



# UNIVERSITY FACULTY HANDBOOK

Western University of Health Sciences

Implementation and Effective Date:  
July 1st, 2010

Western University of Health Sciences is a graduate university of health sciences that educates health professionals to practice and teach with excellence and compassion. Within a learning-centered environment, the University encourages lifelong learning, supports faculty and student scholarly activities, provides patient care in support of clinical training, and enhances the quality of life in the region through community service.

This Faculty Handbook sets forth the general policies of the University relating to its faculty. Occasionally, issues may arise that are not addressed in this handbook. As is set forth in Section I, the Board of Trustees is responsible for the overall supervision of the University, and it is the final judge of all matters or disputes.

**- The right to amend this handbook belongs to the parties that govern the University; the Board of Trustees, Administration and the Faculty. All changes must be processed in accordance with the rules contained within this document before they can be considered as binding.**

**Approved by the President and the Board of Trustees  
May 22, 2010**

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## Section I

# ADMINISTRATION / ORGANIZATION

## ADMINISTRATION / ORGANIZATION

### A. Table of Organization

The University is organized under the Board of Trustees, which has ultimate responsibility for the affairs of the University. The executive staff of the University includes the President, the Provost, and the Treasurer/Chief Financial Officer.

### B. Administrative Position Functions

- The Board of Trustees has the authority and responsibility to determine the basic purpose and objectives of the University with due regard to the recommendations of the President and Faculty, and to provide the planning that will achieve those purposes and objectives. The Board of Trustees establishes policy with consideration of recommendations of the President and Faculty through the administrative chain of command. The Board decides upon the initiation and discontinuance of programs of study upon the recommendation of the President in consultation with the Provost, the Academic Deans and the Faculty. The Curriculum in any given program will be determined by the President, the Provost, and the appropriate Academic Deans upon the recommendation of the Faculty. The Board has the power to confer degrees only on recommendation of the President and Faculty through the administrative chain of command, and confer honorary degrees with due regard to criteria for such degrees established in cooperation with the President and Faculty through the administrative chain of command. Upon the President's recommendations, the Board will act upon faculty personnel matters including awarding of tenure. Moreover, the Board is concerned with such matters as legal responsibility of the University as a corporate entity, hiring or dismissal of the President, fiscal administration of the University, and representation of the University mission to health care professionals and to the public. The Board will be the final judge of all matters or disputes.
  
- 2. The President is the chief executive officer of the University, reports directly to the Board of Trustees, and acts on behalf of the Board. He/She leads the University toward the fulfillment of its mission and objectives and is the chief spokesperson for the University. The President interprets and supports the major policy decisions, pronouncements and rules of the Board as well as aids the Board in their formulation. The President appoints administrative and academic personnel to implement the mission and philosophy of the University. He/She assigns to the Provost, the necessary responsibilities for implementing the curriculum and the instructional plan of the University. The President is responsible for developing and implementing long and short-range planning and goals for the University including funding. The President recommends to the Board all tenure decisions and salary policies, and is accountable to the Board for all appointments and dismissals.

3. The Treasurer is the chief financial officer of the University and reports directly to the President. He/She is responsible for all financial matters relating to the operation of budget planning, investments, real property transactions, fiscal surveillance, Federal and State Government liaison, financial aid, risk management, purchasing, campus bookstore, audits and payroll.
4. The Provost is the chief academic officer and chief operations officer of the University and reports directly to the President. He/She is the chief advisor to the President on all academic matters and will assume leadership in developing and implementing the curriculum and instructional programs of the University. The Provost serves as intermediary between the President and the Academic Deans, Faculty, students and others involved in the academic activity of the University. Budgets for the academic units are prepared by the Provost in consultation with the Treasurer to be submitted to the President. He/She assists the Faculty in the preparation of research grant applications and other requests for external funding. In the role of chief operations officer the Provost is responsible for human resources, physical plant, instructional technology, and strategic planning.
5. The Senior Vice President of Executive Affairs reports to the Provost. The Senior Vice President of Executive Affairs oversees the operations of the Center for Disability Issues and the Health Professions, Environmental Health and Safety, Institutional Research, and the Medical Library. The Senior Vice President for Executive Affairs is also an academic affairs officer and acts as assistant to the Provost/COO in all matters pertaining to that Office, and acts on behalf of that Office in the absence of the Provost/COO. He/She also serves as the institution's liaison officer with the Western Association of Schools and Colleges.
6. The Vice President for University Student Affairs reports to the Provost and directs the offices of Admissions, Recruitment, Registrar, Learning Enhancement and Academic Development, and Student Affairs. He/She serves as an ombudsperson for students.
7. The Vice President for Research and Biotechnology oversees all research of the university and is the administrative leader of the Office of Research and Biotechnology. The Vice President for Research and Biotechnology is responsible for developing the institutional strategic plan for research, guiding and monitoring the development of research programs, representing the University's research program to the external community, and managing all aspects of research grants and contracts.
8. The Vice President of Human Resources is responsible for directing all the people functions of the university in accordance with the policies and practices of the university, the ethical and social consciences and the laws, regulations and administrative rulings of governmental organizations and all university wide Policy and Procedures. The incumbent will also be responsible for Strategic Human Resources planning and to provide the university with the best people

talent available at all levels of the university and to position WU as the Employer of Choice by deploying Best Practice's policies, practices and trends within Higher Education. Serves as the internal consultant to the university senior management team on all HR disciplines including Compensation, Training/Employee Development, Employment, Succession Planning, Benefits Administration and Employee Relations. Leads and manages a team of Human Resource Professionals whose goal is to serve the university as a responsive internal consulting group consistent with WesternU core values and mission statement.

9. The Vice Provost reports to the Provost. The Vice Provost oversees the operations of the Center for Academic and Professional Enhancement (CAPE), assists the Provost in the area of new academic program development, and provides leadership in the development and implementation of Interdisciplinary Education. As a general academic affairs officer, the Vice Provost assists the Provost and the other staff of the Office of Academic Affairs in strategic planning, new initiatives, resource development and external relations.
10. The College Dean is responsible for providing leadership of the college, for representing the college's interests on campus and to external constituents, and for planning and overseeing implementation of its academic, research and service programs. The dean reports to the Provost. The dean is responsible for the administration of the college, including budget preparation and administration, hiring of faculty and staff, determination of salary adjustments and recommendations on promotion and tenure. The dean admits students to the college upon recommendation of the faculty and provides leadership in delivering and continually improving the curriculum. The dean monitors student progress in the academic programs of the college and, based on recommendations of the faculty, recommends students for promotion and graduation to the Provost.

## Section II

# FACULTY RIGHTS AND RESPONSIBILITIES

## **FACULTY RIGHTS AND RESPONSIBILITIES**

### **A. Definition of Faculty and Faculty Responsibilities**

All persons who have been appointed with the rank of Professor, Associate Professor, Assistant Professor, or Instructor are members of the Faculty. Administrators whose functions are in part academic may be appointed to the Faculty by the Provost and the appropriate Dean.

The Faculty is responsible for establishing curriculum (both classroom and clinical), subject matter and methods of instruction, evaluation, research, and those aspects of student life that relate to the educational process. The Board of Trustees and the President, as its representative, have the authority of final review or final decision on such matters, but such authority should be exercised with appropriate justification and for reasons communicated to the Faculty through the Administration.

The Faculty and College Deans determine when requirements for graduation, as set by the Board of Trustees, have been met and recommend to the Provost, who shall recommend to the President, who shall then recommend to the Board of Trustees, that the particular degree or certificate of program completion be granted.

### **B. Principles of Professional Conduct and Academic Freedom**

For faculty to carry out these functions successfully, special protections of rights are acknowledged to be essential. These rights are known collectively as academic freedom. A body of such rights and their associated responsibilities constitute a statement of professional conduct.

1. A faculty member should promote, by precept and example, a general atmosphere of respect for knowledge, thought and inquiry within the University.
2. A faculty member has the freedom in the classroom to teach and present material in a fashion that he/she considers appropriate. His/Her corresponding obligation is to perform conscientiously, to maintain proficiency and self-improvement in his/her field, and to deal competently with the scheduled subject matter of his/her instructional assignments.
3. A faculty member is obligated to respect each student as an individual, recognizing his/her possession of human civil rights. In all cases, fairness and objectivity with students should be observed.
4. A faculty member that meets the requirements of voting privileges has the right and obligation to participate in scheduled meetings of the Academic Assembly. Election to the Academic Senate and election or appointment to committees should be considered a privilege and faculty members are encouraged to share in these responsibilities.
5. A faculty member has the right and responsibility to contribute to the continuance and improvement of educational quality within the University by

- participation in committees for the selection of new full-time faculty and in committees recommending promotion, tenure and other recognitions of merit, when so appointed or elected by the appropriate body or person.
6. A faculty member should contribute to the planning, development and evaluation of courses and academic programs within the University.
  7. A faculty member should, in all cases, show respect for his or her colleagues. Such display of respect is particularly important whenever colleagues disagree.
  8. A faculty member has the right to select methods and topics of research, subject to the review, if applicable, of the Institutional Review Board and/or the Institutional Animal Care and Use Committee (IACUC). Such review shall be limited to matters of public health and safety, applicable legal and fiscal restrictions, potential liability, and the proper treatment of human subjects and laboratory animals. The Research Misconduct Policy and Protocol (Appendix IV, A.) will apply to all faculty.
  9. A faculty member has the right to assign academic tasks to students, but is charged with not abusing students or infringing on their academic freedom, and must give full credit for work done by them.
  10. Faculty members have the right to present their research findings and other products of scholarship publicly, but have the concomitant responsibility to strive for scholarly objectivity and truth and to respect the privacy and dignity of any research subjects.
  11. A faculty member has the right and responsibility to initiate the convening of the appropriate Committee when the faculty member believes that some issue of concern regarding the Committee is not being appropriately handled. The right and responsibility shall be exercised in conjunction with the Chairperson of the appropriate Committee.
  12. A faculty member has the right, as part of academic freedom, to have his/her off-campus activities considered personal and private. This includes the right to free speech and association, accompanied by the obligation to refrain from representing himself/herself as speaking or acting for the University unless authorized to do so. The faculty member has the right to involve himself/herself in the community and to participate freely in political, social and religious activities. This right is accompanied by the duty to uphold the professional obligations to the students and to the University community and to avoid actions that would seriously disrupt the education functions of the University.
  13. A full time faculty member may accept outside employment that is not detrimental to his/her professional status or the performance of his/her professional responsibilities at the University. This right is accompanied by the obligation that such outside employment not be allowed to interfere with his/her obligations to the University. The designation of “exempt” already makes the determination that the faculty decides what they must do to fulfill 100% faculty appointment. The University must be the main concern of their workload. Beyond this, refer to individual faculty contracts for more specific obligations.
  14. A faculty member may accept short-term lectureships in his/her area of expertise. The request to be a guest lecturer must be made in advance to the appropriate supervisor. The appropriate supervisor may grant permission for such a lectureship

so long as it does not interfere with the academic program at the University.

15. Because the University recognizes the importance of continuing scholarly activities, a faculty member has the right to participate in projects at other institutions. The appropriate Dean must approve the time spent away from the campus for such activities. These activities must not interfere with the academic program of the institution.

16. All full-time, on-campus faculty members are responsible for informing the appropriate Dean and/or designee when they will be away from campus for significant periods of time during the academic day.

