



NOORDA COLLEGE
of OSTEOPATHIC MEDICINE

Faculty Handbook

Publication date:

Review & Revision Procedure

The Faculty Handbook is to be reviewed in the spring biennially. Suggested revisions should be submitted to the Faculty Council Executive Committee for presentation at a general meeting of the Faculty Council allowing for comment. Review and presentation of proposed Faculty Handbook changes should be conducted prior to the final approval by the Presidents Council. The effective date of the Handbook with approved changes is the date of publication

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Noorda College of Osteopathic Medicine

Mission Statement

To empower our students with the essential personal and professional skills needed to be competent, confident, compassionate osteopathic physicians dedicated to meeting the healthcare challenges of the communities in which they serve.

Values Statement

Instilling values that foster cultural awareness, ethical leadership, embraces diversity and inspires a servant's heart towards caring for the poor and needy.

Definition of Faculty

The Noorda College of Osteopathic Medicine (Noorda-COM) faculty shall consist of full-time regular, part-time regular and non-regular members who have been appointed to the rank of instructor, assistant professor, associate professor or professor, and whose appointment process has been vetted through the appropriate faculty committee, approved

by the Dean and submitted to the President for final approval. Noorda College of Osteopathic Medicine is not a tenure-granting institution.

Full-time regular faculty are defined as individuals who are employed with the College, hold a 12-month appointment, hold faculty rank, have primary appointments with Noorda-COM, and who devote their full academic efforts and attention to their Noorda-COM assignment. Faculty hired as a 0.6 full-time equivalent (FTE) or greater will be considered full-time for the purpose of benefits eligibility. Rank assignment will be at the level of instructor, assistant professor, associate professor, or professor on either the academic (research and/or instructional), clinical, administrative, or library tracks.

Part-time regular faculty are defined as individuals who have appropriate terminal degrees and substantial teaching responsibilities but who are not full-time faculty as defined above. Rank assignment will be at the level of instructor, assistant professor, associate professor, or professor on either the academic (research and/or instructional), clinical, administrative, or library tracks.

Non-regular faculty (Adjunct, Emeritus) are non-salaried and do not have the rights and privileges of regular faculty. Non-regular faculty includes the clinical adjunct track, adjunct academic track, research, and emeritus faculty and non-salaried instructors.

Definition of Department Chair

Department Chairs serve as the immediate supervisor and administrative leader of the faculty in a department. The Chair derives responsibility and authority as delegated by the Dean. Through his/her authority over the Department, the Chair is responsible for the day to day operation of the Department and the long-term development of the Department. The Chair is responsible for the judicious use of all resources allocated to the Department. The Chair has authority over the expenditure of the Department budget and use of Departmental capital equipment.

As supervisor and academic and administrative leader of the Department, the Chair works closely with the Dean. By this mechanism, the Chair is responsible for:

- Reporting the academic progress of the Department to the Dean
- Evaluating the needs of the Department and reporting those to the Dean
- Assuring that programs within the Department are commensurate with the overall goals of the institution.

In the development and implementation of academic programs within the institution the Chair works closely with the Chair of other academic departments within the college. Department Chairs are classified as faculty with full voting rights in the Faculty Council.

Tenure

Noorda College of Osteopathic Medicine is not a tenure-granting institution.

Faculty Statement of Academic Freedom

Noorda College of Osteopathic Medicine is committed to the academic discovery and transparency. Integrity of this process requires proper academic freedom of the faculty, which entails freedom to express their views on academic matters in teaching and research. This freedom is the freedom to examine data, to question assumptions, to be guided by evidence, to be a learner, and to be a scholar. Such freedom implies that any faculty member whose teaching is questioned should be subject to the judgment of one's peers only in accordance with the accepted rules of academic due process. It also implies the active, defined, and recognized role of the faculty in those policy-making decisions, which affect the educational program.

- a) Academic freedom in teaching means that the faculty are entitled to freedom to discuss their discipline, including subject matter and delivery. Such freedom also implies that any faculty member whose teaching is questioned should be subject to the judgment of one's peer only in accordance with the accepted rules of academic due process.
- b) The responsibility of the faculty is to distinguish in their teaching between personal/partisan opinion and convictions grounded in sources and methods appropriate to their respective disciplines. The faculty member should, to the best of his/her ability, present material in a manner that respects the cultures and sensitivities of the students.
- c) Academic freedom in research means that the faculty are entitled to the full freedom to conduct research and to publish the results of such research. Such Academic freedom is 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 institution.
- d) The responsibility of the faculty member is to conduct his/her research activities in accordance with the ethical standards of Noorda College of Osteopathic Medicine and the scientific community in general. The faculty member also should coordinate these activities with adequate performance in his/her other academic duties and with the understanding of the authorities of Noorda College of Osteopathic Medicine.
- e) Academic freedom in participating in decision making at Noorda College of Osteopathic Medicine means that the faculty must have proper autonomy for self-governance and adequate representation in shared governance in order to express their views on matters related to the functions of the College which affect the educational programs.
- f) Faculty members of Noorda College of Osteopathic Medicine are citizens, with the right to speak or write without College discipline or restraint on matters of public concern. When doing so, it is the faculty members responsibility to make it clear that

when he/she is speaking/writing on matters of public interest, he/she is not speaking/writing for the College.

- g) Each faculty member is expected to uphold the goals, aims and mission of Noorda College of Osteopathic Medicine.

This Academic Freedom/Responsibility section of the Faculty Handbook is based on the *1940 Statement of Principles on Academic Freedom and Tenure* and the *1994 Statement on the Relationship of Faculty Governance to Academic Freedom* by the American Association of College Professors. Noorda College of Osteopathic Medicine endorses these statements.

Faculty Organization and Governance

Faculty Governance

Faculty members at Noorda College of Osteopathic Medicine are appointees who work in partnership with the Department College administration. Faculty governance requires the faculty members' active participation in College matters, especially those in which they have primary expertise such as curriculum, subject matter, methods of instruction, research, faculty status and those aspects of student life which relate to the educational process. The faculty must also actively participate in providing input into the development of policies that affect the overall operation and mission of the College. The faculty's involvement in these processes is achieved through both self and shared governance functions at Noorda College of Osteopathic Medicine. Self-governance refers to faculty governance areas that are primarily directed and conducted by the faculty. Shared governance refers to College functions that may be well-served by faculty input or leadership, but are not the primary responsibility of the Faculty.

Faculty Council

The representative assembly of faculty at Noorda College of Osteopathic Medicine shall be known as the Faculty Council. Membership qualifications, rights and duties of the Noorda College of Osteopathic Medicine Faculty Council are defined in the By-Laws of the Faculty Council found in Appendix A.

Self-Governance of the Faculty

Faculty self-governance shall be manifested through the Faculty Council, the Faculty Council Executive Committee and Academic Departments of the Noorda College of Osteopathic Medicine.

The Faculty Council shall meet on a regular basis to discuss, present, and formulate recommendations regarding issues pertinent to College-wide faculty in accordance with the Mission and Bylaws of the Faculty Council. Membership and eligibility to vote in the Faculty Council shall be as described in the Bylaws of the Faculty Council.

The Faculty Council Executive Committee shall consist of representatives from the Faculty Council as a whole, as described in the Bylaws of the Faculty Council. The Faculty Council Executive Committee shall serve to represent the faculty to the Administration, to set the date, time, and agenda for meetings of the Faculty Council, and to undertake actions on behalf of the Faculty Council between meetings of the Faculty Council.

Standing College Committees, ad hoc Committees and Task Forces may be established by the President or Dean. Such College committees may also be established as a requirement of external stakeholders (IRB, ACUC, IBC, etc.). Any member of the administration, faculty, or staff is eligible to serve as a member of any of these Committees as defined in the Bylaws of these Committees. Whenever possible, faculty representation to these Committees should be delegated in collaboration with Department Chairs by the Faculty Council. Exceptions to this practice should be clearly described and explained in the bylaws of the committee.

In coordination with each other, these faculty organizations may establish standing committees, ad hoc committees, working groups, or task forces as allowed by the Faculty bylaws to perform the needed functions of faculty self-governance.

Faculty Participation in Shared Governance

Faculty participation in shared governance of Noorda College of Osteopathic Medicine shall be affected through representation in the President's Council of Noorda College of Osteopathic Medicine and through participation in College shared governance committees and task forces.

The Chair of the Faculty Council or their designee shall represent the faculty in the President's Council of Noorda College of Osteopathic Medicine.

All actions of the Faculty Council, the Faculty Councils, and all Committees and Task Forces are advisory to the Presidents' Council of Noorda College of Osteopathic Medicine.

Noorda-COM Governance Structure

The governance structure and committees listed below of Noorda College of Osteopathic Medicine are current as of the publication date of this handbook. As faculty and College governance changes over time it is expected that some of the information contained in this section may become out of date between revisions and publication. For the most up to date information regarding committees and governance structure, please contact the Faculty Council Executive Committee or the Office of the Dean. Noorda-COM reserves the right to amend, modify, add or delete information at any time without advance notice.

