

**ACADEMIC PERSONNEL POLICY OF THE
UNIVERSITY OF MASSACHUSETTS MEDICAL SCHOOL**

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ARTICLE 1. AUTHORITY, DEFINITIONS, STANDARDS

This Academic Personnel Policy of the University of Massachusetts Medical School (UMMS) [University of Massachusetts Worcester (UMW)] is promulgated by the Board of Trustees of the University of Massachusetts (University) under the authority of Massachusetts General Laws, Chapter 75, and supersedes the University-wide Academic Personnel Policy (Doc. T76-081), and replaces in its entirety previous revisions of UMMS Academic Personnel Policy (APP) (Doc. T95-022).

Section 1.1 Delegation of Authority from the Board of Trustees

The University System Board of Trustees has the statutory authority to make decisions in matters of Faculty status and may delegate that authority only to certain administrative officials (Mass. G.L. c. 75 § 3A). As defined in the Board of Trustees Statement on University Governance (Doc. T73-098, as amended), the University System President has been delegated the authority to appoint members of the Faculty to tenure with the concurrence of the Board of Trustees. The Chancellor has been delegated the authority to make decisions in all other matters of Faculty status. Any re-delegation of appointing authority to the Provost or other academic administrative officials is subject to the approval of the Board of Trustees. The Provost defines the number of Employed Faculty positions assigned to the Tenure or Non-Tenure Tracks in Schools, Departments, Programs, Institutes and Centers after consultation with the dean, chair or director. The number of positions is subject to revision in accordance with periodically-reviewed long-range plans established by the Chancellor and by implementation of any applicable retrenchment policy. All Personnel Actions must be consistent with program plans at the Department, School, campus, and University System levels.

Section 1.2 Amendment

Amendments to this document require approval by a two-thirds vote of both the UMMS Faculty Council and UMMS Executive Council. If approved by both Councils, the proposed amendment must be submitted to the Faculty-at-Large for a simple majority vote for or against its acceptance. If voted favorably, the proposed amendment must be transmitted for consideration and potential approval according to the procedures outlined in the Board of Trustees Statement on University Governance (Doc. T73-098, as amended). The Board of Trustees reserves the right to alter, amend, or revoke the foregoing documents in part or in whole at any time.

Section 1.3 Definitions

Words and phrases are construed according to the common and approved usage of the language, but technical words and phrases and such others as have acquired a peculiar and appropriate meaning are construed and understood according to such meaning. Words imparting the singular number may be extended and be applied to several persons or things, and words imparting the plural number may include the singular. As used in these policies and procedural standards, the following terms have the meaning herein given unless otherwise expressly provided.

"Academic Activities" — those activities performed as a Faculty Member in one or more of the four core missions of UMMS, as defined in the UMW Governance Document (Doc. T03-035, as amended):

- a. **Education Mission.** Activities such as the provision of formal lectures, seminars, student conferences or one-on-one teaching of students at various levels, development of new curricula and/or development of educational policies.
- b. **Research and Scholarly Activity Mission.** Activities such as the performance of investigator-initiated or collaborative research; publication(s) in peer-reviewed journals; invited presentations; publication of reviews, books and book chapters; gathering of data; funded grants and contracts; and the submission of grants.

Robert Milner 2/14/2017 1:57 PM

Comment [1]: Article 1 of revised APP combines Articles 1, 2, 3, 4 & 14 of current APP.

Robert Milner 1/18/2017 9:08 AM

Comment [2]: Revision of Section 1.1 of current APP; references to documents prior to current APP are deleted.

Robert Milner 2/14/2017 1:57 PM

Comment [3]: From Section 3.2 of current APP.

Robert Milner 1/18/2017 9:09 AM

Comment [4]: Revision of Section 5.9 of current APP to reflect role of Provost.

Robert Milner 2/14/2017 1:57 PM

Comment [5]: From Section 4.3 of current APP.

Robert Milner 1/18/2017 9:10 AM

Comment [6]: Same language as amendment of Governance Document (current APP does not define process for amendment of APP).

Robert Milner 1/18/2017 9:10 AM

Comment [7]: Updated list of definitions to reflect use within the revised APP

- c. **Health Care Delivery Mission.** Activities such as assisting in the delivery of high quality, state of the art health care in an appropriate setting, which is recognized as such by peers; expanding the horizons of clinical care by developing new diagnostic or therapeutic methods; establishing new clinical services.
- d. **Service Mission.** Service and administrative duties within UMMS, the University and/or the local/national/international community.

“Academic Position” — a position in the UMMS Faculty as an **Instructor, Assistant Professor, Associate Professor, or Professor**, and all positions of like title bearing specific modifiers such as **“Adjunct”, “Emeritus”** and **“Visiting”**.

“Department” — an administrative subdivision of a School organized for the purpose of one or more of the four core missions of UMMS, as defined in the UMW Governance Document (Doc. T03-035, as amended).

“Employed Faculty” — individuals appointed to the UMMS Faculty who are primarily employed by UMMS, UMMHC, or a University-Approved External Foundation or Agency (Article 5).

“Faculty” — all individuals with academic appointments in the SOM, GSN, GSBS, and such other Schools as may be developed as defined in the UMW Governance Document (Doc. T03-035, as amended).

“Non-Department Unit” — organizational units, such as Programs, Centers and Institutes, created to implement academic and training programs, clinical or community service, or research activities that cannot ordinarily be accommodated within existing School and Department structures, as defined in the UMW Governance Document (Doc. T03-035, as amended).

“Non-Tenured Faculty” — individuals who have not received the award of Tenure, including those in the Non-Tenure Track and those in the Tenure Track with a Probationary Period.

“Personnel Action” — an action relating to the status of a Faculty Member with respect to an Academic Position, including, but not limited to, appointment, promotion and the award of Tenure.

“School” — the School of Medicine (SOM), the Graduate School of Nursing (GSN), the Graduate School of Biomedical Sciences (GSBS), and such other Schools as may be developed, as defined in the UMW Governance Document (Doc. T03-035, as amended).

“Tenured Faculty” — individuals who have received the award of Tenure.

“UMMS” — University of Massachusetts Medical School.

“UMMHC” — UMass Memorial Health Care, Inc., used herein to refer collectively to UMass Memorial Health Care, UMass Memorial Medical Group and UMass Memorial Medical Center.

“UMW” — University of Massachusetts Worcester.

“UMMS-Employed Faculty” —UMMS-Employed Faculty who are appointed to the UMMS Faculty and categorized, for employment purposes, as Academically-Salaried, or Professionally-Salaried.

“UMMHC-Employed Faculty” — employees of UMMHC who are appointed to the UMMS Faculty.

Section 1.4 Academic Freedom

The standards and interpretations of the American Association of University Professors on matters of academic freedom as set forth in the "1940 Statement of Principles on Academic Freedom and Tenure, with 1971 Interpretive Comments" serve as the basic guidelines for the maintenance of academic freedom at UMMS.

These standards and interpretations as to academic freedom apply to all persons who perform teaching or research functions at UMMS, whether or not such persons occupy "Academic Positions" as that term is defined herein. No member of the Faculty can be dismissed, suspended, denied employment, or otherwise-penalized, if said action would constitute a breach or infringement of said standards and interpretations as to academic freedom.

Section 1.5 Equal Opportunity and Affirmative Action

All Personnel Actions concerning UMMS Faculty, including initial appointment, must be consistent with University of Massachusetts policy (Doc. T92-034, as amended) on equal opportunity and affirmative action.

Section 1.6 Primary Responsibility of the Faculty

As defined in the Board of Trustees Statement on University Governance (Doc. T73-098, as amended), the Faculty of UMMS has primary responsibility in matters of Faculty status: that is, appointments, promotions, and the award of Tenure. The Faculty exercises this responsibility through participation on Department and School Personnel Action and Tenure Committees and through participation in the development of faculty personnel policies and procedures, and amendments of this APP.

Section 1.7 Standards in Personnel Actions

Personnel Actions must be made only after a review of all the qualifications and contributions of the candidate in the areas of academic endeavor specified in this APP. The following standards apply to all Personnel Actions:

- a. **Conflict of Interest.** A Faculty Member or administrative official must not participate directly or indirectly in any recommendation or decision relating to appointment, reappointment, promotion, tenure, or other condition of employment at the University System/UMMS of any individual with whom that Faculty Member or official has either a familial relationship, including but not limited to, a parent, child, spouse, sibling, parent-in-law, sibling-in-law, child-in-law, or stepchild of, and/or a financial interest or relationship with said Faculty Member or official. Exception may be granted by the President of the University System if they deem that it would be in the best interests of the University System and in accordance with relevant state law to grant a waiver of this prohibition. A Faculty Member or administrative official must withdraw from participation in any personnel recommendation or decision involving actual or potential conflict of interest as described above, or if it is determined by the chair of a Department or School Personnel Action or Tenure Committee that the individual's ability to render a fair and impartial recommendation may reasonably be impacted in light of their personal, professional, familial and/or financial relationships with the candidate. UMMS, as a campus of the University System, is a State agency and in this regard, all State employees are also subject to the Commonwealth's Conflict of Interest laws, Massachusetts General Law Chapter 268A.

Robert Milner 2/21/2017 9:06 AM

Comment [8]: Combines Sections 2.2 & 2.3 of current APP; language not different.

Robert Milner 1/18/2017 9:11 AM

Comment [9]: Replaces Section 2.4 of current APP. Reference to UMass policy keeps definition current.

Robert Milner 1/18/2017 9:11 AM

Comment [10]: From Section 3.1 of current APP.

Robert Milner 2/14/2017 1:59 PM

Comment [11]: Review committees are defined in Sections 3.9 and 4.5 of revised APP.

Robert Milner 1/18/2017 9:12 AM

Comment [12]: Modified from Section 4.5 of current APP.

Robert Milner 2/21/2017 9:06 AM

Comment [13]: New language to describe process for resolving conflicts of interest.

Robert Milner 1/18/2017 9:13 AM

Comment [14]: Addition referencing MA law.

b. Confidentiality. Personnel Actions are personnel-related matters. Unless required by some law or Court Order, participants in the review of candidates, including support staff, must maintain confidentiality and must not:

- i. Share any part of a candidate's Basic File or other confidential meeting materials with anyone who has not been officially designated to participate in the review process, including the candidate being reviewed. Such materials, including, but not limited, to letters of evaluation and recommendations, the identity of letter writers and *ad hoc* reviewers, and vote tallies, are considered confidential, are only used in the review of the candidate for appointment, promotion and/or the award of Tenure, and must not be viewed by the candidate.
- ii. Disclose, in any manner, information about committee deliberations, discussions, evaluations, or documents to anyone who has not been officially designated to participate in the review process, including the candidate being reviewed.
- iii. Use information contained in a candidate's Basic File or other confidential meeting materials for their personal benefit or making such information available for the personal benefit of any other individual or organization.

Robert Milner 1/18/2017 9:15 AM

Comment [15]: New section derived from NIH review policy on confidentiality.

Robert Milner 1/18/2017 9:15 AM

Comment [16]: "personnel-related matters" categorizes Personnel Actions to fall under MA law, which protects the records from disclosure.

Robert Milner 1/19/2017 2:13 PM

Comment [17]: Added on recommendation of AAWG, 1/18/17.

Section 1.8 Rights of Members of the Faculty in Personnel Actions

Policies, criteria, and procedural standards established herein and additional policies established by UMMS must not infringe upon the following rights of Faculty Members in Personnel Actions:

Robert Milner 1/18/2017 9:15 AM

Comment [18]: From Section 14.1 of current APP; revised for clarity and consistency; rights are not changed.

- a. The right to present all materials which the Faculty Member believes will assist in a fair and adequate consideration of personnel reviews, recommendations and decisions.
- b. The right to have access to information on the current needs and long-range plans of the Department, School, and UMMS.
- c. The right to have extra-departmental activities considered at the Department level as well as at other levels of review, recommendation and decision.
- d. The right to equitable treatment to ensure consistent recognition to Department Faculty Members whose chosen field, overall professional development, period of service on the campus, and quality of contributions, all taken as a whole, are judged to be approximately equal.
- e. The right to discuss their professional progress and any Personnel Action of concern with their Chair (if any) and, if such discussions prove unsatisfactory, with the dean of the School, the Provost or the Chancellor.
- f. The right to be informed in a timely manner of the personnel recommendations made at the Department or School level.
- g. The right to notification of termination of appointment and/or employment, if applicable.
- h. The right to discuss reasons for an adverse personnel decision at all appropriate administrative levels.
- i. The right to invoke grievance procedures as specified in UMMS policies.

ARTICLE 2. AREAS OF ACADEMIC EVALUATION

Candidates for appointment to the UMMS Faculty, promotion in rank and the award of Tenure are evaluated in four Areas of Distinction, which include Education, in Scholarship, and in Academic Reputation and Service.

Section 2.1 Areas of Distinction

- a. **Health Care Delivery.** This Area of Distinction is defined as the delivery of high quality health care in a hospital, ambulatory or community setting and includes, but is not limited to, the development of diagnostic approaches, therapeutic methods and clinical services; innovations in clinical practice; and the development of programs or approaches that improve the safety, quality or efficacy of healthcare delivery.

Candidates in this Area of Distinction are expected to demonstrate clinical expertise that provides a unifying theme for their academic activities and achievements, and are expected to demonstrate clinical excellence and high standards of professional practice through a scholarly approach to clinical medicine and practice.

- b. **Education.** This Area of Distinction is defined as the facilitation of learning and the acquisition of knowledge, skills and behaviors in learners that include, but are not limited to, students, trainees, faculty, staff, patients and external communities. Educational activities include but are not limited to teaching in educational programs and courses; research education and mentoring; clinical education and mentoring; educational leadership, administration and service; educational development, external education; and mentoring, as defined in Section 2.3.

Candidates in this Area of Distinction are expected to have expertise in education that provides a unifying theme for their academic activities and achievements and are expected to demonstrate educational excellence through a scholarly approach to education. In addition, the candidate may have developed innovative programs or approaches to education that advance learning in the health sciences.

- c. **Investigation.** This Area of Distinction is defined as the systematic generation of new knowledge in laboratory, clinical, community and other settings.

Candidates in this Area of Distinction are expected to have expertise in investigation that provides a unifying theme for their academic activities and achievements, and advances knowledge in the biomedical and health sciences, including development or novel application of methods or technologies. This area of distinction may also be used to recognize the contributions of individuals who bring a unique or critical expertise to the research team. It includes individuals participating in large collaborative and multicenter research programs, as well as those conducting research individually or in small groups.

- d. **Population Health and Public Policy.** This Area of Distinction is defined to include the development, analysis, implementation and evaluation of health policy, population health relevant tools, and health interventions for communities and populations, locally, nationally and internationally.

Candidates in this Area of Distinction are expected to have an area of expertise that provides a unifying theme for their academic activities and achievements and are expected to demonstrate excellence through a scholarly approach to population and community health and health policy.

Robert Milner 2/14/2017 2:00 PM

Comment [19]: New section reflecting AAWG recommendations on Areas of Distinction, Scholarship, Education and Service; largely unchanged from work of AAWG.

Section 2.2 Scholarship

Candidates for appointment, promotion or the award of Tenure at UMMS are evaluated for their scholarship by the quality and quantity of a body of scholarly work, and the depth and breadth of impact of the scholarship. A record of scholarship may include contributions to the scholarship of multidisciplinary and interdisciplinary teams.

The quality, quantity and impact of scholarly work should be judged in the context of the field or discipline of scholarship. The specific contributions of the candidate to the scholarly work must be clear and substantial. In particular, scholarly contributions to multi and interdisciplinary collaborations should be supported by statements of the candidate's role and intellectual contributions to the work. The impact of scholarship may be determined by statements by external evaluators and measures of the influence of the work on the discipline, practice or community. The breadth of impact of the scholarship (local, regional, national, international) is expected to expand with academic rank.

Scholarship has three essential components: advancement of knowledge, dissemination, and impact, defined as follows:

- a. Scholarship advances research, education or practice through discovery, integration, application or transmission of knowledge. Scholarly activities include, but are not limited to, the discovery of new knowledge through investigation, the integration of knowledge to generate new understanding, the application of knowledge to provide new solutions for individuals or communities, or the development of novel educational approaches for the transmission of knowledge. Scholarship is valued in each of the three missions of research, education and clinical practice.
- b. Scholarship must be in a form that is disseminated and evaluated, allowing critical review. Scholarly work results from a rigorous and structured approach and includes, but is not limited to, peer-reviewed publications; books, book chapters and reviews; innovative educational materials; peer-reviewed meeting abstracts and presentations; patents, new therapies and technologies; and evidence-based products such as policy statements, safety and quality studies, innovations in patient care, and clinical guidelines.
- c. Scholarship has a measurable impact at the local, regional, national or international level on a discipline, practice or community. For example, a research discovery influences the direction of a field or provides a platform for others to build on; a meta-analysis integrates an area of knowledge for new policies or guidelines; application of knowledge to clinical practice improves the health of individuals or communities; a novel educational approach enhances learning.

Section 2.3 Educational Activities

Candidates for appointment, promotion or the award of Tenure at UMMS are evaluated for their contributions to educational activities by the quality and quantity of the activities and by the performance and effectiveness as an educator and mentor.

