

UNIVERSITY OF VERMONT COLLEGE OF MEDICINE
FACULTY HANDBOOK

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UNIVERSITY MANUAL

APPENDIX B.1

College of Medicine **FACULTY HANDBOOK**

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INTRODUCTION

This Handbook contains policies and provisions governing the appointment and employment of faculty of the College of Medicine (COM). Additional relevant COM materials include College and department policies, including COM Standards and Guidelines, and policies set forth in the COM academic catalog.

NOTE: The section headings in the COM Faculty Handbook are intended as a guide and do not have independent contractual meaning or import.

PART ONE GENERAL PROVISIONS

SECTION 1 ADOPTION AND REVISION

The Faculty Handbook shall be maintained by the Office of the Dean of Medicine. Its provisions may be revised only in accordance with the customary governance principles and protocols, including those resolutions of the Board of Trustees, and the Faculty Senate Constitution and Bylaws. The Dean in consultation with the Provost shall periodically, and no less than every five years, review the status of the COM Faculty Handbook and consult with the Executive Council of the Faculty Senate (<http://www.uvm.edu/~facsen/>) to ensure that proposed revisions are undertaken by persons or bodies having jurisdiction over such matters under governance requirements.

SECTION 2 CONFORMANCE

1. *Applicable Law.* The COM Faculty Handbook shall be interpreted and applied in a manner consistent with federal and Vermont law.

2. *Rule of Precedence.* Except as otherwise authorized through proper governance channels, the following descending order of precedence shall apply in the event of conflicts between COM Handbook provisions or COM policies and those of the University: University Bylaws; Board of Trustees' resolutions; University-wide policies; the duly enacted legislation of the Faculty Senate; COM policies; COM departmental policies.

SECTION 3 DEFINITIONS

Academic Unit: The recognized categories of academic units at the University are college, school, department, program, Matrix Center, center, and institute.

Academic Year: The academic year is set annually through adoption of the academic calendar pursuant to governance protocols.

Base Salary: The salary paid by the University to a faculty member for the appointment period of his or her contracted employment, exclusive of supplemental compensation, and usually determined on the basis of full-time equivalency (FTE).

Chair: The Chairperson of an academic department.

Days: Except as otherwise specified in this Handbook, calendar days. When a time period to which this Handbook refers would otherwise begin or expire on a weekend or University holiday, or that of an approved Faculty Practice Plan, the time period begins or ends respectively on the next University business day.

Faculty or faculty member(s): The faculty described in the Introduction to this Faculty Handbook.

COM Faculty Handbook: The compendium of policies and provisions governing the appointment and employment of the faculty members described in the Introduction to this document.

Faculty Practice: The practice of medicine through a University-approved faculty practice group or organization.

Fiscal Year: The University fiscal year, July 1 – June 30 annually.

Salaried up to 1.0 FTE and twelve-month appointment. Applicable benefits program or plan definitions must be consulted to determine eligibility for benefits.

Grievance: A complaint within the scope of the Faculty Grievance Procedure.

Matrix Center: A Matrix Center is an academic unit whose faculty are engaged in conducting research and/or educational activities that focus upon a multidisciplinary field or area of study involving faculty from at least two colleges or schools.

Outside Professional Service: Professionally-related activity in which a faculty member engages, whether compensated or otherwise, externally and for a third party, such as teaching or consulting. Relative to faculty-physicians, the practice of medicine in a University-approved clinical practice venue does not constitute “outside professional service.”

Restricted funds: Funds whose expenditure is restricted to a specific purpose, such as a research grant.

Summer Session: Courses offered by the University during the summer through the University Division of Continuing Education.

Supplemental compensation: Payments by the University over and above base salary.

University: The University of Vermont and State Agricultural College.

University holiday: Holidays determined under the direction of the University President.

PART TWO UNIVERSITY COMMUNITY PRINCIPLES

PART TWO describes current University and College of Medicine Policy.

Note: The following University community statements are non-exclusive; see, for example institutional policies appearing on the University policies webpage (<http://www.uvm.edu/~uvmppg/ppg>).

SECTION 1 MISSION, KEY PURPOSE, AND GOALS

The Mission of the College of Medicine is focused on the education of new generations of physicians and scientists; the advancement of knowledge through research; the delivery of compassionate and effective care; and collaboration and engagement with the communities it serves. Details can be found at:

<http://www.med.uvm.edu/TB8+BL+I.asp?SiteAreaID=1292>

This mission is in accord with the mission, key purpose and goals of the University of Vermont, as described at:

<http://www.uvm.edu/~president/?Page=mission.html>

The College mission and goals are further in accord with University statements regarding our Common Ground, Academic Freedom, Equal employment opportunity and Affirmative Action, Equal Opportunity in Educational Programs and Activities. These can be found at:

<http://www.uvm.edu/~president/?Page=miscellaneous/commonground.html>

<http://www.uvm.edu/~facsrcs/?Page=OfficersPage.html>

The Vision of the University of Vermont:

To be among the nation's premier small research universities, preeminent in our comprehensive commitment to liberal education, environment, health, and public service.

The Mission of the University of Vermont:

To create, evaluate, share, and apply knowledge and to prepare students to be accountable leaders who will bring to their work dedication to the global community, a

grasp of complexity, effective problem-solving and communication skills, and an enduring commitment to learning and ethical conduct.

The Goals of the University of Vermont:

As the cost of higher education increases, economic conditions ebb and flow, and competition for fewer students and for all sources of revenue intensifies, UVM is best positioned if it can make a case for educational distinction and distinctiveness and for student, faculty, and staff success. There is much evidence of these qualities already at UVM. Our challenge is to extend these farther and deeper so that evidence of excellence and success is encountered by all who have or seek a relationship with the University of Vermont. Adherence to, and achievement of, each of the following five goals, in parallel, will secure the academic quality and reputation of our students, faculty, and staff, and the distinctive UVM educational experience. Our progress in achieving the action plans developed in support of each goal will be the basis for UVM's sustained competitiveness in higher education.

Therefore, to realize our vision to be among the nation's premier small research universities, we must take these actions.

- ***Diversity:* Build a diverse and globally aware university community sustained by an inclusive, supportive, and just campus climate.**
- ***Academic Programs:* Increase the quality and stature of academic programs and align undergraduate and graduate education with institutional priorities.**
- ***Scholarship:* Focus and strengthen research, scholarship, and the creative arts, and develop outstanding graduate programs that support the creation and sharing of knowledge.**
- ***Student Experience:* Provide a distinctive university experience that prepares students for success as accountable leaders in the 21st century.**
- ***Institutional Efficacy:* As an institution, model the highest standard of ethical conduct, accountability and best practice, public service, and strong commitment to lifelong learning.**

SECTION 2 OUR COMMON GROUND

http://www.uvm.edu/rsenr/files/our_common_ground.pdf

The University of Vermont is an educationally purposeful community seeking to prepare students to live in a diverse and changing world. We who work, live, study, teach, do research, conduct business or participate in the University of Vermont are members of this community. As members, we believe in the transforming power of education and agree to help create and foster an environment where we can discover and reach our true potential.

We aspire to be a community that values:

- **Respect:** We respect each other. We listen to each other, encourage each other and care about each other. We are strengthened by our diverse perspectives.
- **Integrity:** We value fairness, straightforward conduct, adherence to the facts and sincerity. We acknowledge when things have not turned out the way we had hoped. As stewards of the University of Vermont, we are honest and ethical in all responsibilities entrusted to us.
- **Innovation:** We want to be at the forefront of change and believe that the best way to lead is to learn from our successes and mistakes and continue to grow. We are forward-looking and break new ground in addressing important community and societal needs.
- **Openness:** We encourage the open exchange of information and ideas from all quarters of the community. We believe that through collaboration and participation, each of us has an important role in determining the direction and well-being of our community.
- **Justice:** As a just community, we unite against all forms of injustice, including, but not limited to, racism. We reject bigotry, oppression, degradation and harassment, and we challenge injustice toward any member of our community.
- **Responsibility:** We are personally and collectively responsible for our words and deeds. We stand together to uphold our common ground.

SECTION 3 ACADEMIC FREEDOM

“Academic Freedom and Responsibility”

We, the faculty of The University of Vermont and State Agricultural College, in the spirit and tradition of free universities throughout the world, are agreed upon the following statement of principles on academic freedom and responsibility. We believe that incorporation of these principles into the organization of The University of Vermont and State Agricultural College will re-emphasize the importance of academic freedom to the basic health of the University, and also serve as a statement of policy on the rights and responsibilities of faculty members at this institution. It has been our intent to state these principles in terms broad enough so that they may be valid not only in these critical times when academic freedom and personal liberty are in jeopardy both at home and abroad, but also in the future insofar as the future can be foreseen.

The Necessity of Academic Freedom in Higher Education.

The main purpose of a university has always been, must always be, to stimulate the thinking and the creative powers of its students and its faculty. As an institution it deals in ideas, not only old and accepted ones but new ones that may be full of explosive power. If they are explosive, they are bound to be disconcerting, even painful, to some on the campus and to many beyond its borders.

Inevitably they will be called dangerous by the timid and short-sighted, but to those who really believe in the fruitfulness of human thought, the real danger would appear only if the flow of such ideas should cease. For then indeed sterility would have taken over our campus. Our faculty would no longer deserve the name of intellectuals and our students, regardless of degrees attained, could no longer claim to be educated. They would leave our campus accustomed only to the commonplace, satisfied with the mediocre, ignorant or afraid of ideas which catch fire.

Academic freedom is therefore not solely a right or privilege of the faculty but is the fulfillment of the obligation on the part of the university to provide an atmosphere in which intellectual growth may take place.

Responsibility of the Institution to the Faculty.

The University must defend tenaciously the right of its members to think and express their thoughts freely and to make those choices within the law guaranteed to every citizen. This includes the right of dissent since any democratic institution ceases to merit the name democratic when this fundamental right is denied. Never is this duty more imperative than in those unhappy times when the public opinion of the community would restrain or curtail the free play of ideas. The universities, whose roots extend back into the centuries, have a tradition and duty to maintain an independence of judgment in the face of public opinion.

Academic Freedom and Special Responsibilities of Faculty Members

We subscribe to the 1940 Statement of Principles on Academic Freedom of the American Association of University Professors which provides:

- a. Faculty are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the university.
- b. Faculty are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject.
- c. Faculty are citizens, members of a learned profession, and officers of the university. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the university.

In addition, there are recognized qualifications which must be attained and maintained before the privilege of being a member of the academic profession can be considered a

permanent one: satisfactory performance as a teacher, scholarship, and high moral standards.

Academic Freedom and Tenure.

Tenure is an indispensable pre-condition for academic freedom. It is, in fact, a guarantee that the institution subscribes to the principle of academic freedom, and that its members may not be dismissed without adequate cause. Termination of tenure should occur only in cases of *bona fide* financial exigency in the University or when it has been demonstrated that the teacher lacks professional or moral fitness or competence as a teacher, investigator or clinician.

In the interpretation and the application of these principles we shall expect the University authorities to be quick to protect its heritage of academic freedom, in doubtful cases remembering that an excess of freedom is always less dangerous than an excess of constraint.”

SECTION 4 EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION

The University of Vermont and State Agricultural College is committed to a policy of equal employment opportunity and to a program of affirmative action in order to fulfill that policy. The University will accordingly recruit and hire into all positions the most qualified persons in light of job related requirements, and applicants and employees shall be treated lawfully in employment matters without regard to criteria including race, color, religion, ancestry, national origin, sex, sexual orientation, disability, age, positive HIV-related blood test results, status as a disabled or Vietnam Era Veteran, or gender identity or expression, as these terms are defined under applicable law, or any other factor or characteristic protected by law. In addition, the University of Vermont recognizes that discriminatory harassment and sexual harassment are forms of unlawful discrimination, and it is therefore the policy of the University that discriminatory harassment and sexual harassment will not be tolerated. The University also prohibits unlawful harassment on the basis of other characteristics protected by law. Further, employees and applicants will not be subjected to harassment or retaliation because they have engaged in or may engage in the following: filing a complaint; assisting or participating in an investigation, compliance evaluation, or any other activity related to the administration of the Vietnam Era Veterans' Readjustment Assistance Act of 1974 ("VEVRAA"), Section 503 of the Rehabilitation Act of 1973 ("Rehabilitation Act"), or the Affirmative Action provisions of federal, state or local law; opposing any act or practice made unlawful by VEVRAA, requiring equal employment opportunities for individuals with disabilities, disabled veterans, or veterans of the Vietnam Era; or exercising any rights under VEVRAA or the Rehabilitation Act.

See University Board of Trustees Policies, Operations, and Planning Manual for adoption dates and elaboration.

SECTION 5 EQUAL OPPORTUNITY IN EDUCATIONAL PROGRAMS AND ACTIVITIES

The University of Vermont and State Agricultural College is committed to a policy of equal educational opportunity. The University therefore prohibits discrimination on the basis of criteria such as race, color, religion, national or ethnic origin, age, sex, sexual orientation, marital status, disability, or gender identity or expression, as those terms are defined under applicable law, in admitting students to its programs and facilities and in administering its admissions policies, educational policies, scholarship and loan programs, athletic programs, and other institutionally administered programs or activities made available to students at the University. The University also prohibits harassment, as defined in the Vermont Statutes at Title 16, section 11(a) (26). Unlawful harassment is a form of discrimination and is therefore prohibited. The Senior Vice President and Provost is the University official responsible for interpretation and administration of this policy.

See University Board of Trustees Policies, Operations, and Planning Manual for adoption dates and elaboration.

PART THREE - FACULTY APPOINTMENTS, REAPPOINTMENTS, EVALUATION, PROMOTION, AND TENURE

SECTION 1 FACULTY APPOINTMENT TITLES

The COM Faculty Handbook covers faculty with primary or adjunct appointments in the College of Medicine.

SECTION 2 FACULTY APPOINTMENTS

Implementation of policies in this section requires prior approval by COM faculty of the appropriate College of Medicine Standards and Guidelines for performance as described in PART THREE, Section 4 and further elaborated in the College Standards and Guidelines. Similarly, any change in the language of Part 3, Section 2, requires the current Standards and Guidelines be reviewed by the COM Faculty Standards Committee for any change (s) deemed appropriate, any resultant changes requiring approval by the COM faculty.

Initial Appointments. All COM and COM department offers of initial appointment, and changes in appointment status, must be approved in advance by the Provost. The initial letter of appointment, which shall be issued from the COM Dean, must minimally establish the length and type of appointment, FTE percentage if applicable, and salary. The terms of any secondary appointment granted at the time of initial appointment must also be set forth in writing and coordinated by the Dean's office. In the case of faculty who have an appointment in an approved Faculty Practice Plan, the terms and

conditions must be clearly delineated in a Faculty Practice appointment letter attached to the COM letter of initial appointment and any subsequent COM letters of appointment, including reappointments.

