual consent or for the following reasons:

- a. Material misrepresentation of fact relevant to the faculty member's academic qualifications, such as false claims of academic degrees or of previous academic or professional experience.

- b. Irresponsibility in discharging University obligations, incompetence in meeting the faculty responsibilities described in Sec. 5, or inability to meet the faculty responsibilities due to medical reasons.
- c. Serious violation of clearly-established written policies and procedures of the University such as those governing sexual harassment and research fraud.
- d. Use of the classroom or of University-sponsored activities to deride or attack the Catholic faith. Here, the terms *deride* and *attack* are to be construed strictly; they do not include the scholarly and relevant criticism of such things as Catholic organizations, Catholic leaders, Catholic activities, and particular theological opinions and traditions. Moreover, faculty members have the right to express and explain their own beliefs, even though these may disagree with Catholic doctrine.
- e. An action that is seriously contrary to clearly established principles of professional ethics (e.g., those of the American Association of University Professors [AAUP] and the Hippocratic Oath) or of Christian scripture and Judeo-Christian tradition.
- f. Conviction or imposition of legal sanction for a crime that would greatly affect the faculty member's discharge of University responsibilities or would greatly interfere with the mission of the University.
- g. Financial exigency or academic reallocation as described in Secs. 11.1 and 11.2.
- h. Failure to maintain licensure, credentials, and/or appropriate clinical privileges necessary to carry out assigned clinical duties.
- i. Documented serious and persistent substandard performance that fails to meet contractual obligations as outlined in this *Faculty Manual* and of which the faculty member has been given reasonable notice.

## 9.6 PROCEDURES FOR TERMINATION OF FACULTY APPOINTMENT

When reason arises to question the fitness of a tenured faculty member, an untenured faculty member on the tenure track, or a non-tenure-track faculty member whose letter of appointment has not expired, the Department Chairperson and the Dean should ordinarily discuss the matter with the faculty member in a private conference. The matter may be resolved by mutual consent at this point, or the faculty member may request mediation from the Professional Relations Committee of the Faculty Senate according to the procedures in Sec. 10.

If no resolution is reached, the President of the University shall inform the faculty member and the Faculty Senate President in writing of the University administration's intent to dismiss the faculty member, stating the grounds for the proposed dismissal with sufficient detail to put the faculty member on notice of all charges and indicating that termination of the faculty appointment will occur on a particular date unless the faculty member requests a hearing to contest the dismissal. Such a request must be made in writing to the President within ten working days of receipt of the communication, with a copy being given to the Faculty Senate President. At any time, the University administration may amend the grounds for termination of the faculty appointment provided the faculty member is allowed at least fifteen working days to prepare and file an answer to the new charge.

Within five working days of such a request, an ad hoc Judicial Committee shall be constituted under the supervision of the Faculty Senate President. The Faculty Senate President and the Provost jointly select a standing panel of ten faculty, serving staggered five-year terms, from which three voting members will be selected to form an ad hoc Judicial Committee. The Faculty Senate President selects the chairperson of the ad hoc Judicial Committee from the members of the standing panel; the chairperson may not be from the College, School, or Library in which the faculty member whose dismissal is sought resides. The Faculty Senate President randomly selects the other two members of the Committee by lot from the remaining standing panel members in the presence of both the President of the University or their designee and the faculty member whose dismissal is sought or their designee. The faculty member has one peremptory challenge (which may be applied to the selection of any of the three panel members), as does the President of the University. The role of the chairperson is to direct and supervise the hearing process, participate in the deliberations of the Committee, and ensure, insofar as possible, that following the hearing, the Committee delivers a thoughtful, clearly articulated decision within ten working days. Any panelist selected must recuse themselves if that individual believes s/he cannot impartially fulfill their duties as a committee member. The Office of the General Counsel and, when reasonably available, a representative of the national AAUP will conduct appropriate training about the hearing process for the panelists.

Within ten working days of its formation, the *ad hoc* Judicial Committee will establish a specific time and place for the hearing and will communicate that information to the faculty member for whom termination of the faculty appointment is sought and the Provost. In setting the date, the Committee will allow the faculty member at least fifteen working days to prepare a defense. The University administration and the faculty member will exchange the names of witnesses and copies of documents that will be used in the case. If called upon to do so, both the administration and the faculty member will cooperate with the *ad hoc* Judicial Committee in securing witnesses and documents.