Educational activities include, but are not limited to, the following areas:

- a. **Educational Programs & Courses.** Education of students, residents, clinical fellows, postdoctoral trainees, faculty in courses, programs and other formal settings, including, but not limited to, lectures, seminars, and small groups in the Schools and/or in educational programs for postdocs, clinical residents and fellows, including inter-professional education, service-learning or other community-engaged pedagogy.
- b. **Research Education & Mentoring.** Research education and mentoring of students, residents, clinical fellows, and postdoctoral trainees, including, but not limited to, advising and mentoring of

graduate students, postdocs, residents or fellows in the research setting, including activities such as journal clubs; training in research skills and techniques, including community engaged research; service on thesis committees; membership/participation in graduate programs.

- c. **Clinical Education & Mentoring.** Education and mentoring of students, residents, fellows and other healthcare professionals in the healthcare setting, including, but not limited to, clinical education and precepting of students, residents, fellows and other healthcare professionals in the healthcare setting, including activities such as morning report and mortality and morbidity conferences; mentoring of students, residents and fellows in medical and clinical settings.
- d. **Educational Leadership, Administration and Service.** Educational leadership positions and service on internal & external educational committees, including, but not limited to, course director or co-director; residency or fellowship program director or associate director; graduate program director; membership & leadership of educational committees and organizations internally and nationally; director of faculty development programs.
- e. **Educational Development.** Development of courses, curricula, or educational materials and resources, including, but not limited to, development of educational materials and resources, including syllabi, curricula, web-based educational materials, educational technologies (e.g., simulation), policy statements, assessment tools, service-learning or other community-engaged pedagogy.
- f. **External Educational Activities.** Educational programs for the profession and public, including, but not limited to, CME programs, professional development and educational workshops; education of the public, including patient education, community education, and education of policy makers.
- g. **Mentoring.** Mentoring of faculty and others not listed above, including, but not limited to, mentoring of faculty in UMMS and departmental mentoring programs; external mentoring relationships.

Section 2.4 Academic Reputation and Service

Service activities include contributions to the life and governance of UMMS and the University, to the profession and to the community. Service activities also reflect a candidate's academic reputation and the impact of their scholarship. A candidate's service activities are assessed as a measure of their academic reputation and their contributions to UMMS, the profession and the community.

As defined in the UMW Governance Document (Doc. T03-035, as amended), service activities include service and administrative duties within UMMS, the University and/or the national/international community, such as:

- a. serving as member or officer of a UMMS / University committee, advisory body, or in the administration of a UMMS / University entity (e.g. cores, sections, programs, divisions, Departments, Schools);
- b. serving as a member of a study section, editorial board, Federal/State/Local governmental advisory body or a professionally-related scientific or educational organization;
- c. volunteer service on local community boards, nonprofit agencies, and Schools.

ARTICLE 3. APPOINTMENT AND PROMOTION

This article describes the types of Faculty appointments, the academic tracks, the eligibility and criteria for appointments and promotion to academic ranks, Personnel Action committees, and the procedures for appointment and promotion. These policies and procedures apply to both Employed Faculty (Article 5) and Faculty with Other Appointments (Article 6).

Faculty Members are appointed only in Schools and in Departments. All Faculty Members have a primary appointment in either the School of Medicine (SOM) or the Graduate School of Nursing (GSN). All Faculty Members in the SOM have a primary appointment in a Department. Appointment in the Graduate School of Biomedical Sciences (GSBS) is a secondary appointment that is governed by the GSBS By Laws.

Appointment to the UMMS Faculty is based on consideration of the criteria for appointment and promotion and on an individual's commitment of effort to the academic programs of UMMS, rather than on hospital rank, degree of responsibility, or seniority in other professional endeavors. Individuals who provide no contribution to UMMS academic programs are not allowed to be appointed to the UMMS Faculty.

Section 3.1 Academic Ranks and Titles

The academic ranks are Instructor, Assistant Professor, Associate Professor, and Professor, in that order.

- a. **Academic Titles.** Academic titles are as follows: [Rank] of [Department] in [School] at [Campus] (e.g., Assistant Professor of Pediatrics in the School of Medicine at UMMS; Associate Professor in the Graduate School of Nursing at UMMS; Professor of Pathology at UMMS-Baystate in the School of Medicine at UMMS-Baystate Regional Campus).
- b. **Modified Titles.** Emeritus (Section 3.14), Adjunct (Section 6.4) and Visiting (Section 6.5) Faculty have modified titles such as, by way of example, Professor Emeritus of Medicine; Adjunct Assistant Professor of Pediatrics; Visiting Associate Professor of Molecular Medicine.

Section 3.2 Types of Appointments

Individuals may have appointments in more than one Department or School and may also have a position in a Non-Department Unit, as described below. Appointments in multiple Departments or Schools are at the same academic rank.

- a. **Primary Appointment.** For a Faculty Member who has a primary appointment in one Department or School, the chair of the Department or the dean (for Schools without Departments) is responsible for recommendations for Personnel Actions and for Performance Evaluations of the Faculty Member.
- b. **Joint Appointment.** A Faculty Member may have a joint appointment in another Department or School that has joint fiscal responsibility for the Faculty Member. Joint appointments are recommended by the chairs of each Department (or the dean of Schools without Departments) and approved through the Procedures for Appointment and Promotion (Sections 3.10 and 3.11). The chairs of each Department (or the dean of Schools without Departments) share responsibility for recommendations for Personnel Actions and for Performance Evaluations of the Faculty Member. One Department or School is designated as primary for these purposes.
- c. **Secondary Appointment.** A Faculty Member may have a secondary appointment in one or more Department or School for the purpose of contributions and collaborative relationships in any of the mission areas. Secondary appointments are recommended by the chairs of both primary and

Robert Milner 1/18/2017 9:17 AM

Comment [20]: Revision of Section 5.2 of current APP.

Robert Milner 1/18/2017 9:18 AM

Comment [21]: The only ranks available in the revised APP; ranks of Lecturer, Affiliate, Senior Affiliate are eliminated.

Robert Milner 1/18/2017 9:18 AM

Comment [22]: Incorporates existing policy "Guidelines Regarding the Relationship between Departments and Programs around faculty personnel policies and procedures" (approved June 4, 2012)

secondary Departments (or the deans of Schools without Departments) and approved by the Provost. Departments or Schools may establish expectations for Faculty Members with secondary appointments. Chairs (or the deans of Schools without Departments) must participate in recommendations for Personnel Actions and may contribute to the Performance Evaluations of Faculty Members holding secondary appointments in their Department or School.

- d. **Positions in Programs, Centers, Institutes and Other Non-Department Units.** A Faculty Member with a position in a unit (typically a Program, Center or Institute) that does not have Department status must have a primary appointment in a Department and/or School. The chair or dean (for Schools without Departments) is primarily responsible for recommendations for Personnel Actions for the Faculty Member in consultation with the director of the Non-Department Unit. The director of the Non-Department Unit is primarily responsible for Performance Evaluation of the Faculty Member in consultation with the chair or dean (for Schools without Departments). Other expectations for the Faculty Member are defined by written agreement between the chair or dean and director.

Section 3.3 Academic Tracks

Faculty appointments are in the Non-Tenure Track, in the Tenure Track, and with Tenure.

- a. **Non-Tenure Track.** Individuals appointed in the Non-Tenure Track are Employed Faculty (Article 5) or Faculty with Other Appointments (Article 6) at the ranks of Instructor, Assistant Professor, Associate Professor or Professor. Employed Faculty appointed in the Non-Tenure Track are expected to undertake Academic Activities and pursue academic advancement and scholarship within the context of their effort assignment and within the full range of missions at UMMS. Faculty with Other Appointments appointed in the Non-Tenure Track are expected to contribute to UMMS educational and/or research programs.
- b. **Tenure Track.** Individuals appointed in the Tenure Track are Employed Faculty at the ranks of Assistant Professor, Associate Professor or Professor. Individuals are appointed in the Tenure Track with a Probationary Period during which they are expected to establish a record of academic excellence and the promise of sustained high quality performance to be considered for the award of Tenure (Section 4.2).
- c. **Tenured Faculty.** Tenured Faculty are Employed Faculty at the rank of Associate Professor or Professor who have received the award of Tenure (Article 4).

Section 3.4 Evaluation of Candidates for Appointment and Promotion

To be considered for appointment or promotion to an academic rank, a candidate must meet the eligibility requirements for that rank (Sections 3.5–3.8). Through the Procedures for Appointment and Promotion (Sections 3.10 and 3.11), a candidate is evaluated in up to six categories described below. The quality and quantity of a candidate's activities and achievements in these categories are assessed to be at one of three levels of achievement: "Entry", "Established" and "Senior". Examples that provide evidence of achievement at these levels are shown in Tables 1–6. The levels of achievement required for appointment or promotion to an academic rank are specified by the criteria for that rank (Sections 3.5–3.8).

The evaluation of a candidate is weighted according to the proposed rank, the academic track and the candidate's distribution of effort across the missions of UMMS. The categories for evaluation are described below.

Robert Milner 1/18/2017 9:18 AM

Comment [23]: Revision of Section 5.4 of current APP.

Robert Milner 1/18/2017 9:19 AM

Comment [24]: Revision of Section 5.3 of current APP.

Robert Milner 1/18/2017 9:20 AM

Comment [25]: New section defining categories of evaluation.

Robert Milner 1/18/2017 9:20 AM

Comment [26]: Revised APP retains concept of three levels of achievement.

Robert Milner 1/18/2017 9:21 AM

Comment [27]: Equivalent to Tables 3, 5, 6 in current APP, but greatly expanded. from work of AAWG.

a. **Areas of Distinction**

- i. **Health Care Delivery.** The delivery of high quality health care including the development of diagnostic approaches, therapeutic methods and clinical services, and programs or approaches that improve the safety, quality or efficacy of healthcare. (See examples in Table 1.)
 - ii. **Education.** The facilitation of learning and the acquisition of knowledge, skills and behaviors in learners and effectiveness as an educator and mentor (Section 2.3). (See examples in Table 2.)
 - iii. **Investigation.** The systematic generation of new knowledge in laboratory, clinical, community and other settings. (See examples in Table 3.)
 - iv. **Population Health and Public Policy.** The development, analysis, implementation and evaluation of health policy, population health, and health interventions, including global health. (See examples in Table 4.)
- b. **Scholarship.** The dissemination of knowledge that has an impact on a discipline, practice or community (Section 2.2). A record of scholarship may include contributions to the scholarship of multidisciplinary and interdisciplinary teams. (See examples in Table 5.)
- c. **Academic Reputation and Service.** Service activities to UMMS, the profession and the community assessed as a measure of academic reputation (Section 2.4). Academic reputation is expected to expand with academic rank. (See examples in Table 6.)

Table 1. Examples that Provide Evidence of Achievement at Each Level in Health Care Delivery		
Entry Level	Established Level	Senior Level
<p>A record of patient care and/or health care delivery, as demonstrated by:</p> <ul style="list-style-type: none"> • Scope and quality of clinical practice • Clinical consulting and referrals <i>locally</i> <p>Competence in a clinical specialty, as demonstrated by:</p> <ul style="list-style-type: none"> • Board certification or equivalent qualification or eligibility for board certification • Attestation by senior clinicians 	<p>A substantial record of patient care and/or health care delivery with accomplishments, as demonstrated by:</p> <ul style="list-style-type: none"> • Scope and quality of clinical practice • Major responsibility for and/or leadership of a clinical program and/or quality improvement initiative(s) • Clinical consulting and referrals <i>locally and/or regionally</i> • Development and implementation of innovative approaches that improve safety, quality and/or efficacy of healthcare delivery, and/or coordination of care across disciplines, <i>with local and/or regional impact</i> • Development and implementation of a unique clinical program, diagnostic test, and/or intervention with documented outcomes and <i>local and/or regional impact</i> • Committee membership, leadership positions, and other service activities in the institution and/or healthcare system related to clinical expertise • Funding to support innovations that influence clinical practice and/or health care or to support clinical or translational research as a contributor to team projects • A contributing role in patient-oriented or other area of research, including industry-supported clinical trials • Collaborations or defined role in development, analysis, implementation and/or evaluation of team or multi-center projects or programs, <i>locally and/or regionally</i> • Board certification or equivalent qualification • Identification by peers as a role model in clinical practice • Attestations by senior clinicians, <i>locally and/or regionally</i> 	<p>A sustained, substantial record of patient care and/or health care delivery with exceptional accomplishments, as demonstrated by:</p> <ul style="list-style-type: none"> • Scope and quality of clinical practice • Leadership of a clinical program and/or quality improvement initiative(s) • Clinical consulting and referrals <i>regionally and/or nationally</i> • Development and implementation of innovative approaches that improve safety, quality and/or efficacy of healthcare delivery, and/or coordination of care across disciplines and institutions, <i>with regional and/or national impact</i> • Development and implementation of a unique clinical program, diagnostic test, and/or intervention with documented outcomes and <i>regional and/or national impact</i> • Leadership positions in the institution and/or healthcare system related to clinical expertise • Funding to support innovations that influence clinical practice and/or health care or to support clinical or translational research as the principal investigator • Leading role, often as principal investigator, in patient-oriented or other area of research, including industry-supported clinical trials • Collaborations and/or defined role and/or leadership in design of studies, conduct of study and/or analysis of data for team or multi-center studies, <i>regionally and/or nationally</i> • Board certification or equivalent qualification • Identification by peers as a role model in clinical practice • Attestations by senior clinicians, <i>regionally and/or nationally</i>

Table 2. Examples that Provide Evidence of Achievement at Each Level in Education		
Entry Level	Established Level	Senior Level
<p>A record in education, as demonstrated by:</p> <ul style="list-style-type: none"> • Scope and quality of activities in one or more areas of education (Section 2.3), including but not limited to, educational programs and courses, research education and training, clinical education and training, and/or educational programs for the profession and public • Mentoring of students and/or trainees <p>Competence in education, as demonstrated by:</p> <ul style="list-style-type: none"> • Educational effectiveness (assessed by measures such as learner evaluations and/or peer review) • Advanced degrees and/or certification in education • Attestation by senior educators 	<p>A substantial record in education with accomplishments, as demonstrated by:</p> <ul style="list-style-type: none"> • Scope and quality of activities in more than one area of education (Section 2.3), including but not limited to, educational programs and courses, research education and training, clinical education and training, and/or educational programs for the profession and public • Leadership and service activities in education, <i>locally and regionally</i> • Development, implementation and evaluation of innovative educational materials and resources, adopted <i>locally and regionally</i> • Mentoring of students, trainees and/or faculty (assessed by measures of mentoring effectiveness such as publications and other scholarly works with mentees or current position of mentees) • Educational effectiveness (assessed by measures such as learner evaluations, peer review, course evaluations, and/or learner scores on standardized tests) • Collaborations or defined role in in educational research • Collaborations or defined role in development, analysis, implementation and/or evaluation of team or multi-center projects or programs, <i>locally and/or regionally</i> • Advanced degrees and/or certification in education • Identification by peers as a role model in education • Attestation by senior educators, <i>locally and regionally</i> 	<p>A sustained, substantial record in education with exceptional accomplishments, as demonstrated by:</p> <ul style="list-style-type: none"> • Scope and quality of activities in more than one area of education (Section 2.3), including but not limited to, educational programs and courses, research education and mentoring, clinical education and mentoring, and/or educational programs for the profession and public • Leadership and service activities in education, <i>regionally and nationally</i> • Development, implementation and evaluation of innovative educational materials and resources, adopted <i>regionally and nationally</i> • Mentoring of students, trainees and/or faculty (assessed by measures of mentoring effectiveness such as publications and other scholarly works with mentees or current position of mentees) • Educational effectiveness (assessed by measures such as learner evaluations, peer review, course evaluations, and/or learner scores on standardized tests) • Leadership in educational research preferably supported by funding • Collaborations and/or defined role and/or leadership in design of studies, conduct of study and/or analysis of data for team or multi-center studies, <i>regionally and/or nationally</i> • Major role in the development, implementation and/or evaluation of a regional or national educational activity • Textbooks or equivalent resources adopted by other institutions • Identification by peers as a role model in education • Attestation by senior educators, <i>regionally and nationally</i>

Table 3. Examples that Provide Evidence of Achievement at Each Level in Investigation		
Entry Level	Established Level	Senior Level
<p>A record in investigation as demonstrated by:</p> <ul style="list-style-type: none"> • Scope and quality of research in areas such as basic, translational and clinical research, including epidemiology, outcomes and health services research, and biostatistics, as well as research in social sciences, ethics, bioinformatics, public health, health policy and health economics <p>Competence in investigation as demonstrated by:</p> <ul style="list-style-type: none"> • Postdoctoral or equivalent training and/or experience • Attestation by senior investigators 	<p>A substantial record in investigation with accomplishments as demonstrated by:</p> <ul style="list-style-type: none"> • Scope and quality of research in areas such as basic, translational and clinical research, including epidemiology, outcomes and health services research, and biostatistics, as well as research in social sciences, education, ethics, bioinformatics, public health, health policy and health economics • Funding for research primarily as a principal investigator on external and internal grants but may be a major contributor to funded team projects • Development of innovative methods, technologies or therapies and/or novel applications of existing methods and technologies • Leadership of or major responsibility for research projects or a research core service • Collaborations and/or defined role in design of studies, conduct of study and/or analysis of data for team or multi-center studies, <i>regionally and/or nationally</i> • Committee membership, leadership positions, and other service activities in the institution related to research expertise • Identification by peers as a role model in investigation • Attestation by senior investigators, <i>regionally and/or nationally</i> 	<p>A sustained, substantial record in investigation with exceptional accomplishments as demonstrated by:</p> <ul style="list-style-type: none"> • Scope and quality of research in areas such as basic, translational and clinical research, including epidemiology, outcomes and health services research, and biostatistics, as well as research in social sciences, ethics, bioinformatics, public health, health policy and health economics • Consistent and sustained record of funding for research primarily as a principal investigator on external and internal grants but may be a major contributor to funded team projects • Development of innovative methods, technologies or therapies and novel applications of existing methods and technologies that have been adopted by others • Sustained leadership of research projects or a research core service • Collaborations and/or defined role and/or leadership in design of studies, conduct of study and/or analysis of data for team or multi-center studies, <i>nationally and/or internationally</i> • Leadership positions in the institution related to research expertise • Identification by peers as a role model in investigation • Attestation by senior investigators, <i>nationally and/or internationally</i>

