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

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ARTICLE 1. AUTHORITY, DURATION, DEFINITIONS

Section 1.1 Authority. These academic personnel policies and procedural standards of the University of Massachusetts Medical School are promulgated by the Trustees of the University of Massachusetts under the authority of Massachusetts General Laws, Chapter 75, and supersede the University-wide Academic Personnel Policy document (T76-081) as well as previous University of Massachusetts Medical School Academic Personnel Policy documents (T80-011B, T80-011 and T95-022). These policies also replace documents that were originally approved as separate policies by the Board of Trustees (T00-045, the policy relating to periodic multiyear review of tenured faculty; T99-049, the policy relating to dismissal of a tenured faculty member; and T02-033, the policy defining tenure guarantees at the Worcester campus. The present personnel policies shall remain in effect until amended, modified, or revoked by action of the Trustees, the right to do which is hereby reserved.

Section 1.2 Amendment. Amendments and modifications to these academic personnel policies may be recommended by the appropriate University of Massachusetts *Medical School* faculty governance bodies prior to submission to the Trustees.

Section 1.3 Application. Unless otherwise specified herein, these academic personnel policies and procedural standards shall apply to the following personnel actions: appointments, reappointments, promotions, transfer between and within tracks, alterations of the tenure decision year, the award of tenure, sabbatical leaves, and terminations. These are the only standards and criteria which shall apply to all departmental or school recommendations and subsequent reviews and decisions initiated after the date of this document.

Section 1.4 Title Choice Option. Faculty members holding titles awarded before the inception of this system may elect to retain those titles or may adopt the present system at any time. However, all future personnel actions shall be in accordance with the system described herein.

Section 1.5 Definitions. Words and phrases shall be 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 shall be 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 shall have the meaning herein given unless otherwise expressly provided:

"Academic activities" - those activities performed as a faculty member in one or more of the three missions of the University of Massachusetts Medical School, e.g. research/scholarly activity, education and service. Such activities include:

- i. Research: performance of investigator-initiated or collaborative research; publication(s) in peer-reviewed journals; invited presentations at national and

- international meetings; publication of reviews, books and book chapters; gathering of data; funded grants and contracts; and the submission of grants.
- ii. Education: 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.
 - iii. Service: performance of administrative duties for the Medical School or the Department, including membership on University committees, service as committee chairman or other officer, oversight of research cores and other specified administrative responsibilities, as well as service as members of study sections, editorial boards, professional organizations, and as journal referees.

“Academic position” - a position as a **Lecturer, Instructor, Affiliate, Senior Affiliate, Assistant Professor, Associate Professor, or Professor** and all positions of like title, bearing specific modifiers such as of **“Clinical”, “Research”, “Adjunct”, “Emeritus”** and **“Visiting”**.

“Academically-salaried faculty member” - a faculty member whose primary employer is the University of Massachusetts Medical School, UMass Memorial Health Care, Inc. (UMMHC) or a University-approved foundation and whose primary responsibilities are those associated with an appointment in an academic position as a member of the faculty.

“Basic file” - the compilation of all relevant material related to the individual under consideration for a personnel action, and all recommendations based thereon necessary for a decision. The basic file shall include, as a minimum, the following components of the faculty member's complete personnel action file.

- a. A curriculum vitae, updated within 90 days prior to submission to the Dean. This shall include a bibliography and a summary of educational, service, and patient care (if relevant) activities.
- b. Letters of recommendation from:
 - i. The primary appointing Chair of the academic department (in schools with departments) and any other academic departments in which the faculty member is to be jointly appointed or promoted;
 - ii. The Departmental Personnel Action Committee, for all appointments at or above the Assistant Professor level
 - iii. Division or Service Chiefs, where applicable;
 - iv. Internal (University of Massachusetts Medical School faculty, as described herein) and external letters of recommendation from peers and others as appropriate.
- c. Evaluations of performance or promise in educational activities.

“Clinical Care” - activities including, but not limited to, providing high quality, state of the art patient 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.

“Credit toward tenure” - the amount of time in yearly segments credited toward a Tenure Track faculty member's tenure decision year.

“Education” - activities which include, but are not limited to, participation in organization, delivery and evaluation of teaching programs to medical, graduate, allied health students, nursing students, interns, residents and post doctoral fellows, whether in the classroom, clinical areas, or at the laboratory bench.

“Faculty” - the departmental, school, or campus group exercising primary responsibility in academic matters and in matters of faculty status, the membership of which shall include all faculty members.

“Faculty member” - any full or part time person who holds an academic position, and thus serves as a member of the faculty of the University of Massachusetts Medical School.

“Personnel actions” - those administrative actions relating to the status of faculty members with respect to academic positions, as described in Section 1.3.

“Primary responsibility” - as defined in Trustee Document T73-098, is the capacity to initiate recommendations, after appropriate consultation, which will be overruled only by written reasons stated in detail. Faculty primary responsibility is the capacity of the faculty to initiate recommendations in academic matters and in matters of faculty status.

“Probationary period” - the period between a faculty member's initial appointment in the Tenure Track (Article 6) and the end of the formal tenure decision process. (This shall normally be no more than 8 years from an initial appointment as **Assistant** Professor.)

“Professionally-salaried faculty member” - a full or part-time employee of the University of Massachusetts Medical School or UMMHC, including faculty hired as Lecturers through Commonwealth Medicine, who has been granted an academic title based on his/her contributions to the academic programs but whose salary is not based on these academic contributions. Included in this category are certain professional staff and administrators, as well as interns, residents, physicians, nurses and other contract employees.

“Research, creative or scholarly activity” - activities which may result in, but are not limited to, publication of both original peer-reviewed research and material which may not have been peer-reviewed prior to publication, such as review articles, case reports, book chapters, book reviews and editorials, as well as activities that result in patents. Educational materials such as course syllabi, problem based learning programs, videotapes of educational materials, computer software, and evaluation instruments also qualify if favorably reviewed and incorporated into the curriculum of the school or those of other schools.

“School” - the School of Medicine, the Graduate School of Nursing, the Graduate School of Biomedical Sciences, or any other school of the University of Massachusetts Medical School, unless otherwise noted.

“Service” - activities which may include, but are not limited to, serving as member or officer of committees or other decision-making bodies, or administration of entities, e.g. programs, divisions, sections, at the department, school, campus or University levels, and comparable professionally-related service in broader communities, such as government advisory bodies, or professional, scientific or educational organizations.

“Significant proportion of professional time” – a degree of contribution to academic activities that warrants appointment to the faculty in one of the titles available in the Non-Tenure Track or the Tenure Track and that requires 10% or more of the individual’s professional time. Examples include, but are not limited to, ongoing classroom lecturing or small group facilitation, frequent ward or consult attending, frequent precepting, advising and mentoring of students or trainees, leadership role in academic programs, research training and collaboration, active service on University of Massachusetts Medical School committees.

“Small proportion of professional time” – a degree of contribution to academic activities that warrants appointment to the faculty as Affiliate or Lecturer and that requires less than 10% of the individual’s professional time. Examples include, but are not limited to, infrequent classroom lecturing, occasional ward or consult attending, occasional presentation of house conference/lecturing, occasional ward or consult attending, occasional presentation of in-house conference/lecture, infrequent mentoring or training of students or trainees, infrequent service on committees.

“Tenure” - the right of a faculty member to continuous employment in an academic position, subject to dismissal or suspension only for just cause.

“Tenure decision year” - the academic year during which a Tenure Track faculty member has mandatory consideration for tenure.

“UMMS” - the University of Massachusetts Medical School

“UMMHC” - U Mass Memorial Health Care, Inc., the clinical partner of the medical school

“University-salaried faculty member” – an academically-salaried or professionally- salaried faculty member employed primarily by the University of Massachusetts Medical School who holds an academic position and contributes to the academic programs of the Medical School.

“UMMHC-salaried faculty member” – a faculty member who holds an academic position and contributes to the academic programs of the University of Massachusetts Medical School but whose primary employment is through U Mass Memorial Health Care.

“Voluntary faculty member” - a faculty member who is not employed by UMMS or by UMMHC but who contributes a portion of his/her professional time to the academic programs of the Medical School. Such individuals may include full or part-time members of the medical, nursing or other professional staff at affiliated hospitals or other health care facilities; physicians and other health professionals in private practice; scientists based at affiliated research institutions; and members of the adjunct faculty,

ARTICLE 2. ACADEMIC FREEDOM, AFFIRMATIVE ACTION AND EQUAL OPPORTUNITY

Section 2.1 Academic Freedom, Affirmative Action and Equal Opportunity. Academic freedom, equal opportunity, and affirmative action are principles to be honored throughout the University of Massachusetts Medical School.

Section 2.2 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” shall serve as the basic guidelines for the maintenance of academic freedom.

Section 2.3 Application of Academic Freedom. These standards and interpretations as to academic freedom shall apply to all persons who perform teaching or research functions whether or not such persons occupy "academic positions" as that term is defined herein. No member of the faculty shall 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 2.4 Equal Opportunity and Affirmative Action. In all personnel decisions, there shall be equal opportunity for all persons without regard to race, color, religion, sex, sexual orientation, age, national origin or handicap. Consistent with this principle, affirmative action shall be taken to seek and maintain just gender and minority group representation throughout the faculty.

ARTICLE 3. ROLES AND RESPONSIBILITIES IN PERSONNEL MATTERS

Section 3.1 Primary Responsibility and Faculty Participation. The faculty has primary responsibility in matters of faculty status: that is, appointments, reappointments, promotions, and tenure. Further development of personnel policies and procedures and amendments to this document shall fall within the scope of the faculty's primary responsibility. The faculty also has primary responsibility in academic matters, and, whenever appropriate, shall relate the two in making personnel recommendations. The faculty shall exercise its primary responsibility as follows:

- a. For those schools organized into departments, the departmental faculty shall establish, subject to campus and school governance procedures, departmental procedures for the exercise of primary responsibility with respect to faculty status and academic matters. The procedures shall be designed so as to assure that departmental faculty participate independently of the Department Chair. A description of the nature of faculty participation, as well as their recommendation, shall accompany all personnel recommendations.
- b. At the school level, a Personnel Action Committee chosen in accordance with procedures set forth in the school's governance document shall review departmental recommendations, add its conclusions as advice to the school's Executive Council, and exercise such other responsibilities as prescribed therein.

Section 3.2 Delegation of Authority From the Board of Trustees. The 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). The 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 Chancellor's designee for academic affairs or other academic administrative officials is subject to the approval of the Board of Trustees.

Section 3.3 The Role of Students. Students shall be assured the opportunity to contribute to academic personnel review processes, according to appropriate procedures, if prescribed in their school's Bylaws.

Section 3.4 The Role of Department Chairs. In academic personnel matters, the Department Chair (or the Dean, in schools without departments), is responsible for:

- a. Assuring participation, as stipulated in Section 3.1a, of faculty in all personnel recommendations.
- b. Coordinating all administrative matters relating to personnel actions, such as negotiations for initial appointment, notification of impending review, maintenance of departmental personnel files, solicitation of internal and external evaluations, preparation of a recommendation, compilation of the basic file of material to support a recommendation, and notification of action.
- c. Keeping faculty members informed as to their status and responsibilities.
- d. Developing and maintaining, with appropriate faculty participation, long-range plans within the context of the current and long-range needs of the school, and keeping the department informed of the status of those plans.
- e. Evaluating the activities of faculty members, including the patient care activities of clinical faculty members.
- f. Mentoring and advising faculty with regard to career development and goals
- g. Management of departmental finances and allocation of departmental resources including space, personnel and money.
- h. Making recommendations with regard to faculty compensation.
- i. Making recommendation of reappointment at rank or non-reappointment in accordance with policies described below.
- j. Recommending teaching and committee service responsibilities.

Section 3.5 The Role of the Dean. In academic personnel matters, the Dean of each school is responsible for:

- a. Ensuring that general criteria and procedural standards are consistently employed in any and all departments within the school.
- b. Reviewing departmental and/or school plans and developing and maintaining, with appropriate faculty participation, long-range plans for the school within the context of current and long-range needs of the campus, and keeping the faculty informed of the status of those plans.
- c. Ensuring the establishment of a school Personnel Action Committee and providing support for the operation of the committee.

- d. For schools with departments, evaluating and mentoring Department Chairs.

Section 3.6 The Role of the Chancellor's designee for Academic Affairs. In academic personnel matters, the Chancellor's designee for Academic Affairs is responsible for:

- a. Overseeing all matters relating to faculty personnel actions at the University of Massachusetts Medical School.
- b. Ensuring that general criteria and procedural standards are consistently employed in all schools of the University of Massachusetts Medical School.
- c. Maintaining personnel records of the entire faculty.
- d. Keeping faculty members informed as to their rights under this policy.

Section 3.7 The Role of the Chancellor. In academic personnel matters, the Chancellor is responsible for:

- a. Ensuring adherence to the proper procedures as defined in this document.
- b. Reviewing school plans and developing and maintaining, with appropriate faculty participation, long-range plans for the University of Massachusetts Medical School, within the context of the current and long-range needs of the University, and keeping the campus informed of the status of those plans.

Section 3.8 The Role of the President. In academic personnel matters, the President is responsible for:

- a. Ensuring adherence to proper procedures at the University level.
- b. Ensuring that general criteria and procedural standards are consistently employed throughout the University.
- c. Reviewing the long-range plans and developing and maintaining, with appropriate faculty participation, long-range plans for the University as a whole, and keeping the University informed of the status of those plans.

ARTICLE 4. STANDARDS AND CRITERIA FOR PERSONNEL REVIEWS, RECOMMENDATIONS AND DECISIONS

Section 4.1 Standards in Personnel Decisions. High professional standards must be the basis for all personnel decisions. Personnel recommendations and decisions shall be made only after a review of all the qualifications and all the contributions of the individual in the areas of academic endeavor specified in this document.

Section 4.2 Relationship of Affirmative Action Goals to Initial Faculty Appointments. Considering the nature of the positive contribution that affirmative action makes to the diversity of perspective that is essential to the well-being of the department and the campus community, all initial appointments of academically-salaried faculty members shall be consistent with relevant affirmative action goals at the department, school, campus, and University levels.