At their request only, the faculty member may be temporarily relieved of University duties in order to prepare a defense. Full non-clinical salary related to a faculty member's academic, research, teaching, and service will continue during such relief from duties. Additionally, the University administration may suspend the faculty member from their duties under Sec. 9.7.

Not less than five working days before the date set for the hearing, the faculty member is obligated to answer the statements in the University President's letter in a written communication addressed to the Committee, with a copy given to the President.

The proceedings of the *ad hoc* Judicial Committee are private, and public statements about the termination of appointment by the faculty member, the University administration, or the *ad hoc* Judicial Committee should be avoided. Additionally, neither the faculty member nor the University administration may retaliate against any witness in any way; evidence of any such retaliation may be introduced and considered by the Committee.

Both the faculty member and the Provost are entitled to be present throughout the hearing, and each is entitled to the assistance of legal counsel or other representative during the proceedings. The University administration's case for termination of a faculty appointment and/or the faculty member's defense may be presented and argued by the Provost and the faculty member, respectively, or by legal counsel or other representative of the faculty member's or the Provost's choice. The role of counsel in these proceedings, however, is a limited one. If counsel intrudes into the proceedings to such a degree

that they are hindered in any manner, the Committee is empowered to take such steps as are necessary to ensure the expeditious and unencumbered progress of the hearing. The Committee will determine the order of presentation for the hearing, may secure the presentation of evidence important to the case, and has the primary responsibility to question witnesses, the faculty member, and the Provost.

In cases in which the alleged cause for termination of a faculty appointment is Secs. 9.5.d or 9.5.e, the *ad hoc* Judicial Committee shall have the authority to determine, in consultation with experts in Catholic moral theology and canon law or other appropriate disciplines, whether the alleged actions "deride or attack the Catholic faith" or are "seriously contrary to clearly established principles of professional ethics . . . or Christian scripture and Judeo-Christian tradition." Thus, the Committee shall be empowered not only to determine the facts of commission but also the seriousness of the offense. If the faculty member admits the fact of commission but states that they acted in good faith, without any reasonable suspicion that the action was covered by Secs. 9.5.d or 9.5.e, and if the Committee determines that this statement is true, the faculty member's appointment or tenure shall not be terminated except on subsequent repetition of the act in question.

The purpose of the proceedings is to provide the affected faculty member with a vehicle to be judged by peers. Therefore, the proceedings of the *ad hoc* Judicial Committee are informal; the rules of court proceedings and formal rules of evidence are not applicable. The principals and witnesses are, however, required both to be truthful in their presentations and representations and also to respond candidly to questions from the Committee. The Provost will be given every reasonable opportunity to present the University administration's case; a like opportunity will be given to the faculty member to defend themselves. If any facts are in dispute, the testimony of witnesses and other evidence concerning the matter will be received. The faculty member normally will have the opportunity to confront all adverse witnesses. Where unusual and urgent reasons move the Committee to withhold this opportunity (e.g., a threat of retaliation), or where the witness cannot appear, the reasons for this and the identity and statements of the witness will be disclosed to the faculty member. Committee members, as well as the faculty member and the Provost, or their representatives, will have the right to question witnesses who testify orally at the hearing, within reasonable limits to be established by the chairperson of the *ad hoc* Judicial Committee. A record of all proceedings will be kept. Failure to complete the hearing prior to the expiration of the faculty member's appointment shall neither preclude nor delay the termination of a faculty member's appointment.

After all evidence has been received, the *ad hoc* Judicial Committee should reach its decision in a private conference, on the sole basis of the evidence presented at the hearing. The University administration has the burden of convincing the Committee that adequate cause exists for termination of a faculty appointment. In cases brought for any reason other than violation of the University's sexual misconduct policy or harassment policy, the University's burden of proof shall be met if the evidence presented produces a firm belief or conviction in the minds of a majority of the Committee's members as to the truth of the University's allegations. In cases brought, in whole or in part, for a violation of the University's sexual misconduct policy or harassment policy, the University's burden of proof shall be met if a preponderance of the evidence demonstrates the truth of the University's allegations. If a majority of the members of the Committee concludes that the University has met its burden of proof, the Committee shall then determine whether termination of a faculty appointment, as sought by the University, is an appropriate sanction. The Committee may recommend that the faculty appointment be terminated or it may recommend a lesser sanction.



