

**Advancing the Sciences of Healing  
Enhancing the Lives We Touch**

# **Faculty Handbook FY 2025-2026**

NATIONAL UNIVERSITY OF HEALTH SCIENCES

# Faculty Handbook

---

---

200 East Roosevelt Road  
Lombard, Illinois 60148

University Partnership Center  
9200 113<sup>th</sup> St. North  
Seminole, FL 33772

# TABLE OF CONTENTS

<b>SECTION 1</b>	<b>1 - 8</b>
INTRODUCTION TO THE NATIONAL UNIVERSITY OF HEALTH SCIENCES	
<i>The National University of Health Sciences Mission Document</i>	
<i>Profiling the Practices of Complementary and Alternative Medicine</i>	
College of Professional Studies	
Chiropractic Medicine	
Naturopathic Medicine	
College of Allied Health Sciences	
Chiropractic Assistant	
Undergraduate Programs	
Bachelors Degree Completion Program	
Prerequisite Program	
Lincoln College of Postprofessional, Graduate and Continuing Education	
Use of the Term Accredited in Relation to an Institution	
Use of the term “Ex Officio”	
Faculty Degrees Awarded by Non-Accredited Colleges and Universities	
Purpose of this Handbook	
The Faculty Handbook vs Official University Policies	
Seal, Logo, Motto, and Colors of National University of Health Sciences	
<b>SECTION 2</b>	<b>10 - 24</b>
NATURE AND INSTITUTIONAL PURPOSES, GOVERNANCE, ORGANIZATION AND COMMITTEE STRUCTURE, ACCREDITATION AND APPROVALS	
<i>Nature and Institutional Purposes</i>	
General	
Specific	
Governance	
Organization and Committee Structure	
The Board of Trustees	
The President	
The University Council	
Standing Committees	
Non-discrimination Policy	
<b>SECTION 3</b>	<b>29 - 32</b>
FACULTY APPOINTMENTS	
General policy	
Types of Appointments – Regular & Temporary	
Regular Appointments	
Temporary Appointments	
Determination of the Need for a Faculty Appointment	
Requests for Faculty Appointment and Presidential Approval	
Search Committee Composition	
Recruitment	

<i>Primary Responsibility</i> .....	
<i>Announcement of Faculty Vacancy</i> .....	
<i>Distribution, Acknowledgement and Receipt of Applications</i> .....	
<i>Initial Search Committee Deliberations</i> .....	
<i>Request for Additional Documentation or Information</i> .....	
<i>Interim Search Committee Deliberations</i> .....	
<i>Applicant Visit to the Campus</i> .....	
<i>Final Search Committee Deliberation</i> .....	
<i>Final Decision</i> .....	
<i>Contract Documents</i> .....	
<i>Search Committee Files</i> .....	
<b>SECTION 4</b> .....	<b>37 - 42</b>
ACADEMIC RANK .....	
<i>Probationary Period</i> .....	
<i>Eligibility Criteria</i> .....	
<i>Equivalent Service</i> .....	
<i>Beginning Date</i> .....	
<i>Minimum Criteria for Rank at Initial Appointment</i> .....	
<i>Technology Instructor</i> .....	
<i>Instructor</i> .....	
<i>Assistant Professor</i> .....	
<i>Associate Professor</i> .....	
<i>Professor</i> .....	
<i>Promotion in Rank</i> .....	
<i>Foreward</i> .....	
<i>Effective Date Of Promotion</i> .....	
<i>Application For Promotion</i> .....	
<i>Processing The Application</i> .....	
<i>Appeal Process</i> .....	
<i>Confidentiality</i> .....	
<i>Rank at Initial Appointment</i> .....	
<i>Committee on Rank and Promotion</i> .....	
<i>Rationale For Membership</i> .....	
<i>Membership</i> .....	
<i>Appointment Of Members and Alternate Members</i> .....	
<i>Service as a Member or Alternate Member Mandatory</i> .....	
<i>Removal of Member or Alternate Member</i> .....	
<i>Member Replacement by Alternate Member</i> .....	
<i>Meetings</i> .....	
<i>Voting</i> .....	
<b>SECTION 5</b> .....	<b>47 - 62</b>
TENURE .....	
<i>Forward: Two Types of Tenure</i> .....	
<i>Tenure Defined</i> .....	
<i>Tenure: A Privilege</i> .....	
<i>Policy on Change of Faculty Appointment Track (effective 11/22/04)</i> .....	
<i>Tenure Track Appointments - requesting change to non-tenure track</i> .....	
<i>Non-tenure Track Appointments - requesting change to tenure track</i> .....	
<i>Eligibility For and Conditions of Tenure</i> .....	
<i>Credit toward the Probationary Period</i> .....	
For Professors Appointed Initially at that Rank at the University .....	
<i>Contract Provision for Credit toward Probationary Period</i> .....	
<i>Calendar Year of Service Defined</i> .....	
<i>Tenure: Minimum Service Years Required</i> .....	
<i>Evaluation for Tenure</i> .....	

<i>Responsibility for Evaluation</i> .....	
<i>Authority of the Board of Trustees</i> .....	
<i>Annual Evaluations</i> .....	
<i>Initiation of Process for Tenure</i> .....	
<i>Application Processing By Supervisor(s) &amp; Forwarding to Committee on Tenure</i> .....	
Committee on Tenure .....	
<i>Rationale for Membership</i> .....	
<i>Membership and Chairman</i> .....	
<i>Member Replacement by Alternate Member</i> .....	
<i>Meetings</i> .....	
<i>Appointment of Members and Alternate Members</i> .....	
<i>Additional appointment procedures</i> .....	
<i>Service as a Member or Alternate Member Mandatory</i> .....	
<i>Action by the Committee on Tenure</i> .....	
<i>Confidentiality</i> .....	
<i>Action by the President</i> .....	
<i>Action by the Board of Trustees</i> .....	
<i>President's Notice to the Candidate</i> .....	
<i>Exception to the Probationary Period</i> .....	
Dismissal of a Tenured Faculty Member .....	
Foreword .....	
<i>Adequate Cause and Extraordinary Circumstance</i> .....	
<i>Initiation of Dismissal Procedures for Termination for Cause</i> .....	
<i>Acceptance of Dismissal for Cause</i> .....	
<i>"Appellant" and "Respondent" Defined</i> .....	
<i>Conciliation and Formal Hearing</i> .....	
<i>Conciliation</i> .....	
<i>No Conciliation</i> .....	
<i>The Hearing Board</i> .....	
<i>Hearing Board Membership Challenge</i> .....	
<i>Hearing Date, Time, Place and Notice(s)</i> .....	
<i>Prior to Hearing Board Meeting(s)</i> .....	
<i>Hearing Board Procedures</i> .....	
<i>Hearing Board Findings and Disposition</i> .....	
<i>Presidential Action</i> .....	
<i>Hearing Right of the Executive Committee of the Board of Trustees</i> .....	
<i>Publicity</i> .....	
<i>Dismissal of a Tenured Faculty Member for No Cause Under the 1995 Rolling Contract Tenure Policy</i> .....	
<i>Faculty Tenured Prior To 1995 "Rolling Contract Tenure Policy"</i> .....	
SECTION 6 .....	67 - 65
ACADEMIC FREEDOM .....	
<i>Additional expectations:</i> .....	
SECTION 7 .....	70 - 69
PROFESSIONAL ETHICS .....	
<i>Statement on Professional Ethics</i> .....	
<i>Power Differential</i> .....	
<i>Consensual Relationships between Faculty and Students</i> .....	
<i>Participation in University Sponsored or Student Activities</i> .....	
<i>Sexual Harassment</i> .....	
SECTION 8 .....	74 - 79
FACULTY GRIEVANCE PROCEDURE .....	
<i>Types of Grievance considered under This Policy</i> .....	
<i>Composition of the F.C.G.C.</i> .....	
<i>Chairperson of the F.C.G.C.</i> .....	
TABLE OF CONTENTS .....	

<b>Terms of committee service</b> .....	
<b>Quorum of the F.C.G.C.</b> .....	
<b>Petition for Redress of Grievance</b> .....	

<b>Use of the terms “Appellant” and “Respondent”</b> .....	
<b>Appellant’s Petition for Redress of Grievance</b> .....	
<b>Time Within Which a Petition For Redress of Grievance Must Be Filed</b> .....	
<b>Action by the F.C.G.C.</b> .....	
<b>Procedure If Conciliation Is Achieved</b> .....	
<b>Procedure If Conciliation Is Not Achieved</b> .....	
<b>Antecedent to the Formal Hearing</b> .....	
<b>Procedures for the Formal Hearing</b> .....	
<b>Hearing Board Findings and Disposition</b> .....	
<b>Hearing Board Action without Formal Hearing</b> .....	
<b>Retaliation</b> .....	
<b>Confidentiality</b> .....	
<b>Protection of grievance party participants</b> .....	
<b>Dishonest or Malicious Allegations</b> .....	
<b>Exceptions to Policy Time Frames</b> .....	

## SECTION 9 .....84 - 83

<b>SABBATICAL LEAVE</b> .....	
<b>Sabbatical Leave Defined</b> .....	
<b>Eligibility criteria</b> .....	
<b>Application for Sabbatical Leave</b> .....	
<b>Major Factors Considered For Sabbatical Leave</b> .....	
<b>Number and Priority in Granting Sabbatical Leave</b> .....	
<b>Conditions of Sabbatical Leave</b> .....	
<b>Failure to Fulfill Service Obligation</b> .....	
<b>Failure to Fulfill Conditions of Sabbatical Leave</b> .....	
<b>Written Report</b> .....	

## SECTION 10 .....88 - 92

<b>APPENDIX</b> .....	
<b>Fostering Academic Integrity at NUHS</b> .....	
<b>Strategies for Preventing Academic Misconduct</b> .....	
<b>Integrity on Examinations</b> .....	
<b>Term Papers and Take-Home Written Assignments</b> .....	
<b>Faculty can help prevent plagiarism in a number of ways:</b> .....	
<b>Essay Exams</b> .....	
<b>Objective Exams</b> .....	
<b>Calculators</b> .....	
<b>Collaboration</b> .....	
<b>The Syllabus</b> .....	
<b>Statements From the Syllabus in Courses Posted on the Web</b> .....	
<b>Example of a Departmental Policy Statement</b> .....	
<b>Reporting Academic Misconduct</b> .....	
<b>Acknowledgement</b> .....	
<b>More Information for Faculty on Internet Plagiarism</b> .....	
<b>Practical Advice on Classroom Disruption</b> .....	
<b>Organizational chart</b> .....	

## **Introduction to the National University of Health Sciences**

*This section will provide the reader with the University mission document, profiles of the various practices of CAM and Alternative Medicine as well as a brief description of each of the colleges within the University structure.*





## **The National University of Health Sciences Mission Statement:**

### **Because:**

- We value students as unique individuals seeking quality health sciences education through our service and support;
- We value being progressive, knowledgeable, adaptable, original, and academically sound in our academic programs;
- We value the substantive quality of our curricula through emphasis upon academic excellence;
- We value progress achieved by the development of new knowledge and its importance to chiropractic medicine and other complementary healing arts and sciences;
- We value quality training and practice in the clinical skills of all relevant programs with particular emphasis upon the physician/patient relationship within the first professional programs;
- We value complementary and alternative care for its emphasis upon holism and use of the least invasive therapeutic procedures necessary for optimizing human health;
- We value collegiality and cooperation among all members of the University community, the related professions, other health care systems, and the community;

### **Therefore:**

The mission of National University of Health Sciences is to provide and promote the necessary leadership, management and resources for the advancement of education, new knowledge, cultural diversity, outreach, and the ethical practice of the healing arts and sciences as taught within the programs of this University.

## **Profiling the Practices of Complementary and Integrative Medicine**

National University of Health Sciences and its related colleges hold that the practice of the alternative and complementary healing arts and sciences must embrace the whole person, with emphasis upon conservative health care that facilitates the inherent potential of the human organism to develop and maintain a state of self-regulation and to invoke self-healing processes with minimal therapeutic risk at reasonable cost.

We recognize a diversity of factors that impact upon human physiology, among which are biomechanical dysfunction, altered energy patterns, genetics, trauma, hygiene, microorganisms, nutritional status, exercise, motion, posture, environment, stress, emotion, and human relationships.

### ***College of Professional Studies***

#### ***Chiropractic Medicine***

##### **Purpose Statement of Chiropractic Medicine**

The purposes of the Doctor of Chiropractic Program are to educate students in the basic and clinical sciences and related health subjects requisite for development of competent primary care chiropractic physicians, the development of new knowledge and other scholarship in the field of chiropractic medicine, and the provision of health care and other services to patients in University clinics and the community.

##### **Profile of Chiropractic Medicine**

Chiropractic physicians must be competently trained to diagnose, including the use of specific spinal and biomechanical evaluation of the relationship of human structure and function, to care for the human being in health and disease, and to consult with, or refer to, other health care providers when clinically indicated.

National University of Health Sciences holds that the practice of the chiropractic physician embraces the whole person with emphasis upon conservative health care that facilitates the inherent potential of the human organism to develop and maintain a state of self-regulation and to invoke self-healing processes with minimal therapeutic risk at reasonable cost.

The practice of chiropractic embodies:

- recognition of a diversity of factors which impact upon human physiology, among which are biomechanical dysfunction, genetics, trauma, hygiene, microorganisms, nutritional status, exercise, motion, posture, environment, stress, emotion, and human relationships;
- primary care of patients based upon diagnostic evaluation including patient history, physical examination, clinical laboratory data, diagnostic imaging and other special diagnostic measures, as well as those procedures that are unique to the chiropractic evaluation of human spinal and structural balance and integrity;
- the application of a diversity of spinal and other articular adjustments and manipulations for the treatment, correction, and prevention of neurologic, skeletal or soft tissue dysfunction and for the production of beneficial neurologic and other physiologic effects;
- the use of other conservative means in the promotion of optimal health including, but not limited to, nutritional counseling, physiologic therapeutics, meridian therapy/acupuncture, trigger point therapy, exercise, life-style counseling, botanical medicine, homeopathic remedies, emotional support, and stress management;

The chiropractic physician is a primary care, first contact physician who practices within the legal scope of licensure, emphasizes the importance of the doctor-patient relationship, recognizes the

need for other forms of therapy when indicated, and interacts fully with other members of the health care delivery team, always in the best interest of the patient.

## ***Naturopathic Medicine***

### **Purpose Statement of Naturopathic Medicine**

Because the Doctor of Naturopathic Medicine Program is a part of the National University of Health Sciences, that is housed within the College of Professional Studies of the University, and because the Doctor of Naturopathic Medicine Program will guide the student in developing a whole health, noninvasive and individualized therapeutic approach guided by the naturopathic principles that meet the needs of the patient; teach students to earn the trust of patients by always placing the needs of the patient foremost; enable students to further the knowledge of the naturopathic profession with education in critical thinking, independent research, and philosophical inquiry; provide students with high quality curriculum, instruction, assessment, and evaluation in the biomedical and clinical sciences with emphasis on the doctor-patient relationship, naturopathic tenets and principles, naturopathic case management, and the role of the naturopathic physician in the greater community; lead students in building productive professional relationships through collegiality, cooperation, and shared educational experiences within the University; create leaders who will contribute to the growth and development of naturopathic medicine through strong participation in the profession's most vital initiatives; further the Mission of National University of Health Sciences.

Therefore the purpose of the Doctor of Naturopathic Medicine Program at National University of Health Sciences is to create competent physicians who are ethical, effective practitioners of naturopathic medicine.

### **Profile of Naturopathic Medicine**

#### ***The Practice of Naturopathic Medicine***

- embodies the recognition of those aspects of human health and disease detailed previously under the chapter heading, "Profiling the Practices of Alternative and Integrative Medicine";
- is based on the following six principles: The Healing Power of Nature; Find the Cause; First Do No Harm; Doctor as Teacher; Treat the Whole Person; Prevention;
- is the primary care of patients based upon diagnostic evaluation including patient history, physical examination, clinical laboratory data, diagnostic imaging and other special diagnostic measures as well as those procedures that are unique to the naturopathic evaluation of the human condition;
- promotes, as a central component of practice, the application of the principles of botanical medicine, homeopathy, proper nutrition, and hydrotherapy;
- includes the use of other means including but not limited to, physiologic therapeutics, meridian therapy/acupuncture, trigger point therapy, exercise, lifestyle counseling, emotional support, articular manipulation, and stress management;

The doctor of naturopathic medicine is a primary care, first contact physician who practices within the legal scope of licensure, emphasizes the importance of the doctor/patient relationship, recognizes the need for other forms of therapy when indicated, and interacts fully with other members of the health care delivery team, always in the best interest of the patient.

## **Acupuncture & Oriental Medicine**

### **Purpose Statement of Acupuncture and Oriental Medicine**

The purpose of the Master of Acupuncture and Oriental Medicine Program is to provide the highest quality comprehensive and professional education in the Five Branches of Traditional Oriental Medicine: Acupuncture, Chinese Herbal Medicine, Tui Na, Chinese Nutritional Therapeutics, and Tai Chi/Qi Gong. Through classroom instruction and extensive clinical experience – woven into the program from the start – we are dedicated to teaching the wisdom of classical acupuncture and oriental medicine as it continues to be informed by contemporary medical knowledge. The programs emphasize an integrative and holistic approach to health care, incorporating instruction in clinical western medicines so that our graduates may practice confidently in a wide range of clinical settings. We hold the core values of integrity and compassion in the practice of medicine in the greatest esteem, and seek to graduate students who wish to engage in it at the highest levels.

#### Profile of Acupuncture and Oriental Medicine

The Practice of Acupuncture and Oriental Medicine:

- embodies the recognition of those aspects of human health and disease detailed previously under the heading, “Profiling the Practices of Alternative and Complementary Medicine”;
- promotes the application of procedures including needling, moxibustion, acupressure, electroacupuncture, and other interventions for the purposes of balancing the meridians and affecting the circulation of Chi as a primary component of therapeutic practice;
- accepts patients as portal of entry practitioners in those instances where this is statutorily permitted, and interacts with other members of the healing arts community in circumstances where such is required or is in the best interest of the patient;
- uses other means as statutorily permitted for the benefit of the patient.

### College of Allied Health Sciences

The purpose of the College of Allied Health Sciences is to provide education to those who wish to become certified as a chiropractic assistant or another health care vocations. This College also provides education to students who wish to pursue a bachelor of science degree in biomedical science and to persons seeking increased knowledge in the sciences through enrollment in non-degree courses.

#### *Profile of the Chiropractic Assistant*

The chiropractic assistant:

- recognizes a diversity of factors which impact upon human physiology, among which are biomechanical dysfunction, genetics, trauma, hygiene, microorganisms, nutritional status, exercise, motion, posture, environment, stress, emotion, and human relationships;
- assists the doctor of chiropractic with the evaluation of patient conditions;
- assists the doctor of chiropractic with the application of various therapeutic modalities;
- assists the doctor of chiropractic with office management;

- takes responsibility for assisting with ethical patient management and treatment, and avoids engaging in diagnostic or therapeutic procedures that are outside the scope of instruction and knowledge.

## **Undergraduate Programs**

### **Bachelor's Degree Completion Program**

The University offers a Bachelor of Biomedical Science Degree Program to prepare students for the first professional degree programs and other science-related occupations and professions. A component of the bachelor's program is the Prerequisite Program.

### **Prerequisite Program**

This program includes science courses required to enter the first professional degree programs at the University. Courses such as general and organic chemistry, biology and physics are offered in an accelerated format to help students meet specific professional entrance needs. Some courses are also offered in a non-accelerated format.

## **Lincoln College of Postprofessional, Graduate and Continuing Education**

Lincoln College of Postprofessional, Graduate and Continuing Education offers clinical residency programs, and provides education to those who possess first professional degrees and other health care professionals who wish to remain current and/or specialize in various fields of practice through graduate-level academic degrees and certificate programs. Various programs are offered for the purpose of continuing the lifelong learning that is emphasized by the University. NUHS/Lincoln College also offers programs intended to meet the requirements of various state statutes that require continuing education for professional license/registration renewal.

### **Use of the Term Accredited in Relation to an Institution**

Whenever the term "accredited" is used in this Faculty Handbook in relation to a program or university, it shall mean a program or university accredited by an accrediting agency approved by the United States Department of Education.

### **Use of the term "Ex Officio"**

Relative to committees, the terms "ex officio" appearing after an office shall mean that the holder of that office is a member of a committee by virtue of the office held and is entitled to the same privileges as other members, including the right to vote.

### **Faculty Degrees Awarded by Non-Accredited Colleges and Universities**

In several places in this Faculty Handbook, among the criteria for appointment to the faculty is the possession of an earned degree awarded by an accredited college or university. At the discretion of the President, or his designee, an exception to this criterion may be made for those candidates for faculty appointment who were awarded their degrees before an agency appropriate for the accreditation of the awarding college or university existed.

### **Purpose of this Faculty Handbook**

The purpose of this Faculty Handbook is to provide important information to faculty appointees and other University employees involved in faculty affairs. It sets forth policies, procedures and information that govern the University faculty as a whole. A copy of this Faculty Handbook shall be

given to each faculty member at initial appointment, and a copy of any revision(s) thereto shall be distributed to each faculty appointee before the effective date of such revision(s) or as soon thereafter as practicable. Also, a copy of the Faculty Handbook, including any revision(s) thereto, shall be made a part of the University library collection and be available to all employees and students. The University library copy may not be removed from the library.

### **The Faculty Handbook vs. Official University Policies**

This handbook is not intended to replace or supersede faculty rules and regulations or any applicable personnel policy. In the event of a conflict or inconsistency, the University's personnel policies and procedures will govern. Several University policies germane to the faculty are included in the appendices of this Faculty Handbook. Copies of all official University policies are available for review on the NUHS website.

## **Seal, Logo, Motto, and Colors of National University of Health Sciences**

by JAMES F. WINTERSTEIN, D.C.—PRESIDENT EMERITUS

The seal of the National School of Chiropractic remained constant from the founding of the College in 1906 until 1920. Most prominently displayed was an American Bald Eagle facing to the left with wings spread, perched upon a sagittal section of the human vertebral column. These were superimposed upon a replica of the dome of the Capitol Building in Washington, D.C., suggesting an institutional objective to serve the entire nation; thus, the adjective “National” as part of the name. Under the eagle, were the words “Founded 1906.” The word “chiropractic” was superimposed across the ventral surface of the eagle’s wings and breast. While the College changed its geographic objective from that of serving the nation to that of serving the world, it did not alter its name.

In 1920, the name of the institution was changed from the National School of Chiropractic to The National College of Chiropractic. This change was reflected on the seal from that time until September 2000. Interestingly, although the official name of the institution was The National College of Chiropractic, the seal has never included the definite article “The.”

In 1963, the College relocated from Chicago to Lombard, Illinois, and again the seal was altered to include the words “Lombard, Illinois” at the lower center.

In 1987, the College undertook a study of the need for a College logo and concluded on the use of the lower case “ncc” with a particular artistic reverse slant. This logo has been used in conjunction with the seal on letterheads and related materials.

In 1996, following more discussion and a broad-based request for opinions, the board of trustees, upon recommendation of the president, determined that the spine should be removed from the seal based upon the philosophic mandate that the Mission of The National College of Chiropractic reaches far beyond the anatomical borders of the spinal column as might be suggested by the original seal. While spinal adjusting and concern for spinal integrity and especially the integrity of the nervous system remain at the center of chiropractic diagnostic and therapeutic efforts, this College has always emphasized and continues to emphasize the integrative nature of the human mind, body and spirit, thus educating its graduates as holistic physicians who are not anatomically limited.