Section 4.3 Relationship of Program Plans to Personnel Decisions. All initial appointments, reappointments and promotions, including those in the Tenure Track through the Tenure

Decision Year, shall be consistent with program plans at the department, school, campus, and University levels.

Section 4.4 Relationship between Employment Status and Academic Status. Faculty appointments fall into three categories based on their employment status and the extent to which their employment is based on academic contributions to the Medical School. These categories are as follows:

- a. University Salaried (including individuals listed as academically-salaried and professionally-salaried), UMMHC-Salaried, c. Voluntary Faculty

Section 4.5 Conflict of Interest. No faculty member or administrative official shall participate directly in any recommendation or decision relating to appointment, reappointment, promotion, tenure, or other condition of employment at the University of any individual with whom that faculty member or official has close personal ties, including but not limited to, a parent, child, spouse, sibling, parent-in-law, sibling-in-law, child-in-law, or stepchild of said faculty member or official. Exception may be granted by the President of the University if he/she deems that it would be in the best interests of the University and in accordance with relevant state law to grant a waiver of this prohibition. A faculty member or administrative official shall withdraw from participation in any personnel recommendation or decision involving actual or potential conflict of interest as described above.

ARTICLE 5. ORGANIZATION OF ACADEMIC POSITIONS

Section 5.1 Tracks, Ranks, Departments and Joint Appointments. Appointments to the ranks of Assistant Professor, Associate Professor and Professor shall be made only in one of two tracks -- the Tenure Track and the Non-Tenure Track, -- and within academic departments, in schools which have them. Joint appointments made in two or more academic departments or schools shall be at the same academic rank in each entity. Faculty with more circumscribed roles shall normally be appointed at the rank of affiliate, lecturer, or instructor; however, such faculty may be transferred to another track and evaluated using the criteria normally employed for appointment and promotion in that track, if their academic contributions increase, and if such transfer is approved as described in section 5.8e below.

Section 5.2 Relationship Between Track and Academic Activities. Appointment to and/or promotion within a track shall reflect the nature and scope of participation in academic activities relevant to the University of Massachusetts *Medical School* and its programs.

Section 5.3 The Tenure Track. The Tenure Track is the academic track requiring evidence of, and promise of, continuing high quality performance in the three categories of: (1) research, creative or scholarly activity; 2) education and (3) service (including clinical care, if relevant). Except in unusual circumstances, criteria for promotion (and the award of tenure) include evidence of continued excellence in the category of research, creative or scholarly activity and in one other category and at least strength in the third category. Appointees in this track must be academically-salaried University- or UMMHC-salaried faculty members and shall be eligible for tenure and the privileges and limitations thereof as described in Articles 7 and 11.

Section 5.4 The Non-Tenure Track The Non-Tenure Track is for those members of the faculty, including University-salaried and UMMHC-salaried and Voluntary faculty, who contribute a significant proportion (greater than 10% of their professional time to the University of Massachusetts Medical School but whose faculty status or breadth or extent of activities may not meet the definition required for the Tenure Track. Reappointments and promotions in the Non-Tenure Track require evidence of an ongoing record of high quality performance in specific subsets of the three areas of: 1) research/scholarly activity; 2) professional/academic service; 3) *education* as described in Article 6.

Section 5.5 The Rank of Instructor - The rank of Instructor does not fall within *either* of the foregoing tracks and serves multiple purposes. This title may be used for both voluntary and employed members of the faculty, including University salaried and UMMHC-salaried, whose participation in the academic programs of the University of Massachusetts Medical School encompasses a small proportion of their professional time but whose efforts represent a meaningful contribution to its academic activities. The title of Instructor may also be used for those faculty without a terminal degree who participate to a significant extent in the academic programs of the University of Massachusetts Medical School. The rank of Instructor may also be used as an entry level faculty appointment for senior trainees who are transitioning to the standard academic tracks.

- a. At the discretion of the Department Chair or the Dean (in schools without departments), a "**Research**" modifier of the rank of Instructor may be used for those whose involvement in educational programs occurs in a research context.
- b. At the discretion of the Department Chair or the Dean (in schools without departments) , a "**Clinical**" modifier of the rank of Instructor may be used for those whose involvement in educational programs occurs in a clinical context.

Section 5.6 The Rank of Lecturer. The rank of Lecturer shall not fall within either of the foregoing tracks and shall be used only for appointment of faculty members who are employed by the University but whose anticipated academic contributions are likely to be limited due to geographic issues and/or to the nature of their other assigned duties. Such faculty may include those with terminal degrees who are employed through Commonwealth Medicine. Should the academic contributions of such individuals increase, however, these faculty may be transferred to another track and evaluated using the criteria normally employed for appointment and promotion in that track

Section 5.7 The Rank of Affiliate The rank of Affiliate is for voluntary members of the faculty who are not employed by the University or by UMMHC and whose participation in the academic programs of the University of Massachusetts Medical School, encompasses only a small proportion of their total professional activity.

Section 5.8 Transfer Between Tracks. Transfer from one track to another may only be made by written agreement between the faculty member and the Department Chair (or the Dean in schools without departments), subject to approval by the Chancellor's designee for academic affairs and the Dean (in schools with departments).

- a. Transfer to the Tenure Track from any other rank or Track shall require approval by the departmental Personnel Action Committee (in schools with departments) or by the dean

(in schools without departments), the personnel action committee of the relevant department or school and also by the Chancellor's designee for academic affairs.

- b. Transfer from the Tenure Track to the Non-Tenure Track may be made at any time prior to the tenure decision year, subject to the approval of the departmental (or school) Personnel Action Committee, the chair (or dean, where appropriate) and the Chancellor's designee for academic affairs.
- c. A faculty member who has transferred out of the Tenure Track may transfer back into the Tenure Track only prior to his/her original tenure decision year; the tenure decision year shall remain the same.
- d. Any transfer to an academically-salaried or to a UMMHC-salaried status shall require evidence of appropriate affirmative action measures, and shall be done in accordance with procedures and criteria described herein.
- e. Transfer of Affiliates, Lecturers or Instructors to either the Non-Tenure track or to the Tenure track would require the approval of the department chair (in schools with departments) or the dean (in schools without departments), the personnel action committees of the relevant departments and schools, and the Chancellor's designee for Academic Affairs.

Section 5.9 Number of Faculty Positions In Each Department. The number of faculty positions for academically-salaried faculty assigned to the Tenure or Non-Tenure Tracks shall be defined by the Dean of the school after consultation with the Department Chair (if any) and the Chancellor's designee for academic affairs, and shall be subject to revision in accordance with periodically-reviewed long-range plans and by implementation of any applicable retrenchment policy.

Section 5.10 The Term Adjunct. The term “**Adjunct**” shall precede the academic title of any non-University, non-UMMHC-salaried member of the faculty holding a primary appointment as a faculty member at another academic institution.

Section 5.11 The Term Emeritus. The term “**Emeritus**” shall follow the academic title of any member of the faculty who, at the time of retirement, is so designated by the Chancellor upon recommendation of the Chancellor's designee for academic affairs and upon the request of the Department Chair (or the Dean, in schools without departments), and the Dean (Doc. T93-054). This title shall only be awarded to a faculty member who has achieved the level of Full Professor and attained international recognition in his/her academic discipline and who has been an active member of the faculty for at least ten years prior to retirement.

Section 5.12 The Term Visiting. The term “**Visiting**” shall precede the academic title of any member of the faculty who continues to hold a primary appointment as a faculty member at another institution, and whose appointment at the University of Massachusetts Medical School is for a limited time. This title may be conferred for up to twelve (12) months with the approval of the Chair of the host department and the concurrence of the Chancellor's designee for academic affairs; appointments longer than a year require the approval of the school's Personnel Action Committee.

Section 5.13 Appointments and Use of Titles. With the exception of the title of **Visiting Assistant, Associate or Full Professor**, all faculty appointments require the approval of the school's Personnel Action Committee (PAC) and the Executive Council. New faculty hires will be provided a temporary title at the rank proposed by their chairs; however, such titles are temporary and subject to change until the formal approval process has been completed. Normally this process should be completed within twelve (12) months; and the candidate will be advised by the Office of Faculty Administration if this has not occurred. Extensions can be granted by the Chancellor's designee for academic affairs after consultation with the school's Personnel Action Committee.

ARTICLE 6. THE NON-TENURE TRACK

Section 6.1 Academic Positions in the Non-Tenure Track. Appointments, reappointments and promotions in the non-tenure track shall be subject to the standards and criteria described in Section 4. There are three separate pathways for the appointment and promotion of non-tenure-track faculty: the Clinical Path, the Traditional (Unmodified) Path, and the Research Path. The chart below illustrates the titles and ranks that shall be employed:

| Table 1. NON-TENURE TRACK PATHWAYS | | |
|---|---------------------------------|---|
| CLINICAL | TRADITIONAL | RESEARCH |
| Clinical Assistant Professor of (Dept).* | Assistant Professor of (Dept).* | Research Assistant Professor of (Dept.) * |
| Clinical Associate Professor of (Dept.) * | Associate Professor of (Dept).* | Research Associate Professor of (Dept.) * |
| Clinical Professor of (Dept). | Professor of (Dept).* | Research Professor of (Dept.) * |

* “(Dept.)” refers to the name of the appropriate academic department (or school in the case of schools without departments. (N.B. Faculty members holding appointments in the non-tenure track at the time of adoption of this document may elect to keep their present title upon reappointment at the same rank). See Section 1.4.

Section 6.2 Use of Titles The ranks and titles described in Section 6.1 and in Table 1 shall be applicable to all faculty members in the Non-Tenure track who contribute a significant proportion (e.g.>10% effort) of their professional time to academic programs of the University of Massachusetts Medical School, whether they are University-salaried, UMMHC-salaried, or voluntary faculty, or located on or off the University of Massachusetts Medical School campus.

Section 6.3 Expectations of Faculty Assigned to the Clinical Path, the Traditional Path, and the Research Path. At the time of initial appointment, the department chair shall recommend an appropriate rank and title for each Non-Tenure track faculty member based on his/her assigned duties and anticipated academic contributions. Those assigned to the Traditional (unmodified) pathway shall be expected to provide excellent contributions in at least two of the following three areas: (1) education; (2) research/creative/scholarly activity and (3) professional or academic service, including clinical care where relevant. Those assigned to the Research pathway shall be expected to focus on research/scholarly activity with the expectation that s/he will develop regional/national recognition for this activity; in addition s/he shall be expected to make ongoing, significant contributions to the academic programs of the University of Massachusetts Medical School. Those assigned to the clinical pathway shall be expected to focus on clinical care, with the expectation that s/he will develop local/regional recognition for this activity; in addition s/he shall be expected to provide ongoing, significant contributions to the academic programs of the University of Massachusetts Medical School. In addition, all faculty members, irrespective of their pathway, are expected to participate in service activities. Two types of service are recognized, professional and academic. Professional service includes patient care and related activities plus services in professional organizations and public bodies that enhance the prestige of the School and University. Academic service refers to activities that enhance the functioning of the academic community of the School and University such as participation in faculty governance, or service on task forces, working groups, or search committees. Examples of other criteria considered by promotion committees are included in Table 2.

Table 2. Sample of Activities recognized by Promotion Boards

| Professional/Academic Service | Research/Scholarly Activity | Education |
|--|---|---|
| <ul style="list-style-type: none">• patient care in any setting• services to organizations for patients, their families, and community groups• services related to the development, management, evaluation, and improvement of clinical services• services on committees related to clinical services• participation-leadership of professional organizations• professionally related public or government service• public or community health services• service on school or university committees• participating in study sections or equivalent review committees• external consulting that is professionally related, enhances the reputation of the School and University, and carried out in accordance with the conflict-of-interest and other regulations of the University | <ul style="list-style-type: none">• conducting original research• developing patents, devices, or procedures• developing public policy or conducting related studies/ reviews• editing, reviewing and writing for scientific books, journals, and other communications media• synthesizing knowledge in book chapters, monographs, and review articles• describing cases, outcomes, or other events that contribute to the recognition and/or understanding of health problems | <ul style="list-style-type: none">• instructing medical students, residents, fellows, graduate and postgraduate students in classroom, laboratory, patient care or other environments• advising, counseling, evaluating, and recruiting students, residents, or fellows• presenting or leading continuing professional education programs• presenting or leading faculty development activities• instructing learners of other Schools and institutions• developing curricula, organizing new teaching programs, substantially improving established courses, or integrating teaching activities within or between departments• developing or facilitating improvements in teaching techniques and methods of evaluation• developing or substantially improving teaching resources including the preparation and evaluation of standardized patients |

Section 6.4 Appointment as, or Promotion to, Assistant Professor. Normally, appointment or promotion to the rank of Assistant Professor in the Non-Tenure Track shall require evidence that s/he has credentials that would be considered to reflect an 'entry level' of achievement, including:

- a. Evidence that s/he has completed formal training, and:
 - i. for those clinically trained in medical disciplines, that s/he is has completed all necessary training to be eligible for board certification;
 - ii. for those trained in basic science, that s/he has completed 2 years of post-doctoral research;
 - iii. for those prepared in nursing, that s/he has had 2 years of experience teaching at the university or college level, or relevant experience and achievement other than university or college teaching sufficient to qualify for appointment as an Assistant Professorship in a university school of nursing;
 - iv. for others not included in i., ii., or iii., equivalent previous professional experience, achievement, responsibility and strength of professional development to merit consideration;

and

- b. Evidence of prior experience in the areas of education, research/scholarly activity or professional/academic service that would qualify as 'entry' level achievement. Examples of relevant experience are included below. It is recognized that junior faculty will vary considerably as to their level of prior experience in each of these categories.