The Committee may proceed to its decision promptly, without having the record of the hearing transcribed, or it may await a transcript if its decision would be aided thereby. A majority of the *ad hoc* Judicial Committee is required to render a decision, and that decision must be in writing. In those cases where the decision is not unanimous, a dissenting opinion can be filed. The Committee's opinion should set out explicit findings with respect to each of the charges in the University President's letter and the Committee's recommendation as to whether termination of a faculty appointment or some lesser sanction is the appropriate sanction, along with the reasons for its findings. The Committee should submit copies of its opinion (and any dissenting opinion) to the President and to the faculty member, and, at his/her request, should provide each with a copy of the record of the hearing. All parties are obligated to treat both the transcript of the hearing and the Committee's written opinion(s) as private communications, not intended for public dissemination.

The President may put the decision of the *ad hoc* Judicial Committee into effect immediately. However, the President or the faculty member may, within ten working days of the *ad hoc* Judicial Committee's decision, request review by the Executive Committee of the Board of Trustees. If the Executive Committee of the Board, at its discretion, decides to conduct a review, that review should be based on the record of the hearing, the report of the *ad hoc* Judicial Committee, and written arguments by the principals involved. In reviewing a decision of the *ad hoc* Judicial Committee, the Executive Committee of the Board shall defer to the *ad hoc* Judicial Committee's decision unless the Board's Executive Committee finds that the *ad hoc* Judicial Committee's decision is arbitrary, capricious, or constitutes an abuse of discretion.

## **9.7 SUSPENSION FROM ACADEMIC DUTIES DURING CONSIDERATION OF TERMINATION**

A faculty member who is believed to have committed acts that would justify termination of a faculty appointment may be immediately suspended from any or all of their assigned academic duties only when the Dean judges that serious, immediate harm would come otherwise to the faculty member, to students, to other individuals, or to the University. Notice of such suspension, together with a specific statement of the causes for the action and the supporting evidence for this judgment, should be promptly provided to the faculty member. Non-clinical salary related to academic, research, teaching, and service responsibilities will continue to be provided to the faculty member pending the conclusion of termination procedures, subject to possible review as provided below. During academic suspension continuation of clinical service responsibilities and associated salary will be determined by the employer.

At any time after the formation of an *ad hoc* Judicial Committee, the President of the University may ask the Professional Relations Committee to review the progress of the termination proceedings. Upon referral by the President, the Professional Relations Committee shall determine whether the suspended faculty member has failed to act in good faith to facilitate the timely conduct of the proceedings. The Committee shall submit its findings in writing to the President, the President of the Faculty Senate, and the suspended faculty member. If the Committee determines by a preponderance of evidence that the suspended faculty member has not acted in good faith, the President may withhold the faculty member's non-clinical salary pending conclusion of the proceedings. If the faculty member's appointment is not terminated, they shall be reimbursed the non-clinical salary that had been withheld.

If the Committee finds that a bad-faith violation has not occurred, it shall establish an expeditious timeline by which the proceedings are to be brought to an orderly conclusion.

## **9.8 SANCTIONS SHORT OF TERMINATION**

### **9.8.1 Serious Sanctions**

For serious sanctions short of termination: If the administration believes that a faculty member has engaged in serious misconduct that is sufficient to justify the imposition of a severe sanction, such as suspension from service for a stated period, with or without payment of non-clinical salary, the administration will notify the faculty member of the basis of the proposed sanction and provide the faculty member with the opportunity to persuade the administration not to impose the sanction. If the administration proceeds to impose the sanction, the faculty member may petition the Professional Relations Committee for possible referral to an *ad hoc* Judicial Committee. If the Professional Relations Committee determines that the faculty member has raised a substantial doubt as to whether the sanction is warranted, it shall refer the appeal to an *ad hoc* Judicial Committee for review under the procedures and standards set forth in Sec. 9.6, and the imposition of the sanction shall be suspended pending completion of the review, except in those cases where a suspension of sanction would constitute a breach of legal obligation. Serious misconduct in the performance of any University obligation of a faculty member (e.g., conduct that creates a substantial risk of serious physical injury or conduct that constitutes a major violation of the University's *Policy on Harassment*) may warrant the imposition of a serious sanction short of termination. The administrative official who imposes a serious sanction short of termination will specify the sanction in writing and will indicate the time period during which the sanction is in effect.