17. Personal Relationships between Students and Faculty:

- Faculty is expected to exhibit professional behavior at all times. Consensual relationships between students and faculty cannot be completely prohibited; however the University strongly discourages such activities, for a variety of reasons.
- First, sexual harassment is a violation of federal law. Additionally, even though a relationship may appear to be consensual, the power difference between faculty and students make it difficult for the student to refuse sexual advances, even though the faculty member may feel that their attitude is reciprocated.
- Second, such relationships between a faculty member and the student can cause the faculty member to act more benignly towards a particular student, resulting in an unequal treatment of students in a class. This can occur even if the student is not in a course the faculty member is teaching, as the faculty member can be called on for opinion in disciplinary actions or other types of recommendation. Faculty should not be involved in the evaluation of a student or colleague with whom they have an intimate social relationship.
- Third, faculty has a position in relation to student that makes them fiduciaries under the law; they are to use their authority to benefit the student, not to benefit themselves. It can be argued that any apparently consensual relationship between a faculty member and student is a violation of trust between that faculty member and that student.
- Despite these arguments, any such consensual relationships are beyond the ability of the University to completely control; however, the University policy is to protect the student, and therefore relationships between faculty members and student shall not be sanctioned by the University. If there are negative consequences, the faculty involved shall bear personal responsibility for the consequences, and the University will assume no liability for the outcome.

Within the limits set forth above, the faculty member is accountable to his/her colleagues and dean for his/her performance of these duties as a member of the faculty.

## **Section III**

# **FACULTY EMPLOYMENT POLICIES AND PROCEDURES**

## FACULTY EMPLOYMENT POLICIES AND PROCEDURES

### A. Appointment of the Faculty

#### Policy of Nondiscrimination and Equal Employment Opportunity Notice of Nondiscrimination Policy.

The Western University of Health Sciences, in compliance with Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Sections 503 and 504 of the Rehabilitation Act of 1973, and Sections 102 and 302 of the Americans With Disabilities Act of 1990, does not discriminate on the basis of gender, race, color, national origin, religion, handicap, or sexual orientation in any of its policies, procedures, or practices. In accordance with sex discrimination laws, the University forbids acts of sexual harassment. In compliance with the Age Discrimination in Employment Act of 1967, Section 402 of the Vietnam Era Veterans Readjustment Act of 1974, and Section 12940 of the State of California Government Code, the University does not discriminate against any employees or applicants for employment on the basis of their age, their ethnic origin, their marital status, their sexual orientation, or because they are disabled veterans or veterans of the Vietnam Era, or because of their medical condition (as defined in Section 12926 of the California Government Code); nor does the University discriminate on the basis of citizenship, within the limits imposed by law. This nondiscrimination policy covers admission, access, and service in the University programs and activities, and application for and treatment in University employment.

Pursuant to Executive Orders 11246 and 11375, as amended, Section 503 of the Rehabilitation Act of 1973, as amended and Section 402 of the Vietnam Era Veterans Readjustment Act of 1974, as amended, the Western University of Health Sciences is an affirmative action and equal opportunity employer.

#### 1. Access to Individuals with Disabilities.

Western University adheres to the fundamental principles of nondiscrimination and accommodation in all of its practices and academic programs as set forth in the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990.

- a. These laws establish that persons with disabilities may not, on the basis of their disabilities, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity at Western University.
- b. The University endeavors to provide a welcoming and supportive community environment for faculty with disabilities.
- c. In that spirit, the University acknowledges its obligations to make

reasonable adjustments and accommodations in order to provide its faculty with disabilities access to its programs, when viewed in their entirety.

- d. Academic requirements that are justifiably essential to a program of instruction are not considered discriminatory.
- e. Inquiries regarding accommodations for disabled faculty may be directed to the Center for Disability Issues and the Health Professions.
- f. Faculty with disabilities who would like to request services from the Center must bring written medical documentation of disability, which is held strictly confidential.
- g. The Center's services are approved on an individual basis. Reasonable accommodations are provided when required to compensate for a functional impairment as the result of a disability.
- h. There is no charge to the faculty member for these services.
- i. The Center for Disability Issues and the Health Professions services for Faculty include:

- Individual counseling and advising (deans, faculty and CDIHP staff)
- Appropriate support services and devices, which may include but are not limited to taped texts, interpreters, note-takers, or other effective methods of making orally delivered materials available to, for example, faculty with hearing impairments or learning disabilities
- Accessible parking arrangements
- General physical facility accessibility
- Liaison with community resources (e.g., Services Center for Independent Living)

## 2. Recruitment

The appropriate Dean will appoint a Search Committee for addition to the faculty or replacement of a full-time faculty member. The Search Committee will, whenever possible, be composed of members of the Academic or Clinical discipline to which the new faculty member will be appointed and/or members of appropriate related fields.

### 3. Screening Process

Documentation of each applicant should be kept on file by the Search Committee until after a recommendation is made. Such files shall be sealed and retained by the Office of the Provost for an appropriate time period after an appointment is made. These records then will be forwarded to Human Resources for storage. The Search Committee will consider each applicant according to his/her professional merit and, at all times, adhere to the stated University policy of nondiscrimination. The highest-ranking candidates may be invited to the University for a personal interview. The Search Committee should notify other members of the Faculty and the administration of such visits by the candidates. The candidate should have the opportunity to meet with as many faculty members as possible. Student input may be considered but is not mandatory.

### 4. Recommendation

The Search Committee will recommend the acceptable candidate(s) to the appropriate Department Chair and then to the Dean. Ultimate approval rests with the President.

## **B. Classification of Appointment**

As used in these rules, the term “faculty” shall include persons appointed by the Provost with regular, auxiliary, and emeritus faculty titles on full- or part-time appointments, with or without salary.

1. Regular Faculty: Persons with the titles of professor, associate professor, assistant professor, and instructor who serve on full- or part-time appointments with salary. Regular faculty appointments may be tenure-track or non-tenure track as indicated in the letter of appointment and employment contract.
  - a. Tenure Track: Full-time, contracted faculty positions in which faculty are expected to devote their complete attention and energies in carrying out the full range of their faculty roles in teaching, scholarly activity and service.
  - b. Non-tenure Track: There are two types of non-tenure track appointments:
    1. Part-time: Annually contracted appointments made for specific administrative, clinical or teaching responsibilities with less than full-time (40 hours per week) devoted to these faculty duties.
    2. Full time faculty appointments that are designated as non-tenure track.
2. Auxiliary Faculty: Persons with adjunct titles, clinical titles, or visiting titles.

The titles of adjunct/visiting/clinical professor, adjunct/visiting/clinical associate professor, adjunct/visiting/clinical assistant professor, and adjunct/visiting/clinical instructor shall be used to confer faculty status on individuals who have credentials comparable to regular faculty, who provide significant service to the instructional and/or research programs of the University (but not exceeding 50 percent time involvement, except for visiting faculty appointments), and who need a faculty title to perform that service. Significant service would include teaching the equivalent of one or more courses, advising students, and serving as a co-investigator on a research project. Such individuals may be either non-university employees or university employees compensated from a non-instructional budget.

- a. Visiting: Full-time appointments reserved for individuals meeting the qualifications of a regular faculty appointment, but who are usually retained at other educational institutions, and are currently employed by the University on a term contract.
  - b. Research Faculty: Full-time appointments reserved for individuals meeting the qualifications of a regular faculty appointment whose primary duties are extensively involved in the conduct of research, with limited involvement in teaching and service functions, and are currently employed by the University on a term contract.
  - c. Adjunct Faculty: Short-term (less than one year or less than 10 hours per week) contracted or volunteer faculty appointments reserved for individuals who have a regular faculty appointment at another University or in another college of Western University, or who otherwise serve in the capacity of faculty members as lecturers or course instructors on a part-time or irregular basis or who otherwise do not meet the criteria for a regular, part-time faculty appointment.
  - d. Clinical Faculty: Volunteer adjunct faculty appointments for licensed clinicians whose faculty role is to serve as preceptors/clinical supervisors for students participating in clinical education experiences in hospitals or private clinical practices.
3. Emeritus: Persons with the title of associate professor emeritus/a or professor emeritus/a as granted by the Board of Trustees for faculty who have retired from the regular faculty at age 62 or greater with at least 10 years of Western University service as a member of the regular faculty and having attained the academic rank of associate professor or professor.

### **C. Terms of Appointment**

1. Contracts. The academic year is ordinarily a 12-month period, from July 1 to June 30, including vacations. The initial teaching contract with the University for full-time faculty ordinarily will be for a period of one academic year. An initial renewal of contract also will be for a period of one year. Subsequent contracts for non-tenured teaching positions with the University will be for a period of one academic year. All new faculty hired after July 1, 2004, will be given an annual contract.

Notice of non-renewal of any one-year contract must be made in writing to the faculty member by March 1 of the contract year.

The above provisions are intended to apply to full-time faculty members, as opposed to part-time and visiting faculty members. Further, the University specifically reserves the right to hire faculty on such other terms, as the University may deem appropriate from time-to-time. Whenever the written employment contract contains any provisions that differ from the provisions of this Faculty Handbook, the terms of the written contract shall be applied instead of the provisions of the Faculty Handbook. If the written employment contract differs from the provisions of the Faculty Handbook, the faculty member will be required to sign a statement indicating that he/she understands these differences.

2. Salary. Information concerning the dissemination of salary schedules is included in Appendix III of the Faculty Handbook, as is a description of the Fringe Benefits.

### **D. Salary Adjustment**

Each year, as part of the general University budgeting process, every faculty member may be considered for an annual salary adjustment as determined by the President. Moreover, a “merit” increase in salary may also be considered by the President. The merit increase will be upon recommendation by the Provost, who will receive input from the appropriate Dean. It should not be considered the right of the faculty member to receive a merit increase. However, the faculty member may petition to the Provost for such an increase.

Salaries must be commensurate with faculty rank, responsibilities, and performance record. When salary inequities exist, salary adjustments shall be made by the appropriate Dean in consultation with the other administrative officers. Recommendations for an increase in faculty salary shall be based on parity considerations, an increase in duties or responsibilities, and/or merit. Salary adjustments based on the two former considerations are at the discretion of the

appropriate Dean. Merit salary increases shall be based on a faculty member's record of performance in teaching, scholarly activities, and professional service (as documented by the faculty member's annual report and other information), and shall be made by the appropriate Dean in consultation with other administrative officers.

## **E. Vacation**

The faculty are entitled to all of the holidays included in the academic calendar. All full-time faculty receive 26 working days of vacation time per year with pay. The appropriate Dean (or designee) must approve the time period allotted for vacation time. Attendance at professional meetings or assignments as approved by the dean will not be included as vacation time.

A holiday occurring during a faculty member's vacation period shall not be considered a vacation day. A faculty member is entitled to earned vacation time at the termination of service. - See E. H. for specific coverage.

**Cap**—Faculty members are subject to a maximum of 48 vacation days. When that point is reached, vacation accrual ceases until the faculty member takes time off to reduce accrued vacation to below the cap. At that time, additional accrual will be allowed, but only to the cap of 48 days.

Vacation time is not accrued when a faculty member is on an unpaid leave of absence that is in excess of one month.

## **F. Leaves of Absence**

1. **Sick Leave and Emergency Leave.** All full-time faculty of the University shall be eligible to receive and accumulate –sick leave with pay. Full-time faculty shall accumulate ill time with pay at the rate of one day for every employment month or fraction thereof. Part-time faculty earn a prorated amount of ill time based on their regularly scheduled number of hours worked. Part-time faculty working less than one-half time shall not be eligible to receive ill time with pay. Sick leave benefits may be integrated with State Disability benefits.

Sick Leave may be accumulated to a maximum of 30 work days with less than five years of employment and up to 60 days maximum with five years or more employment.

The faculty member may use sick leave when he/she is ill or injured or for caring for the faculty member's family members. Family members are defined as spouse, domestic partner, parent (biological, foster, adoptive, stepparent or legal guardian) or child (biological, foster, adopted, stepchild, legal ward or child being raised by the faculty member).

A faculty member may be excused for up to three days, with pay, to attend a funeral in the case of a death in the immediate family.

In the event of death or serious illness requiring greater than three days' leave, the faculty member shall have the option to use ill time and/or vacation time.

Faculty members that are absent from work due to their own illness or that of a family member for 5 consecutive days or more, must contact the Benefits Administrator to find out if they qualify for a medical leave.

The faculty member is required to notify the appropriate Dean (or designee) as soon as possible if ill or unable to work for any reason. A doctor's note may be required to return to work. Failure to report and/or keep the appropriate Dean (or designee) advised may be the basis for disciplinary action including suspension or dismissal.