Table 3: Examples of Activities that provide evidence of an "Entry" Level of Achievement

| Professional/Academic Service | Research/Scholarly Activity | Education |
|---|---|--|
| <ul style="list-style-type: none"> • for clinical faculty members, demonstrated competence in area of clinical expertise • contributions to ongoing programs/teams involved in clinical, public health or research activities • local/regional consulting (including consultations with State agencies) in area of expertise • active participation in professional organizations • peer reviews for scientific journals or for granting | <ul style="list-style-type: none"> • publication of clinical, basic science, or educational research (or evidence of significant contribution to publications) • presentation (verbal or poster) of study results to local audiences • application as principal investigator for locally or regionally-funded grants or contracts • case reports or review articles that integrate and expand existing knowledge or that provide an | <ul style="list-style-type: none"> • formal lectures to medical and/or graduate students, residents, fellows, and peers • instruction in laboratory settings or in similar experiential learning activities • teaching in patient care environments • serving as a facilitator in small group formats • supervision and individualized instruction of graduate students or residents • presentations for grand |

| | | |
|---|--|---|
| agencies <ul style="list-style-type: none"> • activities related to faculty or student governance • service on task forces, committees and other groups of the school or university • advising/sponsoring of student or resident organizations | extensive literature review* <ul style="list-style-type: none"> • significant involvement at a local level in the developing, implementing and evaluating clinical guidelines * • significant contribution to policy development at a local level* <p>* For consideration for promotion, the asterisked activities must integrate or expand existing knowledge and/or provide an extensive literature review</p> | rounds, teaching rounds or journal clubs <ul style="list-style-type: none"> • mentoring learners or colleagues |
|---|--|---|

- c. Although normally, a first appointment as **Assistant Professor** shall be as “**Assistant Professor**,” the Chair, with appropriate justification, may request an appointment as “**Clinical Assistant Professor of (Dept.)**” or “**Research Assistant Professor**.”

Section 6.5 Reappointment as Assistant Professor. Reappointment as **Assistant Professor** in the Non-Tenure Track shall require:

- evidence of continuing achievement and growth since the initial appointment,
and
- evidence of high quality performance consistent with the expectations (defined in Section 6.3) for his/her designated pathway.

Section 6.6 Appointment as, or Promotion to, Associate Professor of (Dept.), Clinical Associate Professor of (Dept.), or Research Associate Professor of (Dept.). Appointment at or promotion to the rank of **Associate Professor of (Dept.), Clinical Associate Professor of (Dept.)** or **Research Associate Professor of (Dept.)** is dependent on achievement and not length of service, and is an honor within the institution. Normally, it shall require:

- considerable academic or professional experience beyond the level which would warrant an appointment or reappointment as **Assistant Professor** as stated in Section 6.4 and 6.5, including:
 - 6 years of service at the level of **Assistant Professor** at the University of Massachusetts Medical School, or another academic institution; or
 - equivalent previous professional experience, achievement, responsibility and strength of professional development;and
- an academic record, beyond that required for the rank of **Assistant Professor**. A description as to the level of achievements and the types of activities that are evaluated for promotion in each pathways are listed in Tables 4-5 below.

Table 4. Typical Expectations for Promotion to Associate and Full Professor in the Non Tenure Track

| | | Pathways | | |
|------|---------------------|---|--|---|
| Rank | | Clinical | Traditional | Research |
| | Associate Professor | ‘Established’ level achievement in the area of clinical/professional service and ‘entry’ level achievement in at least one of the two other mission areas | ‘Established’ level achievement in at least two of the three mission areas, and ‘entry’ level achievement in the other area | ‘Established’ level achievement in the area of Research /Scholarly activity, and ‘entry’ level achievement in at least one of the two other mission areas |
| | Professor | ‘Senior’ level achievement in the area of clinical/professional service, and at least ‘entry’ level of achievement in the two other mission areas. | ‘Senior’ level achievement in at least one mission area, ‘established’ level of achievement in a second area and at least ‘entry’ level achievement in the third | ‘Senior’ level achievement in the area of research and at least ‘entry’ level of achievement in the two other mission areas. |

Table 5 Examples of Activities that provide evidence of an ‘established’ level of achievement

| Professional / Academic Service | Research/Scholarly Activity | Education |
|---|---|---|
| <ul style="list-style-type: none"> • consulting on a regional basis • responsibility for a clinical or scientific program • leadership role in appropriate committees or groups related to clinical services or research such as IRB • leadership role / chair of major committees on a regional basis • spokesperson for the School or University on areas of expertise • awards and other recognition as an outstanding regional clinician • substantial contributions to activities related to faculty governance • substantial contributions to task forces, committees and other groups of the School and University • substantial administrative responsibilities for departments, units or the School • substantial mentoring of learners or colleagues • ad hoc reviewer for a scientific review board • substantial contribution to academic/professional organization such as chair of major committee or responsibility for scientific meeting | <ul style="list-style-type: none"> • scientific publications in peer-reviewed journals and equivalent formats (emphasis on first and/or senior authorship) • regional/national recognition in his/her academic field • extramural grants or contracts (emphasis on principal investigator) • patents or other evidence of acceptance of devices or procedures • significant involvement at a regional or national level in the developing, implementing and evaluating clinical guidelines * • significant contribution to policy development at a regional or national level * <p>* For consideration for promotion, the asterisked activities must integrate or expand existing knowledge and/or provide an extensive literature review</p> | <ul style="list-style-type: none"> • supervising or coordinating teaching by others (e.g. course director, residency program director) • developing and participating in teaching of major components of courses (medical student, graduate student, resident, fellow, or CME courses) • developing significant educational and curricular materials (e.g. syllabi, curricular objectives, teaching cases, software) • developing significant evaluation techniques (e.g. examinations, surveys, software, standardized patients) • supervising graduate students and participating in dissertation committees |

- c. promise of continuing professional development and achievement in the above areas as appropriate.

Section 6.7 Reappointment as Clinical Associate Professor of (Dept.), Associate Professor, or Research Associate Professor. Reappointment at the rank of **Clinical Associate Professor of (Dept.), Associate Professor, or Research Associate Professor** shall require evidence of continuing high quality growth, achievement, professional development, and the fulfillment of responsibilities as outlined in Table 5 above.

Section 6.8 Appointment as, or promotion to Clinical Professor of (Dept.), Professor of (Dept.) or Research Professor of (Dept.). The rank of **Professor of (Dept.), Clinical Professor of Dept.) or Research Professor (of Dept.)** is reserved for those faculty who have had exceptional achievement in their profession. Normally it requires:

- a. 12 years of professional experience beyond the time the faculty member would have qualified for an initial appointment at the Assistant Professor rank,
and
- b. evidence of professional maturity, external recognition for his/her academic achievements and sustained high quality performance, well beyond the level required for the rank of **Associate Professor, Clinical Associate Professor or Research Associate Professor** so as to meet the levels of achievement outlined in Table 4. Examples of activities that would qualify as 'senior vs 'established' vs 'entry' level of achievement are described in Tables 3 and 5 above and in Table 6 below.

| Table 6. Examples of Activities that provide evidence for a 'Senior' Level of achievement | | |
|--|--|--|
| Professional / Academic Service | Research/Scholarly Activity | Education |
| <ul style="list-style-type: none"> • clinical, or public health consulting on a national or international basis • recognition as national or international leader in area of expertise • invited clinical presentations to national/international gatherings • significant contribution to national standards in area of expertise • leadership role in national or international professional organization | <ul style="list-style-type: none"> • substantial and significant publications as first and/or senior author • national/international recognition in his/her academic field • invited scientific presentations to national/international gatherings • scientific consulting on a national or international basis • consistent success in obtaining extramural funding through grants or contracts that are peer- | <ul style="list-style-type: none"> • developing a course, curricular materials, or evaluation resources/techniques that are used regionally or nationally • playing a major role in the organization, implementation and evaluation of a regional or national educational activity • writing or editing textbooks or equivalent resources adopted by other institutions • acting as an education |

| | | |
|--|---|---|
| <ul style="list-style-type: none"> • leadership position and substantial contribution in activities related to faculty governance • leadership position and substantial contribution in task forces, committees and other groups of the School and University • leadership position in administrative responsibilities for departments, units or the School • member of an editorial board of a major scientific publication • regular member or leader of a study section or equivalent review committee | <p>reviewed and depend on scientific excellence.</p> <ul style="list-style-type: none"> • contributing editor or regular writer for a major scientific publication | <p>consultant to national bodies or a reviewer for national grants in education.</p> <ul style="list-style-type: none"> • Successful ongoing activities in educational research that is supported by extramural grants and published in high impact educational journals |
|--|---|---|

c. Promise of continuing professional development and achievement.

Section 6.9 Reappointment Clinical Professor (of Dept.), Professor (of Dept.) or Research Professor (of Dept.). Reappointment as **Clinical Professor of (Dept.), Professor or Research Professor** shall require continuing evidence of high quality performance at the level or beyond that outlined in Section 6.8 and in Table 6 which justify initial appointment or promotion to this rank.

ARTICLE 7. THE TENURE TRACK

Section 7.1 Academic Positions, Eligibility and Personnel Actions. Academic positions in the Tenure Track shall be at the ranks of Assistant Professor, Associate Professor and Professor. Individuals appointed in the Tenure Track will be full-time faculty members academically-salaried faculty members employed by UMMS, UMMHC or by an approved agency such as the Howard Hughes Medical Institute. All personnel actions for faculty members in the Tenure Track shall be based upon evaluation of performance in the full range of academic endeavors: (1) research, creative or scholarly activity; (2) education; and (3) service (including patient care where relevant). Additionally, all personnel actions must be consistent, where applicable, with the provisions of Section 4.2 regarding affirmative action and Section 4.3 regarding program plans.

Section 7.2 Appointment as, or Promotion to, Assistant Professor. Normally, appointment or promotion to the rank of Assistant Professor in the Tenure Track shall require:

- a. Completion of the terminal degree and formal training in the relevant academic field, and:
 - i. for those clinically trained in medical disciplines, evidence that s/he has completed all necessary training to be eligible for board certification;
 - ii. for those trained in basic science, 2 years of postdoctoral research;
 - iii. for those prepared in nursing, 2 years of teaching at the university or college level, or relevant experience and achievement other than university or college teaching sufficient to qualify for appointment as an Assistant Professor in a university school of nursing
 - iv. for others not included in *i. ii or iii.*, equivalent previous professional experience, achievement, responsibility and strength of professional development ,
and
- b. Evidence of prior experience in the areas of education, research/scholarly activity or professional/academic service that would qualify as 'entry' level achievement as listed in Section 6, Table3 . It is recognized that junior faculty will vary considerably as to their level of prior experience in each of these categories.

Section 7.3 Reappointment as Assistant Professor. Reappointment as **Assistant Professor** in the Tenure Track shall require:

- a. high quality performance in:
 - i. the conduct of research, creative or scholarly activity, sufficient to have generated a regional or national reputation among peers in that field, and, in addition, sufficient for continual updating of course content and other instructional and professional activities so as to reflect current developments in the faculty member's academic field; and
 - ii. the fulfillment of assigned educational responsibilities, and
 - iii. the requested service to the department, school, hospital, campus or University and broader communities,
and
- b. evidence of continuing achievement and growth since the initial appointment;
and
- c. reasonable assurance of continuing professional development consistent with the ability to reach the level for eventual promotion to **Associate Professor**.

Section 7.4 Appointment as, or Promotion to, Associate Professor. Normally appointment or promotion to the rank of **Associate Professor** in the Tenure Track shall require:

- a. considerable academic or professional experience beyond the level which would warrant appointment and reappointment as **Assistant Professor**, including:
 - i. 6 years of service at the level of Assistant Professor at the University of Massachusetts Medical School, or another academic institution; or
 - ii. an-equivalency of previous professional experience, achievement, responsibility and stage of professional development;
 - iii. for others not included in *i. or ii.*, sufficient experience and to qualify for an Associate Professorship in a university department in the individual's academic field.

- and
- b. an increasing record of high quality peer-reviewed publications resulting from research/creative/scholarly activity, sufficient to have generated at least national recognition by scholars or professionals in his/her field;
- and
- c. an academic record, beyond that required for the rank of **Assistant Professor** that demonstrates an 'established' level of academic achievement in the area of research/scholarly activity and in a second area (e.g. either education or professional/academic service) with at least an 'entry' level of achievement in the third area. A description of the types of activities that are evaluated for promotion and the description of activities that would qualify as having achieved 'established' level of activity in the various academic missions are listed in Section 6, Tables 2 and 5, respectively.

Section 7.5 Reappointment as Associate Professor. Reappointment at the rank of **Associate Professor** in the Tenure Track shall require:

- a. High quality performance in the fulfillment of responsibilities outlined in Section 7.4;
- b. Evidence of continuing growth and achievement since the previous appointment;
- c. Continuing professional development consistent with the ability to reach the level for eventual promotion to **Professor**.

Section 7.6 Appointment as, or Promotion to, Professor. Normally, appointment or promotion to the rank of **Professor** in the Tenure Track shall require:

- a. 12 years of professional experience beyond the time when the faculty member would have qualified for an initial appointment at the Assistant Professor level,
- and
- b. evidence of 'senior' level achievement in research/scholarly activity and in at least one additional area (e.g. education or professional/academic service) and at least an 'established' level of achievement in the third area (see Section 6, Tables 5 and 6, for a description of the types of activities that would qualify as having achieved 'senior' and 'established' levels of achievement),
- and.
- c. promise of continuing professional development and achievement.

Section 7.7 Probationary Period. All appointments and reappointments within the Tenure Track, but without the award of tenure, are probationary and appointments can be terminated with the same notice period provided to other non tenured faculty (see Section 10.7b). The probationary period of normally no more than 8 years is an opportunity for the faculty member to demonstrate the qualifications for reappointment, promotion, and the award of tenure. During the probationary period, the faculty member should have access to information on the substantive and procedural standards employed in decisions affecting reappointment, promotion, and the award of tenure. In addition, the faculty member shall receive from the Department Chair, or the Dean (in schools without departments), an annual evaluation of performance.