At that time, the bald eagle was changed from a perched position to a flying eagle, which is to signify leadership and progress. In the eagle’s beak is a ribbon on which is inscribed the word “chiropractic.” The founding date was moved to the top center of the seal and the new logo “ncc” was incorporated beneath the Capitol steps.

Surrounding the center circle are three clearly defined rings, which are in turn surrounded by a circular space, which contains the words “National College of Chiropractic” around the top and the words “Esse Quam Videri” around the bottom. The outer margin of the seal consists of an undulating ring.

In September 2000, following extensive planning and preparation, The National College of Chiropractic became National University of Health Sciences. Three Colleges were established as components of the University. These Colleges are the College of Professional Studies, Lincoln College of Postprofessional, Graduate and Continuing Education, and College of Allied Health Sciences.

As a result of these changes, the seal has been changed to reflect the new name, with the words “National University of Health Sciences” replacing the former “National College of Chiropractic.” The small “ncc” is removed from the lower portion of the seal, but the word “chiropractic” remains on the ribbon in the mouth of the flying eagle as a tribute to the origins of this fine institution. A new rectangular logo also was created that incorporated the initials “NU” in a box to the left, a large “National” to the right with the smaller “University of Health Sciences” underneath.

After an extensive branding campaign in 2011, the University created a new brand message, a new tagline and a newly redesigned website, that emphasize the University’s key strengths of history, education, career, and philosophy. The new tag line – “Defining the Future of Integrated Health Care” – addresses both NUHS’ integrative program delivery and the University’s desire to create leaders in the increasingly integrated field of health care. The revised logo, while similar to the old, now emphasizes “National University” underscoring the University as a multi-purpose institution with a variety of program offerings.

The motto of the University is *Esse Quam Videri* that is literally translated, “to be rather than to seem to be.” This has been the motto of the institution since its founding in 1906.

The official University colors are maroon and goldenrod.

## **Nature and Institutional Purposes, Governance, Organization and Committee Structure, Accreditation and approvals**

*This section will provide the reader with the University purposes, how the University is governed, organizational and committee structure, as well as accreditation and approvals.*



## **Nature and Institutional Purposes**

### ***General***

The University is the umbrella organization for three Colleges, which are:

- College of Professional Studies;
- Lincoln College of Postprofessional, Graduate and Continuing Education;
- College of Allied Health Sciences.

### ***Specific***

The National University of Health Sciences provides academic programs that help students acquire and develop the knowledge, skills, attitudes, and values that are necessary to be competent and ethical practitioners of the complementary and alternative medical healing arts.

The University subscribes to the Standards and Criteria of the Higher Learning Commission of the North Central Association of Colleges and Schools, the Council on Chiropractic Education, and other specialized, programmatic accrediting agencies, for the purpose of receiving accreditation by these agencies and to ensure a high quality of education at the University.

The University seeks to employ faculty who support the mission of the University, have diverse academic and professional experiences, are dedicated to teaching and scholarship, are sensitive to the needs of students, and who are committed to professional development.

The University provides well-designed and maintained facilities, adequate fiscal resources, faculty development, and competent instruction, and promotes sound scholarship in an institutional culture of civility and ethical behavior. The University strives to provide a safe and effective educational and working environment that fosters active student learning, collegiality, collaboration, and innovation.

Pertinent clinical experiences and related activities are designed to prepare students to participate as health care providers in the civic, social, cultural, ethical, and political aspects of community life, and to assume leadership positions, when appropriate.

The University promotes the value of inquiry and encourages the advancement of knowledge through active research and the involvement of faculty and students in varying forms of scholarship.

The University seeks to provide service to, and develop meaningful relationships with, the community, the health professions, graduates of the University, and patients of the University clinics.

The University seeks to provide a collegial environment in which students can learn a specific health care discipline, develop a better understanding of other complementary healing arts and sciences, and become better prepared for interaction and practice in an integrated health care environment.

### **Governance**

Control of National University of Health Sciences is vested in a 9-12 member board of trustees. The bylaws of the University provide that membership of the board shall include no fewer than three Illinois residents and no fewer than two public members who are not chiropractic physicians.

The board of trustees elects a President of the corporation who also holds the office of President of the university. The authority of the University is vested in the President, who is the chief executive officer. In such instances as the President deems proper, and subject to the President's reserved powers, the President may vest authority in the Vice President for Academic Services, Vice President for Administrative Services, Vice President for Business Services, the Deans, Assistant Deans, Directors, Assistant Directors, the Faculty, the University Council, Faculty Senate, and various committees.

Within the NUHS learning community, the President draws upon the diverse academic and professional experiences of the faculty to promote a sense of shared governance using a policy based, “consultative decision-making” process. This model revolves around information sharing and discussion rather than joint decision-making. The American Association of University Professors (AAUP) describes this model in the association’s *Statement on Government of Colleges and Universities*, wherein it concludes “[t]he faculty has primary responsibility for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process, but where authority remains with the senior administration and the board of trustees.”

## **Organization and Committee Structure**

An organization chart portraying the relationship among the governing, administrative, and other functional units of the University is included in the Appendix. A brief description of the responsibilities of the Board of Trustees, the President of the University, the University Council and the Standing Committees of the University are provided below.

### ***The Board of Trustees***

The Board of Trustees is the governing body of the University. The Board establishes and monitors broad, general policy, appoints the President of the University, and establishes an annual budget.

### ***The President***

The President establishes the organization of the University in conformity with the broad general policies of the Board of Trustees and oversees the University’s operations. The authority of the University is vested in the President and in such cases as the President deems proper, and subject to the reserved powers of the President, in the Vice President for Academic Services, the Vice President for Administrative Services, the Vice President for Business Services, the Deans, Directors and committees. All employees of the University, except the President, are appointed by the President, or are appointed with his approval.

## ***The University Council***

### **PURPOSES**

The University Council is a standing committee and is the major communication link between the President and the University's functional elements. In addition, the Council serves as a major communicative and integrative mechanism via horizontal linkages between the various divisions of the University. The council is advisory to the President, not a decision-making body, and its primary purposes are as follows:

- to coordinate the reports of the standing committees;
- to receive and study standing committee reports in terms of the potential impact of their contents on the functional elements of the University represented by the membership of the Council, and to return reports to the originating standing committee(s) for clarification or additional information when deemed by the Council to be necessary;
- to transmit completed reports to the President, and when more than one standing committee report deals with the same issue, to assimilate such reports into a single report for submission to the President;
- to deliberate and make recommendations on issues directed to it by the President;
- to function as the University's Self-Study and Institutional Planning Committee; and
- to review the University standing committee reports and present information to the President.

### **MEMBERSHIP**

The membership of the University Council is broadly representative of the major functional elements of the University. The ex-officio members are as follows:

- VP for Academic Services – Co Chair
- VP for Administrative Services – Co-Chair
- VP for Business Services – Vice Chair
- President of the Student Council
- Faculty Senate Chair
- Dean of Clinics
- Dean of Research
- Dean of Students
- Dean of the College of Allied Health Sciences
- Dean of the College of Professional Studies - IL
- Dean of the College of Professional Studies – FL
- Dean of Institutional Compliance
- Dean of Institutional Effectiveness
- Dean of the Lincoln College of Postgraduate and Continuing Education
- Director of Admissions
- Director of Alumni and Development
- Director of Facilities
- Director of Financial Aid
- Director of Financial Services
- Director of Human Resources
- Director of Learning Resource Center
- Director of Management Information Systems
- Editor in Chief
- Faculty Member at Large
- Registrar

### **OFFICERS**

The officers of the University Council are appointed by the President each fiscal year and are as follows:

- Co-Chairs
- Vice Chair

### **MEETINGS**

Regular meetings of the University Council are held at times established by the Council. Meetings other than regular ones may be called by the President of the University, the Chair of the Council, or a majority

of the members of the Council. In the absence of the Chair of the Council, a Vice Chair may call a meeting.

A quorum of half of the members is required for any meeting. Substitute members are not allowed. Robert's Rules of Order, Revised, will govern the conduct of all meetings. The Chair of the Council shall cast a vote only on those issues, which result in a tie vote or for the purpose of creating a tie by the other members present and voting. The minutes of all meetings of the Council are to be transmitted to the President of the University.

### **Standing Committees**

*(NOTE: University Council, the Faculty Senate, the Committee on Rank and Promotion, and the Committee on Tenure, are exceptions to the broad guidelines that apply to the Standing Committees listed below. The procedures that govern these four committees are described under their respective names.)*

**Administrative Responsibility, Establishment, and Elimination** Standing Committees may be formed or eliminated upon the recommendation of the University Council, by the President of the University, or at the direction of the President.

**Membership** Appointments to Standing Committees, with the exception of the Faculty Senate, including the chair, are made by the President of the University. Ordinarily, all full-time members of the faculty serve on at least one Standing Committee. No faculty member will be appointed to serve on more than two Standing Committees, except faculty members who serve as administrators, or when the President of the University deems an exception to be in the best interests of the University.

The President appoints ex-officio members to standing committees in concert with their preferences to the extent possible. To assist in appointing faculty members, the President may seek the advice of the Chair of the University Council, the Chair of the Faculty Senate, the Vice Presidents and others.

With the exception of those Standing Committees noted above, senior faculty, those holding the academic rank of Professor or Associate Professor, may generally be appointed to a specific Standing Committee for a maximum term of five years. Junior faculty, those holding an academic rank below that of Professor or Associate Professor, may generally be appointed to a specific Standing Committee for a maximum term of three years. Ex-officio committee assignments are not subject to these limitations.

**Meetings** Standing committees should meet regularly at times that are convenient for the members. Meetings are to be no more than one and one half hours in length, unless extended by vote, and in no instance may meetings exceed two hours in length except for recessed meetings. Emergency meetings may be called by the Chair at a time deemed to be convenient for a majority of the members of the Committee.

All minutes of each Standing Committee, except those minutes which are deemed confidential by the University, are to be distributed to the members of the University Council through the appropriate Council representative. Notwithstanding the exception noted above, the President of the University shall receive copies of all Standing Committee meeting minutes. The Chair of a Standing Committee is a non-voting member except that the Chair may vote to break or make a tie vote by other members present and voting.

**Purposes** The purpose(s) of each Standing Committee is (are) set forth beneath its name (listed alphabetically).



### ***Academic Assessment Committee***

Chair: Rotate Assistant Deans as Co-Chairs every year

Members:

- Assistant Dean, Acupuncture and Oriental Medicine
- Assistant Dean, Allied Health and Undergraduate Studies
- Assistant Dean, Doctor of Chiropractic Program
- Assistant Dean, Doctor of Naturopathic Program
- Chair
- Consultant – Dean of Institutional Effectiveness
- Consultant – Instructional Design
- Faculty Member, Acupuncture and Oriental Medicine
- Faculty Member, Clinical Practice
- Faculty Member, College of Allied Health and Undergraduate Studies
- Faculty Member, Doctor of Chiropractic Program – Florida
- Faculty Member, Doctor of Chiropractic Program – Illinois
- Faculty Member, Doctor of Naturopathic Program

Purpose(s):

- To build academic systems supportive of student retention and success.
- To review all forms of student academic achievement and evaluation methods institution wide.
- To present current information on the subject of student academic assessment tools and methods to relevant personnel in all colleges.
- To provide useful options for testing methodologies.
- To collaborate with university academic divisions in developing, sustaining, and evaluating student surveys that evaluate courses and instructors.
- To develop test writing training appropriate to faculty in all of the colleges.

## ***Academic Standards, Grades and Records Committee***

Chair: Appointed by the President

Members chosen as stipulated to the extent possible:

- Three (3) Basic Science Faculty
- Two (2) Clinic Faculty (clinicians)
- Three (3) Clinical Science Faculty
- Five (5) Faculty Alternates
- One (1) Faculty Member At-Large
- Consultants: Dean of the College of Allied Health Sciences, Dean(s) of the College of Professional Studies (Illinois and Florida), Dean of Students, Registrar, Director of Financial Aid.

Purpose(s):

- Review, evaluate and discuss the progress of each student's academic competence and professional development referred to it by the Dean of the College of Allied Health or the Dean of the College of Professional Studies (or, under certain conditions, the Dean of Clinics.) This shall include development of clinical skills, problem solving abilities, judgment, professional attitudes and personal integrity. In particular, ASGR will be concerned with addressing impediments to individual academic performance and professional development, such as deficiencies in cognitive or non-cognitive skills, personal and interpersonal problems, etc., and recommending individual action plans or academic contracts for continued study.
- Respond to and adjudicate issues that may arise concerning the application of student evaluation criteria and guidelines in specific situations (e.g., during clinical internship rotations).
- Interpret the rules concerning satisfactory progress, unsatisfactory student performance, probation, suspension, expulsion and leave-of-absence as applied to individual students and situations and to recommend action when needed.
- Recommend changes that may be needed in the process of evaluating student performance.
- Recommend changes that may be needed in the rules governing satisfactory progress, student performance, probation, suspension, expulsion, remediation protocols, leave-of-absence and similar topics.
- Functions within the guidelines provided by the policy on Academic Progress, ASGR Probation, Suspension, Expulsion.
- 

## ***Admissions Committee***

Chair: Director of Admissions

Members:

- Assistant Deans of Programs (AHM, DC, ND)
- Consultant - Registrar
- Director of Admissions
- One (1) Representative of the Admissions Office
- One (1) Representative of the College of Allied Health Sciences
- Two (2) Faculty Member
- One (1) Representative of the Financial Aid Office
- One (1) Representative of the Office of the Dean of Students

Purpose(s):

- To review applications and reapplications of students.
- Recommend students for admission.

- 
- To review the University admissions criteria and/or standards.
- 

### ***Institutional Animal Care and Use Committee***

Chair: Appointed by the President

Members:

- Three (3) Members of the Faculty
- Two (2) Public Members
- One (1) Student
- One (1) Member of the Veterinarian Profession

Purpose(s):

- To screen all research proposals that include the use of animals for experimentation.
- To evaluate the adequacy of the animal care.
- To evaluate the suggested methodology in which animals are to be involved.
- Perform regular evaluations of animal lab facility.

### ***Preceptorship Committee***

Chair: Dean of Clinics

Members:

- Assistant Deans
- Chair
- Chief Clinicians
- Three (3) Clinicians
- Member of Institutional Effectiveness

Purposes:

- Review applications from students and preceptors.
- To make recommendations regarding program participants.
- To review the progress and performance of participants.
- To provide advice on matters concerning the operation and effectiveness of the program.
- Develop a cadre of clerkship preceptors.

### ***Clinic Systems Risk Management Committee***

Chair: Appointed by the President

Members:

- Chair
- One (1) Chair of a Residency Program
- Three (3) Clinicians
- Consultant – Director of Management and Information Systems

Purpose(s):

- To monitor potential therapeutic, medico-legal or liability risks.
- To review clinic incident reports.

### ***Clinical Quality Management Committee***

Chair: Dean of Clinics



Members:

- Assistant Deans of ND, AHM and DC programs
- Chair
- Clinician representative from each program
- Comptroller
- Florida representative
- Observer – Assistant Dean of Institutional Effectiveness

Purposes:

- To review the entire clinical care program using the University's clinics Quality Assurance plan.
- To suggest policies that will assure quality patient care within the University's clinics.
- To develop the clinical indicators to be monitored.
- To affirm or revise standards of care.
- To affirm or revise the quality improvement plan.
- To develop data sources necessary for quality assurance.
- To resolve problems identified by committee.
- 

***Curriculum Committee***

Chair: Appointed by the President

Members:

- Assistant Deans
- Clinical MT Supervisor
- Co-Chair Dean of the College of Professional Studies – Illinois
- Co-Chair Dean of the College of Professional Studies – Florida
- Co-Chair Dean of the College of Allied Health
- Consultant: VP for Academic Services, Registrar, & Instructional Design
- Dean of Clinics
- Dean of the College of Allied Health
- Dean of the College of Lincoln College of Professional, Graduate and Continuing Education
- Dean of the College of Professional Studies – Florida
- Dean of the College of Professional Studies – Illinois
- Dean of Institutional Effectiveness
- Department Chairs of the College of Professional Studies
- Faculty Representative for the Research Department
- Observer – Director of Learning Resource Center
- Three (2) Student Representatives: 1 CPS, 1 Allied Health

Purposes:

- To review the entire curriculum and any proposed changes.
- To act on the content recommendations and/or proposals made by University personnel or committees for referral to the President.

***FACULTY & STAFF DEVELOPMENT COMMITTEE***

Chair: Appointed by the President

Members:

- At least one (1) Clinician
- Two (2) Co-Chairs
- At least one (1) Faculty Member
- One (1) Representative from Business Office

- One (1) Representative from Communications
- One (1) Human Resources representative
- One (1) Representative from the Learning Resource Center
- At least one (1) Staff Member
- Florida Campus Coordinator
- Illinois Campus Coordinator
- 

**Purposes:**

- To review and/or recommend University policy concerning faculty & staff development activities.
- To plan professional and personal development activities for faculty & staff to foster communication between faculty and staff concerning joint development.

### ***Faculty Senate***

The membership of the Faculty Senate is broadly representative of the major departmental or functional elements of the faculty. The Senate shall be composed of faculty members elected from this body.

**Members:**

- 14 elected faculty members

**Purposes:**

- Represent the faculty interests on the University Council.
- To deliberate and make recommendations on issues directed to it by the President such as the curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process.

### ***Financial Aid Satisfactory Academic Progress Appeals Committee***

Chair: Vice President for Business Services

**Members:**

- Chair
- Chair, Basic Science – Florida
- Chair, Basic Science – Illinois
- Dean of the College of Allied Health Science
- Director of Financial Aid
- 

**Purposes:**

- Review student appeals for continuation of aid after receiving two financial aid warnings.

### ***Financial Assistance and Scholarship Committee***

Chair: Director of Financial Aid

**Members:**

- Chair
- Consultant – Vice President for Administrative Services
- One (1) Representative of Admissions
- One (1) Representative of Alumni and Development
- One (1) Representative of the Business Office
- One (1) Representative of the Office of the Dean of Students

- One (1) Representative of the Office of the Registrar
- Two (2) Members of the Faculty

Purposes:

- To make recommendations to the Vice President for Business Services concerning recipients of established as well as new scholarships.
- To recommend changes relative to the University's Financial Aid Program as related to Federal and State guidelines for financial aid.

### ***Infection Control and Chemical Safety Committee***

Chair: Appointed by the President

Members:

- Chair
- Consultant: Dean of Clinics
- Director of Facilities
- A Representative of the Human Resources Department
- Three (3) Members of the Faculty
- One (1) Public Member

Purposes:

- To recommend policy and procedures that will safeguard NUHS employees and patients from undue exposure to infections of other toxins.
- To guide the management of the chemical hygiene plan for the University.

### ***Institutional Review Board (Research)***

Chair: Appointed by the President

Members:

- Chair
- Three (3) Faculty or Professional Personnel (1 from Illinois & 1 from Florida)
- Two (2) Public Members, (1) (non-employee) with a non-scientific background
- One (1) Student Representative

Purposes:

- To review and monitor biomedical and behavioral research involving human subjects conducted or sponsored by the University to insure that the human subjects and their rights are protected.
- To act as an advisor to the Dean of Research on University policy in response to changes in government rules, regulations, and guidelines affecting such research.

### ***Library Committee***

Chair: Chair of the Learning Resources Center

Members:

- Chair
- One (1) Clinic Faculty Representative
- Three (3) Members of the Faculty
- One (1) Representative from Management Information Systems
- One (1) Representative from Student Services
- One (1) Student Representative

- Consultant: Dean of Students
- Consultant: Editor in Chief

**Purposes:**

- To act in an advisory capacity to the Director of the Learning Resource Center.
- To make recommendations to guide the development of goals, procedures, and services of the Learning Resources Center.
- To act as a liaison between the Learning Resources Center and its users.
- To ensure compliance with relevant copyright laws and mandates.

***Lecture and Cultural Affairs Committee***

Chair: Appointed by the President

**Members:**

- Co-Chairs (1 Representative from Illinois & 1 Representative from Florida)
- Director of Facilities and Security
- Three (3) Employees
- One (1) Management Information Systems Representative
- One (1) Member from the Department of Communications
- One (1) Member from the Learning Resources Center
- One (1) Member from the Office of Student Service
- One (1) Student Representative

**Purposes:**

- To address issues of social and cultural development of the University and it's community.
- To establish programs and recommend the budget necessary to help students develop cultural awareness.
- To make recommendations to the Learning Resource Center Committee on appropriate books to add to the collection to promote the development of cultural awareness and increase community involvement.
- To make recommendations to the Learning Resource Center Committee regarding acquisition of recreational reading materials for faculty and student use.

***Postprofessional, Graduate and Continuing Education Advisory Committee***

Chair: Dean of Lincoln College of Postprofessional, Graduate and Continuing Education

**Members:**

- Chair
- Five (5) Members of the Faculty

**Purposes:**

- To advise the Dean of the Lincoln College of Postprofessional, Continuing and Graduate Education relating to the selection of graduate and continuing education faculty and on matters relating to the relevant courses.

### ***Rank and Promotion Committee***

Chair: Appointed by the President

Members:

- Chair
- Six (6) Faculty Members – as defines in Section 4 of the Faculty Handbook
- Three(3) Alternate Faculty Members – if available

Purposes:

Details regarding this committee, including, but not limited to, membership and modus operandi, and elsewhere referred to as the Committee on Rank and Promotion, are set forth in that section of this Faculty Handbook dealing with Academic Rank.

### ***Research Committee***

Chair: Dean of Research

Members:

- Consultants: at least two (2) Members of the Faculty
- Four (4) Members of the Faculty

Purposes:

- To provide guidance and assistance to faculty desiring to engage in research or write research proposals.
- To review all research proposals prior to submission to the agencies.
- 
- 

### ***Residency Committee***

Chair: Dean of the College of Professional Studies - IL

Members:

- Chair
- Chairs of Clinical Practice
- Assistant Deans of College of Professional Studies
- Three (3) Members of the Faculty
- Directors of Residency Programs
- 

Purposes:

- To review and evaluate applicants for residencies.
- To review periodically the progress of residents.
- To evaluate continuously the content and quality of residency programs.
- To act as an advisor to the Dean of Postprofessional and Continuing Education on all matters pertaining to residency programs.
- To function as an appeal committee for residents.

### ***Safety Committee***

Co -Chair: Vice President for Business Services

Co-Chair: Dean of Institutional Compliance

Members:

- Two (2) Basic Science faculty (1 from Illinois, 1 from Florida)
- Co-Chair
- Dean of Clinics
- Two (2) Consultants
- Assistant Director of Communications
- Director of Facilities
- Director of Human Resources
- Director of Management Information Systems
- Florida Representative
- Student Services Representative

Purposes:

- To identify, review, monitor, and make appropriate recommendations relating to potential or actual non-medico-legal safety hazards or other risks.

### ***Self-Study Committee***

Chair: Appointed by the President

Members:

- Chair – –Assistant Dean of Institutional Effectiveness
- Assistant Dean, College of Allied Health and Distance Education
- Assistant Dean, Doctor of Chiropractic Program
- Assistant Dean, Naturopathic Program
- Assistant Dean, Acupuncture and Herbal Medicine
- Dean of Institutional Effectiveness
- Dean of the College of Professional Studies – Florida
- Dean of the College of Professional Studies - Illinois
- Dean of Students
- Co-curricular Coordinator
- Student Representative

Purposes:

- To align accreditation efforts across programs.
- To enhance reporting and benchmarks across programs.
- To elevate programmatic quality above accreditation standards.
- To develop standard measures of programmatic and university-level assessment.
- To ensure compliance with higher education and programmatic standards.