Faculty Council Committees

- Grievance
- Appeals

Standing Shared Governance Committees

- Employee Evaluation & Development
- Program Review
- ACUC
- IRB
- Biosafety and Chemical Hygiene
- Safety and Security
- Infrastructure
- Strategic Planning Steering

Grievance Committee, Policy and Procedure

If any faculty member believes that his/her rights have been violated in such matters as academic freedom, assignment of teaching duties, or disciplinary actions taken, he/she may petition the Noorda College of Osteopathic Medicine Grievance Committee in writing for consideration. Disciplinary actions or suspension will remain in force until the appeal process is completed.

Members of Faculty Grievance Committee are elected by vote of the members of the Faculty Council and shall be composed of faculty members, who shall be representative of the College faculty population. The Director of Human Resources shall be an ex officio (nonvoting) member of the Committee. The Chair is selected by the Committee from among its approved committee members. This committee reports the results of its deliberations and its recommendations to the Dean.

To file a grievance, Faculty must submit a petition in writing to the Chair of the Grievance Committee. The petition shall set forth in detail:

- The nature of the grievance
- State against whom the grievance is directed
- Facts or data which the petitioner deems pertinent to his/her case

The petition shall be submitted within ten (10) working days of the alleged grievable action.

Upon receipt of the petition the Committee shall be convened to review the petition and decide whether or not the facts merit a detailed investigation. The person(s) against whom the grievance was filed will be notified in writing at this time. Submission of a petition will not automatically entail investigation or detailed consideration thereof, as the Committee has the option of seeking resolution/settlement by informal methods. If, in the opinion of the Committee, such a settlement is not possible or is not appropriate, or if specifically requested by the petitioner, the Committee shall hold a grievance hearing within ten (10) working days after the receipt of the grievance petition. The Committee will determine who will be interviewed during the grievance hearing. The Committee will report its findings and make recommendations to the petitioner, to the person(s) against whom the grievance was filed, and to the Dean within five (5) working days after the hearing.

In summary, the functions of the Noorda College of Osteopathic Medicine

Grievance Committee in the grievance process are as follows:

1. To determine whether or not the matter merits consideration by the Committee.
2. To seek to settle the matter by informal methods.
3. If the matter is unresolved, to hold a grievance hearing. The faculty member may invite a non-legal advisor to be present.
4. To provide copies of its report and recommendation to the faculty member who petitions the Committee, to the Dean, and to the person(s) against whom the grievance is directed.

All matters brought before the Grievance Committee will be confidential. Video and/or audio recording will not be allowed.

Appeals Committee, Policy and Procedure

If a faculty member wishes to pursue his/her grievance after action of the Grievance Committee, he/she may appeal to the Dean. The Dean may appoint an Appeals Committee or may choose to respond, based on the findings of the Grievance Committee.

If an Appeals Committee to hear the petition is appointed, it shall be composed of three (3) individuals chosen by the Dean or the Dean's designee. The Dean will review the action of the Grievance Committee and /or the recommendation of the Appeals Committee and forward a decision to the faculty member. The decision of the Dean is final.

All appeals shall be processed as follows:

1. The faculty member shall submit his/her appeal in writing to the Dean within ten (10) working days after receipt of the Grievance Committee determination.
2. If an Appeals Committee is appointed to hear the petition, the Committee shall hold a hearing within ten (10) working days after its receipt of the petition.
3. The Appeals Committee will invite all concerned parties to the hearing. The faculty member may invite a non-legal advisor to be present.
4. The Appeals Committee must render a written recommendation to the Dean within five (5) working days after the hearing, and the recommendation will be distributed to all concerned parties.
5. The Dean may take into consideration the recommendation of the Appeals Committee and will make a decision which will be forwarded to the faculty member. The Dean's decision is final.

All matters brought before the Appeals Committee will be confidential. Video and/or audio recording will not be allowed.

Faculty Policies & Guidelines

Initial Appointment and Contract Renewals

Recruitment of Full Time (regular) Faculty

Full time (regular) faculty receive scheduled benefits with appointments from 0.6 full-time equivalent or FTE to 1.0 full-time equivalent or FTE. Workload responsibilities will differ based on the full-time equivalent or FTE percentage. A full-time faculty position is a 12-month position unless otherwise stated.

Departmental Chair will include an assessment of faculty needs with their annual budget requests. Requests must include a description of the necessity for new faculty appointments, the academic requirements and responsibilities that this individual must meet, and the level of rank at which the individual should be recruited.

Upon receipt of written approval for recruitment of a full-time regular faculty member, the Dean shall direct the Department Chair to appoint a Search Committee. The department seeking to recruit shall be responsible for the placing of advertisements in the appropriate professional resources. The Department Chair will be responsible for assembling candidate files. The top candidates will be brought to the Noorda College of Osteopathic Medicine campus for interviews and to deliver a professional lecture to the College. The Search Committee will recommend up to three candidates to the Chair. The Chair shall submit the name(s) of individual(s), through the appropriate channels, and through the Dean, who makes the final recommendation to the President.

Initial Appointment of Rank

The Dean shall submit a recommendation for the initial appointment of faculty rank to the President. Every initial appointment of a faculty member is made by a formal agreement signed by the candidate, the Dean and the President of NOORDA-COM.

Initial Faculty Appointment Letters

Following approval of a candidate's initial rank, the Dean shall provide a letter of appointment to the faculty member. All faculty appointment letters will contain the following information and are subject to the rules and provisions of the faculty handbook, faculty by-laws and approval by the President:

- Identification of the Department to which the primary appointment is made
- Initial rank and salary level
- The duration of the appointment period
- Subject to the rules and provisions of the faculty handbook, faculty by-laws and approval by the President

A job description will be provided with the appointment letter. Initial appointment letters will generally be awarded for one (1) year with notification of non-renewal three (3) months prior to the final date of the initial appointment period. Under some conditions, negotiations will be considered for longer initial term appointments.

Appointment Letter Renewal/ Contract Changes

The decision for appointment letter renewals and term of the renewal will be based on faculty rank, performance, evaluation, and the needs of the institution. All appointment renewals will include the recommendation of the Department Chair, to the Dean.

Instructors may be awarded renewal appointments for up to one year. Assistant Professors may be awarded renewal appointments of up to three (3) years duration. Faculty members at the level of Associate Professor or Professor may be awarded renewal appointments of up to five (5) years duration.

Renewal appointment letters are signed by the faculty member, the Dean, and the President.

Notification of Non-Renewal

Faculty members will be notified of non-renewal of their appointments as follows:

1. Non-renewal of an initial appointment-three (3) months prior to final date of contract.
2. Instructors: three (3) months prior to the final date of the appointment.
3. Assistant Professors: six (6) months prior to the final date of the appointment.
4. Associate and Full Professors: one (1) year prior to the final date of the appointment.

Faculty Employment Policies

Employment Process

All applicants considered for employment are screened. References are verified and a criminal, education and employment history background check is conducted by a private investigations company retained by the College. This investigation verifies that the applicant has no criminal record. This procedure was implemented to ensure the safety of the staff and students.

As per the Fair Credit Reporting Act, applicants are informed in writing and sign their consent to authorize the College to conduct a criminal background check. In the event the job applicant is turned down because of the findings in their background check, the applicant has the right to get a copy of the report and the name of the company that conducted the investigation.

Noorda College of Osteopathic Medicine relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications or material omissions in any of this information or data may result in NOORDA-COM's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

Process for Verification of Faculty Credentials

The process of credential verification has been developed to promote and maintain consistency in verifying credentials, to ensure that the faculty have the necessary qualifications, and to monitor the maintenance of high standards through the re-verification process. The following documents or copies of documents are required:

All Faculty

- Faculty information sheet (provided by HR)
- Curriculum Vitae
- Appointment letter

Full-Time Equivalent (FTE) as applicable

- Employment Application
- Diploma(s)
- Official transcript in academic fields
 - Master's (MS/M.Ed.)
 - Doctoral degrees (PhD/EdD)
- Unrestricted State Medical License(s)
- Current Board Certificate(s)
- Driver's license
- Social Security card or Passport
- I-9 (eligibility for employment)
- W-4 (withholding allowances)
- W-9 (as appropriate for honoraria)*

Re-verification is done every two years.

Faculty Retention and Promotion Policies

Current Rank and Promotion policies are governed by the COM Faculty Council. Current policies and guidelines can be found in [Appendix B](#) and the appropriate online forum.

Faculty Teaching Load

Faculty teaching load is determined by the Department Chair.

Annual Evaluation of Faculty

Evaluation of regular faculty is completed at the departmental level. The annual evaluation process and forms have been developed by the Professional Development and Continuing Education Committee and approved by the Presidents Council. File copies will be provided to the faculty member and will be kept by Human Resources.

All part-time (less than 0.6 full-time equivalent or FTE) and non-regular faculty (adjuncts) will be reviewed by their Department Chair on a regular basis, with input from the appropriate Associate Dean or course coordinator.

Ownership of Courses and Course Materials

Development of courses and course materials is part of the faculty member's service obligation to the College. The ownership of the rights to course materials, including copyright, shall reside with the faculty member who creates them. Noorda College of Osteopathic Medicine retains a fully paid, royalty-free, and non-exclusive license to any course materials for the purpose of continuing to teach the course of instruction for which the materials are prepared, with the non-exclusive right to revise and update them as required for this purpose. Course materials include, but are not limited to, lectures, lecture notes and materials, syllabi, examinations, study guides, bibliographies, visual aids, images, diagrams, multimedia presentations, web-ready content, and educational software. A course syllabus will generally consist of a course description, a statement of learning objectives, and a topical outline for an approved course of instruction. Noorda College of Osteopathic Medicine and Faculty recognize that the re-utilization of course materials has a time-limited period of value due to the need for constant revision and update of educational materials. Creators of course materials will be credited for their authorship of these original materials.