Section 7.8 Mini – Tenure Review. All individuals on the tenure track shall undergo a mini-tenure review during the fifth year of their tenure probationary period. Those faculty who had received less than four (4) years credit toward tenure may opt to undergo a mini-tenure review prior to the beginning of their tenure decision year. This review shall be carried out by the chair and the tenured faculty in the candidate's department if the department has five or more tenured faculty. If the department has fewer than five tenured faculty members, the department chair, in consultation with the candidate, shall appoint tenured faculty from other departments so as to provide at least five reviewers. The candidate would then provide the review team with a file containing his/her current curriculum vitae, documentation of teaching contributions and any available documentation of service that the candidate feels would be relevant. The department committee (plus any tenured faculty from other departments who have been added to this committee) shall review these materials and provide a written assessment of the accomplishments of the faculty member to date, including suggestions for improvement that might facilitate success in the final tenure process. A copy of this assessment shall be forwarded to the Chancellor's designee for academic affairs. The departmental chair shall then meet with the candidate to review the assessment and to provide constructive suggestions for change as needed. The nature of this assessment, whether positive or negative, shall not affect the final outcome of the formal tenure review process. Rather it shall inform the candidate and the chair, providing feedback on the pace and quality of the candidate's progress.

Section 7.9 Limits on Probationary Appointments. No academic appointment without tenure shall carry with it any assurance, explicit or implicit, of reappointment, promotion, or the eventual award of tenure. The only exception shall be that a faculty member in his/her tenure decision year, having been denied tenure, shall be entitled to a terminal contract (1 year in the case of faculty employed by UMMS or by an approved foundation such as the Howard Hughes Medical Research Institute) beyond the Tenure Decision Year. In circumstances where continued employment of a clinical faculty member (e.g. a faculty member employed by UMMHC) who has been denied tenure is deemed to be of exceptional importance to the success of programs in the Medical School or Clinical System, such individual may be transferred to the non-tenure track. The continued employment of this individual beyond the terminal period will be contingent on the continued availability of funding and will require approval of the Department Chair, the Department Personnel Action Committee, the Chancellor, and where relevant, the CEO of UMMHC. The award of tenure must be based on a positive recommendation in accordance with procedures and standards established in Articles 10 and 11.

Section 7.10 The Award of Tenure. The award of tenure can be made only by the President with the concurrence of the Board of Trustees. Except in unusual circumstances, consideration of a candidate for tenure shall be based on the following:

- a. Convincing evidence of, and potential for continuing excellence in research, creative or scholarly activity and at least one of the following two areas: (1) education and (2) professional/academic service, with a minimum of strength in the third area, such as to demonstrate the possession of qualities appropriate to a member of the faculty occupying a permanent position; and
- b. Compelling assurance of continuing development and achievement leading to considerable further contributions to the school, the campus and the University.

Section 7.11 The Award of Tenure for Department Chairs and Deans. For Department Chairs or Deans who are recommended for appointment with tenure, the Chancellor shall consult with the Tenure Committee as to the credentials of the candidate for tenure, recognizing that the credentials of a prospective department chair or dean may differ from those of other tenure candidates who have been intensively involved in research. In such cases the Tenure Committee may consider the overall suitability of the candidate for tenure, including evidence of excellence in two of the three missions (e.g. research/scholarly activity, education and service/administration) and strength in the third mission. If, upon appropriate tenure review, a prospective Department Chair or Dean recommended for appointment with tenure is not awarded tenure, s/he may elect to either receive a terminal one year contract, or transfer from the Tenure Track to the Non-Tenure Track.

Section 7.12 Initial Appointments with Tenure. The criteria for an initial appointment with tenure shall be those established for the rank involved and those for the award of tenure *as outlined above*. Normally the award of tenure at the time of initial appointment shall be limited to those who already hold tenure at another institution. For faculty who are recommended for tenure at the time of their initial appointment, the Tenure Committee shall be convened at the time an offer is made and two of the tenured members of the Search Committee shall be selected by the Tenure Committee to serve as internal ad hoc members of Committee; the requirement for an external ad hoc Tenure Committee member may then be waived. If, upon appropriate tenure review, a faculty member recommended for initial appointment with tenure is not awarded tenure, s/he may elect to either receive a terminal one year contract, or transfer from the Tenure Track to the Non-Tenure Track.

ARTICLE 8. TITLE OF AFFILIATE

Section 8.1 Use of Title. Those appointed as faculty affiliates shall carry the title **Faculty Affiliate in (Dept.)** or **Senior Faculty Affiliate in (Dept.)**. The title **Faculty Affiliate** shall normally be used for those voluntary faculty who have a more limited connection to the University of Massachusetts Medical School such that their involvement in the academic programs of the University of Massachusetts Medical School represents a small proportion of their total professional time.

Section 8.2 Criteria. Appointments as an **Affiliate** shall be based on contributions to the *academic* programs of the University of Massachusetts Medical School, and on professional accomplishments, rather than on hospital rank, degree of responsibility or seniority in other professional endeavors.

Section 8.3 The Rank of Senior Faculty Affiliate - The rank of **Senior Faculty Affiliate in (Dept)** shall be reserved for those faculty members who have made meritorious contributions to University of Massachusetts Medical School programs over a period of at least ten (10) years, or who have achieved special distinction or recognition in their professional activities. The rank of Senior Faculty Affiliate may also be used for a retired faculty member who has served for ten (10) years prior to his/her retirement.

ARTICLE 9. THE TITLE OF INSTRUCTOR

Section 9.1 Use of Titles. The title of **Instructor of (Dept.)** shall normally be used for:

- a. professionally-salaried, UMMHC-salaried, or voluntary faculty whose contribution to the academic programs of the University of Massachusetts Medical School is primarily in the area of education or
- b. faculty who do not possess a terminal degree, i.e. doctoral level, but who participate to a significant extent in the academic programs of the University of Massachusetts Medical School or
- c. senior residents, chief residents, clinical fellows, and postdoctoral fellows who participate to a significant extent in the academic programs of the University of Massachusetts Medical School and/or
- d. senior trainees who are transitioning to the standard academic track.

Section 9.2 Criteria. Appointments as **Instructor** shall be based on the extent of contributions in the academic programs of the University of Massachusetts Medical School and on professional accomplishments, rather than on hospital rank, degree of responsibility, or seniority in other professional endeavors.

ARTICLE 10. PROCEDURES FOR PERSONNEL ACTIONS

Section 10.1 Terms of Appointments. The terms and conditions of every faculty appointment or reappointment to an academic position shall be governed by the policies contained herein.

- a. For University-salaried faculty members and for faculty who are salaried through approved foundations such as the Howard Hughes Medical Research Institute, the effective dates of employment and any contingencies shall be spelled out in the University of Massachusetts Medical School Personnel Action form signed by the Department Chair (if any), the Dean, the Chancellor's designee for academic affairs or Chancellor, and by the faculty member, which shall signify his/her understanding and acceptance of said terms and conditions.
- b. Normally appointments shall be for one year. However, in certain circumstances, multi-year contracts may be utilized, with the approval of the Chancellor's designee for academic affairs, and the Chancellor:
 - i. For faculty conducting research, teaching or service at an exceptionally high level, where retention of the faculty member is desirable to advance the mission of the Medical School and tenure is not available (e.g. the faculty member is not in the tenure track or is not yet eligible for tenure).
 - ii. For faculty assigned to design or implement an educational, clinical or research program requiring a multi-year effort, where loss of the faculty member during this period would impede the achievement of the goals of the program, where a multi-year commitment is important for retention and tenure is unavailable (e.g. the faculty member is not in the tenure track or is not yet eligible for tenure).
 - iii. For a tenured faculty member who may wish to surrender tenure voluntarily (e.g. preparatory to retirement) if granted a multi-year contract, and where it might be to

- the long term advantage of the department and the Medical School to free the faculty member's tenure slot.
- iv. For recruitment of a prospective faculty member who is likely to conduct research, teaching or service at an exceptionally high level or who is asked to design and/or implement an educational, clinical or research program requiring a multi-year effort; and for whom a multi-year contract is important for recruitment and tenure is unavailable (e.g. prospective faculty member does not qualify for tenure, or does not desire tenure, or tenure slot is not available in recruiting department or school).
 - v. In other circumstances that would make it mutually beneficial to the faculty member and the Medical School to negotiate a multi-year contract.
 - vi. Such contracts, if approved, would be for a maximum of three (3) years for faculty at the rank of Assistant Professor and for a maximum of five (5) years for faculty at the rank of Associate Professor or Professor.
- c. For UMMHC-salaried faculty members, the effective dates of employment and any contingencies shall be designated in the UMass Memorial Medical Group Contract signed by the Department Chair (if any), the Chancellor's designee for academic affairs or the Chancellor, the Health Care CEO, and by the faculty member, which shall signify his/her understanding and acceptance of said terms and conditions.
 - d. No other term or condition, whether implied or stated, whether to the advantage or disadvantage of the faculty member, shall have binding force.

Section 10.2 Initial Appointment. The procedures for initial appointment to an academic position shall conform to the following:

- a. Upon identification of a candidate for an initial appointment, the Department Chair (with approval of the Dean in schools with departments) or the Dean (in schools without departments) shall submit the basic file to the Chancellor's designee for academic affairs. This basic file shall include all of the following:
 - i. A letter from the Department Chair or Dean describing the proposed duties of the prospective faculty member and his/her qualifications for the proposed position. This letter shall also describe appropriate consultation with departmental or school (in schools without departments) faculty as prescribed in Section 3.1, and justifications, where applicable on the basis of affirmative action goals (Section 4.2) and program plans (Section 4.3). A separate letter from the departmental Personnel Action Committee (in schools with departments) shall be included for prospective faculty at or above the level of **Assistant Professor**.
 - ii. For personnel actions at the **Affiliate, Senior Affiliate, Instructor, Lecturer and Assistant Professor levels**, a minimum of 3 letters of recommendation is required. Appointments above these levels, require a minimum of 5 letters in order to permit assessment of the regional or national reputation of the candidates. Of these five (5) letters, at least three (3) should normally be from peers of the candidate who are neither members of the University of Massachusetts Medical School faculty nor former mentors or current collaborators.
 - iii. Included with the basic file shall be a completed Faculty Status Report (and Faculty Hiring Report, for academically-salaried faculty members).

- b. After determining the completeness of the submitted materials, the Chancellor's designee for academic affairs shall submit them to the school's Personnel Action Committee.
- c. The school's Personnel Action Committee, through Chancellor's designee for academic affairs, shall transmit its recommendation:
 - i. Directly to the Dean, in schools without departments;
 - ii. To the school's Executive Council (in schools with departments), when the a recommendation *is* in agreement with that of the recommending department chair; or
 - iii. To the Department Chair (in schools with departments) if the recommendation *is* in disagreement with that of the recommending Department Chair. In this case the latter shall have the option of requesting the Executive Council to consider the case.
- d. In schools with departments, the Executive Committee shall have the right to add its own recommendations to that of the Personnel Action Committee.
- e. The final decision shall be made by the Dean subject to approval by the Chancellor's designee for academic affairs and the Chancellor.
- f. Following approval of the recommended appointment of an academically-salaried faculty, the Department Chair (or the Dean, in schools without departments), shall:
 - i. Process the University of Massachusetts Medical School Personnel Action form or appropriate U Mass Memorial Health Care contract with its required signatures;
 - ii. Explain the terms and conditions of appointment to the faculty member; and
 - iii. Obtain the faculty member's signature on the form (or contract, where applicable), in accordance with Section 10.1.

Section 10.3 Promotions. The process for promotions shall conform to the following:

- a. The faculty member shall be advised by the Department Chair (or the Dean, in schools without departments) as early as reasonably possible (prior to the beginning of the tenure decision year, for those in the tenure track), that a review of his/her contributions will be made for the purposes of a personnel recommendation.
- b. The faculty member shall submit to the Department Chair (or the Dean, in schools without departments,) any and all materials, for inclusion in the basic file, which the faculty member believes will be essential to an adequate consideration of the case.
- c. For promotions to any rank and title above the **Assistant Professor** level, the Department Chair (or the Dean, in schools without departments), shall obtain a total of at least five letters of reference from a list of scholars and professionals which includes, but is not limited to, those suggested by the faculty member; at least 3 of the letters should normally be from peers of the faculty member who are neither members of the University of Massachusetts Medical School faculty, nor former mentors or current collaborators of the faculty member (e.g. "outside" letters).
- d. The basic file shall contain the items listed in Section 1.5, those in b and c, above, and the following:
 - i. Copies and/or reviews of published works;
 - ii. Appropriate evaluations of teaching effectiveness;
 - iii. Evaluations of extra-departmental contributions;

- iv. A description of the nature of departmental faculty participation in the recommendation, as required in Section 3.1a, and any recommendations resulting from such participation (in schools with departments);
- v. Any other material reasonably deemed relevant.
- e. Acting in accordance with the responsibilities defined in Section 3.1 and the standards and criteria defined in Article 4, the Department Chair (adding his/her letter of recommendation to the Dean in schools with departments) or the Dean (in schools without departments) shall submit the basic file to the Chancellor's designee for academic affairs. At the same time, the Department Chair (in schools with departments) shall send copies of his/her recommendation, as well as any recommendations resulting from departmental faculty participation as described in Section 10.4.d.iv, to the faculty member.
- f. After determining the completeness of the entire basic file, and consulting with the Dean (in schools with departments), the Chancellor's designee for academic affairs shall submit it to the School's Personnel Action Committee.
- g. Subsequent steps shall be similar to those described in Section 10.2c-e for initial appointments.

Section 10.4 Reappointment Without Promotion. Reappointments without promotion may be made at any rank within the guidelines contained in this document, and shall require the signature of the faculty member, the Department Chair (in schools with departments), the Dean, and the Chancellor's designee for academic affairs. Reappointment in the Non-Tenure Track with a change in title (but without promotion -- e.g. **Clinical Associate Professor of (Dept.) to Associate Professor**) shall require the approval of the Departmental Personnel Action Committee (in schools with departments) and the school's Personnel Action Committee.

Section 10.5 Periodic Multiyear Review of Tenured Faculty. In addition to annual performance evaluations required of all faculty members, faculty members who have been awarded tenure must undergo periodic performance reviews at regular intervals. The procedures to be followed (originally described in separate Trustee policy -T00 -045, now superseded in its entirety by this Policy) are as follows.