A faculty member shall be initially appointed to a Tenure Pathway, a Research Scholar Pathway, a Faculty Scientist Pathway, an Education Scholar Pathway, a Clinical Scholar Pathway, a Clinical Practice Physician Pathway or a Volunteer Pathway position.

All faculty members must have a primary or adjunct appointment with a specific academic department within the College of Medicine.

The Department in which the faculty member's primary appointment exists will be responsible for: (a) evaluating and mentoring the professional development of the faculty member; (b) maintaining faculty appointment, status reviews, and related records; (c) initiating recommendations regarding changes in appointment status; and (d) assuming budgetary responsibility, including any tenure commitment. The reviews and recommendations of secondary departments or centers are required and shall be requested by and reported to the Chair of the primary unit in advance of a decision by the primary department on faculty member status, including reappointment, promotion, or tenure. Such reviews and recommendations shall become a part of the faculty status documentation of the primary department. All decisions concerning appointment, reappointment, promotion, and tenure regarding faculty who hold Matrix Center appointments shall be made collaboratively by the Department Chair and Center Director, provided that the final authority for these faculty personnel decisions rests with the appointing authorities, that is, the Dean and the Provost.

Faculty may switch pathways with the mutual consent of the faculty member and Chair, requiring the approval of the Dean and Provost.

1. Tenure Pathway and Tenured Appointments.

a. Categories of Tenure Pathway Appointments

The potential faculty titles are Assistant Professor, Associate Professor, and Professor.

An *Assistant Professor* is initially appointed for a three-year term and may be reappointed for two additional three-year terms. Appointment to Assistant Professor or to a higher rank requires the terminal degree required by the discipline except under extremely unusual circumstances requiring the approval of the Department Chair, Dean and Provost. Appointment or reappointment to Assistant Professor requires evidence that the faculty member meets all applicable standards and criteria as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines.

An *Associate Professor* may be initially appointed for a two-year term and may be reappointed for one subsequent two-year term without tenure. Initial appointment as Associate Professor with tenure may be made if the individual meets all criteria for tenure at the time of appointment and undergoes customary tenure review procedures. Appointment, reappointment, or promotion to Associate Professor requires demonstrated evidence that the faculty member meets all applicable standards and criteria as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines.

Appointment or promotion to the rank of *Professor* in all cases comes with the award of tenure. This requires a determination, under customary tenure review procedures, that an individual meets the standards and criteria for the award of tenure and reasonable assurance that this level of achievement will be sustained. The appointment as, or promotion to, tenured Professor requires that the candidate meets all applicable standards and criteria as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines. Tenure review and award is thus a condition of an initial appointment at the rank of Professor.

b. Probationary Periods.

Assistant Professor. Initial University appointments at the rank of Assistant Professor on the Tenure Pathway are made on a probationary basis. An Assistant Professor in the Tenure Pathway will be appointed for an initial three-year term and may be appointed for up to two additional three-year terms, reviews taking place in years two, five and eight. Tenure may be granted to an Assistant Professor following successful promotion and tenure review at any time, in accordance with all applicable standards and criteria as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines. The probationary period may include full-time service to the University at another rank or pathway with the prior approval of the Department Chair, the Dean and Provost. If a faculty member applies for tenure prior to the eighth year and should tenure not be granted, the probationary period on the Tenure Pathway shall continue under the condition that reappointment has been recommended and approved. An Assistant Professor will be informed no later than the end of the eighth year of service whether tenure will be granted. If reappointment or tenure is not granted, the succeeding year (three, six, nine) shall be the terminal year of the University Tenure Pathway appointment.

Associate Professor. Initial University appointments at the rank of Associate Professor may be made with tenure or on a probationary basis. An Associate Professor in the Tenure Pathway will be appointed for an initial two-year term and may be reappointed for an additional two-year term. Tenure may be awarded to an Associate Professor at any time in accordance with applicable tenure standards and criteria. An Associate Professor will be informed by the

third year of service whether tenure will be granted, tenure review taking place in year three if not before. If reappointment or tenure is not granted, the succeeding year (two or four) shall be the terminal year of the University Tenure Pathway appointment.

Extension of Maximum Time to Tenure Decision. The probationary period for tenure consideration may be extended by the Provost following his/her consultation with the Dean and the Department Chair for extraordinary extenuating circumstances. Except under reasonably unforeseeable extenuating circumstances, the faculty member must request the extension at least one year before expiration of the original probationary period. The Provost's decision on the request, which must be in writing, shall be final. The maximum allowable probationary period for an Assistant Professor shall be eleven consecutive years, and the maximum allowable probationary period for an Associate Professor shall be six consecutive years. For purposes of this provision, a "year" is an academic year.

c. Base and Variable Salary

Faculty in the Tenure Pathway who do not receive compensation from an approved Faculty Practice. The COM will compensate these faculty with a professorial salary comprised of fixed and variable components. This includes faculty in clinical departments who do not belong to an approved faculty practice plan. The fixed component is secured by tenure. The variable component will comprise up to 25% of the professorial salary. The variable component is to be adjusted annually up or down depending upon the faculty member's productivity. The *COM Standards and Guidelines* will include general criteria by which this productivity is measured. Individual departments will elaborate the standards applicable to their academic unit and the chairs or their designees will set annual faculty expectations in the context of those standards. For current tenured or tenure pathway basic science faculty members, their current professorial salary will be secured as fixed salary by their tenure. For new tenure pathway basic science faculty, their salary will be 75% base and 25% variable at hire, but their starting professorial salary will not be decreased during the term of their initial salary contract, usually 5 years assuming reappointment at the Assistant Professor level; and 3 years following first appointment without tenure at the Associate Professor level. Any decreases in salary will come from the variable component. Any raises will go into the variable component until that component comprises 25% of the professorial salary. Once total salary is distributed as 75% fixed and 25% variable, further raises will be allocated between fixed and variable components such that a 75:25 distribution is maintained. The *COM Standards and Guidelines* may specify limits on increases and decreases to the total salary in a given year.

Any changes in compensation must be made in consultation with the Chair of any department in which a secondary appointment is held and / or the Director of any Center in which an appointment is held.

Faculty in the Tenure Pathway who receive compensation from an approved Faculty Practice. For these faculty members, a UVM base salary is set by the Chair with prior approval of the Dean, and there is no variable component to the base.

The base salary may be adjusted periodically by the Chair with prior approval by the Dean to maintain consistency within the marketplace and based upon performance, provided that the base salary of the tenured faculty member may only be reduced upon mutual agreement of the faculty member and the University commensurate with a reduction in FTE. Performance includes the quality of the contribution to the missions of the College of Medicine and the relative success of meeting goals and expectations set the previous year by the Chair in discussion with the faculty member.

Faculty in the Tenure Pathway in Clinical Departments may also receive salary from an approved Faculty Practice. This salary is determined annually, based on performance and must be consistent with the compensation plan of the practice. COM annual salary letters shall have appended to them the annual salary determination from the Faculty Practice albeit they have different start dates.

In addition, those faculty in the Tenure Pathway in clinical departments may also have their University base provisionally increased to accommodate grant funding with a concomitant reduction in their clinical income so that total compensation remains the same. If grant funding no longer supports this level of effort, the University base and clinical salary will revert back to their current levels, plus any incremental increases approved during the annual budget.

2. Full Time Renewable Appointments.

The following titles and terms and conditions of appointment apply to renewable faculty positions that do not lead to appointment with tenure.

In the case of renewable faculty appointments there are five potential pathways with differing areas of emphasis for the activities of the faculty member. These are Research Scholar Pathway, Faculty Scientist Pathway, Clinical Scholar Pathway, Education Scholar Pathway and Clinical Practice Physician Pathway.

- a. *Research Scholar Pathway* includes individuals whose predominant effort is dedicated to the generation of new knowledge.

The faculty titles are Assistant Professor, Associate Professor, and Professor.

Faculty in the Research Scholar Pathway initially are appointed by the Chair with the prior approval of the Dean and Provost. Base salary has no variable component and cannot be reduced except commensurate with reduced FTE. These faculty may be reappointed by the Chair with the prior approval of the Dean following customary review procedures, provided that appointments and reappointments of faculty who hold salaried positions are contingent upon the availability of restricted funding. Thus, if restricted funding ceases or is reduced at anytime during the appointment, the appointment may be terminated or reduced in FTE with commensurate effect on compensation as recommended by the Chair and approved by the Dean.

An Assistant Professor in the Research Scholar Pathway should have an independent research program with appropriate independent funding. Reappointment requires meeting the standards described in the College of Medicine Standards and Guidelines and satisfactory indications that his/her professional development will continue.

An Assistant Professor in the Research Scholar Pathway is initially appointed by the Chair with the prior approval of the Dean and Provost for a two-year term and may be reappointed for additional two-year terms at the discretion of the Chair with the prior approval of the Dean, provided the appointments and reappointments of faculty who hold salaried positions are contingent upon the availability of restricted funding. Appointment requires that the individual hold the terminal degree in his/her field and that he/she has completed two years of additional postdoctoral training except under extremely unusual circumstances as resolved by the Dean in consultation with the Chair. Appointment or reappointment requires meeting all applicable standards and criteria as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines. An Assistant Professor in the Research Scholar Pathway may be promoted to Associate Professor if and when the individual meets all the requirements described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines having undergone customary review procedures.

An Associate Professor in the Research Scholar Pathway is initially appointed by the Chair with the prior approval of the Dean and Provost for a four-year term and may be reappointed for additional four-year terms at the discretion of the Chair with the prior approval of the Dean, provided the appointments and reappointments of faculty who hold salaried positions are contingent upon the availability of restricted funding. Initial appointment as Associate Professor in the Research Scholar Pathway may be made if the

individual meets all applicable standards and criteria as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines for promotion to Associate Professor and undergoes customary review procedures. Appointment or reappointment requires meeting the relevant standards and criteria as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines. An Associate Professor in the Research Scholar Pathway may be promoted to Professor if and when the individual meets all the relevant standards and criteria as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines having undergone customary review procedures.

A Professor in the Research Scholar Pathway is initially appointed by the Chair with the prior approval of the Dean and Provost for a six-year term and may be reappointed for additional six-year terms at the discretion of the Chair with the prior approval of the Dean, provided the appointments and reappointments of faculty who hold salaried positions are contingent upon the availability of restricted funding. Appointment or promotion to the rank of *Professor in the Research Scholar Pathway* in all cases requires a determination, under customary promotion review procedures, that an individual meets all applicable standards and criteria for promotion to the rank of *Professor in the Research Scholar Pathway* as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines.

- b. Faculty Scientist Pathway* includes individuals whose predominant effort is dedicated to the generation of new knowledge. Those appointed to the rank of Faculty Scientist must have a terminal degree in his or her field of study and demonstrate a high degree of technical expertise. Indeed it is this technical expertise, research skills and attended research productivity that will justify this faculty appointment. Appointment as a Faculty Scientist is usually on a full-time basis, but may be on a part-time basis with the approval of the Senior Associate Dean for Research. All appointments of Faculty Scientist require the recommendation of the Chair of the applicable department and approval by the Senior Associate Dean for Research and the Dean of the College. No further approval shall be required by any other University official.

Appointment at the rank of Faculty Scientist are for a five-year term and may be made after completing doctoral training and postdoctoral fellowship, except under very unusual circumstances with the approval of the Dean. A Faculty Scientist is appointed by the Department Chair in consultation with the Dean. Appointments as Faculty Scientist shall be for terms of up to five years depending on individual circumstances and shall be renewable following a customary reappointment process contingent upon the availability of restricted funding. Thus, if restricted funding ceases or is

reduced at any time during the appointment, the appointment may be terminated or reduced in FTE with commensurate effect on compensation as recommended by the Chair and approved by the Dean.

The initial appointment in this Pathway is considered opportunity hires for faculty who are currently at the rank of Research Associate or other Research Pathway rank. If a Faculty Scientist develops substantial, independent and funded, or evidence of the likelihood to be funded, research program after two or more years of employment, he or she may then be considered for Assistant Professor on the Research Scholar pathway as an opportunity hire.

- c. *Clinical Scholar Pathway* is for individuals whose predominant effort normally is dedicated to direct clinical care, the education of health professionals and individuals in the health sciences in the setting of clinical care and clinical scholarship. The faculty titles are Instructor, Assistant Professor, Associate Professor, and Professor.

For these faculty members, a UVM base is set by the Chair with prior approval of the Dean. There is no variable component to the UVM base salary.

The base salary may be adjusted periodically by the Chair with prior approval by the Dean to maintain consistency within the marketplace and based upon performance, provided that the base salary may only be reduced upon mutual agreement of the faculty member and the University commensurate with a reduction in FTE. Performance includes the quality of the contribution to the missions of the College of Medicine and the relative success of meeting goals and expectations set the previous year by the Chair in discussion with the faculty member.

Faculty in the Clinical Scholar Pathway may also receive salary from an approved Faculty Practice. This salary is determined annually, based on performance and must be consistent with the compensation plan of the practice. COM annual salary letters shall have appended to them the annual salary determination from the Faculty Practice albeit they have different start dates.

In addition, those faculty in the Clinical Scholar Pathway in clinical departments may also have their University base provisionally increased to accommodate grant funding with a concomitant reduction in their clinical income so that total compensation remains the same. If grant funding no longer supports this level of effort, the University base and clinical salary will revert back to their current levels, plus any incremental increases approved during the annual budget.

Except under very unusual circumstances requiring approval in advance by the Dean, the appointments and reappointments of faculty who hold salaried positions are contingent upon their continued employment in an approved Faculty Practice. If employment in the approved Faculty Practice ceases or is reduced at anytime during the appointment, the appointment may be terminated or reduced in FTE with commensurate effect on compensation.

An Instructor in the Clinical Scholar Pathway is appointed by the Chair with prior approval by the Dean and Provost for one year and may be reappointed for additional one-year terms at the discretion of the Chair with the approval of the Dean. Appointment requires that the individual hold a graduate degree in his/her field except under extremely unusual circumstances. Reappointment requires meeting all applicable standards and criteria as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines.

An Assistant Professor in the Clinical Scholar Pathway is initially appointed by the Chair with the prior approval of the Dean and Provost for a two-year term and may be reappointed for additional two-year terms at the discretion of the Chair with the prior approval of the Dean. Appointment requires that the individual hold the terminal degree in his/her field and has completed three years of postdoctoral experience except under extremely unusual circumstances as resolved by the Dean in consultation with the Chair. Reappointment requires meeting all applicable standards and criteria as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines. An Assistant Professor in the Clinical Scholar Pathway may be promoted to Associate Professor if and when the individual meets all the requirements described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines and undergoes the customary review process.