Accumulated sick leave pay will not be paid upon termination of employment.

2. Military Leave. See Employee Handbook.
3. Jury Duty. A faculty member who is served notice of jury duty will perform such jury duty without loss of pay or status (**maximum of 10 days**). Such time spent on jury duty shall be considered as time worked in computing seniority, eligibility for salary increase, and experience with the institution. The faculty member will, in conjunction with the appropriate Dean, make arrangements for his/her responsibilities to be met. The appropriate Dean may request proof of call of jury duty. If possible, faculty members are encouraged to request a delay of jury duty to a time when their teaching schedules would better permit such service.
4. Leave of Absence Without Pay. (See Employee Handbook for more specific details) A full-time faculty member, upon written application to and upon written approval by the Provost, may be granted a continuous leave of absence without pay for a period of time not to exceed one year. The Provost, at his/her discretion, may require the written approval of the appropriate Dean before accepting the application of a faculty member for a leave of absence. The Provost shall determine if the purpose for which such a leave is requested is proper and within sound administrative policy.

At the expiration of leave of absence without pay, the employee shall be reinstated without loss of any rights unless the position is no longer available due to a reduction in staff caused by curtailment of funds or a reduced work load. Tenured faculty must be re-hired if the position is still intact.

Arrangements for continued insurance coverage, at the faculty member's

expense, may be made with Human Resources.

Failure of the faculty member to report promptly at the expiration date of a leave of absence without pay, except for satisfactory reasons submitted in advance, shall be cause for termination of employment by the institution.

5. Scholarly Leave/Sabbatical Leave. A faculty member becomes eligible for consideration for a scholarly leave of absence with partial pay after six years of full-time employment. Scholarly leaves of absence are among the most important means by which a faculty member's teaching effectiveness may be enhanced, his/her scholarly usefulness enlarged and an institution's academic program strengthened and developed. The major purpose is to provide opportunity for continued professional growth and renewed intellectual achievement through study, research or writing. Scholarly leaves may also be provided in appropriate circumstances for projects of direct benefit to the institution and for public or private service outside the institution.

A faculty member should apply for leave by December 31 of the year prior to the academic year in which the leave is requested so that arrangements can be made to cover his/her responsibilities and assignments. Application for a scholarly leave will be made in writing to the Provost, the Vice President for Research and Biotechnology, and Faculty Research Committee (with a copy to the appropriate Dean). The application should include an explanation of the scholarly pursuit and evidence of its value to the institution as well as a discussion of the results of any previous sabbatical leave granted to the applicant. Upon satisfactory review by the Faculty Research Committee, the faculty member's dean, the VP for Research and Biotechnology, and the Provost, the Provost will submit the application to the President for final approval.

A faculty member will return per his/her contract for further service following scholarly leave of absence with partial pay. When the faculty member is on leave with partial pay, the University will continue to accord him/her full fringe benefits (insurance, annuity contribution, etc.).

Upon return from the scholarly leave of absence, the faculty member has the obligation to share the results of that leave with the University community. The manner and extent of this obligation shall be determined by the VP for Research and Biotechnology and communicated to the faculty member as part of the approval of the scholarly/sabbatical leave.

The University will pay the faculty member on scholarly leave 100% of the faculty member's salary for a six-month leave or 50% of the faculty member's salary for a one-year leave.

## 6. Family and Medical Leave Policies (See Employee Handbook).

See Employee Handbook for full employee benefits. In addition to the provisions contained in the Employee Handbook, the University may require a faculty member who is applying for Family and Medical Leave to provide certification by a medical provider. The certification may not divulge the nature of the medical condition, just the need. At University expense, the University may require a second opinion, or a tie-breaking third opinion, when the faculty member's own serious illness is the reason for the leave. This process does not apply when the request is for leave to take care of another person.

While on Family and Medical Leave, faculty members are not allowed to work elsewhere. A faculty member who works elsewhere while on Family and Medical Leave will be terminated from employment.

Faculty may request extended leave beyond the term limits set forth in the Employee Handbook, subject to the approval of the University. Extended leave is for the faculty member's own illness. Benefits will not be paid during this period, but the faculty member may continue group insurance by paying the entire premium.

Except when the leave is not foreseeable, a faculty member must request leave in writing as far in advance as possible. The leave request must be turned in to the respective Dean, who, in conjunction with the Office of Human Resources, will advise the faculty member whether or not the leave request qualifies for Family and Medical Leave or who may require a second or third opinion (when appropriate). If the request is approved by the Dean, the Office of Human Resources will advise the faculty member regarding health insurance premium payments and benefits and other details of the Family and Medical Leave or Pregnancy Leave policies.

## **G. Resignation**

If a member of the faculty desires to terminate an existing appointment, or to decline renewal, notice should be given in writing at the earliest possible time. A minimum of ninety (90) days' notice is expected, however, the faculty member may request that the dean waive this 90 day requirement.

## **H. Retirement**

Faculty members of the University may voluntarily retire at any age. Age is not a reason for termination or non-renewal of employment or mandatory retirement. Emeritus status may be granted upon retirement (see Appendix IIIF).

## **I. Dismissal Procedures**

The following procedure should be followed if a faculty member is to be dismissed prior to the end of his/her contract or after being granted tenure. A decision to not renew a contract at the end of its term shall not be considered a “dismissal”. In cases involving dismissal please refer to steps for dismissal below and then, to “Grievance Procedure” in Appendix II after dismissal and faculty wishes to enter into Grievance process.

1. The Provost will inform the individual, in writing, of his/her possible dismissal and of the cause for dismissal. Substantial evidence of adequate cause (see above) must also be presented in writing. The Provost will send the recommendation for dismissal to the President.
2. If the President decides for dismissal, the faculty member may call for a meeting with the Grievance committee. The recommendation of the Grievance Committee will be sent to the President, the Provost and the appropriate Dean.
3. The faculty member may finally appeal to the Board of Trustees for a hearing and an ultimate decision.

## **J. Adequate Cause for Dismissal**

The following are considered adequate causes for dismissal of the faculty member before the end of his/her contract or after tenure.

1. Demonstrated incompetence or lack of integrity in the performance of professional duties or substantial and recurring neglect of duties.
2. Personal conduct that substantially impairs the individual’s fulfillment of institutional responsibilities.
3. Financial exigency including abandonment of a program, department of instruction, or position of appointment. In such a case, the position will not be filled for a period of three years unless the released faculty member has been offered re-appointment and given a reasonable time to accept or decline it. The faculty member will be re-hired at least at the same rank and salary as when released.

## **K. Personnel File**

1. The official personnel files for the University are maintained in the Human Resources Department.

Employee personnel records are considered confidential and access to such

records is restricted. Copies of documents added are provided to the faculty member.

The University maintains files of current and former employees consistent with its own needs and in order to comply with legal requirements. Access to such files is limited to the individual employee and to members of management with a legitimate need for such information.

Other personnel files may be retained by the College Dean or Office of Academic Affairs.

2. Faculty members have a responsibility to keep their personnel records up-to-date and are to notify the Human Resources Department in writing of any changes in the following:
  - a. Name
  - b. Address
  - c. Telephone number
  - d. Marital status (for benefits and tax withholding purposes only)
  - e. Number of dependents (for insurance purposes)
  - f. Beneficiary designations for any benefit plan
  - g. Persons to be notified in case of emergency
3. Faculty members wishing to review their personnel files may do so. An appointment will be made during normal working hours. Files will be reviewed in the Human Resources Department. HR may choose to have one of their employees present during the review of the file.

A faculty member may take notes related to documents in the personnel file; however, no alteration of records is permitted, nor can a document be added to or removed from the file at the time of the employee's review.

4. Information about current or former employees is given to persons outside the University only with the written authorization of the employee, except when the information is legally required and requested by proper legal authorities.

## **L. Institutional Faculty Workload Policy Statement**

### **1. Introduction**

Faculty workload should reflect the purposes of the institution and the talents of faculty, allowing sufficient time for professional growth and renewal. The administration of Western University of Health Sciences acknowledges faculty time and talent as its most important resource. It will, therefore, strive to ensure that an environment exists that facilitates quality work, preserves academic freedom, is sensitive to the changing needs of individuals, fosters teamwork,

and commits to the continuous development of faculty talent. It is important to have safeguards against encroachment by internal or external responsibilities on the quality of work that a full-time faculty member is employed to perform. The faculty acknowledges that the work it performs for the University is essential in addressing the mission of the University. The administration acknowledges that it takes time for the faculty to perform its work, and that time must be assigned, assessed, and rewarded within a setting of mutual respect and trust. All full-time faculty are expected to participate in teaching, professional development, and research, or service to the university and community. In addition, clinical faculty will have patient care responsibilities. Assignments will be guided by a fair and equitable apportionment of such responsibilities among the faculty within a given program. It is the responsibility of the appropriate Dean and chairperson to allow faculty members reasonable time to meet the mutually agreed upon objectives deemed necessary for their professional growth and academic advancement. Faculty will be directly involved in annual workload planning.

## 2. Principles

A number of factors must be taken into consideration to arrive at determining an equitable faculty workload, including teaching, professional development, and research, scholarly activity or service responsibilities. In assigning teaching load, the following factors must be considered: nature of the discipline; mode and level of instruction (including clinical education); class size; number of preparations; development of new courses or lectures; evaluation procedures (grading/examinations); coordination of course/system/modules; off-campus teaching and supervision; and student advisement/counseling. The faculty member's particular qualifications and need for continued professional growth and development must be taken into consideration. Teaching assignments must also take into consideration available support services and time engaged in all other assignments.

Professional development, research and scholarly activity include, but are not limited to, research, publication, professional presentations, and development of innovative educational materials. Research/scholarly workload must take into consideration the amount of time designated to the faculty for such activity as well as institutional resources, including intramural funds, technical assistance, supplies and laboratory space. University service includes, but is not limited to, both professional service (i.e. quantity and scope of clinical responsibilities) and institutional service, consisting of committee assignments, and any other assigned administrative responsibilities.

## 3. Procedures

Each College shall, in consultation with its faculty, develop and implement faculty workload guidelines consistent with the University's mission, philosophy, and the strategic plan. Each faculty workload guideline will be

based upon the previously described University policy. Such a guideline shall serve as the basis of agreement between faculty members and their respective Dean or chairperson. Each faculty member's duties, objectives, and assignments for the academic year will be defined within the scope of the University's faculty workload policy. Full working time varies depending upon contractual appointment and the degree to which appointment includes clinical services. The time devoted to teaching, professional development, research, scholarly activity and university service (including clinical responsibilities for clinical faculty) will be determined jointly by the Provost, the appropriate Dean, or chairperson in consultation with the faculty member.

Faculty members may petition the appropriate Dean within the guidelines of the University faculty workload policy for release-time from other academic duties to devote more time to research or other academic pursuits. Similarly, appropriate release-time may be allocated to faculty members who require additional time to prepare and participate in other teaching programs, to engage in patient care activities and/or to participate in continuing education programs. Each Dean must determine the appropriateness of individual requests relative to the reapportioned workload that would be placed on other faculty members and the obligations of the program.

## **M. Institutional Tenure Policy Statement**

### **1. Introduction**

Western University of Health Sciences has both tenure track and non-tenure track options.

Tenure, with its promise of continuous and indefinite employment, represents the highest commitment of an institution to a faculty member. The award of tenure signifies the institution's recognition of an individual's past accomplishments as well as the potential of continued professional growth. Thus, awarding tenure to a faculty member also indicates the institution's commitment to participate in the professional growth and development of that individual as a valued contributor to the institutional mission. Tenure is also designed to attract and retain faculty of the highest quality for the academic programs of the institution.

Because of the level of institutional commitment, tenure also implies a responsibility on the part of the faculty member, namely, that the faculty member be committed to his or her own professional development and continued high achievement and competency in his or her field. The intent of periodic post-tenure reviews is to ensure that competency and professional development are continually being pursued.