Preamble: The practice of regular annual reviews of faculty performance is well established at the University of Massachusetts Medical School. The review is based upon an annual faculty report (AFR) and incorporates an administrative review by the Department or Program Chair, the Chancellor's designee for Academic Affairs and the Dean. At the Medical School, Department and Program Chairs serve a unique and long term role in mentoring and fostering continued development of their faculty members. They therefore play the primary role in this annual review. The review serves as the primary basis for the award of merit monies, when they are available, and is intended to be a mandatory yearly review of faculty performance even when merit monies are not available. Because these annual reviews continue without interruption following the award of tenure, the annual faculty report must be a principal ingredient of any process of post-tenure review.

Thorough multi-year reviews of faculty performance are conducted at the time of major personnel actions including promotions through the tenure decision year, the award of tenure and promotion to full professor. Performance of the faculty member is evaluated in the three mandatory categories of teaching, research, and service and is measured against established standards for each personnel action, including the expectation of continued professional development and performance.

A Periodic Multi Year Review (PMYR) of tenured faculty that is distinct from the annual and major personnel action reviews, is intended to serve a number of purposes. First, such a review expands the 12-month time window of the annual reviews into an overview of a faculty member's long term interests, achievements, professional activities and plans. Second, such an evaluation makes possible timely consultation, intervention, and assistance, where indicated, that should stimulate and encourage professional development, new initiatives or changes in direction that will benefit both the faculty member and the institution.

In adopting a PMYR policy, the University and the tenured faculty address the external concern for accountability, while upholding the integrity of tenure and academic freedom.

a. Purpose The primary purpose of the PMYR policy is to foster the continued professional development of the tenured faculty. This is in the best interests of the faculty member and this institution and allows the demand for external accountability to be met. A faculty member who has been awarded tenure has already demonstrated excellent performance. The award of tenure represents a large investment on the part of the University and is made in the expectation that the faculty member will continue to develop professionally and will demonstrate a continued high level of performance. The PMYR process should optimize use of the talents of faculty members, throughout their careers, in furthering their career and in service to the University.

b. Principles

- i. The present annual faculty report procedure encourages short-term assessment of individual accomplishments. PMYR should foster a longer-term view of an individual's performance and contributions to the University.
- ii. The PMYR must strengthen the faculty member's academic freedom and right to full and free inquiry, as prescribed in the understanding of tenure.
- iii. The PMYR is not a personnel action as defined in the Academic Personnel Policy. In particular, it is not a reaffirmation of tenure.
- iv. The PMYR should follow the pattern established by the annual faculty reports, including both self-assessment and administrative assessment by the Department Chair and Dean, should incorporate prior annual faculty reports and should not involve the creation of additional unnecessary bureaucracy.
- v. Standards of evaluation in each Department will be fair and consistent with departmental and school practice.
- vi. It is intended that the PMYR policy will recognize that individual interests and abilities of tenured faculty members may change over time, and that tenured faculty

members may meet their professional responsibilities to their Department in varied and changing ways.

c. Timing of the PMYR Process

- i. The PMYR is to be conducted every seven years for all tenured faculty members and will be conducted in lieu of that year's annual faculty report. The PMYR will not normally take place less than seven years after a successful tenure review, promotion or previous PMYR and will normally take place two years prior to the next scheduled sabbatical.
- ii. The first formal consideration of an Associate Professor for promotion to Professor may be substituted for the initial PMYR unless such promotion consideration is delayed beyond seven years past the promotion to Associate Professor.
- iii. The year of the PMYR may be altered, upon written agreement between the individual and the Department or Program Chair, in the following circumstances:
 - a) When the faculty member is named to a full-time administrative appointment, the faculty member will have the option of delaying the PMYR for up to three years following the return to normal faculty assignments.
 - b) When the faculty member is granted a leave without pay for a full academic year. A leave of less than one academic year in duration shall not affect the time of the PMYR.
 - c) When the faculty member expresses in writing his or her intention to retire within three years of the time of the scheduled review, the review shall be cancelled. If the intention to retire is rescinded, the faculty member shall undergo PMYR in the next annual cycle or during the annual cycle in which the faculty member had originally been scheduled to undergo PMYR, whichever is later.
 - d) The PMYR may be advanced upon request initiated by the faculty member.

d. Review Materials. The faculty member will submit a current curriculum vitae and a brief statement, typically between 1000-2000 and not to exceed 2500 words, that summarizes and assesses

- i. His/her principal activities during the period since the tenure review, the last promotion review or the last PMYR.
- ii. His/her goals, and approaches to achieving such goals, in the areas of teaching, research, creative and/or scholarly activity and service in the coming years. If the individual's statement calls for a major new initiative or change in the direction of her/his work, the statement may include a request for developmental support needed for that initiative or change in direction.

e. Review Process. The Department Chair will review the individual's curriculum vitae, statement, the annual faculty reports for the prior six years, including any supplemental materials that normally accompany annual faculty reports, and all evaluations of the faculty member's teaching performance carried out during the previous six years and the current year. After review of the materials, the Chair will recommend that the statement submitted by the faculty member be either accepted or revised. Academic reviews of chairs will be carried out by the Dean or his/her designee.

- i. A recommendation to accept the submitted statement will be made when the

individual's past performance and future goals, as documented in the materials submitted, indicates that no changes in the faculty member's work or plans are required in order to promote professional progress of the faculty member and continued contribution to the University.

The faculty member will acknowledge, by signature, receipt of any comments or suggestions appended by the Chair, and will have the opportunity to make appropriate responses.

- ii. A recommendation for revision of the submitted statement will be made when review of the individual's past performance and future goals, as documented in the materials submitted, suggests that a significant change in the faculty member's work or goals (substantially different from that proposed by the faculty member) is indicated in order to promote the faculty member's continued professional progress and effective contribution to the University.
- iii. In making either recommendation, the Chair will also recommend whether or not the resources requested for professional development, in the faculty member's statement or revised statement, should be provided. In deciding whether to recommend development support, the Chair would typically consider such factors as:
 - a) Whether the individual's past performance and future goals indicate that she/he is likely to be successful in achieving the goals;
 - b) Whether achievement of these goals requires the requested support;
 - c) The extent to which the individual's goals represents a contribution to goals of the department and the school.

Recommendations for development support will be submitted to the Dean who would consider the award of resources from a fund established for this purpose. The Dean will be aided in this decision by the Chancellor's designee for academic affairs. Competing requests will be evaluated on the basis of merit and need.

f. Funding. The Medical School will allocate faculty development funds annually to implement recommendations resulting from individual PMYRs. These may include support for development programs sponsored by the Office of Medical Education or the Department of Faculty Administration and/or support for sabbaticals.

g. Further Action.

- i. If the Chair recommends "statement accepted" and the Dean concurs, then no further action is taken, and the review is concluded.
- ii. If the Chair recommends revision, the Chair will meet with the individual to discuss ways of optimizing the faculty member's proposed professional contribution through a revised statement. The faculty member may present any supplemental documentation of his or her performance at this time. The intent of the revision is to support and encourage the faculty member's continued professional development and contribution to the department. It must in no way impinge on the faculty member's academic freedom. Opportunities for professional development may include, but are not limited to, consultation with colleagues to assist in problem areas, a change in department assignments to facilitate improvement in teaching, research or service, the

- design of a sabbatical leave which is crafted to address the identified needs, and referral to the Office of Medical Education, if appropriate, for advice on teaching techniques.
- iii. If a revised statement is agreeable to the faculty member, the Chair and the Dean, the review is concluded. If the Chair recommends "statement accepted" but the Dean does not concur with the Chair's recommendation, comments from the Dean explaining the non-concurrence will be returned to the faculty member and Chair for revision of the statement. In these circumstances, a revised statement will be developed by the faculty member in consultation with the Chair, as described above. If the Dean accepts the revision, the review is concluded.
 - iv. If the faculty member and the Chair or the faculty member and the Dean cannot agree on a revised statement, the faculty member can invoke a peer review of the PMYR statement by the tenured faculty of his/her department, if this comprises at least three additional faculty, or by the Tenure Committee. This group will review the revised statement and any further revisions suggested by the Chair or the Dean. They will recommend action on the further revisions to the Chancellor's designee for academic affairs.
 - v. If no agreement is reached, the Dean and Chancellor's designee for academic affairs will draft an appendix to the statement in consultation with the Chair and the faculty member. This appendix will address the issues identified, will include a timetable and criteria for a follow-up review to take place in three years, and will be signed by the faculty member, the Department Chair and the Dean to signify that all parties have received copies. The appendix may include a reallocation of the faculty member's effort, but such reallocation will not diminish the faculty member's entitlement to merit funds nor impinge on his/her academic freedom. Any proposed reallocation of duties must not be designed, intended or used for the purposes of controlling, restricting or redirecting the nature of the faculty member's research or scholarship in his/her field. The revised statement will also indicate what resources or other support will be devoted to achieving the goals outlined in the revised statement.
 - vi. During the three-year period after development of a revised statement, the Chair will consult as needed with the faculty member, and will comment in the annual faculty reports on the faculty member's progress toward the goals set forth in the revised statement. The Dean will review these comments and may comment as well. At the end of this three-year period, the Chair and the Dean each will evaluate in writing the extent to which the goals of the revised statement have been achieved. If the parties concur that the goals have been achieved, the recommendation will be that a subsequent PMYR take place in four years, restoring the seven-year cycle. If they do not concur, the Dean may determine that no further efforts at faculty development are warranted and may refer the matter to the Chancellor's designee for academic affairs for disciplinary action or dismissal, consistent with the policies of the Medical School.
 - vii. The fact of a faculty member's refusal to accept or to implement the revised statement shall not be a basis for discipline, and no aspect of the PMYR process, including but

not limited to informal discussions, written recommendations, or the fact or details of any revised statements generated as part of the process shall be considered as an initial stage in any disciplinary process or be introduced as evidence or otherwise referred to in any later disciplinary procedure. This exclusion does not apply to any document or record originally intended for a use other than the PMYR, e.g. the annual faculty report, nor to any aspect of a faculty member's performance which may have been considered in the PMYR process and may be separately considered in a subsequent disciplinary process. Nothing in this policy changes the "just cause" standard set forth in the Medical School policy under which a tenured faculty member may be considered for dismissal.

- h. Assessment.** The Chancellor's designee for academic affairs will prepare an annual report to the Dean on the PMYR process. This report, which will be reviewed by the Dean to ensure that the PMYR process is being appropriately and consistently carried out across departments. It will include a summary of the number of PMYRs conducted and their results and relevant details about all instances in which a revised plan was developed. This report will also be presented to the Faculty Council. In addition, every three years following implementation of the PMYR policy, the Chancellor's designee for academic affairs will provide an evaluation of implementation of the PMYR to the Faculty Council.
- i. Implementation.** This PMYR policy shall become effective immediately upon final passage of this Medical School's policy defining the rights privileges and responsibilities of academic tenure.

Section 10.6 Dismissal of a Tenured Faculty Member. Tenured faculty members can only be dismissed for cause using the process described below. This process was originally approved as a separate trustee policy, "Policy for the Dismissal and removal of Tenure" (T 99-049, now superseded in its entirety by the provisions of this policy).

Preamble

a. Primacy of the faculty

- i.* The Governance of the Faculty at University of Massachusetts Medical School is established by the Board of Trustees and establishes the primacy of the faculty in matters relating to personnel policy (T95- 22).
- ii.* The procedure established below is intended to allow the faculty to assert its primacy role in issues relating to the dismissal and removal of tenure from an individual faculty member.
- iii.* It is anticipated that an attempt to dismiss and remove tenure from any faculty member will be a rare event, with this dismissal procedure invoked only in extreme cases.

b. Basis for Removal from Tenure and Dismissal

- i.* Termination of the appointment of a tenured faculty member requires just cause. "Just cause" for a dismissal shall be related, directly and substantially to the fitness of faculty members in their professional capacities as teachers or researchers. Dismissal

or threat of dismissal shall not be used to restrain faculty members in the exercise of academic freedom or other rights of American citizens.

- ii. "Just cause" shall be construed to mean:
 - a) Incompetence or dishonesty in teaching and research, OR
 - b) Substantial and consistent neglect of duty, OR
 - c) Egregious misconduct which substantially impairs the individual's fulfillment of his or her institutional responsibilities.
- iii. The burden of proof that "just cause" exists resides with the institution, and shall be satisfied only by a preponderance of evidence in the record considered as a whole. Those individuals involved in the dismissal process must carefully differentiate the faculty member who blatantly and repeatedly abuses the privilege of tenure from one who is unpopular or having difficulties with fellow faculty members, the chair or the administration.

c. Procedures at the Departmental/Programmatic Level

- i. Initiation of formal proceedings designed to terminate the appointment of a tenured faculty member shall in all cases originate in the department of primary appointment for the faculty member, and the Chair of the department shall have the power and responsibility to determine whether or not the Chancellor shall be requested to bring formal dismissal charges. Program Directors shall share this responsibility for those faculty members for which they are fiscally responsible.
- ii. Prior to initiation of formal proceedings at any level, every effort should be made to resolve the conflict and/or remedy the deficiencies that underlie the dismissal proceedings. In making these efforts, the target of possible proceedings involved should be fully informed of the nature of the conflict and/or deficiencies and the consequences of failure to reach a resolution of these matters. He/she should also be given all documentation in the possession of any University officials pertinent to the conflict or deficiencies.
 - a) Advice should be sought from and possible action taken by the departmental personnel action committee, the faculty ombudsman and the Vice Chancellors for Faculty Administration, Research and/or Education. Written recommendation(s) from any or all of the above as to possible strategies for resolving the issues shall become part of the basic file for the faculty member in question.
 - b) The Faculty Tenure Committee shall be asked to provide an informal assessment of available evidence of issues and concerns that might eventually lead to formal dismissal proceedings and make recommendations as to possible strategies for resolving the problems. This recommendation shall become part of the basic file for the faculty member in question.
- iii. If attempts at remediation or informal resolution fail, the Department Chair, Program Director, or three or more tenured faculty members of the Department/Program may initiate formal proceedings by proposing a review of the case by the Departmental Personnel Action Committee. The DPAC shall then review the charges and make a written recommendation to the Department Chair and to the Program Director if the faculty member is part of a separate Program. The Chair or, where appropriate, the Program Director, shall then determine whether the process for dismissal shall

continue. The opinion of the DPAC shall remain part of the documentation throughout all future steps in the proceedings.