### ***Tenure Committee***

Chair: Appointed by the President

Members:

- Chair
- Six (6) Faculty Members – as defined in Section 5 of the Faculty Handbook
- Six (6) Alternate Faculty Members – if available

Purposes:

Details regarding this committee, including, but not limited to, membership and modus operandi, and elsewhere referred to as the Committee on Tenure, are set forth in that section of this Faculty Handbook dealing with Tenure.

### **Title IX Employee Hearing Committee**

Chair: Appointed by the President

Members:

- Chair
- Dean of College of Allied Health Sciences
- Dean of College of Professional Studies - FL
- Dean of College of Professional Studies - IL
- Director of Alumni and Development
- Director of Facilities and Security
- Director of Financial Aid
- Director of Human Resources
- Director of Library

Purposes:

- To serve as the hearing panel for complaints involving respondent employees under the formal resolution process of the NUHS Title IX and Sex Discrimination Policy. This Committee will perform the functions outlined in the policy.
- To conduct a hearing in accordance with the Title IX and Sex Discrimination Policy procedures.

### ***University Discipline Committee***

Chair: Appointed by the President

Members:

- Chair
- Two (2) Consultants
- Four (4) Faculty
- Two (2) Faculty Alternates
- One (1) Student Council Officer

Purposes:

- To provide a fair evaluation of an accused student's responsibility for violating University regulations. Formal rules of evidence shall not be applied, nor shall deviations from prescribed procedures necessarily invalidate a decision, unless significant prejudice to the accused student or the University may result.<sup>1</sup>
- To function as the formal hearing body in matters related to alleged violations of Professional Conduct Requirements as outlined in this document and the various forms of social and academic misconduct prohibited by the NUHS Student Code of Conduct. The Committee on Discipline shall also hear cases referred by the Dean of Clinics when an intern with Professional Conduct deficiencies either fails to satisfactorily complete clinician-assigned remediation or violates the Professional Conduct Performance Requirements with enough frequency or severity to merit referral to a formal hearing body.
- To conduct a hearing in accordance with the guidelines set forth in the Formal Hearing Procedures section of this document.
- 
- 

---

<sup>1</sup> Disciplinary proceedings in the University environment must not evolve into a quest for procedural error. The courts have recognized, even in the context of a criminal case, that procedural perfection is impossible. See *United States v. Hasting* 461 U.S. 499 (1983): "...taking into account the reality of the human fallibility of the participants, there can be no such thing as an error-free perfect trial, and the Constitution does not guarantee such a trial."







## **Non-discrimination Policy**

National University of Health Sciences does not discriminate on the basis of race, color, national origin, gender, religion, sexual orientation, disability (please see Technical Standards for Admission in the Admissions section of the University bulletin), or age in admission, access to treatment, or employment in its programs and activities which receive or benefit from federal financial assistance, in accordance with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, or the Age Discrimination Act of 1975, and the Americans With Disabilities Act of 1990.

## **Faculty Appointments**

*This section will provide the reader with the processes for faculty appointments, search committees, recruitment, and contract documents.*

## **General policy**

To ensure instructional service of high quality in an atmosphere of academic integrity and mutual confidence, it is the policy of The National University of Health Sciences to provide stable employment to every faculty member during the period of his/her contractual service to the University, and to provide assurance of opportunity for continuous employment to every qualified member who has attained tenure as described in the Tenure section of the Faculty Handbook.

## **Types of Appointments – Regular & Temporary**

### ***Regular Appointments***

Regular appointments to the faculty of the University are either tenure-track or non-tenure track, but all such appointments are full-time, as defined below, are renewable annually by mutual agreement between the University and the appointee, and entitle the appointee to all of the University's fringe benefit programs.

A full-time appointee is one whose contract with the University is for a period of time no less than three (3) consecutive trimesters, and requires that the appointee, during the typical University work week, Monday through Friday, except for lunch periods, be engaged in University activity and assignments and available to students, other faculty members, support staff, and members of the administration. Because the scheduled intern contact hours of those members of the faculty who function as clinicians represent a continuous clinical laboratory exercise, such members whose scheduled intern-training contact hours equal no less than thirty (30) hours per week are considered full-time.

Because of the necessity for the University to provide clinical services beyond the hours identified above, clinic schedules provide for earlier starting and later closing times as well as Saturday hours, and on occasion, Sunday hours. The operational hours of the Learning Resource Center also represent a departure from the schedule for most employees.

Within the time parameters set forth above, full-time appointees are expected to arrange their non-classroom and non-laboratory on-campus activities, as well as unscheduled hours, in a manner to facilitate their availability to other members of the University community, their research and other scholarly activities, and any assigned administrative duties. Any full-time appointee desiring to schedule off-campus activities on a regular basis must have the approval of that appointee's immediate supervisor.

Regular Appointments - Tenure-Track: In addition to being full-time renewable annually, and entitling the appointee to all of the University's fringe benefit programs, are:

1. Limited to those appointees who possess an earned first professional or doctoral degree awarded by an accredited college or university.
2. An earned master's level degree in library science held by professional librarians seeking appointment in the Learning Resource Center, or an earned master's level degree in an audio/visual specialty held by those seeking appointment in the Learning Resource Center, shall be considered the equivalent of an earned doctoral degree.
3. At the rank of Instructor, or Assistant Professor, or Associate Professor, or Professor; and
4. Limited to the probationary period stipulated in the TENURE section of this Faculty Handbook.

Regular Appointments - Non-Tenure Track: In addition to being full-time, renewable annually, and entitling the appointee to all of the University's fringe benefit programs, are:

1. For those appointees who possess an earned first professional or doctoral or master's degree awarded by an accredited college or university.
2. Or who possess a certificate awarded by, or who are registered with, a specialty board or society. (Examples of such certificated or registered appointees are those who are registered radiological technologists, or who are medical technologists certified by the American Society of Clinical Pathologists.)
3. At the rank of Instructor, or Assistant Professor, or associate Professor, or Professor.
4. Or Technology Instructor, the latter rank being reserved for those who do not possess an earned first professional, doctoral, or master's degree awarded by an accredited college or university. Those holding the rank of Technology Instructor are not eligible for promotion to the rank of Instructor, or Assistant Professor, or Associate Professor, or Professor. Those regular non-tenure track appointees, except for professional librarians and audiovisual specialists with master's degrees, who do not possess an earned first professional or doctoral degree awarded by an accredited college or university are not eligible for promotion to the rank of Associate Professor or Professor;
5. Not limited to the probationary period stipulated in the TENURE section of this Faculty Handbook.

### ***Temporary Appointments***

Temporary appointments to the faculty of the University are:

1. Either full-time or part-time;
2. Non-tenure track;
3. Not limited to any probationary period as stipulated in the TENURE section of this Faculty Handbook;
4. Renewable only by mutual agreement between the University and the appointee;
5. Do not entitle the appointee to any of the University's fringe benefit programs except, when in the sole judgment of the President of the University, conditions such as extent, longevity, and quality of service warrant such exception.

Such appointments are at the rank of Lecturer if the appointee does not hold a full-time appointment at another accredited college or university, or for appointments of those who concurrently hold, or who have held, and are not actively engaged in, a full-time appointment at another accredited college or university, the rank which is held, or has been held, at that college or university preceded by the word "Visiting".

#### **Temporary Appointments, Full-Time:**

Temporary Appointments, Full-Time, are limited to those appointees whose credentials are the equivalent of those stipulated previously in the Regular Appointments – Non-Tenure Track above. Such appointments are those which are:

Full-time, defined as those which are for a period of time less than three (3) consecutive trimesters, but are otherwise as defined in Regular Appointments – Non-Tenure Track above.

#### **Temporary Appointments, Part-Time:**

Temporary Appointments, Part-Time, are limited to those appointees whose credentials are the equivalent to those stipulated above. Such appointments are those which are:

Part-time, defined as those which are for a period of time less than three (3) consecutive trimesters, and which, for scheduled and unscheduled University activities, require less time than stipulated;

## **Determination of the Need for a Faculty Appointment**

The need for an appointment to the faculty of The National University of Health Sciences usually stems from an impending faculty departure, a change in the curriculum, a change in enrollment, a faculty member going on a sabbatical leave, protracted faculty illness or disability, faculty death, faculty retirement, faculty assignment transfer, an expansion of the clinic system or other circumstance that creates a faculty vacancy. The identification of such a need rests primarily with the supervisor(s) of the functional unit area(s) in which the need arises. Before the initiation of any recruitment or selection process, the approval of the President of the University must be obtained.

## **Requests for Faculty Appointment and Presidential Approval**

### Functional Area(s) Initiation and Processing of Faculty Appointment Forms

The supervisor of the functional area in which the faculty vacancy exists initiates the appointment process by fully completing the appropriate faculty appointment form. Current copies of these forms are available from the College Deans or the Dean of Clinics. If the prospective appointee is to function in more than a single area, the faculty appointment form must be executed by the appropriate supervisors, and it is forwarded through reporting channels up to the President, it must be endorsed by those who have a supervisory responsibility, direct or indirect, for each functional area to which the prospective appointee is to be assigned.

Before the President's approval, disapproval, or modification of any faculty appointment form transmitted to him, the President may consult with any member of the faculty, administration, or support staff. After the President's approval of the faculty appointment form, he/she shall direct the form down through reporting channels to the originator(s).

## **Search Committee Composition**

It shall be the responsibility of the Vice President for Academic Services, with the President's approval, to establish a search committee and monitor its activities. The Chair of Faculty Senate may be consulted regarding the composition of the search committee.

A search committee shall include members of the faculty from the department or unit in which exists the faculty vacancy or from departments or units that are functionally related, but shall not consist solely of representatives from these areas. A search committee shall include at least one representative of the department or unit in which exists the faculty vacancy. In the event that no representative is available, then at least one faculty representative from a department or unit similar in structure or function shall be included in the search committee.

Searches for appointments to faculty positions with administrative responsibilities at the level of department chair or above shall be conducted at the discretion of the President or his designee.

## **Recruitment**

### ***Primary Responsibility***

Recruitment responsibility rests primarily with the search committee. Methods of locating and recruiting qualified applicants for appointments to the faculty include, but are not limited to, liaison with professional or graduate schools, advertisements in professional periodicals, registries of professional organizations, consultants, agencies specializing in the recruitment of academic or professional personnel, professional and academic contacts, and newspapers.

Regardless of the medium, or media, selected for locating and recruiting qualified personnel, the process shall be in accord with local, state, and Federal laws governing or regulating equal employment opportunity. It is important to note that The National University of Health Sciences does not discriminate on the basis of race, color, national origin, sex, disability or age in admission, access to treatment or employment in its programs and activities that receive or benefit from Federal financial assistance, in accord with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, or the Age Discrimination Act of 1975, and the Americans With Disabilities Act of 1990.

### ***Announcement of Faculty Vacancy***

A search committee shall convene as soon as possible after receiving the faculty appointment form bearing the President's approval and shall recommend to the Vice President for Academic Services the medium(ia) to be used in promulgating the announcement of the faculty vacancy, the frequency of the announcement, and an estimate of the costs attendant thereto. No announcement shall be made without the written approval of the Vice President for Academic Services. It is the responsibility of the search committee to prepare the announcement, subject to review by the Vice President for Academic Services.

The announcement shall state clearly the deadline for receipt of applications and the criteria to be met for eligibility for the appointment. It is necessary that the Search committee follow the criteria for the approved faculty rank as those criteria are set forth in the Academic Rank section of this Faculty Handbook. The announcement shall require applicants to supply initially a letter stating interest in the appointment and reasons therefore, an up-to-date curriculum vitae with inclusive dates, [including educational background; prior academic, professional, or clinical experience; license(s) or academic rank(s) held where applicable; and the names, addresses and current telephone numbers of no less than three (or more at the option of the search committee) referees]. For appointments necessitating a professional license, applicants shall be required to submit a copy of such license.

### ***Distribution, Acknowledgement and Receipt of Applications***

Immediately after receiving applications the chair of the search committee shall distribute copies thereof to the other members of the committee.

It shall be the responsibility of the chair of a search committee to acknowledge in writing receipt of applications and to correspond further with applicants when necessary to apprise them of any application deficiencies, and to request clarification of points contained in the materials submitted, and to contact referees.

### ***Initial Search Committee Deliberations***

As soon as possible after the deadline for receipt of applications the chair of the search committee shall convene the committee to consider the applications. During the deliberative process, committee members may consult with any member of the faculty.

The search committee shall rank applicants, endeavoring to identify a minimum of three desirable applicants. If no applicants are found suitable, the Vice President for Academic Services shall be notified immediately and a request made for funding to continue the search.

### ***Request for Additional Documentation or Information***

The chair of the search committee shall request that applicants found suitable by the committee have additional documentation forwarded directly by the senders, to include at a minimum, official transcripts of all undergraduate, graduate, professional, and continuing education.

The chair of the search committee may also request the applicant to furnish information, as appropriate to the appointment, relevant to the applicant's prior academic, professional, and clinical, experience, and prior academic rank(s) and license(s) held.

The chair of the search committee shall ascertain if applicants for positions requiring a professional license are in good standing with the licensing boards in those states in which the applicant is licensed.

### ***Interim Search Committee Deliberations***

As soon as possible after receiving additional documentation relative to applicants whom the search committee has found suitable, the chair shall convene the committee to consider the applicants.

The search committee shall determine which applicants shall be invited to the campus for an interview.

It shall be the responsibility of the chair to make all necessary arrangements for applicant's visits.

### ***Applicant Visit to the Campus***

During an applicant's visit to the campus, the applicant shall meet with the convened search committee and may have an opportunity to meet separately with committee members if any of them so desire, and if deemed necessary and appropriate by the search committee, shall make a presentation during which University personnel and students may attend.

The applicant shall meet with the President, or his designee, be provided a tour of the campus and opportunity to meet with other members of the faculty, administration and support staff as deemed appropriate by the chair of the search committee.

During the visit the applicant shall be provided answers to questions about the University as well as information relative to contract documents, fringe benefit programs, and other conditions of employment.



### ***Final Search Committee Deliberation***

The search committee may make an appointment recommendation after the visit of any applicant, whether that applicant is the first one to meet with the committee or any subsequent one.

Except as noted in the paragraph labeled “Final Decision” immediately below, before making any recommendation for an appointment, the chair of the search committee shall consult with the:

- Committee on Rank and Promotion, excepting those who are being considered for appointment to the rank of Technology Instructor, relative to the applicant meeting the criteria for the rank approved in the faculty appointment form and relative to credit, if any, to be awarded toward promotion to the next highest rank; and
- Committee on Tenure, in the case of tenure-track appointments, relative to credit, if any, to be awarded the applicant toward the fulfillment of the probationary period required for eligibility for tenure consideration.

The consultations with the Committee on Rank and Promotion and the Committee on Tenure, as noted immediately above, are not necessarily prior to the appointment of an applicant to the rank of Instructor or Technology Instructor or for appointments for which no credit towards fulfillment of the probationary period required for eligibility for tenure is being considered. In all such cases, the Committee on Rank and Promotion and the Committee of Tenure shall review the applicant's file as soon as possible after appointment for the purposes outlined immediately above.

The search committee shall conclude its deliberations and forward its recommendation to the appropriate University official as indicated on the faculty appointment form.

### **Final Decision**

Where a search committee recommendation is made to someone other than the President, before forwarding a recommendation to the President, that person may consult with any member, or members, of the faculty, administration, or support staff, especially those in a direct line of reporting to him/her from the functional unit to which the appointment is to be made.

Where a search committee recommendation is made to the President, the President, before making a decision, may consult with any member, or members, of the faculty, administration, or support staff, especially those who are in a direct line of reporting to him/her from the functional unit to which the appointment is to be made.

In all cases the President shall make the final decision(s) relative to the appointment, and shall signify his decision on the appropriate part of the faculty appointment form and forward it, as appropriate, for contract preparation.

### **Contract Documents**

As appropriate to the assignment of the appointee, the contract document preparation, its transmittal to the prospective appointee, and any negotiations shall be the responsibility of the President, or his designee. In no case shall the terms of the contract document be other than those specified in the faculty appointment form as approved by the President.

All contracts shall be prepared in duplicate, and after execution one (1) original copy shall be transmitted to the appointee and the other shall be maintained in an appropriate file under the jurisdiction of the Vice President for Academic Services.

## **Search Committee Files**

After the search committee has completed its assignment, the original copies of all documentation in its possession shall be transmitted to and filed under the jurisdiction of the Vice President for Academic Services. Such files are to be maintained for that period of time required by law.

## **Academic Rank**

*This section will provide the reader with the processes for determination of faculty rank.*

## **Probationary Period**

### ***Eligibility Criteria***

In the following portion of this section dealing with academic rank at initial appointment and promotion in rank, years of service at The National University of Health Sciences, or their equivalent elsewhere, is a criterion. Also, a specific number of such years of service is referred to as a probationary period relative to tenure eligibility.

### ***Equivalent Service***

Further, a calendar year of service in the Learning Resource Center at The National University of Health Sciences, or its equivalent elsewhere, shall be considered to be the equivalent of a calendar year of teaching. However, notwithstanding the provisions made immediately above, prior calendar years of service in the Learning Resource Center of The National University of Health Sciences, or its equivalent elsewhere, shall only be considered for the purpose of a faculty appointment to the Learning Resource Center. Also, prior calendar years of service in the Learning Resource Center of The National University of Health Sciences, or its equivalent elsewhere, shall not be considered for the purpose of a faculty appointment to any area of the University other than the Learning Resource Center.

### ***Beginning Date***

In order to make the promotion and tenure processes and timetables uniform among faculty members, and thereby minimize the possible errors in the application process for promotion or tenure, the beginning of the probationary period for a faculty member whose initial date of appointment is prior to the start of the second trimester of a University year shall be the first day of that University year. If the date of initial appointment is after the completion of the first trimester of a University year, the probationary period shall commence with the beginning of the next University year, and the service rendered prior to the beginning of that next University year shall be considered temporary.

## **Minimum Criteria for Rank at Initial Appointment**

### ***Technology Instructor***

1. Possess at least a certificate awarded by, or be registered with, a specialty board or society. (Examples of such certificated or registered appointees are those who are registered radiological technologists, or who are medical technologists certified by the American Society of Clinical Pathologists).
2. Shall evidence ability or promise as a teacher.
3. Shall have definite plans for further study, or continuing education in his/her discipline, or for other activity of a scholarly or academic activity.

### ***Instructor***

1. Possess an earned first professional degree or an earned master's level degree awarded by an accredited college or university.
2. Shall evidence ability or promise as a teacher.
3. Shall have definite plans for further graduate study, or continuing professional education, or continuing education in his/her academic discipline, or other scholarly activity.

### ***Assistant Professor***

1. Possess an earned first professional degree or an earned master's level degree awarded by an accredited college or university.
2. Shall have no less than three (3) calendar years, or the equivalent thereof, of demonstrated successful teaching/administrative relevant to the area or discipline in which the appointment is to be made; at least two (2) of these three (3) calendar years, or the equivalent thereof, must have been consecutive, and the experience must have been while holding the rank of instructor or above as a full-time member of the faculty at an accredited first professional degree granting college or university, or at an accredited college or university, or at a combination of these two (2) types of institutions (first professional degree granting and college or university). (Prior full-time faculty service at The National University of Health Sciences is acceptable.) In the case of an applicant holding a first professional degree, as described in "1." immediately above, who is seeking appointment in Clinical Sciences, five (5) or more consecutive calendar years of demonstrated successful full-time practice, as judged by the Committee on Rank and Promotion, may be substituted for as much as, but no more than, one (1) of the three (3) calendar years of demonstrated successful teaching stipulated above.
3. Shall have definite plans for further graduate study, or continuing professional education, or continuing education in his/her academic discipline, or other scholarly activity.
4. Shall evidence professional involvement in professional college or university activities outside of the classroom or laboratory, or past professional involvement outside of the clinic or practice setting.
5. Shall evidence past service to the community at large.
6. Shall evidence an ability to perform scholarly or creative work in his/her academic discipline or professional field of interest.

### ***Associate Professor***

1. Possess at least an earned first professional degree or an earned doctoral awarded by an accredited college or university. An earned master's level degree in library science held by professional librarians seeking appointment in the Learning Resource Center, or an earned master's level degree in an audio/visual specialty held by those seeking appointment in the Learning Resource Center, shall be considered the equivalent of an earned doctoral degree.
2. Shall have completed no less than six (6) calendar years, or the equivalent thereof, of demonstrated successful teaching/administrative relevant to the area or discipline in which the appointment is to be made; at least four (4) of the six (6) calendar years, or the equivalent thereof, must have been consecutive, and at least three (3) of these four (4) consecutive calendar years of teaching/administrative must have been while holding the rank of Assistant Professor or above as a full-time member of the faculty at an accredited first professional degree granting college or university, or at an accredited college or university, or at a combination of these two (2) types of institutions (first professional degree granting and college or university). (Prior full-time faculty service at The National University of Health Sciences is acceptable.) In the case of an applicant holding a first professional degree, as described in "1." immediately above, who is seeking an appointment in the Clinical Sciences, ten (10) or more consecutive calendar years of demonstrated successful full-time practice, as judged by the Committee of Rank and Promotion, may be substituted for as much as, but no more than, two (2) of the six (6) calendar years of demonstrated successful experience stipulated above. In the case of an applicant holding a first professional degree, as described in "1." immediately above, who is seeking an appointment in one (1) or more of the University's clinics, ten (10) or more consecutive calendar years of demonstrated successful full-time practice, as judged by the Committee on Rank and Promotion, may be substituted for as much as, but no more than, two (2) of the six (6) calendar years of demonstrated successful teaching/administrative stipulated above.
3. Shall have definite plans for further graduate study, or continuing professional education, or continuing education in his/her academic discipline, or other scholarly activity.

4. Shall evidence past professional involvement in professional college or university, or college or university, activities outside of the classroom or laboratory, or past professional involvement outside of the clinic or practice setting.
5. Shall evidence past service to the community at large.
6. Shall evidence a record of continuous productive scholarship, creative achievement, or major contributions to his/her discipline or profession, or significant research, as indicated by presentations at meetings of regional, national, or international, professional associations or other type of organization, or by publication of scholarly works in refereed journals or periodicals.

### ***Professor***

1. Possess at least an earned first professional degree or an earned doctoral degree awarded by an accredited college or university. An earned master's level degree in library science held by professional librarians seeking appointment in the Learning Resource Center, or an earned master's level degree in an audio/visual specialty held by those seeking an appointment in the Learning Resource Center, shall be considered the equivalent of an earned doctoral degree.
2. Shall have completed no less than nine (9) calendar years, or the equivalent thereof, of demonstrated successful teaching/administrative relevant to the area or discipline in which the appointment is to be made; at least six (6) of these nine (9) calendar years, or the equivalent thereof, must have been consecutive, and at least three (3) of these six (6) consecutive calendar years of teaching/administrative must have been while holding the rank of Associate Professor or above as a full-time member of the faculty of an accredited first professional degree granting college or university, or at an accredited college or university, or at a combination of these two (2) types of institutions (first professional degree granting and college or university). (Prior full-time faculty service at The National University of Health Sciences is acceptable.) In the case of an applicant holding a first professional degree, as described in "1." immediately above, who is seeking an appointment in the Clinical Sciences, fifteen (15) or more consecutive calendar years of demonstrated successful full-time practice, as judged by the Committee on Rank and Promotion, may be substituted for as much as, but no more than, three (3) of the nine (9) calendar years of demonstrated successful teaching/administrative stipulated above. In the case of an applicant holding a first professional degree, as described in "1." immediately above, who is seeking an appointment in one (1) or more of the University's clinics, fifteen (15) or more consecutive calendar years of demonstrated successful full-time practice, as judged by the Committee on Rank and Promotion, may be substituted for as much as, but no more than, three (3) of the nine (9) calendar years of demonstrated successful teaching/administrative stipulated above.
3. Shall have definite plans for further graduate study, or continuing professional education, or continuing education in his/her academic discipline, or other scholarly activity.
4. Shall evidence past professional leadership in professional college or university, or college or university, activities outside of the classroom or laboratory, or past professional leadership outside of the clinic or practice setting.
5. Shall evidence leadership in past service to the community at large, and a commitment to a continuation of such leadership in the future.
6. Shall evidence an established reputation as a continuous producer of scholarly works through creative activity; or major contributions to his/her discipline or profession; or significant research as indicated by presentation of papers at meetings of regional, national, or international professional associations or other type of organization; or the publication of scholarly works in refereed journals or periodicals.
7. Shall evidence a commitment to engage in activities designed to improve his/her ability to teach, to produce scholarly work of a research or other nature relevant to his/her university assignment, as well as a commitment to engage in activities for further professional development, and for the advancement of knowledge in his/her discipline or field of interest.