Contact with the Media

Calls from newspaper reporters or radio, television and magazine journalists and other representatives of the press must be referred to the Office of the President.

Outside Employment

Full-time Noorda College of Osteopathic Medicine faculty who wish to pursue outside paid or non-paid activities requiring a regular commitment off campus, must submit a written request describing these activities in advance to the appropriate Department Chair and the Dean for approval. Failure to do so will be grounds for termination.

Outside employment should be of an appropriate professional nature, which would enhance the skills and the standings of Noorda College of Osteopathic Medicine and the community of the faculty member and when approved, could be considered as part of the

Noorda-COM assignment. In all instances, outside activities should remain in compliance with the Noorda-COM conflict of interest policy and should not interfere with the performance of academic responsibilities of the faculty member at NOORDA-COM. No full-time faculty members will be permitted to hold another academic position at another institution without prior approval from the appropriate Department Chair or Dean. Department Chairs may require a yearly written accounting of a full-time faculty member's outside activities.

Policy on Intellectual Property

Policy Statement

In accordance herewith, the college claims ownership of all Intellectual Property and related rights created by College Personnel pursuant to this policy, and College Personnel agree to assign and do hereby assign all right, title, and interest in any Intellectual Property, including future Intellectual Property, as described herein.

This policy is intended to:

- 1: Support faculty, staff, and students in identifying, protecting, and administering Intellectual Property matters.
- 2: Define the rights and responsibilities of all involved.
- 3: Stipulate how generated iNoorda-COME is distributed to the Developer(s) and to the college.

Pursuant to law and college policy, any work (whether a Technical Work or a Creative Work) prepared by College Personnel within the scope of their employment, without an express agreement specifying otherwise, is work for hire owned by the college.

The Technical and Creative Works anticipated in this paragraph and owned by the college broadly include all Intellectual Property, or parts thereof,

- (a) conceived, developed, reduced to practice, or created by College Personnel within the scope of employment at the college; on the college's time; or with the aid, assistance, or substantial use of any of the college's property, equipment, facilities, supplies, resources, or Intellectual Property;
- (b) resulting from any work, services, or duties performed by College Personnel for the college; or
- (c) related to the current or demonstrably anticipated business, research, or development of the college.

The college retains ownership rights to all Technical Works but will relinquish ownership rights to the Developer(s) of academic Creative Works when "nominal" use of college resources is involved in the production of the Intellectual Property. The use of college resources is considered nominal when it is not substantial.

The college claims ownership in the resulting Intellectual Property in all college-commissioned works in the absence of express written provisions stating otherwise, including but not limited to, (a) works commissioned by the college to an

individual who is not an employee of the college and (b) works commissioned by the college to an individual who is an employee where the work to be created falls outside of that person's scope of employment.

Any dispute regarding ownership will be subject to the Dispute Resolution section below and the corresponding provisions of the Intellectual Property Procedures

Agreement with Noorda College of Osteopathic Medicine

All faculty, students and staff are governed by this Official Policy on Intellectual Property. All such personnel thereby agree to disclose in writing promptly to Noorda College of Osteopathic Medicine, an invention or discovery made by such personnel and to assign to Noorda College of Osteopathic Medicine the entire right, title, and interest in and thereto as required and defined in the Policy on Patents and Licensing Agreements.

Management

The Office of Sponsored Projects and the Technology Transfer Office have the primary responsibility of assisting College Personnel in managing Intellectual Property within the college, including the development, protection, acquisition, and commercialization of Intellectual Property. College entities should not separately manage college-owned Intellectual Property or establish organizations or companies to do so without express written approval from the Associate Dean for Research and Dean of the college. College Personnel may not use college resources, facilities, or work time to engage in commercial activities, businesses, or "start-up" companies.

1. It is the responsibility of line associate deans and chairs to ensure that university resources—including faculty time—are used appropriately.
2. The following general disclosure policies have been established to facilitate cooperation between College Personnel and the Office of Sponsored Projects or the Technology Transfer Office.

Disclosure of Invention to Noorda College of Osteopathic Medicine

Full and proper academic disclosure consists of four parts:

1. Within 120 days following commencement of employment at Noorda-COM, College Personnel should disclose in writing, in sufficient detail to identify clearly, all Intellectual Property invented, authored, made, or conceived by the individual, alone or with others, prior to the employment or association with the college. The Intellectual Property Policy will not apply to any Intellectual Property so disclosed.

2. Prior to any public use or disclosure of Intellectual Property, all related Technical Works and those Creative Works involving substantial use of university resources, and for which there is an intent or potential for commercialization, should be disclosed to the Technology Transfer Office or the Office of Sponsored Projects. Upon disclosure, the Technology Transfer Office or the Office of Sponsored Projects will make an initial determination in a timely manner to either pursue Intellectual Property protection and/or commercialization or release the rights to the Developer(s).

3. An important aspect of disclosure is the determination of who constitutes a developer and what their respective contribution have been to the intellectual property being disclosed. This should be agreed upon prior to any attempts at commercialization.

4. All Developers of works that may fall under college ownership shall fully disclose to the university any financial and/or other relationships, including federal funding, that might affect or encumber the transfer of Intellectual Property to any off-campus individual or entity.

Intellectual Property disclosed to the Office of Sponsored Projects or the Technology Transfer Office will be governed by the Intellectual Property Policy and Intellectual Property Procedures that are in effect at the time of the earliest disclosure.

Copyrighted Works

The College acknowledges that faculty and staff who are employees of Noorda-COM prepare for publication, usually through individual effort and initiative, articles, pamphlets, books, and other scholarly works which are subject to copyright and which may generate iNoorda-COMe. Publication may also result from work supported partially or completely by the institution or other public or private sector entities.

It is the policy of Noorda-COM that ownership of all copyrighted works shall remain with the author/creator unless: (1) the work is commissioned by Noorda-COM and it is known, or should reasonably be known, that the work will constitute a College Publication; (2) the work is created under an agreement between Noorda-COM and a third party that assigns copyright ownership to either Noorda-COM or the third party.

Examples of copyrighted works that remain with the author/creator include:

- Teaching materials for internal students
- Lecture Notes
- Other materials designed for teaching of students
- Books
- Articles
- Conference presentations and papers

Student thesis, dissertation, capstone, and scholarly projects

The College expects that faculty and staff who create copyrightable works, shall identify, where appropriate, their affiliation with Noorda-COM and shall promptly notify the Provost in writing of the creation of said work.

Additionally, the College retains a perpetual, non-exclusive, royalty-free license to use the work.

The College will not claim copyright in student work. If the work contains research data rising from College research, the student's copyright will only extend to the form of the expression of data in the thesis, dissertation, capstone, or scholarly project. Any thesis, dissertation, capstone, or scholarly project submitted to the College as part of degree requirements may be placed by the College in the Learning Resource Center in electronic and other format. The College has a perpetual, non-exclusive, royalty-free license

to use the work.

Approval of Transfer Agreements

Any proposed transfer of Intellectual Property from the college will be reviewed by the chair, associate dean for research, and dean. The final decision concerning transfer will be made by the dean.

Income Distribution

When revenues derived from college-owned Intellectual Property are received and administered by the Office of Research, the net Noorda-COM available for distribution will consist of total revenue received from a given Intellectual Property minus direct costs incurred in the process of developing, marketing, perfecting, transferring, and protecting college rights to the Intellectual Property, together with interest costs. An accurate accounting of all such costs and deductions shall be made available to the Developer(s).

College Equity Interests

Even when the College does not own intellectual property under this policy, if the College provides extraordinary resources to the creation of intellectual properties, it enjoys an equity interest in the net proceeds derived from those properties. The College's equity interest is determined by the extent of use and the value of these extraordinary resources. The amount of the College's equity interest in a particular intellectual property will be agreed upon before pursuing protection/ commercialization.

Revenue Distribution

When revenue is received by the College, all out-of-pocket payments or obligations (and in some cases, a reasonable reserve for anticipated future expenses) attributable to protecting (including defense against infringement or enforcement actions), marketing, licensing or administering the property may be deducted from such income. The income remaining after such deductions is defined as net revenue. In the case of multiple intellectual properties licensed under a single licensing agreement, the College shall determine and designate the share of net income to be assigned to each intellectual property.

(a) 50% The Inventor(s) or Author(s) or Creator(s) Share. The creator (or creator's heirs, successors, and assigns) normally shall receive forty-five percent (45%) of net revenue. If there are joint creators, the net income shall be divided among them as they shall mutually agree. Should the creators fail to agree mutually on a decision, the College shall determine the division.

(b) 30% The Research Department normally shall receive thirty percent (30%) of net revenue. Distribution of the College's share shall be allocated in support of its technology transfer activities and academic and research programs as determined by the Associate Dean for Research.

(c) 10% The originating unit normally shall receive ten percent (10%) of net revenue. If a creator is affiliated with more than one originating unit or if there are joint creators from different units, the originating unit(s) share shall be divided among such units as agreed in writing by the responsible unit executive officers.