### **2. Policy/Procedures**

- a. The faculty of each College will establish criteria for attainment and procedures for evaluation of tenure. These criteria and procedures must be approved by the College's Dean and the Provost.
- b. The faculty of each College will establish criteria and procedures for the periodic post-tenure review process. These criteria and procedures must be approved by the College's Dean and the Provost.
- c. Any evaluation process should have as its ultimate goal the growth and development of the individual faculty member.
- d. Until tenure is awarded, tenure track faculty will be granted yearly renewable contracts.

The following pertain to faculty hired on or after July 1, 1998.

- e. Only full time faculty at the level of Assistant Professor and above are eligible for tenure.
- f. Normally, the probation period for tenure is six (6) years. Credit toward tenure can be awarded for prior relevant academic experience at other institutions. Criteria for awarding credit toward tenure shall be established by the faculty of each College. These criteria must be approved by the College's Dean and the Provost.
- g. Prior to attaining tenure, annual evaluations of tenure-track faculty should include a review of the faculty member's progress toward achieving tenure.
- h. If tenure is granted, the faculty member will be issued a contract of continuous and indefinite duration subject to termination only for adequate cause, as stipulated by the Faculty Handbook (see item J, "Adequate Cause for Dismissal") and defined by each College.
- i. If tenure is denied to a faculty member, the faculty member will be given a one-year terminal contract.
- j. All tenured faculty members will undergo post-tenure reviews per the criterion-based review process developed by their respective Colleges. The post-tenure review period must not exceed six years except by special permission of the Dean and Provost, and should be designed to advance faculty development and growth.
- k. Faculty members hired prior to July 1, 1998, may elect to undergo the post-tenure review process as stated above.

1. In the event that the post-tenure review is not favorable to the faculty member, the Faculty Evaluation Committee (FEC)/Promotion and Tenure (PT) Committee will include a report outlining recommendations for actions that he/she should take to remediate his/her performance.

A plan of remediation, with a specified time period for completion (but no more than two years) will be devised by the FEC/PT Committee, in consultation with the faculty member and his/her Dean. The remediation process will be directed toward the growth and development of the faculty member.

- m. Following the specified time period, the FEC/PT Committee will evaluate the faculty member's progress toward achieving the goals specified in the remediation plan. If the FEC/PT Committee finds that remediation has been unsuccessful, the Committee must recommend one of the following: (1) termination of continuous employment subject to demonstrating adequate cause as stipulated by the Faculty Handbook and defined by each College, or (2) the transferral of the faculty member to a non-tenured status.
- n. A faculty member who has been denied tenure, or whose continuous appointment has been terminated after review, may appeal that decision using the grievance procedure outlined in Appendix II (below).
- o. Policies related to the Tenure Clock and Faculty Leave:
  - Sick Leave/Emergency Leave – Tenure clock stops until return.
  - Military Leave – Tenure clock stops until return.
  - Leave of Absence without Pay – Tenure clock stops until return.
  - Family and Medical Leave – Tenure clock stops until return.
  - Scholarly Leave/Sabbatical Leave – this is faculty development and contributes to fulfilling requirements for tenure; Tenure clock continues.

## Section IV

# FACULTY PARTICIPATION IN THE GOVERNANCE OF THE UNIVERSITY

## **FACULTY PARTICIPATION IN THE GOVERNANCE OF THE UNIVERSITY**

### **A. Academic Assembly**

#### 1. Purpose of the Academic Assembly.

The Academic Assembly is a forum for faculty voice and deliberations. It serves to specifically determine positions on issues directly related to faculty status, responsibilities and welfare. In discharging this function, the Academic Assembly has the authority to make studies, reports, and recommendations on all matters that have a significant bearing on the work of the Faculty. The Academic Assembly and/or Academic Senate may meet during the academic year with the President of the University and other appropriate University administrators.

#### 2. Definition of a Voting Member of the Academic Assembly:

A voting member of the Academic Assembly is any faculty member, employed for no less than 50 % of full-time work, who performs non-administrative academic duties at least 50% of his/her contractual time. Academic duties include any combination of teaching, research, scholarly activities, clinical responsibilities and/or service. This person would not have the authority to overturn a decision made by faculty, be able to reject a faculty recommendation, or have exclusive and final authority for decisions of hiring, promotion, tenure, or dismissal of faculty. Administrators, such as members of the Board of Trustees, the President, Vice Presidents, and Deans are excluded from voting membership in the Academic Assembly. Associate Deans, Assistant Deans, and Department Chairs or other faculty who assume administrative duties in addition to their other academic responsibilities could be included as voting members upon submission of a request to and approval by the Academic Senate. If the decision of the Academic Senate is negative, the voting request may be appealed to the Academic Assembly (cf. Appendix I, Article III, Section X).

#### 3. Meetings of the Academic Assembly

- a. All personnel with a faculty appointment have the right to attend Academic Assembly meetings.
- b. When issues requiring a vote are presented at a Academic Assembly meeting, non-voting members will be excused at that time.
- c. Academic Assembly meetings are called and conducted by the Chair of the Academic Senate. If there is no Chair, then the meetings will occur as determined by the Senators. Agenda items may be submitted in advance by any faculty member to the office of the individual initiating the meeting. The Academic Assembly shall meet a minimum of twice per academic year.

- d. All chairpersons, or their designee, of University committees report, at least annually at an Academic Assembly meeting.
- e. A quorum for meetings of the Academic Assembly is the equivalent of a simple majority of the voting faculty.

## **B. Academic Senate**

The Academic Senate is a representative committee of the Academic Assembly. In discharging this function, the Academic Senate has the authority to conduct studies, make reports and recommendations on all matters which have a significant bearing on the work of this faculty. The Academic Senate is a channel of communication between the Academic Assembly and administration of the University.

1. Members and officers of the Academic Senate are elected by the Academic Assembly in accordance with the rules and regulations set forth in the Constitution and By-Laws of the Academic Assembly and the Academic Senate (Appendix I, Articles I and II).
2. The Academic Senate will hold a minimum of eight meetings per academic year on an established monthly schedule, August through May. Special meetings of the Academic Senate may be called at the request of any faculty member. Approved minutes of each meeting are distributed to the Faculty and all administrative officers of the University. Any faculty member may submit agenda items to the Chair of the Academic Senate for consideration by the Academic Senate.

## **C. Committees**

1. Every full-time faculty member is expected to share in the functioning of the University by serving on an appropriate number of University committees. Interested part-time faculty members are encouraged to be non-voting participants in the deliberation of “open” committees of the University (see C.3).
2. No faculty member shall serve on more than four standing committees in any academic year. Moreover, he/she shall not serve on more than two of the following committees: Faculty Evaluation/Promotion and Tenure, Student Performance, Curriculum, Admissions. Ex officio membership on committees is excluded from these stipulations.
3. Each committee should report its activities and the status of projects and assignments during the Academic Assembly meeting when appropriate.
4. All committee meetings are open to all faculty members except the Faculty

Evaluation/Promotion and Tenure Committees, the Admissions Committees, the Student Performance Committees, and the Grievance Committee. The Chair of each open committee will notify the Faculty of meeting times.

5. If a faculty member is needed to serve on more than 4 committees or if a committee demands an excessively high work load, then an appropriate amount of “release time” from other responsibilities should be given.
6. A person is classified as “ex officio” when his/her membership on a committee is by virtue of their position with the University or by special appointment. It is up to the individual committees to determine the voting rights of ex officio members.
7. If a committee member is unable to complete their term of office, then another person will be chosen by the Dean of the respective college once notified by the chair of the committee to fulfill the term.
8. It is the responsibility of committee members to actively participate in the committees that they have been elected or assigned to. Members who are unable to participate in committee meetings need to be replaced by another person to fulfill their position, either by appointment or college election. Attendance of meetings should be part of the minutes from each of the meetings. In cases where there is an inability of any college to participate in committee meetings, for example due to excessive work load or lack of sufficient faculty, then that unfilled position will not be counted towards a quorum.

9. Committees

a. **Animal Care and Use Committee, Institutional.**

Western University of Health Sciences recognizes the importance of the use of animals in its research and teaching programs. Animals are vital both for understanding basic biological processes and in developing diagnostic, therapeutic, and preventive approaches for human and animal diseases. It is the policy of the University that all animals used in teaching and research must be provided humane care and treatment.

Institutional Animal Care and Use Committee Responsibilities. The Institutional Animal Care and Use Committee (IACUC) is concerned with the procurement, housing, humane and appropriate care, use, and proper disposition of animals involved in the teaching and research activities of all units within the University. The IACUC reports to the Vice President for Research and Biotechnology who is charged with the responsibility for oversight of the University's animal care and use policies. The IACUC is a compliance committee, and as such, in the discharge of its responsibilities, the IACUC shall carry out all of those duties specifically assigned to it in governmental regulations and policies. In addition to the above noted

mandated duties, which are perceived as minimum standards, the IACUC shall review all aspects of the University's animal program including short-term and long-term goals and the University's regulations and procedures pertaining to animal care and use. Appropriate recommendations shall be made to the Vice President for Research and Biotechnology.

Institutional Animal Care and Use Committee Composition. All regular and non-voting, ex officio members of the IACUC are appointed by the President. The committee shall be composed of a minimum of 5 (five) members. These shall include, but not be limited to: a Doctor of Veterinary Medicine with training and experience in laboratory science and medicine, an individual not affiliated with the University and not a member of the immediate family of a person affiliated with the University, a person whose concerns are in a non-scientific area, the Vice President for Research and Biotechnology, the Director of Animal Facilities, and at least three faculty members who are practicing scientists with experience in research involving animals. The term of membership is two years with staggered terms. The committee shall elect its own chair and vice-chair on a yearly basis.

- b. Awards Committee. The Western University Awards Committee sets policy related to awards and honors to students and determines the recipients of all university-wide awards and honors granted to students at Western University.

The University Awards Committee is appointed by the Provost and consists of seven full-time faculty members, at least one from each program on campus. The Provost and the Vice President of University Student Affairs are voting ex officio members. The term of office is one year.

In addition to the University Awards Committee, each program has an Awards Subcommittee to recommend individual students to the University Awards Committee for awards and honors. The subcommittees may also make recommendations to the University Awards Committee in matters of policy on awards and honors and on development of new awards.

Each program subcommittee is made up of faculty members from that program and should be representative of that program's faculty as a whole. Each subcommittee chairperson must be a faculty member from that program who is on the University Awards Committee. The rest of the faculty membership of each program subcommittee should be decided upon by the faculty of each college. The Vice President of University Student Affairs or designee is a voting ex officio member of each program subcommittee. Other appropriate ex officio members may be named to the subcommittee.

- c. Commencement Committee. This Committee and its Chairperson are appointed by the President. It consists of the Provost (or his/her appointee), the Dean (or designee) or degree-granting Program Chair of each College,

the Associate Dean of Academic Affairs (COMP) the Vice President of University Student Affairs, the Director of Public Relations, the Director of Events and Programs, the Marshal, and the President of the Student Government Association (or designee). The term of office is one year. The purpose of the Committee is to plan and, in some areas, implement the University's graduation ceremony and related events. The Committee submits to the President the results of its deliberations for his consideration and approval.

- d. **Facilities Planning and Safety Committee**. This Committee consists of one member from each college elected from the Faculty who will serve for three years. The Committee elects its own Chair from among the members. The Provost, University Architect and Director of Medical Libraries are ex officio members. The Chair of the Committee, in consultation with the Student Government Association, appoints a student member agreeable to both bodies. The student serves for one year.

The purpose of the Committee, based on the University Strategic Plan, Vision, and Direction, is to review facility planning information and provide recommendations to the Provost on space utilization, new facilities planning, and alteration of the academic facilities at the University. It will serve as an avenue for faculty and students to bring forward safety issues not otherwise addressed via the administrative route.