Table 4. Examples that Provide Evidence of Achievement at Each Level in Population Health & Public Policy		
Entry Level	Established Level	Senior Level
<p>A record in population health and public policy as demonstrated by:</p> <ul style="list-style-type: none"> • Scope and quality of activities in population health and public policy <p>Competence in population health and public policy as demonstrated by:</p> <ul style="list-style-type: none"> • Advanced degrees and/or certification in public health and health policy • Attestation by senior experts in population health and public policy 	<p>A substantial record in population health and public policy with accomplishments as demonstrated by:</p> <ul style="list-style-type: none"> • Scope and quality of activities in population health and public policy • Development, analysis, implementation and/or evaluation <i>locally and/or regionally</i> of one or more of the following: <ul style="list-style-type: none"> ◦ programs that enhance community or population health ◦ health or health care policy, ◦ technology and analysis tools for community and population health, ◦ initiatives in specific systems, such as the legal and criminal justice system • Development, analysis, implementation and/or evaluation of global health programs <i>at a single site or region</i> • Development of a robust partnership with community members/organizations that contributes to shaping population and community health or health policy, <i>locally and/or regionally</i> • Leadership of, or major responsibility for, projects and programs in population health and public policy <i>locally and/or regionally</i> • Collaborations or defined role in development, analysis, implementation and/or evaluation of team or multi-center projects or programs, <i>locally and/or regionally</i> • Attestation by senior experts in population health and public policy, including identification as a role model of professionalism in population health and public policy, <i>locally and/or regionally</i> 	<p>A sustained, substantial record in population health and public policy with exceptional accomplishments as demonstrated by:</p> <ul style="list-style-type: none"> • Scope and quality of activities in population health and public policy • Development, analysis, implementation and/or evaluation <i>nationally and/or internationally</i> of one or more of the following: <ul style="list-style-type: none"> ◦ programs that enhance community or population health ◦ health or health care policy ◦ technology and analysis tools for community and population health ◦ initiatives in specific systems, such as the legal and criminal justice system • Development, analysis, implementation and/or evaluation of global health programs <i>at multiple sites or regions</i> • Development of a robust partnership with community members/organizations that contributes to shaping population and community health or health policy, <i>nationally and/or internationally</i> • Leadership of, or major responsibility for, projects and programs in population health and public policy, <i>nationally and/or internationally</i> • Collaborations or defined role and/or leadership in development, analysis, implementation and/or evaluation of team or multi-center projects or programs, <i>nationally and/or internationally</i> • Attestation by senior experts in population health and public policy, including identification as a role model of professionalism in population health and public policy, <i>nationally and/or internationally</i>

Table 5. Examples that Provide Evidence of Achievement at Each Level in Scholarship		
Entry Level	Established Level	Senior Level
<p>A record of scholarship as demonstrated by:</p> <ul style="list-style-type: none"> • Peer-reviewed publications, usually as first and middle author • Case reports, book chapters and/or reviews • Invited presentations <i>locally</i> • Presentations at professional meetings, <i>locally</i> <p><i>The record of scholarship may include defined contributions to the scholarship of team projects.</i></p>	<p>A substantial record of scholarship as demonstrated by:</p> <ul style="list-style-type: none"> • Peer-reviewed publications, usually as first and senior author • Books, book chapters and/or reviews • Invited presentations <i>regionally and/or nationally</i> • Presentations at professional meetings, <i>regionally and/or nationally</i> • Presentations for, and/or organization of, continuing educational activities, including web-based activities such as webinars, <i>locally and/or regionally</i> • Guidelines and/or protocols for patient treatment or delivery of care that are adopted <i>at least locally</i> • Evidence-based products such as safety and quality studies, standards of care, and/or models of care coordination that are adopted <i>at least locally</i> • Educational materials in print or other media such as syllabi, curricula, web-based training modules or courses, technologies (e.g., simulation), educational methods, policy statements, and/or assessment tools that are adopted <i>at least locally</i> • Patents, new therapies and/or technologies • Evidence-based products such as policy statements, white papers, legislative and/or legal advances with <i>regional</i> impact <p><i>The record of scholarship may include defined contributions to the scholarship of team projects.</i></p>	<p>A sustained, substantial record of scholarship as demonstrated by:</p> <ul style="list-style-type: none"> • Peer-reviewed publications, usually as senior author • Books, book chapters, reviews and textbooks that are recognized as authoritative and are widely cited • Invited presentations <i>nationally and/or internationally</i> • Presentations at professional meetings, <i>nationally and/or internationally</i> • Organization of, and/or presentations in continuing educational activities, including web-based activities such as webinars, <i>regionally and/or nationally</i> • Guidelines and/or protocols for patient treatment or delivery of care that are adopted <i>beyond the local level</i> • Evidence-based products such as safety and quality studies, standards of care, and/or models of care coordination that are adopted <i>beyond the local level</i> • Educational materials in print or other media such as syllabi, curricula, web-based training modules or courses, technologies (e.g., simulation), educational methods, policy statements, and/or assessment tools that are adopted <i>beyond the local level</i> • Patents, new therapies and/or technologies, licensed and/or adopted by others • Evidence-based products such as policy statements, white papers, legislative and/or legal advances with <i>national</i> impact • Contributing editor or regular writer for a publication in the area of expertise <p><i>The record of scholarship may include defined contributions to the scholarship of team projects.</i></p>

Table 6. Examples that Provide Evidence of Achievement at Each Level in Academic Reputation & Service

Entry Level	Established Level	Senior Level
<p>A record of service and other activities that reflects an academic reputation within UMMS and its affiliates as demonstrated by:</p> <ul style="list-style-type: none"> • Participation in <i>local</i> professional organizations • Peer reviewer for journals or granting agencies • Service on committees, task forces and other groups for the Department and School • Advising and/or sponsoring of student or resident organizations 	<p>A substantial record of service and other activities that reflects an academic reputation <i>within and beyond UMMS and its affiliates</i> as demonstrated by:</p> <ul style="list-style-type: none"> • Leadership positions, committee membership and other service activities in <i>local and/or regional</i> professional organizations • Leadership and/or service in the organization of a <i>local or regional</i> professional meeting • Service on <i>local and/or regional</i> committees evaluating programs and/or developing guidelines and policies for management in area of expertise • Invitations to consult, review or assess programs in other institutions and organizations, <i>locally and regionally</i> • Membership, including <i>ad hoc</i> membership, of a grant review panel or equivalent committee • Peer reviewer and/or membership on editorial boards for journals • <i>Local or regional</i> honors and awards • Substantial contributions to activities related to faculty governance and/or task forces, committees and other groups of the School and University System • Substantial administrative responsibilities for Departments, units or the School • Spokesperson for the School or University System on areas of expertise, featured <i>locally and/or regionally</i> 	<p>A sustained, substantial record of service and other activities that reflects a <i>national and/or international</i> academic reputation as demonstrated by:</p> <ul style="list-style-type: none"> • Leadership positions, committee membership and other service activities in <i>national and/or international</i> professional organizations • Leadership and/or service in the organization of a <i>national or international</i> professional meeting • Service on <i>national and/or international</i> committees evaluating programs and/or developing guidelines and policies for management in area of expertise • Invitations to consult, review or assess programs in other institutions and organizations, <i>nationally and internationally</i> • Regular membership and/or leadership of a grant review panel or equivalent committee • Editor and/or membership on editorial boards for journals • <i>National and international</i> honors and awards • Leadership position(s) and substantial contributions to activities related to faculty governance and/or task forces, committees and other groups of the School and University System • Leadership position(s) and substantial administrative responsibilities for Departments, units or the School • Spokesperson for the School or University System on areas of expertise, featured <i>nationally and/or internationally</i>

Section 3.5 Appointment to the Rank of Instructor

- a. **Eligibility.** Candidates for appointment as Instructor are expected to contribute to UMMS educational and research programs and are one of the following:
- Individuals with a terminal degree in a clinical discipline who are board-certified or have equivalent qualifications or have completed all necessary training to be eligible for board certification and who devote a small proportion of professional effort (generally <10% effort) to UMMS educational and research programs.
 - Individuals in non-ACGME (Accreditation Council for Graduate Medical Education) accredited fellowship programs or individuals appointed as Chief Residents after completing residency training. Individuals participating in ACGME-approved residency and fellowship programs are not eligible for a Faculty appointment.
 - Individuals with a terminal degree who have completed a minimum of 2 years post-doctoral training (or equivalent postdoctoral experience) and who are non-independent investigators transitioning to the academic pathway. Postdoctoral Associates are not eligible for a Faculty appointment.
 - Individuals without a terminal degree who contribute to UMMS educational and research programs.
- b. **Criteria.** A candidate for appointment to Instructor must demonstrate Entry level of achievement in at least one Area of Distinction (Health Care Delivery, Education, Investigation, or Population Health and Public Policy).

Robert Milner 1/18/2017 9:21 AM

Comment [28]: From Section 5.5 & Article 9 of current APP. Modified but retains current eligibilities for Instructor.

Robert Milner 2/21/2017 9:01 AM

Comment [29]: New criteria.

Section 3.6 Appointment or Promotion to the Rank of Assistant Professor

- a. **Eligibility.** The rank of Assistant Professor is most commonly used for individuals who are appointed or promoted to their first independent faculty position. A candidate must devote a substantial proportion of effort (generally ≥10%) to UMMS academic programs. Candidates for appointment or promotion to Assistant Professor are one of the following:
- Individuals with a terminal degree in a clinical discipline who are board-certified or have equivalent qualifications or have completed all necessary training to be eligible for board certification.
 - Individuals with a terminal degree who have completed a minimum of 2 years post-doctoral training (or equivalent experience). This requirement may be waived for individuals with terminal degrees in disciplines (e.g., Economics, Biostatistics) where postdoctoral training is not expected for a faculty position.
 - Individuals without a terminal degree who have equivalent professional experience, achievement, and professional development to merit consideration for appointment or promotion to Assistant Professor.
- b. **Criteria.** A candidate for appointment or promotion to Assistant Professor must demonstrate Entry level of achievement in at least one Area of Distinction (Health Care Delivery, Education, Investigation or Population Health and Public Policy) plus Entry level of achievement in Scholarship, Academic Reputation and Service, or a second Area of Distinction.

Robert Milner 1/18/2017 9:22 AM

Comment [30]: From Section 6.4 of current APP. Modified but retains current eligibility for Assistant.

Robert Milner 1/18/2017 9:22 AM

Comment [31]: New language recommended by AAWG.

Robert Milner 1/18/2017 9:22 AM

Comment [32]: New criteria equivalent to criteria for Entry level of achievement in current APP.

Section 3.7 Appointment or Promotion to the Rank of Associate Professor

- a. **Eligibility.** The rank of Associate Professor is reserved for those Faculty who have a record of achievement and academic accomplishments beyond that required for the rank of Assistant Professor. A candidate must devote a substantial proportion of effort (generally $\geq 10\%$) to UMMS academic programs. Appointment or promotion to Associate Professor usually requires 6 years of service at the level of Assistant Professor at UMMS or at another academic institution, or equivalent previous professional experience. Candidates may be considered after less time in rank, provided that they meet the criteria for appointment or promotion.

Robert Milner 1/18/2017 9:23 AM

Comment [33]: From Section 6.6 of current APP. Modified but retains current eligibility for Associate.

Candidates for appointment or promotion to Associate Professor are one of the following:

Robert Milner 2/14/2017 2:02 PM

Comment [34]: Statement added on recommendation of AAWG.

- i. Individuals with terminal degrees who must be board-certified or have equivalent qualifications as applicable to their professional and academic responsibilities.
- ii. Individuals without a terminal degree who have equivalent professional experience, achievement, and professional development to merit consideration for appointment or promotion to Associate Professor.

Robert Milner 2/14/2017 2:03 PM

Comment [35]: New requirement.

- b. **Criteria.** A candidate for appointment or promotion to Associate Professor must demonstrate all of the following:

Robert Milner 1/18/2017 9:24 AM

Comment [36]: New criteria equivalent to criteria for Established level of achievement in current APP.

- i. **Established** level of achievement in an Area of Distinction (Clinical Medicine, Education, Investigation or Population Health and Public Policy)
- ii. **Established** level of achievement in a second category (Scholarship, Academic Reputation and Service, or an Area of Distinction)
- iii. **Entry** level of achievement in a third category (Scholarship, Academic Reputation and Service, or an Area of Distinction)
- iv. At least **Entry** level of achievement in both Education and Scholarship.

In rare circumstances, appointment or promotion to Associate Professor may be justified for candidates who do not meet all criteria but who have an exceptional record of achievement in an Area of Distinction.

Section 3.8 Appointment or Promotion to the Rank of Professor

- a. **Eligibility.** The rank of Professor is reserved for those Faculty who have had exceptional achievement in their profession. A candidate for appointment or promotion to Professor should be a leader in their field of expertise, as demonstrated by a sustained record of accomplishments well beyond that required for the rank of Associate Professor. A candidate must devote a substantial proportion of effort (generally $\geq 10\%$) to UMMS academic programs. Appointment or promotion to Professor usually requires 12 years of professional experience beyond the time the candidate would have qualified for an initial appointment at the Assistant Professor rank. Candidates may be considered after less time in rank, provided that they meet the criteria for appointment or promotion.

Robert Milner 1/18/2017 9:24 AM

Comment [37]: From Section 6.8 of current APP. Modified but retains current eligibility for Professor.

Candidates for appointment or promotion to Professor are one of the following:

Robert Milner 2/14/2017 2:03 PM

Comment [38]: Statement added on recommendation of AAWG.

- i. Individuals with terminal degrees who must be board-certified or have equivalent qualifications as applicable to their professional and academic responsibilities.

Robert Milner 2/14/2017 2:03 PM

Comment [39]: New requirement.

- ii. Individuals without a terminal degree who have equivalent professional experience, achievement, and professional development to merit consideration for appointment or promotion to Professor.

b. **Criteria.** A candidate for appointment or promotion to Professor must demonstrate all of the following:

- i. **Senior** level of achievement in an Area of Distinction (Clinical Medicine, Education, Investigation or Population Health and Public Policy)
- ii. **Established** level of achievement in a second category (Scholarship, Academic Reputation and Service, or an Area of Distinction)
- iii. **Established** level of achievement in a third category (Scholarship, Academic Reputation and Service, or an Area of Distinction)
- iv. At least **Entry** level of achievement in both Education and Scholarship.

In rare circumstances, appointment or promotion to Professor may be justified for candidates who do not meet all criteria but who have an exceptional record of achievement in an Area of Distinction.

Robert Milner 1/18/2017 9:24 AM

Comment [40]: New criteria equivalent to criteria for Senior level of achievement in current APP.

Section 3.9 Personnel Action Committees

a. **Department Personnel Action Committee (DPAC).** For Schools with Departments, each Department must establish a Department Personnel Action Committee (DPAC) to review and evaluate candidates for appointment or promotion in the Department and make recommendations to the chair. The DPAC members are nominated annually by the chair and approved by a simple majority vote of the Department Faculty. A DPAC must consist of at least three Faculty Members with primary appointments in the Department, preferably at the rank of Professor. Members should serve for three year terms and may serve for multiple terms. The Department chair cannot serve as a voting member of the DPAC or participate in its deliberations. A quorum is one half of the DPAC voting members. Decisions are made by a simple majority of the voting members present at a meeting where a quorum is declared. Such "votes" may be established by members participating in-person and/or via teleconference, video conference, or any other technology that allows full participation by the member. Proxy (absentee) voting is not permitted.

Robert Milner 1/18/2017 9:25 AM

Comment [41]: New definition: DPACS are vaguely defined in the current APP (Section 3.1.a).

b. **Personnel Action Committee (PAC).** Each School with primary Faculty appointments must establish a Personnel Action Committee (PAC) to review and evaluate candidates for appointment or promotion in the School and submit its recommendations to the dean. The membership of a School PAC, its advising and reporting responsibilities are defined in the Bylaws of each School. Operating procedures for each PAC are defined in the Bylaws of the PAC. In accordance with the UMW Governance Document (Doc. T03-035, as amended; Article VI, Section 3.f), a quorum is one half of the PAC voting members. Decisions are made by a simple majority of the voting members present at a meeting where a quorum is declared. Such "votes" may be established by members participating in-person and/or via teleconference, video conference, or any other technology that allows full participation by the member. Proxy (absentee) voting is not permitted.

Robert Milner 1/18/2017 9:25 AM

Comment [42]: From Section 3.1.a of current APP, modified to include references to other documents defining the PAC

Section 3.10 Procedure for Appointment and Promotion of Faculty in the School of Medicine

These procedures apply to the appointment and promotion of Employed Faculty (Article 5) and Faculty with Other Appointments (Article 6) with the exception of the appointment of Visiting Faculty (Section 6.5) described in Section 3.12.

Robert Milner 1/18/2017 9:25 AM

Comment [43]: From Sections 10.2 and 10.3 of current APP, revised for clarity; procedure largely unchanged.

Robert Milner 1/18/2017 9:26 AM

Comment [44]: Revision of Section 5.13 , current APP.