- (d) 10% Dean's Assessment shall receive ten percent (10%) of net revenue that can provide seed money for research and development that result in projects that have commercial, income producing possibilities. In such cases, it is understood that the Dean's office will get its investment back and receive a proportionate share of revenue and/or royalties.

In the event that the principle developer desires, an extra 10% of the research office share will be provided as research funding to the principle developer's laboratory to provide students with increased research opportunities. Examples of college expenses to be reimbursed from gross income include legal costs, patentability studies, filing of patents, litigation in connection with a patent, college derived funding.

i. Patents and Licenses

1. The Noorda College of Osteopathic Medicine lawyer shall have the responsibility for the management of patents and licensing. All determinations and actions concerning the management of patents and licensing agreements shall remain with Noorda College of Osteopathic Medicine. Noorda College of Osteopathic Medicine also reserves the right to sell and/or license any patent.
2. Licenses for commercial development of patents shall be sought to assure that useful inventions shall be made available to the public at reasonable prices. In cases involving substantial development expenditures by the licensee, or for other special reasons, an exclusive license may be given, subject to the terms of an applicable grant or contract. All such licensing agreements shall be negotiated by the Dean and approved and executed by the President.
3. Management of all licensing agreements for products, processes and technology derived from discoveries made in Noorda College of Osteopathic Medicine, whether or not they are based upon patents, remains with Noorda College of Osteopathic Medicine.

Alternative Distribution Methods

Net Royalties earned from licensing of Creations with multiple Creators will be distributed as follows:

Among multiple Inventors and/or Authors for a single patented invention or copyright:

Personal shares will be allocated among Inventors and/or Authors according to a written agreement among them or, if there is no agreement, in equal shares.

Among multiple Contributors to a single Unpatented Material:

Personal shares will be apportioned among Contributors as they mutually agree in writing or, if no agreement is reached among the Contributors, according to an administrative determination of apportionment that shall be made by the head of

the laboratory in which the Unpatented Material has been made.

For multiple Creations licensed as a package:

Net Royalties will be allocated among the licensed Creations in equal shares, except where an executed license agreement assigns different values to different Creations licensed as a package, in which case Net Royalties will be allocated among such Creations in proportion to those assigned values. If a third party (e.g., joint owner, research sponsor or other external stakeholder) is owed a portion of income from fewer than all of the Creations in a package, Net Royalties will not be calculated for the package as a whole. Instead, the College first will deduct from its gross receipts the out-of-pocket costs, fees and expenses enumerated above, and then allocate the remainder among all licensed Creations in the package, either in equal shares or, if the applicable license agreement assigns different values to different Creations in the package, then in the same relative proportions as those values. The third party then will be paid the portion it is owed from the amount allocated to each relevant Creation, after which the amount the College is entitled to retain for each Creation in the package will be treated as Net Royalties for that Creation as applicable. In each instance, the Creator personal share and the research and dean's shares of Net Royalties for each of the Creations in the package will be distributed as defined above.

Miscellaneous Ownership Issues

College Personnel may either act as a paid consultant to or participate in sponsored research for the same company but may not perform both at the same time. Exceptions may be granted in rare situations when an appropriate management plan is approved by the department chair and written approval is obtained from the associate dean for research.

Consulting activities must be carried out consistent with the college's Conflict of Interest and Conflict of Time Commitment Policy and this policy. Activities must be administered as sponsored research projects when there is a substantial use of university resources or when Noorda-COM students are employed by the college in connection with such activities. The college does not assert ownership to works produced as a result of consulting except in cases where use of college resources, including college-owned Intellectual Property, occurs to support the consulting activity.

In all consulting arrangements, College Personnel act as independent consultants and are not authorized to engage or obligate the college as a party to any contract. The college is neither liable nor responsible for any consulting arrangements, including any related performance issues, utilization of third party property, observations, or consequent damages. The name of the college shall not be used in the consulting services, in any advertising, or in any other way.

In a consulting agreement, College Personnel should not obligate the use of, divulge, or transfer any Intellectual Property in which the college may claim an ownership interest. The scope of such consulting endeavors must be communicated to the appropriate department chair and the associate dean for research to obtain written approval prior to commencing any contractual effort.

College Personnel who receive title from the college to Intellectual Property pursuant to this policy, as a condition of employment, shall grant back and hereby do grant back to the college a perpetual, royalty-free, paid-up, irrevocable non-exclusive

license to use the Intellectual Property for internal, noncommercial purposes.

Notwithstanding anything herein to the contrary, administrative and staff personnel, who in the scope of their employment develop Intellectual Property, usually will not receive a share of revenues resulting from the commercialization of such Intellectual Property. Support areas (non-academic units), however, may elect to handle internally the commercialization and revenue sharing of Intellectual Property developed by administrative and staff personnel in the scope of their employment, provided that the support areas must receive approvals from (1) the associate dean for research and (2) dean.

Separation from College

An employee or student leaving the College or a contractor's agreement coming to an end does not in any way change the obligations the creator has incurred under this policy.

Where Noorda College of Osteopathic Medicine Declines to Patent:

a. Upon disclosure of an invention to Noorda College of Osteopathic Medicine, it will be the responsibility of the Dean in concert with the President to determine if Noorda College of Osteopathic Medicine declines to pursue a patent. The Dean shall notify, in writing, the Inventor of this decision preferably within 90 days of disclosure. If the Dean declines pursuit of a patent, then the opportunity to pursue a patent reverts to the Inventor.

b. If at any time during the patent application process, Noorda College of Osteopathic Medicine decides to discontinue pursuit of the application, the Dean shall notify, in writing, the Inventor within 15 days of this decision. The opportunity to pursue a patent shall then revert to the Inventor. All information, held by Noorda College of Osteopathic Medicine pertinent to the patent application, will be made available to the Inventor.

c. If income is derived from a patent declined by Noorda College of Osteopathic Medicine, it will be distributed as follows: After reimbursement of the Inventor and Noorda College of Osteopathic Medicine of direct assignable expenses incurred, the net cumulative income will be distributed in the following manner:

a. The first \$15,000 will allocated exclusively to the Inventor or his/her estate and/or heirs;

b. Two-thirds of the additional income will be allocated to the Inventor or his/her estate and/or heirs;

c. The remaining one-third of income will be allocated to Noorda College of Osteopathic Medicine.

Faculty Leave

Professional Development Leave

A well-conceived and comprehensive program of faculty development is essential for the future success of the College. The major goals of an excellent faculty development program include rewarding and providing motivation for quality performance, creating opportunities for effective and constructive participation on substantive matters and implementing structured, well-funded and staffed programs that are supported by the commitment of management and participation of faculty. The essence of faculty development programs is to enhance and promote growth of scholarly activities.

To this end, Noorda College of Osteopathic Medicine will provide funding and time to faculty members in support of their development, based on budgetary and academic planning. This includes time away from campus both as a learner and as an educator or presenter at conferences, conventions and symposiums. The faculty member must request approval of Faculty Development Leave, in writing, from the Department Chair. Faculty members are allowed a \$2500 travel stipend (excluding conference registration). If the travel costs more than the allotted \$2500 amount the faculty member must request approval of the appropriate Dean. New faculty members may not take Faculty Development Leave for the first three (3) months of employment without special approval. Faculty Development Leave does not accrue and it is the responsibility of the faculty member to request such leave.

Sabbatical Leave

The primary purpose of the sabbatical leave is to provide an opportunity for faculty members to engage in scholarly, creative, professional, research and/or intellectual activities as well as enhance their further service to the College. A sabbatical leave is to be granted at the exclusive discretion of the College as a privilege, and not as an automatic right. Full-time members of the faculty may apply for a sabbatical leave after six years of continuous full-time service. A detailed plan for use of the sabbatical leave shall be submitted, in writing, by January 1, preceding the academic year in which the sabbatical leave is to commence. Approval for the leave must be granted by the Department Chair and the Dean, taking into account the personnel needs of the College and budgetary considerations. A sabbatical leave may be granted for one-half year at full salary or one year at half-salary. Insurance and 401(k) benefits will be continue for the duration of a sabbatical.

The sabbatical leave will not be used to accept routine responsibilities elsewhere. Compensation shall not be paid in lieu of taking a sabbatical leave. As a condition of accepting a sabbatical, the recipient must agree to continue his/her service at the College for at least one year following the completion of a sabbatical leave.

Within three months after the return to the College, the recipient of the sabbatical leave will present to the Dean a written report describing his/ her professional or academic activities during the sabbatical leave.

Humanitarian Leave

This is a leave of absence for faculty members who request time away from campus to provide humanitarian services to communities who would benefit from volunteer assistance, education or gratuitous health care and require they be away from campus and involves travel, usually to remote places. The policy applies to full-time (1.0 FTE) faculty and staff who have been employed at least twelve (12) months. The Dean must approve this time away from campus and may authorize up to 5 days of paid leave. Health benefits and 401(k) benefits will continue during a humanitarian leave.

Workplace Expectations

Faculty Code of Professional Ethics

Faculty members are expected to act at all times in a manner befitting members of the teaching profession. Faculty members are expected to maintain and exhibit the highest level of integrity in all of their behaviors. They should conduct themselves with respect for others and should serve as models of the teaching profession to their students and their community.