- iv. If either the Chair or the Program Director decides that dismissal proceedings are appropriate, he/she should recommend such action to the Chancellor, providing all documentation in support of this recommendation as well as all records of prior mediation efforts, consultations and findings as required in Section 10.6 *cii* and *ciii*. As part of this process, the initiating party (e.g. the Chair or the Program Director) shall:
 - a) Notify the faculty member of the intent to seek dismissal at least twenty (20) working days prior to submission of charges to the Chancellor.
 - b) At the time of this notification, provide the faculty member with a written copy of the charges and accompanying documentation to be submitted to the Chancellor.
 - c) Permit the faculty member the opportunity to submit his/her own statement along with the materials to be submitted to the Chancellor.

After satisfying these three conditions, the initiating party (e.g. the Chair or the Program Director) shall provide the Chancellor with the documentation supporting his/her request for dismissal of the faculty member, a copy of all records related to the case, including documentation of prior mediation attempts, consultations and findings as required in Section 10.6 *cii* and *ciii* above; and, if available, a copy of the faculty member's rebuttal of these charges as outlined in Section 10.6 *c iv c* above.

d. Procedure at the Chancellor's Level

The Chancellor shall review all documentation supplied by the Department and the faculty member. Should the Chancellor decide to go forward with the dismissal process, he/she shall:

- i. Provide a written copy of his/her decision to the Department Chair/Program Director and to the faculty member in question in a timely manner. This notice should be accompanied by any documentation the Chancellor considered in reaching his/her decision and notice of the existence and contents of any consultations he/she made with anyone inside or outside of the Medical School.
- ii. Name a member of the Administration who will represent him/her with respect to all decisions and actions that must be taken by the Administration in the process of constituting the Hearing Committee as specified in Section 10.6 e- g below.
- iii. Request the Tenure Committee to convene a Hearing Committee so that actions pursuant to Section 10.6 *ei* may be expedited.

e. Composition of Faculty Hearing Committee

Within 30 days after receipt of the Chancellor's request for the formation of a Hearing Committee, the Chair of the Tenure Committee shall select the membership of this Hearing Committee as follows:

- i. An initial panel of 15 members shall be drawn by lot from the list of tenured faculty, exclusive of chairs of Departments, Program Directors and Vice Chancellors at the University of Massachusetts Medical School.

- ii. The Chair of the Tenure Committee shall then contact the selected members to ascertain his/her availability for service on the Hearing Committee. The Chair of the Tenure Committee may excuse a selected panel member for illness, absence from the campus during the hearing period or similar reasons. Panel members may also be excused for cause (e.g. for probable bias or conflict of interest) if objections are raised by the administration or by the faculty member in question. Objections or challenges for cause shall be adjudicated by the Chancellor's designee for academic affairs.
- iii. If there are at least five panel members remaining after the challenged members are struck, these individuals shall be empanelled as the hearing committee. If less than five panel members remain, more names will be drawn by lot, one at a time, until five members are chosen.

f. Procedures of the Hearing Committee

- i. The Committee shall convene within twenty (20) working days of its formation. At its first meeting, the Committee shall select a Chair. A quorum of the Committee shall consist of all five (5) members.
- ii. Consistent with any requirements in this regulation, the Committee, in consultation with those representing the faculty member and the Administration, will decide how the hearing will be conducted, including the kind of evidence that will be admitted, and how it will be presented. It will also establish a tentative maximum time for the hearing phase. This decision will be based upon the kinds of issues and evidence that are likely to be litigated before the Committee as specified in the specific charges communicated by the Department Chair to the Chancellor.
- iii. All communication and documentation produced during the procedures described in Section 10.6 c and d shall be made part of the record. However, all evidence cited by the Chancellor in support of dismissal must be introduced in a form which will permit the faculty member to challenge the validity of the evidence. The Committee may call witnesses to present testimony to supplement the written record.
- iv. The faculty member may introduce documentary or other forms of written evidence plus testimony via witnesses. The administration will cooperate with the hearing committee in securing witnesses and making available documentary and other evidence. The faculty member and the administration may cross examine all witnesses brought by the opposing party.
- v. The Committee shall not be bound by the strict rules of legal evidence, and may admit any evidence which it deems to be of probative value in determining the issues involved. The proceedings of the Committee shall be closed to the public. However, the faculty member may be present at all meetings of the Committee where evidence is received or testimony heard. Moreover every effort will be made to assure that the faculty member and his advisors can be present. He/She may be accompanied by another member of the tenured University of Massachusetts Medical School faculty who may act as an advisor. Neither side may be accompanied by legal counsel.
- vi. A tape recording of the hearing shall be made. If a transcript is mutually desired the cost shall be shared equally. Otherwise, either party requesting a transcript shall bear the cost.

- vii. The findings of fact and the decision of the Hearing Committee shall be based solely on the hearing record.

g. Decision and Report from the Hearing Committee

- i. Within 20 days from the termination of the Hearing, the Committee shall meet to consider the administration's charges for dismissal and determine whether the administration has provided a preponderance of evidence attesting to the validity of these charges based upon the record as a whole and established in the Hearing process herein. The determination will be reached by recorded votes of each of the members of the Committee.
- ii. Within 10 days after making its decision, as provided in *gi*, the Hearing Committee shall send to the Chancellor a comprehensive report explaining the basis of the decision of the majority of the Committee. The report shall consider each of the charges put forward as grounds for dismissal and provide a written assessment as to whether the charge is serious enough to merit dismissal and whether the charge appears to be supported by available evidence. Individual or collective dissenting reports also may be written. Copies of all reports shall be sent simultaneously to the faculty member and the Departmental Chair. Within 3 weeks of the receipt of the report(s), the faculty member and/or the Departmental Chair shall have the right to forward to the Chancellor their comments on any aspect of the Committee's report(s).
- iii. If the Hearing Committee concludes that just cause for dismissal has not been established by the evidence in the record it shall so report to the Chancellor. Since the Hearing Committee is the only body which has heard all of the evidence, its finding that just cause for dismissal has not been established should carry great weight in the deliberations subsequent decision makers. The degree of conclusiveness to be given to such a finding, however, can vary with the kind of charge involved and the extent to which the committee's finding is unanimous.

h. Disposition of the Case by the Chancellor

Within 30 days of the receipt of these documents, the Chancellor shall review the report of the Hearing Committee and any responses to the Report by the faculty member or the Departmental Chair.

- i. If the Hearing Committee Report concludes that the evidence supports dismissal for cause, the Chancellor shall normally forward the request for termination to the President of the University and provide a written notification to the faculty member, the Departmental Chair and the Hearing Committee as to his/her intention in this regard. The President would then provide a final recommendation based on all of the evidence in the file and on the recommendations in the Hearing Committee. If, however, in the unusual case that the Chancellor is disposed to discontinue the procedures, he/she shall state the reasons in writing to the Hearing Committee, to the faculty member and to the Departmental Chair and provide an opportunity for response.

- ii. If the Hearing Committee concluded that just cause for dismissal had not been established, the Chancellor would normally terminate the dismissal proceedings. In the unusual case that the Chancellor is disposed to recommend continuation of the procedures, he/she shall state the reasons in writing to the Hearing Committee, to the faculty member, to the Departmental Chair and, where appropriate to the Program Director. He/she will also provide an opportunity for response(s) from these individuals before forwarding a recommendation for dismissal to the President of the University. The President would then provide a final recommendation based on all of the evidence in the file, the report from the Hearing Committee and the written recommendation of the Chancellor.

Section 10.7 Resignation, Non-Reappointment, or Termination of an Academically-salaried Non-Tenured Faculty Member who is employed by the University or by an approved foundation

- a. A non tenured faculty member, employed by either the university or by an approved foundation such as the Howard Hughes Medical Research Institute, who wishes to resign his/her appointment, shall give notice in writing to the Department Chair (or the Dean, in schools without departments) at the earliest possible opportunity, but no later than sixty (60) days prior to the effective date of resignation.
- b. Notice of non-reappointment or termination of non-tenured academically-salaried faculty who are employed by either the university or by an approved foundation such as the Howard Hughes Medical Research Institute, including tenure-track faculty still in their tenure probationary period, shall be given in writing to the faculty member by the Department Chair (or the Dean, in schools without departments):
 - i. In an initial one-year appointment, at least three months in advance of termination of the appointment;
 - ii. After one year of service, at least six months in advance of termination of the appointment;
 - iii. After two years of service, at least twelve months in advance of termination of the appointment.
- c. Failure to send timely notice of non-reappointment shall entitle the faculty member to an extension of his/her current contract to provide the full notice period otherwise applicable.

Section 10.8 Resignation, Non-Reappointment, or Termination of Non-Tenured UMMHC-Salaried Faculty Members.

- a. A UMMHC- salaried faculty member, wishing to resign his/her appointment, shall give notice in writing to the Department Chair (or the Dean, in schools without departments) at the earliest possible opportunity, but no later than sixty (60) days prior to the effective date of resignation.
- b. A written notice of non-reappointment or termination of a non-tenured UMMHC-salaried faculty member shall be provided to the faculty member by the Department Chair using the notice provisions that are detailed in the faculty member's contract. Such notice shall

trigger a review of the academic appointment of the faculty member by the Chancellor and his/her designee for Academic Affairs. The outcome of this review shall be dependent upon the factors leading to the non-reappointment/termination decision (e.g. whether or not the termination is 'for cause') and on the feasibility and desirability of a continued academic relationship with this faculty member.

- i. **Dismissal for cause.** UMMHC-salaried faculty who are terminated from their employment 'for cause' (e.g. for reasons related to the unsatisfactory performance of their professional responsibilities) may be terminated immediately from their faculty positions, notwithstanding any contrary policy of the University Board of Trustees. Such termination shall be at the discretion of the Chancellor after consultation with the appropriate Dean and Department Chair (for schools with departments), and, in the case of faculty with medical privileges at UMass Memorial Medical Center, with the Chief Medical Officer, after providing the faculty member with notice and the opportunity to be heard.
- ii. **Dismissal for other reasons.** For those UMMHC-salaried faculty who are terminated from their employment for reasons other than 'for cause' (e.g. due to changes in clinical need and/or due to financial shortfalls), the Chancellor and his/her designee for Faculty Affairs shall consult with the Department Chair and, in the case of faculty with medical privileges at UMass Memorial Medical Center, with the Chief Medical Officer, to determine whether the termination of employment should also lead to a termination of the academic appointment of this faculty member. This decision shall be at the discretion of the Chancellor; those terminated shall be provided with the appropriate notice and the opportunity to be heard.

Section 10.9 Resignation, Non-Reappointment, or Termination of Instructors, Lecturers, Affiliates, Professionally salaried and Voluntary Faculty Members. Appointments of Instructors, Affiliates, Lecturers, Professionally- salaried and Voluntary faculty members may be terminated at any time by the Dean, (upon the recommendation of the Department Chair in schools with departments and, in the case of faculty with medical privileges at UMass Memorial Medical Center, in consultation with the Chief Medical Officer), or at the request of the faculty member, by giving written notice at least 30 days prior to the effective date, notwithstanding any contrary policy of the Board of Trustees.

Section 10.10 Termination of employment of Professionally-Salaried Faculty Members. Professionally-salaried faculty members are subject to the employment rules for employees rather than those defined herein for academically salaried faculty. Thus the notice provisions for termination are dependent on the length of service as defined in current Human Resource policies.

ARTICLE 11. ADDITIONAL PROCEDURES SPECIFIC TO THE AWARD OF TENURE

Except as noted, the procedures for personnel actions contained in Article 10 shall also apply to those in the Tenure Track.

Section 11.1 Timing.

- a. The designation of the Tenure Decision Year shall be made prior to the fourth month of the initial appointment in the Tenure Track. This shall be done by written agreement of the faculty member, the Department Chair (in schools with departments), Dean, and the Chancellor's designee for Academic Affairs.
- b. The probationary period defined at the date of hire shall not normally exceed the equivalent of 8 full years after initial appointment in the Tenure Track at the level of Assistant Professor unless an extension has been granted according to the guidelines in Section 11.1e below.
- c. At the time of initial appointment to the Tenure Track, the number of years of credit toward the probationary period shall be determined for faculty members who, subsequent to the attainment of the terminal degree, have had an academic appointment at another academic institution, or who have had equivalent professional experience, or who have transferred from the Non-Tenure Track.
- d. For a faculty member whose probationary period includes a period of part-time status, credited time shall be prorated for each period of part-time status according to the fractional portion of the faculty member's total professional time which is devoted to relevant academic pursuits.
- e. The Tenure Decision Year may be altered, upon written agreement of the faculty member, the Department Chair, the Dean and the Chancellor's designee for Academic Affairs, in the following circumstances:
 - i. When a Tenure-Track faculty member is named to either a full-time or part-time (i.e., greater than or equal to one half-time) administrative position which would restrict opportunity for scholarly and professional activity, the duration of the administrative appointment shall not be included in the probationary period.
 - ii. Faculty who have been assigned substantial clinical duties during their tenure probationary period or who have been absent for extended period(s) on approved personal leave, the total tenure probationary period may be extended to a maximum of twelve (12) years. Faculty requests for such extensions require concurrence of the department chair and the Chancellor or his/her designee for Academic Affairs. Faculty requests for such extensions shall not be unreasonably refused and shall not adversely affect the outcome of the final tenure decision.
 - iii. When a Tenure-Track faculty member is granted a leave without pay (see Article 13), the time spent on leave will not be included in the probationary period (except in unusual circumstances agreed to in writing at the time the leave is approved), and shall not be credited towards eligibility for sabbatical leave. (See Article 12).
 - iv. When a Tenure-Track faculty member, with the approval of the Department Chair (in schools with departments), the Dean and the Chancellor's designee for Academic Affairs temporarily transfers from full-time to two-thirds status or less, an adjustment of the tenure decision year may be negotiated.
 - v. In other compelling circumstances involving a request by the faculty member, and agreed upon by the Department Chair (in schools with departments), the Dean and the Chancellor's designee for Academic Affairs, the total tenure probationary period may be extended to a maximum of twelve (12) years.