- e. **Faculty Handbook Committee**. The Faculty Handbook Committee is responsible for recommending changes in the Faculty Handbook to the Academic Senate and Academic Assembly, in compliance with Policy and Procedure for Revisions of the Faculty Handbook. The Committee consists of one faculty member from each College, appointed by the Chair of the Academic Senate in consultation with Senator(s) from each college. Provost or his/her designee is an ex officio member.
- f. **Financial Aid Committee**. The Western University Financial Aid Committee advises the Director of Financial Aid on financial aid matters. It proposes and reviews policies and procedures regarding Federal programs and reviews and makes recommendations to the Administration on student financial aid grievances.

The University Financial Aid Committee consists of seven full-time faculty members elected at large, at least one from each program on campus. The term of office for faculty members is three years with staggered terms. The Vice President of University Student Affairs is a voting ex officio member. The Director of Financial Aid is a non-voting ex officio member. The Committee elects its Chairperson annually from the Financial Aid Committee

faculty members.

In addition to the University Financial Aid Committee, each program has a Financial Aid Subcommittee to select individual students for loans and scholarships and to make recommendations to the University Financial Aid Committee in matters of financial aid policy. The actions of each program subcommittee in approving individual recipients of awards do not require the concurrence of the University Financial Aid Committee.

Each program subcommittee is made up of faculty members from that program and should be representative of that program's faculty as a whole. Because the major task of the subcommittees is to deal with the analysis of individual students' financial need and academic standing for the awarding of scholarships and awards, students will not participate at the subcommittee level. The subcommittee chairperson must be a faculty member from that program who is on the University Financial Aid Committee. The Provost or designee is a voting ex officio member of each program Subcommittee. The Director of Financial Aid or designee is a non-voting ex officio member. Other appropriate ex officio members may be named to the Subcommittee. The rest of the membership of each program Subcommittee should be decided upon by the faculty of each college.

- g. **Grievance Committee.** The Grievance Committee consists of five full-time faculty members elected at large, at least one from each professorial rank. The Committee elects the Chair and Secretary from among its members. The term of office is for one year; however, under no circumstances shall Committee membership expire during consideration of a grievance.

The Grievance Committee meets only when there is a grievance to be considered. The procedures are detailed in Appendix II of this Handbook.

- h. **Humanism in Health Sciences Committee.** The mission of this Committee is to create a climate for defining, teaching, and implementing humanism and diversity throughout the University. The academic programs of the University are grounded in the philosophy which foster valuing the diversity and humanness of persons on our campus and our communities. The Committee will support scholarly activities that promote humanism and diversity.

The Committee receives recommendations from anyone on campus, which are directed to subcommittees, when appropriate, or considered by the entire committee. Recommendations for programming, activities, and funds from subcommittees and other members of the committee are made to the Chair of the committee who then gets input from other members of the committee.

The Committee meets regularly to discuss ways in which projects that reflect

the mission of the Committee can be implemented.

The Chair and members of the Committee, are composed of faculty, students, and staff from the different Colleges on campus, are appointed by the President. The Chair reports to the President. Invited guests, who express an interest in humanism, also attend meetings.

- i. **Institutional Biosafety Committee (IBC).** The Institutional Biosafety Committee was established under the provisions of the NIH Guidelines for Research Involving Recombinant DNA Molecules (NIH Guidelines). The role of the IBC is to establish and implement policies that provide for the safe conduct of recombinant DNA research and to ensure compliance with the NIH Guidelines. In addition, the IBC will oversee research involving infectious agents and toxic biological molecules. The IBC will review research protocols from grant applications submitted to extramural funding agencies to confirm that experiments will be conducted safely and in compliance with the NIH Guidelines.

The committee will consist of no fewer than five members, appointed by the Vice President of Research, who will designate one of the members as Chair. Two of these members must not be otherwise affiliated with the University, and shall represent the interest of the surrounding community with respect to health and protection of the environment. The term of office is 3 years.

- j. **Institutional Review Board for the Protection of Human Subjects (IRB).** The Institutional Review Board (IRB) is established in accordance with federal law to insure that human subjects participating in research activities conducted at, and/or sponsored by, the Western University of Health Sciences or its auxiliaries are protected from undue risks and deprivation of personal rights and dignity. The Board is appointed by the Vice President for Research and Biotechnology, and consists of no fewer than five members as prescribed by law:
- 1) At least one member must be from outside the institution.
  - 2) Membership may not consist entirely of men or entirely of women, or members entirely of one profession.
  - 3) One member whose primary concerns are in nonscientific areas; Ex: lawyers, ethicists, members of clergy.
  - 4) No member may participate in the review of any project in which the member has a conflicting interest, except to provide information requested by the IRB.

The term of membership is three years. The members of the Board elect the Chair. The Chair must have at least an academic year appointment to the Western University faculty/administration, with a degree at the doctoral level. Appointment of the Chair is renewable in September of each academic year.

The Board is primarily charged with the protection of the welfare and dignity of human subjects. It also considers paramount the accepted tenets of academic freedom as it makes judgments concerning the approval of research activities at the Western University of Health Sciences. In keeping with this commitment, the Institutional Review Board actively seeks input from the University community and critically reviews its own performance on an annual basis.

Actions and Procedures of the IRB are governed by the Policy Manual of the Institutional Review Board for the Protection of Human Subjects, which supersedes this section of the Faculty Handbook should contradictions arise.

- k. **Library Committee.** The purposes of the University Library Committee are 1) to provide faculty and student representation in library related matters, 2) to act as a liaison between the Director of Medical Libraries and the use community, 3) to advise the University Community on matters related to biomedical information resources, and 4) to advise the Director of Medical Libraries on general policies and procedures involving the operation of the library and its services.

The voting membership of the Committee shall consist of one faculty member from each college. Each faculty member will serve a two-year term, and may be re-elected. Each program will elect one student to serve as a non-voting member of the Library Committee. Student members will serve one-year terms, and may be re-elected. Each program may also elect an alternate student member to provide representation when the student member cannot attend. Student members and alternate student members must remain in good academic standing.

The Chair and Secretary will be elected for one-year terms by the voting members. The Chair will 1) run committee meetings according to parliamentary procedures, 2) vote to break ties, and 3) make an annual report of committee work to the Academic Senate. The Secretary will send a copy of approved minutes to the Provost.

The University Library Committee shall meet bi-monthly, unless special sessions are needed. Special sessions may be called by the Chair in consultation with the Director of Medical Libraries.

The Director of Medical Libraries will 1) serve as an ex-officio member of the committee, 2) inform and advise the committee as to the functioning of the library, and 3) function independently in the day-to-day operations of the library.

- l. **Research Committee.** The University Research Committee will consist of 2 full-time, voting faculty members from each College and two non voting members. The representatives from each college will consist of one elected faculty member and one appointed faculty member, the choice to be made by the Dean of each of the colleges. There will also be two non-voting members. Elected member are chosen during the normal annual election process, and the non-voting members include the Vice President for Research and Biotechnology and an individual representing grants and contracts services. The term of service for voting members is three (3) years, staggered. If there are no faculty members standing for election from any particular College, then the Committee will consult with the appropriate Dean to consider the appointment of another representative. The Committee elects its own chairperson annually at the beginning of the academic year, and the Chair calls monthly meetings as needed.

The Committee reviews and approves faculty and student proposals for intramural research funds and works to encourage and facilitate research among the faculty and students. The Committee also reviews faculty research space and equipment needs, and recommends appropriate allocations of funds and resources to the Chair of the Academic Senate and the Provost.

- m. **Faculty Technology Committee:** Charged to gather information about technology needs from all of the colleges, discuss proposals related to acquisition of technology and disseminate information about technology currently available.
- n. **Radiation Safety Committee:** The role of the Radiation Safety Committee is to review the Radiation Safety Manual and insure that all of the state regulations are followed. The state requires the committee to meet at least once a year to discuss the annual review of the radiation safety program. This includes the radiation safety audit of possession, use, storage and disposal of radioactive material in Western University of Health Sciences.
- o. **Ad Hoc Committees.** Ad hoc Committees may be appointed at any time by the Academic Senate, the Provost, or the President of the University. These Committees are for specified purposes and will report to the appointing body or officer and be dissolved on completion of assignments.

## **Section V**

Policy and Procedures for Revisions of Sections I-IV

## **Policy and Procedures for Revisions of Sections I-IV**

Section I is informational, and may be changed at any time by directive from the Board of Trustees, the President, or the Provost (Section I). Such changes will be directed to the Chair of the Faculty Handbook Committee for inclusion in the next edition of the Faculty Handbook.

Sections II through IV are considered to be part of the contractual agreement between the University and the Faculty. No unilateral changes may be made in these sections except at the end of a contractual period. Proposed changes will be forwarded to the Chair of the Faculty Handbook Committee, who will receive and may edit suggested changes and then forward the suggested document to the Academic Senate. The Academic Senate then calls a meeting of the Academic Assembly to approve these changes. From there, the document is sent to the administration for approval by University General Counsel, and from there to the President and the Board of Trustees for approval.

## **APPENDICES**

APPENDIX I	Constitution and Bylaws of the Academic Senate/Academic Assembly
APPENDIX II	Grievance Procedure
APPENDIX III	Other Faculty Policies & Procedures
APPENDIX IV	Research Policies & Procedures

## **APPENDIX I: Constitution & Bylaws of the Academic Senate**

### **INTRODUCTION**

The Academic Senate is a representative committee of the Academic Assembly. In discharging this function, the Academic Senate has the authority to conduct studies, make reports and recommendations on all matters that have a significant bearing on the work of this faculty. The Academic Senate is a channel of communication between the Academic Assembly and Administration of the University.

### **ARTICLE I - Senators**

The Academic Senate consists of members elected by secret ballot. These members are elected from the existing colleges based on the number of faculty members in those colleges. Those colleges that have six or more faculty members who are members of the Academic Assembly shall be afforded two senators with voting privileges. Colleges with less than six faculty members who are members of the Academic Assembly shall be afforded one senator with voting privileges. The Faculty will elect new members to the Academic Senate each year in order to satisfy the above formula and conditions. The term of office will be two years, staggered terms. Any member of the Academic Senate may be re-elected. Within CAHP, no two Senators from the same Health Profession will serve at the same time on the Academic Senate.

### **ARTICLE II - Officers**

Annually, the Academic Assembly will elect a Vice-Chair to the Academic Senate who will be Chair-elect. The Vice-Chair will become the Chair the following year and the former Chair will remain a member of the Academic Senate for one additional year, serving as a consultant to the Faculty Chair. Normally, the Chair and Vice-Chair are non-voting members of the Senate, however, in instances of a tie vote the Chair will vote to break the tie.

#### **A. Duties of the Officers**

1. The Academic Senate Chair shall:
  - a. Call and chair all Academic Assembly meetings.
  - b. Call and chair all Academic Senate meetings.

- c. Act as the channel of communication between the faculty and the administration of the University.
  - d. Appoint members to the Faculty Handbook Revision Committee.
  - e. Keep all financial reports and documents concerning faculty matters.
  - f. Develop and circulate agendas for Academic Senate and Academic Assembly meetings.
2. The Academic Senate Vice-Chair shall:
- a. Represent the Chair where necessary and perform his/her functions in his/her absence.
  - b. Serve as secretary of all Academic Assembly and Senate meetings. He/she will maintain the minutes of those meetings, and when approved, distribute those minutes to all faculty.

## **B. Election of the Officers**

The election of the Vice-Chair of the Academic Senate will be held in conjunction with Spring University Faculty election process. The successful candidate will be selected based upon a majority of votes cast. A run-off election will be held in the event that an individual does not have a majority of votes cast. Term of office will commence on July 1 of the academic year following the election.

1. In order to be eligible to run for this position, the faculty member must:
  - a. be a voting member of the Academic Assembly.
  - b. fill out a nomination form (supplied by the Academic Senate) declaring his/her desire to run for this office. The nomination form must have signatures of ten other Academic Assembly members who support his/her nomination. There must be at least one signature of a Academic Assembly member from each of the Colleges represented on the Academic Senate.
2. In the event that no candidate qualifies for the election, the Academic Senate will elect a Vice-Chair from its membership by a majority vote at the first Senate meeting of the next academic year.