Dress and deportment often characterize the person, and interpersonal relationships mark the nature and effectiveness of institutions. Therefore, appropriate attire, courtesy and cooperation at all times, with students, staff and colleagues, are considered essential to the well-being of the College. Professionalism of a high order should be Noorda College of Osteopathic Medicine's hallmark. Providing the best climate within which a student can learn and grow intellectually is a major professional contribution that the faculty member can make to the development of students. This includes frequent and active presence on campus, student counseling and advising, and participation in the activities that promote interaction between student life and the academic environment.

Noorda College of Osteopathic Medicine promotes adherence to the American Association of University Professors 1987 version of the "Statement on Professional Ethics" for individuals in the academic profession (see Appendix C) and the Code of Professional Ethics for the appropriate professional association (i.e. AOA, etc.). The codes of professional ethics stipulated here do not constitute a comprehensive policy of faculty behavior. These codes elaborate on the standards of acceptable and unacceptable conduct in the course of fulfilling faculty duties and are independent of other guidelines for activity of individuals while on campus, such as College policies on drug use, etc. With the understanding that Noorda College of Osteopathic Medicine seeks to provide and sustain an environment conducive to education, scholarly exchange and faculty and student development, the following are codes of faculty conduct:

1. The primary responsibility of faculty member conduct is to promote respect for knowledge, inquiry and education. Faculty members are free to execute their teaching responsibilities in a manner that they determine to be appropriate. Faculty member conduct must not, however, diminish or interfere with their responsibility to maintain proficiency and competency in the discipline(s) in which they teach. Faculty member conduct must ensure that content is delivered, classes are held as scheduled and that students are not denied opportunities to learn in the normal course of the academic term. Faculty members must never exercise their professional position as a means to coerce or intimidate students to accept unethical or iNoorda-COMPETENT

behavior.

2. Faculty member must not discriminate among their colleagues, staff or students on the basis of age, color, creed, marital status, medical condition, national or ethnic origin, race, religion, cultural heritage, gender, sexual orientation, gender identity, political affiliation, disability, genetic information, amnesty, or status as a covered veteran in accordance with applicable federal, state and local laws or any other individual personal attribute that is independent of professional interaction. Faculty member objectivity in evaluation of student competence is an essential standard of faculty member conduct. Faculty must not use racial, ethnic or religious slurs against another faculty member, staff or student.
3. Faculty members must abide by the policies established regarding sexual harassment or any other forms of harassment.
4. Faculty members must refrain from threatening bodily injury, assault, sexual harassment or emotional trauma against students, faculty or other staff.
5. Faculty members should promote academic honesty through teaching and example. Faculty members must neither facilitate nor ignore instances of dishonesty.
6. Faculty members should respect the confidentiality of individual faculty member – student interactions. Faculty member should exercise foresight and maturity in conversation and activities with students.
7. Dating or engaging in sexual relationships with students is forbidden and may constitute grounds for dismissal.
8. In the exercise of scholarship, faculty members must conduct themselves honestly and must not intentionally misappropriate the work of others. Faculty members are obligated to adhere to all established copyright and ownership guidelines.
9. Faculty member conduct must demonstrate respect and fairness in the use of College resources and facilities. Faculty members should use College property only in the pursuit of their faculty member responsibilities.
10. Faculty members must maintain strict confidentiality when requested with respect to colleague evaluation and personnel matters. Anonymity in peer review for the purposes of promotion and advancement is an essential standard of ethical conduct.

Faculty members must not exercise professional seniority as a means to coerce or intimidate College staff or junior colleagues. Coercion may result in disciplinary action up to and including termination.

Faculty Communications

It is important to recognize that when a Noorda College of Osteopathic Medicine faculty member conducts business by telephone, email, social media, etc., they are the College's representative. Faculty Communications should reflect and indicate NOORDA-COM's ability and willingness to serve the public. Faculty members are expected to adhere to appropriate professional standards in all College-related communications. All questions and requests should be given careful, prompt and polite attention.

Code of Conduct

The following types of behavior are considered violations of the Code of Conduct and may result in disciplinary action or termination:

1. The theft of, or damage to, College records and property caused by intentional, negligent, or irresponsible conduct.
2. Unauthorized use of any College property, including, but not limited to, its name, property, offices, premises, and equipment (such as computer equipment, tools, medical supplies, telephones, cell phones, fax machines, copying equipment and laboratories).
3. Conduct which interferes with or obstructs any College functions, or which physically obstructs or threatens to obstruct the operation, administration or proper functioning of the College, its employees and/or students.
4. The physical or sexual abuse or harassment of any member of the College community.
5. Threatening bodily injury, assault, sexual harassment or assault, or emotional trauma against students, faculty, or staff of the College.
6. Disorderly, disruptive, or abusive conduct in the workplace or on College premises.
7. Refusal to follow the lawful rules, regulations, or policies of the College whether in writing or verbally communicated.
8. Unauthorized sale, distribution, or consumption of alcoholic beverages on College premises.
9. Distribution, purchase, or possession of illegal or unauthorized barbiturates, amphetamines, marijuana, hallucinogens, opiates or any other addictive or illegal drugs or paraphernalia on College premises.
10. Gambling in any form on College premises.
11. Possession, distribution or sale of weapons, incendiary devices or explosives on College premises.
12. Tampering with or misusing fire-fighting equipment and/or safety equipment (such as alarm boxes and extinguishers).
13. Participation in, or furtherance of any illegal activity on NOORDA-COM's premises.
14. Knowingly providing false information to College supervisors or officials, including the falsification of information on any of the College's applications, time sheets or job records or false statements made to supervisors, officials, or fellow faculty members.
15. Refusal to identify oneself to an official or security officer of the College or to present proper identification upon entering the College premises.
16. Gaining access to computer files or other College records other than those to which the faculty member has authorization or providing such access to other parties.

17. Offensive or derogatory written or verbal statements intended to inflict harm on members of the College community.
18. Using racial, ethnic, or religious slurs or discriminating against an employee or student. Any abusive conduct or harassment directed at an individual or group of individuals in the College community on the basis of the actual or perceived age, color, creed, marital status, medical condition, national or ethnic origin, race, religion, cultural heritage, gender, sexual orientation, gender identity, political affiliation, disability, genetic information, amnesty, or status as a covered veteran in accordance with applicable federal, state and local laws;
19. Actions that are not supportive of the activities and functions of an educational institution; actions that harm the reputation of the College.
20. Aiding and abetting any conduct prohibited by the Code of Conduct.
21. Intentionally filing a false complaint under the Code of Conduct.
22. Insubordination arising from the faculty member's covert or overt refusal to comply with a work directive given by a superior.

Ethics in Research and Scholarly Activity

Intellectual honesty and ethical behavior while performing scholarly activities, is of paramount importance to Noorda College of Osteopathic Medicine. Therefore, the Noorda College of Osteopathic Medicine adopts the guidelines described in the *Uniform Requirements for Manuscripts Submitted to Biomedical Journals*. Investigators are responsible for maintaining organized and legible laboratory notebooks and all data sources and maintaining them in a known and accessible location for at least 10 years past the publication date.

The information from research efforts should be made available to the general public and there should be a minimum of restrictions on publication and dissemination of the results of research efforts. The use of College resources and facilities are for academic purposes and should not be used for commercial reasons unless otherwise stipulated in an agreement between the College and the faculty member.

Noorda College of Osteopathic Medicine accepts the official DHHS definition of "scientific misconduct" as eNoorda-COMpassing "fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted within the scientific community for proposing, conducting, or reporting research." (42CFR Part 50.102)

Confidentiality of Student Education Records

Every student at Noorda College of Osteopathic Medicine is entitled to be assured his/her education records are maintained under secure conditions and are kept safe from unauthorized disclosure. Education records refer to those records, files, documents, or other materials in hard copy or in electronic format which contain information directly related to a student. Such records include those maintained by the academic offices, the offices of Admissions, Registrar, Bursar, Financial Aid, Dean's Office and Advisement, regardless of where those records reside and regardless of whether such records are maintained by faculty, department chairs, Deans, information technology, or administrative offices/personnel. Following this statement is a more specific description of Noorda College of Osteopathic Medicine's policy defining the prohibition against unauthorized access and the conditions upon which the College may release student education records under the

Family Educational Rights and Privacy Act (FERPA) of 1974, the Veterans Education and Employment Act of 1976 and the Patriot Act of 2001.

In addition to our policies, it is Noorda-COM's policy to maintain student education records in a confidential and secure environment such that physical access is limited solely to those personnel that are authorized by law to have access to such records. Hard copy of education records must be maintained in locked filing cabinets that are to be kept locked at all times when not in use. Such filing cabinets are to be maintained in offices that are to be kept locked at all times when not occupied by authorized personnel. If a faculty member requires a locked filing cabinet, or becomes aware of any reason that an office containing such files may not be secure, they must immediately contact the Department of Facilities to place a request for immediate assistance. As noted above, the security of student education records includes those maintained in an electronic format. All personnel are responsible to ensure that unauthorized individuals do not have access to such records on their computers and servers. Student records in hard copy or on other media, such flash drives, etc. may not be left in places that are unlocked. Paper forms with student information of any kind must immediately be shredded.

Student education records may not be transmitted via email unless the sender has determined that an individual authorized to view such records is actually standing at the receiving fax machine and would be the only possible individual to accept and views such records.

Unless faculty has acted in accord with these guidelines, their actions or inactions may result in a breach of the College's obligations under the Acts noted above and would constitute a violation of the College Code of Conduct which will lead to disciplinary action.