## **Promotion in Rank**

### ***Foreword***

Promotion in rank signifies the University's recognition of a faculty member's professional and personal achievements. Among the areas to be considered in the process of evaluation for promotion are effectiveness in teaching, research or other creative or scholarly work and their presentation or publication, and service to the University, the educational and/or health care professions and the community at large.

Faculty members achieve distinction in a variety of ways with varying degrees of success. Thus, in the process of evaluation for promotion, the weight given to a faculty member's achievement in the aforementioned areas must take into consideration the faculty member's assignments, and it is to be expected that there will be considerable variation in the degrees of success of a faculty member in those areas. However, inasmuch as the most important expectation which the University has of its faculty is excellence in teaching, teaching among the three (3) traditional missions of higher education (teaching, research, and service) is the most important area to be considered in the evaluation process of those faculty members with teaching assignments.

### ***Effective Date Of Promotion***

A promotion in rank shall become effective upon the first day of a University year, i.e. September 1.

### ***Application For Promotion***

To ensure adequate time for thorough evaluation and decision-making, a faculty member seeking promotion (applicant) shall, no later than the second Friday in January of any year, file a letter of his/her intent to apply for promotion with his/her immediate supervisor(s), and write a letter to the Vice President for Academic Services requesting copies of prior evaluations to be sent to his/her supervisor(s). The applicant shall make written application for promotion with his/her immediate supervisor(s) no later than the second Friday in February of any year. The application shall include all data, documentation, and supporting records and materials which the applicant feels to be germane to the application. Of primary importance will be the evidence presented attesting to excellence in teaching, for those with teaching assignments.

### ***Processing The Application***

1. Upon receiving a faculty member's application for promotion, the faculty member's immediate supervisor(s) shall review the written application, including the supporting data, documentation, records and materials submitted by the applicant, as well as the copies of all prior evaluations received from the Vice President for Academic Services, and shall then conduct a personal interview with the applicant.
2. The immediate supervisor(s) shall, no later than the fourth Friday in February in any year, forward the entire application file and written recommendation(s) through the appropriate reporting channels (usually through the Dean of the College or Dean of Clinics) as set forth in the University's Organization Chart. The application file and written recommendation(s) shall ultimately be forwarded to the Committee on Rank and Promotion through its chair. Questions regarding the channels through which an application must pass shall be resolved by the Vice President for Academic Services.
3. The Committee on Rank and Promotion shall review the applicant's complete file and conduct an interview with the applicant. No later than the second Friday in March of any year the Committee shall forward the complete file to the President, or his designee, with written recommendation. All recommendations shall make evident where the criteria for the rank recommended have been met. When a recommendation for promotion represents a departure from these criteria, the Committee

shall make evident where any such departure exists and why such departure is recommended. The Committee on Rank and Promotion shall have the right to meet with any supervisor who has made a recommendation during the process of the application.

4. After receiving and reviewing the applicant's complete file and the written recommendation of the Committee on Rank and Promotion, the President shall, no later than the fourth Friday in March in any year, make his decision and transmit that decision in writing to the applicant, the applicant's supervisor(s), and the Committee on Rank and Promotion. The applicant's complete file and a copy of the President's transmittal shall be kept in a confidential file under the jurisdiction of the Vice President for Academic Services. If the President's decision is affirmative, his transmittal shall state the effective date of the promotion.
5. If the decision of the President is to deny promotion, the President's transmittal to the applicant shall include the reason(s) for the denial and specify any requirement(s) the applicant must fulfill before reapplying. Any such requirement(s) shall be determined by the President after consultation with the Committee on Rank and Promotion, and, at his discretion, with the supervisor(s) of the applicant. After such consultation, the President shall also specify a minimum time period which must elapse before reapplying. .

### ***Appeal Process***

1. If the decision of the President is to deny promotion, the applicant may file an appeal with the President. Any such appeal shall be made in writing no later than seven (7) consecutive calendar days after the date of the President's transmittal denying promotion. The President shall, without undue delay, establish an appeal body whose members shall be the Vice President for Academic Services, who shall chair the appeal body, and all of the Deans of the University, excepting Deans who has (or have) made a recommendation regarding the current application. If the Vice President for Academic Services is a member who is accepted, the President shall designate another member as chair. In the event that there are less than three (3) Deans eligible to serve, the President shall designate alternates from among the faculty who have not made recommendations relevant to the current application and who hold the rank of Professor.
2. The chair of the appeal body shall notify the appellant in writing of the membership of the appeal body no later than seven (7) consecutive calendar days after its establishment. This written notice shall also advise the appellant of the date, place, and time of the appeal body's meeting to consider his/her appeal, such date to be no later than seven (7) consecutive calendar days after the date of such written notice, and that the appellant has the right to appear and be heard.
3. In support of an effort to conduct a fair and impartial hearing, the appeal body as a whole, or any member(s) shall have the right to request and receive information from, and require during the meeting the presence of, any member of the faculty who has made a recommendation regarding the current application, including any member(s) of the Committee on Rank and Promotion.
4. No later than seven (7) consecutive calendar days after the conclusion of the meeting, the chair of the appeal body shall transmit in writing to the President its findings and a recommendation either to grant or not to grant promotion of the applicant.
5. No later than seven (7) consecutive calendar days after receiving the written findings and recommendation of the appeal body, or as soon thereafter if he/she is absent from campus, the President shall notify the appellant in writing of his final decision. A confidential copy of this notice shall be sent to the appeal body, including a separate notice to the Vice President for Academic Services if he/she has not served as a member of the appeal body, the Committee on Rank and Promotion and those who made a recommendation regarding the current application.
6. A copy of the findings and recommendation of the appeal body and any documentation attendant thereto, as well as a copy of the President's written notice to the appellant indicating his final decision shall be maintained in a confidential file under the jurisdiction of the Vice President for Academic Services.



### ***Confidentiality***

All matters and materials to initial academic rank and applications for promotion, including all meetings of and documentation and related correspondence generated by the Committee on Rank and Promotion, as well as the proceedings of any appeal body shall be considered confidential, and a confidential file of such materials shall be established and maintained under the jurisdiction of the Vice President for Academic Services.

## **Rank at Initial Appointment**

Relative to rank at initial appointment, the Committee on Rank and Promotion in formulating written recommendations to be made to the President through a search committee shall evaluate all documentation received from a search committee and adhere to the criteria for academic rank. When a prospective faculty member's background is unusual, such as, but not limited to, education, credentials, or experience, the Committee shall be responsible for evaluating such background thoroughly before making a written recommendation which represents a departure, or departures, from the criteria for academic rank, and shall make evident where such departure, or departures, exists, or exist, and why such departure, or departures, is (are) recommended.

## **Faculty Equivalencies**

Given that the University involves itself in cooperative and extension opportunities such as outreach and clinical internships to fulfill the university mission, there often exists the need to appoint faculty rank equivalencies to personnel outside of the university. These adjunct members of the faculty will be recognized by a letter of appointment from the university president and will be governed by the Temporary Appointments section of the faculty handbook. Additionally, the university president may assign additional, clarifying descriptors to the appointment such as "Visiting Clinical or Visiting Research" to the appointment as necessary to describe the position. In such an instance where the cooperative or extension opportunity requires a direct link to the five, regular faculty ranks (in addition to the aforementioned qualifiers), the appointee may apply in writing for a recognized rank. The university president may deny any such request. If the request is accepted, the Vice President for Academic Services will be charged with determining the initial rank for recommendation. The Vice President for Academic Services may request input from the standing committee on rank and promotion before making the recommendation to the president. An example of such an appointment may be "Visiting Clinical Assistant Professor" and will be governed by the Temporary Appointments section of the faculty handbook.

## **Committee on Rank and Promotion**

### ***Rationale For Membership***

In determining the composition of the Committee on Rank and Promotion, the University seeks to provide opportunity for many Professors and Associate Professors to participate in a collegial manner and gain experience in determining who among their colleagues is worthy of promotion in academic rank. At the same time, to maintain as far as possible, continuity in the process and procedures germane to initial academic rank determination as well as promotion in rank.

### ***Membership***

The members and alternate members of the Committee on Rank and Promotion shall be appointed by the President of the University. The Committee shall be composed of six (6) members as set forth in “a.” and “b.” immediately below. The chairmanship shall be established as set forth in “c.” immediately below.

- a) Excluded from serving on the committee are: the President, the Vice President for Academic Services, the Deans, and any member of the faculty who reports directly to the President. Three (3) of these six (6) members shall hold the academic rank of Professor and three (3) shall hold the academic rank of Associate Professor. No less than three (3) of these six (6) members shall be tenured. In no case shall any of these six (6) members be a member of the Committee on Tenure.
- b) With the same exclusions as set forth in “a.” above, there shall be six (6) alternate members, and these six (6) alternate members as a group shall have the same qualifications as the group of six (6) members specified in “a.” immediately above.
- c) The President of the University shall appoint a Chairman of the Committee from among its members.

### ***Appointment Of Members and Alternate Members***

1. Before appointing members and alternate members of the Committee on Rank and Promotion, the President of the University shall seek and receive written recommendations from the Faculty Senate, the Vice President for Academic Services, and the Deans. All such written recommendations must be in the hands of the President no later than June 1 of the University's fiscal year.
2. The President of the University shall, no later than July 1 of each year or at other times as circumstances warrant, appoint members and alternate members of the Committee as well the Chairman. A term as Chairman shall be at the discretion of the President. Except as provided below, the terms of members shall be three (3) years commencing on the September 1 first following their appointment on the preceding July 1.
3. Alternate members of the Committee on Rank and Promotion appointed under this policy on Academic Rank, as well as those appointed subsequently, shall serve a term of one (1) year but may be appointed for an indefinite number of terms.
4. Each July 1 following the appointments provided in "2." above, or at other times as circumstances warrant, the President shall appoint a new member, or new members, to replace a member, or members, whose term, or terms, has, or have, expired, and if necessary, appoint a new member, or new members, to fulfill the unexpired term, or terms of a member, or members, who is, or are, unable to fulfill a term, and also, if necessary, appoint a new member, or new members, to replace an alternate member, or members, who is, or are, unable to fulfill the unexpired term, or terms, of a member, or members. The President shall, at the same time, appoint alternate members.
5. No past member of the Committee on Rank and Promotion shall be reappointed to a term to begin before three (3) years have elapsed since the end of the previous term, or since he/she was replaced by an alternate member because of an inability to fulfill his/her term.

### ***Service as a Member or Alternate Member Mandatory***

Service on the Committee as an appointed member or alternate member is mandatory.

### ***Removal of Member or Alternate Member***

Any member(s), or alternate member(s) may be removed from membership, or alternate membership, by the President for cause, such as, but not limited to, chronic absence from called meetings, failure to fulfill all of the provisions of this policy on academic Rank dealing with the Committee on Rank and Promotion, impeding the expeditious handling of matters related to applications for tenure, or violation of any duly established University policies, procedures, or guidelines.

### ***Member Replacement by Alternate Member***

No member, or alternate member, of the Committee who is a member of the functional unit, such as the department or clinic, to which the applicant for promotion is assigned, or who has made an evaluation or recommendation of the applicant within the twelve (12) months preceding the Committee's current deliberation about the applicant and such evaluation or recommendation is included among the materials being considered by the Committee, shall serve on the Committee considering that applicant or promotion. Any alternate member replacing a member shall have the same qualifications and member privileges as the member replaced. In the event that the alternate membership is exhausted by virtue of the conditions identified above, the President shall appoint another member of the faculty, and any such appointee shall have the same qualifications as the member replaced.

***Meetings***

A meeting of the Committee shall be convened at the call of the chair or at the call of no less than three (3) of the other five (5) members.

A quorum of the Committee shall be no less than four (4) of the six (6) members.

All meetings of the Committee shall be conducted in closed session. The President, or his designee, shall be privileged to attend any or all meetings.

***Voting***

All members, including the chairman, and alternate members serving as members, shall be entitled to vote on all matters which come before the Committee, the chair shall be entitled to vote on the issue of an applicant's promotion to break a tie vote, or to make a tie vote.

Members of the Committee may only vote yes or no on any motion(s) made regarding a recommendation to be made to the President relative to the assignment of initial rank or promotion in academic rank.

A simple majority of the yes or no votes shall prevail on any motion made during a meeting of the Committee.

Except as provided above, all meetings of the Committee shall be conducted in accord with the then current Robert's Rules of Order.

## **Tenure**

*This section will provide the reader with the processes for determination of tenure.*

## Forward: Two Types of Tenure

Effective January 1, 1995, two types of tenure exist at The National University of Health Sciences, with the applicable type for a given faculty member determined by that faculty member's date of initial appointment at the University. Faculty receiving initial full time appointment prior to January 1, 1995, become eligible for tenure under the terms of the 1983 Tenure policy (this policy was revised slightly in 1991; this policy will hereinafter be referred to as the 1983 Tenure policy). Faculty receiving initial appointment on or after January 1, 1995, become eligible for tenure under the terms of the Rolling Contract Tenure policy approved by the Board of Trustees in November, 1994 (this policy will hereinafter be referred to as the 1995 Rolling Contract Tenure policy). The eligibility for tenure, and the processes of application, evaluation, action by the Committee on Tenure, action by the President, and action by the Board of Trustees are the same for the two types of tenure. The primary difference between the two types of tenure exists in the process of dismissal of a tenured faculty member.

## Tenure Defined

Tenure at The National University of Health Sciences is defined as an arrangement under which faculty appointments in the University are continued until a time as determined by the type of applicable tenure policy. The two types are:

1. **1983 Tenure Policy:** faculty appointments in the University are continued until retirement or disability which prohibits the successful performance of assigned duties, subject to termination for cause after having been accorded the rights set forth on that section of this TENURE policy entitled "DISMISSAL OF A TENURED FACULTY MEMBER". or termination due to University financial exigency or change in University program (extraordinary circumstance). Faculty who receive initial regular, full time appointment prior to January 1, 1995, become eligible for tenure under the terms of the 1983 Tenure policy.
2. **1995 Rolling Contract Tenure Policy:** faculty contracts are granted for a three year period and must be renewed annually, subject to termination for cause after having been accorded the rights set forth on that section of this TENURE policy entitled "DISMISSAL OF A TENURED FACULTY MEMBER", termination due to University financial exigency or change in University program (extraordinary circumstance), or termination for no cause. Faculty receiving initial regular, full time appointment on or after January 1, 1995, become eligible for tenure under the terms of the Rolling Contract Tenure policy.

## Tenure: A Privilege

Tenure at The National University of Health Sciences is an earned privilege and not a rightful expectation. The University, during probationary periods as specified below, has the opportunity to observe and evaluate the capabilities and services of faculty members. Each time a contract between a faculty member and the University comes up for renewal, the administration of the University is charged with the responsibility of judging the qualifications and performance of the faculty member. After a judgment is made, there will be a decision not to reappoint those who have failed to adapt themselves to the standards of the University or failed to perform satisfactorily, or to reappoint those who have adapted themselves to the standards of the University and performed satisfactorily, as well as a decision to promote, academic rank-wise, those who have met the criteria for promotion as set forth elsewhere in this Faculty Handbook.

### ***Policy on Change of Faculty Appointment Track (effective 11/22/04)***

It is the policy of National University of Health Sciences that faculty who have been initially appointed on a tenure track, or a non-tenure track may request a change of track, and that request will be considered by the president of the University if the procedures outlined below have been followed. Once a determination has been made, all subsequent actions relative to the tenure track or the non-tenure track appointment shall be governed by the policies and procedures in the current Faculty Handbook.

#### ***Tenure Track Appointments - requesting change to non-tenure track***

- Such requests must be made prior to the sixth year of appointment.
- The requesting faculty shall make the request to the relevant department head or chair.
- The department head or chair shall make a recommendation to the Dean of the College or the Dean of Clinics in the instance of clinician faculty.
- The Dean of the College or Dean of Clinics shall make a recommendation to the Vice President for Academic Services.
- The Vice President for Academic Services shall make a recommendation to the President, who shall make the final decision based upon the needs of the University.

#### ***Non-tenure Track Appointments - requesting change to tenure track***

- Such requests shall be made no later than the fourth year of appointment, so that the faculty member might still have adequate time to complete relevant scholarly activity.
- All subsequent requirements shall be the same as those stated above.

### ***Eligibility For and Conditions of Tenure***

#### Favorable Evaluation: A Condition

Tenure eligibility shall be based upon a favorable evaluation of a faculty member. Among the elements of this evaluation, but not limited thereto, are: professional or scholarly achievement; quality of instruction; service to the University outside of the assigned duties as well as the community at large; genuine interest in the progress and welfare of colleagues and students and respect for both; adherence to University policies and guidelines; contributions to the work of committees; ethical behavior; and length of service at The National University of Health Sciences.

#### Full-time Appointment and Rank: Eligibility Criteria

Only full-time members of the faculty who hold regular appointments, tenure track, and who have achieved the rank of Associate Professor or Professor are eligible for consideration for tenure. Faculty members holding any other type of appointment, regardless of having been appointed initially at the rank of Associate Professor or Professor, or regardless of having achieved the rank of Associate Professor or Professor, and regardless of having completed six (6) or more consecutive calendar years of full-time service, shall not be eligible for consideration for tenure.

#### Appointees Advanced to the Rank of Associate Professor or Professor

No credit toward the probationary period necessary for consideration for tenure shall be granted for any number of consecutive calendar years of demonstrated successful full-time practice as a licensed first professional, degree holder or otherwise, or for any service, regardless of length and regardless of rank achieved at another educational institution of higher learning, to those Associate Professors and Professors whose initial appointment to the University was at the rank of Instructor.

### Probationary Period for Associate Professors and Professors

Associate Professors, whether appointed initially at that rank or advanced to that rank, as well as Professors, whether appointed initially at that rank or advanced to that rank, who have completed a probationary period of six (6) consecutive calendar years of service while holding regular full-time tenure-track appointments shall be eligible for consideration for tenure at the beginning of the seventh (7) consecutive calendar year of such service.

#### ***Credit toward the Probationary Period***

##### For Associate Professors Advanced to That Rank at the University

All consecutive calendar years of full-time service at the University as a regular full-time tenure track appointee at the rank of Instructor, Assistant Professor, and Associate Professor may be credited toward the probationary period stipulated in above.

No more than one (1) calendar year of credit toward the probationary period as stipulated above may, at the discretion of the President after receiving a recommendation from the Committee on tenure, be granted to those Associate Professors whose initial appointment to the faculty of the University was at the rank of Assistant Professor: for five (5) or more consecutive calendar years of demonstrated successful full-time practice as a licensed first professional, degree holder, or for three (3) or more consecutive calendar years, or the equivalent thereof, of full-time faculty service at the rank of Assistant Professor or above at an accredited first professional degree granting institution, or at an accredited college or university, or any combination of these types of institutions.

##### For Associate Professors Appointed Initially at that Rank at the University

Associate Professors whose initial appointment at the University was at the rank of Associate Professor may, at the discretion of the President, after receiving a recommendation from the Committee on Tenure, be granted as many as, but no more than, two (2) calendar years of credit toward the probationary period stipulated above: for ten (10) or more consecutive calendar years of demonstrated successful full-time practice as a licensed first professional, degree holder; or for six (6) or more consecutive calendar years, or the equivalent thereof, of full-time faculty service at the rank of Instructor, Assistant Professor, or above, the last three (3) of which must have been at a rank of no less than Assistant Professor, at an accredited first professional degree granting institution, or an accredited college or university, or at any combination of these types of situation.

##### For Professors Advanced to that Rank at the University

All consecutive calendar years of service at the University as a regular full-time tenure track appointee at the ranks of Instructor, Assistant Professor, Associate Professor, and Professor may be credited toward the probationary period stipulated above.

Any credit toward the probationary period for Professors whose initial appointment to the University as a regular full-time tenure track appointee was at the rank of Assistant Professor shall be determined as described previously.

Any credit toward the probationary period for Professors whose initial appointment to the University as a regular full-time tenure track appointee was at the rank of Associate Professor shall be determined as described previously.



### For Professors Appointed Initially at that Rank at the University

Professors whose initial appointment at the University was at the rank of Professor may at the discretion of the President after receiving a recommendation of the Committee on Tenure, be granted as many as, but no more than three (3) calendar years of credit toward the probationary period stipulated above: for fifteen (15) or more consecutive calendar years of demonstrated successful practice as a licensed first professional, degree holder; or for nine (9) or more consecutive calendar years or the equivalent thereof, of full-time faculty service at the rank of Instructor, Assistant Professor, Associate Professor, or above, the last three (3) of which must have been at a rank of no less than Associate Professor, at an accredited first professional degree granting institution, or at an accredited college or university, or at any combination of these types of institutions.

### **Contract Provision for Credit toward Probationary Period**

Any such credit granted toward the probationary period shall be indicated in writing in the first (1st) and any subsequent probationary contract between the faculty member and the University.

### **Calendar Year of Service Defined**

For tenure purposes:

A calendar year of service at The National University of Health Sciences means twelve (12) consecutive calendar months of service.

A calendar year of service elsewhere means full-time service for three (3) consecutive trimesters at accredited institutions operating on the trimester system, or for three (3) consecutive semesters at accredited institutions operating on the semester system, or for four (4) consecutive quarters at accredited institutions operating on the quarter system, or for four (4) consecutive quarters in any fifteen (15) month period at accredited institutions operating on the quarter system.

Time spent teaching during abbreviated sessions, such as, but not limited to, sessions with durations less than a trimester, semester, or quarter, shall not be credited toward required time of service for promotion or the probationary period required for eligibility to be considered for tenure.

Leave of absence(s) time at The National University of Health Sciences or at other accredited institutions shall not be creditable toward required time of service for promotion or the probationary period required for eligibility to be considered for tenure. The consecutiveness of the years of service required for promotion or eligibility to be considered for tenure impacted by any such leave of absence, may, at the discretion of the President, be adjusted.

Sabbatical leave time(s) may be creditable toward required time of service for promotion or the probationary period required for eligibility to be considered for tenure.

### **Tenure: Minimum Service Years Required**

No Associate Professor or Professor shall be tenured at The National University of Health Sciences before having served seven (7) consecutive calendar years of full-time service at the University as a regular full-time tenure track appointee, or the equivalent thereof, as provided elsewhere in this Tenure section.

## **Evaluation for Tenure**

### ***Responsibility for Evaluation***

Evaluation of a faculty member applying for tenure is the responsibility of peers who serve in the same functional unit(s) as the applicant, as well as all who are in the reporting line from the applicant to, and including, the President and the Board of Trustees.

### ***Authority of the Board of Trustees***

The authority to grant tenure is vested in the Board of Trustees, and the Board shall evaluate each applicant, taking into consideration the recommendation of the President. The Board considers applications for tenure only during its annual meeting.