If approved, the re-designated tenure decision year shall be set forth in a written agreement among the individual faculty member, the Department Chair, (in schools with departments), the Dean, and the Chancellor's designee for Academic Affairs.

- f. Tenure review shall normally occur during the faculty member's tenure decision year, although in exceptional circumstances, an award of tenure may be considered prior thereto, as agreed upon by the faculty member and Department Chair (in schools with departments), and approved by the Dean and the Chancellor's designee for Academic Affairs.

Section 11.2 Consideration of Accomplishments of the Faculty Member's Entire Career.

The review of the faculty member's qualifications for tenure shall be based on relevant activities over the entire course of his/her academic career.

Section 11.3 Operation and Composition of the Tenure Committee

- a. **Duties:** The purpose of the tenure committee is to review the credentials of candidates for tenure and to make recommendations for or against the award of tenure. This review will assess:
 - i. The recommendation from the candidate's chair.
 - ii. The recommendation from the appropriate departmental personnel action committee.
 - iii. The academic personnel file of the candidate, provided by the chair to the Chancellor's designee for academic affairs. This file shall include an updated curriculum vitae of the candidate, up to 5 reprints that the candidate feels represents his/her best work, documentation of teaching performance, documentation of service contributions, and letters of recommendation from internal (no specified numbers required) and external (at least 5 required) referees. The letters of recommendation shall be solicited by the department chair on behalf of the candidate. The list of referees solicited, the letter of solicitation by the chair, and all responses from the referees shall be included in the academic personnel file. The committee may request additional information deemed pertinent for a particular case (e.g. additional letters of recommendation).
 - iv. Institutional standards and institutional need.

Normally tenure cases are initiated by the candidate's academic chair and it is the chair's responsibility to inform the candidate as to his/her recommendation and the recommendation of the departmental Personnel Action Committee. If the Chair and/or the departmental PAC is/are not in support of tenure for the candidate, however, the faculty member retains his/her right to initiate the tenure review process. Any negative letters from the chair and/or departmental personnel committee would be included in the academic personnel file reviewed by the Tenure Committee, however.

The Tenure Committee also serves as a grievance committee for tenured faculty to review proposed changes in salary based on allegations of persistent (4 or more years) substandard productivity (see section 11.4 e below)

- b. **Membership and Officers:** The Tenure Committee shall consist of tenured faculty members elected to three year terms by the tenured members of each academic department in which 5 or more faculty members hold tenure. Each eligible department

shall elect one member, except for Medicine which shall elect two members. Additional representatives will be added to the committee as departments are added and/or as the numbers of tenured faculty within existing departments increase, i.e. departments will be allowed to select a representative once the department is comprised of 5 or more tenured faculty members. If a department composition changes such that less than five tenured faculty members remain, the elected representative of that department shall serve until the end of his/her official term. Thereafter, the department will not have representation on the committee until and unless the number of tenured faculty within that department return to the required level.

Faculty members with significant administrative responsibilities (i.e. vice chancellors, department chairs, program directors, deans, etc) are not eligible for full time membership on this committee although they may serve as ad hoc members of the committee (see below). As the terms of each representative expires, departments shall be asked to elect (or re-elect) a new representative from among their tenured faculty. The Committee shall select a chairman annually.

c. Process for Review of Tenure Cases.

- i. Selection of ad hoc members** On receipt of the basic file, the elected members of the Tenure Committee consult with the Vice Chancellor for Research, the recommending Chair and the candidate to select up to three ad hoc members, at least one of whom is not a faculty member at the University of Massachusetts Medical School. Such ad hoc members must have an appropriate level of expertise in the candidate's field to assist in the evaluation process and must have achieved a significant level of professional accomplishment to be effective peer reviewers (*i.e.* each *ad hoc* member must hold tenure or its equivalent at his/her respective institution). These individuals must also be able to provide unbiased assessments; thus the candidate for tenure must be allowed to review the list of recommended reviewers to identify individuals with a possible bias or conflict of interest. The candidate may also request the exclusion of one of the full time members of the Tenure Committee.
- ii. Committee Deliberations** Once the ad hoc members have been identified, the elected members of the committee review the basic file, soliciting any additional information deemed necessary by the committee. Once the file is complete, the full Committee, consisting of both the elected members and the ad hoc members, review the faculty member's accomplishments in the areas of research/scholarly activity, education and professional/academic service. As indicated in section 7.10, a successful candidate for tenure must have achieved excellence in research/scholarly activity and excellence in one of the other two categories, with at least strength in the third category. Vote is by secret ballot and all votes are recorded. A quorum for valid committee actions shall consist of two thirds of the full time members and at least one external *ad hoc* member. The representative from the department sponsoring the candidate for tenure will normally be excused from participation in the review of their department member if he/she has participated in the departmental review of the candidate; other committee members who might be perceived as having a conflict of interest will also

be excused during the consideration of that individual. Meetings by conference call are acceptable.

- iii. Disposition of the case by the Committee** - Once deliberations are completed the committee chair forwards the committee's recommendation and vote tallies to the Chancellor's designee for academic affairs. The designee in turn informs the Dean and the Department Chair (in schools with departments) of the recommendation of the Tenure Committee. Prior to forwarding a Tenure Committee recommendation which may be contrary to the recommendation of the Department Chair and/or the Dean, the Chancellor's designee for academic affairs shall give the Department Chair and/or the Dean the opportunity to provide additional information for the basic file or clarification of the recommendation in question. Any such additional information shall then be submitted to the Tenure Committee. After reconsideration of such contrary opinion(s), the Committee shall submit to the Chancellor's designee for academic affairs a second recommendation either confirming or altering the former recommendation. The Chancellor's designee for academic affairs shall then inform the Department Chair and/or the Dean (in schools with departments) of the Committee's recommendation.
- iv. Disposition of the case by the Chancellor's designee for academic affairs** - The Chancellor's designee for academic affairs, acting in accordance with responsibilities defined in section 3.6, shall review the basic file and transmit it along with his/her recommendation to the Chancellor. Prior to a recommendation that may be contrary to either the Dean's recommendation or that of the Department Chair, the Chancellor's designee for academic affairs may invite the Dean or the Chair to provide additional information for the basic file or further explain his/her initial recommendation.
- v. Disposition by the Chancellor** If the Chancellor supports a recommendation for tenure s/he shall forward the entire basic file, including any additional information provided by the Chancellor's designee for academic affairs at the Chancellor's request, and his/her recommendation to the President. Copies of the recommendation shall be sent to the Chancellor's designee for academic affairs, the Dean of each school at the Worcester campus, the Department Chair (if any) and the faculty member.
- vi. Disposition by the President** - At the University level, the President, acting in accordance with responsibilities defined in Section 3.8 shall review the basic file forwarded from the Chancellor, and decide whether or not to award tenure. Prior to a negative decision that would be contrary to the recommendation of the Chancellor, the President shall invite the Chancellor to provide additional information for the basic file or to further explain his/her initial recommendation. The award of tenure is made by the President with the concurrence of the Board of Trustees.

Section 11.4 Tenure Guarantees (formerly T02-032, now superseded in its entirety by the provisions of this policy). The following tenure policy shall apply to all tenured faculty members at the University of Massachusetts Medical School, including those in clinical departments who are jointly employed by the University and by U Mass Memorial Medical Group or other affiliated clinical organization approved by the Dean, and those who are employed by the University but who are “leased” to U Mass Memorial Medical Group or such other affiliated clinical organization approved by the Dean. These provisions also apply to faculty who receive their salaries exclusively from the Howard Hughes Medical Research Institute and/or from other research funding agencies.

This policy supersedes any other campus policies that relate academic performance to salary. This policy will serve as the only avenue for addressing proposed reductions of salary based on reduction in academic performance. Changes to this policy may only be made by a vote of the Board of Trustees after review by the Faculty, the Faculty Council and the Executive Council, consistent with the governance documents for the Worcester Campus.

- a. Definition of Tenure:** Tenure at the University of Massachusetts Medical School is the right of continuous employment in an academic position subject to dismissal or suspension only for just cause. This award is an acknowledgement that a faculty member has achieved academic excellence. Those who receive this award are guaranteed academic freedom within the defined mission of the Institution.
- b. Privileges and Responsibilities of Tenure:** Since tenure ensures continuous employment in an academic position with a provision of a sufficient level of economic security to make the profession attractive to men and women of ability, it carries with it an obligation for continuing high levels of performance in the areas of research/scholarly activity, teaching and service. Faculty performance will be formally reviewed on an annual basis and documented in annual faculty reports. In addition, tenured faculty will undergo periodic multi-year reviews that assess faculty performance over a longer time interval, usually seven (7) years, as detailed in the provisions for multi-year reviews (Section 10.5). Tenure removal shall only be implemented after demonstration that just cause exists and after extensive campus review as detailed in Section 10.6 and any subsequent amendments or revisions describing the process for dismissal and removal of tenured faculty at the Worcester campus.
- c. Tenure Provisions:** At the University of Massachusetts Medical School, tenure provides “full academic salary,” except as described in sections **e** and **f** below. For a tenured faculty member who derives no income from clinical activities, full academic salary is his/her total salary less any additional salary for administrative duties.
 - i.** For a tenured faculty member who derives compensation from clinical revenues, full academic salary is defined as the average salary of all tenured basic science faculty of the Medical School at the same rank, or his/her total salary, whichever is lower. Any additional compensation of clinical faculty related to clinical practice and/or clinical administrative services shall be determined by activity in these areas, relative to expectations defined in clinical department compensation plans, and would not be part of the tenure provision.

- ii. Full academic salaries cannot be decreased except by procedures outlined in this document or in a Board of Trustee-approved retrenchment document.
- iii. It is the Department Chair's responsibility to assure that tenured faculty members have the opportunity to pursue research activities subject to the financial constraints of the Medical School.

d. *Assessment of Academic Performance.* Faculty who are awarded tenure are expected to remain active, fully contributing members of the institution. However, it is recognized that faculty interests/abilities may change over time; and that at some point in their academic careers, faculty may wish to redirect their academic efforts. Changes in faculty activities must be discussed with the Department Chair to ensure that they are consistent with departmental and institutional missions. However, such changes would not necessarily adversely affect the individual's status as a full-time tenured faculty member. Many types of academic activity fulfill the spirit of the compact between the tenured faculty member and the institution. The expectation is simply that the overall level of performance of the faculty member could be reasonably construed as constituting a full-time effort.

Department Chairs (and/or the Division Chief, Center Director or Program Director responsible for faculty salary recommendations) are expected to meet annually with each of their employed faculty to evaluate their academic performance and to discuss goals for the next year. Department Chairs (and/or the relevant administrator) must provide the faculty member with a written assessment of his/her academic accomplishments and contributions as well as written suggestions for improving performance in a timely manner.

Criteria considered relevant for assessment of academic performance shall include the following:

- i. **Research:** Consideration will be given to innovation and the extent of effort toward research goals, quality and quantity of research completed by the investigator; publications in peer-reviewed journals; special awards for research; invited presentations at national and international meetings; publication of reviews, books and book chapters; gathering of data; funded grants and contracts; and the submission of grants.
- ii. **Education:** Education can occur in a variety of settings including formal lectures, seminars, student conferences, one-on-one teaching of students at various levels, development of new curricula and/or development of educational policies. Faculty must record their teaching activities and maintain files containing student and/or peer assessments of their teaching performance. Chairs are expected to acquire and forward any available teaching evaluations to faculty on a yearly basis.
- iii. **Service:** Service will include administrative responsibilities performed for the Medical School or the Department, including membership on University committees, service as committee chairman or other officer, oversight of research cores and other specified administrative responsibilities, as well as service as members of study sections, editorial boards, professional organizations, and as journal referees.

- e. Process for Salary Reductions** This section is to be invoked for a tenured faculty member who is persistently performing his/her academic duties at such a minimal level (but not at a level sufficient for “just cause” for dismissal) that his/her current salary can no longer be justified. Moreover, it is to be invoked only after all reasonable efforts to raise the faculty member’s performance have been exhausted. It is not to be invoked to limit the faculty member’s academic freedom, to address the fiscal concerns of the Department, Campus, or University; or to allow a Chair and/or other faculty member to punish or eliminate faculty members who are not going in research directions they would prefer. Moreover, it can only be invoked if, in addition to failing to raise his/her performance, the faculty member refuses to accept a buy-out of his/her tenure status. The intent is that this process should be invoked rarely. The Chancellor's designee for academic affairs will report to the Faculty Council, on a semiannual basis, the number of faculty who have received notice from their Chairs that their performance has been unsatisfactory and the number of faculty undergoing reductions in salary.

As mentioned above, it is reasonable to expect that faculty performance may change over time. It is also recognized that during periods of transition/refocusing some faculty may be unable to contribute at the level that would be expected for a full-time tenured faculty member. Such faculty would be given a reasonable period of time (three (3) years) to accomplish this transition. However, at the end of this period, the Department Chair may take a more active role in assigning tasks to faculty (increased administration, increased teaching and/or increased clinical activity), and/or s/he may recommend a change in faculty status (i.e., faculty may be offered a tenure buy-out, detailed below, or a change from full-time to part-time status) such that the faculty member could contribute at the expected level. In such a case, the Department Chair should notify the faculty member that s/he might be subject to salary reduction if such performance continues for another year. At the time of such warning, the Department Chair shall offer to buy out such faculty member’s tenure status as outlined in section f below.