An Associate Professor in the Clinical Scholar Pathway is initially appointed by the Chair with the prior approval of the Dean and Provost for a four-year term and may be reappointed for additional four-year terms at the discretion of the Chair with the prior approval of the Dean. Initial appointment as Associate Professor in the Clinical Scholar Pathway may be made if, in the judgment of the Dean following consultation with the Chair the individual meets at the time of appointment all applicable standards and criteria for promotion to Associate Professor as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines and undergoes customary review procedures. Appointment or reappointment requires meeting the relevant standards and criteria as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines. An Associate Professor in the Clinical Scholar Pathway may be promoted to Professor if and when the individual

meets all the requirements described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines and undergoes the customary review process.

A Professor in the Clinical Scholar Pathway is initially appointed by the Chair with the prior approval of the Dean and Provost for a six-year term and may be reappointed for additional six-year terms at the discretion of the Chair with the prior approval of the Dean. Appointment or promotion to the rank of *Professor in the Clinical Scholar Pathway* in all cases requires a determination, under customary promotion review procedures, that an individual meets all applicable standards and criteria for promotion to the rank of *Professor in the Clinical Scholar Pathway* as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines.

- d. *Education Scholar Pathway* is for individuals whose predominant effort is dedicated to the overall education of health professionals and individuals in the health sciences who are not normally involved in clinical care or research. The faculty titles are Instructor, Assistant Professor, Associate Professor, and Professor.

Faculty in the Education Scholar Pathway initially are appointed by the Chair with the prior approval of the Dean and Provost. Base salary has no variable component and cannot be reduced except commensurate with reduced FTE. These faculty may be reappointed by the Chair with the prior approval of the Dean following customary review procedures.

The appointments and reappointments of faculty who hold salaried positions in this pathway are contingent upon the need to fulfill the teaching mission of the College of Medicine as assessed by the Chair in consultation with the Dean, taking into account budgetary, enrollment, and programmatic considerations for the College. If the effort of the individual is no longer needed to fulfill the teaching mission of the College of Medicine the appointment may be terminated or reduced in FTE with commensurate effect on compensation. Reappointments are also contingent upon meeting all applicable standards and criteria as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines. Notification that appointment will not be renewed in the Education Scholar Pathways normally shall be no later than one year prior to termination for an Instructor but can be extended to two years with the approval of the Dean.

An Instructor in the Education Scholar Pathway is appointed by the Chair with prior approval of the Dean and Provost for one year and may be reappointed for additional one-year terms at the discretion of the Chair with the prior approval of the Dean. Appointment requires that the individual

holds the terminal degree in the discipline except under unusual circumstances as resolved by the Dean in consultation with the Chair. Appointment and reappointment requires meeting all applicable standards and criteria as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines after customary review. An Instructor in the Education Scholar Pathway may be promoted to Assistant Professor if and when the individual meets all applicable standards and criteria as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines.

An Assistant Professor in the Education Scholar Pathway is initially appointed by the Chair with the prior approval of the Dean and Provost for a two-year term and may be reappointed for additional two-year terms at the discretion of the Chair with the prior approval of the Dean. Appointment requires that the individual hold the terminal degree in his/her field and has completed three years of teaching experience, except under unusual circumstances as resolved by the Dean in consultation with the Chair. Appointment and reappointment requires meeting all applicable standards and criteria as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines. An Assistant Professor in the Education Scholar Pathway may be promoted to Associate Professor if and when the individual meets all the relevant requirements as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines and undergoes customary review procedures.

An Associate Professor in the Education Scholar Pathway is initially appointed by the Chair with the prior approval of the Dean and Provost for a four-year term and may be reappointed for additional four-year terms at the discretion of the Chair with the prior approval of the Dean. Initial appointment as Associate Professor in the *Education Scholar Pathway* may be made if the individual meets at the time of appointment all applicable standards and criteria for promotion from Educator Assistant Professor as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines and undergoes customary review procedures. Appointment or reappointment requires meeting the relevant standards as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines. An Associate Professor in the Education Scholar Pathway may be promoted to Professor if and when the individual meets all the relevant requirements described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines having undergone customary review procedures.

A Professor in the Education Scholar Pathway is initially appointed by the Chair with the prior approval of the Dean and Provost for a six-year term and may be reappointed for additional six-year terms at the discretion of the Chair with the prior approval of the Dean. Appointment or promotion to the

rank of *Professor in the Education Scholar Pathway* in all cases requires a determination, under customary promotion review procedures, that an individual meets all applicable standards and criteria for promotion to the rank of *Professor in the Education Scholar Pathway* as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines.

- e. *Clinical Practice Physician Pathway* provides the highest quality of patient care consistent with the policies, standards and guidelines of the UVM Medical Group. Providing a patient base for clinical teaching and research and modest amounts of personal teaching are also expected. Appointment as a Clinical Practice Physician is usually on a full-time clinical basis, but may be on a part-time clinical basis with approval of the Senior Associate Dean for Clinical Affairs. All appointments of the Clinical Practice Physicians require the favorable recommendation of the Chair of the applicable department and approval by the Senior Associate Dean for Clinical Affairs and the Dean of the College. No further approvals shall be required by any other University official. Once a physician has been offered employment by UVM Medical Group and is recommended for appointment by the Chair, approvals of the appointment shall not be unreasonable withheld or delayed more than thirty (30) days from the date of the chair's recommendation is submitted.

Appointments as Clinical Practice Physician shall be for terms of up to five years depending on individual circumstances and shall be renewable following a standardized reappointment process, but the appointments shall terminate automatically, without further action by any person, upon termination of the physician's employment with UVM Medical Group. Appointments may be terminated immediately for cause or upon 90 days written notice and with or without cause.

The initial appointments in this Pathway are considered as opportunity hires of physicians currently in practice in our clinical service catchment area. In addition, physicians who are recruited or employed by UVM Medical Group who spend the majority of their time in non-teaching roles may also serve in this role. If a Clinical Practice Physician develops substantial academic activities after two or more years of employment, he or she may be considered for Clinical Scholar appointments as opportunity hires.

3. Volunteer Pathway

The *Volunteer Pathway* is for individuals who volunteer their time and effort to the College of Medicine. This may include Allied Health Professionals, Residents, Basic Scientists and Attending Physicians. Their effort is dedicated to direct clinical care and the education of health professionals in the setting of

clinical care, and/or research, and/or the education of students in the classroom and/or laboratory.

a. Clinical

The potential faculty titles are Clinical Instructor, Clinical Assistant Professor, Clinical Associate Professor, and Clinical Professor.

A Clinical Instructor in the Volunteer Pathway is appointed by the Chair with the prior approval of the Dean and Provost for one year and may be reappointed for additional one-year terms at the discretion of the Chair with the prior approval of the Dean. Appointment requires that the individual hold a graduate degree in his/her field and has completed three years of additional experience except under unusual circumstances as resolved by the Dean in consultation with the Chair. Appointment and reappointment requires meeting all applicable standards and criteria as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines.

A Clinical Assistant Professor in the Volunteer Pathway is initially appointed by the Chair with the prior approval of the Dean and Provost for a four-year term and may be reappointed for additional four-year terms at the discretion of the Chair with the prior approval of the Dean. Appointment requires that the individual hold the terminal degree in his/her field and has completed three years of additional postdoctoral training except under extremely unusual circumstances as resolved by the Dean in consultation with the Chair. Appointment and reappointment requires meeting all applicable standards and criteria as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines. A Clinical Assistant Professor in the Volunteer Pathway may be promoted to Clinical Associate Professor if and when the individual meets all the relevant requirements as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines having undergone customary review procedures.

A Clinical Associate Professor in the Volunteer Pathway is initially appointed by the Chair with the prior approval of the Dean and Provost for a four-year term and may be reappointed for additional four-year terms at the discretion of the Chair with the prior approval of the Dean. Initial appointment as *Clinical Associate Professor in the Volunteer Pathway* may be made if the individual meets at the time of appointment all applicable standards and criteria for promotion from *Clinical Assistant Professor* as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines. Appointment or reappointment requires meeting all applicable standards and criteria as described in the COM Faculty Handbook and additionally in the College of Medicine Standards

and Guidelines. A Clinical Associate Professor may be promoted to Clinical Professor if and when the individual meets all the relevant requirements described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines having undergone customary review procedures.

A Clinical Professor in the Volunteer Pathway is initially appointed by the Chair with the prior approval of the Dean and Provost for a six-year term and may be reappointed for additional six-year terms at the discretion of the Chair with the prior approval of the Dean and has undergone customary review procedures. Appointment or promotion to the rank of *Clinical Professor in the Volunteer Pathway* in all cases requires that an individual meets all applicable standards and criteria for promotion to the rank of *Clinical Professor* as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines.

b. Education

The potential faculty titles are Education Instructor, Educator Assistant Professor, Educator Associate Professor, and Educator Professor.

An Education Instructor in the Volunteer Pathway is appointed by the Chair with prior approval of the Dean and Provost for one year and may be reappointed for additional one-year terms at the discretion of the Chair with the prior approval of the Dean. Appointment requires that the individual holds the terminal degree in the discipline except under unusual circumstances as resolved by the Dean in consultation with the Chair. Appointment and reappointment requires meeting all applicable standards and criteria as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines after customary review. An Instructor in the Volunteer Pathway may be promoted to Educator Assistant Professor if and when the individual meets all applicable standards and criteria as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines.

An Educator Assistant Professor in the Volunteer Pathway is initially appointed by the Chair with the prior approval of the Dean and Provost for a four-year term and may be reappointed for additional four-year terms at the discretion of the Chair with the prior approval of the Dean. Appointment requires that the individual hold the terminal degree in his/her field and has completed three years of teaching experience, except under unusual circumstances as resolved by the Dean in consultation with the Chair. Appointment and reappointment requires meeting all applicable standards and criteria as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines. An Educator Assistant Professor in the *Volunteer Pathway* may be promoted to Educator Associate

Professor if and when the individual meets all the relevant requirements as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines and undergoes customary review procedures.

An *Educator Associate Professor in the Volunteer Pathway* is initially appointed by the Chair with the prior approval of the Dean and Provost for a four-year term and may be reappointed for additional four-year terms at the discretion of the Chair with the prior approval of the Dean. Initial appointment as Educator Associate Professor in the *Volunteer Pathway* may be made if the individual meets at the time of appointment all applicable standards and criteria for promotion from Educator Assistant Professor as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines and undergoes customary review procedures. Appointment or reappointment requires meeting the relevant standards as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines. An Educator Associate Professor in the *Volunteer Pathway* may be promoted to Educator Professor if and when the individual meets all the relevant requirements described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines having undergone customary review procedures.

An *Educator Professor in the Volunteer Pathway* is initially appointed by the Chair with the prior approval of the Dean and Provost for a six-year term and may be reappointed for additional six-year terms at the discretion of the Chair with the prior approval of the Dean. Appointment or promotion to the rank of *Educator Professor in the Volunteer Pathway* in all cases requires a determination, under customary promotion review procedures, that an individual meets all applicable standards and criteria for promotion to the rank of *Educator Professor in the Volunteer Pathway* as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines.

c. Research

The potential faculty titles are Research Assistant Professor, Research Associate Professor, and Research Professor.

A *Research Assistant Professor in the Volunteer Pathway* is initially appointed by the Chair with the prior approval of the Dean and Provost for a four-year term and may be reappointed for additional four-year terms at the discretion of the Chair with the prior approval of the Dean. Appointment requires that the individual hold the terminal degree in his/her field and that he/she has completed two years of additional postdoctoral training except under extremely unusual circumstances as resolved by the Dean in consultation with the Chair. Appointment or reappointment requires meeting

all applicable standards and criteria as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines. A Research Assistant Professor in the Volunteer Pathway may be promoted to Research Associate Professor if and when the individual meets all the requirements described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines having undergone customary review procedures.

A Research Associate Professor in the Volunteer Pathway is initially appointed by the Chair with the prior approval of the Dean and Provost for a four-year term and may be reappointed for additional four-year terms at the discretion of the Chair with the prior approval of the Dean. Initial appointment as Research Associate Professor in the Volunteer Pathway may be made if the individual meets all applicable standards and criteria as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines for promotion to Research Associate Professor and undergoes customary review procedures. Appointment or reappointment requires meeting the relevant standards and criteria as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines. A Research Associate Professor in the Volunteer Pathway may be promoted to Research Professor if and when the individual meets all the relevant standards and criteria as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines having undergone customary review procedures.

A Research Professor in the Volunteer Pathway is initially appointed by the Chair with the prior approval of the Dean and Provost for a six-year term and may be reappointed for additional six-year terms at the discretion of the Chair with the prior approval of the Dean. Appointment or promotion to the rank of *Research Professor in the Volunteer Pathway* in all cases requires a determination, under customary promotion review procedures, that an individual meets all applicable standards and criteria for promotion to the rank of *Research Professor in the Volunteer Pathway* as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines.

Adjunct appointments.

The titles of Adjunct Instructor, Adjunct Assistant Professor, Adjunct Associate Professor, and Adjunct Professor are reserved for non-salaried faculty whose academic appointment is with an academic or research institution other than the University. Adjunct appointments may be made upon recommendation by the Chair by the Dean and Provost for periods of up to two years and may be renewed.

Visiting Appointments.

The titles of Visiting Lecturer and Visiting Assistant Professor, Visiting Associate Professor, or Visiting Professor are reserved for a salaried or unsalaried appointment of a temporary nature, ordinarily involving faculty from other institutions. Visiting appointments may be granted for a single period of up to two years.

SECTION 3 ANNUAL PERFORMANCE REVIEWS

1. Annual Departmental Reviews.

Chairs shall annually review the performance of all salaried faculty holding appointments in their units as described in PART THREE, Section 4 and further detailed in the College Standards and Guidelines. Annual reviews focus primarily on the performance of the faculty member during the year in which they occur, but may also take into account cumulative performance.

Performance shall be evaluated in view of the duties assigned and based on all applicable standards and criteria as described in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines. Chairs may delegate this responsibility to unit and division chiefs where appropriate.

It is on the basis of such annual discussions that faculty assignments and adjustments in the variable salary component may be made.

2. Timing of Reviews.

All full time salaried faculty will be reviewed by March 1 and must be coordinated with the annual University salary determination process, including the customary onset date of new FY salaries as of July 1.

3. Review Process.

The annual performance review process for salaried faculty shall include a meeting between the Chair, or his/her designee such as the division or section chief, and the faculty member. The Chair shall finalize the results of the performance review in writing and place a copy in the faculty member's academic status file, with a copy provided to the faculty member. A faculty member has the right to rebut any written performance evaluation, and a written rebuttal shall be placed in the file with the evaluation.