### ***Annual Evaluations***

All members of the faculty of The National University of Health Sciences shall be evaluated in writing annually, usually during the month of February or March. Copies of these written evaluations are maintained in files under the jurisdiction of the Vice President for Academic Services.

### ***Initiation of Process for Tenure***

No later than seven (7) consecutive calendar days after the conclusion of a regular full-time tenure track faculty member's sixth consecutive year of full-time service at the University, or the equivalent thereof as provided elsewhere in this Tenure section, the faculty member shall provide his or her immediate supervisor(s) with a written notification of the faculty member's intent to apply for tenure. Following receipt of such notification, the immediate supervisor(s) of the faculty member (the applicant) shall, within seven (7) consecutive calendar days, request in writing:

- the Vice President for Academic Services send him copies of all prior written evaluations of the applicant;
- the applicant for tenure submit in writing an application for tenure, a written self-evaluation, and any materials or documentation he/she wishes to submit in support of his/her application; and
- the peers of the functional unit(s) to which the applicant is assigned furnish written peer evaluations of the applicant and an affirmative or negative recommendation for tenure of the applicant.
- the Vice President for Academic Services, the applicant for tenure, and the applicant's peers shall submit their written responses to the supervisor(s) no later than seven (7) consecutive calendar days after receiving the request.

### ***Application Processing By Supervisor(s) & Forwarding to Committee on Tenure***

No later than seven (7) consecutive calendar days after receiving the materials as provided above, the applicant's immediate supervisor(s) shall:

- complete a review of these materials;
- make a written evaluation of the applicant, concluding with an affirmative or negative recommendation; and
- forward directly or indirectly, all materials received and his/her written evaluation, and recommendation (the file) in accord with the provision in italics immediately below.

*Because the infrastructural elements of the University are quite varied organizationally, which variation results in incongruity in lines of reporting, and therefore supervision, the processing and forwarding of the files of applicants for tenure shall, on a case by case basis, be determined by the Vice President for Academic Services depending upon the functional area(s) to which the applicant is primarily assigned, subject to the approval of the President.*

## **Committee on Tenure**

### ***Rationale for Membership***

In determining the composition of the Committee on Tenure, the University seeks to provide an opportunity for many Professors and Associate Professors to participate in a collegial manner and gain experience in determining who among their colleagues is worthy of being granted tenure, and at the same time to maintain as far as possible continuity in the process and procedures germane to the tenure process and procedures. This rationale is similar to the rationale for the membership of the Committee on Rank and Promotion.

### ***Membership and Chairman***

The Committee on Tenure shall be composed of six (6) members as set forth in "1" immediately below. Alternate membership shall be as set forth in "2" immediately below. The chairmanship shall be established as set forth in "3" immediately below.

1. The Committee on Tenure shall exclude the President, the Vice President for Academic Services, the Deans, and members of the faculty who reports directly to the President. The six (6) members of the Committee on Tenure shall all be tenured full-time faculty. Three (3) of these six (6) members shall hold the academic rank of Professor and three (3) shall hold the academic rank of Associate Professor. In no case shall any of these six (6) members, or alternate members as provided in "2" immediately below, be a member or alternate member of the Committee on Rank and Promotion.
2. With the same exclusions as set forth in 1. above, there shall be six (6) alternate members, and these six (6) alternate members as a group shall have the same qualifications as the group of six (6) members specified in 1. above.
3. The President of the University shall appoint a Chair of the Committee from among its members when circumstances are such that criteria above cannot be met, the President shall appoint members to the tenure committee as necessary.

### ***Member Replacement by Alternate Member***

No member, or alternate member, of the Committee who is a member of the functional unit, such as the department or clinic, to which the applicant for tenure is assigned, or who has made an evaluation or recommendation of the applicant within the twelve (12) months preceding the Committee's current deliberation about the applicant and such evaluation, or recommendation is included among the materials being considered by the Committee, shall serve on the Committee considering that applicant for tenure. Any alternate member replacing a member shall have the same qualifications and member privileges as the member replaced. In the event that the alternate membership is exhausted by virtue of the conditions identified above, the President shall appoint another member of the faculty, but any such appointee shall have the same qualifications as the member replaced, if possible.

### ***Meetings***

A meeting of the Committee shall be convened at the call of the Chair or at the call of no less than three (3) of the other five (5) members.

A quorum of the Committee shall be no less than four (4) of the six (6) members.

All meetings of the Committee shall be conducted in closed session. The President, or his designee, shall be privileged to attend any or all meetings.

### ***Voting***

All members, including the Chair, and alternate members serving as members, shall be entitled to vote on all matters which come before the Committee.

Members of the Committee may only vote yes or no on any motion(s) made relative to a recommendation to be made to the President relative to an applicant for tenure. A simple majority of the yes or no votes shall prevail on any motion made during a meeting of the Committee.

Except as provided above, all meetings of the Committee shall be conducted in accord with the most current Robert's Rules of Order.

### ***Appointment of Members and Alternate Members***

The President of the University shall, no later than July 1 of each year or at other times as circumstances warrant, appoint members and alternate members of the Committee as well as the Chair. A term as Chair shall be at the discretion of the President. Except as provided below, the terms of members shall be three (3) years commencing on the September 1 first following their appointment of the preceding July 1. The terms of alternate members shall be as provided below.

The first members of the Committee on Tenure appointed under this 1995 TENURE POLICY shall serve terms as follows:

Two (2) members shall serve a term of three (3) years; two (2) members shall serve a term of two (2) years; and two (2) members shall serve a term of one (1) year.

### ***Additional appointment procedures***

Each July 1 following the appointments described above, or at other times as circumstances warrant, the President shall appoint a new member(s) to replace a member(s), whose term, or terms, has, or have, expired, and if necessary, appoint a new member, or new members, to fulfill the unexpired term, or terms, of a member, or members, who is, or are, unable to fulfill a term, and also, if necessary, appoint a new member, or new members, to replace an alternate member, or alternate members, who is, or are, unable to fulfill the unexpired term, or terms of a member, or members. The President shall, at the same time, appoint alternate members.

No past member of the Committee on Tenure shall be reappointed to a term to begin before one (1) year has elapsed since the end of the previous term, or since he/she was replaced by an alternate member because of inability to fulfill his/her term.

Alternate members shall serve a term of one (1) year, and may, at the discretion of the President, be reappointed for an indefinite number of terms.

Before appointing members and alternate members of the Committee on Tenure, the President of the University shall seek and receive written recommendations from the Faculty Senate, the Vice President for Academic Services, and the relevant Dean. All such written recommendations must be in the hands of the President no later than June 1 of the University's fiscal year.

#### ***Service as a Member or Alternate Member Mandatory***

Service on the Committee as an appointed member or alternate member is mandatory.

Any member(s), or alternate member(s) may be removed from membership, or alternate membership, by the President for cause, such as, but not limited to, chronic absence from called meetings, failure to fulfill all of the provisions of this TENURE POLICY dealing with the Committee on Tenure, impeding the expeditious handling of matters related to applications for tenure, or violations of any duly established University policies, procedures, or guidelines.

#### ***Action by the Committee on Tenure***

No later than seven (7) consecutive calendar days after receiving the file of an applicant for tenure, the Chair of the Committee on Tenure shall resolve any conflicts of interest among the members, as provided elsewhere in this TENURE POLICY, and shall furnish copies of the applicant's file to such members.

No later than seven (7) consecutive calendar days after furnishing the members of the Committee on Tenure with copies of the applicant's file, the Chair shall convene a meeting of the Committee for formal consideration. Prior to such meeting, it is the responsibility of the members to thoroughly review the applicant's file to facilitate expeditious and fair handling of the application. Except in unusual circumstances, the Committee's meeting(s) shall be concluded no later than ten (10) consecutive calendar days after first convening for consideration of any application.

The Committee has the authority to request and the right to receive the advice and counsel of other members of the faculty, in writing or by personal appearance during a meeting of the Committee, especially the advice and counsel of those who have provided written evaluations or recommendations, or both.

No recommendation to be made to the President relative to an applicant for tenure shall be formulated until the Committee has met with the applicant.

Before concluding its meeting(s), the Committee shall formulate its tenure recommendation, and the Chair, no later than five (5) consecutive calendar days thereafter, shall transmit it, the applicant's file and a copy of the minutes of its meeting(s) wherein the applicant was considered to: the Dean of a College if the applicant's primary assignment is to a functional unit reporting to the Dean of a College; or the Dean of Clinics if the applicant's primary assignment is to the clinic system. The person receiving the materials from the Chair of the Committee on Tenure shall, no later than five (5) consecutive calendar days after receiving same, state in writing his concurrence or non-concurrence with the Committee's recommendation and forward same and the materials which he has received from the Chairman of the

Committee on Tenure to the Vice President for Academic Services. The Vice President for Academic Services shall, no later than five (5) consecutive calendar days after receiving the aforementioned transmittal, state in writing his concurrence or non-concurrence with the Committee's recommendation and forward, to the President. Where questions arise about the route to be followed for forwarding applicant materials and recommendations to the President, the Vice President for Academic Services shall make the decision.

In considering an applicant for tenure the Committee shall follow the criteria set forth above, especially the provisions in ACADEMIC RANK, and TENURE. In addition, among the major elements which the Committee shall consider in formulating a written recommendation to be forwarded to the President are the following:

- a thorough knowledge and support of the University's mission and purposes;
- adherence to University policies, guidelines, professional standards, and the provisions contained in the University statements on academic freedom and professional ethics in the Faculty Handbook and elsewhere;
- respect for the rights and privileges of all members of the University's community;
- quality and effectiveness of instruction;
- scholarly or creative work, or both; and
- general service to the University and the community.

### ***Confidentiality***

All matters related to an application for tenure, including all meetings of and documentation and correspondence generated by the Committee on Tenure shall be considered confidential, and a confidential file of such materials shall be established and maintained under the jurisdiction of the Vice President for Academic Services.

### ***Action by the President***

No later than ten (10) consecutive calendar days after receiving the transmittal of the Vice President for Academic Services, the President shall make his determination, formulate a written recommendation to the Board of Trustees and transmit same to the Board. His transmittal to the Board shall include copies of all materials he has received from the Vice President for Academic Services. During his deliberations, the President may conduct a meeting with the applicant or seek the advice and counsel of any member(s) of the faculty, or both.

If there is a significant discrepancy between the written recommendation of the faculty member's department or functional unit peers, the faculty member's supervisor(s), and the Committee on Tenure, and the President is unable to resolve the discrepancy to his satisfaction, the President may recommend to the Board of Trustees a one (1) year extension in the application period for tenure of the faculty member.

### ***Action by the Board of Trustees***

During its annual meeting, the Board of Trustees shall consider the President's recommendation, and accompanying materials related to the applicant, and shall make a decision to grant tenure or not to grant tenure to the candidate.

No later than ten (10) consecutive calendar days after the conclusion of the annual meeting of the Board of Trustees, the Chair of the Board shall notify the President in writing of the Board's decision.

### ***President's Notice to the Candidate***

No later than seven (7) consecutive calendar days after receiving the Board's Chair notification, the President shall notify the applicant in writing of the Board's decision.

In the event that the decision of the Board of Trustees is to grant tenure, the President's written notification to the applicant shall advise the applicant of the effective date of tenure, which date shall not be earlier than the date upon which the applicant will conclude his/her seventh (7th) consecutive calendar years of service, or the equivalent thereof, at the University as a regular full-time tenure track appointee. Copies of the President's written notification to the applicant shall be transmitted to the Committee on Tenure, the Vice President for Academic Services, and, as appropriate to the applicant's assignment(s), the Dean of Clinics or the Dean of the College, or both.

In the event that the decision of the Board of Trustees is not to grant tenure, the President's written notification to the applicant shall advise the applicant, in accord with the terms of the contract between the applicant and the University in force at the time, of the effective date of termination of the applicant's employment by the University, which date shall coincide with the expiration date of the current contract, or advise the applicant of the earliest date upon which he may reapply if the applicant's current contract with the University does not have a termination provision. Copies of the President's written notification to the applicant shall be transmitted to the Committee on Tenure, the Vice President for Academic Services, and, as appropriate to the applicant's assignment(s), the Dean of Clinics or the Dean of the College, or both.

### ***Exception to the Probationary Period***

Because the Board of Trustees considers the President's recommendation for tenure at the annual meeting of the Board only, and because a faculty member may begin his/her service at the University at a time other than the beginning of the University's fiscal year, i.e., September 1, and thus may conclude his/her sixth (6th) consecutive calendar year of service at the University, or the equivalent thereof, as a regular full-time tenure track appointee at a time other than the conclusion of the University's fiscal year, i.e., August 31, it may occur that a faculty member would not be eligible for a Board of Trustees' tenure decision until sometime after having served the University for more than the normal six (6) years and approximately two (2) and one half (1/2) months before the annual meeting of the Board, and would have a contract with the University which would represent with prior contract periods consecutive calendar years of service amounting to more than the probationary period of seven (7) consecutive calendar years before the expiration of that contract period. Because of this, in an effort to make the promotion and tenure processes and timetables uniform among faculty members, the beginning of the probationary period for a faculty member whose initial date of appointment is prior to the start of the second trimester of a University year shall be the first day of that University year. If the date of initial appointment is after the completion of the first trimester of a University year, the probationary period shall commence with the beginning of the next University year, and the service considered temporary.

## **Dismissal of a Tenured Faculty Member**

### ***Foreword***

Tenure at The National University of Health Sciences has been described elsewhere herein as an arrangement under which faculty appointments in the University are continued until a time as determined by the type of applicable tenure policy.

1983 Tenure Policy: faculty appointments in the University are continued until retirement or disability which prohibits the successful performance of assigned duties, subject to termination for cause after having been accorded the rights set forth in this section of this Tenure policy entitled "Dismissal Of A Tenured Faculty Member," or termination due to University financial exigency or change in University program (extraordinary circumstance).

1995 Rolling Contract Tenure Policy: faculty contracts are granted for a three year period and must be renewed annually, subject to termination for cause after having been accorded the rights set forth in this section of this Tenure policy entitled "Dismissal Of A Tenured Faculty Member", termination due to University financial exigency or change in University program (extraordinary circumstance), or termination for no cause. In the event that the University determines not to renew the contract, the faculty member will be so informed during the first year of the contract period and the remainder of the contract shall be paid to the faculty member as severance pay, except in cases of dismissal for cause.

### ***Adequate Cause and Extraordinary Circumstance***

Adequate cause as used immediately above shall mean, but not be limited to:

- immorality on the part of the faculty member in the sense of acts that are gross, or criminal in nature;
- neglect of duties or violation of University policies, defined as gross, continuous or willful failure to give full attention to the tasks and duties specified in the faculty member's contract with the University, position description, and elsewhere in this Faculty Handbook, or gross, continuous or willful failure to comply with University policies, and reasonably expected of other members of the faculty, especially those holding like appointments;
- physical or mental incapacity, or both, which substantially impairs (impair) the ability of the faculty member to successfully fulfill his/her assignment;
- unprofessional conduct;
- unethical conduct; or
- Extraordinary circumstance as used immediately above means financial exigency, or exigencies, affecting the University which requires, or require, termination of one (1) or more faculty, or change in University program(s) resulting on one (1) or more faculty whose services by virtue of training or experience, or both, is (are) no longer appropriate or required. In the case of extraordinary circumstance, the University before termination of faculty will make a reasonable effort to make adjustments in assignment and personnel, with weight being given to seniority in length of service or academic rank, or both. If a position is terminated, the University will not reestablish and fill that position in less than two (2) years after such termination unless the reestablished position has been offered to the terminated faculty member and he/she has declined reappointment to that position.



### ***Initiation of Dismissal Procedures for Termination for Cause***

In any case of dismissal for cause as used above, the appropriate member of the faculty or administration (usually the Dean of the College or Dean of Clinics) shall notify the faculty member by written notice (sent by certified mail, return receipt requested) that his/her dismissal is being considered. Such written notice shall set forth:

- a statement of the reason(s) why such dismissal is being considered and the date upon which such dismissal would be effected;
- a statement advising the faculty member that he/she has a right to request conciliation and a formal hearing utilizing the services of the Faculty Committee on Grievance and Conciliation (FCGC), as outlined in the section of the Faculty Handbook entitled "Faculty Grievance Procedure";
- a statement advising the faculty member that he/she has a right to request a formal hearing without conciliation under the auspices of the FCGC, as outlined in the section of the Faculty Handbook entitled "Faculty Grievance Procedure";
- a statement advising the faculty member that he/she may accept dismissal and not request conciliation and a formal hearing as provided in "b" immediately above, or a formal hearing as provided in "c" immediately above; and
- a statement advising the faculty member that he/she is required to advise, no later than seven (7) consecutive calendar days after receiving this notice, by certified mail, return receipt requested, the author(s) of the notice which he/she has received indicating his/her dismissal is being considered, as well as the chair of the FCGC of his/her intention(s), i.e., requesting conciliation and a formal hearing, or requesting a formal hearing, or his/her acceptance of dismissal.

### ***Acceptance of Dismissal for Cause***

If the faculty member chooses to accept dismissal, the matter shall be considered closed and the dismissal shall become effective on the date specified as provided above.

### ***"Appellant" and "Respondent" Defined***

Use of the terms "Appellant" and "Respondent" in the following portions of this policy on "Dismissal of a Tenured Faculty Member", and the use of the singular.

In the following portions of this policy on "Dismissal of Tenured Faculty Member" for cause, the tenured member of the faculty whose dismissal is being considered shall be referred to as the appellant, and the faculty member(s) who served notice on the faculty member whose dismissal for cause is being considered (the appellant) shall be referred to as the respondent(s). Also, the use of the singular for the respondent shall be deemed to include the plural where there is more than one (1) respondent in any one (1) case where dismissal for cause is being considered.

### ***Conciliation and Formal Hearing***

If the appellant chooses conciliation and a formal hearing in an attempt to resolve the matter, the chair of the FCGC, no later than five (5) consecutive calendar days after receiving the appellant's notice choosing conciliation and a formal hearing, shall:

- appoint a faculty member who is not a member of the FCGC to proceed in confidence to attempt conciliation; and

- notify the appellant and the respondent in writing by certified mail, return receipt requested, of the name of the faculty member appointed conciliator, and that the conciliation process is required to be completed and a report by the conciliator rendered in writing to the chair of the FCGC no later than fourteen (14) consecutive calendar days after the date of the chair's notice. On the same day that the conciliator delivers his/her report to the chair of the FCGC, the conciliator shall send a copy of his/her report by certified mail, return receipt requested, to the appellant and the respondent.
- the faculty member appointed conciliator shall not serve subsequently as a member of the FCGC relative to any formal hearing which the FCGC may conduct pursuant to such a choice by the appellant.

### ***Conciliation***

If conciliation is reached, the matter shall be considered to be resolved.

### ***No Conciliation***

If conciliation is not reached and the appellant has chosen conciliation and a formal hearing, the chair of the FCGC shall establish, no later than seven (7) consecutive calendar days after receiving the report of the conciliator that conciliation has not been reached, a Hearing Board as provided immediately below under the heading "The Hearing Board". If the appellant has chosen a formal hearing without conciliation, as provided above, the chair of the FCGC shall establish, no later than seven (7) consecutive calendar days after receiving the appellant's advise as provided above, a Hearing Board as provided immediately below under the heading "The Hearing Board."

### ***The Hearing Board***

Within the time frame provided immediately above, the chair of the FCGC shall appoint an impartial Hearing Board composed of five (5) faculty members, at least two (2) of whom shall be tenured; three (3) of the five (5) members shall be members of the FCGC. One (1) of the tenured members shall be a faculty member assigned to a department in the Basic Sciences, and one (1) of the tenured members shall be a faculty member assigned to a department in the Clinical Sciences or in one (1) or more of the University clinics.

No later than two (2) consecutive calendar days after appointing the Hearing Board, the chair of the FCGC shall, by certified mail, return receipt requested, inform the appellant and the respondent of the composition of the Hearing Board. Within the same time frame, he/she shall notify in writing the President of the University and the President of the Faculty Senate of the composition of the Hearing Board.

No member of the Hearing Board shall have functioned as conciliator in the matter to come before the Hearing Board, nor shall be currently assigned to the same functional unit as the appellant, such as a department or clinic.

The chair of the FCGC shall appoint a chair of the Hearing Board from among its appointed members.

The appointees to the Hearing Board shall serve until the hearing is concluded, its findings transmitted to the President and the chair of the FCGC, the Chair of the Faculty Senate, and, as necessary, a final determination made by the Executive Committee of the Board of Trustees.

### ***Hearing Board Membership Challenge***

No later than seven (7) consecutive calendar days after receiving notice of the composition of the Hearing Board from the chair of the FCGC, the appellant and the respondent each shall have the privilege of challenging in writing any member(s) of the Hearing Board for good cause. The chair of the FCGC shall make a determination on any such challenge(s), and shall replace any member(s) whose challenge he upholds. Any such replacement(s) must result in a Hearing Board in conformity with the provisions immediately above.

### ***Hearing Date, Time, Place and Notice(s)***

No later than twenty-one (21) consecutive calendar days after the final composition of the Hearing Board is determined, the hearing shall commence. The date, time, and place for commencement of the hearing shall be established by the chair of the FCGC after consultation with the appellant, respondent, and the members of the Hearing Board; the chair of the FCGC no later than three (3) consecutive calendar days after such consultation shall, by certified mail, return receipt requested, notify the appellant, respondent, members of the Hearing Board, the President of the University, and the Chair of the Faculty Senate of such date, time, and place.

### ***Prior to Hearing Board Meeting(s)***

No later than fifteen (15) consecutive calendar days prior to the commencement of the hearing, the chair of the Hearing Board shall meet separately with the appellant and the respondent, present each with a copy of this TENURE POLICY, and review with them those sections of the TENURE POLICY related to dismissal of a tenured member of the faculty.

During his/her meeting with the appellant and the respondent, the chair of the Hearing Board shall advise each of them that they are required to submit to him, no later than three (3) consecutive calendar days prior to the commencement of the hearing, all known written documentation pertinent to the matter at hand, and that the Hearing Board has the right to refuse or limit the submission of new written documentation at any time thereafter, especially after the commencement of the hearing. It shall be the responsibility of the chair of the Hearing Board to distribute copies of any written documentation received from the appellant or respondent, to the opposite party and to the other members of the Hearing Board.

Also during his/her meeting with the appellant and respondent, as provided in paragraph a above, the chair of the Hearing Board shall advise each of them that they are, by timely written request, entitled to the assistance of the Hearing Board in securing documents pertinent to the matter at hand, and in securing the attendance at the hearing of any person(s) believed by either of them, or both, to possess information relative to the matter at hand.

Further, during his/her meetings with the appellant and the respondent, the chair of the Hearing Board shall advise each of them that the names of any witnesses to be presented during the hearing must be provided to him/her no later than three (3) consecutive calendar days prior to the commencement of the hearing. The Hearing Board shall have the right to deny the testimony of any person whose name has not been submitted within the time frame stipulated immediately above, and the Hearing Board has the right to call witnesses of its own choosing when in its judgment justice is best served. It shall be the responsibility of the chair of the Hearing Board to forward the names of witnesses submitted by the appellant or respondent, as provided in this paragraph, to the opposite party and the other members of the Hearing Board.

### ***Hearing Board Procedures***

In addition to the provisions above, the following provisions shall govern the procedures of the Hearing Board.

Witnesses who cannot or will not be present at the hearing may submit written statements to the Hearing Board no later than fourteen (14) consecutive calendar days prior to the commencement of the hearing. The identity of any such witness and statements will be revealed to the opposite party and, within the time available prior to the commencement of the hearing, but no later than five (5) consecutive calendar days prior to the commencement of the hearing, interrogatories, duly notarized, may be presented, but if interrogatories cannot be provided within that time frame, any such statements will not be admitted in evidence.