Robert Milner 1/18/2017 9:26 AM

Comment [45]: Described in Definitions in current APP.

Robert Milner 1/18/2017 9:26 AM

Comment [46]: New language reflecting current practice; a narrative statement is still optional.

Robert Milner 1/20/2017 3:10 PM

Comment [47]: Added on recommendation of AAWG, 1/18/17.

Robert Milner 1/19/2017 2:16 PM

Comment [48]: Modified on recommendation of AAWG, 1/18/17

Robert Milner 2/21/2017 9:09 AM

Comment [49]: Requirements for numbers of letters are not different from current practice.

- a. **Temporary Appointments.** New hires who are Employed Faculty are provided a temporary appointment at the rank and title proposed by their chair until their appointment is approved through the procedure described herein. Such appointments are subject to change and may be revoked at any time until approved. The procedure for approval of appointments should be completed within one year. Temporary appointments are not provided for Faculty with Other Appointments (Article 6).
- b. **Basic File.** It is expected that a Faculty Member and their chair will consult on the timeframe when an application for appointment or promotion will be submitted. At that time, the chair shall request the candidate to submit the following materials to be included in their Basic File (which is a compilation of all relevant materials related to the candidate's candidacy).

i. **Candidates for Appointment.**

- a) A current curriculum vitae, preferably in the UMMS format

ii. **Candidates for Promotion.**

- a) A current curriculum vitae in the UMMS format
- b) Evidence of effectiveness in educational activities, such as teaching evaluations
- c) A narrative statement that describes the candidate's scholarship and Academic Activities in the context of their overall role and goals as a Faculty Member. The narrative statement is optional but strongly encouraged.

Other documents and materials will be added to a candidate's Basic File as described below. Such materials, including, but not limited to, letters of evaluation and recommendations, the identity of letter writers, and vote tallies, are considered confidential, are only used in the review of the candidate for appointment or promotion, and must not be viewed by the candidate.

- c. **Letters of Evaluation.** A candidate for appointment or promotion submits to their chair a list of individuals to be solicited for letters of evaluation. The candidate may also submit to their chair a list of individuals whom the candidate believes may not be able to provide a fair and impartial evaluation. The chair determines the list of individuals to be solicited and may add individuals to be solicited for letters as they deem appropriate. In selecting the individuals to be solicited for letters the chair must take into consideration the lists of individuals provided by the candidate and must include at least two individuals suggested by the candidate. The chair or their designee solicits the letters which are added to the candidate's Basic File.

- i. For appointment or promotion to the ranks of Instructor or Assistant Professor, at least three (3) letters are required. These letters may be from any individual who can attest to the candidate's qualifications including, but not limited to, UMMS Faculty and/or current mentors or collaborators.
- ii. For appointment or promotion to the ranks of Associate Professor or Professor, at least five (5) letters are required in order to assess the accomplishments and academic reputation of the candidate. At least three (3) letters must be from individuals who are not UMMS Faculty, at an academic rank equal to or above the rank proposed for the candidate (or in an

equivalent position in a non-academic institution), and not mentors or current collaborators of the candidate within the past three years. Other letters may be from any individual who can attest to the candidate's qualifications including, but not limited to, UMMS Faculty, current mentors or collaborators, and/or students or trainees attesting to the candidate's effectiveness in their educational activities.

Robert Milner 1/18/2017 9:29 AM

Comment [50]: New language: streamlined process for appointment of Adjunct Faculty (Section 5.10, current APP).

- iii. **For appointment of Adjunct Faculty** (Section 6.4) the requirement for letters is modified. For such appointments, a letter is required from the chair or equivalent official at the institution where the individual holds their primary academic appointment. This letter should confirm the candidate's rank and title, confirm that the candidate is in good academic standing, and recommend the candidate for an adjunct appointment at UMMS. No other letters of recommendation are required.

Robert Milner 1/18/2017 9:29 AM

Comment [51]: New requirement.

- d. **Department Review.** When all letters have been received or accounted for and if the requirements for the contents of the Basic File have been met, the Basic File is submitted to the DPAC. The DPAC reviews the candidate's Basic File and makes a written recommendation for appointment or promotion to a certain academic rank based on the appropriate Criteria for Appointment and Promotion to that rank (Sections 3.5–3.8). The recommendation is reached by a simple majority vote of the DPAC. The recommendation, which must include the vote tally and the names of the DPAC members participating in the vote, is added to the Basic File.

Robert Milner 1/18/2017 9:29 AM

Comment [52]: Current APP, Section 10.2.a.i.

- e. **Chair Review.** Following receipt of the DPAC's recommendation, the chair reviews the candidate's Basic File and makes a written recommendation for appointment or promotion to a certain academic rank based on the appropriate Criteria for Appointment and Promotion to that rank (Sections 3.5–3.8). For a candidate for appointment, the chair's recommendation must also include a description of the proposed duties of the prospective Faculty Member and their qualifications for the position.

For a candidate who has a joint or secondary appointment in another Department or School, or who has a position in a Non-Department Unit, the chair, dean or director of that Department, School or unit, respectively, must either co-sign the chair's recommendation or provide a separate written recommendation.

If the chair intends to make a recommendation different from that of the DPAC, then the chair must first meet with the DPAC chair for consultation.

Robert Milner 1/18/2017 9:30 AM

Comment [53]: New language defining actions by chair if there is disagreement between chair & DPAC.

If the chair does not recommend the candidate for appointment or promotion, the chair's recommendation is added to the Basic File and the procedure stops. The chair must inform the candidate of their recommendation and the recommendation of the DPAC.

Robert Milner 1/18/2017 9:31 AM

Comment [54]: New language: Chair has final decision on departmental candidates.

If the chair recommends the candidate for appointment or promotion, the chair's recommendation is added to the Basic File, which the chair submits to the Provost's designee for faculty affairs. After determining the completeness of the candidate's Basic File, the Provost's designee for faculty affairs submits the Basic File to the PAC (Section 3.10.f).

- f. **PAC Review.** The PAC reviews the Basic File and makes a recommendation for appointment or promotion to a certain academic rank based on the appropriate Criteria for Appointment and Promotion to that rank (Sections 3.5–3.8). The recommendation is reached by a simple majority vote of the PAC. The recommendation, which must include the vote tally and the names of Committee members participating in the vote, is submitted to the Provost's designee for faculty affairs.

If the PAC recommends the candidate for appointment or promotion, the Provost's designee for faculty affairs submits the recommendation to the Dean for approval (Section 3.10.g).

If the PAC does not recommend the candidate for appointment or promotion, the Provost's designee for faculty affairs informs the chair of the PAC's recommendation. The chair may accept the PAC's recommendation, in which case the procedure stops. Alternatively, the chair may provide clarification or additional information for the candidate's Basic File, which is submitted to the PAC. The PAC conducts a further review of the Basic File and makes a second recommendation for appointment or promotion, which is submitted to the Provost's designee for faculty affairs.

If, after this further review, the PAC recommends the candidate for appointment or promotion, the Provost's designee for faculty affairs submits the recommendation to the Dean for approval (Section 3.10.g). If, after this further review, the PAC does not recommend the candidate for appointment or promotion, the procedure stops and the Provost's designee for faculty affairs informs the chair and the candidate of the decision.

g. **Executive Council Review.** Following each PAC meeting, the Provost's designee for faculty affairs provides to the voting members of the Executive Council the list of candidates recommended by the PAC for appointment and promotion. If any voting member of the Executive Council has concerns about the appointment or promotion of a candidate, they must submit their concerns in writing to the Dean of the appropriate School within 10 working days of receiving the list of candidates. The Dean must review the concerns of the Executive Council member and the candidate's Basic File, and may request additional information from the candidate's chair. The Dean then decides whether or not to approve the candidate for appointment or promotion as described in Section 3.10.h.

h. **Approval by Dean.** Following each PAC meeting, the Provost's designee for faculty affairs provides to the Dean the list of candidates recommended by the PAC for appointment and promotion. The Dean reviews the recommendations and decides whether or not to approve the candidates for appointment or promotion. If the Dean intends to make a decision different from that of the PAC, the Dean must first review the candidate's Basic File and meet with the PAC chair for consultation.

If the Dean then decides to approve a candidate for appointment or promotion, the Provost's designee for faculty affairs submits the Dean's decision to the Provost. If the Dean decides not to approve a candidate for appointment or promotion, the procedure stops and the Provost's designee for faculty affairs informs the chair and the candidate of the decision.

i. **Approval by Provost.** The final decision on appointment or promotion of candidates is made by the Provost subject to approval by the Chancellor. The Provost's designee for faculty affairs provides written notification of the decision to the chair and to the candidate.

Section 3.11 Procedure for Appointment and Promotion of Faculty in the Graduate School of Nursing

The procedure for appointment or promotion of candidates in the Graduate School of Nursing (GSN) follows the same procedure as described for the School of Medicine (Section 3.10) with the following differences:

- a. The GSN Dean and/or their designee performs the actions described in Sections 3.10.b and 3.10.c. There is no DPAC or chair review (Sections 3.10.d and 3.10.e). The GSN Dean and/or their designee submits the candidate's Basic File to the Provost's designee for faculty affairs who reviews the Basic File for completeness.

Robert Milner 1/18/2017 9:30 AM

Comment [55]: From current APP, Section 10.2.c.iii, allowing re-review on request by chair.

Robert Milner 1/18/2017 9:31 AM

Comment [56]: New language: PAC's decision after re-review is final.

Robert Milner 1/19/2017 2:18 PM

Comment [57]: Added on recommendation of Executive Council, 1/19/17.

Robert Milner 1/18/2017 9:32 AM

Comment [58]: New step designed for consistency between SOM & GSN and to allow for positions of SOM Dean and Provost being held by two individuals.

Robert Milner 1/18/2017 9:33 AM

Comment [59]: New language: Dean's decision is final.

Robert Milner 1/18/2017 9:32 AM

Comment [60]: From current APP, Section 10.2.e, reflecting role of Provost

Robert Milner 1/18/2017 9:34 AM

Comment [61]: New language to incorporate process for GSN.

- b. The GSN Dean and/or their designee submits the candidate's Basic File to the GSN Personnel Action Committee (PAC) for review and recommendation as described for the SOM PAC (Section 3.10.f).
- c. Following each GSN PAC meeting, the Provost's designee for faculty affairs provides to the voting members of the Executive Council the list of candidates recommended by the GSN PAC for appointment and promotion, as described in Section 3.10.g.
- d. Following each GSN PAC meeting, the Provost's designee for faculty affairs provides to the GSN Dean the list of candidates recommended by the PAC for appointment and promotion. The Dean reviews the recommendations and decides whether or not to approve the candidates for appointment or promotion. If the GSN Dean intends to make a recommendation different from that of the GSN PAC, the Dean must first review the candidate's Basic File and meet with the PAC chair for consultation.

If the GSN Dean decides to recommend the candidate for appointment or promotion, the Provost's designee for faculty affairs submits the GSN Dean's recommendation to the Provost. If the GSN Dean decides not to recommend the candidate for appointment or promotion, the procedure stops and the GSN Dean informs the candidate of the decision.
- e. The final decision on appointment or promotion of candidates is made by the Provost subject to approval by the Chancellor (Section 3.10.i).

Robert Milner 2/1/2017 9:28 AM

Comment [62]: New language: Dean's decision is final.

Section 3.12 Appointment of Visiting Faculty

Individuals who are employed by and hold a primary faculty appointment at another academic or research institution and who are participating in UMMS educational and research programs for a limited time may be appointed to the UMMS Faculty as Visiting Faculty (Section 6.5). Such individuals are usually appointed at the academic rank (or equivalent) that the individual holds at their primary institution. The term "Visiting" precedes the academic rank: e.g., Visiting Professor of Department.

Visiting Faculty may be appointed for up to one year, with optional reappointment for a second year. Individuals requiring a Visiting Faculty appointment longer than two years must be appointed as Adjunct Faculty (Section 6.4). Visiting Faculty are appointed by a modified procedure that does not require review by DPAC, PAC or Executive Council.

Robert Milner 1/18/2017 9:34 AM

Comment [63]: Revision of Section 5.11 to incorporate streamlined process for appointment of Visiting Faculty.

- a. **Appointment.** To appoint an individual as Visiting Faculty, the chair (or dean in Schools without Departments) submits the following to the Provost or their designee:
 - i. A written recommendation by the chair (or dean in Schools without Departments) that includes a description of the proposed duties of the Visiting Faculty Member and their qualifications for the position
 - ii. The candidate's curriculum vitae
 - iii. A letter from the chair or equivalent official at the institution where the individual holds their primary appointment. This letter should confirm the candidate's rank and title, state that the candidate is in good academic standing, and recommend the candidate for an visiting appointment at UMMS. No other external letters of recommendation are required.

The Provost or their designee reviews these materials and makes a decision to approve or not approve the appointment.

- b. **Reappointment.** To reappoint a Visiting Faculty Member for a second year the chair (or dean in Schools without Departments) submits a written recommendation for reappointment to the Provost or their designee. The Provost or their designee reviews the request and makes a decision to approve or not approve the appointment.

Section 3.13 Emeritus Status

Emeritus status is awarded in accordance with the University of Massachusetts Policy for Awarding Emeritus Status (Doc. T93-054, as amended). Employed Faculty (Article 5) and Affiliate Faculty (Article 6.3) are eligible for emeritus status. Emeritus status is designated by the Chancellor upon recommendation of the Provost and on recommendation by the chair (or the dean of Schools without Departments). The term "Emeritus" follows the academic rank or title (e.g., Professor Emeritus of Department; Chair Emeritus of Department) and is an honorific designation.

Robert Milner 1/18/2017 9:34 AM

Comment [64]: From Section 5.11 in current APP; requirement for international reputation (not consistent with UMass policy) is eliminated.

DRAFT

ARTICLE 4. TENURE

This Article describes the policies and procedures for the award of Tenure and the terms and conditions for Tenured Faculty at UMMS. To be considered for the award of Tenure, individuals must have an appointment in the Tenure Track (Section 4.4) or be eligible for Appointment with Tenure (Section 4.8) or Appointment with Term Tenure (Section 4.9). Tenure is only awarded to Faculty Members at the rank of Associate Professor or Professor.

Section 4.1 Criteria for Tenure

The award of Tenure is an acknowledgement that a faculty member has achieved academic excellence. Tenure is awarded by the University System to individuals who on review of their Tenure Dossier (Sections 4.6 and 4.7) are judged to meet each of the following criteria:

- a. Convincing evidence of, and potential for continuing excellence in scholarly activity in one or more Areas of Distinction (Section 2.1) and excellence in either Education or Service with a minimum of strength in the other, such as to demonstrate the possession of qualities appropriate to a member of the Faculty occupying a permanent position.
- b. Compelling assurance of continuing development and achievement leading to considerable further contributions to UMMS, the University System and the medical/scientific profession.

Section 4.2 Tenure Guarantees

The award of Tenure at UMMS guarantees:

- a. Continuing employment as an Academically-Salaried UMMS Faculty Member, subject only to termination for "Cause" (Section 4.12).
- b. Academic freedom within the defined missions of UMMS.
- c. An "Academic Salary", based on full time employment, defined as follows:
 - i. For a UMMS-Employed tenured Faculty Member, Academic Salary is the individual's annual base salary, which is defined as their total annual salary less any other additional compensation.
 - ii. For a UMMHC-Employed tenured Faculty Member, Academic Salary is defined as the average annual base salary of all tenured UMMS-Employed basic science faculty at the same rank, or the individual's total annual base salary, whichever is lower.
 - iii. If an individual is not employed full time, their Academic Salary is pro-rated accordingly.

Section 4.3 Privileges and Responsibilities of Tenure

Because the award of Tenure provides specific guarantees (Section 4.2), tenured Faculty Members have an obligation for continuing high levels of performance in their Academic Activities. Tenured Faculty Members are also expected to provide a portion of their Academic Salary, which portion may be defined in their letter of offer and may be modified by subsequent Annual Performance Reviews (APR, Section 5.5). Sources of funding for this portion of Academic Salary may include, but are not limited to, awards and/or scholarships; grants and/or contracts; individual Research Trust Funds (RTF); individual endowment funds; and/or compensation for administrative, educational or other academic services. The performance of tenured Faculty Members is reviewed annually through the APR.

Unsatisfactory performance by a tenured Faculty Member or failure to meet goals for providing salary may result in reduction of Academic Salary (Section 4.11). Tenured Faculty Members also undergo a Periodic Multi-Year Review (PMYR, Section 4.10) that assesses faculty performance over a longer time

Robert Milner 1/18/2017 9:35 AM

Comment [65]: Modified from current APP (Section 7.10) to include Areas of Distinction; criteria otherwise not changed.

Robert Milner 1/18/2017 9:43 AM

Comment [66]: From Section 11.4, current APP, unchanged.

Robert Milner 2/14/2017 1:54 PM

Comment [67]: From Section 11.4.b of current APP

Robert Milner 2/14/2017 1:56 PM

Comment [68]: Added section on expectations for tenured faculty to provide part of Academic Salary; defines foundation for policy on reduction of salary (Section 4.11, revised APP).

period. The employment and appointment of a tenured Faculty Member can only be terminated for "Cause" after extensive review (Section 4.12).

Section 4.4 The Tenure Track

Individuals may be appointed in the Tenure Track with a Probationary Period, during which the Faculty Member conducts Academic Activities and Scholarship (Section 2.2) in one or more Areas of Distinction (Section 2.1), engages in educational activities (Section 2.3), and provides academic service (Section 2.4) to establish an academic record to be considered for the award of Tenure.