### **9.8.2 Minor Sanctions**

For minor sanctions short of termination: If the administration believes that the conduct of a faculty member justifies the imposition of a minor sanction, such as a reprimand, it will notify the faculty member of the basis of the proposed sanction and provide the faculty member with an opportunity to persuade the administration that the proposed sanction should not be imposed.

A faculty member who believes that a minor sanction has been incorrectly imposed under this paragraph, or that a minor sanction has been unjustly imposed, may petition the Professional Relations Committee for such review and such recommendation for actions as may be appropriate. The imposition of a sanction shall be suspended pending completion of the review of the Professional Relations Committee.

## **10 GRIEVANCES AND APPEALS**

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### **10.1 PROFESSIONAL RELATIONS COMMITTEE**

The Faculty Senate Professional Relations Committee is charged with adjudicating grievances and screening appeals of non-renewals, and impositions of serious sanctions short of termination.

In matters concerning violation of the University's policies on equal opportunity, harassment, or retaliation, appeals from the administrative process established in University policy are directed to the Professional Relations Committee. If the sanction is termination, or a serious sanction short of termination, the procedures set forth in Secs. 9.6 and Sec. 9.8.1, respectively shall be followed.

The Committee normally consists of a faculty member from each of the Colleges and freestanding Schools, and the Libraries of the University, having representation on the Faculty Senate.

The members of the Committee should be trained to consider grievances through workshops given by the University's legal counsel and, when reasonably possible, a representative of the AAUP.

Grievances are considered by grievance subcommittees consisting of a minimum of two members of the Faculty Senate Professional Relations Committee and one member of the faculty chosen by the Professional Relations Committee Co-Chairpersons on the basis of knowledge of the general issues involved in the grievance. The subcommittees are chaired by a member of the Faculty Senate Professional Relations Committee who will be responsible for ensuring that the subcommittee's procedures are in accord with established policies.

The Professional Relations Committee is co-chaired by two faculty representatives appointed by the Faculty Senate Executive Committee. One co-chair is appointed from the College of Arts and Sciences, the Richard A. Chaifetz School of Business, the School of Education, the School of Law, the University Libraries, Parks College of Engineering, Aviation and Technology, or the School for Professional Studies. The second co-chair is appointed from the Doisy College of Health Sciences, the School of Medicine, the Trudy Busch Valentine School of Nursing, the College for Public Health and Social Justice, or the Center for Advanced Dental Education. The Co-Chairpersons will be appointed for staggered three-year terms. The Co-Chairpersons may be chosen from the Committee or from the faculty at large. The Co-Chairpersons have the authority to screen grievances, to assign a case to mediation initially, and to assign subcommittees to hear grievances they find to be of substance. They may serve as members of the subcommittees where appropriate.

The Co-Chairpersons of the Professional Relations Committee also have the authority to dismiss a grievance, in whole or in part, when they determine that a reasonable opportunity had been afforded to the grievant to assert the grievance and that the Professional Relations Committee had previously made a final determination concerning the same, or a substantially similar, claim.

## **10.2 GRIEVANCE PROCESS**

1. Prior to submitting a formal grievance to the Faculty Senate Professional Relations Committee, a faculty member must first seek to resolve the issues in dispute through other appropriate administrative channels.
  - a. If the action(s) disputed were taken by another faculty member in the same or another Division, Department, College, School, or Library, or by an administrative official in the same or another Division, Department, College, School, or Library, the complaining

faculty member must first attempt to obtain a satisfactory resolution of the complaint within the unit of the individual against whom the complaint is being made. Such an attempt at internal resolution should then proceed through whatever regular chain of authority exists in that unit (e.g., to the Division Director and then to the Departmental Chairperson, if appropriate) and ultimately to the Dean or comparable administrator of the unit.

- b. If the action(s) complained of were taken by an administrative official not under the authority of such a Dean or comparable administrator, the complaining faculty member must attempt to obtain a satisfactory resolution of the dispute by presenting the complaint to the appropriate administrative officer who supervises the individual whose actions are disputed.