The appellant and the respondent each may have an advisor or legal counsel as advisor at his/her own expense, but any such advisor or legal counsel as advisor may not directly participate in the proceedings of the hearing or conduct the case in behalf of the person whom he/she is advising.

The Hearing Board may have an advisor or legal counsel as advisor at the University's expense, but any such advisor or legal counsel as an advisor may not directly participate in the proceedings of the Hearing Board or conduct the proceedings of the hearing in behalf of the University.

The fundamental guide for all procedures to be followed by the Hearing Board is that of due process and fairness, but it is not the obligation of the Hearing Board to follow procedures, which might customarily be followed in a court of law, nor shall the Hearing Board conduct the hearing in the manner of proceedings, which are adversarial.

Because of the sensitive nature of any University proceeding, which might result in the dismissal of a tenured member of the faculty, and the attendant need for confidentiality, the hearing shall be conducted in closed session.

Witnesses shall be present during the hearing only during the time they are presenting testimony. However, any advisor to the appellant or the respondent, even though the same be a witness, shall be permitted to be present throughout the hearing, but any legal counsel acting as advisor shall not be a witness.

The appellant and the respondent each shall have the right to testify in their behalves and to present witnesses relevant to their position in the matter before the Hearing Board providing the names of such witnesses were submitted to the chair of the Hearing Board within the time frame provided in above.

The appellant and the respondent each shall have the right to confront and examine all who testify, except that any advisor, or legal counsel acting as advisor, to the appellant, respondent, or the Hearing Board shall not have the right to confront and examine witnesses, directly participate in the proceedings, or conduct the proceedings in behalf of the person(s) whom he/she is advising.

Members of the Hearing Board, including the chair, shall have the right to examine all persons who make statements before them.

The chair of the Hearing Board shall inform all, who participate in the hearing that the proceedings are to remain strictly confidential, and that any breach of confidentiality shall be considered unprofessional conduct and subject the transgressor to disciplinary action.

The hearing shall be conducted and concluded with all possible dispatch while affording the appellant and the respondent every opportunity to establish their positions in the matter.

After all evidence has been presented, the chair of the Hearing Board shall conclude the hearing and dismiss from the hearing all persons other than the other members of the Hearing Board.

### ***Hearing Board Findings and Disposition***

After the hearing has been concluded, the chair of the Hearing Board shall conduct a closed deliberation. Any decision of the Hearing Board shall be by a majority vote of the members, and members of the Hearing Board, including the chairperson, shall be privileged to vote aye or nay only on any motion. The Hearing Board shall make an explicit finding(s) and shall write an opinion(s) with respect to the matter at hand, and shall make recommendation(s) to the President.

No later than seven (7) consecutive calendar days after the conclusion of the hearing, the finding(s), opinion(s), and any recommendation(s) of the Hearing Board shall be transmitted in writing by the chair to the President of the University, the appellant, the respondent, the Chairperson of the Faculty Committee on Grievance and Conciliation, and the Chair of the Faculty Senate.

### ***Presidential Action***

If the recommendation of the Hearing Board is to dismiss the appellant for cause and the President of the University concurs with the Hearing Board's recommendation, the President shall, no later than ten (10) consecutive calendar days after receiving the Hearing Board's finding(s), opinion(s), and recommendation(s), transmit a copy of them to the Executive Committee of the Board of Trustees accompanied by a written statement of his concurrence with the Hearing Board's recommendation.

If the Executive Committee of the Board of Trustees' decision is to approve the recommendation of the Hearing Board to dismiss the appellant for cause, the Chair of the Executive Committee of the Board of Trustees shall, no later than seven (7) consecutive calendar days after such decision, notify the President of the University in writing of that decision; no later than five (5) consecutive calendar days after receiving the written notice of the Chair of the Executive Committee of the Board of Trustees, the President shall notify the appellant in writing by certified mail, return receipt requested, of the decision of the Executive Committee of the Board of Trustees. The decision of the Executive Committee of the Board of Trustees shall be final. The President's written notice to the appellant shall state the effective date of the appellant's dismissal and the fact that the appellant shall receive at the next payroll time all salary up to and including the effective date of dismissal. The President's written notice to the appellant shall also direct the appellant to meet with the Director of Human Resources to finalize other details relative to his/her termination of employment by the University, to include appellant furnishing an address to which the University may write pursuant to matters related to his/her dismissal. Copies of the President's notice to the appellant shall be sent to the Chair of the Executive Committee of the Board of Trustees, the respondent, the Chair of the Hearing Board, the Chair of the Faculty Committee on Grievance and Conciliation, the Chair of the Faculty Senate and the Vice Presidents..

If the Executive Committee of the Board of Trustees' decision is not to approve the recommendation of the Hearing Board to dismiss the appellant for cause, the Chair of the Executive Committee of the Board of Trustees shall, no later than seven (7) consecutive calendar days after such decision, notify the President of the University in writing of that decision; no later than five (5) consecutive calendar days after receiving the written notice of the Chair of the Executive Committee of the Board of Trustees, the President shall notify the appellant in writing by certified mail, return receipt requested, of the decision of the Executive Committee of the Board of Trustees. The decision of the Executive Committee of the Board of Trustees shall be final. Copies of the President's notice to the appellant shall be sent to the Chair of the Executive Committee of the Board of Trustees, the respondent, the Chair of the Hearing Board, the Chair of the Faculty Committee on Grievance and Conciliation, the Chair of the Faculty Senate and the Vice Presidents.

If the recommendation of the Hearing Board is to dismiss the appellant for cause and the President of the University does not concur with the Hearing Board's recommendation, the matter shall be considered to be concluded. The President of the University, no later than ten (10) consecutive calendar days after

receiving the finding(s), opinion(s), and recommendation(s) of the Hearing Board, shall make his decision and, by certified mail, return receipt requested, notify the appellant of his decision. Copies of the President's notice to the appellant shall, within the same time frame, be sent to the respondent, the Chair of the Hearing Board, the Chair of the Faculty Committee on Grievance and Conciliation, the Chair of the Faculty Senate, and the Vice Presidents.

If the recommendation of the Hearing Board is not to dismiss the appellant for cause and the President of the University concurs with the Hearing Board's recommendation, the matter shall be considered to be concluded. The President of the University, no later than ten (10) consecutive calendar days after receiving the finding(s), opinion(s), and recommendation(s) of the Hearing Board shall make his decision and, by certified mail, return receipt requested, notify the appellant of his decision. Copies of the President's notice to the appellant shall, within the same time frame, be sent to the respondent, the Chair of the Hearing Board, the Chair of the Faculty Committee on Grievance and Conciliation, The Chair of the Faculty Senate and the Vice Presidents. If the recommendation of the Hearing Board is not to dismiss the appellant for cause and the President of the University does not concur with the Hearing Board's recommendation, the President shall, no later than ten (10) consecutive calendar days after receiving the Hearing Board's finding(s), opinion(s), and recommendation(s), transmit a copy of them to the Executive Committee of the Board of Trustees accompanied by a written statement of his/her non-concurrence with the Hearing Board's recommendation and his/her recommendation to dismiss the appellant for cause.

If the Executive Committee of the Board of Trustees' decision is to approve the recommendation of the President to dismiss the appellant for cause, the Chair of the Executive Committee of the Board of Trustees shall, no later than seven (7) consecutive calendar days after such decision, notify the President of the University in writing of that decision; no later than five (5) consecutive calendar days after receiving the written notice of the Chair of the Executive Committee of the Board of Trustees, the President shall notify the appellant in writing by certified mail, return receipt requested, of the decision of the Executive Committee of the Board of Trustees. The decision of the Executive Committee of the Board of Trustees shall be final. The President's written notice to the appellant shall state the effective date of the appellant's dismissal and the fact that the appellant shall receive at the next payroll time all salary up to and including the effective date of dismissal. The President's written notice to the appellant shall also direct the appellant to meet with the Director of Human Resources to finalize other details relative to his/her termination of employment by the University, to include appellant furnishing an address to which the University may write pursuant to matters related to his/her dismissal. Copies of the President's notice to the appellant shall be sent to the Chair of the Executive Committee of the Board of Trustees, the respondent, the Chair of the Hearing Board, the Chairman of the Faculty Committee on Grievance and Conciliation, the Chair of the Faculty Senate and the Vice Presidents.

If the Executive Committee of the Board of Trustees' decision is not to approve the recommendation of the President to dismiss the appellant for cause, the Chair of the Executive Committee of the Board of Trustees shall, no later than seven (7) consecutive calendar days after such decision, notify the President of the University in writing of that decision; no later than five (5) consecutive calendar days after receiving the written notice of the Chair of the Executive Committee of the Board of Trustees, the President shall notify the appellant in writing by certified mail, return receipt requested, of the decision of the Executive Committee of the Board of Trustees. The decision of the Executive Committee of the Board of Trustees shall be final. Copies of the President's notice to the appellant shall be sent to the Chair of the Executive Committee of the Board of Trustees, the respondent, the Chair of the Hearing Board, the Chair of the Faculty Committee on Grievance and Conciliation, the Chair of the Faculty Senate and the Vice Presidents.

### ***Hearing Right of the Executive Committee of the Board of Trustees***

Notwithstanding the above provisions, the Executive Committee of the Board of Trustees shall have the right to conduct its own hearing(s) based upon the records, finding(s), opinion(s), and recommendation(s) of the Hearing Board, and the written statement(s) and recommendation(s) of the President of the University. Such hearing(s), if any, shall provide opportunity for argument, oral or written, or both, by the President of the University, the appellant, and the respondent. Following any such hearing(s), the Executive Committee of the Board of Trustees shall make a decision, or remand the matter to the Hearing Board through the President of the University for further consideration, specifying to the Hearing Board areas where clarification or additional information or evidence are needed. Following such further consideration, the Hearing Board shall forward the fruits of its deliberations through the President of the University to the Executive Committee of the Board of Trustees. After receiving the fruits of the deliberations of the Hearing Board, the Executive Committee of the Board of Trustees shall make a decision and transmit it in writing to the President of the University. Transmittals by the President of the University shall be as provided in these same sections of this TENURE POLICY.

### ***Publicity***

Except for announcements as may be required for implementation of this policy, such as, but not limited to, notices regarding meetings and appointments, public statements by the appellant, respondent, or others involved with the matter at hand, shall be avoided as far as possible while the matter is under consideration. Any announcement of the resolution (final decision) by the President of the University or the Executive Committee of the Board of Trustees shall include a statement of the Hearing Board's final recommendation.

### ***Dismissal of a Tenured Faculty Member for No Cause Under the 1995 Rolling Contract Tenure Policy***

In the event that the University determines not to renew the contract of a faculty member tenured under the 1995 Rolling Contract Tenure Policy, the faculty member will be so informed during the first year of the contract period and the remainder of the contract shall be paid to the faculty member as severance pay.

This section is not applicable in cases of termination for cause for the termination due to University financial exigency or change in University program extraordinary circumstance.

Following notification by the University that the tenured faculty member's contract is not being renewed, the faculty member shall then finish the remainder of the academic year.

The remainder of the contract, which shall amount to two years' salary plus benefits, shall be paid to the faculty member as severance pay and the faculty member shall cease all activity as a faculty member of the University at the end of the academic year in which notice is given or prior to that time if the University agrees to provide payout of the remainder of the faculty member's contract for that year.

In all instances, it shall be the decision of the University regarding the manner in which it shall choose to pay the severance pay to the faculty member, i.e., whether to pay in a lump sum or in divided amounts.

When the University invokes the "no cause" clause, the faculty employment by the University ceases regardless of the method of payout that is chosen by the University.

## **Faculty Tenured Prior To 1995 "Rolling Contract Tenure Policy"**

Approval (adoption) by the Board of Trustees of the National University of Health Sciences of the 1995 Rolling Contract Tenure Policy shall not have the effect of taking tenure status away from those members of the faculty who were tenured on or before the date of such approval (adoption).



## **Academic Freedom**

*This section will provide the reader with the university statement on academic freedom.*

## ACADEMIC FREEDOM

---

The faculty member is entitled to full freedom in research and in the publication of the results, subject to the adequate performance of his/her other academic activities, but research for pecuniary return must be based upon an understanding with the administration of the institution.

The faculty member is entitled to freedom in the selection of library and other learning materials and in the classroom in presenting and discussing his/her subject, the subject matter to be in accord with the institutionally approved syllabus and course objective. The faculty member must not introduce into his/her teaching controversial matter which has no relation to his/her subject. Limitations of academic freedom because of religious or other aims of the institution must be clearly stated in writing at the time of the faculty member's appointment, and except for such written limitations, no religious or political activities, or the lack thereof, shall be grounds for disciplinary action or inequitable consideration with respect to the faculty member's employment, provided that activities are not in violation of any state, Federal, county or local law or regulation, or any constitutional provision or lawful policy of the University. However no limitation shall abridge or deny the faculty member of his/her rights, freedoms, and privileges provided by the Constitution of the United States.<sup>2</sup>

A faculty member is also a member of a learned profession, and an officer of an educational institution. When he/she speaks or writes as a citizen, he or she shall be free from institutional censorship or discipline, but his/her or her special position in the community imposes special obligations. As an individual of learning and an educational officer, he or she must remember that the public may judge his/her profession and his/her institution by his/her utterances. Hence he or she must at all time be accurate, must exercise appropriate restraint, must show respect for the opinions of others, and must make every effort to indicate that he or she is not an institutional spokesman.

Students are entitled to an atmosphere conducive to learning and to even-handed treatment in all aspects of the teacher-student relationship. Students should not be forced by the authority inherent in the instructional role to make particular personal choices as to political action or their own part in society. Evaluation of students and the award of credit must be based on academic performance professionally judged and not on matters irrelevant to that performance, whether personality, race, religion, degree of political activism, or personal beliefs.

It is the mastery teachers have of their subjects and their own scholarship that entitles them to their classrooms and to freedom in the presentation of their subjects. Thus, it is improper for an instructor persistently to intrude material that has no relation to the subject, or to fail to present the subject matter of the course as announced to the students and as approved by the faculty in their collective responsibility of the curriculum.

### Additional expectations:

---

<sup>2</sup>There is no question that off-campus (extramural) expression by faculty members will be entitled to substantial First Amendment protection. That protection, however, is balanced against the University's interest in fulfilling its educational objective. This "balancing" approach is recognized by the AAUP in the 1964 "Committee A Statement on Extramural Utterances" (Policy Documents and Reports, 32);

*The controlling principle is that a faculty member's expression of opinion as a citizen cannot constitute grounds for dismissal unless it clearly demonstrates the faculty member's unfitness for his or her position. Extramural utterances rarely bear upon the faculty member's fitness for the position. Moreover, a final decision should take into account the faculty member's entire record as a teacher and scholar.*

Although the statement tilts the balance toward faculty interests, it does leave latitude for the University to act in a way that protects its interests, even to the point of disciplining a faculty member on a matter "not of public concern" but when the issue at stake centers on an allegation of professional misconduct. See e.g., Trejo v. Shoben 319 F.3d 878 (7<sup>th</sup> Cir, 2033).

***Within the context of the above statements on academic freedom, and in addition to the written provisions in the contract between each faculty member and the University, every faculty member is expected:***

- To teach and perform scholarly or creative work; in relation to the latter, the University encourages the faculty member to conduct research in his/her own or a related field and attempts to provide unscheduled time, and, within available institutional resources, to provide facilities, technical assistance, and financial aid in the development and conduct of research undertakings;
- To support the University through participation in University activities such as, but not limited to, graduation exercises, Homecoming activities and convocations;
- To serve on University committees;
- To exercise care and prudence in the expenditure of University funds and the utilization of other University resources;
- To abide by the statement on *Professional Ethics* as set forth in the FACULTY HANDBOOK;
- To maintain high standards of academic excellence and personal integrity through personal example;
- To strive continually to improve his/her teaching, research, and student counseling abilities;
- To maintain currency in his/her chosen field(s) or discipline(s);
- To the best of his/her ability, render professional service to his/her community, region, state and nation;
- To recognize the student as an individual whose rights must be protected and a person to whom he or she has an obligation to be interested in personally and academically by offering mature advice and academic assistance while respecting confidences and avoiding excessive familiarity and fraternization;
- To conduct in a conscientious manner his/her assigned classes, clinic duties (as appropriate to his/her assignment), and examinations at the time(s) scheduled by the University;
- To submit annually and in a timely manner as stipulated by the University a syllabus for the course(s) for which he or she has an assigned responsibility;
- To render prompt and timely reports on student progress such as, but not limited to, absentee reports, deficiency reports, and grade reports, and such other reports as may be required by the University; and
- To abide by all University policies to the best of his/her ability.

## **Professional Ethics**

*This section will provide the reader with the university statement on professional ethics.*

The National University of Health Sciences recognizes that membership in the academic profession carries with it special responsibilities, and the University holds that it is appropriate for any postsecondary educational institution to provide guidance to the professor in his/her utterances as a citizen, in the exercise of his/her responsibilities to students, and in his/her conduct when resigning from his/her institution, or when undertaking research. The Statement of Professional Ethics which follows has been endorsed by the Seventy-third Annual Meeting of the American Association of University Professors (AAUP), and as the AAUP has stated, it has been necessarily presented in terms of the ideal and sets forth those general standards which serve as a reminder of the variety of obligations assumed by all members of the academic profession.

In the enforcement of ethical standards, the academic profession differs from those of law and the healing professions whose associations act to assure the integrity of members engaged in private practice. In the academic profession the individual institution of higher learning provides this assurance, and so should normally handle questions concerning propriety of conduct within its own framework by reference to a faculty group, including questions concerning propriety of conduct as they relate to the practice of a healing art where such practice is a part of the duties of the faculty member.

## **Statement on Professional Ethics**

The National University of Health Sciences endorses the following Statement on Professional Ethics endorsed by the Seventy-third Annual Meeting of the AAUP.

The professor, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognizes the special responsibilities placed upon him. The professor's primary responsibility to his/her subject is to seek and to state the truth as he/she sees it. To this end the professor devotes his/her energies to developing and improving his/her scholarly competence. The professor accepts the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. The professor practices intellectual honesty. Although the professor may follow subsidiary interests, these interests must never seriously hamper or compromise his/her freedom in inquiry.

As a teacher, the professor encourages the free pursuit of learning in his/her students. The professor holds before him the best scholarly standards of his/her discipline. The professor demonstrates respect for the student as an individual, and adheres to his/her proper role as intellectual guide and counselor. The professor makes every reasonable effort to foster honest academic conduct and to assure that his/her evaluation of students reflect their true merit. The professor respects the confidential nature of the relationship between professor and student. The professor avoids any exploitation of students for his/her private advantage and acknowledges significant assistance from them. The professor protects their academic freedom.

As a colleague, the professor has obligations that derive from common membership in the community of scholars. The professor respects and defends the free inquiry of his/her associates. In the exchange of criticism and ideas the professor shows due respect for the opinions of others. The professor acknowledges his/her academic debts and strives to be objective in his/her professional judgment of colleagues. The professor accepts his/her share of faculty responsibilities for the governance of his/her institution.

As a member of his/her institution, the professor seeks above all to be an effective teacher and scholar. Although the professor observes the stated regulation of his/her institution, provided they do not contravene academic freedom, he/she maintains his/her right to criticize and seek revision. The professor determines the amount and character of the work he/she does outside his/her institution with due regard to his/her paramount responsibilities within it. When considering the interruption or termination of his/her service, the professor recognizes the effect of his/her decision upon the program of the institution and gives due notice of his/her intentions.

As a member of his/her community, the professor has the rights and obligations of any citizen. The professor measures the urgency of these obligations in the light of his/her responsibilities to his/her subject, to his/her students, to his/her profession, and to his/her institution. When the professor speaks or acts as a private person, he/she avoids creating the impression that he/she speaks or acts for his/her college or university. As a citizen engaged in a profession that depends upon freedom for its health and integrity, the professor has a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

## **Personal Relations between Faculty and Students**

### ***Power Differential***

There is a definite power differential between students on the one hand, and faculty of the other hand. It is always incumbent upon the empowered not to abuse, nor appear to abuse, the power which has been vested in them.

The respect and trust accorded a faculty member by a student, as well as the power exercised by the faculty member in an academic or evaluative role, make voluntary consent to a personal relationship by the student suspect.

In their relationships with students, members of the faculty are expected to be aware of their professional responsibilities and avoid apparent or actual conflict of interest, favoritism, or bias.

### ***Consensual Relationships between Faculty and Students***

The University forbids the empowered (faculty and others having a professional responsibility for students, supervisory or otherwise) to establish, or attempt to establish, to encourage, or attempt to encourage, or to maintain, or attempt to maintain, an amorous, romantic, or sexual relationship with students.

The empowered (faculty and others having a professional responsibility for students, supervisory or otherwise) must take special care in their relationships with students not to inappropriately exercise, or even appear to exercise inappropriately, their power.

Such amorous, romantic, or sexual relationships represent a definite conflict of interest and a transgressor may be permanently separated from the University.

## **Participation in University Sponsored or Student Activities**

The previous statement is not intended to prohibit or discourage the empowered from participating in University sponsored or student sponsored activities. On the contrary, the University encourages, and in some instances requires, the empowered to participate in such activities. However, the University requires that the empowered, when participating in activities of this nature, conduct themselves in a professional manner and avoid excessive familiarity and fraternization.

## **Sexual Misconduct**

It is the policy of this institution that no member of the academic community may sexually harass another.

Sexual advances, requests for sexual favors, and other speech or conduct of a sexual nature constitute sexual harassment when:

- Such advances or requests are made under circumstances implying that one's response might affect academic or personnel decisions that are subject to the influence of the person making the proposal; or
- Such speech or conduct is directed against another and is either abusive or severely humiliating, or persists despite the objection of the person targeted by the speech or conduct; or
- Such speech or conduct is reasonably regarded as offensive and substantially impairs the academic or work opportunity of students, colleagues, or co-workers.

*The University has a formal Sexual Misconduct Policy. It is the responsibility of every faculty member to know and understand his or her individual duty to recognize and report acts of sexual harassment.*

## **Faculty Grievance Procedure**

*This section will provide the reader with the university statement on faculty grievance procedures.*



## **Types of Grievance considered under This Policy**

- 
- Termination during the period of a probationary full-time faculty contract without cause after the second annual review.
- Alleged breach(s) of University policy (with the exclusion of the NUHS Title IX and Sex Discrimination Policy), rules, regulations or guidelines.
- Alleged breach(s) of the University statement on professional ethics as set forth elsewhere in this Faculty Handbook.
- Alleged breach(s) of the University statements on ACADEMIC FREEDOM as set forth elsewhere in this Faculty Handbook.
- Alleged failure to fulfill one (1) or more of the University's expectations of a faculty member as set forth in part of the University's statement on ACADEMIC FREEDOM described elsewhere in this Faculty Handbook.
- 

## **Composition of the F.C.G.C.**

- The Faculty Committee on Grievance and Conciliation, hereinafter referred to as the F.C.G.C., is an ad hoc committee, meeting only when a petition for the redress of a grievance has been filed by a faculty member. It shall be composed of nine (9) members of the full-time faculty, four (4) of whom shall have tenure status.
- The nine (9) members shall be as follows:
- Two (2) members whose primary assignment is in the Basic Sciences elected by the Faculty Senate;
- Two (2) members whose primary assignment is in the Clinical Sciences elected by the Faculty Senate;
- Two (2) members whose primary assignment is in one (1) or more of the University's public clinics (including the Salvation Army clinics) elected by the Faculty Senate;
- One (1) member whose primary assignment is in the Learning Resource Center, or the Department of Research, or the Training and Assessment Center elected by the Faculty Senate;
- One (1) Dean appointed by the President of the University; and
- One (1) member of the full-time faculty at-large appointed by the President of the University.