## **ARTICLE III - Organization and Procedures**

**Section I:** The officers, as elected representatives of the Faculty, act as the channel of communication between the faculty and administration of the University. The

officers can make only those recommendations on behalf of the Faculty which the Academic Assembly has expressly authorized.

Section II: Meetings of the Academic Senate are open to all faculty members. The Chair of the Academic Senate accepts agenda items from any faculty member for consideration by the Academic Senate.

Section III: The Chair of the Academic Senate is responsible for forming a ballot committee which receives nominations, prepares ballots, counts the votes, and announces elections results to all faculty elected committees of the University and the Academic Senate.

Section IV: The Academic Senate is responsible for administering annual elections to the various faculty elected committees of the University and to the Academic Senate. Ordinarily, elections of faculty members are held in May and the tenure of service begins July 1 and terminates June 30<sup>th</sup>, in the last year of their term.

The Ballot Committee is composed of the past, current, and future Chair of the Academic Senate. This committee is chaired by the past Chair of the Academic Senate. The Ballot Committee is responsible for soliciting and receiving nominations to elected committees and the Academic Senate. Each full-time faculty member must be given adequate opportunity to nominate himself/herself to any committee, based on the restrictions listed in Section IV, C, #4. The Ballot Committee prepares, distributes, collects, and tallies the ballots. After receiving the results from the Ballot Committee, the Chair of the Academic Senate will immediately inform the Faculty and Administration of the results. In the event that a faculty member is elected and/or appointed to more than the allowed number of committees (see Section IV, C, #4), the chair of the Academic Senate will allow the faculty member to choose the committee upon which he/she wishes to serve. The committee(s) not chosen by that faculty member will be filled (a) in the case of elected committees, by the person receiving the next highest number of votes or (b) in the case of appointed committees, by appointment of another faculty member by the appropriate administrator. In the event the voting results in a tie, a decision will be made by lot, in the presence of the entire Ballot Committee.

The ballots of all elections are maintained by the Chair of the Academic Senate for a period of one year.

Section V: Standing and special committees of the Academic Senate are formed as determined by the Academic Senate. These committees and their members shall be included in the University Committee listing.

Section VI: The Academic Senate holds a minimum of eight meetings per academic calendar year on an established monthly schedule. Special meetings of the Academic Senate may be called at the request of any faculty member. Approved minutes of each

meeting will be distributed to the faculty and all administrative officers of the University.

Section VII: An annual function of the Academic Senate is to update and revise the Faculty Handbook. This may be done by the Academic Senate or by an appointed committee of the Academic Senate which is chaired by the Vice Chair of the Academic Senate. Revisions must be approved by the President and the Board of Trustees.

Section VIII: The Chair of the Academic Senate will be invited to meetings of the Board of Trustees.

Section IX: In the event that a faculty member vacates an elected committee before his/her term of service has expired, the Chair of the Academic Senate, in consultation with the President or Provost, or appropriate administrator, will appoint a replacement to complete the year.

Section X: The Academic Senate has the authority to decide who is eligible for faculty voting privileges. Consideration for faculty voting privileges may be requested by those individuals who hold an administrative position following the above criteria in Section IV, A, 2. If the request is denied by the Academic Senate, the individual may then appeal the decision to the Academic Assembly.

#### **ARTICLE IV - Amendments**

Section I: Amendments to the constitution of the Academic Assembly may be proposed by a simple majority of the voting faculty or the elected representatives of Academic Senate. The proposed amendment will be distributed to the members of the Academic Senate. The Academic Senate will review the amendment and present it to the Academic Assembly for final action.

Section II: Amendments to the constitution require a two-thirds majority vote cast by all voting members of the Academic Assembly.

#### **ARTICLE V - Bylaws**

Section I: The Academic Senate adopts such bylaws as it considers necessary to conduct its business.

Section II: The bylaws may be adopted or amended by a two-thirds vote of the Academic Senate at any regular meeting, provided that the proposed bylaws or amendments have been submitted in writing at a prior meeting.

## **SENATE/ASSEMBLY BYLAWS**

### Rule 1: Parliamentary Procedure

The bylaws contained in Robert's Rules of Order, newly revised, shall govern the Academic Assembly/Academic Senate in all cases to which they are applicable and in which they are not inconsistent with the constitution and bylaws of the Academic Assembly/Academic Senate.

### Rule 2: Quorum

Except as otherwise provided for in the constitution, a simple majority of the Academic Senate constitutes a quorum, and a simple majority of the voting faculty of the Academic Assembly constitutes a quorum. Only members present are eligible to vote at any Academic Assembly/Academic Senate meeting. In the absence of a quorum, proceedings may continue only on condition that 1) all relevant material is posted on a site available to all faculty, 2) proceedings can be recorded for view for members who cannot attend, and 3) a discussion forum is made available at least one week prior to the meeting and faculty are made aware of it in time to proceed. In this event, the meeting may proceed and a secure, anonymous electronic voting system may be used to tally the results and relay them to administration and the Board of Trustees. The vote will not be considered valid unless a quorum (half the faculty plus one) have registered their vote. For the Academic Senate, an exception to this rule is in effect when the senators, from any college, consistently miss senate meetings. In this case, these senators will not be counted when considering the number needed for a quorum.

### Rule 3: Motions from the floor

Motions from the floor, other than formal motions such as approval, disapproval, reference of pending matter or adjournment, shall be submitted in writing to the secretary or appropriate person at or before the time they are orally proposed to the Academic Assembly/Academic Senate.

Rule 4: The officers of the Academic Senate should request to meet with the President of the University as needed during the academic year to maintain good communication.

Rule 5: The Academic Senate may, on its own initiative or at the request of a faculty member, refer any matter to a committee of the Academic Senate and require a report thereon which shall be transmitted to the Academic Assembly/Academic Senate.

## **APPENDIX II: Grievance Procedures**

1. A grievance proceeding may be called by a faculty member under the following circumstances:
  - a. If the individual feels that his/her promotion or tenure has been unfairly withheld or withdrawn.
  - b. If the individual feels he/she has been dismissed without adequate cause.
  - c. If the individual feels he/she has been discriminated against or dealt with unfairly in other matters.
2. The first attempt to resolve this issue is an appeal from the faculty to the appropriate Dean within 2 months of the incident. The Dean has 20 working days to respond. The faculty member may call for a Grievance Committee meeting following the appeal to the appropriate Dean if the issue is not resolved to the satisfaction of the individual faculty. The faculty has six months to call for a Grievance Committee meeting following the receipt of the Dean's response.
3. The grievance procedure must be initiated within six months of the receipt of the Dean's response. There may be extenuating circumstances that this timeline cannot be met (due to illness or other extended leave issues) and in those circumstances, the faculty will be given a opportunity for an extended timeline. At no time will there be less than six months for the faculty to initiate the grievance procedure.

### **Grievance Procedures:**

- a. The faculty member will initiate the grievance procedure by writing to the Chair of the Grievance Committee, specifying both the reason for the grievance and the efforts which have been undertaken to resolve the dispute. A copy of the grievance shall be delivered to the faculty member's immediate supervisor, the appropriate Dean and to the Provost. In no case will a request by a faculty member for a Grievance Committee meeting be denied provided that the faculty member complied with the above procedures. The final decision as to whether these procedures have been followed rests with the Grievance Committee. The Grievance Committee meeting shall be called no later than one week after the request has been filed. The faculty member's immediate supervisor, the appropriate Dean and the Provost or their designee shall be given not less than

three days notice of the meeting, and shall be entitled to present evidence at the meeting. Notwithstanding the foregoing, the meeting may be postponed upon agreement of all affected parties. The faculty member may withdraw the grievance at any time.

- b. Any member of the Grievance Committee who is a party to the matter being disputed by the aggrieved party will be disqualified from participating in the grievance proceeding. This includes members of the Faculty Evaluation Committee in the case of dispute of procedures relating to promotion, tenure, non-renewal of contract, or dismissal. If a member of the Grievance Committee, including the chair, is disqualified, the Chair of the Committee in consultation with the Academic Senate and the faculty member filing the grievance will appoint another faculty member to substitute for him/her.
- c. The Committee shall serve as an advisory body, and will deliberate matters of application of policy or regulations or due academic process. The Committee will hear all arguments presented. The individual will provide documentation which he/she feels is appropriate to his/her case. Moreover, the Committee has the right to request any documentation or conduct an appropriate investigation.
- d. The Grievance Committee meetings will be closed to all individuals who are not directly concerned with the case. All proceedings will be conducted within four weeks of the first meeting unless all parties involved agree to an extension.
- e. The Committee will reach a majority decision within one week of the end of the proceedings. Possible decisions include (a.) sustaining of the original administrative decision, (b.) sustaining the faculty member's appeal, and (c.) recommending alternative actions. For grievances involving dismissal, a written report of the committee's recommendations will be submitted at that time to the Provost. For grievances involving matters other than dismissal, a written report of the Committee's recommendations will be sent to the appropriate Dean and the Provost. A copy of the report will be forwarded to the individual initiating the grievance procedure and will be placed in the individual's personnel file. The Provost shall decide the grievance, taking into consideration the recommendation of the Grievance Committee and such other matters as the Provost deems appropriate.
- f. If the recommendations of the Grievance Committee are not followed by the Provost, the faculty member involved, the Grievance Committee, and appropriate Dean must be notified with an explanation in writing.
- g. The faculty member may appeal adverse decisions to the President who will review the proceedings on the basis of fairness, application of policy and rules.

- e. A decision and response to an appeal will be made within five working days. Appeals and responses to appeals will be made in writing.
- f. If the faculty member is not satisfied with the President's decision, the faculty member may appeal to the Board of Trustees, which will respond to the appeal in as practicable a time-frame as is possible.
- j. If the Grievance Committee decides that there is adequate evidence against the faculty member, but that less severe action should be taken in the case, they may so recommend.
- k. During a grievance procedure, the minutes, approved by the Committee, of all grievance proceedings and Grievance Committee meetings, along with pertinent documentation will be maintained by the Chair of the Grievance Committee.
- l. After the conclusion of the grievance hearing, the approved minutes of all grievance proceedings, along with pertinent documentation will be forwarded to and maintained by the Provost.

## **APPENDIX III: Other Faculty Policies & Procedures**

### **A. Salary Schedules**

The Deans of each of the colleges, with input from appropriate program chairpersons, will annually make available a salary range and distribute this to members of their respective faculty. This will refer to and be partially based upon national salary ranges of equivalent faculty.

### **B. Fringe Benefits**

Further information on the benefits available through the University can be obtained from the Human Resources Office/Employee Handbook. The following insurance and retirement benefits are available to full-time faculty:

- a. A medical and hospitalization plan for full-time faculty which includes hospitalization, major medical, dental, and vision benefits. A faculty member's family may be insured through the same plan with the premiums paid by the individual. (These premiums can be placed in a 125 Flexible Benefit Plan, providing tax savings. For more information, contact the Human Resources Office).
- b. Cafeteria Plan -- This plan gives the option to reduce a portion of gross salary on a tax advantaged basis to pay for health care and dependent care. A copy of the Summary Plan Description may be obtained in the Human Resources Department.
- c. The University offers eligible faculty members participation in the University's Defined Contribution Retirement Plan. Plan contributions are invested, at the direction of the faculty member, in one or more of the Funding vehicles available under the Plan (Contact the Human Resources Department for a list of the available vehicles). If the faculty member contributes at least five percent (5%) of his/her gross salary through payroll deduction, WesternU will contribute an amount equal to seven and one-half percent (7 1/2%) of the faculty member's gross salary. This contribution is deducted pre-tax. For tax purposes, the faculty contribution is a reduction in taxable income.
- d. Long Term Disability Insurance - All full-time regular faculty members working a minimum of 32 hours per week, under the age of 70 (reduced benefits after age 70), and residents of the United States or Canada are eligible for Long Term Disability Insurance. Coverage is paid by the

University with a buy-up option at the faculty member's expense. More information regarding Long Term Disability Insurance may be obtained from the Human Resources Department.