For any questions regarding compliance with the security standards set forth above, the faculty member should contact the Office of the Registrar. For any other questions with regard to whom these policies apply, or responsibilities with regard to such matters please contact the Associate Dean of Student Affairs or the Registrar.

The Family Educational Rights and Privacy Act of 1974 (FERPA)

The Family Educational Rights and Privacy Act of 1974, as amended, grants all eligible students the right of access to their own educational records as defined in the law. The law prohibits access to, or release of, personal identifiable information without the prior written consent of the student except under certain limited circumstances. Noorda College of Osteopathic Medicine policy does not permit access to or release of student records to any party except as authorized by this law. It should be noted, however, that this legislation concerning privacy is affected by Section 510 of the Veterans Education and Employment Act of 1976, which provides that, P.L 93-568 notwithstanding, records and accounts pertaining to veterans, as well as those of other students, shall be available for examination by government representatives. It is also affected by Sections 507 and 508 of the Patriot Act of 2001, which provides that officials designated by the U.S. Attorney General may petition the court to examine records deemed relevant to certain authorized investigations or prosecutions. If a student wishes to inspect or review his or her records, he or she may contact the office concerned. Complete information concerning this policy is available in the Office of the Registrar.

The Family Educational Rights and Privacy Act of 1974 as amended (FERPA) was designed to protect the privacy of education records. Education records include records, files, documents, or other materials in hard copy or in electronic format, maintained by Noorda College of Osteopathic Medicine or a party acting on behalf of the College, which contain information directly related to a student. FERPA specifies some limited exceptions including certain personal memory aids and employment records.

FERPA affords students certain rights with respect to their education records. These rights include:

1. The right to inspect and review the student's education records within a reasonable period of time, but not more than 45 days after the College receives a request for access. Students should submit to the registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. The College official will make arrangements for access and notify the student of the time and place the records may be inspected. If the records are not maintained by the College official to whom the request was submitted, that official shall advise the students of the correct official to whom the request should be addressed.
2. The right to request an amendment to the student's education records that the student believes contains information that is inaccurate, misleading, or in violation of the student's rights of privacy. Students may ask the College to amend a record that they believe is inaccurate. They should write the College official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate. If the College decides not to amend the record as requested by the student, the College will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
3. The right to provide signed and dated written consent before the College discloses personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
 - a. One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the College in an administrative, supervisor, academic or research or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the College has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities.
 - b. A second exception that permits disclosure without consent is disclosure of Directory Information. Directory Information is information that is generally not considered harmful or an invasion of privacy if released.

The following is considered "Directory Information" at Noorda College of Osteopathic Medicine and may be made available to the general public unless the

student notifies the Office of the Registrar in writing before the last day to add classes in a semester. Directory Information may be made available to hospitals and other education related external parties:

- i. Name
- ii. Telephone listing
- iii. E-mail address
- iv. Place of birth
- v. College
- vi. Major
- vii. Honors and awards
- viii. Photo
- ix. Classification
- x. Dates of enrollment
- xi. Status
- xii. Degrees conferred
- xiii. Dates of conferral
- xiv. Graduation distinctions

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Noorda College of Osteopathic Medicine to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC 20202-4605.

Employment Practices

Equal Employment Opportunity/Affirmative Action Policy

Noorda College of Osteopathic Medicine (Noorda-COM) provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, ethnicity, color, religion, sex, sexual orientation, gender identity, national origin, age, disability, genetic information, marital status, amnesty or status as a covered veteran in accordance with applicable federal, state and local laws. Noorda-COM complies with applicable state and local laws governing nondiscrimination in employment. This policy applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

Noorda-COM expressly prohibits any form of unlawful employee harassment based on basis of age, color, creed, marital status, medical condition, national or ethnic origin, race, religion, cultural heritage, gender, sexual orientation, gender identity, political affiliation, disability, genetic information, amnesty, or status as a covered veteran in accordance with applicable federal, state and local laws or any other individual personal attribute. Improper interference with the ability of Noorda-COM employees to perform their expected job duties is absolutely not tolerated.

Noorda College of Osteopathic Medicine expects all employees to demonstrate sensitivity to, and respect for, all other employees and to demonstrate commitment to Noorda College of Osteopathic Medicine's equal employment opportunity and affirmative action objectives.

The principles of affirmative action have guided the development of the College's employment policy. Two goals stress this commitment:

1. To recognize the dignity of each human being.
2. To provide fair opportunities for all.

This policy is adopted by Noorda College of Osteopathic Medicine pursuant to its commitment to the principles of equal opportunity, and specifically pledges the College to a policy of non-discrimination against any person in employment or in any of its programs.

Anti-Harassment Policy and Complaint Procedure / Title IX

Noorda College of Osteopathic Medicine is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, Noorda-oorda-COM expects that all relationships among persons will be business-like and free of bias, prejudice and harassment.

Title IX of the Education Amendments of 1972 protects people from discrimination based on sex in education programs or activities which receive Federal financial assistance. Title IX states that: *No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.*

Consistent with the requirements of Title IX, Noorda College of Osteopathic Medicine maintains a policy of non-discrimination and anti-harassment against any person in employment or any of its programs. It is Noorda-COM's policy to ensure equal employment opportunity without discrimination or harassment on the basis of age, color, creed, marital status, medical condition, national or ethnic origin, race, religion, cultural heritage, gender, sexual orientation, gender identity, political affiliation, disability, genetic information, amnesty, or status as a covered veteran in accordance with applicable federal, state and local laws or any other individual personal attribute. Noorda-COM prohibits any such discrimination or harassment. The scope of Title IX specifically focuses on discrimination based on sex (male or female), occurring as a pattern or single severe instance within two general categories: limits on access to participation in educational activities and programming, and/or instances of sexual misconduct. Sexual misconduct may include sexual harassment (addressed below) or sexual violence (e.g. rape, sexual assault, sexual battery, and/or sexual coercion).

Noorda-COM encourages reporting of all perceived incidents of discrimination or harassment. Title IX related concerns may be reported to Noorda-COM's Title IX Coordinator. See the Noorda College of Osteopathic Medicines' TITLE IX: Non-Discrimination and Anti-Harassment Policy for reporting procedures and definitions.

Individuals and Conduct Covered

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to Noorda-COM (e.g., an outside vendor, consultant, or contractor).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

Retaliation

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed. Misconduct constituting harassment, discrimination or retaliation may lead to suspension pending investigation subject to termination.

The Americans with Disabilities Act (ADA) Title 1

The Americans with Disabilities Act (ADA) and the Americans with Disabilities Amendments Act, known as the ADAAA, are federal laws that prohibit employers with 15 or more employees from discriminating against applicants and individuals with disabilities and that when needed provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position.

It is Noorda College of Osteopathic Medicine's policy to comply with all federal and state laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is our policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

The College will reasonably accommodate qualified individuals with a disability so they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation and/or if the accommodation creates an undue hardship to Noorda College of Osteopathic Medicine. Contact the Human Resources department with any questions or requests for accommodation.

Use of Electronic Media

There is an expectation of appropriate, ethical and professionalism in the use of Noorda-COM Internet, College-provided smartphones and e-mail:

- a. Internet, College-provided equipment (e.g., smartphone, laptops, computers, tablets) and services may not be used for transmitting, retrieving, or storing any communications of a defamatory, discriminatory, harassing, threatening or pornographic nature.
- b. The following actions are forbidden:
 - i. Using disparaging, abusive, profane or offensive language;
 - ii. Creating, viewing or displaying materials that might adversely or negatively reflect upon Noorda-COM or be contrary to Noorda-COM's best interests;
 - iii. Engaging in any illegal activities, including piracy, cracking, extortion, blackmail, copyright infringement, and unauthorized access of any

computers and College-provided equipment such as smartphones, tablets and laptops.

- c. Faculty members may not copy, retrieve, modify or forward copyrighted materials, except with permission from the author or publisher or within the allowances of Fair Use in educational settings.
- d. Faculty members must not use the technology system in a way that disrupts its use by others.
- e. Faculty members should not open suspicious e-mails, pop-ups, or downloads. Contact IT with any questions or concerns to reduce the release of viruses, malware, or to contain viruses immediately.
- f. All e-mails are considered business records and may be subject to discovery in the event of litigation. Be aware of this possibility when sending e-mail within and outside the College.
- g. Refrain from using social media while on work time or on equipment we provide unless it is work-related as authorized by your manager. Post only appropriate and respectful content.

Right to Monitor: All College-supplied technology and College-related work records belong to the College and not to the faculty member. Noorda College of Osteopathic Medicine routinely monitors use of College-supplied technology. Inappropriate or illegal use or communications may be subject to disciplinary action up to and including termination of employment.

Solicitations, Distributions, and Postings of Materials

Noorda College of Osteopathic Medicine prohibits the solicitation, distribution and posting of materials on or at Noorda-COM property by any employee or nonemployee, except as may be permitted by this policy.