Upon the filing of a petition for redress of a grievance with the Chair of the Faculty Senate by a faculty member, the Chair of the Faculty Senate shall immediately initiate the appropriate measures to elect those members of the F.C.G.C. designated as elected by the Faculty Senate.

If the Faculty Senate has already conducted elections at its annual meeting of the faculty-at-large, then the Chair of the Faculty Senate shall convene a meeting of the F.C.G.C. as indicated below.

If the Faculty Senate has not already conducted an election of representatives to the F.C.G.C., then the Chair of Faculty Senate shall call a special meeting of the Faculty Senate within two (2) working days for the purpose of drafting a slate of nominations for an election to be conducted by written ballot of the faculty. This election process shall occur within two (2) working days following the special meeting of the Faculty Senate and may be conducted at a special meeting-at-large of the faculty or by send-in written ballot, at the option of the officers of the Faculty Senate.

The members of the F.C.G.C. to be appointed by the President of the University shall either be appointed at the beginning of the academic year or within two (2) working days following notification of the President of the University by the Chair of the Faculty Senate that a petition for redress of a grievance has been filed by a faculty member.

- In the event of a disqualification of any of the nine (9) members of the F.C.G.C. because of a conflict of interest, or in the event of the unavailability of a previously appointed or elected member, a replacement (alternate) for that member shall be selected by the same process as outlined above. An alternate shall have the same qualifications and be elected or appointed in the same manner as the member for whom he/she is an alternate.

- 
- No member of the F.C.G.C. shall have served the University as a full-time member of the faculty less than three (3) consecutive calendar years immediately prior to his/her election or appointment.
- 
- No alternate member of the F.C.G.C. shall have served the University as full-time member of the faculty less than two (2) consecutive calendar years immediately prior to his/her election or appointment.
- 
- In the event that no full-time faculty member satisfies the time criterion for membership specified, then membership, or alternate membership, shall be determined by longevity as a full-time member of the University's faculty.
- 
- Service as a member, or alternative member, of the F.C.G.C. following election or appointment is mandatory, except when excused from such service by the President of the University when in his/her sole judgment circumstances warrant such excuse.
- 

### **Chairperson of the F.C.G.C.**

No later than five (5) consecutive calendar days after the membership of the F.C.G.C. has been determined, the members shall elect a Chairperson.

### **Terms of committee service**

Members and alternate members of the F.C.G.C. shall serve for a period of one (1) year, but any member, or alternate member, may succeed him/herself.

### **Quorum of the F.C.G.C.**

A quorum at any meeting of the F.C.G.C. shall be no less than five (5) members.

### **Petition for Redress of Grievance**

#### ***Use of the terms "Appellant" and "Respondent"***

Hereinafter the word "appellant" shall mean the faculty member filing a petition for redress of grievance, and the use of the singular (appellant) shall be deemed to include the plural. Hereinafter the word "respondent" shall mean the person against whom the grievance is filed, and the use of the singular (respondent) shall be deemed to include the plural.

- 
- Appellant's Petition for Redress of Grievance
- 

The appellant's petition for a redress of grievance shall:

1. Be in writing, state the charge, grounds for the charge, and be accompanied by all available evidence, in writing or otherwise, it being understood that the F.C.G.C. may require that the charge be revised by the appellant relative to specificity and clarity;
2. Identify the respondent, the F.C.G.C. having the right to determine the appropriateness of the respondent identified by the appellant on the basis of the charge and the evidence submitted by the appellant, and to determine the identity of the appropriate respondent if the appellant's identification is inappropriate;

3. Present evidence that all available established review and appeal procedures within the functional unit to which the appellant is primarily assigned, or administrative unit where appropriate, have been exhausted or have not been concluded within a reasonable time because of undue delay, a reasonable time being defined as fifteen (15) consecutive calendar days, excluding Sundays and holidays; and
4. Be sent in writing to the Chair of the Faculty Senate no later than fifteen (15) consecutive calendar days, excluding Sundays and holidays, after all available established review and appeal procedures within the functional unit to which the appellant is primarily assigned, or administrative unit where appropriate, have been exhausted or have not been concluded within a reasonable time because of undue delay. The Chair of the Faculty Senate will forward the written petition and any accompanying materials to the Chairperson of the F.C.G.C. as soon as the F.C.G.C. has completed its officer elections.

- 
- Time Within Which a Petition For Redress of Grievance Must Be Filed
- 

A faculty member who feels he/she has been aggrieved, should file a petition for redress of grievance as soon as possible after the incident(s) which led to such feeling, as it is often difficult to trace the facts of an incident, or incidents, long after occurrence. Except in unusual circumstances, or circumstances clearly beyond the control of a faculty member who feels aggrieved, a petition for redress of grievance should be filed within six (6) months of the most recent alleged incident leading to such feeling.

### **Action by the F.C.G.C.**

- 
- No later than seven (7) consecutive calendar days after receiving the appellant's written petition for redress of grievance the Chairperson of the F.C.G.C. shall convene a meeting of that body to determine whether or not the petition conforms to the stipulation set forth immediately above.
- 
- If one (1) or more of these stipulations are determined by the F.C.G.C. not to have been met, the Chairperson shall, no later than five (5) consecutive calendar days after such determination, so notify the appellant in writing, setting forth the defect(s) which must be remedied, and shall also notify the appellant that a revised written petition must be filed with the Chairperson no later than ten (10) consecutive calendar days from the date of the Chairperson's notice, and that failure by the appellant to submit, within said ten (10) consecutive calendar days, a revised written petition remedying the defect(s) to the satisfaction of the F.C.G.C. shall terminate the appellant's right to appeal to the F.C.G.C. for redress of grievance.
- After the stipulations set forth above have, in the judgment of the F.C.G.C., been met, the Chairperson shall:
- 
- appoint a subcommittee of two (2) members of the F.C.G.C. to attempt conciliation, one (1) of these two (2) appointees to be designated by the Chairperson of the F.C.G.C. Chairperson of the subcommittee;
- notify the appellant and the respondent in writing that a subcommittee for conciliation has been appointed, including the names of the subcommittee members, and including notice that the period of time allowed for conciliation is limited to fifteen (15) consecutive calendar days from the date of the appointment of the subcommittee;
- forward a copy of the appellant's petition to the respondent;

- notify the supervisor of the functional unit to which the appellant is primarily assigned to send copies of that unit's established review and appeal procedures to him/her and the Chairperson of the subcommittee, accompanied by a report of any utilization of such review and appeal procedures relative to the appellant's grievance.

### **Procedure If Conciliation Is Achieved**

If conciliation is achieved within the fifteen (15) consecutive calendar days provided in above, the Chairperson of the subcommittee shall notify the Chairperson of the F.C.G.C. in writing of this fact, and the appellant's grievance shall be considered to have been resolved; and all documentation relative to the appellant, the respondent, and the activities of the subcommittee shall be forwarded by the Chairperson of the subcommittee to the Chairperson of the F.C.G.C. who shall forward this documentation to the President for confidential filing.

### **Procedure If Conciliation Is Not Achieved**

If conciliation is not achieved within fifteen (15) consecutive calendar days as provided above, the Chairperson of the subcommittee shall notify the Chairperson of the F.C.G.C. in writing of this fact, and there shall automatically ensue a formal hearing before a Hearing Board; and all documentation relative to the appellant, the respondent, and the activities of the subcommittee shall be forwarded by the Chairperson to the Chairperson of the F.C.G.C. appended to the aforementioned written notice that conciliation has not been achieved.

### **Antecedent to the Formal Hearing**

- 
- No later than seven (7) consecutive calendar days after receiving the written notice that conciliation has not been achieved, the Chairperson of the F.C.G.C. shall be responsible for carrying out the procedures set forth below.
- 

Appoint a three (3) person Hearing Board from the membership of the F.C.G.C., excluding the Chairperson of the F.C.G.C., the two (2) members of the F.C.G.C. who composed the subcommittee which attempted conciliation, any other member of the F.C.G.C. primarily assigned to the functional unit to which the appellant or respondent are primarily assigned, and any other member who has direct knowledge of the matter at hand or has an apparent conflict of interest.

No later than three (3) consecutive calendar days after appointment of the Hearing Board, the Chairperson of the F.C.G.C. shall:

- notify the members of the Hearing Board of their appointment;
- notify the appellant and the respondent in writing of the names of the members of the Hearing Board; and
- transmit to appellant, respondent, and all members of the Hearing Board copies of all documentation relative to the matter at hand which are in his/her possession.

The appellant and the respondent each may challenge no more than two (2) of the appointed members for cause, and send written notice of any such challenge and reason therefore to the Chairperson of the F.C.G.C. no later than three consecutive calendar days after receipt of the written notice of the membership of the Hearing Board.

The Chairperson of the F.C.G.C. shall have the authority to uphold or reject any challenge(s) by the appellant and respondent and to replace any member(s) whose challenge(s) upheld from among the remaining members of the F.C.G.C.

Any member of the Hearing Board who believes he/she should be removed because of a conflict of interest or other good cause may petition the Chairperson of the F.C.G.C. in writing for removal, stating his/her reason(s) therefore. Any such petition shall be transmitted to the Chairperson of the F.C.G.C. no later than three (3) consecutive calendar days after receiving the notice provided in above.

In the event that there is an insufficient number of members of the F.C.G.C. to establish a Hearing Board as a result of exclusion(s) as provided in above, or upheld challenge(s) as provided above, or removal(s) in response to petition(s) as provided above, the Chairperson of the F.C.G.C. shall appoint members from among the alternate members of the F.C.G.C.

The Chairperson of the F.C.G.C. shall appoint one (1) of the members of the Hearing Board Chairperson, and ensure that they have received copies of all written documentation relative to the matter at hand.

No later than three (3) consecutive calendar days after the composition and chairmanship of the Hearing Board has been established, the Chairperson of the F.C.G.C. shall inform in writing the appellant, respondent, the President of the University, the Vice President for Academic Services, and the Chair of the Faculty Senate of said composition and chairmanship.

- Normally, formal hearings shall be initiated at the direction of the Chairperson of the Hearing Board no later than fifteen (15) consecutive calendar days after receiving the composition and chairmanship of the Hearing Board have been finally established.
  - 
  - During the period preceding the initiation of the formal hearing the Chairperson of the Hearing Board shall:
    -
1. Meet separately with the appellant and the respondent to answer any questions relevant to the impending hearing, and to arrange a date for initiation of the hearing, and then advise the other members of the Hearing Board of such date;
  2. Provide the appellant and the respondent with a copy of this section (Faculty Grievance) of the Faculty Handbook, and verify that both have received a copy of all documentation which has been transmitted to the members of the Hearing Board;
  3. Provide the appellant and the respondent opportunity to submit to him/her any written documentation of their choosing no later than five (5) consecutive calendar days preceding the date for initiation of the formal hearing, and then transmit a copy of any such written documentation to the opposite party and the other members of the Hearing Board;
  4. Provide the appellant and the respondent assistance during the first ten (10) consecutive calendar days antecedent to the initiation of the formal hearing in securing documents deemed by them to be relevant to the matter at hand, and then transmit a copy of any such documents to the opposite party and the other members of the Hearing Board;
  5. Provide the appellant and the respondent assistance during the first ten (10) consecutive calendar days antecedent to the initiation of the formal hearing in arranging for the attendance during the hearing of any person(s) deemed by the appellant or respondent, or both, to possess information relevant to the matter at hand, and then advise the opposite party and the other members of the Hearing Board of the names of such person(s);
  6. Advise the appellant and the respondent that the name(s) of any witness(es) whom they desire to call upon to present testimony during the formal hearing must be presented to him/her in writing no

later than five (5) consecutive calendar days antecedent to the initiation of the formal hearing, and then transmit the names of any such witness(es) to the opposite party and the other members of the Hearing Board;

7. Advise the appellant and the respondent that any witness(es) who cannot or will not be present at the formal hearing may submit written statements to the members of the Hearing Board no later than ten (10) consecutive calendar days antecedent to the initiation of the formal hearing, and that the identify of any such witness(es) will be revealed to the opposite party and, that within the time available prior to the initiation of the formal hearing, but no later than five (5) consecutive calendar days antecedent to the initiation of the formal hearing, interrogatories, duly notarized, may be presented, but that if any such interrogatories cannot be provided, any such written statements will not be admitted as evidence.
8. Advise the appellant and the respondent that each may have an advisor or legal counsel as advisor at his/her own expense, but that any such legal counsel as advisor may not directly participate in the preceding or conduct the case in behalf of the person whom he/she is advising; and
9. Advise the appellant and the respondent that the Hearing Board may have an advisor or legal counsel as advisor at the University's expense, but that any such legal counsel as advisor may not directly participate in the proceeding or conduct the proceeding in behalf of the University.

### **Procedures for the Formal Hearing**

- 
- The Hearing Board shall adhere to any and all rules of procedure which may from time to time be established by the F.C.G.C. The fundamental guide for all procedures to be followed by the Hearing Board is that of due process and fairness, but it is not the obligation of the Hearing Board to follow procedures which might customarily be followed in a court of law, nor shall the Hearing Board conduct the formal hearing in the manner of proceedings which are adversarial.
- 
- The Hearing Board shall verify with the appellant and the respondent that it has in its possession all documentation if any, which the appellant and the respondent have provided in accord with and within the time limits set forth above, as well as any written statements with the required notarized interrogatories received in accord with and within the time limits set forth above. The Hearing Board reserves the right to require, limit, or deny the submission of new written documentation after the initiation of the formal hearing, and shall exercise this right when in its judgment justice is best served.
- 
- Normally the formal hearing shall be conducted in closed session. However, the appellant and the respondent shall have the right to an open hearing if either or both request same in writing no later than seven (7) consecutive calendar days antecedent to the initiation of the formal hearing, providing that both the appellant and the respondent agree to an open hearing, except that the Hearing Board reserves the right to require that the formal hearing be conducted in closed session, the request of the appellant or the respondent, or both, to the contrary notwithstanding, if such is deemed necessary by the hearing Board for the orderly conduct of the formal hearing.
- 
- Witnesses shall be present during the formal hearing only during the time they are presenting testimony. However, any advisor to the appellant or the respondent, even though the same be a witness, shall be permitted to be present throughout the formal hearing, but any legal counsel acting as advisor shall not be a witness.
- 
- The appellant and the respondent each may have an advisor, or legal counsel as advisor, at his/her own expense, but any such legal counsel acting as advisor shall not directly participate in the proceeding or conduct the case in behalf of the person whom he/she is

advising or otherwise participate in the proceeding. Likewise, the Hearing Board may have an advisor, or legal counsel as advisor, at the University's expense, but any such legal counsel acting as advisor shall not directly participate in the proceeding or conduct the proceeding in behalf of the Hearing Board or otherwise participate in the proceeding.

- 
- Notwithstanding the provisions above, no advisor or legal counsel acting as advisor to the appellant shall be a person primarily assigned to the same functional unit as the appellant, be a member or alternate member of the F.C.G.C., the Hearing Board, or an officer of the Faculty Senate. Likewise no advisor or legal counsel acting as advisor to the respondent shall be a person primarily assigned to the same functional unit as the respondent, be a member or alternate member of the F.C.G.C., the Hearing Board, or an officer of the Faculty Senate. Further, no advisor or legal counsel acting as advisor to the Hearing Board shall be a person primarily assigned to the same functional unit to which any member of the Hearing Board is assigned, be a member or alternate member of the F.C.G.C., be a member of the Hearing Board, or an officer of the Faculty Senate.
- 
- The appellant and the respondent each shall have the right to testify in their behalves and to present witnesses relevant to their position in the matter before the Hearing Board. The names of any witnesses to be presented must have been presented to the Chairperson of the F.C.G.C. in accord with and within the time frame provided above.
- 
- The appellant and the respondent shall have the right to confront and examine all who testify, and any advisor, except legal counsel acting as advisor, shall have the right to confront and examine all persons who make statements before the Hearing Board.
- 
- The Chairperson of the Hearing Board shall inform all who participate in the formal hearing that the proceedings are to remain confidential, and that any breach(es) of confidentiality shall be considered unprofessional conduct and subject the transgressor(s) over whom the University exercises authority to disciplinary action.
- 
- The formal hearing shall be conducted and concluded with all possible dispatch while affording the appellant and the respondent every opportunity to establish their positions in the matter.
- 
- After all evidence has been presented, the Chairperson of the Hearing Board shall conclude the formal hearing and dismiss from the formal hearing all persons other than the other members of the Hearing Board.
- 

## **Hearing Board Findings and Disposition**

- 
- After the formal hearing has been concluded, the Chairperson of the Hearing Board shall conduct a closed deliberation. Any decision by the Hearing Board must be by majority vote, and members of the Hearing Board, including the Chairperson, shall be privileged to vote aye or nay on any motion. The Hearing Board shall make explicit finding(s) and shall write an opinion. The written opinion(s) of the Hearing Board, if the finding(s) is (are) that the appellant's grievance has merit, shall make explicit recommendation(s) for action to redress appellant's grievance.
- 
- No later than seven (7) consecutive calendar days after the conclusion of the formal hearing the finding(s), opinion(s), and any recommendation(s) of the Hearing Board shall be transmitted in writing by the Chairperson of the Hearing Board to the President of the University, with copies sent to the appellant, respondent, the Chairperson of the F.C.G.C., the Chair of the Faculty Senate, and the Vice President for Academic Services. All such copies shall be held in strict confidence by the sender and the receivers.
- 
- No later than seven (7) consecutive calendar days after receiving from the Chairperson

of the Hearing Board the finding(s), opinion(s), and any recommendation(s) of the Hearing Board, the President of the University shall make a final decision. However, if the President of the University deems that further information is needed by him prior to making a final decision, he may direct the matter back to the Hearing Board with specific direction(s) relative to the area(s) about which he/she needs further information. The Hearing Board shall respond to the President of the University in writing, and if necessary, require and receive new evidence before responding, and such response may contain new finding(s), opinion(s), and recommendation(s). Copies of any such response shall be sent to the same persons identified above, and they shall be held in confidence. The decision of the President of the University shall be final.

- 
- No later than five (5) consecutive calendar days after making his final decision, the President of the University shall transmit that decision in writing to the appellant, respondent, the members of the Hearing Board, the Chairperson of the F.C.G.C., the Chair of the Faculty Senate, and the Vice President for Academic Services. In that transmittal the President of the University shall state his reason(s) for making his decision.
- 

### **Hearing Board Action without Formal Hearing**

With the written agreement of the appellant and respondent, the Hearing Board shall be privileged, but not be required despite such written agreement, to make finding(s), opinion(s), and recommendation(s) based solely on the written evidence which it has received without conducting a formal hearing.

### **Retaliation**

Retaliation by a faculty member against another faculty member who anticipates filing, is filing, or who has filed a petition for redress of grievance shall be deemed to be in violation of the University policy, and any complaints relative to alleged retaliation shall be brought under this policy. Any faculty member found guilty of retaliation is subject to discipline up to, and including, dismissal from the employ of the University.

### **Confidentiality**

All written communications, documents, and proceedings relevant to an appellant's petition for redress of grievance shall be held in confidence by any and all persons participating in the implementation of this policy on Faculty Grievance Procedure. Any announcement of the resolution (final decision) of an appellant's petition for redress of grievance may only be made by the President of the University, and any such announcement shall include a statement of the Hearing Board's finding(s), opinion(s), and any recommendation(s).

### **Protection of grievance party participants**

- 
- It shall be the responsibility of the chairperson of the F.C.G.C. to investigate any allegation that the appellant, respondent, witness, or other persons involved in the implementation of this policy have been subjected to acts of retaliation or other acts which might preclude a fair and impartial resolution of the matter at hand.
- 
- In the event that a grievance is found to be without merit, and after consultation with the appellant and respondent, and upon the advice of the Chairperson of the F.C.G.C. and the Vice President for Academic Services, the President may take all steps deemed by him/her to be reasonable to insure that the reputation of the respondent is protected and restored if it has been damaged by a formal hearing.
-



## **Dishonest or Malicious Allegations**

An appellant found by the Hearing Board to have been intentionally dishonest in making allegations or to have made them maliciously in a petition for redress of grievance shall be judged by the Hearing Board to have acted unprofessionally and this finding shall be forwarded to the President of the University for such action as he/she deems appropriate.

## **Exceptions to Policy Time Frames**

When, in the judgment of the President of the University, the time frames specified in this policy are unable to be met due to a necessary absence of a procedure participant, or circumstance which would represent an undue hardship on any involved party, or circumstance which would hinder fairness, justice, or the best interests of the University, the President may authorize exception(s) to such time frames and shall serve written notice to involved parties of such exception(s).

## **Sabbatical Leave**

*This section will provide the reader with the university statement on sabbatical leave.*

## **Sabbatical Leave Defined**

Sabbatical leave is defined by the University as a program whereby an eligible faculty member may be granted a leave of absence from the University for enrichment purposes, such leave to be in accord with the terms, conditions, and financial arrangements stipulated below. Sabbatical leave at the National University of Health Sciences is an earned privilege and not a rightful expectation.

## **Eligibility criteria**

The faculty member must be tenured and have a current full-time contract with the University.

The faculty member must have served the University as a full-time member of the faculty a minimum of seven full years uninterrupted service in one (1) or more of the faculty ranks of Instructor, Assistant Professor, Associate Professor, or Professor, the last three (3) of which must have been at the rank of Associate Professor or Professor.

The required seven full years uninterrupted service (or more) utilized as meeting the service criterion for eligibility for sabbatical leave shall not be creditable toward meeting the service criterion for another sabbatical leave.

In determining the eligibility criteria for sabbatical leave, the following are excluded from the seven full years uninterrupted service, however they do not affect the consecutiveness of service:

- Any leave of absence or period of illness in excess of six (6) months which precludes the faculty member regularly performing assigned duties;
- Any "Release Time" granted for the purpose of pursuing a course of study leading to an earned academic or professional degree; and
- Any period of time elapsing while the faculty member is suspended for cause.

## **Application for Sabbatical Leave**

A faculty member seeking a sabbatical leave must submit an application for same no later than three (3) trimesters prior to the date upon which the leave would commence.

## **Major Factors Considered For Sabbatical Leave**

The purpose(s) of the sabbatical leave are:

- To undertake research, write, study, complete work requisite to the reception of an earned academic or professional degree, or other creative endeavor which would not be possible during the course of the faculty member's performance of regularly assigned duties;
- The relevance and the compatibility of the purpose(s) of the sabbatical leave in relation to the University's mission, the faculty member's appointment, assigned duties, function, and discipline;
- Availability of adequate funding for a substitute faculty member if such substitute is deemed necessary by the University; and
- Past performance of the faculty member as judged by the University after reviewing and assessing the faculty member's prior evaluations.

## Number and Priority in Granting Sabbatical Leave

No more than two (2) faculty members may be on sabbatical leave during any University fiscal year.

Priority among faculty members applying for sabbatical leave shall be predicated upon the following, but not necessarily in the order listed;

- Length of tenured status - highest priority shall be given those who have been tenured for the greatest length of time;
- Academic rank - first priority shall be given those who have attained the rank of professor, second priority to those who have attained the rank of associate professor.
- Length of consecutive trimesters of full-time service in the University - highest priority shall be given to those who have served the longest; and
- Relevancy and compatibility of the purpose(s) of the sabbatical leave in relation to the University's mission, the faculty member's appointment, assigned duties, function, and discipline.

## Conditions of Sabbatical Leave

Sabbatical leaves may be granted for one (1), two (2), or three (3) trimesters only.

A faculty member's salary during a sabbatical leave shall be predicated upon the faculty member's salary at the beginning of the sabbatical leave in accord with the following schedule. Such salary shall be paid at regular University payroll intervals.