- a. **Appointment in the Tenure Track.** Individuals may be appointed in the Tenure Track in one of two ways:
 - i. **Appointment at Time of Hire.** Individuals are appointed in the Tenure Track at the time of hire though the procedures for Appointment (Sections 3.10 and 3.11).
 - ii. **Transfer from the Non-Tenure Track.** Individuals who transfer from the Non-Tenure Track may be appointed in the Tenure Track on recommendation of the chair (or dean in Schools without Departments), following review by the Department (or School) Tenure Committee (or equivalent), and approval by the dean and Provost.

Individuals appointed in the Tenure Track must have an academic record that indicates a high likelihood that they will meet the Criteria for Tenure at the end of their Probationary Period. Appointments in the Tenure Track are at the rank of Assistant Professor, Associate Professor, or Professor.

- b. **Employment Terms and Conditions.** Individuals appointed in the Tenure Track are Academically-Salaried UMMS-Employed Faculty (Section 5.2), UMMHC-Employed Faculty (Section 5.3), or Faculty Employed by a University-Approved External Foundation or Agency (Section 5.4), and are subject to the terms and conditions defined for Employed Faculty (Article 5). Appointment in the Tenure Track does not carry any assurance, explicit or implicit, of promotion or the eventual award of Tenure.
- c. **Probationary Period.** The Probationary Period is usually eight years from the date of initial appointment in the Tenure Track. The last year of the Probationary Period is the Tenure Decision Year during which a Faculty Member must be reviewed for the award of Tenure. The Tenure Decision Year is designated at the time of appointment in the Tenure Track by written agreement between the Faculty Member, chair (or dean in Schools without Departments), dean and Provost. If the length of the Probationary Period is changed (Sections 4.4.d, 4.4.e), a new Tenure Decision Year is designated.
- d. **Early Tenure.** A Faculty Member may be considered for the award of Tenure prior to their designated Tenure Decision Year by written agreement between the Faculty Member, chair (or dean in Schools without Departments), dean and Provost. This agreement must designate a new Tenure Decision Year.
- e. **Extension of the Probationary Period.** A Faculty Member may submit a written request to the chair (or dean in Schools without Departments) to extend the Probationary Period in any of the following circumstances:
 - i. When the individual is assigned clinical, educational and/or administrative duties that total more than 25% of their time and effort
 - ii. When the individual is granted an approved leave with or without pay (Section 5.7 and 5.8)

Robert Milner 1/18/2017 9:35 AM

Comment [69]: From Section 5.8.a of current APP.

Robert Milner 1/18/2017 9:35 AM

Comment [70]: New language.

Robert Milner 1/18/2017 9:36 AM

Comment [71]: Section 7.9, current APP.

Robert Milner 1/18/2017 9:36 AM

Comment [72]: Section 7.7 current APP.

Robert Milner 1/18/2017 9:36 AM

Comment [73]: New language: not covered in current APP.

Robert Milner 1/18/2017 9:37 AM

Comment [74]: From Section 11.1, current APP; conditions for extension not changed.

iii. When the individual temporarily transfers from full-time to part-time employment

iv. In other compelling circumstances, as found in the sole discretion of the Provost.

Extensions are usually requested in increments of 1–2 years but may be requested for up to 4 years. Multiple extensions may be requested but the Probationary Period must not exceed a total of 12 years.

The chair (or dean in Schools without Departments) reviews the request and, if approved, makes a recommendation to the dean and Provost. If the dean and Provost approve the request, a new Tenure Decision Year is confirmed in writing. A Faculty Member's request for an extension must not be unreasonably refused and must not adversely affect the final tenure decision.

- f. **Transfer into the Non-Tenure Track.** A Faculty Member may submit a written request to the chair (or dean in Schools without Departments) to transfer from the Tenure Track into the Non-Tenure Track. The chair (or dean in Schools without Departments) reviews the request and, if approved, makes a recommendation to the dean and Provost. If the dean and Provost approve the request, the transfer is made by written agreement between the Faculty Member, chair (in Schools with Departments), dean and Provost.

A Faculty Member who has transferred out of the Tenure Track may submit a written request to the chair (or dean in Schools without Departments) to transfer back into the Tenure Track. Such transfers can only occur prior to the start of the Faculty Member's Tenure Decision Year. The chair (or dean in Schools without Departments) reviews the request and, if approved, makes a recommendation to the dean and Provost. If the dean and Provost approve the request, the transfer is confirmed in writing. The Tenure Decision Year remains the same.

- g. **Promotion.** A Faculty Member may be promoted during the Probationary Period prior to the award of Tenure according to the criteria (Sections 3.7 and 3.8) and procedures (Sections 3.10 and 3.11) for promotion.

- h. **Mini-Tenure Review.** A Faculty Member appointed in the Tenure Track must receive formative evaluations of their progress toward the award of Tenure during the fourth year of their Probationary Period ("Mini-Tenure Review"). These evaluations are not included in the Tenure Dossier and do not affect review of the candidate for the award of Tenure, either positively or adversely.

A Mini-Tenure Review is conducted by a committee of tenured Department Faculty (or tenured School Faculty in Schools without Departments) and the chair (or dean in Schools without Departments) and, if appropriate, the director of a Non-Department Unit. If the Department (or School) has fewer than five tenured Faculty Members, the chair (or dean in Schools without Departments), in consultation with the candidate, appoints tenured Faculty Members from other Departments (or Schools) so as to provide at least five reviewers.

On notification by the Provost's designee for faculty affairs, a Faculty Member submits to their Department (or School) a curriculum vitae and other materials that the Faculty Member believes are relevant to their progress toward meeting the Criteria for Tenure (Section 4.1). The Faculty committee and chair (or dean in Schools without Departments) and, if appropriate, the director of a Non-Department Unit review the Faculty Member's materials and provide written evaluations of the Faculty Member's progress toward meeting the Criteria for Tenure (Section 4.1) and suggestions for improvement that might facilitate the award of Tenure. The chair (or dean in

Robert Milner 1/18/2017 9:37 AM

Comment [75]: From Section 5.8, current APP, not changed.

Robert Milner 1/18/2017 9:37 AM

Comment [76]: New language: not covered in current APP.

Robert Milner 1/18/2017 9:37 AM

Comment [77]: From Section 7.8, current APP; 3rd year review added, otherwise not changed.

Schools without Departments) then meets with the Faculty Member to discuss the evaluations. Copies of the evaluations are submitted to the Provost's designee for faculty affairs.

Section 4.5 Tenure Committees

- a. **Department Tenure Committee.** For Schools organized into Departments, each Department with Faculty appointed in the Tenure Track must establish a Department Tenure Committee that will review and evaluate candidates in the Department for the award of Tenure and make recommendations to the chair. The Committee members are selected annually by the chair and approved by a simple majority vote of the Department Faculty. The Committee should consist of at least three tenured Faculty Members with primary appointments in the Department, preferably at the rank of Professor. Members should serve for three year terms and may serve for multiple terms. If the Department has fewer than three tenured Faculty Members, the DPAC (Section 3.9.b), with the addition of all tenured Department Faculty, reviews candidates for the award of Tenure. The chair cannot serve as a voting member of the Committee or participate in its deliberations. A quorum is one half of the Department Tenure Committee's voting members. Decisions are made by a simple majority of the voting members present at the meeting. Such "votes" may be established by members participating in-person and/or via teleconference, video conference, or any other technology that allows full participation by the member. Proxy (absentee) voting is not permitted.
- b. **School Tenure Committee.** Each School with Faculty appointed in the Tenure Track must establish a School Tenure Committee to review and evaluate candidates in the School for the award of Tenure and make recommendations to the Dean and Provost. The membership of the School Tenure Committee, operating procedures, and its advising and reporting responsibilities are defined in the Bylaws of each School. In accordance with the UMW Governance Document (Doc. T03-035, as amended; Article VI, Section 3.f), a quorum is one half of the voting members of the School Tenure Committee. Decisions are made by a simple majority of the voting members present at a meeting. Such "votes" may be established by members participating in-person and/or via teleconference, video conference, or any other technology that allows full participation by the member. Proxy (absentee) voting is not permitted. This Committee may also be involved in the procedures for Periodic Multi-Year Review (PMYR) of Tenured Faculty (Section 4.10) and Termination of Tenured Faculty (Section 4.12).

Robert Milner 1/18/2017 9:38 AM

Comment [78]: New language: dept tenure cmte not described in current APP.

Robert Milner 1/18/2017 9:38 AM

Comment [79]: From Section 11.3.b of current APP, modified to include references to other documents defining the Tenure Cmte.

Section 4.6 Procedure for the Award of Tenure in the School of Medicine

This procedure applies to all candidates who are considered for the award of Tenure. The review of the candidate's qualifications for tenure is based on relevant activities over the entire course of their academic career.

- a. **Tenure Dossier.** The chair requests a candidate for the award of Tenure to submit the following materials to be included in their Tenure Dossier. The Tenure Dossier is the compilation of all relevant materials related to the candidate for the award of Tenure and all recommendations necessary for a decision.
 - i. A current curriculum vitae in the UMMS format
 - ii. Evidence of effectiveness in educational activities, such as teaching evaluations
 - iii. A statement that describes the candidate's current scholarly activities, future goals and anticipated projects
 - iv. Up to five scholarly works that the candidate feels represent their best scholarship

Robert Milner 2/1/2017 10:15 AM

Comment [80]: From Section 11.3 of current APP, revised for clarity; procedure largely unchanged.

Robert Milner 2/1/2017 10:15 AM

Comment [81]: From Section 11.2 of current APP.

- v. Any other materials that the candidate believes are relevant for consideration

Other documents and materials are added to a candidate's Tenure Dossier as described below. Such materials, including, but not limited to, letters of evaluation and recommendations, the identity of letter writers and *ad hoc* reviewers, and vote tallies, are considered confidential, are only used in the review of the candidate for the award of Tenure, and must not be viewed by the candidate.

- b. **Letters of Evaluation.** The candidate submits to their chair a list of individuals to be considered for solicitation of letters of evaluation. The candidate may also submit to their chair a list of individuals whom the candidate believes may not be able to provide a fair and impartial evaluation. The chair determines the list of individuals to be solicited and may add individuals to be solicited for letters as they deem appropriate. In selecting the individuals to be solicited for letters the chair must take into consideration the lists of individuals provided by the candidate and must include at least two individuals suggested by the candidate. The chair or their designee solicits the letters which are added to the candidate's Tenure Dossier.

At least five letters must be from individuals who are not UMMS Faculty and not mentors or current collaborators of the candidate within the past three years. Other letters (no defined number) may be from any individual who can attest to the candidate's qualifications including, but not limited to, UMMS Faculty, current mentors and collaborators, and/or students or trainees attesting to the candidate's effectiveness in their educational activities.

- c. **Proposed Ad Hoc Reviewers.** The candidate submits to their chair a list of UMMS and non-UMMS individuals to be considered as *ad hoc* members of the School Tenure Committee for review of the candidate. Individuals who write letters cannot serve as members of the School Tenure Committee for review of the candidate. The candidate may also submit to their chair the names of individuals, with a justification, including voting members of the School Tenure Committee, whom the candidate feels may have a real or perceived conflict of interest or bias in the review of the candidate.
- d. **Department Review.** The Department Tenure Committee reviews the candidate's Tenure Dossier and makes a written recommendation for or against the award of Tenure based on the Criteria for Tenure (Section 4.1). The recommendation is reached by a simple majority vote of the Department Tenure Committee, conducted by secret ballot of the voting members present at a meeting. The recommendation, which must include the vote tally and the names of Committee members participating in the vote, is added to the Tenure Dossier.
- e. **Chair Review.** The chair reviews the candidate's Tenure Dossier and makes a written recommendation for or against the award of Tenure based on the Criteria for Tenure (Section 4.1). The recommendation is added to the Tenure Dossier, which the chair submits to the Provost's designee for faculty affairs. For a candidate who has a joint or secondary appointment in another Department or School, or who has a position in a Non-Department Unit, the chair, dean or director of that Department, School or unit, respectively, must either co-sign the chair's recommendation or provide a separate written recommendation for or against the award of Tenure. The chair must inform the candidate of their recommendation and the recommendation of the Department Tenure Committee prior to submission of the candidate's Tenure Dossier to the Provost's designee for faculty affairs. The chair must also inform the candidate of all subsequent recommendations and decisions.

Robert Milner 1/20/2017 3:11 PM

Comment [82]: Added on recommendation of AAWG, 1/18/17.

Robert Milner 1/19/2017 2:20 PM

Comment [83]: Modified on recommendation of AAWG, 1/18/17

Robert Milner 1/18/2017 9:39 AM

Comment [84]: New requirement for only 5 external, unbiased letters on recommendation of the Tenure Cmte.

Robert Milner 1/18/2017 9:40 AM

Comment [85]: From Section 11.3.c.i, current APP

Robert Milner 1/18/2017 9:40 AM

Comment [86]: Note: the process moves forward until a final decision is made by the Chancellor, unless the candidate requests to withdraw. This process differs from the current APP, where the candidate may request the review by the school tenure cmte if the recommendations by the dept are negative.

f. **School Tenure Committee Review.** The Provost's designee for faculty affairs determines the completeness of the candidate's Tenure Dossier and submits the Tenure Dossier to the School Tenure Committee.

i. **Conflict of Interest.** School Tenure Committee members who have participated in the Department review of the candidate and those who have a real or perceived conflict of interest or bias, as determined by the Chair(s) of the School Tenure Committee, are excused from participation in the review of the candidate.

ii. **Preliminary Review.** The School Tenure Committee conducts a preliminary review of the candidate's Tenure Dossier, in order to identify and request any additional information deemed necessary by the Committee. Such requests are managed by the Provost's designee for faculty affairs.

iii. **Selection of *Ad Hoc* Reviewers.** The School Tenure Committee selects up to three individuals to serve as *ad hoc* voting members of the Committee in the review of the candidate. The *ad hoc* members must have an appropriate level of professional accomplishment and expertise in the candidate's field to evaluate the candidate, must hold tenure or its equivalent, and must be able to provide unbiased assessments. At least one *ad hoc* member must not be a UMMS Faculty Member.

In selecting *ad hoc* members, the School Tenure Committee must take into consideration individuals whom the candidate has proposed for service as *ad hoc* members, as well as those identified as having a real or perceived conflict of interest or bias in the review of the candidate (Section 4.6.c).

For candidates who at the time of their initial hire are considered for Appointment for Tenure (Section 4.8) or Appointment for Term Tenure (Section 4.9), the School Tenure Committee selects two tenured members of the Search Committee for the candidate to serve as *ad hoc* members of the School Tenure Committee; the requirement for an external *ad hoc* School Tenure Committee member is waived.

iv. **Formal Review.** The School Tenure Committee, including the *ad hoc* members, reviews the candidate's Tenure Dossier. The School Tenure Committee makes a written recommendation for or against the award of Tenure based on the Criteria for Tenure (Section 4.1). The recommendation is determined by a simple majority vote of the voting members of the School Tenure Committee present, conducted by secret ballot. The School Tenure Committee chair submits the recommendation, which must include the vote tally and the names of Committee members participating in the vote, to the Provost's designee for faculty affairs, who adds the recommendation to the candidate's Tenure Dossier.

The Provost's designee for faculty affairs informs the chair of the recommendation of the School Tenure Committee. If the School Tenure Committee's recommendation is contrary to the chair's recommendation, the chair may provide clarification or additional information for the candidate's Tenure Dossier, which is submitted to the School Tenure Committee. The School Tenure Committee reviews the additional information and submits to the Provost's designee for faculty affairs a second written recommendation either confirming or altering the original recommendation. The Provost's designee for faculty affairs must then inform the chair of the School Tenure Committee's recommendation.

Robert Milner 1/18/2017 9:40 AM

Comment [87]: Revision of Section 11.3 c, retaining current procedure.

Robert Milner 1/18/2017 9:41 AM

Comment [88]: Section 7.12, current APP.

Robert Milner 1/18/2017 9:41 AM

Comment [89]: Section 11.2.c.iii, current APP.

- g. **Dean Review.** The Dean reviews the candidate's Tenure Dossier and makes a written recommendation for or against the award of Tenure based on the Criteria for Tenure (Section 4.1). The recommendation is added to the Tenure Dossier and the Provost's designee for faculty affairs informs the chair of the Dean's recommendation.

If the Dean intends to make a recommendation different from that of the School Tenure Committee, then the Dean must first meet with the School Tenure Committee for consultation to provide an opportunity for full and candid discussion of the divergent recommendations, following which the Dean shall finalize his/her recommendation in writing.

If the positions of Dean and Provost are held by the same individual, the candidate's Tenure Dossier is submitted to the Chancellor for review (Section 4.6.m). Otherwise, the candidate's Tenure Dossier is submitted to the Provost for review (Section 4.6.l).

- h. **Provost Review.** The Provost reviews the candidate's Tenure Dossier and makes a written recommendation for or against the award of Tenure based on the Criteria for Tenure (Section 4.1). The recommendation is added to the Tenure Dossier, which is submitted to the Chancellor. The Provost's designee for faculty affairs informs the chair of the Provost's recommendation.

- i. **Chancellor Review.** The Chancellor reviews the candidate's Tenure Dossier and provides a written recommendation for or against the award of Tenure based on the Criteria for Tenure (Section 4.1). The recommendation is added to the Tenure Dossier and the Provost's designee for faculty affairs informs the chair of the Chancellor's recommendation.