- e. A college-paid term life insurance policy equal to one times the annual salary plus \$10,000.
- f. Social Security, Workers' Compensation, State Short-Term Disability, and State Unemployment Insurance are also provided.

The Board of Trustees has the right to amend, modify or terminate any fringe benefit subject to the applicable provisions of law.

### **C. Supplemental Salary Plan**

Each faculty member shall receive a base salary as determined by rank and as modified annually by procedures described in the Faculty Handbook. Each faculty member may qualify for additional compensation beyond the base salary. The additional compensation shall be negotiated with the Provost and the University Executive Staff in accordance with the following criteria. The appropriate additional compensation shall depend on (1) the amount and quality of the faculty member's research, teaching, service to the college or other community institution and (2) the ability to generate funding toward sustaining the additional compensation. Salary negotiations, where appropriate, shall occur annually or more frequently if necessitated by fiscal conditions.

When the Supplementary Salary Accounts have accumulated a surplus beyond that required for salary disbursements and reserves, the remainder of the surplus shall be used within the Faculty of the appropriate college for academic and research purposes.

### **D. Tuition Remission Scholarship Programs**

See Employee Handbook

### **E. Travel Allowance**

Each full-time faculty member is allowed a minimum of \$1500.00 toward the expenses of attendance at scientific meetings or conferences that will improve his/her effectiveness as an educator at WesternU. Preference for full funding will be given to those presenting papers. Attendance of such meetings does not count as vacation time. Approval of the appropriate Dean is required for these expenses.

## **F. Emeritus/a Status**

A sense of continuity is very important to an educational institution. One important element of that continuity is the participation of retired faculty members in the life of the University. They provide a source of wisdom about the experiences that led to the present, and this becomes one element in determining the future direction of the University. Western University of Health Sciences promotes participation of its retired faculty members by granting the title of Emeritus/a Professor to those retired faculty members who have distinguished themselves in service to the University.

Emeritus/a status may be granted, upon retirement, to any tenured Professor or Associate Professor of the College of Osteopathic Medicine of the Pacific, College of Allied Health Professions, College of Pharmacy, College of Graduate Nursing, College of Veterinary Medicine, College of Optometry, College of Dental Medicine, College of Podiatry or the Graduate College of Biomedical Sciences or clinical faculty of age 62 or greater with at least 10 years of WesternU service. The Emeritus/a status will be granted by the University's Board of Trustees upon recommendation of the President. Nominations for Emeritus/a status should be made to the President by the Provost.

Emeriti are faculty members in every respect, except for the change in salary and in certain fringe benefits, the obligation to perform duties, and the right to vote in committee meetings, departmental meetings or faculty meetings. They may hold a part-time position after retirement, but not a full-time one. This could include, but is not limited to, the administration of grants, healthcare practices at University-operated medical centers, etc. They continue to have access to research, library, and other WesternU facilities on a space-available basis. Emeriti may take an active role in the service and committee functions of their discipline, and University. WesternU encourages the voluntary continued participation of Emeriti in the activities of the academic community.

Emeritus/a professors are encouraged to take part in University life by receiving certain privileges from the University. These are as follows:

- a. Campus e-mail accounts continue to be available to Emeriti.
- b. A list of Emeriti and their mailing addresses is maintained in the Office of the appropriate Secretary Coordinator and in the Human Resources Office.
- c. Emeriti will receive campus publications by campus e-mail.
- d. Emeriti who have campus e-mail will receive full distribution of notices.

- e. Ordinary office material and supplies are available under the same issuing procedures applicable to other members of the discipline and will be charged to the appropriate departmental budget.
- f. Emeriti are encouraged to march in academic processions.
- g. Faculty postage may be used for professional mail. Expenses for same will be charged to the appropriate departmental budget.
- h. Office space for Emeriti is provided on a space-available basis.
- i. Campus parking permits are available to Emeriti without charge on a space-available basis.
- j. Any discounts available to other members of the faculty and staff through various WesternU agencies are available to Emeriti.
- k. Emeriti are included in appropriate University and discipline faculty-staff functions.
- l. The Academic Senate is encouraged to ask Emeriti to serve as non-voting members of faculty committees. Emeriti are invited to let the Academic Senate know of their interest in being named to a faculty committee.
- m. Emeriti professors who have participated in the group health insurance plan for at least 10 years will be eligible for the following additional benefits:

The University will reimburse the Emeritus/a professor \$100 per month toward the purchase of a health or life insurance plan. This amount is subject to change at the University's discretion.

### **G. Other Benefits**

Other employee benefits and policies that pertain to all WesternU employees, including faculty (such as parking, identification badges, campus crime and security awareness, illness and injury protection program, no smoking policy, drug free workplace and sexual harassment policy) are described in the WesternU Employee Handbook.

### **H. Statement on University Facilities, Resources, and Services for Students with Disabilities.**

- 1. Introduction

Western University adheres to the fundamental principles of nondiscrimination and accommodation in all of its academic programs as set forth in the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990.

- a. These laws establish that students with disabilities may not, on the basis of their disabilities, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity at Western University.
- b. Academic requirements that are justifiably essential to the specific program of instruction (*i.e.*, ***Doctor of Osteopathic Medicine***) are not considered discriminatory. See specific handbook for details.
- c. Academic accommodations to which a student with disabilities may be entitled include, but are not limited to, changes in the length of time allowed to complete degree requirements, substitution of specific courses required for the completion of degree requirements, and adaptation of the manner in which specific courses or examinations are conducted.
- d. Inquiries regarding academic accommodations for disabled students may be directed to the Center for Disability Issues and the Health Professions located on campus at 309 E. Second Street/College Plaza, Pomona (TDD-Voice (909) 469-5385; FAX (909) 469-5407; [email:bpremo@westernu.edu](mailto:bpremo@westernu.edu)).
- e. Students with disabilities who would like to request services from the Center must bring written medical documentation of disability, which is held strictly confidential.
- f. The Center's services are approved on an individual basis, Reasonable accommodations are provided when required to compensate for a functional Impairment as the result of a disability.
- g. There is no charge to the student for these services.

2. General Policy:

- a. Western University is committed to the fundamental principles of nondiscrimination and accommodation in all of its academic programs as set forth in the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. These laws establish that students with disabilities may not, on the basis of their disabilities, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity at Western University.
- b. The University endeavors to provide a welcoming and supportive community environment for students with disabilities.

- c. In that spirit, the University acknowledges its obligations to make reasonable adjustments and accommodations in order to provide its students with disabilities with access to its programs, when viewed in their entirety.

3. Programs and Facilities:

- a. If students have any sort of disability, there are a number of support services available. The Center for Disability Issues and the Health Professions, which is located on campus at 390 E. Second Street/College Plaza, (909) 469-5385 for TDD or voice or email [bpremo@westernu.edu](mailto:bpremo@westernu.edu), assists students from the time of admission to graduation.
- b. It is the responsibility of the student to provide timely and sufficient written medical documentation about the disability. Check with the Center about documentation requirements. You must request services or accommodations directly from the Center, which, in consultation with you, can recommend the appropriate services or accommodations. There is no charge to the student for services that are specifically needed to support the education program.
- c. While the University cannot provide a totally barrier-free environment, it does provide students with disabilities with access to its programs and activities, when viewed in their entirety. Thus, while not every academic and nonacademic building is fully accessible, sufficient access exists to allow students with disabilities the equal opportunity to participate in the academic and social life of the University.

4. Resources, Services, and Auxiliary Aids:

- a. The University provides certain services and reasonable accommodations, the nature and extent of which are based on the Center for Disability Issues and the Health Professions' assessment of individual need to achieve academic success. Those services and accommodations, provided in consultation with the student, are intended to allow qualified students with disabilities to pursue their educational careers in the Health Professions in the most equitable and independent fashion possible.
- b. The Center for Disability Issues and the Health Professions services include:

- Individual academic counseling and advising (deans, faculty and CDIHP staff)
- Registration information and assistance

The Center for Disability Issues and the Health Professions will assist student to obtain appropriate support service and devices which may include but are not limited to taped texts, interpreters, notetakers, or other effective methods of making orally delivered materials available to, for example, students with hearing impairments or learning disabilities; readers for students with visual impairments; classroom equipment adapted for use by students with manual impairments; or other aids for students with disabilities.

Audiotape class lectures

Extended time for examinations

A private, quiet, well-lit room for examinations

Alternative testing formats

Accessible parking arrangements

General physical facility accessibility

Liaison with community resources (e.g., Services Center for Independent Living)

Consultation with staff of Center for Disability Issues and the Health Professions and professors regarding facilitation of education of students with disabilities

Student organizations and support groups

## **I. Conflict of Interest Policy (Excluding Sponsored Projects)**

### **1. GENERAL PRINCIPLES**

All decisions made in the course of their professional responsibilities by members of the Board of Trustees, administrators, faculty, and other employees of Western University of Health Sciences are to be made solely on the basis of a desire to promote the best interests of the University. A potential conflict of interest occurs when an individual's personal or private interests might lead an independent observer reasonably to question whether the individual's professional actions or decisions are influenced by considerations of significant personal interest, financial or otherwise, in any transaction involving the University, or which is being considered by the Board of Trustees (including any committee of the Board) or by University Officers or faculty (including any committee or other group of administrators or faculty).

In the event that a Trustee, Administrative Officer, faculty member or other employee of the University shall have a significant financial, personal or professional interest that could potentially create a conflict of interest, or the perception of one, such person shall, as soon as he or she has knowledge of the transaction, take the following actions:

**a. *Disclosure.*** Disclose fully in writing the precise nature of his or her interest in such transaction to those at the University involved with the

transaction, or to his or her Dean, Department Chairperson, Supervisor, or other independent responsible authority; and

**b. *Non-Participation.*** Refrain from participation (including acting individually or as a member of a committee or other group) in the University's consideration of the proposed transaction unless expressly permitted to do so by a responsible authority of the University. When an individual refrains from participating in a decision due to a conflict, and should no other responsible individual or panel be available to make the decision, the matter will be referred to the individual's immediate supervisor for determination. Matters involving a Trustee or the President shall be referred to the Executive Compensation Committee of the Board of Trustees ("the ECC") for determination.

## **2. DEFINITIONS**

For purposes of this policy:

***"The University"*** shall mean Western University of Health Sciences.

***"Trustee"*** shall include any current Trustee.

***"Administrative Officer"*** includes the President, Executive Vice Presidents, Deans (including Associate and Assistant Deans), Directors of University Centers, Departments or Programs, and any other officer of the University that has authority to exercise significant influence on University decisions.

***"Faculty member"*** shall include any person who has a faculty appointment with the University or any College or Program.

***"Significant financial interest"*** shall mean any direct or indirect interest with monetary value, but excludes interests with a nominal or *de minimis* value.

A Trustee, Administrative Officer, faculty member or other employee has a "***personal interest***" in a transaction if the transaction directly benefits or affects either the individual, a relative of the individual, or a person with whom the individual has a close personal relationship, such as a person that resides in the same home as the individual.

## **3. COMPLIANCE**

All persons subject to this policy are expected to comply fully and promptly with it. Instances of deliberate breach of policy, including the failure to disclose or knowingly submitting incomplete, erroneous, or misleading disclosure information, or violation of the guidelines, will be reported to the appropriate senior officer or to the Chairman of the ECC.

## **4. PERSONAL USE OF UNIVERSITY PROPERTY OR SERVICES.**

Equipment and other property owned or leased by the University is only to be used to advance the interests of the University, and no member of the Board of Trustees,

Administrative Officers, faculty or other employees of the University shall make personal use of such property, except in the following circumstances:

a. When such personal use has been authorized, in writing, by an appropriate supervisor. When any such personal use is authorized, the University shall be reimbursed for the reasonable value of the use of the property.

b. When such personal use is specifically authorized by written University policy applicable to the University as a whole.

c. When such personal use is specifically authorized, in writing, as part of the compensation paid by the University for the individual's services.