Faculty who have been on a sabbatical or professional leave for a period of one semester or more during the review cycle will report on the accomplishments of the leave as required by applicable policies. Evaluations shall be conducted in a manner internally consistent within the departmental unit.

SECTION 4 REAPPOINTMENT, PROMOTION, AND TENURE DECISIONS; STANDARDS AND CRITERIA

The University Green Sheets by which faculty are evaluated require that the expectations of an individual's performance be consistent with those of the University, College and Department. The expectations placed upon the faculty member also must be made clear.

Implementation of policies described in Part 3, Section 2 requires that College level Standards and Guidelines be reviewed and approved by the faculty every five years or, in addition, whenever changes are made to the language in that Section.

In considering candidates for reappointment, promotion, and/or tenure, each candidate will be judged with respect to the proposed rank, status, and duties, considering his or her record of performance in teaching, scholarly research and service as defined in the COM Faculty Handbook and additionally in the College of Medicine Standards and Guidelines. The following subsections provide general standards and criteria by means of which decisions on reappointment, promotion, and tenure shall be made. The College of Medicine Standards and Guidelines provide detailed criteria for these decisions.

Although the faculty member bears the responsibility of demonstrating his or her professional achievements, Chairs have a responsibility to contribute to the professional development of faculty by regularly communicating departmental, College, and University performance standards and expectations, and by assisting faculty in determining their progress toward the assigned goals.

In evaluating a candidate's qualifications within the areas of performance under review, reasonable flexibility shall be exercised balancing, where appropriate, heavier assignments and responsibilities in one area against lighter assignments and responsibilities in another. Each candidate is expected to be engaged in a program of work that is sound and productive and that can be expected to continue to develop and progress throughout his or her professional career. In all instances, excellent intellectual attainment, in accordance with the criteria set forth below, is a crucial qualification for reappointment, promotion, and/or tenure. Insistence upon this standard is necessary to maintain the high quality of the University as an institution dedicated to the discovery, preservation, and transmission of knowledge. In addition, the University recognizes that teaching and scholarship are related, and it is thus essential to foster an environment that promotes scholarship and teaching and the patient care that enhances these activities.

Teaching.

When assigned duties include teaching, effective performance is an essential criterion for initial appointment, re-appointment at any rank, or promotion and/or tenure. There

are 5 categories of teaching that may be assigned: teaching, curriculum development, advising and mentoring, educational leadership and administration and learner assessment. The primary qualities of an effective teacher are intellectual competence, integrity, and independence; a willingness and capacity to develop in the field, consider suggestions, and cooperate in teaching activities; a spirit of scholarly inquiry that leads to the strengthening of course content and presentation in light of developments in the discipline; a scholarly interest in pedagogy and working with students and, foremost, the ability to stimulate in students intellectual interest and enthusiasm; a capacity to awaken in students an awareness of the relationship of the subject to other fields of knowledge, and a faculty member's interest and skill in the general guidance and academic advising of students. Academic advising of all categories of students is an important part of the mission of the University and, where assigned duties include academic advising, it will be evaluated as part of the total teaching effort. All educational activities must be evaluated regularly and the results of such evaluation must be considered in reappointment, promotion, and tenure decisions. It is also incumbent on the faculty member to organize and present evidence of a scholarly approach to education for reappointment, promotion and tenure decisions.

Elaboration: No single set of satisfactory measures can be prescribed. Significant evidence for the evaluation of educational activity can, however, be derived from some combination of the following (not rank ordered): (1) opinions of knowledgeable members of the faculty, particularly if based on (a) examination of course materials; (b) team-teaching experiences; (c) class visitations; (d) attendance at educational activities delivered by the candidate; or (e) the results of the candidate's teaching in courses prerequisite to those of other members of the faculty; (2) student opinions, appropriately documented and interpreted, for example, through the use of student survey instruments and/or by seeking student evaluations after course completion or graduation; (3) development by the candidate of new and effective techniques of instruction, instructional materials, textbooks, courses and curricula particularly when evidenced by use by peers within the University of Vermont, deposition into peer-reviewed curriculum repositories and/or adoption by other universities; (4) publications in respected journals by the candidate in one or more of the five categories of pedagogy described above; and (5) recognitions or awards for distinguished teaching; (6) significant quantity of teaching and other educational activities.

Research and Scholarship.

When assigned duties include research there must be evidence that the candidate is continuously and effectively engaged in scholarly activity of high quality and significance, in light of the activity customarily expected in the candidate's field. Documentation of productivity, and the quality of research or scholarly work, must be submitted, such as peer reviewed research publications, grant funding, national/international presentations, academy memberships, and service on editorial boards and competitive funding review committees.

Elaboration: It is the responsibility of the chair, working with the candidate, to communicate clear information concerning the significance of the publication and the

review standards of the journal and its standing in the discipline. If the record of the candidate includes publication of a monograph or monographs, it is the responsibility of the chair to communicate clear information about the reviewing policies of the press and to report reviews published subsequent to the appearance of the work. Appraisals of publication or other works in the scholarly and critical literature may provide important testimony. When published work involving joint authorship (or otherwise the product of joint effort) is considered, it is essential that the department establish as clearly as possible the role of the candidate in the joint effort. In cases involving tenure or promotion to Associate Professor or Professor, the quality and significance of the work must be evaluated by the department. In addition, the department must solicit evaluations from acknowledged scholars or practitioners at other institutions who are independent of the faculty member being evaluated. It is the responsibility of the Chair to communicate clear information concerning the standards involved in selecting the faculty member for regional, national, and international presentations. A record of continuing support by competitive grants and contracts in the discipline is an important indication of recognized research competence and productivity. Textbooks, reports, and similar products connected with teaching or public service may be considered creative work insofar as they present new ideas or incorporate the candidate's scholarly research. Service as editor of a professional journal or service as an officer of a professional organization, may be considered as recognition of scholarly achievement.

Service.

Service by all members of the faculty is an essential part of the University's mission. Recognition shall be given to faculty who participate effectively, imaginatively, and collegially in faculty governance and the formulation of departmental, college, and University policies. Similarly, contributions to student welfare through service on student-faculty committees or as advisor to student organizations will be recognized. Faculty may engage in service by developing and administering clinical services/programs which are necessary for, and contribute to, the clinical research and teaching. Faculty may also engage in service through effective participation in activities on the community, state, or national professional level, such as through clinical service on accreditation teams, as contributors to the promotion of cultural pluralism, as officers of a professional organization, or as professional consultants. Demonstrated distinction in service responsibilities characteristic of the area may be important criterion for appointment, reappointment, promotion, and/or tenure. Examples include clinical practice, graduate medical education, continuing medical education, service pertaining to the improvement of those activities, health care delivery and like undertakings.

Faculty may also engage in service by contributing to the advancement of cultural pluralism at the University, such as through participation in programs on awareness of discrimination on the basis of protected classifications; involvement in campus efforts to promote cultural diversity; or promotion of affirmative action.

Elaboration: All of the candidate's professional service activities should be scrutinized for evidence of achievement and of leadership in the field and in the development or utilization of new approaches and techniques for the solution of professional problems. Evidence must be provided of the quality of the service rendered, including evaluations by persons or agencies served.

SECTION 5 REAPPOINTMENT, PROMOTION, AND TENURE DECISIONS; PROCEDURES

Chairs shall regularly, and no less than once annually, review the performance of faculty members in their departments and may recommend reappointment, promotion, or tenure to the dean. In coming to their conclusion, chairs shall consult with the chair(s) and / or Directors of Centers where joint appointments are held. Consideration for promotion and/or tenure in cases where such consideration is not otherwise mandated shall be initiated upon the request of the individual faculty member.

1. Tenure Pathway Faculty

First reappointments are reviewed at the College level. Second reappointments and promotion decisions are reviewed at both the College and University levels. All reviews are in accordance with the procedures set forth below as well as the College of Medicine Standards and Guidelines.

a. Responsibilities for Submission and Review

The Faculty member: In assembling his or her dossier for reappointment, promotion, or tenure the faculty member shall be responsible for preparing a self-evaluation and the curriculum vitae, addressing his or her work in the performance areas of education, scholarship/research, and service.

The Department Chair: The Department Chair shall be responsible for reviewing the dossier for comprehensiveness and for completing a Chair's Statement (as described below). The Chair must seek the input of all salaried faculty relative to the candidate's work in the performance areas evaluated. In addition, the Chair shall solicit performance assessment input from the Chair of any department, center or other academic unit in which the faculty member holds a secondary appointment. In cases where promotion and/or tenure is proposed, the department must solicit from outside the University arm's-length evaluation of the quality and significance of the candidate's creative work. The selection of external referees is the joint responsibility of the candidate and the department chair. Such input must come from people whose ability to provide an objective evaluation of the academic performance and reputation of the candidate is not put into question by prior associations with the candidate, such as involvement in the candidate's education, having served together on the

faculty at another institution, having been a co-author or co-investigator or collaborator in publications, patents or other scholarly contributions, or being close personal or family friends. Following such consultation, the Chair shall make a written determination on the proposed faculty action under consideration, known as the Chair's Statement. The Chair's Statement shall contain an assessment of the candidate's record, which will include a narrative evaluation of the candidate's teaching, advising, scholarship/research/creative work, and service, and a summary of prior annual evaluations and RPT reviews as applicable. It will measure the candidate's performance against departmental and College reappointment, promotion, and tenure ("RPT") guidelines. The Chair shall also describe the balance of assignments for the faculty member's effort, relative to teaching, research, service and patient care (where applicable) that warrant identification and consideration in assessing the faculty member's academic contributions. The Chair's Statement shall include a summary of the advice received, both favorable and unfavorable, from employed department faculty, and will also summarize comments from the Chair or equivalent administrator as to any secondary appointments, regarding the candidate's record in the areas of teaching, advising, scholarship/research, and service, together with an advisory and anonymous numerical tally of the voting faculty as described in the College of Medicine Standards & Guidelines. The Chair's Statement shall also contain a written explanation of the rationale for his/her decision. The Chair's Statement will be transmitted to the faculty member, to provide the Chair a written response within seven days of its issuance. A faculty member may elect to withdraw his or her request for RPT action within fifteen days of issuance of the Chair's Statement, any such request to be communicated to the Chair in writing, with a copy to the Dean.

The College of Medicine Faculty Standards Committee: The Faculty Standards Committee ("FSC") of the College shall review the candidate for RPT, assessing the candidate's record and making a written recommendation to the Dean on the proposed faculty action, including its anonymous numerical advisory vote.

The Dean: In the case of both favorable and unfavorable RPT recommendations by the Chair, the Dean shall review the candidate's dossier unless the candidate elects to withdraw his or her candidacy, in which case no further review shall be done. The Faculty Standards Committee ("FSC") of the College shall also review the candidate for RPT, assessing the candidate's record and making a written recommendation to the Dean on the proposed faculty action, including its numerical advisory vote. Following review of the FSC's assessment and recommendation, the Dean shall issue a written assessment and decision regarding the faculty action under review, which shall be included in the dossier. The Dean's statement shall also contain a written explanation of the rationale for his/her decision. For all reviews going forward for university level review, a copy of the FSC's and the Dean's written assessments will be transmitted to the faculty member, who may elect to add a written response to

the dossier within seven days of its issuance absent extenuating circumstances that prevent timely response. Except in cases where the Dean's decision is the final University action, a faculty member may elect to withdraw his or her request for RPT action within fifteen days' issuance of the Dean's assessment, any such request to be communicated to the Dean in writing, with a copy to the Chair. All decisions, positive or negative, are forwarded to the University for review.

The Provost: In the case of both favorable and unfavorable RPT recommendations, for actions that require University-level review the Dean will forward the candidate's dossier to the Provost. The Professional Standards Committee (PSC) of the Faculty Senate shall also review the candidate for RPT. The PSC will assess the candidate's record and transmit a written recommendation, including its advisory and numerical vote, to the Provost. The Provost may, as he or she deems appropriate, seek further consultation with the Chair and/or Dean about the candidate, but is under no obligation to do so. The Provost shall issue a written determination, including an explanation of the rationale for his/her decision, following review of the PSC's assessment and recommendation. The Provost's decision shall constitute the final action of the University except in cases where the Dean's decision is the final University action. In tenure cases, if the Provost's decision is favorable, tenure shall become effective at the start of the subsequent academic year.

Clarification of the record. The Chair, College of Medicine Faculty Standards Committee, Dean or Provost may make a request for further information pertaining to the record as submitted with the Green Sheets.

b. RPT Timetable for Tenure- Pathway Faculty.

The Provost will establish a schedule for RPT action steps, except for decisions pertaining to the first reappointment of Tenure Pathway Assistant Professors, in which case the authority to set the schedule rests with the Dean.

Notice of non-reappointment shall be provided to Tenure Pathway Assistant Professors, or Associate Professors in writing by the Dean according to the schedule set forth below. Non-renewal of an appointment does not carry with it an implication of incompetence or misconduct on the part of the faculty member. In addition to the right of the University not to reappoint any non-tenured faculty member for individual performance reasons, such decisions may be based on reasonably derived administrative, programmatic, or financial reasons.

The following notification schedule shall be based upon consecutive years of uninterrupted service as a Tenure Pathway faculty member at the University.

- For faculty appointed at the rank of Assistant Professor. By June 30th one year prior to the expiration of the current appointment term.
- For faculty appointed at the rank of Associate Professor. No later than December 15 of the second academic year of service.

NOTE: These notice periods do not apply to the terminations of appointment addressed in PART FIVE below.

c. Terminal Appointment.

Once having served as Tenure Pathway faculty member for the probationary period specified in this Handbook, an individual who has not been awarded tenure shall not again be eligible for a University Tenure Pathway appointment.

2. Reappointment Reviews for Renewable Appointment Pathway Faculty.

a. Timing and Venue of Reviews.

(i) Reappointment reviews shall occur at the College level with final approval by the Dean prior to the expiration of the appointment according to the notice periods established by the College.

(ii) In a year in which a Renewable Appointment Pathway salaried faculty member applies for promotion, a formal "green sheet" review must take place at the department, College, and University level. During the academic year a promotion is under review, reappointment review will concurrently occur at the department and College level. If a negative reappointment decision is made, the promotion process will terminate.

b. Evaluation Criteria.

Faculty shall be evaluated for reappointment on the basis of criteria documented in the College Standards and Guidelines.

c. Procedures in Matters of Reappointment and Promotion and Notice of non-reappointment:

Notice of non-reappointment shall be provided by the chair in writing to the faculty member according to the schedules set forth below. Non-renewal of an appointment does not carry with it any implication of incompetence or misconduct on the part of the faculty member. A decision not to reappoint a Renewable Appointment Pathway faculty member may be made for individual performance reasons as well as reasonably derived administrative, programmatic, or financial reasons.