If the Chancellor supports the award of Tenure, the Chancellor submits the candidate's Tenure Dossier to the University System President. If the Chancellor does not support the award of Tenure, the Chancellor informs the Provost, Dean and chair, and notifies the candidate in writing that the award of Tenure has been denied. The candidate is then subject to the terms described in Section 4.6.l.

- j. **Disposition by President.** At the University System level, the President, acting in accordance with the responsibilities defined in Section 1.1, reviews the candidate's Tenure Dossier and decides whether or not to award Tenure. Prior to a negative decision that would be contrary to the recommendation of the Chancellor, the President must invite the Chancellor to provide additional information for the Tenure Dossier or to further explain the recommendation, following which the President shall finalize their recommendation in writing. The award of Tenure is made by the President with the concurrence of the Board of Trustees.

- k. **Withdrawal from Candidacy.** A candidate in the Tenure Track with a Probationary Period may submit a written request to their chair at any time during their Tenure Decision Year to withdraw their candidacy for the award of Tenure. If the chair approves, the candidate is notified in writing that their position in the Tenure Track will terminate one year from the date of withdrawal from candidacy. During this period the Faculty Member may request transfer into the Non-Tenure Track (Section 4.2.f); such transfers require approval of the chair (or dean in Schools without Departments).

- l. **Denial of Tenure.** A candidate in the Tenure Track with a Probationary Period who is denied the award of Tenure is notified in writing that their position in the Tenure Track will terminate one year from the date of notification of denial of tenure. During this period the Faculty Member may request transfer into the Non-Tenure Track (Section 4.4.f); such transfers require approval of the chair (or dean in Schools without Departments).

Robert Milner 1/18/2017 9:41 AM

Comment [90]: Section 11.2.c.iv, current APP, reflecting role of Provost and where positions of Provost and Dean are held by different individuals.

Robert Milner 1/18/2017 9:41 AM

Comment [91]: Section 11.2.c.iv, current APP, reflecting role of Provost and where positions of Provost and Dean are held by different individuals.

Robert Milner 1/18/2017 9:42 AM

Comment [92]: Section 11.2.c.v, current APP, procedure unchanged.

Robert Milner 1/18/2017 9:42 AM

Comment [93]: Section 11.2.c.vi, current APP, procedure unchanged.

Robert Milner 1/18/2017 9:42 AM

Comment [94]: New language.

Robert Milner 1/18/2017 9:43 AM

Comment [95]: Revision of Section 7.9 of current APP, to enable faculty denied tenure to transfer to the non-tenure track with approval by the chair.

Section 4.7 Procedure for the Award of Tenure in the Graduate School of Nursing

Review of Faculty with primary appointments in the Graduate School of Nursing (GSN) for the award of Tenure follows the same procedure as described for the School of Medicine (Section 4.6) with the following differences:

Robert Milner 1/18/2017 9:43 AM

Comment [96]: New language to incorporate process for GSN.

- a. The GSN Dean and/or their designee performs the actions described in Sections 4.6.a–c. There is no department Tenure Committee or chair review (Sections 4.6.d and 4.6.e). The GSN Dean and/or their designee submits the candidate's Tenure Dossier to the Provost's designee for faculty affairs who reviews the Dossier for completeness.
- b. The Provost's designee for faculty affairs submits the candidate's Tenure Dossier to the GSN Tenure Committee. The Committee makes a written recommendation for or against the award of Tenure based on the Criteria for Tenure (Section 4.1), as described in Section 4.6.f.
- c. The GSN Dean reviews the candidate's Tenure Dossier and makes a written recommendation for or against the award of Tenure based on the Criteria for Tenure (Section 4.1), as described in Section 4.6.g. If the Dean intends to make a recommendation different from that of the GSN Tenure Committee, then the Dean must first meet with the GSN Tenure Committee for consultation to provide an opportunity for full and candid discussion of the divergent recommendations, following which the Dean shall finalize his/her recommendation in writing.
- d. Subsequent actions are as described for the School of Medicine (Sections 4.6.h–i).

Section 4.8 Appointment with Tenure

Individuals may be considered for Appointment with Tenure on recommendation by the chair (or dean in Schools without Departments) and approval through the procedures for Appointment (Section 3.5) and for the award of Tenure (Sections 4.6 and 4.7). Usually Appointment with Tenure is limited to candidates who hold tenure at another institution but candidates in Non-Tenured Faculty positions, including UMMS Faculty in the Non-Tenure Track, may also be considered for Appointment with Tenure, subject to the availability of a tenured position approved by the Provost. If the individual withdraws their candidacy, they may resign their position or accept a position in the Non-Tenure Track or in the Tenure Track with a Probationary Period. If the individual is denied Tenure, they may resign their position or accept a position in the Non-Tenure Track.

Robert Milner 2/14/2017 2:06 PM

Comment [97]: From Section 7.12, current APP, expanded to allow appointment with tenure for current UMMS faculty.

Section 4.9 Appointment with Term Tenure

Individuals may be considered for Appointment with Term Tenure on recommendation by the chair (or dean in Schools without Departments) and approval through the procedures for Appointment (Section 3.5) and for the award of Tenure (Sections 4.6 and 4.7). Appointment with Term Tenure is limited to candidates who hold tenure at another institution but candidates in Non-Tenured Faculty positions, including UMMS Faculty in the Non-Tenure Track, may also be considered for Appointment with Term Tenure, subject to the availability of a tenured position approved by the Provost. Faculty appointed in the Tenure Track with a Probationary Period are not eligible for Appointment with Term Tenure. If an individual withdraws their candidacy for the award of Tenure, they may resign their position or accept a position in the Non-Tenure Track or in the Tenure Track with a Probationary Period. If an individual is denied Tenure, they may resign their position or accept a position in the Non-Tenure Track.

Robert Milner 1/18/2017 9:43 AM

Comment [98]: New policy.

- a. Appointment with Term Tenure at UMMS guarantees:
 - i. Continuing employment as an Academically-Salaried UMMS Faculty Member for a defined period, usually seven years, subject only to termination for "Cause" (Section 4.12) during that period

- ii. Academic freedom within the defined missions of UMMS
- iii. Academic Salary (Section 4.2.c)
- b. Extensions of a term tenure appointment may be requested through the following procedure. A Faculty Member may submit a written request to the chair (or dean in Schools without Departments) to extend their Appointment with Term Tenure for up to three years. The chair (or dean in Schools without Departments) reviews the request and, if approved, makes a recommendation to the dean and Provost. If the dean and Provost approve the request, the appointment is extended by written agreement between the Faculty Member, chair (or dean in Schools without Departments), dean and Provost. ~~Extensions of this appointment may be requested.~~
- c. At the expiration of the Term Tenure appointment or if a request for extension of the appointment is not approved by the chair (or dean in Schools without Departments), dean or Provost, the individual's employment and appointment at UMMS ends. Prior to termination, the individual may request to be transferred to the Non-Tenure Track (Section 4.4.f).

Section 4.10 Periodic Multi-Year Review (PMYR) of Tenured Faculty

Tenured Faculty Members must be evaluated by a Periodic Multi Year Review (PMYR) in the seventh academic year following the date of award of Tenure and every seventh academic year thereafter. The PMYR includes the APR for that year.

Robert Milner 1/18/2017 9:44 AM

Comment [99]: Revision of Section 10.5, current APP, to integrate PMYR into APR procedure, reducing current unwieldy process

- a. **PMYR Procedure.** The chair (or dean in Schools without Departments or director of a Non-Department Unit) conducts the PMYR for the tenured Faculty Members in their Department (or School or unit). If a Faculty Member holds a position in a Non-Department Unit, the director of that unit must seek input from the chair of the Department in which the Faculty Member has their primary appointment.
 - i. The chair (or dean in Schools without Departments or director of a Non-Department Unit) requests the Faculty Member to submit a curriculum vitae and a PMYR form, which includes a statement of their long term (5–7 years) goals for scholarship, education and service, including any resources required to accomplish those goals.
 - ii. The chair (or dean in Schools without Departments or director of a Non-Department Unit) reviews the PMYR form and meets with the Faculty Member to discuss their long term goals, in addition to discussing their performance over the previous year and their goals for the next year as required for the APR (Section 5.5.d). As a result of this meeting the Faculty Member may submit modified goals.
 - iii. The chair (or dean in Schools without Departments or director of a Non-Department Unit) provides a written evaluation in the PMYR form of the Faculty Member's long term goals, including needs for professional development, new initiatives or changes in direction that will benefit the Faculty Member and UMMS, and rates the Faculty Member's long term goals as accepted or not accepted.

The chair (or dean in Schools without Departments or director of a Non-Department Unit) also provides a written evaluation of the Faculty Member's performance during the prior year and their goals for the next year, and rates the Faculty Member's performance as satisfactory or unsatisfactory (Section 5.5.e).

- iv. The Faculty Member reviews the evaluation and signs the PMYR form to acknowledge receipt. The Faculty Member may provide a written response to their evaluation in the PMYR form. The chair (or dean in Schools without Departments or director of a Non-Department Unit) signs and submits the PMYR form to the Provost's designee for faculty affairs.
- b. **Further Action.** If the chair (or dean in Schools without Departments or director of a Non-Department Unit) and Faculty Member cannot reach agreement on the Faculty Member's PMYR, the matter must be brought to the Provost's designee for faculty affairs for consultation and resolution.
 - i. If agreement on the PMYR is reached, the PMYR is completed. If agreement is not reached, the Provost's designee for faculty affairs refers the matter to the School Tenure Committee. The Committee reviews the Faculty Member's PMYR and submits a written recommendation to the Provost's designee whether to accept or modify the PMYR. The Provost's designee provides the recommendation to the Faculty Member and chair (or dean in Schools without Departments or director of a Non-Department Unit).
 - ii. If the Faculty Member and the chair (or dean in Schools without Departments or director of a Non-Department Unit) accept the recommendation of the School Tenure Committee, the PMYR is completed. If the Faculty Member or the chair (or dean in Schools without Departments or director of a Non-Department Unit) do not mutually accept the recommendation of the School Tenure Committee, the PMYR is reviewed by the Provost. The Provost may consult with the Faculty Member, chair (or dean in Schools without Departments or director of a Non-Department Unit) in making a decision. The Provost adds a statement to the PMYR form that defines the goals and expectations for evaluation of the Faculty Member's performance through subsequent APRs. This statement may include a reallocation of the Faculty Member's effort but must not impinge on their academic freedom. The statement is signed by the Faculty Member and chair (or dean in Schools without Departments or director of a Non-Department Unit) to acknowledge receipt. This action completes the PMYR.
 - iii. If the Faculty Member does not agree with the Provost's decision, the Faculty Member may seek resolution by the means defined in the Rights of Members of the Faculty in Academic Personnel Matters (Section 1.8), including filing a grievance according to the UMMS Faculty Grievance Procedure (Doc. T88-038A).

Section 4.11 Reduction in Academic Salary of Tenured Faculty

- a. **Performance Evaluation.** All tenured Faculty Members are subject to an Annual Performance Review (APR, Section 5.5), which includes annual goals agreed to by the Faculty Member and the Primary Evaluator. These goals shall address:
 - i. Research, teaching, and service objectives
 - ii. The portion of Academic Salary to be provided by the Faculty Member (Section 4.3). Sources of funding for this portion of Academic Salary may include awards and/or scholarships; grants and/or contracts; individual Research Trust Funds (RTF); individual endowment funds; and/or compensation for administrative, educational or other academic services.

As described in Section 5.5, the Primary Evaluator must provide a signed written evaluation of the Faculty Member's performance during the prior year and their goals for the next year (as defined in Section 4.11.a.i), and rate the performance as satisfactory or unsatisfactory. The Primary Evaluator may also indicate that the Faculty Member has not met goals for providing a portion of

Robert Milner 1/18/2017 9:44 AM

Comment [100]: Revision of Section 11.4.e to include more precise definitions of conditions for reduction in salary and a simpler procedure.

their Academic Salary (as defined in Section 4.11.a.ii). The Academic Salary of a tenured Faculty Member may be reduced if the Faculty Member receives multiple ratings of unsatisfactory performance in their APR or if they do not meet goals for providing a portion of their Academic Salary.

- b. **Reduction in Salary.** If a tenured Faculty Member receives ratings of unsatisfactory performance in their APR or does not meet goals for providing a portion of their Academic Salary as documented in their APR for any two consecutive years or for any two years in a consecutive three year period, their salary may be reduced by up to 5% of their Academic Salary in the following year. If that Faculty Member receives ratings of unsatisfactory performance in their APR or does not meet goals for providing a portion of their Academic Salary as documented in their APR for any three years in a consecutive four year period, their salary may be reduced by up to 15% of their Academic Salary in the following year. If that Faculty Member receives ratings of unsatisfactory performance in their APR or does not meet goals for providing a portion of their Academic Salary as documented in their APR for any four years in a consecutive five year period, their salary may be reduced by up to 25% of their Academic Salary in the following year. The amount of salary reduction should take in consideration any general (non-merit) salary increases that apply at the time of salary reduction. Salaries cannot be reduced below 75% of a Faculty Member's Academic Salary. The salary of a Faculty Member who does not meet salary goals cannot be reduced below the amount of salary funding provided by the Faculty Member.
- c. **Restoration of Salary.** If a Faculty Member who has received a salary reduction for unsatisfactory performance receives ratings of satisfactory performance in their APR for any two years in a consecutive three-year period, their salary is restored to 100% of Academic Salary and the salary reduction process resets. If a Faculty Member who has received a salary reduction for failing to meet salary goals restores all or part of the salary funding, their salary may be restored up to 100% of Academic Salary depending on the amount of funding provided by the Faculty Member. A Faculty Member whose salary is restored is eligible to receive any general (non-merit) salary increases that occurred during the period of salary reduction.

Section 4.12 Termination of Tenured Faculty

The employment and appointment of a tenured Faculty Member can only be terminated for "Cause".

- a. **Informal Resolution.** A complaint about the conduct of a tenured Faculty Member may be brought to the Provost at any time. If the Provost determines that the complaint may constitute grounds for termination of the Faculty Member for "Cause", as defined (Section 5.2.g), the Provost provides written notification of the matter to the Faculty Member and their chair (or dean in Schools without Departments) and/or the director of a Non-Department Unit, and charge the chair (or dean) and/or director to review the matter and seek a resolution. The chair (or dean) and/or director may request that the Department Personnel Action or Department Tenure Committee review the matter and provide a recommendation on resolution. The chair (or dean) and/or director may also seek guidance from or consult with other Faculty and administrators, including the dean in Schools with Departments. Depending on the nature of the complaint, other UMMS Departments or offices may be obligated to review the matter and may conduct their own independent investigations.
 - i. In Schools with Departments, within 20 working days following notification by the Provost, the chair and/or the director of a Non-Department Unit must submit a written report to the dean of the School describing the results of efforts to seek resolution. Within 10 working days

Robert Milner 1/18/2017 9:45 AM

Comment [101]: Revision of Section 10.6of current APP to streamline process while retaining extensive review.

Robert Milner 1/18/2017 9:45 AM

Comment [102]: more extensive definition of "cause"

of receipt of the report the dean must review the report, add a statement whether the resolution of the matter is acceptable or not acceptable, and submit the report to the Provost. If the positions of dean and Provost are held by the same individual, the report by the chair and/or director is submitted to the Provost.

- ii. In Schools without Departments, within 20 working days following notification by the Provost, the dean and/or the director of a Non-Department Unit must submit a written report to the Provost describing the results of efforts to seek resolution.

b. **Provost's Decision on Informal Resolution.** Within 10 working days after receipt of this report the Provost must provide written notification to the Faculty Member and, as relevant, the chair, dean, and director of a Non-Department Unit.

- i. If the chair, dean and/or director report that the matter could not be resolved, the Provost charges a designee, usually the Provost's designee for faculty affairs, to conduct an inquiry of the matter.
- ii. If the chair, dean and/or director report that the matter is resolved, the Provost decides whether the resolution of the matter is acceptable or not acceptable. If the Provost agrees with the resolution, the matter is closed. If the Provost does not agree with the resolution, the Provost charges a designee, usually the Provost's designee for faculty affairs, to conduct an inquiry of the matter.

Robert Milner 1/18/2017 9:45 AM

Comment [103]: Change: formal process is initiated by the Provost not by the chair as in the current APP.

c. **Advisor.** The Faculty Member may designate an individual (who may be an attorney) to serve as their "Advisor" to provide advice and support during the process. The Advisor may only act in an advisory capacity and must not speak on behalf of the Faculty Member or otherwise participate in any meetings or hearings.

Robert Milner 1/18/2017 9:46 AM

Comment [104]: Change from current policy.

d. **Inquiry.** On receipt of the charge by the Provost, the Provost's designee conducts an inquiry of the matter, including but not limited to, the following:

Robert Milner 1/18/2017 9:46 AM

Comment [105]: New procedure designed to provide objective evidence for the case.

- i. The Provost's designee must conduct a fair and thorough inquiry and must consider any and all relevant documentary and testimonial evidence.
- ii. The Provost's designee requests an interview with the Faculty Member and, if the Faculty Member agrees, interviews the Faculty Member.
- iii. The Provost's designee requests the Provost and the Faculty Member to submit any documentary evidence and the names of any relevant witnesses.
- iv. The Provost's designee must make a good-faith effort to contact all relevant witnesses and obtain information about the matter.
- v. The Provost's designee compiles all documentary and testimonial evidence in a "Case Record".
- vi. Within 45 working days of receipt of the charge from the Provost, the Provost's designee must submit to the Provost a written report, which is included in the Case Record.

e. **Provost's Decision on the Inquiry.** Within 10 working days after receipt of the inquiry report, the Provost must decide whether or not the report provides sufficient evidence to support potential termination of the Faculty Member for "Cause" and provides written notification of the decision to the Faculty Member and the Provost's designee for faculty affairs and, as relevant, the chair, dean, and director of a Non-Department Unit.