During a sabbatical leave of one (1) trimester's duration, the faculty member shall receive a salary equal to the base salary (i.e., does not include any emoluments) that he/she would have received had he/she not been on a sabbatical leave.

During a sabbatical leave of two (2) trimester's duration, the faculty member shall receive a salary equal to two-thirds (67%) of the base salary (i.e., does not include any emoluments) that he/she would have received had he/she not been on a sabbatical leave.

During a sabbatical leave of three (3) trimester's duration, the faculty member shall receive a salary equal to one half (50%) of the base salary (i.e., does not include any emoluments) that he/she would have received had he/she not been on a sabbatical leave.

During any sabbatical leave, the faculty member shall be entitled to all fringe benefits, adjusted for the sabbatical base salary level, to which he/she would be entitled if he/she were not on a sabbatical leave.

Except as otherwise approved by the University, sabbatical leaves during any University fiscal year shall commence at the beginning of a University trimester and conclude with the end of a University trimester.

Before beginning any sabbatical leave, the faculty member granted such leave shall enter into a binding agreement with the University, one provision of which shall be agreement by the faculty member, but at the option of the University, to provide full-time service to the University, beginning with the September 1 immediately following the conclusion of the University's fiscal year during which the sabbatical leave was taken. The length of full-time service shall be a minimum of six months, with a maximum duration of service equal to twice the duration of the sabbatical leave. The faculty member's salary for such service shall be determined in a manner as other faculty member's salaries are determined.

## **Failure to Fulfill Service Obligation**

If a faculty member who has completed a sabbatical leave fails to fulfill all or any part of the service prescribed and agreed to as set forth in "Conditions of Sabbatical Leave", the faculty member shall, no later than thirty (30) days after the beginning of such failure, pay to the University an amount equal to the salary which the faculty member received from the University during the period of the sabbatical leave, except that no such payment shall be paid by the faculty member to the University in case of permanent disability due to illness or accident, or by the faculty member's heirs, successors, or assigns in the case of death of the faculty member.

## **Failure to Fulfill Conditions of Sabbatical Leave**

If a faculty member granted a sabbatical leave, due to circumstances not beyond his/her control as determined by the University, fails to fulfill the conditions of such leave before the expiration date of the leave, including, but not limited to, failure to involve him/herself in the purpose(s) of such leave on a full-time basis, the University shall have the right to terminate the leave, effective on the date that such University determination is made, and the faculty member shall, no later than thirty (30) days after such University determination, pay to the University an amount equal to the salary which the faculty member received from the University during the expired period of the sabbatical leave.

## **Written Report**

A faculty member, no later than forty-five (45) consecutive calendar days after the expiration date of a sabbatical leave, shall present to the President, the Vice President for Academic Services, the Vice President for Business Services and the Vice President for Administrative Services a written report of the faculty member's activities and accomplishments during the sabbatical leave.

## **Appendix**

## Fostering Academic Integrity at NUHS

Academic Integrity is the cornerstone of any academic community. In many ways, the perceptions about the quality of an institution and the value of its degrees are based on the belief that graduates earned their diploma or certificate honestly and that faculty ensured that graduates have knowledge and skills acquired through rigorous work guided by high standards of excellence. Inherent in such an article of faith is a belief that students work honestly and that every student should do their own work. Certainly there are few shortcuts to learning, but a shortcut that seems to be increasing is cheating. Some studies suggest that as many as 75% of all students cheat (McCabe). Whether this is the case is arguable. What is not arguable is that responsibility for ensuring that academic integrity is upheld in each class, falls on the instructor in every class.

There is more to this than merely watching out for violations and reporting them to the appropriate person. Talking about Academic Integrity is an opportunity to teach students about the proper standards of academic behavior. Students may be confused about what constitutes plagiarism or unauthorized assistance on an assignment. Some of them do not understand why it is so important to cite their sources and include a bibliography. Making discussions of academic integrity an integral part of our curriculum will help students learn crucial skills.

Students come to NUHS from widely diverse backgrounds. Nationality, geography, and educational preparation are only a few of the factors that contribute to this diversity. To assume that students understand what academic integrity means is to allow student culture to be the predominant force in setting the University's standards.

There are many things an instructor should and can do to foster creation of a community that follows the standards of academic integrity. Donald J. McCabe, Associate Provost at Rutgers, Newark has done extensive research on cheating in colleges, developing an interest in the subject from his teaching in the Graduate School of Management. McCabe is a founder of the Center for Academic Integrity. Gary Pavela, Director of Judicial Affairs at the University of Maryland, College Park, is a leading authority on campus disciplinary procedures. McCabe and Pavela have developed a set of principles (unpublished) for faculty.

They believe that instructors are responsible for:

- Making it clear that academic integrity is important, and why it is important—that the pursuit of truth is grounded in certain core values, including diligence, civility, and honesty.
- Treating students as individuals and with respect. Students respond positively to classes where they see assignments as challenging and relevant, and will return respect shown them by following the rules.
- Making certain that the rules for academic integrity are clear and understood. Include a statement about the rules in syllabi and review them in class. Some areas can be particularly troublesome and need special attention, particularly rules about student collaboration (see below).
- Making every effort to assure that students perceive that academic work assigned and assessed is done so fairly.
- Reducing opportunities to engage in academic dishonesty. Unclear policies, undefined or unrealistic standards for collaboration, inadequate classroom management or poor examination security foster a climate that encourages cheating.
- Reporting violations. Students in every class also learn about the values of the instructor. Faculty members who ignore academic dishonesty send the message that the core values of academic life, and community life in general, are not worth any significant effort to enforce.
- Encouraging high standards of academic integrity across the University.

## Strategies for Preventing Academic Misconduct

### *Integrity on Examinations*

Exam conditions, type of exam, and many other factors may have a different impact on creating a climate of academic integrity during a testing period. Some standard suggestions apply whether the exam is subjective or objective in nature while others apply to each type.

*Factors that encourage academic integrity in all exams include:*

1. The presence of the professor who is actively checking to assure that there is no cheating. Sitting in the back of the room and watching to see what goes on or walking around the room goes a long way to discourage cheating. In large classes having proctors assist is beneficial.
2. Making sure that students in the room belong there is another factor. Particularly in large classes, checking ID's against the roster assures that no "ringers" are taking exams for properly enrolled students.
3. The seating arrangement is another important factor. Students should be spread apart as far as possible so that the possibility of cheating is reduced. Some instructors assign seats for exams so that they can identify students whose behavior is inappropriate and discourage students who know each other well from collaborating.
4. Stating the rules for taking the exam before anyone begins is also beneficial. First, it notifies students that you consider academic integrity an important issue, but also clarifies specific rules about use of other material. This is particularly important when there is permission to use some notes but not others, some books but not others, and equipment such as calculators or computers. If no other materials except a pencil or pen is permitted then students should be required to remove those items to the front of the room or under desks or some other convenient place.

## Term Papers and Take-Home Written Assignments

*Faculty can help prevent plagiarism in a number of ways:*

1. First, it must be made clear to students what constitutes unacceptable behavior.
2. The due date for any paper should appear on the course syllabus so that students are given adequate opportunity to plan their work properly.
3. Students should be encouraged to use a wide variety of sources to preclude the tendency to extract too much from a single source because no others are readily available at the time of writing.
4. It is very useful for instructors to provide a style sheet that defines paraphrasing and plagiarism, explains when citation is necessary, and provides models for correct citation. With a style sheet in hand, students will not be pressured to locate a style sheet at the last minute and will be able to focus greater attention on the proper presentation of their research and analysis. Specifying a style sheet or manual would at least require a student using a "canned" paper to convert the style if necessary. Particularly in advanced courses which might serve as the basis for graduate school preparation, it is a good idea to require students to follow the style manual of the profession, and for graduate students to specify the style manual of the profession. If more than one style manual is acceptable within a profession, the faculty member should specify one particular style for all term papers because it makes reading, commenting, and grading easier.
5. It is helpful to provide bibliographical guidance and research strategies if students are required to meet with their instructor to obtain approval of term paper topics.
6. Insure that students commit early to a term paper topic to avoid last-minute panic that may cause students to turn to cheating. One means of facilitating early topic selection is soliciting possible term paper topics from students after the second week of classes, editing them for viability, and returning them to the class along with other topic suggestions



from the instructor. The advantage of a suggested term paper list, if it is not restrictive, is that it focuses attention on viable choices and may stimulate students' imagination in formulating other topics.

7. Meetings between students and faculty for topic approval, held early in the semester, requires students to commit early to a topic and allows the faculty member to make suggestions about sources that should be included in the final product. This makes it less likely that "canned" papers can be submitted.
8. It is often useful to have students commit to a thesis statement, submitted in writing before the paper is due, as an additional requirement in the term paper process. Thesis statements require some preliminary research and reduce the likelihood of cheating because work on the paper had been postponed to the last minute. They also increase the difficulty of purchasing, acquiring, or commissioning a term paper on the topic chosen.
9. Faculty members should be readily available to advise students during the research and writing process. Students should be encouraged to seek the support and advice of reference librarians and the Learning Resource Centers. Students must feel supported throughout the process of researching and writing their papers to help them avoid the feelings of isolation and panic that can easily lead to cheating.
10. Requiring students to submit drafts of their work prior to the submission on the final paper helps offer some assurance that the work in progress is their own. It is not particularly easy to convert a "canned" term paper to a draft.
11. Requiring some in-class written work prior to the submission of a term paper enables an instructor to gain some knowledge about a student's writing style and vocabulary that makes a good comparison to term papers if there is some thought that the work is plagiarized. Comparison of student's writing styles that show wide differences can make strong evidence of plagiarism.
12. Keeping copies of past papers organized by topic may make it easier to track down work that seems familiar.
13. Read all papers on the same topic together.
14. Some possible signs of plagiarism include: an average student hands in a sophisticated and error free paper; footnotes do not match the cited text; there isn't a single footnote or quotation mark; topic does not match the assignment; certain passages sound familiar; type face on the title page does not match type in the body of the paper; or the paper is a photocopy but the title page is an original.
15. A comment on Term Papers on the Internet. The Internet is increasingly being used by students for research. Some of that research may be at "cheaters.com" or "term-papers-on-file.com." Typing "term papers" on any large search engine brings up a long list of sites that both sell or give away term papers. While it is unknown how many students submit papers obtained from the net under their own name, the problem is certainly not new. Commercial term paper companies have been in business for a long time-the Internet just makes them more accessible.

## Essay Exams

1. For closed book essay examinations it is important that faculty familiarize students in advance with the format of the examination and the likely structure of the questions. Because some students may have access to previous exams in the same course while others do not, leveling the playing field is often a good idea. To do this, distribute copies of previous exams to the class and use it as a guide in discussing the format and structure of the exam. It is also a good idea to provide structured sub-questions to at least one of the previous year's exam questions. This helps a student understand what it is that constitutes an excellent answer.
2. Blue Books are the most frequent format for essay exams. Because they are readily available to all students, one method of cheating is to bring partially completed blue books to an exam. In courses where students must provide their own blue books you can require

that students exchange blue books with someone else in the class before beginning the exam or collect them all and redistribute them randomly. When blue books are provided, many faculty stamp them in some way (with a name or departmental stamp, for example) prior to distributing them, after requiring that all other material be removed from desks and/or the area where students are sitting. Missing pages in a completed blue book may be a sign that some material was brought into the exam.

3. Take home examinations provide many opportunities for collaboration with other students and it is probably unreasonable to expect students not to collaborate or consult unapproved sources. To reduce the possibility of cheating, this type of exam should be constructed around a limited number of texts that the instructor knows intimately. This type of exam should demand that the student address issues that go beyond repeating what the authors have said and engage students in critical thinking. Take home exams are best assigned only after the students have submitted other written work so that it is easier to spot discrepancies in vocabulary or style. Instructors may want to photocopy the comments from these exams or other papers before returning them to students so that they can be compared with later work in the course. Faculty should include with the take home exam a style sheet which will outline how to cite quotations, statistics, and paraphrases. Perhaps only the last name of the author and the page citation might be adequate. Time for completion should be limited, since this type of exam probably assumes that students have already read the texts.

## **Objective Exams**

1. Copying from other students is a frequent form of cheating. The use of multiple forms of the exam is an effective means of controlling this behavior. Tight seating, slanted floors and large groups of students not personally known to the proctors all necessitate the use of more than a single version of an exam. Colored cover sheets with randomly assigned colors are helpful in masking the actual pattern in which multiple exams are distributed.
2. Assigned seating for exams makes it clear who is sitting where, and allows for an instructor to randomly assign students to seats, making it unpredictable for students to anticipate where they will be sitting.
3. When a large proportion of examination questions must be recycled, security of the exams is an important issue. A rigorous count-and-match procedure used when the exam is distributed and collected is a necessity.
4. When it is required that students use scratch paper for solving problems, instructors should provide the paper. This makes it easy to identify "crib" sheets that do not belong in the exam.
5. Many disciplines permit students to bring a set of notes to an exam. It would be desirable for departments and professional schools to standardize practices and to inform students that those practices do not extend to other departments.
6. It is advisable to make copies of exams before returning them to students. In this type of exam, some students erase wrong answers, supply the correct one, then ask for a grade change. A copy of what was returned would make this impossible. Grade alterers often make a habit of erasing frequently on their paper to make it harder to detect changes. Short of copying all exams, copy a random sample of the exams and announce to the class that doing so is your practice.

## **Calculators**

As calculators become increasingly sophisticated, their use in classes and during exams has become widespread, creating problems for many departments. Questions on the use of calculators on exams and assignments are, unfortunately, so specific to disciplines that little can be said here that is both useful or general.

The most practical response here is to suggest that departmental committees formulate guidelines for their disciplines, use those guidelines across the department, and update the guidelines annually or at the point where increasingly sophisticated calculators become available on the market.

Some considerations in establishing policies include differentiations between acceptable and non-acceptable keyboards; providing the same calculator to all students taking an exam; requiring that memory be erased before an exam (which is difficult to check and/or verify); and substituting a written page of notes in lieu of calculator use.

## **Collaboration**

A 1998 survey of Rutgers students asked the question, "On what aspect of academic integrity are you most unclear?" The overwhelming response was "collaboration." Students are encouraged to study in groups. They are assigned group projects. They work in teams to get results from experiments whose reports must be written individually. In these and other ways, students collaborate daily.

Students accused of cheating have argued that they studied together all the time and knew the same material, accounting for their identical pattern of right and wrong answers. They have also argued that similarity, including identical answers on a take-home exam, resulted from discussions in instructor assigned study groups and there were no prohibitions to using the group to prepare take-home exam essays.

There is no question that collaboration is an issue that spans a wide array of courses and practices. When collaboration is an issue for courses and departments, it is important that the rules for its use be spelled out to students. Those rules should be listed in the syllabus.

## **The Syllabus**

It is advisable that statements on Academic Integrity be included on the syllabus for every course. Such a statement has two advantages: it informs the student that he or she is expected to uphold standards of academic integrity and allows the instructor the opportunity to define special rules for academic integrity that apply in each class. This statement on the syllabus may be particularly important when it deals with areas that are not always clear in the minds of students.

Statements can be general or specific. You may wish to address questions about the definition of plagiarism, acceptable methods of citation (particularly if you specify a particular style manual or have departmental guidelines), rules for cooperation among and between students on assignments and laboratory work, conduct on exams, or other areas of concern.

Below are two statements that could be included on a syllabus or be modified to meet the particular needs of a course:

"Students in this class and in all courses at NUHS are expected to uphold the highest standards of academic integrity. Cheating, plagiarism in written work, receiving and providing unauthorized assistance, and sabotaging the work of others are among the behaviors that constitute violations of the Student Code of Conduct. You are expected to be familiar with this policy. If you have questions about specific assignments, be sure to check with the instructor."

"The Student Code of Conduct defines all forms of cheating and the procedures for dealing with violations. You should be familiar with this policy. The trust between the instructor and the class

depends on your acceptance of this essential principle of behavior in the University. Do your own work and do not provide unauthorized assistance to others and you will find this course more rewarding."

#### *Statements From the Syllabus in Courses Posted on the Web*

As is always the case, *you will be responsible for your own work in this class*. Pay special attention to properly citing sources in your written reports. Quotes (quotation marks) should be used for direct quotations; citations should be used for paraphrased materials. If you are unsure about how to cite sources, consult the instructor. Cheating will result in ....

[http://www.engr.unl.edu/ee/faculty/michael\\_hoffman/911/s96syllabus.html](http://www.engr.unl.edu/ee/faculty/michael_hoffman/911/s96syllabus.html)

As is always the case, *you will be responsible for your own work in this class*. On all homework and tests you must **show all your work**. You will not receive any credit for unsubstantiated work. Finally, please don't jeopardize yourself or your academic career by either copying someone else's work or allowing someone to copy your work. This includes both homework and exams.

[http://engr2.unl.edu/ee/faculty/karen\\_stgermain/304/s96syllabus.html](http://engr2.unl.edu/ee/faculty/karen_stgermain/304/s96syllabus.html)

Note that if a student's name appears on a solution set, it certifies that he or she has **participated** in solving the problems and **understands** all of the solutions.

<http://www.che.ufl.edu/courses/ECH4403/admin/problems.html>

Student-teacher relationships are built on trust. Students must trust that teachers have made appropriate decisions about the structure and content of the courses they teach, teachers must trust that the assignments students turn in are theirs. Acts that violate this trust undermine the educational process.

The (school handbook) defines various forms of academic dishonesty and the procedures for responding to them. All forms are violations of the trust between students and teachers. Please familiarize yourselves with this portion of the (school handbook) and note that the penalties for plagiarism and other forms of cheating can be quite harsh.

In this course, "cheating" consists of passing off the papers, published articles, or research of others as one's own work.

<http://www.loria.fr/~charoy/InternetWeb/course/classes/intro.html>

...In this course we encourage students to study together. This includes discussing general strategies to be used on individual assignments. However, all work submitted for the class is to be done individually unless an assignment specifies otherwise.

<http://jungfrau.usc.edu/ee681.html>

#### *Example of a Departmental Policy Statement*

[< http://ftp.cs.indiana.edu/docproject/handbook/section1.7.0.5.html >](http://ftp.cs.indiana.edu/docproject/handbook/section1.7.0.5.html)

The Computer Science Department (Indiana University) takes the issue of academic integrity very seriously. The free marketplace of ideas is the ideal for the university. The university, in its pursuit of the advancement of knowledge has two intertwined missions: research (the development of new ideas) and teaching (the communication and refinement of these ideas). These missions require an atmosphere of mutual trust and respect. This document explains how the university's policy on academic integrity applies to computer science courses.

In the university research environment, the most productive work is rarely created by single individuals working along. Rather, collaboration has been found to be the most productive mode of operation for all kinds of scholarly activities. However, appropriate credit is to be given to all the participants in collaborative work. Furthermore, new research work rarely stands without foundation; it is usually derived from previously reported research. In these cases, the original work is to be cited.

In the university teaching environment, students are partners in the educational enterprise. The same deference is shown for other students' ideas as is shown for researchers' ideas. Collaborative work may be encouraged; many students find that their learning is enhanced during discussions with other students. However, when such collaboration occurs, all of the participants are to be acknowledged (i.e., their names written on the resulting work). Similarly, in a paper that uses ideas developed by another person, the original author is to be cited (e.g., in a footnote). When ideas that were invented by another individual are used in a program, the original inventor is to be cited (i.e., in the program documentation).

## Reporting Academic Misconduct

The Student Code of Conduct strongly encourages that all members of the NUHS academic community report suspected violations. Students should make reports to the instructor of the class first, while instructors should report suspected violations to the Dean of the College or the Dean of Students.

Adjudication of suspected violations fall under the procedural requirements of the ***NUHS Code of Student Conduct***.

The Dean of Students will serve as the primary contact person as the complaint proceeds. You will be asked to forward a written description of the complaint, including names of witnesses along with other pertinent information. You should consult with the Dean of Students before sending information. The Dean of Students will offer support, guidance and information as the process proceeds, for both complainant and respondent.

### *Acknowledgement*

This Faculty Guide is an update of the booklet, "Promoting Academic Integrity, A User-Friendly Guide" Prepared by the Provost's Committee to Promote Academic Integrity." published at the Teaching Excellence Center at Rutgers University, New Brunswick, NJ.

Special thanks to Donald J. McCabe, Associate Provost at Rutgers, and instructor in the Graduate School of Management, for his extensive research on cheating in colleges and expertise on the topic of academic integrity.

### *More Information for Faculty on Internet Plagiarism*

<http://www.waterbury.uconn.edu/Plagiarism/index.html>

Internet plagiarism has become part of the academic landscape. Each semester more and more faculty are confronted with student writing assignments that have plagiarized from the Internet.

**These web pages have been designed to support faculty in combating Internet Plagiarism within their courses.** The emphasis is on practical information and helpful web links that can assist faculty in dealing with this increasing problem. The web page has been divided into five main areas:

1. What is Plagiarism -- definitions and interactive tutorials on Plagiarism.
2. Prevention -- what measures can faculty take to help prevent Internet Plagiarism within undergraduate's written work.
3. Detection -- what are some "tricks of the trade" in detecting Internet Plagiarism.
4. How to Properly Cite -- information is provided for citing online resources using MLA, APA and Chicago style.

## Practical Advice on Classroom Disruption

Most faculty members could use advice about how to respond to disruptive students, and possible distinctions between disruptive behavior and assertiveness.

1. Faculty members are responsible for management of the classroom environment. Teachers can be compared to judges: Both focus on relevant issues, set reasonable time limits, assess the quality of ideas and expression, and make sure participants are heard in an orderly manner. While their ultimate goals may be different, both judges and teachers need to exercise authority with a sense of fairness in mind.
2. Classroom disruption should be seen as a disciplinary offense, as defined by the University's Student Code of Conduct. The term "classroom disruption" means behavior a reasonable person would view as substantially or repeatedly interfering with the conduct of a class. Examples include ... persisting in speaking without being recognized, or resorting to physical threats or personal insults.
3. Both students and faculty members have some measure of academic freedom. University policies on classroom disruption cannot be used to punish lawful classroom dissent. The lawful expression of a disagreement with the teacher or other students is not in itself "disruptive" behavior.
4. Rudeness, incivility, and disruption are often distinguishable, even though they may intersect. In most instances, it's better to respond to rudeness by example and suasion (e.g. advising a student in private that he or she appears to have a habit of interrupting others). Rudeness can become disruption when it is repetitive, especially after a warning has been given.
5. Strategies to prevent and respond to disruptive behavior include:
  - Clarify standards for the conduct of your class. For example, if you want students to raise their hands for permission to speak, say so ...
  - Serve as a role model for the conduct you expect from your students.
  - If you believe inappropriate behavior is occurring, consider a general word of caution, rather than warning a particular student (e.g. "we have too many contemporaneous conversations at the moment; let's all focus on the same topic").
  - If the behavior is irritating, but not disruptive, try speaking with the student after class. Most students are unaware of distracting habits or mannerisms, and have no intent to be offensive or disruptive.
  - There may be rare circumstances when it is necessary to speak to a student during class about his or her behavior. Do so in a firm and friendly manner, indicating that further discussion can occur after class.
  - A student who persists in disrupting a class may be directed by the faculty member to leave the classroom for the remainder of the class period. The student should be told the reason(s) for such action, and given an opportunity to discuss the matter with the faculty member as soon as practicable. Prompt consultation should be undertaken with the Department Chair and the Director of Judicial Programs. Suspension for more than one class period requires disciplinary action, in accordance with the Code of Student Conduct.
  - If a disruption is serious, and other reasonable measures have failed, the class may be adjourned, and the campus police summoned.

## Organizational chart

See chart on next page.