Notice of non-reappointment to a secondary appointment for reasons cited above shall be provided in writing by the Chair or Center Director where the secondary appointment is held.

NOTE: These notice periods do not apply to the terminations of appointment addressed in PART FIVE below.

(i) *Renewable Appointment Pathway faculty* with one-year terms will receive three months notice (by March 1st) of renewal or non-renewal in their first year of service. They will receive six months notice (by December 15) and twelve months notice (by June 30) in their second year of service.

(ii) *Renewable Appointment Pathway faculty* whose initial appointment is for a two-year term will receive six months notice (by December 15) of renewal or non-renewal in their second year of service.

(iii) Following two or more consecutive years of service at the University, Renewable Appointment Pathway faculty will receive notice of renewal or non-renewal at least 12 months before the expiration of the appointment.

(iv) No prior notification of non-reappointment shall be required for faculty in the Volunteer Pathway.

3. Nature of Grievance Rights.

A faculty member who is denied reappointment, promotion, or tenure shall not have the right to grieve the recommendations or decisions issued at the various steps except for the final action of the Provost (or the Dean in cases where the Dean is the final level of administrative review), provided that the grievance must then be based on grounds otherwise within the jurisdiction of the Faculty Grievance Committee, as set forth in PART SIX.

PART FOUR GENERAL CONDITIONS OF EMPLOYMENT

A. FACULTY ASSIGNMENTS, COMPENSATION, AND COMMITMENTS

1. Faculty Availability for Assignments.

Faculty who are not members of an approved Faculty Practice Plan and serving on twelve-month appointments must be engaged in, and available for, work assignments throughout the calendar year except for official University holidays and scheduled vacations. Faculty who hold Faculty Practice appointments are not exempt from responsibilities to the Faculty Practice on University holidays and must also abide by the vacation policies and protocols of the Faculty Practice. Faculty holding twelve-month appointments are customarily appointed on a schedule commensurate with the University fiscal year.

In addition, an appointment may be made on a temporary basis for administrative reasons, including filling a special academic program need, meeting unexpected enrollment pressures, or replacing a faculty member who becomes unavailable due to illness or other unanticipated circumstance. A temporary appointment does not carry with it any expectation of reappointment beyond the appointment period, and no notice of non-reappointment is required.

2. Faculty Assignments.

Chairs, or their designees such as division chiefs, are responsible for the scheduling and assignment of all faculty holding appointments in their units, subject to review by the Dean. Such assignments shall be made by the Chair in consultation with the Chair or Center Director of any secondary appointment unit following consultation with the faculty. In the case of faculty holding Matrix Center appointments, assignments will be made collaboratively by the Chair of the department in which the faculty member holds a primary appointment and the Matrix Center Director following consultation with the faculty member. A copy of the record of individual faculty assignments will be maintained in the faculty member's academic status file. The assignments of faculty who have Faculty Practice appointments must be coordinated with Faculty Practice assignments by the Department Chair and the Faculty Practice health service leader or equivalent administrator.

A Chair may modify assignments previously made as may be necessary or in the best interests of the Department prior to or during an appointment period, provided that any such modification and the reasons for it must be communicated to the faculty as early as reasonably possible. Revisions to the assignments of faculty who have Faculty Practice appointments must be coordinated with Faculty Practice assignments by the Department Chair and the Faculty Practice health service leader or equivalent administrator.

The Continuing Education Division shall obtain approval for any proposed faculty course assignments from the appropriate department Chair and Dean. The Department Chair shall review the credentials of all such faculty and shall have final authority for approving their participation.

Given the diverse nature of faculty work and the specific needs of academic units, the particulars and weighting of individual faculty assignments will vary between and within departments and academic units. In making assignments, the Chair will consider the allocation of the faculty member's time to teaching, research, patient care, and service and other relevant factors such as the requirements of externally funded contracts and grants; and the nature of the academic program, which may require flexibility in assignments to maintain program quality. Chairs will also take into account fiscal considerations and the overall needs and mission of the College and the University. In all cases, the

chair shall communicate these assignments in writing to the faculty member and place them in the faculty member's record.

With respect to distribution of effort, there are competing demands upon a faculty member, such as responsibilities in the areas of research, teaching, and service. Faculty, Chairs, and Deans have a responsibility to ensure that a demonstrable relationship exists between an assignment and the effort expended. In assessing this relationship, all professional activities, assignments, and salary distribution information are to be taken into account, whether or not externally sponsored, including supplemental compensation and outside professional service. Federally sponsored research is subject to specific effort reporting rules and conflict of interest disclosure mandates.

3. Salary

The Chair shall annually make salary recommendations for each faculty member to the Dean. The Dean shall approve or revise the Chair's recommendation and record the distribution of sources and the amount of money from each source to be applied in payment of the salary. Salary awards will be based upon factors specifically identified by the Provost in consultation with the Dean, such as performance and market equity. Salary will be paid pursuant to the University payroll schedule, with deductions as required by law or as elected by a faculty member under University benefits plans. A salary award cannot be changed by the Chair or Dean during a year for which it has been set without demonstrably appropriate extenuating circumstances. The salary of faculty in a Faculty Practice shall be set in accordance with the Faculty Practice compensation plan.

The salary of a tenured faculty member may be supported by a career-development award, a University-administered research grant, a primary or secondary administrative appointment, or other sources, without impact on tenure. The base salary of a tenured faculty member may be reduced upon mutual agreement of the faculty member and the University commensurate with a reduction in FTE. In the case of a faculty who receives a variable component as part of their total salary, the variable is subject to the provision in PART THREE, Section 2, 1.c.

NOTE: A salary award may be appealed through normal channels and may be grieved only upon grounds within the scope of the grievance process.

The base salary of a salaried faculty member is intended to provide full remuneration for all professional activities performed for, and in the name of, the University.

4. Supplemental Compensation

The base salary of a full-time faculty member is intended to provide full remuneration for all professional activities performed for, and in the name of, the University. There will, however, be instances in which, for programmatic or administrative reasons, the University wishes to provide opportunities and incentives for faculty to engage professionally in University activities in addition to their regular assignments.

Assignments that will result in supplemental compensation to a faculty member require submission of completed documentation to the Provost's Office, to include advance written approval by the Chair, Dean, and budget officer of the unit proposing payment.

In the case of faculty receiving compensation funded by a grant or contract, advance approval from a grant or contract sponsor and/or the Controller's Office may also be required. Such supplemental compensation and work must in all instances comply with federal cost accounting principles and research sponsor requirements and/or guidelines relative to effort reporting.

When considering approval of proposed supplemental assignments and compensation, Chairs and Deans must determine that the proposed activities will not significantly interfere with the regular assignments of the faculty member. The activities for which supplemental compensation will be provided shall ordinarily not exceed the equivalent of one day per week during an appointment period. If a faculty member is also engaged in outside professional service, the total supplemental and outside professional service shall not exceed the equivalent of one day per week.

NOTE: Compensation received by faculty engaged in clinical practice through a University-approved practice mechanism is not considered to be supplemental compensation under this provision.

5. Outside Professional Service

In keeping with the land-grant tradition, the University recognizes teaching, research, and service as central to its mission. Outside professional service can enrich University academic programs and benefit a variety of agencies and organizations, both public and private. The University thus acknowledges the value of faculty engaging in professionally-related activities that render service and at the same time contribute to their competence as professionals. In making decisions to undertake such service, however, faculty must foremost consider the requirements of their University responsibilities and regular assignments. Faculty must also conduct themselves in a manner consistent with the standards and procedures contained in University policies governing conflicts of interest and commitment.

Faculty who engage in outside professional service, whether or not compensated, shall make a written report of the activities to their Chairs no less than once annually, updating the report as circumstances change. The amount of compensation, if any, received for the service need not be reported. The total time devoted to outside professional service shall not exceed the equivalent of one day per week. If a faculty member is also receiving supplemental compensation for University activities, the total time devoted together to supplemental and outside professional service activities shall not exceed the equivalent of one day per week.

A faculty member engaged in outside professional service must avoid conflicts of interest with assigned University responsibilities and comply strictly with University and sponsoring agency standards and procedures governing such conflicts. In addition, a faculty member must comply with University policies regarding use of the University name, trade and service marks, letterhead, and other indicia of institutional affiliation and, when engaged in outside professional service, may not make more than incidental use of University facilities, supplies, equipment, or services. Any proposed method of reimbursement to the University for use of University facilities, supplies, equipment, or services must be approved in advance and in writing by the Dean and the Provost.

6. Clinical Services.

Only individuals with University appointments are eligible for employment by an approved Faculty Practice Plan unless explicitly approved by the Dean of Medicine prior to extension by the Faculty Practice of an offer of employment.

A condition of the appointment of a faculty member who is a practicing physician is that s/he has a concurrent approved Faculty Practice appointment, exceptions requested by the Chair requiring approval in advance by the Dean and Provost. Such faculty will receive salary from both the University and the approved Faculty Practice Plan.

Except as recommended by the Chair and approved in advance by the Dean and Provost, termination of the approved Faculty Practice appointment coextensively terminates the College of Medicine faculty appointment for non-tenured faculty, unless the Department still wishes the faculty member maintain certain academic responsibilities, subject to approval by the Dean. Termination of an approved Faculty Practice appointment of a tenured faculty member leaves that faculty member only with the tenured base salary.

7. Conflict of Interest.

All faculty must adhere fully to UVM conflicts policy.

8. Public Office.

Recognizing that public service is an act of good citizenship, the University wishes to facilitate such service where feasible and appropriate. A faculty member who wishes to seek or hold public office, which for purposes of this provision means elective or appointive political, administrative, or judicial office, should at the earliest possible date formally notify the Provost, Dean, and Chair of his or her intentions so that necessary coverage and the terms of any associated leave may be arranged reasonably in advance.

- a. *Full-time public office.* A faculty member must negotiate the terms of leave with the Provost, the latter of whom will consult with the Chair and Dean, regarding any proposed public service that will require a full-time commitment. Periods of leave for full-time service shall be unpaid and generally will commence at the time that the individual assumes office. As part of the leave request, the individual must inform the Provost of the anticipated date of return to full-time faculty status, and there is no guarantee of reinstatement at a time earlier than agreed when the leave is approved. Leaves generally will not be granted for more than one term in office. Absent advance written approval by the Provost following consultation with the Dean and Chair, a faculty member who does not return to the University and resume regular assignments in accordance with the approved leave schedule will be deemed automatically to have resigned his or her appointment.
- b. *Part-time public service.* Faculty who hold public service appointments that are part-time in nature but involve substantial responsibilities, such as in the state legislature, must negotiate a partial leave of absence at an appropriately reduced FTE and commensurate salary for the term or period of active service.

9. Political Campaigns.

Campaigns for political office, and participation in such activities, must be conducted in a manner consistent with all applicable institutional policies, including those relating to conflicts of interest; political activities: tax exempt organization restrictions; and use of University name, symbols, letterhead and other proprietary indicia of association.

10. Teacher's Oath.

State law requires that, except for persons who are not U.S. citizens, faculty members take the following oath: "I do solemnly swear or affirm that I will

support the Constitution of the United States and of the State of Vermont and the laws of the United States and the State of Vermont." A signed, notarized statement consistent with this requirement must be filed with the Human Resources office.

B. FACULTY BENEFITS

Faculty benefits are in accord with University policy (<http://www.uvm.edu/hrs/?Page=info/benefits/plans/ofcbenefits.html>).

The following University benefits are in addition to those posted at the above web site.

1. Vacations

Faculty members on 12-month appointment of .75 FTE or greater are allocated twenty-two working days each fiscal year (prorated with reference to FTE), which may be accumulated to a maximum of forty-four working days. Vacation schedules are subject to the advance approval of the Chair. Faculty who hold Faculty Practice appointments are not exempt from responsibilities to the Faculty Practice on University holidays and must also abide by the vacation policies and protocols of the Faculty Practice.

Faculty whose salaries are derived from research grants or from funds other than the General Fund must use all vacation accumulated before the end of the externally funded appointment period unless the grant or funds terms and conditions otherwise permit.

Faculty should consult with the Human Resources Services office for information regarding periods during which vacation leave is not accumulated.

2. Leaves of Absence

- a. *Generally.* An absence from regular duties for a period of more than two weeks is considered a leave that must be approved as described below. Any absence from regular University duties for a period of less than two weeks is considered an "absence". The terms of an absence must be arranged by the faculty member with the Chair and Dean, in advance except in an emergency, and a plan for coverage of assignments must be approved by the Chair and Dean.

- (i.) *Required notice of intent to return.* A faculty member on an approved leave must advise the appropriate Dean by February 1 during a leave in progress of his or her intentions with respect to return for the upcoming academic year. Absent advance written approval by the Provost following consultation with the Dean

and Chair, failure to provide timely notice of intent to return or to secure the requisite approval of a leave extension shall automatically constitute a resignation of the faculty appointment as of the date on which the approved leave ends.

- (ii.) *Sponsorship during leave of absence.* Faculty on leave of absence *ordinarily may not concurrently hold a grant* administered by the University. If, during the leave, a faculty member will be receiving compensation from a non-University source, the sponsor is expected to carry both salary and benefits unless an exception is approved in advance and in writing by the Provost. In addition, during the leave a faculty member is ineligible to receive supplemental compensation unless an exception is approved in advance and in writing by the Provost.
 - (iii.) *Effect on probationary period.* An approved leave of absence is not considered an interruption of service for purposes of calculating applicable probationary periods. Faculty who wish to seek an extension of the probationary period must follow the procedures set forth above in PART THREE, Section 2.1.
- b. *Medical Leave and Long-Term Disability Insurance.* A medical leave will be granted upon submission to the Human Resources office of adequate medical evidence of an accident or illness that renders the faculty member temporarily incapable of performing assigned duties. Eligibility for paid medical leave and long-term disability insurance is determined under applicable benefits plans and with reference to a faculty member's appointment period length and FTE. Faculty who have held a University appointment for one year or more may be granted up to six months' medical leave at the salary and benefits rate in effect at the time the leave is requested. Faculty who have held a University appointment for less than one year may be granted up to one month's medical leave at the salary and benefits rate in effect at the time the leave is requested, and may request an additional period of unpaid medically-based leave. Information regarding long-term disability benefits may be obtained from the Human Resources office. A qualifying faculty member who is on medical leave for five or more consecutive University business days must submit a physician's statement indicating the reason for the absence. The University may also request from a faculty member submission of evidence of medical fitness to return to work following a period of medical leave.
- c. *Child-Bearing and Parental Leave.* A child-bearing leave shall be considered a medical leave, *i.e.* a temporary disability associated with pregnancy or childbirth based upon medical determination that the faculty member is incapable of performing her duties. Medical leave

necessitated by complications of pregnancy or childbirth is also covered by the general University medical leave policy. In addition, at the faculty member's election, available medical leave may be taken to cover a period of confinement for delivery and recovery. For faculty entitled to paid medical leave, salary and customary University contributions to benefits will continue for the duration of such leave. A medically unrelated decision to seek a leave of absence prior to childbirth or not to return to duties subsequent to childbirth does not qualify as medical disability or entitle a faculty member to medical leave. All or a portion of an absence due to childbearing may be covered by the Family Medical Leave/Vermont Parental and Family Leave Acts. Faculty may use up to six weeks of allotted or accrued paid leave and up to six weeks unpaid leave, or up to twelve weeks of unpaid leave, for qualifying purposes. During such leave, customary University contributions to benefits will continue. Except as otherwise required by law, parental leave is available as an unpaid leave of absence for which advance approval must be obtained from the Provost, who will consult with the appropriate Dean. Faculty are strongly encouraged to consult the Human Resources office for information regarding eligibility for childbearing or parental leave and its associated terms and conditions.