All such efforts at internal resolution of complaints should be initiated no later than three months after the date of the occurrence of the action(s) in dispute. The complaint must be in writing. Division Directors, Departmental Chairpersons, and Deans or comparable administrators, and other appropriate administrative officials who receive such written complaints should make a determination on the merits of the complaint and communicate this in writing no later than thirty calendar days after receipt of the complaint.

2. If the decision by the unit Dean or other appropriate administrative official is unsatisfactory to the complaining faculty member, the faculty member may then submit a grievance, in writing, to the Co-Chairpersons of the Faculty Senate Professional Relations Committee. Such a grievance must set forth with reasonable particularity the action(s) being grieved and the remedy being sought. Such a submission should occur no later than thirty calendar days after receiving notice of the Dean's or administrative official's decision, as noted above.
3. A faculty member who believes that they have cause for grievance in situations of nonrenewal of appointment, a serious sanction, or termination has no recourse other than what has been described in this *Manual*.
4. Mediation may be utilized where appropriate. Mediators are drawn from a pool of faculty or others knowledgeable about higher education who have been trained for this purpose, and who are not currently members of the Professional Relations Committee. Both parties in the grievance must be consulted before mediation is recommended.
5. Unless otherwise provided by these regulations, the Professional Relations Committee process will be informal in nature and determined by the Committee members. When a faculty member appears before the Committee, they may be accompanied by an advisor. Such an advisor, however, will not be permitted to participate actively in Committee proceedings.
6. The Committee submits its findings and recommendations to the Provost as well as to all parties involved in the grievance.
7. The University administration must not retaliate against a faculty member for instituting a grievance.

### **10.3 LIMITATIONS OF AUTHORITY FOR THE PROFESSIONAL RELATIONS COMMITTEE**

The Professional Relations Committee has no authority to review or set aside decisions designated in this *Manual* as final and not subject to appeal.

The Professional Relations Committee has no authority to review or set aside decisions made pursuant to Sec. 11, respecting academic reorganization, academic reallocation, and financial exigency.

The Professional Relations Committee has no authority to review or set aside Institutional Review Board decisions.

The Professional Relations Committee has no authority to set aside the factual findings and determinations made by the Provost's Committee on Conflict of Interest in making a recommendation to the Provost. However, sanctions imposed upon a faculty member for failure to adhere to decisions that proceed from a conflict-of-interest review are grievable.

Actions of professional credentialing, licensing, or professional certification organizations, are not grievable. Further, the findings of fact of these organizations are final for purposes of any subsequent grievance.

The Professional Relations Committee has no authority to set aside the factual findings and determination of research misconduct by an investigation committee functioning in accordance with the current research integrity policy (available from the website of the Office of Research Services Administration).

While the findings themselves are not grievable, the appropriateness of the final sanction imposed or the adequacy of the means of restoration of the respondent's reputation, consistent with those identified in the policy, is grievable. In any case, where the termination of a faculty member is being sought, the *ad hoc* Judicial Committee conducts a *de novo* proceeding but receives as evidence the final reports of the investigation committee and the deciding official and gives its factual findings whatever weight the *ad hoc* Judicial Committee deems is appropriate.

### **10.4 WEIGHT GIVEN TO PROFESSIONAL RELATIONS COMMITTEE DETERMINATIONS**

Upon completion of its consideration of the grievance or appeal, the Committee submits its findings and proposed remedies to the Provost for review and implementation. On these matters the power of review and final decision by the Provost may be exercised adversely to the Committee's determination only in exceptional circumstances, and for reasons communicated to the Committee. The Provost normally implements the recommendations of the Committee within thirty calendar days after the receipt of the Committee's written recommendations. If the Provost does not accept the recommendations of the Committee, they normally communicate this decision to the grievant and the Committee within thirty calendar days following the receipt of the Committee's written recommendations. Upon receipt of such communication, the Committee has thirty calendar days to respond to the Provost's decision. The Provost normally takes final action on the grievance within thirty

calendar days after receipt of the Committee's response. The Provost's decision is final and is not subject to appeal.