If performance continues to be poor for a fourth year and the individual has chosen not to accept a tenure buyout, the Department Chair may conclude that it is appropriate to initiate the process for salary reduction. This process would only be considered if the academic performance of a tenured faculty member had been below what could reasonably be considered a full-time faculty effort for a period of four (4) or more years, as evidenced by four (4) or more poor performance reviews in a six (6) year period; and if s/he had received written notice in each of those years that his/her performance was below acceptable levels. Once initiated, the process for salary reduction shall proceed as follows:

- i.* The Chair will meet with the faculty member and provide a detailed written explanation as to the nature of the proposed changes and the reasons for the proposed changes. Such changes may include a change in work assignments, a reduction in percent effort, retirement, tenure buy-out (see below) or a reduction in salary.
- ii.* If the faculty member concurs with the proposed changes, the said changes will be implemented immediately. Both parties will attest to the suitability of this arrangement by signing a written agreement describing the proposed changes. If the faculty member disagrees with the proposed changes, however, s/he is entitled to

request that the Chair's decision be reviewed by his/her Departmental Personnel Action Committee (DPAC). Such request must be made in a timely manner. For the purposes of this policy, the DPAC shall consist of all tenured faculty members in the affected faculty member's department, with the exception of the Chair and the affected faculty member. The DPAC will inform both the faculty member and the Chair of its decision in writing. If the parties do not agree after review by the DPAC, either is entitled to have the Chancellor's designee for academic affairs convene the Tenure Committee to review the case. Details for such subsequent review will follow the process delineated in the Faculty Grievance Procedure (Doc T88-038A and any later revisions) except that the Tenure Committee will serve as the official grievance committee on these matters. This process shall be initiated by providing a written request to the Chancellor's designee for academic affairs within a reasonable period of time after conclusion of the DPAC review. The Tenure Committee review would include an assessment of all documentation supporting persistent poor faculty performance, the written opinion of the DPAC relative to this performance, and information detailing the steps that had been taken by the Department to help the faculty member function at the expected level for a tenured faculty member. The faculty member must have the opportunity to respond at each level of evaluation. [Note: Strict timelines have not been provided for the various steps in this process, however, all parties should endeavor to act in a timely manner].

- iii. If salary reductions are approved by this process, they shall be implemented incrementally as follows. The first year that the Chair recommends a reduction based on performance, the academic salary may be reduced to a level that is 92% (ninety-two percent) of the faculty member's academic salary as established in the last year before such notice was given, or (for clinical faculty members) to a level that is 92% (ninety-two percent) of the average tenured basic science salary at rank at UMMS. This reduction would be effective immediately following final adjudication by the Chancellor's designee for academic affairs. Faculty who are recommended for a reduction in salary based on performance will be reviewed by the Chair, DPAC, Tenure Committee and Chancellor's designee for academic affairs one (1) year after its implementation to determine whether or not additional adjustments are required. If the faculty member's overall academic performance substantially improves within the year following a reduction, the salary shall be restored to at least its original level. However, if the performance continues to be poor for a second year, the salary may be reduced to 83% (eighty-three percent) of the faculty member's original academic salary or, for clinical faculty members, to a level that is 83% (eighty-three percent) of the average tenured basic science salary at rank at UMMS. If, after going through the same review process, performance continues to be poor for a third year, the salary may be reduced to 75% (seventy-five percent) of its original level. However, salaries cannot be reduced below a level equal to 75% (seventy-five percent) of the average tenured basic science salary at rank at UMMS. Faculty with salaries that are already below this level would be unaffected by this policy, as would faculty who had already been subjected to these salary reductions.

- f. **Tenure Buyout:** A faculty member agreeing to a tenure buy-out shall resign his/her tenure and receive a five-year contract in the following amounts: For the first year, an amount equal to 160% (one hundred sixty percent) of the faculty member's academic

salary as established in the last year before such notice. For the second year, an amount equal to 70% (seventy percent) of the faculty member's academic salary as established in the last year before such notice. For the third through fifth years, an amount equal to 50% (fifty percent) of the faculty member's academic salary as established in the last year before such notice. The faculty member may resign without prejudice any time during this (5) five-year period.

g. Alternative Policy Option for Tenured and Tenured-track Faculty appointed on or before the Date of Trustee Approval

All faculty who are tenured, and those who are on the tenure track as of the date of Trustee approval will be offered the option of accepting the tenure definition described in the preamble and in sections a-f above or of accepting either an option providing full and highest salary for a fixed tenure term, or a second option recognizing the faculty members who may prefer the current ambiguity to the alternatives provided here.

i. Tenure-for-Term Option.

The period of employment during which full academic salary is ensured is limited to twenty-five (25) years from the receipt of tenure. At the end of this term, faculty shall receive a multi-year contract [not less than two (2) nor greater than five (5) years in length] at a salary level that is negotiated with the Department Chair. Disagreements as to contract terms are subject to the Medical School's faculty grievance policy, or by agreement of the parties, to binding arbitration. Such arbitration is to be conducted consistent with the rules for arbitration established by the American Arbitration Association. Such contracts may be renewed or changed by mutual agreement between the faculty member and the Chair. Faculty who were granted tenure on or before the date that this document is approved by the University Board of Trustees shall have a tenure term limit that is adjusted for the time that the individual has already held tenure [i.e., twenty-five (25) years minus the time since tenure was granted or five (5) years, whichever is longer]. Note: Full academic salary is as defined in section c above.

The aforementioned for-term tenure provisions embody an expectation that each faculty member continues to make substantive academic contributions to the medical school on an annual basis such that his/her total contributions could reasonably be construed as a full-time effort. If faculty contributions are below acceptable standards for a period of three (3) or more years, Department Chairs may request approval of the Chancellor's designee for academic affairs to offer to buy out such faculty member's remaining tenure status. Such requests will not usually be approved if there are less than eight (8) years remaining on the faculty member's tenure term. This buy-out is described in section f above.

ii. Status Quo Option.

The development of this tenure policy was intended to bring clarity to the definition, application and economics of tenure status for faculty employed by the University as well as for faculty who are now employed by U Mass Memorial or by the Howard Hughes Medical Research Institute. In this process it became evident that the faculty and the Medical School administration had differing views as to whether or not a specific salary level had been adopted as the economic basis for tenure, and that some

faculty might wish to retain their rights to pursue their interpretation. Such faculty may elect to continue under the tenure policy as it exists prior to the adoption of this policy. Both the University and such faculty member reserve their rights under this option to pursue their pre-existing interpretation of the economic provisions for tenure.

- h. Timing for Option Selection** All tenured and tenure-track faculty members eligible for the alternatives provided above shall be given written notice of their options within thirty (30) days of the Board of Trustees approval of this policy. Any faculty member not electing an option within ninety (90) days of such written notice shall be employed under the provisions of Sections *e-f*.

ARTICLE 12 SABBATICAL LEAVES

Section 12.1 Purpose. The purpose of the sabbatical leave is to provide uninterrupted opportunity at regular intervals 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.

Section 12.2 Eligibility, Evaluation and Needs. Members of the academically-salaried faculty who have given the University at least six years of service shall be considered eligible for sabbatical leave and may apply. However, sabbatical leaves shall be awarded only after thorough review and evaluation of the merits of the individual leave proposal and the needs of the department and the school. Academically salaried faculty employed by UMMHC may also apply, however, since the costs of these leaves must be borne by UMMHC, the merit of the individual case must be evaluated by the chair and by senior administration of UMass Memorial Health Care.

Section 12.3 Procedures. Requests for sabbatical leave shall be initiated by the faculty member in a letter to the Department Chair (or the Dean, in schools without departments). Included should be 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.

- a. In responding to the request, the Department Chair or the Dean (in schools without departments) shall consider whether the faculty member's record of achievement, service, and contribution during the years of service prior to the leave period provides reasonable expectation that the objectives of the sabbatical project will be achieved.
 - i. Primary importance is attached to the degree of professional maturity of the faculty member and the research project or other proposed activity.
 - ii. Priority is given to faculty members whose studies are already in progress and who have demonstrated, while in the service of the University of Massachusetts, their desire and ability to make effective use of available time for research and professional improvements.
 - iii. Priority is given to faculty members whose projects cannot be pursued without continued absence from the campus. Unusual circumstances (e.g., specialized laboratory equipment) may, however, indicate the desirability of a sabbatical leave spent on campus.

- b. The Department Chair (in schools with departments) shall transmit the request along with his/her recommendation and relevant supporting material to the Dean of the school and, for approval of leaves for clinical faculty, to the CEO of UMass Memorial Health Care.
- c. The Dean and the CEO of UMass Memorial Health Care where relevant shall make the decision on the basis of the above and available funds, subject to approval by the ~~Provost~~ Chancellor's designee for Academic Affairs.

Section 12.4 The Six-Year Requirement. 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 equal six years) and will be eligible for sabbatical leave based on current full-time salary. Part-time faculty will be eligible for sabbatical leave based on part-time salary after six years of part-time service.

Section 12.5 Sabbatical Length. Faculty members shall be entitled to: a) half salary for 12 months (which shall include one month of vacation), b) full salary for 6 months (which shall include 1/2 month of vacation), or c) half salary for two non-consecutive 6-month periods (each including 1/2 month of vacation).

Section 12.6 Exceptions. Sabbatical leaves under Section 12.5 a and b shall not be granted more frequently than once in seven years, with two exceptions: first, a faculty member otherwise eligible for a sabbatical leave who, at the request of his/her Department Chair (if any) and with the approval of the Dean of the school (or at the request of the Dean in the case of a department with an Acting Chair), postpones application for one year, shall be eligible for a subsequent leave in the sixth year of service after return to the school; and second, a faculty member serving in an administrative position who, with the approval of the Dean of the school and the Chancellor's designee for Academic Affairs, postpones application for up to three years, shall be eligible for a subsequent leave in the seventh-year of service after the postponed sabbatical leave would otherwise have been taken.

Sabbatical leaves under Section 12.5c shall not be granted more frequently than once in any three-year period and may not be taken within the same three -year period as any leave taken under Section 12.5a and b unless one of the leaves has been administratively postponed as described above.

Section 12.7 Compensation During Sabbaticals. Faculty members who are on a full salary sabbatical leave may not engage in salaried employment in this country or elsewhere, however desirable the experience. This does not preclude acceptance of scholarships, fellowships, or grants for the purpose of research and study for which no services are required, or Fulbright or other lectureships when teaching is combined with research. A faculty member on a half-salary sabbatical leave may, with the prior approval of the Dean of the school and the Chancellor's designee for Academic Affairs, accept outside remuneration for work directly relevant to his/her teaching, research, creative or scholarly activity, or service. For members of the Medical Group the provisions of the Medical Group Practice Rules and Regulations shall apply to such remuneration.

Section 12.8 The Requirement for Return. Recipients of a sabbatical leave must return to duty for at least one year of service immediately following the expiration of the leave. Postponement of the required return may be approved by the Chancellor, with the concurrence of the President, when there are sound reasons for doing so and when the faculty member has acknowledged in writing that his/her obligation to return for a full year of service remains in effect; all such postponements shall be reported to the Board of Trustees. Failure to return shall obligate the faculty member to refund the salary received during sabbatical leave, unless an exception is made by the Board of Trustees.

Section 12.9 The Sabbatical Report. Each recipient shall, upon his/her return, file copies of a report of his/her activities and their results with the Chancellor, the Chancellor's designee for Academic Affairs, the Dean of the school and the Department Chair (if any).

ARTICLE 13. LEAVES OF ABSENCE

Section 13.1 Leaves Without Pay. Leaves of absence without pay may be granted by the Chancellor upon the recommendation of the Department Chair (if any), the Dean of the school, and the ~~Provost~~ Chancellor's designee for Academic Affairs, for reasons of health, for advanced study and research, or in connection with temporary employment or service which will be of value to the faculty member and the University. They are not normally granted for more than one year. An extension beyond the second year must be with the approval of the President.

ARTICLE 14. RIGHTS OF MEMBERS OF THE FACULTY IN ACADEMIC PERSONNEL MATTERS

Section 14.1 Faculty Rights. Policies, criteria, and procedural standards established herein and Additional policies established by the University of Massachusetts Medical School shall not infringe upon the following rights of faculty members in personnel matters:

- a. For personnel reviews, recommendations and decisions, the right and responsibility to present all materials which the faculty member believes will be essential to an adequate consideration of the case, and the opportunity to supplement the original presentation with additional relevant information pertaining to the period under review.
- b. The right to have access to information on the current needs and long-range plans of the department, school, campus and University.
- c. The right to have extra-departmental service contributions considered at the department level as well as at other levels of review, recommendation and decision.
- d. The right to be considered for tenure if given an appointment or a reappointment in the Tenure Track through the end of the probationary period.
- e. The right to equitable treatment in personnel matters so as to ensure generally consistent recognition to departmental 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.

- f. The right to discuss his/her professional progress and any personnel matter of concern with his/her Department Chair (if any) and, if such discussions prove unsatisfactory, with the Dean of the school, the Senior Administrator with responsibility for Academic Affairs or the Chancellor.
- g. The right to be informed in a timely manner of the personnel recommendations made at the department or school level.
- h. For academically-salaried faculty, the right to notification of non-reappointment as specified in Section 10.7 and 10.8.
- i. The right to discuss reasons for a negative personnel decision at all appropriate administrative levels.
- j. The right to invoke grievance procedures as specified in university policies.

Section 14.2 Additional Guidelines for Instructors, Affiliates, Lecturers, Professionally-salaried and Voluntary Faculty

- a. Such faculty members shall serve at the discretion of the Department Chair (if any) and the Dean.
- b. Such faculty members shall have the following voting privileges and rights of participation in school and campus governance:
 - i. At the departmental level in schools with departments, voting privileges and participation in departmental affairs shall be at the discretion of the Department Chair after consultation with the academically-salaried faculty members in the department.
 - ii. At the school level (in schools without departments) voting privileges and participation in school affairs shall be at the discretion of the Dean after consultation with the academically-salaried faculty members in the school.
 - iii. At the school level (in schools with departments) and at the campus level for all schools such faculty members shall be eligible to serve as voting members on any faculty committee as provided in the appropriate school and campus governance documents. Such faculty shall not be eligible to vote on school or campus policies requiring vote of the faculty-at-large, however.