All work and services performed by University employees (while being compensated by the University) shall be solely to advance University interests. It is recognized there may be occasions where University functions or other activities are conducted at the homes or other properties of members of the Board of Trustees, Executive Officers, faculty or other employees of the University. If any employee is directed to perform services on property belonging to a member or the Board of Trustees, any Executive Officer, faculty or other employee of the University, an appropriate written work order shall be authorized, in advance, which shall describe the University purpose of the services.

Expense reimbursements: Expenses incurred by an employee for University purposes are reimbursed only in accordance with established University policy. This requires approval by an appropriate supervisor who does not have a personal or financial interest in the decision. The University may reimburse employees prior to review and approval by the responsible supervisor, but upon review, any disallowed expenses shall be reimbursed to the University by the person who received the reimbursement. Expenditures incurred by the President shall be reviewed by the Treasurer. The Executive Compensation Committee shall, in the manner it deems appropriate, exercise additional oversight of the budget for the President's expenditures.

**A. Research Misconduct Policy and Protocol**

1. It is the policy of Western University of Health Sciences that any employee who is engaged in the conduct of research, regardless of source of funding, shall adhere at all times to professional standards of honesty and integrity in the design, implementation, and reporting of all research endeavors. Violations of this policy will result in disciplinary action up to and including termination of employment.
  
2. The University furthermore encourages and expects that any employee who becomes aware of any actions by individuals engaged in University sponsored research projects involving the fabrication, falsification, plagiarism or other practices that seriously deviate from those that are commonly accepted within the scientific community for proposing, conducting, or reporting research shall report such deviations to the proper authority. This report shall be in writing and signed and should contain at minimum a complete statement of the situation and parties involved in the alleged research misconduct. The proper authority, in this and subsequent paragraphs, shall be the appropriate Academic Dean or their designee. Should an accusation of research misconduct involve any of the deans, the proper authority to receive this report shall be the Vice President for Research and Biotechnology. These shall, to the maximum extent possible, maintain the confidentiality of an employee who, in good faith, reports an act of apparent research misconduct.
  
3. It is the responsibility of the official of the College receiving a written allegation of research misconduct to initiate an initial inquiry into the facts related to the accusation. The purpose of this initial inquiry is to make a determination of whether the reported incident merits a formal investigation. Based upon the specific nature of the accusation, the responsible official may engage additional personnel in the conduct of this initial inquiry, while making every effort to minimize the number of individuals involved in the inquiry. A formal decision on the results of the inquiry, either exonerating the research or recommending a formal investigation, shall be made within 60 days of the date of receipt of the accusation. The named researcher(s) may append a formal response to the allegation, decision or procedure at his or her discretion. A copy of the results of the initial inquiry shall be sent to the named researcher and to the Vice President for Research and Biotechnology. The named officials and all parties participating in this inquiry shall at all times maintain the confidentiality of the proceedings.

4. If, during the process of the inquiry, the investigating official determines that the accusation is either frivolous or fraudulent, disciplinary action may be taken against the accuser.
5. Should the result of the initial inquiry indicate that the accusation merits a formal investigation, the investigating official shall request in writing to the Vice President for Research and Biotechnology, the initiation of such an investigation within 25 days of the termination of the initial inquiry. Notice of the investigation will be sent to the named researcher. The investigating official, in conjunction with the Vice President for Research and Biotechnology, shall convene a panel of University investigators, taking care in selecting investigators that no real or apparent conflict of interest arise within the panel so selected and that sufficient expertise is available on the panel to allow a thorough and authoritative examination of the evidence. It is the responsibility of the Vice President for Research and Biotechnology to inform the funding agency that an investigation is being conducted and reporting the results of this investigation, if required. If; during the conduct of the inquiry or investigation, it is determined that (a) there is an immediate health hazard involved, (b) there is an immediate need to protect the funds or equipment provided by the funding agency, (c) there is an immediate need to protect the interests of the parties involved in the allegations, (d) a public report of the incident is apparent, or (e) a reasonable suspicion of a criminal violation is apparent; the Vice President for Research and Biotechnology shall immediately notify the funding agency of the current status of the inquiry or investigation to allow the funding agency to protect its interest in the research and the inquiry or investigation. The administration of the University reserves the right, at any time, to halt the conduct of the research project or relieve the project director of his or her responsibilities as project director.
6. A formal report of the investigation shall be prepared by the investigating panel and submitted to the Vice President for Research and Biotechnology. Prior to the submission of this report, the investigating panel shall provide a draft of the sections involving the parties in the accusations to permit them to prepare written responses to the panel's findings. Based upon the findings of the investigating panel and the responses of the involved parties, the Vice President for Research and Biotechnology shall decide on an appropriate disciplinary action, if warranted, to be administered by the Provost. The named researcher has the right to appeal any actions taken through the University's regular grievance process.
7. A formal report of the results of the investigation shall be made to the funding agency within 120 days of the initiation of a formal investigation by the Vice President for Research and Biotechnology. All official records of the conduct of an inquiry or investigation shall be retained by the Vice

President for Research and Biotechnology for a period of no less than 10 years.

## **B. Western University of Health Sciences Sponsored Project Financial Conflict of Interest Disclosure**

### 1. INTENT

- a. **Rationale:** The University desires to ensure that the financial interest of the employees of the institution does not compromise the objectivity with which such research is designed, conducted, or reported.
- b. **Process:** When applying for research funding, Investigators are required to disclose to the institution significant financial interests that may be pertinent to the proposed research. These disclosures are then reviewed by an administrative process established by the institution. From the review, a determination is made concerning the acceptability of the reported significant financial interest, and appropriate action is taken to protect the research from any bias that might be reasonably expected to arise from those interests.

### 2. DEFINITIONS

- a. **Investigator** means the principal investigator, co-principal investigator, and any other person at the institution who is responsible for the design, conduct, or reporting of research or educational activities funded or proposed for funding. For purposes of this policy, Investigator includes the investigator's spouse/domestic partner and dependent children.
- b. **Significant Financial Interest** means anything of monetary value, including, but not limited to, salary or other payments for services (e.g., consulting fees or honoraria); equity interest (e.g., stocks, stock options, or other ownership interests); and intellectual property rights (e.g., patents, copyrights, and royalties from such rights). Significant Financial Interest does not include:
  - i. salary, royalties, or other remuneration from WesternU, if such payments have not originated with the sponsoring agency;
  - ii. income from seminars, lectures, or teaching engagements sponsored by public or nonprofit entities;
  - iii. income from service on advisory committees or review panels for public or nonprofit entities;

- iv. financial interests in business enterprises or entities if the value of such interest (industry equity interest, payments) does not exceed \$10,000 or represents more than 5% ownership interest for any one enterprise, either independently or when aggregated for the investigator, the investigator's spouse/domestic partner, and dependent children.
- c. **Initial Review Authority** shall be the appropriate administrative head of the unit in which the Investigator is employed, or such other person as WesternU policy requires. In instances wherein an actual or potential significant financial interest is found, another review shall be performed by a **Significant Financial Interest (SFI) Review Committee** consisting of three persons: the college Dean or administrative head; Treasurer; and a member of the Faculty Research Committee; or appropriate designees thereof.

### 3. DISCLOSURE

- a. The evaluation of potential conflicts that are related to sponsored projects shall be conducted as part of the normal proposal transmittal process for external funding requests.
- b. Any WesternU employee submitting a proposal for external funding and naming the University as the fiduciary agent is required and expected to promptly report, with sufficient and appropriate detail, all required financial disclosures at the time the proposal is submitted to the Treasurer, and updated annually if funding is successfully obtained.
- c. An actual or potential significant financial interest exists when the Initial Review Authority, in consultation with the principal investigator, reasonably determines that such a significant financial interest could affect the design, conduct, or reporting of the research or educational activities funded or proposed for funding by the sponsoring agency.
- d. Any significant financial interest must be disclosed and resolved by the institution PRIOR to submission of the proposal to the sponsoring agency.
- e. All subgrantees, contractors, and collaborators who are not employees of WesternU, or who are employees or agents of an entity not owned or operated by WesternU, and who are expected to have a significant role in the conduct of the proposed project, must agree to adhere to this policy.

### 4. REVIEW

- a. The Initial Review Authority and, if necessary, the SFI Review Committee have the duty and responsibility to evaluate with care all potential and

actual significant financial interest reported or known to them before acting to approve or disapprove the same.

- b. The Initial Review Authority shall sign at the appropriate place on the PROPOSAL TRANSMITTAL FORM and, if necessary, forward the SPONSORED PROJECT FINANCIAL CONFLICT OF INTEREST DISCLOSURE FORM prepared by the Investigator. After review by the SFI Review Committee, this committee shall submit the ADMINISTRATIVE REVIEW AND APPROVAL FORM with the PROPOSAL TRANSMITTAL FORM to the college Dean or administrative head, and then to the Treasurer along with the grant or contract proposal to be submitted to the sponsoring agency.

## 5. RESOLUTION

- a. If no significant financial interest exists, it is so indicated on the PROPOSAL TRANSMITTAL FORM and signed by the Investigator and the Initial Review Authority. This form is then sent to the college Dean or administrative head and then to the Treasurer.
- b. If an actual or potential significant financial interest exists, it is reported by the Investigator on the SPONSORED PROJECT FINANCIAL CONFLICT OF INTEREST DISCLOSURE FORM and given to the Initial Review Authority. It must be resolved, and the Investigator must have the approval of the SFI Review Committee, with any attached conditions, prior to the expenditure of any funds provided by the sponsoring agency.
- c. In managing and/or resolving an actual or potential significant financial interest, the SFI Review Committee may choose to prohibit involvement in the proposed project or attach conditions that will provide management of the potential conflict or oversight of the project.

Examples of conditions or restrictions that may be imposed to manage, reduce, or eliminate actual or potential significant financial interest include (but are not limited to):

- i. public disclosure of significant financial interests;
- ii. monitoring of research by independent reviewers;
- iii. modification of research plan;
- iv. disqualification from participation in the portion of agency funded research that would be affected by the significant financial interests;
- v. divestiture of significant financial interests or
- vi. severance of relationships that create actual or potential conflicts.

- d. Resolutions for actual or potential significant financial interests must be put into a memorandum-of-understanding that is executed between the Investigator and Western U.
- e. If the SFI Review Committee determines that imposing conditions or restrictions would be either ineffective or inequitable, and that the potential negative impacts that may arise from a significant financial interest are outweighed by interests of scientific progress, technology transfer, or the public health and welfare, then the research may be allowed to go forward without imposing such conditions or restrictions.
- f. If restrictions or conditions are imposed on a sponsored grant or contract, and if there is an inability to satisfactorily manage an actual or potential significant financial interest, then WesternU shall so inform the agency.
- g. If an actual or potential significant interest exists, it is incumbent on the investigator to have a resolution by the SFI Review Committee, with any attached conditions, prior to submission to the Treasurer. Thus, the investigator must anticipate that additional time may be necessary to resolve any actual or potential significant financial interest before obligating any expenditures on the project as proposed to the sponsoring agency.
- h. Appeal of any actions taken by the Initial Review Authority or the SFI Review Committee may be pursued through the regular grievance procedure contained in the current Faculty Handbook.

## 6. SANCTIONS

- a. Violations of this policy shall be considered a violation of WesternU policy and regulations and shall be subject to disciplinary procedures, including sanctions up to and including suspension and dismissal, as provided for in other WesternU policies and procedures.
- b. Compliance with this policy may be enforced by exercise of administrative oversight of funded research and management of WesternU facilities and other WesternU property.

## 7. OTHER CONSIDERATIONS

- a. It is the responsibility of the Investigator to update the financial disclosure whenever the Investigator's financial situation changes.
- b. Records of all financial disclosures and of all actions taken to resolve actual or potential significant financial interest will be maintained until at least three (3) years after the letter of the termination or completion of the

award to which they relate, or the resolution of any action involving those records.

- c. This policy covers all employees of WesternU who are submitting proposals for external funding.
- d. The disclosure and supporting documents filed in compliance with this policy will be maintained as confidential to the extent possible under applicable local, state and federal requirements.