## **11 FACULTY PARTICIPATION IN ACADEMIC REORGANIZATION & REALLOCATIONS**

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For the purposes of this section, academic reorganization is defined as the structural realignment of degree programs, Departments, Schools, Colleges, or Libraries based upon educational considerations, rather than on financial exigency, which does not result in the termination of full-time faculty. This reorganization typically involves the consolidation, and sometimes an expansion, of academic units. Academic reorganization reflects a judgment that the educational mission of the University will be enhanced by the reorganization. Academic reorganization may be initiated by the academic unit(s) affected or by the Provost. Consultation with affected faculty will precede any reorganization, and will be appropriate to the reorganization proposed. This consultation may, for example, be limited to a School or College or Library, or may extend across two or more Schools/Colleges/Libraries. In keeping with the principles of collegiality and shared governance, it is the obligation of the College/School Dean(s) or comparable administrator(s), or of the Provost, respectively, to inform the Faculty Senate Executive Committee of proposed reorganizations near the commencement of the consultation process with the unit faculty, and to offer reasons for the proposed reorganization. While the primary role of the Faculty Senate Executive Committee is to oversee the adequacy of the consultative process, the Executive Committee, in consultation with the affected faculty units, may also offer alternatives to the proposed reorganization. Should the reorganization involve a change in leadership, directly affected faculty will be afforded the opportunity to participate in the selection of their new leader.

### **11.1 ACADEMIC REALLOCATION**

For this section, academic reallocation is defined as the discontinuance of a program, Department, School, College, or Library based upon considerations other than financial exigency. Termination of an appointment with continuous tenure, or of a probationary or non-tenure-track appointment before the end of the specified term, may occur under extraordinary circumstances because of the need for academic reallocation. Typically, academic reallocation proceeds from serious, documented concerns about a program's academic quality, relationship to the mission of the University, or changes in enrollment that are not cyclical or temporary in nature. Funds saved through this means, including salaries resulting from the nonrenewal of those on probationary and non-tenure-track appointments and, in some cases, the termination of appointments with tenure, are typically invested in meeting new educational needs. Academic reallocation may be initiated by an academic unit, the President of the University, or the Provost. In those cases in which reallocation is not initiated by an academic unit, and in keeping with the principles of collegiality and shared governance, the President of the University or the Provost, before formally proposing academic reallocation, shall consult with the Faculty Senate Executive Committee—and with the Dean or comparable administrator and all the faculty members of the affected College, School, Library, Department, or program—giving the reasons for the proposed reallocation and the evidence supporting it. While the primary role of the Faculty Senate Executive

Committee is to oversee the adequacy of the consultative process, the Executive Committee, in consultation with the affected faculty units, may also offer alternatives to the proposed reallocation. The Board of Trustees ultimately determines the need for academic reallocation. The Faculty Senate Executive Committee, the Dean or comparable administrator, and the Faculty Assembly or equivalent group of the affected faculty unit have the right to present alternatives directly to the Board of Trustees or its designated committee.

For the purposes of this section, the discontinuance of a program which does not result in the termination of a full-time faculty member does not constitute academic reallocation, nor does the discontinuance of a recently approved program which, after a predetermined period of time, fails to meet enrollment or fiscal goals established at the time of the program's approval, even if the program's discontinuance results in the nonrenewal of a full-time faculty member.

## **11.2 FINANCIAL EXIGENCY**

Unlike academic reorganization or academic reallocation, financial exigency is a condition in which the University's existence, or that of a College, School, Department, or Library, is in serious jeopardy for financial reasons. A current operating deficit or mere financial pressure which does not threaten survival does not constitute financial exigency. Termination of an appointment with continuous tenure, or of a probationary or non-tenure-track appointment before the end of the specified term, may occur under extraordinary circumstances because of a demonstrably *bona fide* financial exigency. Before determining the existence of financial exigency, the President of the University shall consult with the Faculty Senate Executive Committee—and in the case of financial exigency of a College, School, Department, or Library, the Dean or comparable administrator and all the faculty members of the affected unit—giving the reasons for a declaration of financial exigency and the evidence supporting it. The Faculty Senate Executive Committee, the Dean or comparable administrator, and the Faculty Assembly or equivalent group of the affected faculty unit have the right to present alternatives directly to the Board of Trustees or its designated committee. The Board of Trustees shall ultimately determine the existence of financial exigency.