If the Provost decides that there are insufficient grounds for termination, the matter is closed. If the Provost decides that there is sufficient evidence to potentially support termination, the Provost charges the School of Medicine Tenure Committee to convene a Hearing Committee. The Provost's designee for faculty affairs provides the Faculty Member with a copy of the Case Record.

f. **Selection of the Hearing Committee.** Within 20 working days after receipt of the Provost's charge, the Hearing Committee must be selected. The Hearing Committee consists of five voting members and two alternate members, selected from the School Tenure Committee and tenured UMMS Faculty Members as follows.

Robert Milner 2/14/2017 2:08 PM

Comment [106]: Change: Hearing Cmte is selected from the Tenure Cmte, rather than all tenured UMMS faculty.

- i. The Chair of the Tenure Committee contacts the members of the Tenure Committee to determine their availability to serve on the Hearing Committee and whether they may have any real or perceived conflicts of interest. The Chair of the Tenure Committee excuses individuals from service for illness, absence during the hearing period, or conflict of interest.
- ii. The Chair of the Tenure Committee randomly selects the five voting members and the two alternate members of the Hearing Committee from the available members of the Tenure Committee and provides the list to the Faculty Member and Provost. The Faculty Member and the Provost may challenge an individual on the list for cause and state the grounds for challenge. The Chair of the Tenure Committee rules on the challenge based on the standard that the individual must be able to render a fair and impartial recommendation, especially if the individual has prior knowledge of the case and/or a personal, professional or financial relationship (excluding employment with UMMS) with either party. If the Chair agrees with a challenge, the individual is removed from the list and replaced by an individual drawn at random from the remaining available members of the Tenure Committee. The replacement individual may similarly be challenged for cause by the Faculty Member or Provost.
- iii. If there are insufficient members of the Tenure Committee to form the Hearing Committee, individuals are randomly selected from the list of UMMS tenured Faculty, not including chairs, deans, directors of Non-Department Units or other administrators, and considered for service on the Hearing Committee as described above (Section 4.12.h.ii). The process of selection continues until five voting members and two alternate members have been identified.
- iv. The Chair of the Tenure Committee randomly selects the Chair of the Hearing Committee from the five voting members.

g. **Scheduling of the Hearing.** Once the Hearing Committee has been selected, the Hearing must be scheduled within 30 working days. The Provost's designee for faculty affairs must inform the Faculty Member and Provost that they may submit documentary evidence, witness statements or introduce witnesses at the Hearing. If they elect to do so, they must identify and submit such evidence to the Provost's designee for faculty affairs, no later than 10 working days prior to the date of the Hearing. The Provost's designee for faculty affairs provides this information/documentation to the other party.

h. **Conduct of the Hearing.** The Hearing is conducted as follows:

- i. The Chair of the Hearing Committee is in charge of all proceedings of the Hearing. The five voting members and the two alternate members of the Hearing Committee attend all proceedings, but the alternate members are not involved in deliberations or recommendations. If a voting member of the Committee is unable to continue, the Chair of the Committee randomly selects an alternate member to serve.

- ii. The two “Parties” in the Hearing are the Provost and the Faculty Member. The Faculty Member may be present at all meetings of the Committee where evidence is received or testimony heard and may be accompanied by their Advisor. The Provost may also be accompanied by an Advisor (who may be an attorney). The Advisors may only act in an advisory capacity and must not speak on behalf of the Parties or otherwise participate in any manner in the Hearing.
- iii. The Hearing is closed, except for the following individuals: the Hearing Committee, the Faculty Member and their Advisor, the Provost and their Advisor, any designated witnesses, and the individual charged to conduct the inquiry.
- iv. All documentation introduced during the Hearing is included in the Case Record. The Hearing Committee is not bound by the rules of legal evidence and may admit any evidence (testimonial or documentary) that it deems to be of value to their deliberations. A recording of the Hearing must be made and is included in the Case Record. If a transcript is mutually desired the cost shall be shared equally. Otherwise, either party requesting a transcript bears the cost.
- v. Members of the Hearing Committee may ask questions of either Party and any witnesses brought by either Party. The Parties are not allowed to ask questions of the other Party or cross-examine witnesses. The Hearing is conducted as follows:
 - a) The individual charged with conducting the inquiry must present and summarize the Case Record for the Hearing Committee.
 - b) The Provost or their Designee may present and summarize any additional documentary evidence and testimony by witnesses, subject to the 10 day notification period (Section 4.12.j). The Provost or their Designee may also offer their view of the matter.
 - c) The Faculty Member may present and summarize any documentary evidence and testimony by witnesses, subject to the 10 day notification period (Section 4.12.j). The Faculty Member may also offer their view of the matter.
 - d) The Provost or their Designee may present rebuttal evidence in response to matters brought forth by the Faculty Member.
 - e) The Faculty Member may present evidence in response to the rebuttal evidence presented by the Provost or their Designee.
 - f) The Parties may present closing statements.
- i. **Recommendation by the Hearing Committee.** Within 10 working days after the Hearing is adjourned, the Hearing Committee must determine whether the institution has met its burden of proof that the alleged conduct of the Faculty Member meets the definition of termination for “Cause” (Section 5.2.g), and the Hearing Committee must identify the section(s) of the definition of “Cause” (Section 5.2.g) that the Faculty Member allegedly violated. This burden of proof is “by a mere preponderance of the credible evidence” submitted in the Hearing (also defined as “more probable than not”), and is determined by a majority vote of the Hearing Committee. The Hearing Committee provides written notification of their recommendation whether or not to terminate the Faculty Member to the Provost’s designee for faculty affairs, who submits the recommendation and Case Record to the Chancellor.

- i. If the Hearing Committee recommends not to terminate the Faculty Member, the proceedings are concluded. The Chancellor accepts the recommendation of the Hearing Committee and provides written notification of the conclusion of the proceedings to the Faculty Member, the chair, dean, Provost, and the Hearing Committee.
- ii. If the Hearing Committee recommends termination of the Faculty Member, the Provost's designee for faculty affairs provides written notification of the recommendation to the Faculty Member, the chair, dean, Provost, and the Hearing Committee. The Faculty Member may submit a written response objecting to the Hearing Committee's recommendation to the Chancellor within 10 working days of receipt of the Hearing Committee's recommendation.
- j. **Recommendation by the Chancellor.** Within 20 working days of the receipt of the Hearing Committee's recommendation to terminate the Faculty Member, the Chancellor must review the Case Record and any written response by the Faculty Member and make a recommendation on termination of the Faculty Member.
 - i. If the Chancellor does not agree with the Hearing Committee's recommendation to terminate the Faculty Member, the proceedings are concluded, and the Chancellor provides written notification of the conclusion of proceedings to the Faculty Member, the chair, dean, Provost, the Hearing Committee, and the Provost's designee for faculty affairs.
 - ii. If the Chancellor agrees with the Hearing Committee's recommendation to terminate the Faculty Member, the Chancellor submits that recommendation to the President of the University System with the Case Record. The Chancellor must also provide written notification of their recommendation to the Faculty Member, the chair, dean, Provost, the Hearing Committee, and the Provost's designee for faculty affairs.
- k. **Disposition by the President.** At the University System level, the President, acting in accordance with the responsibilities defined in Section 1.1, reviews the Hearing Committee's recommendation and the Case Record forwarded from the Chancellor and decides whether or not the tenured Faculty Member will be terminated. Prior to a decision that would be contrary to the recommendation of the Hearing Committee and Chancellor, the President must invite the Chancellor to provide additional information for the Case Record or to further explain the initial recommendation. The decision to terminate the tenured Faculty Member is made by the President with the concurrence of the Board of Trustees.
- l. **General Actions.** With respect to the processes described herein:
 - i. If any involved individual has a real or perceived conflict of interest, they must disclose same to the Provost's designee for faculty affairs. A review must be conducted by the Chancellor or their designee to determine whether there is a conflict and, if a conflict exists, to select a replacement for the individual to serve the functions described herein.
 - ii. If the Provost determines at any time that the Faculty Member may reasonably pose a threat to patient safety or the campus community, the Provost may place the Faculty Member on Administrative Leave (Section 5.8).

Robert Milner 1/18/2017 12:25 PM

Comment [107]: Chancellor cannot overrule a finding by the Hearing Cmte not to terminate; policy reviewed by the Chancellor.

ARTICLE 5. EMPLOYED FACULTY

This article defines the employment and appointment terms and conditions for Employed Faculty. Employed Faculty are individuals who are primarily employed by UMMS, UMMHC, or a University-approved external foundation or agency and who are appointed to the Faculty of UMMS.

Section 5.1 Employment and Appointment of Employed Faculty

Employed Faculty Members are appointed to the UMMS Faculty on recommendation by the chair (or dean in Schools without Departments) and approved through the procedures for appointment and promotion (Article 3). Employed Faculty Members may be appointed as, or promoted to, the ranks of Instructor, Assistant Professor, Associate Professor, or Professor, according to the criteria for these ranks (Article 3).

The Faculty appointment of an Employed Faculty Member is contingent on continued employment by UMMS, UMMHC, or a University-approved external foundation or agency and ends coterminously with the termination of that employment. Such individuals may continue their UMMS Faculty appointment as Other Faculty (Article 8) on recommendation by the chair and approval by the Provost or their designee.

As defined in the UMW Governance Document (Doc. T03-035, as amended) and School Bylaws, Employed Faculty Members constitute the Faculty-at-Large of UMMS and the Faculty-at-Large of a School, respectively, for the purpose of voting and other rights.

Section 5.2 UMMS-Employed Faculty

a. **Categories of Employment.** UMMS-Employed Faculty are designated in one of two categories:

- i. **Academically-Salaried Faculty.** These are employees of UMMS who are hired into an Academic Position to conduct Academic Activities as a primary responsibility. This category includes, but is not limited to, Tenured Faculty, Tenure Track Faculty, and Non-Tenure Track Faculty (Section 3.3) who are independently responsible for a research, educational or clinical area.
- ii. **Professionally-Salaried Faculty.** These are employees of UMMS who are hired into an Academic Position to provide support within a research, educational or clinical area. This category includes, but is not limited to, research investigators, scientists in core facilities, and individuals hired to provide services under a Department/business unit or institutional contract with an external entity (such as a federal, state or private agency).

Professionally-Salaried Faculty Members have all the rights and privileges of Academically-Salaried Faculty Members with the exception of eligibility for appointment in the Tenure Track or the award of Tenure (Article 6), eligibility for Sabbatical (Section 5.6), and the notice period for termination (Section 5.2.e).

b. **Terms of Employment**

- i. Individuals who are Non-Tenured serve at the pleasure of the University System Board of Trustees, acting by and through the President and/or Chancellor, and are considered "at-will" employees. Individuals who are Tenured are governed by the policies and procedures for tenure (Article 4).
- ii. Terms of employment for UMMS-Employed Faculty are governed by their letter of offer, which may specify the individual's duties and expectations, employment category, Faculty appointment, benefits, and salary, and by the policies in this APP. These employment terms

Robert Milner 1/18/2017 9:48 AM

Comment [108]: New Article describing terms and conditions for employed faculty, poorly defined in current APP.

Robert Milner 1/18/2017 9:49 AM

Comment [109]: Important statement that employment and appointment are different but contingent on each other. Note that Employed faculty have a continuing appointment, dependent on their employment, and are not reappointed.

Robert Milner 1/18/2017 9:49 AM

Comment [110]: Retains these current categories but only for UMMS-Employed Faculty. Definitions have been revised.

Robert Milner 1/18/2017 9:49 AM

Comment [111]: New language defining terms and conditions; not stated in current APP.

may be modified in accord with policies and procedures in this APP, as may be amended. Some employment terms may also be addressed in applicable University System policies and UMMS Office of Human Resources policies. Any conflict between these policies is resolved in the following order: this APP, applicable University System policies, and applicable UMMS Office of Human Resources policies. Notwithstanding the above, all terms of employment must be in accord with federal, state and local laws.

c. **Recruitment.** Recruitment and hiring of Faculty must be conducted according to UMMS Procedures on Faculty Recruitment [document number to be assigned]. Individuals are hired into positions in Departments, Schools (for Schools without Departments) or Non-Department Units, such as centers, institutes, or programs, business units, (such as Commonwealth Medicine and MassBiologics), and other administrative units.

Robert Milner 1/18/2017 9:50 AM

Comment [112]: New language reflecting current procedures for recruitment of faculty.

d. **Termination "Not For Cause".** Employment of a Non-Tenured UMMS-Employed Faculty Member may be terminated "Not For Cause" at any time for any reason that is not unlawful by the chair (or dean in Schools without Departments or director of a Non-Department Unit) on prior written notification to the Non-Tenured UMMS-Employed Faculty Member with the following notice:

Robert Milner 1/18/2017 9:50 AM

Comment [113]: Retains current notice periods for termination of faculty (Section 10.7, current APP).

i. Academically-Salaried Faculty:

- a) For those in their first year of employment, at least three months in advance of termination of employment.
- b) For those who have been employed for more than one year but less than two years, at least six months in advance of termination of employment.
- c) For those who have been employed for two years or more, at least twelve months in advance of termination of employment.

ii. Professionally-Salaried Faculty: at least 30 days in advance of termination of employment.

At the discretion of the chair (or dean in Schools without Departments, or director of a Non-Department Unit), with approval by the Provost or their designee, the period of notice for any Faculty Member may be reduced by paying to the Faculty Member in a single payment an amount of money equal to one week's salary for every week by which the notice is foreshortened.

Robert Milner 1/18/2017 9:50 AM

Comment [114]: New language enabling "buy-out" of terminated faculty

e. **Termination for "Cause".** Employment of a Non-Tenured UMMS-Employed Faculty Member may be terminated effective immediately for "Cause" at any time by the chair (or dean in Schools without Departments or director of a Non-Department Unit) with approval by the Provost or their designee on written notification to the Non-Tenured UMMS-Employed Faculty Member. An individual who is terminated for cause is not entitled to the required notice or payment in lieu thereof.

The definition of "Cause" includes but is not limited to the following:

Robert Milner 1/18/2017 9:51 AM

Comment [115]: More detailed definition of "Cause" derived from the UMMHC physician agreement and from contracts with senior UMMS administrators.

- i. fraud or misrepresentation of professional preparation, accomplishments or experience;
- ii. fraud, embezzlement, misappropriation of assets or other dishonesty with respect to UMMS or those associated with it;
- iii. conduct that is not reasonably deemed as "academic freedom" and that could reasonably result in substantial harm to the University or UMMS and/or that puts the University or UMMS in disrepute;
- iv. conviction, including, a plea of nolo contendere or admission of sufficient facts to constitute a conviction without a finding, of a felony or a crime involving moral turpitude or of any offense

that would adversely affect the reputation of UMMS or adversely affect the individual's ability to serve as a Faculty Member, as determined by UMMS in its sole discretion;

- v. repeated insubordination, material negligence, neglect or misconduct in the performance of duties, including a failure or refusal to perform duties assigned by the chair (or dean in Schools without Departments or director of a Non-Department Unit), following notice of same from UMMS, as determined by UMMS in its sole discretion;
- vi. prolonged absence from duty without the consent of the chair (or dean in Schools without Departments or director of a Non-Department Unit), and not pursuant to the Family Medical Leave Act (FMLA), following notice of same from UMMS; or
- vii. repeated violation of a published policy of the University System or UMMS (following notice of same from UMMS) that is material to the individual's duties under their appointment.

The employment of a Tenured Faculty Member may be terminated only for "Cause" (Section 4.10).

- f. **Resignation.** A Faculty Member may resign their employment at any time by prior written notification to the chair (or dean in Schools without Departments, or director of a Non-Department Unit) at the earliest possible opportunity but at least 90 days prior to the effective date of resignation. With the consent of the chair (or dean in Schools without Departments or director of a Non-Department Unit) an earlier termination date may be agreed. Individuals are entitled only to any compensation owed up to the agreed date of termination.
- g. **Relationship Between Employment and Appointment.** Termination of employment terminates an individual's Faculty appointment with the exception that such individuals may continue their UMMS Faculty appointment as Other Faculty (Article 6) on recommendation by the chair (or dean in Schools without Departments) and approval by the Provost or their designee.

Section 5.3 UMMHC-Employed Faculty

- a. **Terms of Employment and Appointment.** Individuals with an employment contract with UMMHC are subject to the employment terms and conditions defined in their letter of offer and their employment contract with UMMHC, and by UMMHC policies and procedures. UMMHC-Employed Faculty include individuals who may also provide services to UMMS. The UMMS Faculty appointment of UMMHC-Employed Faculty is governed by the policies in this APP. If the individual's employment agreement with UMMHC is terminated for any reason, their UMMS Faculty appointment and any services that the individual may be providing to UMMS also end coterminously, unless the individual has a new or continuing written agreement with UMMS or is a tenured UMMS Faculty Member.
- b. **Termination of Appointment.** The UMMS Faculty appointment of a Non-Tenured UMMHC-Employed Faculty Member may be terminated "Not For Cause" at any time for any reason that is not unlawful by the chair (or dean in Schools without Departments or director of a Non-Department Unit) on prior written notification to the individual at least 30 days prior to the date of termination of appointment. The UMMS Faculty appointment of a Non-Tenured UMMHC-Employed Faculty Member may be terminated effective immediately for "Cause" at any time by the chair (or dean in Schools without Departments) with approval by the Provost or their designee on written notification to the Faculty Member. Termination of the UMMS Faculty appointment of a Tenured UMMHC-Employed Faculty Member for "Cause" must follow the procedures for Dismissal of Tenured Faculty (Section 4.10). In both cases, the definition of "Cause" includes but is not limited to the events or conditions in Section 5.2.g.