Provisions:

- Nonemployees may not solicit employees or distribute literature of any kind on Noorda-COM premises at any time. Students may post flyers that have been approved by the Associate Dean of Student Affairs notifying students and employees of College-sponsored events.
- Employees may only admit nonemployees to work areas with management approval or as part of a Noorda-COM -sponsored program. These visits should not disrupt workflow. A Noorda-COM staff member must accompany the nonemployee at all times. Former employees are not permitted onto College property except for official business.
- Employees may not solicit other employees during work times, except in connection with a Noorda-COM -approved or sponsored event. Solicitation is defined as: selling or promoting goods or services, seeking contributions or pledges, and distribution of printed materials. These activities are prohibited whether done in person or through handouts, telephone, e-mail or the Internet.
- Employees may not distribute literature of any kind during work times or in any work area at any time, except in connection with a College-sponsored event.

Violations of this policy should be immediately reported to Human Resources.

Attendance and Punctuality

Any absence of a faculty member from the campus that involves any interference with his or her normal instructional, advising, or other duties requires a discussion with and approval by their supervisor about arrangements for such absence. In concert with their supervisor and colleagues, the individual requesting the leave has the responsibility for assuring that classes are taught, that students are advised, and that other academic responsibilities are properly managed. An unacceptable record of unexcused absences or lateness in attending to these responsibilities may result in disciplinary action up to and including termination.

Personal or sick time can be used for personal appointments with doctors, dentists, lawyers etc. A faculty member must be at work for a minimum of four (4) hours to be counted present for the day.

Any absence of three (3) consecutive days without the faculty member notifying their supervisor is considered job abandonment, which may result in disciplinary action.

College Business Hours

Normal College Business hours are from 8:00 a.m. to 5:00 p.m., Monday through Friday. Due to requirements of an academic unit, a supervisor may stagger work hours to meet unit needs.

Dress Code

While the College values diversity of opinion and freedom of expression, discretion in the style of dress can be important to the effective operation of the College. Individuals are, therefore, expected to dress in a manner in keeping with their job functions and working environment. Questions regarding appropriate dress should be discussed with the employee's immediate supervisor. All employees are expected to maintain acceptable standards of personal grooming/ hygiene and present a neat, professional appearance at all times.

Common sense should be used when selecting clothes for work. The following is not acceptable office attire: beach sandals, shorts, halter tops, tank tops, Spandex clothing and sweat suits.

Body piercing and body art in the form of tattoos and other skin pigment alterations is a personal choice; however, management reserves the right to ask an employee to remove or cover anything that is deemed to be inappropriate for public viewing.

Noorda College of Osteopathic Medicine is confident that faculty will use their best judgment regarding attire and appearance. Management reserves the right to determine appropriateness. Any faculty member who is improperly dressed will be counseled by either their direct report and/or Human Resources and sent home to change. Individuals required to leave campus due to inappropriate dress will do so utilizing their paid time off hours. Under no circumstances should the faculty member be allowed to work on that day dressed in inappropriate attire.

Confidentiality

Acceptance of employment constitutes an agreement by the faculty member that he/she will keep confidential any information acquired in the course of employment, and that he/she will not do anything to breach the security of Noorda College of Osteopathic

Medicine. This agreement continues to be binding on the faculty member after resignation or termination of employment.

Breach of Noorda College of Osteopathic Medicine confidentiality or security may result in immediate disciplinary action up to and including suspension without pay or termination.

Consensual Relationships

Consensual romantic or sexual relationships between supervisors and employees and between faculty or staff and students, though not illegal, are potentially exploitative due to an imbalance of power. Such relationships raise serious concerns about the validity of the consent, conflict of interest, and unfair treatment of others. Dating, or engaging in sexual relationships between faculty or staff and students is strongly discouraged and may constitute grounds for termination.

Noorda-COM Anti-Nepotism Policy

Noorda-COM and College Systems anti-nepotism policy preclude individuals from evaluating the work performance of others whom they have intimate familial or close personal relationships, or from making hiring, salary, or similar financial decisions concerning such persons. The same principles apply to supervisor-employee, staff-student, or faculty-student relationships in the context of work or academic evaluation. A supervisor may not evaluate an employee's job performance if he/she is romantically or sexually involved with that employee.

If, in the opinion of the College, a conflict arises as a result of a consensual relationship as described above, one of the employees may be transferred at the earliest practicable time, and if no suitable position is found, one of the individuals may be asked to resign.

Any member of the College affected by this policy has the duty to self-report. Such disclosure must be submitted within ten (10) business days of the effective date of the policy. If a relationship develops in the future, the employee is expected to immediately report the situation to the Director of Human Resources. Failure to disclose a relationship may result in discipline, up to and including termination.

Use of College Email

All faculty members are to use their College-assigned email accounts for all official College business including all communications with faculty, staff, and students whenever possible. Communications with students are to be addressed to the student's College-assigned email address. These requirements are designed to protect Individuals and the College.

Workplace Safety

Drug-Free Work Place

The Drug-Free Work Place Act of 1988 requires that the College, as a recipient of federal grants, maintains a drug-free workplace, and informs all employees of its policy. The illegal use or abuse of drugs that impair a person's ability to perform his or her job responsibilities is prohibited. In addition, the sale, manufacture, possession or use of illegal drugs on the College's campuses is strictly prohibited. Employees are required to notify

the Director of Human Resources if they are convicted of any criminal drug violation. Noorda College of Osteopathic Medicine must then report this conviction to the federal agency with which the College does business. Any employee who violates this policy will be subject to disciplinary action, up to and including termination.

Smoking, E-cigarette, Vaping and Tobacco Use

It is Noorda College of Osteopathic Medicine's intent to provide a safe and healthy work environment; therefore, smoking, e-cigarettes, vaping and all tobacco-related activities are strictly prohibited in all College buildings and College-operated vehicles. This applies to private offices, as well as all public areas on and around the campus.

Safety

Accident prevention and safety awareness are important. Noorda College of Osteopathic Medicine makes every effort to provide its employees with a safe working place. Employees, in turn, have a responsibility to perform their work in a safe manner and to help prevent accidents. If at any time an employee discovers a dangerous condition, he/she should immediately notify his/her supervisor, facilities, or security.

Children in the Workplace

In an effort to make the workplace a more family friendly environment, and in consideration of the benefits young children obtain from attending work with their elders, Noorda College of Osteopathic Medicine permits faculty to bring their school-age children to work on "bring your child to work day"; however, the children must be under the direct supervision of the parent at all times and may not use the gymnasium or exercise facilities except during College sponsored events.

However, the workplace is not a suitable environment in which to bring children on a regular basis. Moreover, their presence can prove to be a distraction not only to the parent but to other faculty members in the department and disrupt the efficient functioning of the workplace. In order for the College to effectively fulfill its academic and administrative mission, employees are not permitted to bring their children to work on occasions other than the one specified above and to other approved functions.

Violations of this policy may result in the faculty member being asked to leave work for the day and charged with a personal or vacation day. If the faculty member has no personal or vacation days available, he or she will not be compensated for the absence from work.

Your Employment

Immigration Reform & Control Act Compliance

It is Noorda College of Osteopathic Medicine's policy to conform to the Immigration Reform and Control Act of 1986. The College is required to verify the work authorization, identity, and citizenship of all employees and applicants for employment who are hired. Government form I-9 must be completed on every new employee prior to, or no later than, three working days after the starting date. The I-9 form must be retained in HR.

Photo Identification Badges

Photo identification badges are required for all Noorda-COM faculty members. This badge is for the faculty member's protection and security. The faculty member is required to wear the photo identification badge on their person at all times on College grounds. Failure to wear the badge may result in disciplinary action up to and including termination. Lost identification badges must be reported to Human Resources immediately. For security reasons, security personnel may inspect packages and briefcases being taken into or out of the building.

Employee References

All inquiries for employment references (either personal or credit) made by outside organizations on behalf of a current or former employee must be directed to Human Resources. The Human Resources department will confirm only job titles and dates of employment. Credit information will not be released without the written approval of the employee.

The employee's direct report must not release any information regarding previous or current employees. Requests for salary information for credit purposes (mortgage loan application, credit cards, etc.) must be made by creditors in writing with a signed release from the employee and sent to Human Resources.

Personnel Records

Employees have a right to inspect certain documents in their personnel file, as provided by law, in the presence of a Noorda College of Osteopathic Medicine representative at a mutually convenient time during normal business hours. The employee may add their comments to any disputed item in the file. Noorda College of Osteopathic Medicine will restrict disclosure of the personnel file to authorized individuals within Noorda College of Osteopathic Medicine. Any request for information contained in personnel files must be directed to the Director of Human Resources. Employees, employed for longer than 60 days, may request and be provided a copy of their personnel file. Terminated employees who wish to view or receive copies of their personnel file must request access within 60 days from date of termination.

Only the Human Resources department is authorized to release information about current or former employees. Disclosure of personnel information to outside sources will be limited. However, Noorda College of Osteopathic Medicine will cooperate with requests from authorized law enforcement or local, state, or federal agencies conducting official investigations and as otherwise legally required.

Separation of Employment

Separation of employment can occur for several different reasons.

- Resignation: Although we hope an individual's employment with us will be a mutually rewarding experience, we understand that varying circumstances cause faculty members to voluntarily resign employment. All full and part-time faculty members are required to provide notice of their intent to terminate employment to their Department Chair and to the Dean of their college six (6) months prior to the end of their appointment. A waiver of this timely notice period may be granted upon request in cases of hardship or where substantial professional advancement or opportunity would be denied.
- Retirement: A retiring faculty member must provide notice to their Department Chair

and the Dean of their college twelve (12) months prior to the end of their appointment. Faculty members who voluntarily retire from service will be deemed to have been separated from the College in good standing.