- d. *Family Medical Leave.* The federal Family Medical Leave Act entitles qualified employees up to twelve weeks of unpaid leave annually for the birth or adoption of a child, to care for a spouse or immediate family member with a serious health condition, or if an employee is unable to work because of a serious health condition. Faculty should consult the Human Resources office for information regarding eligibility for Family Medical Leave and its associated terms and conditions. Faculty entitled to paid vacation or medical leave may invoke such leave options together with their entitlements under this federal law so as to remain on paid leave status, retain full benefits, or extend their periods of leave beyond the time available under Family Medical Leave Act provisions.

NOTE: The Act limits leaves available to spouses employed by the same employer to a combined total of twelve work weeks during any twelve - month period if leave is taken for childbirth, adoption, or child foster care.

- e. *Military Leave.* Faculty will be granted leaves of absence for the purpose of military service in the United States armed forces in a manner consistent with the requirements of the Uniformed Services Employment and Reemployment Rights Act of 1994 and other pertinent legislation, including provisions relating to reinstatement.
- f. *Leave without Pay.* A faculty member who wishes to go on leave of absence without pay must apply in writing to the Chair for a full or partial unpaid leave of absence. If such a leave is recommended to the

Provost by the Chair and Dean, a decision on the application will be made by the Provost following consultation with the Dean. The Dean will notify the faculty member in writing of the Provost's decision. Notification of an approved leave will include the period of leave authorized and any associated conditions.

- (i.) Unpaid Leave of Absence without Benefits. A faculty member whose approved leave is fifteen days or more may opt to continue the medical and dental insurance benefits for which he/she was eligible immediately prior to leave commencement at his or her own sole expense. A faculty member whose approved leave is fourteen days or less will continue to receive University contributions to the cost of such medical and dental insurance benefits provided that he or she maintains the otherwise required faculty contributions. A faculty member on a leave of absence does not accumulate paid vacation or medical leave, service credit toward completion of probation, sabbatical or professional development leave eligibility, or seniority. In the case of a faculty member granted a leave of absence that involves salary or other compensation from a non-University source, the sponsoring agency shall carry both salary and fringe benefits unless the Provost approves an exception in writing and in advance.
- (ii.) Unpaid Leave of Absence with Partial Benefits. The Provost may approve an unpaid leave of absence with partial benefits on a case-by-case basis if the purpose of the leave is to pursue a clearly articulated scholarly, creative, or professional agenda that will enhance the mission of the University and the request has the written support of the faculty member's Chair and Dean, provided that the final decision rests with the Provost. If the request is approved, the University will continue its contributions over the length of the leave of absence for medical, dental and long-term disability insurance coverage at the same rate that was in effect prior to the start of the leave, except that long-term disability insurance cannot be extended for more than one year. The faculty member will also continue to make contributions at the same rate as applied prior to the start of the leave. During such a leave of absence, the University will not contribute to the faculty member's retirement plan, paid vacation and medical leave will not accumulate, and tuition remission will not be available except for the faculty member's dependent children.

3. Sabbatical Leaves.

The objectives of the sabbatical leave program are to enhance the research and educational environment of the University and to promote the professional development of the faculty member by affording opportunities for sustained periods of concentrated research and study free from regular on-campus obligations. An award of sabbatical leave is based upon the expectation that the faculty member will utilize the leave to engage in activity that will add to knowledge in the academic field, enhance teaching effectiveness, broaden fields of competency, or generate other professional experience valuable to the University and the faculty member. Appropriate means of achieving these objectives include sponsored or non-sponsored research, formal or informal study, or creative activity relevant to the faculty member's customary University responsibilities. The University and the faculty member share responsibility for ensuring the effective use of a sabbatical to achieve these objectives.

- a. Eligibility. Sabbatical leaves may be granted to Officers of Instruction or Research at the rank of Associate or full Professor. A faculty member is first eligible for a sabbatical leave following completion of six years of University service at not less than .75 FTE, provided that the faculty member must have a contractual guarantee of not less than .75 FTE appointment for at least one academic year following return from the sabbatical. For purposes of this provision, twelve semesters for academic-year appointees and twelve half-years for twelve-month appointees constitutes the required six years of completed service, which may be accumulated non-consecutively over a period of up to ten years. Time accumulated toward a sabbatical leave at another institution may be counted if approved by the Provost in writing at the time of the initial University appointment.

After the first sabbatical, faculty are eligible for either (a) a half-sabbatical leave after an additional three years of service; or (b) a full sabbatical leave after additional six years of service, calculated as just stated. Time spent in other types of approved leave shall not be counted toward accumulated service.

- b. *Application process.* To apply for a sabbatical, a faculty member must complete forms available from the Office of the Provost. If a faculty member has previously taken a University sabbatical, the application must include a copy of the application filed for the most recent sabbatical leave and the written report describing the results of such leave. Faculty submit sabbatical applications through their Chairs and Deans. To ensure timely review and depending on the dates of the proposed leave, the application must reach the Provost by February 15 or October 1 of the year prior to the commencement of the proposed sabbatical leave in accordance with timelines outlined in the College of Medicine Sabbatical Process

(<http://www.uvm.edu/~facsrcs/?Page=Sabbaticalpage.html>.) The Dean shall seek the advice of the College of Medicine Faculty Standards Committee in making recommendations on sabbatical leave applications. The Provost shall seek the advice of the Professional Standards Committee in making decisions on sabbatical leave applications.

- c. *Deferral of Leave.* A faculty member may request deferral of an approved sabbatical leave for up to two years, subject to the prior written approval of the Chair, Dean, and Provost. If the faculty member is engaged in regular University assignments during the deferral period, the Provost shall determine at the time a request for deferral is granted whether the time period over which the deferral runs will be counted as service accrued for a subsequent sabbatical leave. If, for administrative reasons, a Chair or Dean requests that a faculty member defer an approved sabbatical leave, the time period over which the deferral runs will be counted as service accrued for a subsequent sabbatical leave.
- d. *Duration and Compensation.* The salary provisions set forth in this subsection shall be calculated with reference to the base salary rate established for the faculty member. A full sabbatical leave for faculty on academic year appointments will be for one semester at full salary or for two consecutive semesters at 77.3 percent salary. A half-sabbatical leave for academic-year appointees will be for one semester at 77.3 percent salary. A full sabbatical leave for 12-month appointees will be for six months at full salary or for a year at 77.3 percent salary. A half-sabbatical leave for 12-month appointees will be for six months at 77.3 percent salary. A full sabbatical may be split into two non-consecutive periods, if requested at the time of application, or during the sabbatical with the written approval of the Provost following consultation with the Dean and Chair. The University will continue its customary contributions toward benefits premiums and retirement plans during the leave, assuming the faculty member otherwise meets eligibility requirements for participation in the programs.
- e. *Restrictions during sabbatical leave.* A faculty member on sabbatical leave shall not engage in other employment during the leave except in cases, as determined in advance by the Provost, when such employment will increase professional competence or otherwise serve the objectives of the sabbatical program. Approval to engage in compensated employment during the sabbatical period is ordinarily sought during the sabbatical application process. University employment during a sabbatical is strongly discouraged and, if approved, is subject to supplemental compensation restrictions. Outside professional service during a sabbatical is also strongly discouraged and remains subject to the conditions and restrictions set forth in this Handbook.

- f. *Return to Faculty Appointment.* During the sabbatical leave, a faculty member must be reasonably available to the Chair to discuss assignments upon return to the University. Absent advance written approval by the Provost following consultation with the Dean and Chair, failure to return to regular University assignments as scheduled will automatically be deemed a resignation of the faculty appointment. Within sixty days following completion of the sabbatical leave, the faculty member shall submit to the Chair and Dean, with a copy to the Provost, a written report detailing sabbatical activities and accomplishments.

A faculty member must complete at least one academic year of University service holding not less than .75 FTE appointment status following completion of the sabbatical. If the faculty member fails to do so, the University may seek restitution for salary and the value of benefits paid during the sabbatical.

4. Retirement

In the absence of extenuating circumstances, a faculty member should advise the Chair of his or her intent to retire reasonably in advance of the effective date of retirement, customarily during fall semester for a retirement planned for the following academic year. Conditions of eligibility for retirement programs are found in plan descriptions available from the Human Resources office.

5. Emeritus / emeriti

- a. *Generally.* The bestowal of emerita/emeritus status is an honor awarded in the discretion of the Provost to a faculty member who has achieved a career of professional accomplishment and provided distinguished service to the University, the community, and his or her professional discipline. To be eligible for nomination, a faculty member must declare his/her intention to retire from the University. Emerita/emeritus status may also be awarded posthumously.
- b. *Procedure.* Nominations of faculty for emeriti status are made by or through the office of the appropriate Dean during the semester preceding retirement. The Dean will forward these nominations to the Provost, accompanied by his/her recommendation on the nomination and a succinct statement summarizing the meritorious service rendered by the faculty member and a copy the current *curriculum vitae*. The Provost will notify the Dean in writing of the decision on the nomination.

- c. *Titles.* For tenured faculty, the emeriti title will be a recitation of the type of academic appointment, followed by the academic discipline, and Emerita/Emeritus (*e.g.*, Professor of [academic discipline] Emerita/Emeritus). For non-tenured faculty, the title will normally be a recitation of the type of appointment, and Emerita/Emeritus (*e.g.*, “Lecturer Emerita/Emeritus”).
- d. *Recognition.* Emeriti will be recognized ceremonially at the time of retirement through acknowledgement in the University Commencement program and the award of a certificate of emerita/emertus status. Thereafter, emeriti shall be listed by name and title in University catalogues.
- e. *Privileges.* Emeriti will be issued, upon their request, a University Identification card, which will give access to the following:
- A UVM parking permit, issued under the same procedures and policies as apply to active University employees. Should an emeritus faculty member be re-employed by the University, he or she will be subject to the same parking rates, policies, and procedures as apply to active employees.
 - Library borrowing privileges as provided to active faculty.
 - Discounts at the University store and access to tickets for UVM events insofar as provided to active employees.
 - Use of the UVM e-mail system, subject to the UVM computer and email use policies.
 - UVM Athletic facility access under any rates schedule applicable to retirees.

NOTE: All privileges described in this subsection are for the sole use of emeriti faculty and do not extend, unless otherwise expressly stated in program descriptions, to a spouse/civil union partner or dependents.

- f. *Post-Retirement Appointments.* Emeriti faculty may apply for University faculty appointments on a part or full-time basis following retirement. In the case of such an appointment, the title to be held will be Emeritus Faculty. On appointment, the provisions of this Faculty Handbook shall apply to the terms and conditions of the appointment made and supersede the provisions of this section on emeriti until the faculty member resumes non-active emeritus/emertita status. Before applying for a post-retirement appointment, the faculty member should consult the Human Resources office for information regarding the effect

of the resumption of University employment upon eligibility for post-retirement benefits. Eligibility for post-retirement benefits other than award of emeritus status is determined in accordance with applicable University policies, plans, and programs.

Benefits for those faculty who are members of an approved practice plan are in accord with those described in the FAHC/UVM Affiliation Agreement (http://www.uvm.edu/~facsrcs/?Page=uvm_fahc_affiliationagreement.html)

PART FIVE FACULTY APPOINTMENT TERMINATIONS

Faculty appointments terminate through resignation or retirement or under the additional circumstances set forth below. These provisions address situations in which a faculty appointment may terminate during an appointment term and, in the case of tenured faculty, tenure may terminate.

1. Financial Exigency

a. Policy

A condition of financial exigency shall be declared by the Board of Trustees at such time as the University faces an imminent financial crisis that threatens the survival of the institution as a whole and that cannot be alleviated by less drastic measures. Such declaration and any associated action may be taken only in accordance with these provisions and in a manner consistent with the principles set forth in Regulation 4(c) of the American Association of University Professors' ("AAUP") Recommended Institutional Regulations on Academic Freedom and Tenure.

b. Preconditions to Declaration

The University is required to take necessary and appropriate steps to address an imminent or actual financial crisis prior to declaration of a condition of financial exigency. Such steps shall include development by the President of a plan designed to remedy actual or projected budgetary deficits through reduction in operating expenses, increase in revenues, or both. The President will develop such plan in consultation with the Financial Policy and Curricular Affairs Committees of the Faculty Senate. The President will subsequently present the plan to the Faculty Senate prior to its implementation.

If, in the judgment of the President, implementation of the plan fails to avert or remedy a financial crisis, the President will so inform the Financial Policy and Curricular Affairs Committees of the Faculty Senate and, following consultation with such Committees, will also report on the matter to the Faculty Senate. After such report, the President may recommend to the Board of Trustees that it

declare a condition of financial exigency. The Board shall take action on such recommendation at a regular or specially scheduled meeting of the full Board.

c. Termination of Faculty Appointments for Reason of Financial Exigency

A condition of financial exigency may require the termination of faculty appointments. Terminations can occur due to the elimination of an academic unit, or through the selection of individuals from within such units. In all such cases, the following standards and procedures shall apply:

(i) *Plan.* As soon as feasible following a declaration of financial exigency by the Board of Trustees, all Deans shall, in consultation with Chairs, program heads, and the Faculty Standards and Curriculum Committees of their Colleges or Schools, devise Plans designed to address the programmatic and administrative implications of the declaration. Each Plan will include an articulation of criteria and statements of rationale upon which bases (1) academic units have been targeted for elimination and/or (2) faculty appointments have been identified for termination. Plans may include factors including academic policy considerations; personnel policy considerations, such as seniority and/or length of professional service and affirmative action requirements; and administrative policy considerations, such as balanced and reasonable allocation of human, physical and budgetary resources. Prior to the finalization and implementation of Plans, the Deans shall consult with the Provost as necessary, appropriate, and desirable.