Robert Milner 1/18/2017 9:52 AM

Comment [116]: Terms and conditions for UMMHC-Employed faculty. Note distinction between employment by UMMHC and appointment to UMMS.

Robert Milner 1/18/2017 9:52 AM

Comment [117]: Revision of Section 10.8, current APP. Replaces a cumbersome review process with final approval by Chancellor.

Robert Milner 2/21/2017 9:12 AM

Comment [118]: New language: enables UMMS to terminate the appointment of a UMMHC-Employed faculty member.

- c. Resignation of Appointment.** A UMMHC-Employed Faculty Member may resign their UMMS Faculty appointment at any time by prior written notification to the chair (or dean in Schools without Departments, or director of a Non-Department Unit) at the earliest possible opportunity but at least 90 days prior to the effective date of resignation of appointment. With the consent of the chair (or dean in Schools without Departments or director of a Non-Department Unit) an earlier resignation date may be agreed.

Section 5.4 Faculty Employed by a University-Approved External Foundation or Agency

- a. Terms of Employment and Appointment.** Individuals primarily employed by contract with a University-approved external foundation (such as the Howard Hughes Medical Institute) or agency (such as the Veterans Administration) are subject to the employment terms and conditions defined in their contract with the foundation or agency. Their Faculty appointment with UMMS is governed by the policies in this APP. If the employment agreement with the foundation or agency is terminated, the individual may revert to employment by UMMS and maintain their Faculty appointment.
- b. Termination of Appointment.** The UMMS Faculty appointment of a Non-Tenured Faculty Member employed by a University-approved external foundation or agency may be terminated "Not For Cause" at any time for any reason that is not unlawful by the chair (or dean in Schools without Departments or director of a Non-Department Unit) on prior written notification to the individual at least 30 days prior to the date of termination of appointment. The UMMS Faculty appointment of a Non-Tenured Faculty Member employed by a University-approved external foundation or agency may be terminated effective immediately for "Cause" at any time by the chair (or dean in Schools without Departments) with approval by the Provost or their designee on written notification to the Faculty Member. Termination of the UMMS Faculty appointment of a Tenured Faculty Member employed by a University-approved external foundation or agency for "Cause" must follow the procedures for Dismissal of Tenured Faculty (Section 4.10). In both cases, the definition of "Cause" includes but is not limited to the events or conditions in Section 5.2.g.
- c. Resignation of Appointment.** A Faculty Member employed by a University-approved external foundation or agency may resign their UMMS Faculty appointment at any time by prior written notification to the chair (or dean in Schools without Departments, or director of a Non-Department Unit) at the earliest possible opportunity but at least 90 days prior to the effective date of resignation of appointment. With the consent of the chair (or dean in Schools without Departments or director of a Non-Department Unit) an earlier resignation date may be agreed.

Robert Milner 1/18/2017 9:52 AM

Comment [119]: Largely parallel with UMMHC-Employed faculty

Section 5.5 Annual Performance Review

The performance of all Employed Faculty Members (UMMS-Employed Faculty, UMMHC-Employed Faculty, and Faculty Employed by a University-Approved External Foundation or Agency) must be evaluated annually through the Annual Performance Review (APR). At the discretion of the chair (or other supervisor), a Faculty Member may receive additional evaluations during a year.

- a. APR Procedure.** The chair (or dean in Schools without Departments or director of a Non-Department Unit) must ensure that each Employed Faculty Member in their Department, School or unit is evaluated through the APR. The evaluation of a Faculty Member is conducted by a Primary Evaluator. The chair (or dean in Schools without Departments or director of a Non-Department Unit) serves as the Primary Evaluator or may delegate the evaluation to other Faculty such as a division chief or vice chair to serve as the Primary Evaluator.

Robert Milner 1/18/2017 9:53 AM

Comment [120]: New section describing current practice.

- i. An Employed Faculty Member must submit an APR form annually to their Primary Evaluator with any supporting material.
 - ii. Other individuals with supervisory responsibilities may submit to the Primary Evaluator written evaluations of the performance of a Faculty Member in the APR form.
 - iii. The review of a Faculty Member appointed in the Tenure Track must include an evaluation of their progress toward the award of Tenure.
 - iv. The Primary Evaluator must meet with the Faculty Member to discuss their performance during the prior year and their goals for the next year. As a result of this meeting, the Faculty Member may submit modified goals for the next year.
 - v. The Primary Evaluator provides a signed written evaluation of the Faculty Member's performance during the prior year and their goals for the next year in the APR form and rates the performance as satisfactory or unsatisfactory.
 - vi. **Unsatisfactory Performance.** A rating of unsatisfactory performance is based on documented evidence of one or more of the following:
 - a) Failure to meet previously set goals
 - b) Repeated failure by the Faculty Member to respond to direction from the supervisor
 - c) Failure to perform assigned duties or responsibilities
 - d) Material violations of the employer's, Department's and/or other applicable and published policies, procedures, or codes of conduct.

Continued unsatisfactory performance by a Faculty Member may result in actions that include but are not limited to reduction in effort, reduction in salary, and termination of appointment and/or employment (as applicable).
 - vii. The Faculty Member reviews their evaluation and signs the APR form to acknowledge receipt. The Faculty Member may provide a written response to their evaluation in the APR form.
 - viii. The chair (or dean in Schools without Departments or director of a Non-Department Unit) reviews and signs the APR form and submits to the Provost or their designee.
 - b. **Further Action.** If the chair (or dean in Schools without Departments or director of a Non-Department Unit) and Faculty Member cannot reach agreement on the Faculty Member's APR, the matter must be brought to the Provost's designee for faculty affairs for consultation and resolution.
- If there is continuing disagreement, the Faculty Member may seek resolution by the means defined in the Rights of Members of the Faculty in Academic Personnel Matters (Section 1.8), including filing a grievance according to the UMMS Faculty Grievance Procedure (Doc. T88-038A).

Section 5.6 Sabbatical

The purpose of the sabbatical is to provide uninterrupted opportunity for the Faculty for teaching improvement, writing, research, professional improvement, scholarly pursuits, or to gain new information and experience in order to remain current in one's field. Faculty Members granted a sabbatical are expected to commit sufficient effort to complete the activities proposed for the sabbatical.

- a. **Eligibility.** Individuals eligible for sabbatical must be either Academically-Salaried UMMS-Employed Faculty, University-Approved External Foundation or Agency Employed Faculty or

Robert Milner 2/1/2017 10:21 AM

Comment [121]: Added on recommendation of AAWG

UMMHC-Employed Faculty, must have at least six years of full or part time service as a UMMS Faculty Member, and must not have taken a sabbatical leave in the previous seven years. Requests for sabbatical by University-Approved External Foundation or Agency Employed Faculty must be approved by the external foundation or agency.

Faculty with part time service are eligible for a sabbatical as follows:

- i. Full time Faculty previously on part-time appointments will be given prorated credit for part time service (e.g., eight years at 1/2 time plus two years at full-time equals six years) and will be eligible for a sabbatical based on their current full-time salary.
- ii. Part-time Faculty will be eligible for a sabbatical based on part-time salary after six years of part time service.

b. Application

- i. A Faculty Member may request one of the following options for a sabbatical:
 - a) full salary for 6 months (which shall include 2 weeks of vacation)
 - b) half salary for 12 months (which shall include 4 weeks of vacation), or
 - c) half salary for two non-consecutive 6-month periods (each including 2 weeks of vacation).
- ii. The Faculty Member submits a written application for a sabbatical to their chair (or dean in Schools without Departments or director of a Non-Department Unit). The application must include a description of the project and an assessment of its importance to the Faculty Member's career goals and its potential benefits to the Department and the School.
- iii. The Faculty Member must also describe in their application any scholarships, fellowships, or grants and any other salaried employment or external compensation that the Faculty Member will receive during the sabbatical. Such compensated activities must not conflict with the Faculty Member's commitment to the activities proposed for the sabbatical.

c. Review and Approval

- i. The chair (or dean in Schools without Departments, or director of a Non-Department Unit) reviews the request and, if they approve the sabbatical, submits their recommendation to the Provost or their designee and, for UMMHC-Employed Faculty, to the President of UMMMG.
- ii. The Provost or their designee and, when relevant the President of UMMMG, makes the decision on granting a sabbatical following consideration of the applicant's proposed project, any compensation that the applicant will receive during the sabbatical, the recommendation of the chair (or dean in Schools without Departments or director of a Non-Department Unit), and the availability of funds from-UMMS or UMMHC to support the sabbatical.

d. Requirement for Return. Recipients of a sabbatical must return to duty as a UMMS Faculty Member for at least one year of service immediately following the expiration of the leave. Faculty Members may submit a written request to the Provost or their designee to postpone the required return for a period no longer than the length of the sabbatical. This request must include the rationale for postponement and an acknowledgment by the Faculty Member that their obligation to return for a full year of service remains in effect. Failure to return obligates the Faculty Member to refund the salary received during sabbatical.

e. The Sabbatical Report. Each recipient must submit, upon their return, a written report of their activities and the progress achieved on the goals of the sabbatical to the Provost or their designee,

the dean and the chair (or dean in Schools without Departments, or director of a Non-Department Unit). This report must be evaluated in the Faculty Member's next APR.

Section 5.7 Voluntary Leave of Absence Without Pay

A UMMS-Employed Faculty Member may submit a written request for a leave of absence without pay (after exhaustion of accumulated vacation and sick hours) for up to one year to the chair (or dean in Schools without Departments or director of a Non-Department Unit). Such leaves may be for reasons of health (requiring appropriate medical, health-related documentation), for advanced study and research, or in connection with temporary employment or service which will be of value to the Faculty Member and to UMMS. The chair (or dean in Schools without Departments or director of a Non-Department Unit) reviews and approves the request after consultation with the Provost or their designee. An extension for a second year must be approved by the Provost. Requests for a leave of absence without pay by UMMHC-Employed Faculty or by Faculty Employed by a University-Approved External Foundation or Agency are governed by the appropriate institution's policy.

Robert Milner 1/18/2017 9:53 AM

Comment [122]: Revision of Article 13, current APP; largely unchanged.

Section 5.8 Administrative Leave

A UMMS-Employed Faculty Member may be placed on an administrative leave of absence with pay by the chair (or dean in Schools without Departments or director of a Non-Department Unit) with approval by the Provost. Such leaves may be for reasons that include, but are not limited to, investigations of the Faculty Member concerning alleged misconduct or if the chair or Provost determines that the Faculty Member may reasonably pose a threat to patient safety or the campus community. Such leaves are at the discretion of UMMS and may be terminated at any time by the chair (or dean in Schools without Departments, or director of a Non-Department Unit) with approval by the Provost.

Robert Milner 2/14/2017 2:10 PM

Comment [123]: New section to define policy not in current APP.

ARTICLE 6. OTHER FACULTY APPOINTMENTS

Section 6.1 Appointment to the UMMS Faculty

This article defines the terms and conditions for appointment of individuals other than Employed Faculty (Article 5) to the UMMS Faculty. Appointment to the UMMS Faculty is based on an individual's commitment of effort to the educational and/or research programs of UMMS, rather than on hospital rank, degree of responsibility, or seniority in other professional endeavors. Individuals who provide no contribution to UMMS educational and research programs are not allowed to be appointed to the UMMS Faculty.

Robert Milner 1/18/2017 9:54 AM

Comment [124]: Includes all non-employed faculty — i.e. “voluntary faculty” — plus professional staff with academic appointments. Note that all these individuals are re-appointed annually.

Robert Milner 1/18/2017 9:54 AM

Comment [125]: From Section 9.2, current APP, as applied to Instructor; here applied to all non-employed faculty.

- a. **Categories of Appointment.** Such Other Faculty Appointments are granted to the following:
 - i. Professional Staff Faculty
 - ii. Affiliate Faculty
 - iii. Adjunct Faculty
 - iv. Visiting Faculty
- b. **Terms and Conditions of Appointment.** This APP governs only the Faculty appointment of such individuals. The employment terms and conditions for such individuals are governed by the policies of their employer, rather than any employment terms and conditions defined in this APP. Such individuals with UMMS Faculty appointments must abide by all applicable UMMS and University of Massachusetts policies and procedures.
- c. **Termination.** The UMMS Faculty appointment of such individuals may be terminated at any time by the chair (or dean in Schools without Departments) on prior written notification to the individual at least 30 days in advance of termination of appointment.
- d. **Resignation.** Such individuals may resign their UMMS Faculty appointment on prior written notification to the chair (or dean in Schools without Departments) at the earliest possible opportunity, but at least 90 days prior to the effective date of resignation.

Section 6.2 Professional Staff Faculty

- a. **Eligibility.** Individuals who are employed by UMMS or UMMHC in a staff position may be appointed to the UMMS Faculty as Professional Staff Faculty based on their contributions to UMMS educational and research programs. This category includes, but is not limited to, professional staff and administrators, medical, nursing or other health professionals, clinical fellows participating in non-ACGME approved fellowship programs, chief residents who have completed residency training, and retired UMMS Faculty who have been approved for post-retirement employment.
- b. **Appointment and Reappointment.** Professional Staff Faculty Members are appointed to a one-year term on recommendation by the chair (or dean in Schools without Departments) and approval through the procedures for appointment and promotion (Sections 3.10 and 3.11). Professional Staff Faculty Members may be appointed as, or promoted to, the ranks of Instructor, Assistant Professor, Associate Professor, or Professor, according to the criteria for these ranks (Sections 3.5–3.8). Professional Staff Faculty Members may be reappointed annually on review and recommendation by the chair (or dean in Schools without Departments) and approval by the Provost or their designee. The UMMS Faculty appointment of a Professional Staff Faculty Member ends coterminously with termination of their employment by UMMS or UMMHC.

Robert Milner 1/18/2017 9:54 AM

Comment [126]: Key definition: individuals employed by UMMS or UMMHC whose employment is NOT contingent on a faculty appointment.

Section 6.3 Affiliate Faculty

- a. **Eligibility.** Individuals who are not employed by UMMS, UMMHC, or a University-approved external foundation or agency and who are not eligible for appointment as Adjunct (Section 6.4) or Visiting Faculty (Section 6.5) may be appointed to the UMMS Faculty as Affiliate Faculty based on their contributions to UMMS educational and research programs. This category includes, but is not limited to, Courtesy Staff appointed to UMMMC; individuals at UMMS regional campuses; members of the medical, nursing or other health professions at affiliated hospitals, other health care facilities or in private practice; individuals based at research institutions, and retired UMMS Faculty who are actively engaged in UMMS educational and research programs.

The UMMS Faculty appointment of an Affiliate Faculty Member who is employed by an affiliated organization is contingent on continued employment of the individual by the affiliated organization and the affiliation agreement with that organization. In the event that either or both of these conditions are no longer in effect, the UMMS Faculty appointment will end coterminously without notice or appeal.

- b. **Appointment and Reappointment.** Affiliate Faculty Members are appointed to a one-year term on recommendation by the chair (or dean in Schools without Departments) and approval through the procedures for appointment and promotion (Sections 3.10 and 3.11). Affiliate Faculty Members may be appointed as, or promoted to, the ranks of Instructor, Assistant Professor, Associate Professor, or Professor, according to the criteria for these ranks (Sections 3.5–3.8). Affiliate Faculty Members may be reappointed annually on review and recommendation by the chair (or dean in Schools without Departments) and approval by the Provost or their designee.

Robert Milner 1/18/2017 9:55 AM

Comment [127]: Defined as "Voluntary" faculty in current APP.

Section 6.4 Adjunct Faculty

- a. **Eligibility.** Individuals who are employed by and hold a primary Faculty appointment at another academic or research institution may be appointed to the UMMS Faculty as Adjunct Faculty based on their contributions to UMMS educational and research programs.

- b. **Appointment and Reappointment.** Adjunct Faculty Members are appointed to a one year term on recommendation by the chair (or dean in Schools without Departments) and approval through the procedures for appointment and promotion (Sections 3.10 and 3.11) with the exception that a letter of recommendation is required from the chair or equivalent official at the institution where the individual holds their primary appointment (Section 3.10.c.iii). No other letters of recommendation are required. Adjunct Faculty Members are usually appointed at the Faculty rank (or equivalent) that the individual holds at their primary institution. The term "Adjunct" precedes the academic rank: e.g., Adjunct Professor of Department. Adjunct Faculty Members may be reappointed annually on review and recommendation by the chair (or dean in Schools without Departments) and approval by the Provost or their designee.

Robert Milner 1/18/2017 9:55 AM

Comment [128]: Section 5.10, current APP.

Section 6.5 Visiting Faculty

- a. **Eligibility.** Individuals who are employed by and hold a primary Faculty appointment at another academic or research institution and who are participating in UMMS educational and research programs for a limited time (up to two years) may be appointed to the UMMS Faculty as Visiting Faculty.

- b. **Appointment and Reappointment.** Visiting Faculty are usually appointed for up to one year, and may be reappointed for a second year, on recommendation by the chair and approval by the Provost or their designee (Section 3.12). Visiting Faculty Members are usually appointed at the

Robert Milner 1/18/2017 9:55 AM

Comment [129]: Section 5.12, current APP.

Faculty rank (or equivalent) that the individual holds at their primary institution. The term “Visiting” precedes the academic rank: e.g., Visiting Professor of Department.

DRAFT