## **11.3 FACULTY RIGHTS UNDER ACADEMIC REALLOCATION OR FINANCIAL EXIGENCY**

Following a declaration of financial exigency or a decision to carry out academic reallocation that will result in the termination of full-time faculty members, a committee, if recommended by the Faculty Senate Executive Committee, will be established to use the criteria given below to identify academic areas and faculty positions for reduction or discontinuance and to make recommendations to the President of the University within thirty days of the establishment of the committee. This committee includes appropriate administrators, representatives of the Faculty Senate, the Dean or comparable administrator, and representatives of the Faculty Assembly or equivalent group of the Colleges, Schools, Departments, or Libraries affected. The committee makes every effort to consult with all faculty members who might be affected, including untenured faculty members.

The recommendations of the committee must meet the following criteria:

- continued employment of tenured faculty members whose responsibilities continue to be fulfilled after the reallocation by untenured faculty (even if in a significantly different form in another unit of the University). The University must make a good-faith effort to continue to employ a tenured faculty member who has skills and abilities that satisfy the requirements of other positions within the University.
- retention of tenured faculty members in preference to untenured and non-tenure-track faculty members except in extraordinary circumstances where an essential part of the academic program could not otherwise be carried out.
- provision of at least a year of notice, or a year's salary, when there is no realistic choice other than to terminate the services of a tenured faculty member.
- completion of a term of appointment of an untenured or non-tenure-track faculty member, with a minimum of four months' salary or four months' notice.
- not making new faculty appointments in academic areas that have been reduced or discontinued within two years of the termination of faculty positions, except in extraordinary circumstances where an essential part of the academic program could not otherwise be carried out.
- before making new faculty appointments in academic areas that have been reduced or discontinued, within three years following the termination of faculty positions, offering appointments at the same rank and tenure status to released faculty members with the same or similar skills and abilities, and providing them a reasonable time in which to accept or decline the offer before a replacement faculty member is sought.
- in circumstances which require a choice between two or more tenured faculty, primary consideration will be given to the overall good of the University. The criteria for retention should include teaching effectiveness, Departmental curricular needs, length of service, scholarly productivity, and diversity.

The President of the University must provide each full-time faculty member affected by financial exigency or academic reallocation with a written statement of the basis for the initial decision, the criteria by which individual faculty members were chosen for termination, the general information and data on which the President relied, the effective date of termination, and notification of the right to a review of the decision using the procedures of Sec. 11.4, even after separation from the University.

## **11.4 APPEALS DURING ACADEMIC REALLOCATION OR FINANCIAL EXIGENCY**

A faculty member who believes that their rights have been violated during academic reallocation or financial exigency must first discuss the situation with the Department Chairperson or comparable administrator, then with the appropriate Dean or comparable administrator, and, if not satisfied, with the Provost.

If a faculty member has appealed through administrative channels and still alleges that their rights have been violated, they have the right to appeal to an *ad hoc* committee composed of four faculty members selected by the Faculty Senate Executive Committee and three people selected by the Provost. The request for review must be filed in writing with the Provost within thirty days of the notice of termination, or in case of violations of Sec. 11.3 within thirty days of the new appointment.



The *ad hoc* committee will hold a hearing to consider the following issues:

- Whether a state of financial exigency or the need for academic reallocation was declared by the Board of Trustees in accordance with the provisions above
- Whether the criteria, described in Sec. 11.3, used to identify faculty members to be terminated were properly applied.

Upon completion of the hearing, the *ad hoc* committee conveys its conclusions and recommendations to the President of the University and the faculty member. The President's decision is final and not subject to appeal.

## 12 PERIODIC REVIEW AND AMENDMENTS

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This *Manual* is subject to review and amendment on an ongoing basis. Amendments may be proposed by individual clinical faculty via the School of Medicine Faculty Assembly, the Dean of the School of Medicine, or the President of the University. The amendment process is detailed by the School of Medicine Faculty Assembly and is characterized by transparency, consultation, and consensus. This *Manual* and all subsequent amendments require approval by the Faculty Assembly, the Dean of the School of Medicine, and the President of the University and adoption by the Board of Trustees to become effective.

The Joint School of Medicine Faculty Assembly-Dean Committee on the *Clinical Faculty Manual* is authorized to make minor changes that do not alter the substance or meaning of the text and that, as appropriate, reflect current usage. Such changes take effect when made and will be followed by timely documentation on the *SOM Faculty Affairs and Professional Development* website.