(ii) *Academic Unit Elimination for Reasons of Financial Exigency.* Deans shall incorporate into the Plans recommended actions with respect to the elimination of academic units. Such initiatives shall conform to the requirements of the Protocol and Procedures for Review of Proposals to Initiate, Alter, or Terminate an Academic Unit, Curriculum, Research or Service Endeavor, maintained by the Office of the Provost in consultation with the Faculty Senate.

(iii) *Involuntary Appointment Terminations.* Before recommending the involuntary termination of a faculty appointment, a Dean must explore and articulate in a Plan all feasible alternatives, such as voluntary faculty retirements, reductions in full-time equivalency, leaves of absence, and intra-institutional reassignments including where feasible opportunities for retraining. In the event that there are no feasible alternatives to faculty terminations, appointments shall be terminated in accordance with the following standards and procedures:

a. *Priority.* Except for compelling and *bona fide* reasons of academic policy, appointment terminations will be made within

academic units in conformance with the following order of priority: non-tenure track faculty; non-tenured tenure track faculty in reverse order of seniority or credited professional service; tenured faculty in reverse order of rank and, within each rank, in reverse order of seniority or credited professional service (hereafter, the Priority Schedule).

b. *Procedure.* In considering whether to terminate a faculty appointment, a Dean shall consult with the Faculty Standards Committee of the College or School. If, following such consultation, the Dean decides to terminate the faculty appointment, he/she shall provide written notice to the faculty member. Such notice will include the criteria and the rationale upon which the individual termination decision is based; the effective date of termination; and rights of appeal, severance, and reinstatement, as described below.

c. Rights of Appeal.

(i) Appeal to the Provost. Within forty-five days of the date of an adverse decision by the Dean following issuance of a notice of termination, the faculty member may file a written appeal with the Provost, stating with particularity the bases of the appeal. The faculty member may not appeal the issue of whether there exists a condition of financial exigency. In considering the appeal, the Provost shall obtain a written recommendation from the Curricular Affairs Committee and issue a written decision within forty-five days of the date of receipt of the appeal.

(ii) Appeal to the President. Within twenty-five days of the date of an adverse decision by the Provost, the faculty member may file a written appeal with the President, stating with particularity the bases of the appeal. The faculty member may not appeal the issue of whether there exists a condition of financial exigency. The President will issue a written decision within forty-five days of receipt of the appeal.

(iii) *Faculty Grievance Process.* In cases otherwise within the jurisdiction of the Faculty Grievance process, a faculty member may grieve a termination decision in accordance with customary grievance procedures, provided that normal institutional channels shall be deemed exhausted following an adverse decision by the Provost.

d. Severance Rights

Faculty whose appointments are terminated for reason of financial exigency shall be provided notice, or salary and benefits in lieu of such notice, in accordance with the following schedule:

(i) During the first year of probationary service in the case of tenure track appointments, or during the term of appointment in the case of non-tenure track appointments renewable annually, a minimum of three months' notice or equivalent salary and benefits in lieu of notice if notice is given after March 1.

(ii) During the second year of probationary service in the case of tenure track appointments, or during the term of appointment in the case of non-tenure track appointments with terms in excess of one year, a minimum of six months' notice or equivalent salary and benefits in lieu of notice if notice is given by December 15, or salary and benefits equivalent to one year's notice if notice is given after December 15.

(iii) In the case of probationary tenure-track faculty with more than eighteen months' service, and in the case of tenured faculty, no less than twelve months' notice or equivalent salary and benefits in lieu of notice.

Compensation payable under this provision shall be made on the customary payroll schedule. Persons who are reinstated or re-employed under the provisions below shall forfeit any right to continuing severance payments as of the start date of such reinstatement or re-employment.

e. Additional Rights.

The University shall provide outplacement assistance to persons whose tenured appointments were terminated for reasons of financial exigency.

f. Reinstatement.

Prior to the effective date of termination and for a period of three years following the effective date of termination, persons whose tenured appointments were terminated for reason of financial exigency shall be offered reinstatement if a comparable position for which they are qualified becomes available. Before recruitment may be otherwise initiated relative to any position for which persons may be eligible for reinstatement, such eligible persons will receive written notification of the vacancy through the Office of the Provost or its designee. The qualifications of

any applicant for the position will be evaluated by the hiring department, the Dean, and the Provost. If, in their judgment, there is more than one qualified applicant whose appointment terminated due to financial exigency, the appointment offer will be made in accordance with the Priority Schedule.

It is the responsibility of individuals having rights under this provision to ensure that the Department from which their tenured appointments were terminated and the Office of the Provost have a current mailing address at which they may be contacted if a position becomes available. Notice of position vacancy shall be deemed sufficient if it is made in writing and sent by certified mail to the last address of record (hereafter, Requisite Notice). Any position offered must be accepted in writing within thirty days of the date of mailing of notice of position vacancy and in the manner specified in the offer. Failure to accept a position offered constitutes a waiver of any further preferential rights to reinstatement or re-employment.

Faculty reinstated under this provision shall be appointed at no less than the salary, rank, and appointment status associated with the tenured appointment from which termination occurred, as of the effective date of such termination, along with all other rights and privileges available to similarly situated faculty whose appointments were not terminated.

g. Re-employment.

Except for compelling and *bona fide* reasons of academic policy or for reasons relating to University affirmative action requirements, for a period of three years following the effective date of termination persons whose tenured appointments were terminated for reasons of financial exigency will be eligible for a right of first refusal relative to positions for which they are qualified and that become available in academic departments other than the one from which their tenured appointments terminated. Notification shall be made accordance with the Requisite Notice.

Application for such positions shall be made pursuant to recruitment procedures otherwise in effect. The qualifications of any applicant who has priority under this provision for such positions will be evaluated by the hiring Department, the Dean, and the Provost. If, in their judgment, there is more than one qualified applicant whose tenured appointments were terminated for reasons of financial exigency and in the absence of

compelling reasons to the contrary as just described, the offer will be made on the basis of the Priority Schedule. Positions becoming available shall be offered at a salary, rank, and appointment status appropriate to the position, together with all associated rights and privileges of such employment.

h. Cessation of Condition of Financial Exigency.

It is the responsibility of the President to monitor closely the financial status of the University during a period of financial exigency. Through the Faculty Senate Financial Policy Committee or as the Faculty Senate President otherwise requests, the University President shall periodically report on the matter to the Faculty Senate. At such time as the President, after consulting with the Financial Policy Committee and advising the Faculty Senate, determines that the condition of financial exigency no longer exists, the President shall recommend to the Board of Trustees at a regular or specially scheduled meeting of the full Board that a declaration of cessation of the state of financial exigency be made.

2. Elimination of an Academic Unit for Bona Fide Academic Reasons.

a. Policy

Proposals for the termination of academic units for *bona fide* academic reasons shall be advanced in accordance with the Protocol and Procedures for Review of Proposals to Initiate, Alter, or Terminate an Academic Unit, Curriculum, Research or Service Endeavor, which can be found at: (<http://www.uvm.edu/~facsen/AppendixC.pdf>).

b. Termination of Faculty Appointments

Termination of a faculty appointment may occur as a result of the elimination of an academic unit for *bona fide* academic reasons. If a proposal to eliminate an academic unit includes the termination of faculty appointments, the plan must be reviewed by the Faculty Senate Curricular Affairs Committee and its recommendation shall be made to the Provost. In the event of faculty appointment terminations, the standards and procedures set forth below shall apply.

c. Alternatives to Involuntary Termination.

Before a recommendation to terminate tenure is made because of elimination of an academic unit, a reasonable effort must be made to relocate a faculty member whose position is to be eliminated into another unit of the University in which it is mutually agreed that the faculty member can make a substantive contribution. A reasonable effort must also be made to consider other possible options, including an early retirement arrangement, re-training including financial support for such training, and reductions in percent of effort from full-time to part-time employment.

d. Priority.

Deans shall also be guided by the Priority Schedule in determining faculty eligibility for alternatives to involuntary termination.

e. Termination Procedure.

In considering whether to terminate a faculty appointment and in evaluating alternatives to involuntary termination, the Dean shall consult with the Faculty Standards Committee of the College or School and shall obtain a written recommendation from such Committee. If, following this consultation, a decision is made to terminate a faculty appointment, the Dean shall provide written notice to the faculty member. The notice will include a description of the basis of the termination decision; the effective date of termination; and rights of appeal, severance, reinstatement, and re-employment, as described below.

f. Rights of Appeal.

(i) Appeal to the Provost. Within forty-five days of the date of notice of termination by the Dean, the faculty member may file a written appeal with the Provost, stating with particularity the bases of the appeal. A faculty member may not appeal the decision to terminate an academic unit. In considering the appeal, the Provost shall consult with the Curricular Affairs Committee and obtain a written recommendation from the Committee. The Provost will issue a written decision within forty-five (45) days of receipt of the appeal.

(ii) Appeal to the President. Within twenty-five days of the date of an adverse decision by the Provost, the faculty member may file a written appeal with the President, stating

with particularity the bases of the appeal. The faculty member may not appeal the decision to terminate an academic unit. The President will issue a written decision within forty-five days of receipt of the appeal.

(iii) Faculty Grievance Process. In cases otherwise within the jurisdiction of the Faculty Grievance process, a faculty member may grieve a termination decision in accordance with customary grievance procedures, provided that normal institutional channels shall be deemed exhausted following an adverse decision by the Provost, and a grievance cannot be filed following issuance of an adverse decision by the President.

g. Severance Rights:

Notice or Compensation. Faculty whose appointments are terminated under this provision shall be given notice, or salary and benefits in lieu of such notice, as follows:

(i) During the first year of probationary service in the case of tenure track appointments, or during the term of appointment in the case of non-tenure track appointments renewable annually, a minimum of three months' notice or equivalent salary and benefits in lieu of notice if notice is given after March 1.

(ii) During the second year of probationary service in the case of tenure track appointments, or during the term of appointment in the case of non-tenure track appointments with terms in excess of one year, a minimum of six months' notice or equivalent salary and benefits in lieu of notice if notice is given by December 15, or salary and benefits equivalent to one year's notice if notice is given after December 15.

(iii) In the case of probationary tenure-track faculty with more than eighteen months' service and, in the case of tenured faculty, no less than twelve months' notice or equivalent salary and benefits in lieu of notice.

Compensation payable under this provision shall be paid on the customary payroll schedule. Persons who are reinstated, re-employed, or awarded a paid leave of absence by the University under the provisions set forth below shall forfeit

any right to continuing severance payments as of the date of the commencement of reinstatement or re-employment or the paid leave.

h. Additional Rights.

The University shall provide outplacement assistance to persons whose tenured appointments were terminated under this provision.

k. Leaves of Absence and Re-Training.

Faculty eligible for re-assignment within an academic unit or to a new academic unit in lieu of termination, or reinstatement or re-employment under this provision, respectively, may be eligible for a paid leave of absence and/or payment of tuition or professional development expenses under the following conditions and circumstances:

(i) A faculty member re-assigned within an academic unit or appointed to a new academic unit may apply for a paid leave of absence for the purpose of facilitating re-training or professional development reasonably necessary for the new appointment. Application for such leave shall be made to the Provost, who will act on the request in consultation with the chair of the hiring Department and the appropriate Dean. In conjunction with a leave approved under this paragraph, application may also be made for payment of tuition associated with re-training or professional development; the Provost will consider the request in consultation with the Chair of the Department wherein appointment will be made and the corresponding Dean.

(ii) Persons reinstated or re-employed under this provision may apply to the Provost for payment of tuition or professional development expenses relative to work reasonably necessary to the assumption of the reassignment or new appointment.

j. Reinstatement

(i) *Preferential Reinstatement.* Prior to the effective date of termination and for a period of three years following the effective date, faculty whose tenured appointments were terminated under this provision shall be offered reinstatement

before recruitment may be otherwise initiated relative to any comparable available position for which they are qualified.

(ii) *Exercise of Rights.* Before recruitment may be otherwise initiated relative to any position for which persons may be eligible for reinstatement under this provision, eligible persons shall receive written notification of the vacancy through the Office of the Provost or its designee by means of the Requisite Notice. The qualifications of any applicant for the position will be evaluated by the hiring Department, the Dean, and the Provost. If, in their judgment, there is more than one qualified applicant whose appointment was terminated for *bona fide* academic reasons, the appointment offer will be made on the basis of the Priority Schedule. It is the responsibility of faculty having rights under this provision to ensure that the academic department from which their tenured appointments were terminated and the Office of the Provost have a current mailing address at which they may be contacted in the event that a position becomes available. Any person offered a position under this section must accept in writing within thirty days of issuance of such notice and in the manner specified in the offer. Failure to accept a position offered constitutes a waiver of any further preferential rights to reinstatement or re-employment.

(iii) *Status Retention.* A faculty member reinstated under this provision shall be appointed at no less than the salary, rank, and appointment status associated with the tenured appointment from which termination occurred as of the effective date of such termination, along with all other rights and privileges otherwise available to similarly situated faculty whose appointments were not terminated.

k. Re-employment.

Except for compelling and *bona fide* academic reasons or for reasons relating to University affirmative action requirements, for a period of three years following the effective date of termination persons whose tenured appointments were terminated under this provision will be eligible for a right of first refusal relative to positions for which they are qualified that become available in academic departments other than the one from which their tenured appointments terminated. The Requisite Notice shall be given.

Application for such positions shall be made pursuant to recruitment procedures otherwise in effect. The qualifications of any applicant for such position who has priority under this provision will be evaluated by the hiring Department, the Dean, and the Provost. If, in their judgment, there is more than one priority applicant qualified for the position, then in the absence of compelling reasons as described in the previous paragraph, the offer will be made on the basis of the Priority Schedule. A position becoming available under this provision shall be offered at a salary, rank, and appointment status appropriate to the position, together with all associated rights and privileges of the employment.

3. Termination for Cause – Tenured, Tenure Pathway, and Renewable Appointment Pathway.

a. Policy.

Termination of a tenured appointment, or termination of a full-time non-tenured faculty appointment, may be effectuated by the University for adequate cause, defined as a demonstrated lack of professional or moral fitness, incompetence as a teacher, investigator or clinician or gross lack of productivity or gross neglect of duty.

b. Procedures.

Note: All “days” referenced in this Section 3 are business days. All actions for which this section provides should occur within the specified time periods in the absence of extenuating circumstances.

(i) A written charge, accompanied by a summary of preliminary supporting evidence, may be brought either to or by the Dean of the College in which the faculty member holds a primary appointment. Within fifteen days’ notice to the Dean’s office of faculty conduct that may constitute grounds for termination for cause, the Dean shall provide the faculty member with prompt written notice of the charges and an opportunity to respond in a meeting and in writing. The Dean, following consultation with the Chair in whose department the faculty member holds a primary appointment, may place the faculty member on paid administrative leave pending final action on the charges.

(ii) Within fifteen days following consideration of the charges and the faculty member’s response, the Dean shall, with written notice to the faculty member, either (A) notify the Provost of the charges and the Dean’s intent to dismiss

the charges for reasons stated, or (B) transmit the charges and the faculty member's response to the Provost with a recommendation that the charges proceed. In the case of option "A", the Provost may accept the Dean's decision, in which case the matter concludes through the Provost's written notice of dismissal of the charges to the faculty member and Dean, the Provost to issue such written notice with twenty days' receipt of the Dean's notice of intent to dismiss. Alternatively, the Provost may determine that the Dean's proposed dismissal constitutes an abuse of discretion, and that the charges must proceed. In the latter instance, or in the case of option "B", the Provost shall notify the faculty member and the Dean in writing within twenty days' receipt of the Dean's notice of intent to dismiss that the charges will advance under the procedures set forth below.

(iii) The Provost shall appoint a committee of three faculty members promptly elected at his or her request by the Executive Council of the Faculty Senate, whose function is to conduct a hearing and advise the Provost by means of a written report whether a preponderance of evidence supports a charge of demonstrated lack of professional or moral fitness, incompetence as a teacher, or gross neglect of duty. The committee will conclude its work, including issuance of its report, within forty-five days of its appointment in the absence of extenuating circumstances. The committee hearing shall be conducted in a fair and expeditious manner under procedures to be adopted by the Provost in consultation with the Faculty Senate, developed with due regard for the principles set forth in the AAUP's 1958 Statement of Procedural Standards in Faculty Dismissal Proceedings.

(iv) Within twenty days following its hearing, the faculty committee shall issue a report summarizing its findings on the charges and recommending action. The report, along with a transcript of the hearing, shall be transmitted promptly to the faculty member and the Provost. Within thirty days' receipt of the committee's report and recommendation, the Provost shall make a final decision on the matter in a written report to be issued to the faculty member, with a copy to the chair of the faculty committee, the Dean, and Chair. The faculty member may file a notice of appeal, accompanied by a written explanation of the bases for the appeal, with the President, copy to the Provost and Dean, within ten days' issuance of the Provost's decision. If no appeal is filed within

this time frame and an extension is not granted by the President upon request of the faculty member for reasonable cause, the decision of the Provost shall be the final action of the University. If a timely appeal is filed, the Provost shall transmit the record to the President.

(v) If the faculty member appeals within the required time frame, the President shall review the charges and the record and shall render a written decision containing a statement of rationale within thirty days' receipt of the appeal. A copy of this decision will be sent to the faculty member, Provost, chair of the faculty committee, Dean, and Chair.

(vi) A tenured faculty member terminated for reasons not involving moral fitness will continue to receive his/her salary from the University for one year from the date of notice of termination, provided that acceptance of this amount releases the University, its officials, and its employees from all claims by the faculty member relating to the dismissal.

4. Termination for Cause – Volunteer Pathway Faculty

Note: All “days” referenced in this Section 4 are business days. Except as otherwise stated below, the actions for which this section provides shall occur within the specified time periods in the absence of extenuating circumstances.

a. Policy.

Termination of the appointment of a volunteer faculty member before the end of an appointment term may be effectuated by the University for adequate cause, defined as a demonstrated lack of professional or moral fitness, incompetence as a teacher, investigator or clinician or gross lack of productivity or gross neglect of duty.

b. Procedures.

A written charge or charges, and a summary of the preliminary evidence supporting the charges, are brought either to or by the Dean of the College or School in which the faculty member holds a primary appointment. Within fifteen days' notice to the Dean's office of faculty conduct that may constitute grounds for termination for cause, the Dean shall provide the faculty member with written notice of the charges and an opportunity to respond in a meeting and in writing. The Dean, following consultation with the Chair in whose department the faculty member holds a primary appointment, may also place the

faculty member on paid administrative leave pending final action on the charges.

Following consideration of the charges and the faculty member's response, the Dean shall, with written notice to the faculty member, either (i) notify the Provost of the charges and the Dean's intent to dismiss the charges for reasons stated, or (ii) transmit the charges to the Provost, along with any written response from the faculty member, with a recommendation that the charges proceed. In the case of option (i), the Provost may accept the Dean's decision, in which case the matter concludes through the Provost's written notice of dismissal of the charges to the faculty member and Dean. Alternatively, the Provost may determine that the Dean's proposed dismissal constitutes an abuse of discretion and that the charges must proceed. In the latter instance, or in the case of option (ii), the Provost shall notify the faculty member and the Dean in writing that the charges will proceed. If the charges advance, the Provost shall within twenty days provide the faculty member with an opportunity to respond further to the charges in a meeting and in writing. The Provost shall, within twenty days following this response period, forward a final written decision on the matter, including a statement of rationale, to the faculty member, Dean, and Chair. The decision of the Provost shall be the final action of the University.

PART SIX GRIEVANCE PROCEDURE

SECTION 1 STATEMENT OF PURPOSE

The purpose of this grievance procedure is to provide a mechanism for the fair and timely resolution of claims (a) based upon an event or condition that affects the terms and/or conditions of employment of a faculty member or group of faculty members, or the post-retirement benefits of retired faculty, at the University of Vermont and: (b) that come within the jurisdiction of the Grievance Committee as defined by this provision.

The procedure is designed to provide a venue for grievances that cannot be or have not been satisfactorily resolved through the normal institutional channels, while recognizing the right and responsibility of administrators to make decisions that fall within the scope of their legitimate authority. The procedure is not intended as an alternative locus of judgment as to a faculty member's academic qualifications or the wisdom (as opposed to the fairness) of a personnel decision.

SECTION 2 EXHAUSTION OF CUSTOMARY INSTITUTIONAL CHANNELS

Before invoking this process, faculty and retired faculty are expected to make good faith efforts to seek resolution of concerns through normal institutional channels whenever possible. This step requires exhaustion of the sequence of consideration steps that apply to routine faculty status actions, meaning the Chair, Dean, and Provost sequentially. For matters not directly related to academic status (*e.g.* salary or work

assignment disputes, or retired faculty benefits), a Dean need not seek the advice of the College/School Standards Committee and the Provost need not seek the advice of the Faculty Senate Professional Standards Committee. A faculty member or retired faculty member may request assistance from the Faculty Ombudsperson to resolve a complaint through normal institutional channels.

SECTION 3 JURISDICTION

A complaint is within the scope of this grievance process only if it states a claim as follows:

(a) a violation of procedural rights, meaning cases in which appropriate procedures were not followed, or in which existing procedures were inadequate or inequitable;

(b) a decision had no rational basis or was the result of an abuse of authority; or

(c) a violation of fundamental rights, meaning a violation of Constitutional or other statutory rights, such as academic freedom or freedom from unlawful discrimination

(d) a violation of an employee Handbook provision, early retirement plan, individual separation agreement, or other documented agreement, rule or regulation of the University of Vermont as might apply to non-represented retired individual employees covered by the College of Medicine Faculty Handbook) and groups of retired individuals. Grievances shall be limited to those related to compensation and benefits that were accrued during active employment but are received after retirement.

Presentation of a complaint to the Grievance Committee must be based on one or more of these grounds, and is ripe for review only if it is timely (as set forth below) and after the Provost and/or President has considered the complaint and the complaint has not thus been resolved to the satisfaction of the faculty member.

SECTION 4 GRIEVANCE STRUCTURE

a. Composition of the Grievance Committee.

The Grievance Committee shall consist of seven persons, all of whom shall be voting members. The Faculty Ombudsperson shall not be a member of the Committee, but may attend all meetings and hearings of the Committee unless excluded by Committee majority vote. Five members of the Committee shall be members of the faculty, appointed by the Faculty Senate Executive Council (“Executive Council”). The Executive Council shall establish and publicize qualifications for Grievance Committee membership, announce vacancies to the faculty campus-wide, and receive applications and nominations when vacancies occur. Two Committee members shall be administrators with academic experience, appointed by the Provost. Each member shall serve for a three-year term, provided that the appropriate appointing authority shall fill a vacancy occurring during a member's term. The Grievance Committee shall annually

elect a chair from among members appointed by the Executive Council, whose service as chair will ordinarily begin the upcoming academic year.

b. Faculty Ombudsperson.

(i) *Appointment.* The Grievance Committee will propose one or more names of candidates for Faculty Ombudsperson to the Executive Council by April 1, and the Executive Council will appoint an Ombudsperson by election before the end of the academic year.

(ii) *Release time; resources.* The Ombudsperson will receive release time reasonably consistent with the nature and scope of assigned duties, for which his/her department will be reimbursed through the Office of the Provost. The Ombudsperson will have a private office, which may be within his/her Department, and the Faculty Senate will provide the secretarial assistance needed to carry out all required duties.

(iii) *Duties.* The Faculty Senate shall establish policies and procedures governing the role and responsibilities of the Faculty Ombudsperson consistent with governance parameters and the jurisdiction of the faculty grievance process. In general, Faculty Ombudsperson duties will include the following:

(a) To assist faculty and retired faculty in determining the institutional channels most appropriate for the resolution of a complaint;

(b) To assist faculty and retired faculty in seeking resolution of a complaint through normal institutional channels;

To facilitate the informal resolution of complaints through mediation;

(d) To advise faculty and retired faculty as to the information necessary to present a formal complaint to the Grievance Committee;

(e) To work, in consultation with the grievant, to ensure an effective fact-finding process prior to a grievance hearing;

(f) To assist the grievant throughout the grievance process to the final disposition of the Grievance Committee's recommendations;

(g) To assist the Grievance Committee in investigating grievances;

(h) To monitor the implementation of decisions resulting from Grievance Committee hearings and to report subsequent progress to the Grievance Committee;

(i) To keep faculty and retired faculty informed of the Faculty Grievance Procedure by conducting regular and systematic informational programs for faculty and retired faculty; and

(j) To develop and maintain a records system that memorializes all faculty and retired faculty inquiries to the Ombudsperson, all complaints and all grievances and their final disposition, and progress in the implementation of decisions reached. To facilitate the resolution of complaints through the normal institutional process, the Faculty Ombudsperson shall have access to all appropriate administrative officials.

SECTION 5 FILING OF A COMPLAINT

If a faculty member or retired faculty member believes that a complaint falls within the jurisdiction of the Grievance Committee, he or she may submit a petition for grievance hearing to the Grievance Committee through the Chair of the Committee. The petition must be submitted within thirty days of the final action by the Provost, or the President if the appeal is made to him/her. Petition guidelines shall be available through the Faculty Senate Office.

The Grievance Committee must initially determine whether the complaint falls within its jurisdiction, as specified in this provision. Once the Grievance Committee deems a complaint to be within its jurisdiction, it is designated a "grievance."

The Committee shall then decide on the appropriate action, which may include, without limitation: (a) determination as to whether a hearing is warranted; or (b) recommendation that the Faculty Senate, the Provost, or President, as appropriate, conduct a review of the University policy that is the subject of the grievance.

A petition filed between September 1 and April 15 will ordinarily be acted upon within thirty days of its receipt. If a hearing is scheduled, the Grievance Committee will seek to make its decision within thirty days from the date upon which it accepted the grievance. The Chair of the Committee will notify the grievant if it cannot take action within these time frames.

SECTION 6 HEARINGS

The Grievance Committee shall maintain rules governing its hearing procedures, to be made available through the Faculty Senate Office. Its rules shall generally conform to the following specifications:

If the Grievance Committee decides that a hearing should be conducted, the grievant and respondents, the latter being the administrative officials who had decision-making authority in the process that gave rise to the grievance, shall be invited to attend the hearing. The grievant and respondents shall furnish information relevant to the grievance to the Grievance Committee at its request, in a manner consistent with University policy and law.

The Grievance Committee Chair may request the respondents to identify a spokesperson to present hearing testimony, provided that all respondents may attend the

hearing and make additional statements with the permission of the Chair. The hearing will be closed to other persons except as required by law.

Hearing participants will be charged by the Chair to maintain confidentiality about the content of the hearing if it concerns personnel matters or student status.

The grievant, who carries the burden of proof, and all respondents shall have the right to present relevant evidence, call witnesses, make explanatory statements, select and have in attendance an advisor with voice who is not a lawyer, select and have in attendance a lawyer-consultant without voice, and respond to the testimony of witnesses. At the discretion of the Grievance Committee Chair, following his/her consultation with the Grievance Committee, witnesses may be present during the entire hearing. An accurate (although not necessarily verbatim) record of the hearing will be maintained.

SECTION 7 GRIEVANCE COMMITTEE DETERMINATIONS

The Grievance Committee shall deliberate and reach its determination in closed session by majority vote. It shall then submit a written report containing its findings and recommendations to the President within fifteen days of the hearing. Copies of the report will be transmitted under confidential cover to the grievant, the Faculty Ombudsperson, and the respondents.

SECTION 8 PRESIDENTIAL ACTION

The President shall, within fifteen days of receipt of the Grievance Committee report, notify the Committee in writing of his or her decision and its basis. If the President does not accept the findings and/or recommendations, or agrees but determines that no corrective action is necessary or appropriate, the Grievance Committee may request the President to reconsider.

SECTION 9 REPORTING AND EVALUATION

a. Faculty Ombudsperson. The Faculty Ombudsperson will report on his or her activities at each Faculty Senate meeting. At the last Senate meeting of the academic year, the Ombudsperson will present a summary report to the Senate with a copy to the Grievance Committee Chair. The report will include a record of the total number of complaints handled during the period. The summary will also be aggregated to show the number of complaints by academic rank;

College/School in which complainants held a primary appointment; type of complaint (*i.e.*, relative to reappointment, promotion, tenure, benefits, post-retirement benefits, workload, salary, working conditions, or other); and the disposition of the complaints (*e.g.*, withdrawn, resolved by a grievance hearing, or other). The report will be constituted in a manner designed to preserve confidentiality with respect to the identity of complainants and respondents. The report may also include recommendations for changes to the grievance process.

b. Grievance Committee. At the first Faculty Senate meeting following the conclusion of each grievance case, the Grievance Committee Chair will report on the nature of the action grieved and the grounds on which the grievance was based; whether the Committee took jurisdiction and concluded that a violation of rights occurred; and the President's final action. In addition, each semester, the Grievance Committee Chair will report to the Senate on the general activities of the Grievance Committee, including in the spring semester a report summarizing all hearings. The report will be constituted in a manner designed to preserve confidentiality with respect to the identity of complainants and respondents.

c. Faculty Senate. The Senate shall periodically evaluate the grievance procedure and make revisions as necessary or desirable in light of experience gained.