- Job Abandonment: Faculty members who fail to report to work or contact their supervisor for three (3) consecutive workdays shall be considered to have abandoned the job without notice effective at the end of their normal shift on the third day. Faculty members who are separated due to job abandonment are ineligible for rehire.
- Dismissal: A faculty member shall hold his or her position during each appointment period pending behavior consonant with carrying out his or her duties and efficient service and shall not be removed except for cause.
- Separation without Prejudice: A faculty member's appointment may be ended without prejudice prior to the stipulated end of his/her appointment period under special circumstances. The Dean, upon recommendation by the faculty member's Department Chair shall make the decision to separate without prejudice. That decision must be approved by the President.

Reasons for consideration of separation without prejudice include, but are not limited to:

- Prolonged mental or physical illness that precludes the ability to perform the faculty member's job as set forward in their current appointment
 - Program changes that eliminate a program or department
 - Financial exigency
- Faculty members who are to be separated without prejudice will receive written notification of termination of their appointment. Notification will include the rationale by which the decision to separate was made.

Dismissal for cause shall include but not be limited to:

- Immoral character, sexual harassment or other unlawful harassment or other conduct unbecoming an employee of the College
- INoorda-COMpetence or neglect of duty
- A major act of insubordination
- Failure to perform administrative or academic duties or breach of terms of an appointment

Unsatisfactory performance will lead to non-reappointment of academic duties.

Dismissal without warning or suspension:

In the event of an egregious violation of the Faculty Code of Professional Ethics, a faculty member may be suspended or dismissed without warning.

Dismissal Process

In the event that the Dean dismisses a faculty member for cause following consultation with President, Human Resources, and Legal Counsel, the following procedures will be followed.

- The faculty member shall be informed in writing of any charge of sufficient magnitude to constitute dismissal for cause.
- Discussion between the faculty member and the appropriate administrative

officers may occur in order to seek a mutual settlement.

- A faculty member dismissed for cause shall be entitled to a hearing before the Grievance Committee, if requested in writing within ten (10) business days of notification of dismissal. [Check student handbook](#)

The separating faculty must return all College property at the time of separation including, but not limited to, keys, ID Badge, parking badge, office equipment, beepers, smartphones, walkie-talkies, laptop, tablets, uniforms, etc.

The separating faculty shall contact the Department of Human Resources as soon as notice is given to schedule an exit interview. The interview will be on the faculty member's last day of work or another day, as mutually agreed on.

Accrued vacation leave will be paid in the last paycheck. The final paycheck for faculty members who resigned will be issued in accordance with Utah law which will be the next payday or within seven days of the last day worked, whichever is sooner. Faculty members separated for cause will receive their last paycheck at time of separation.

Health insurance terminates the last day of the month of employment. Information for Consolidated Omnibus Budget Reconciliation (COBRA) continued coverage will be provided.

Rehire Eligibility

Faculty members who leave Noorda College of Osteopathic Medicine in good standing and are classified as eligible for rehire may be considered for reemployment. An application must be submitted to the Human Resources department and the applicant must meet all minimum qualifications and requirements of the position, including any qualifying exam, when required.

Supervisors must obtain approval from the Director of Human Resources or designee prior to rehiring a former faculty member. Rehired faculty members who have been gone over ninety (90) days begin benefits just as any other new faculty member. An employee rehired after 90 days following separation from Noorda-COM, will be classified as a new employee.

Previous tenure will not be considered in calculating longevity, leave accruals or any other benefits.

If Noorda-COM rehires an employee within 90 days after their separation from Noorda-COM, the College will reinstate the employee's original employment date and benefits (if and as allowed by any applicable plan documents).

An applicant or faculty member who is terminated for violating policy or inadequate performance, who resigned in lieu of termination from employment due to a policy violation, or failed to give or work out their notice will be ineligible for rehire. Noorda College of Osteopathic Medicine reserves the right to declare faculty members as ineligible for rehire at the discretion of management.

Compensation

Classification

Under the provisions of the Fair Labor Standards Act (FLSA), all employees are classified as either exempt or non-exempt. All Regular Faculty are classified as Exempt.

Payment of Wages

Faculty members are paid bi-weekly with payday falling on Fridays. When a payday falls on a holiday, paychecks are generally distributed on the day preceding the holiday. Faculty members are responsible for reviewing and verifying wages received. If a faculty member believes there is an error in their check (including under or overpayment), they must report it immediately to the Director of Human Resources. Failure to report overpayment will result in subtraction of salary until the final funds are received.

Time Reporting

All non-exempt regular faculty or their designate must report their time worked bi-weekly. Failure to submit attendance tracking will result in nonaccrual of vacation and may delay payment of wages.

Benefits

Benefits are outlined in "Benefits Adendum."

Time Off/ Leaves of Absence

Holidays

A list of holidays is prepared by the Human Resources department and distributed to employees before the 1st of each calendar year. Noorda College of Osteopathic Medicine observes the following holidays:

New Year's Day
Martin Luther King Day
Spring Break
Memorial Day
Independence Day
Labor Day
Thanksgiving – Thursday and Friday
Winter Break

Vacation

Noorda-COM recognizes the importance of time away from work for employees to engage in personal activities, vacation, and relaxation. Vacation days begin accumulation on the first day of employment and can be used after an initial 30-day period of employment. Part time and temporary employees are not eligible for paid vacation days.

All faculty employed by the college for at least 0.6 FTE accrue paid vacation hours bi-weekly beginning on their first day of employment and according to the following schedule:

- 1-3 years 18 Days per year, accrual rate of 1.50 days/month
- 4-7 years 21 Days per year, accrual rate of 1.75 days/month
- 8-11 years 24 Days per year, accrual rate of 2.00 days/month
- 12-15 years 27 Days per year, accrual rate of 1.25 days/month
- 15+ 30 Days per year, accrual rate of 2.05 days/month

Vacation leave days begin to accrue bi-weekly on the date of appointment of the individual faculty member. Days may be taken upon accrual. For administrative purposes, accrued vacation days are awarded at the end of the bi-weekly payroll processing. Faculty members from 0.6 to .99 FTE will receive a prorated leave schedule based on the FTE (i.e. 0.60 to 0.69 FTE receives .6 of the leave accrual, etc.).

Vacation leave must be approved in writing or electronically by the employee's supervisor. In approving each request, a supervisor must consider manpower and the work demands of the department as well as employee's seniority. Vacation requests should be sent to the Human Resources department after the supervisor's approval.

A faculty member may accrue up to a maximum of 240 vacation hours. Once they have accrued 240 vacation hours they stop accruing until their balance has dropped below that level. They may carry accrued hours over to the next year up to a maximum of 240 vacation hours. The faculty should make every effort to ensure that vacation leave is taken with minimal disruption to her/his academic duties.

Employees who do not have a sufficient amount of vacation leave accumulated at the time of a request, may borrow up to 5 days, (40 hours) from their future accrual. If an employee has a negative amount of vacation leave days on their last day of employment. The hourly amount used previously will be deducted from their final paycheck.

Upon leaving the employment of Noorda College of Osteopathic Medicine, accrued but unused vacation time will be paid. No cash compensation is paid for vacation time not taken other than at separation of employment.

Employees whose status changes from full-time to part-time must use up their accrued vacation time within three (3) months of the status change. Employees cannot get payment for their vacation except upon separation.

Employees who do not submit the required Time Sheets will not be credited accrued vacation.

To utilize vacation leave, employees must request vacation days/hours on the Request for Leave form or in the Zamp HR employee portal. The request will be reviewed and signed by their Supervisor prior to use. Employees should make every effort to plan vacation leave requests at least two weeks in advance. If changes in the requested vacation leave need to be made please communicate these changes with your Supervisor so that updates can be made in the Zamp HR system.

Exempt employees are required to request vacation time in half-day (4 hours) and full-day (8 hours) increments.

Use of more than 15 consecutive vacation days requires approval from Senior Administration.

Sick Leave

All full-time Noorda-COM employees receive one (1) day per month (8 hours) of accrual of sick leave (12 days per year). Accrual of sick leave begins on the first day of employment and can be used after 30 days of full-time employment. The total number of sick days accumulated can be carried over each year to a maximum cap of 30 days/ 240 hours. Unused sick leave is not paid out upon termination.

Faculty members from .50 to .99 FTE will receive a prorated leave schedule based on the FTE (i.e. .50 to .59 FTE receives .5 of the leave accruals, etc.). If employment begins on or after January 1st 23 hours will be credited. Sick leave cannot be carried over from one year to the next. Sick leave can only be taken after three (3) months of employment. Faculty must report all absences from work to their Department Chair as soon as possible. After three (3) consecutive days of illness, the employee must provide medical documentation of the illness to the Human Resources department. Vacation time and personal time may be used during prolonged illness. Sick leave may not be used as vacation time. Upon termination of employment from Noorda-COM the employee will not be paid for unused sick leave.

President's Leave Donation for a Catastrophic Event

Employees who have a catastrophic event relating to their health or the health of an immediate family member may request use of additional sick leave as donated by discretion of the Presidents Council. This leave is only available when all other forms of leave have been exhausted and the employee has a serious health event requiring additional time off. Employees who would like to make a request to receive Presidents Leave Donation from the College must have a situation that meets one of the following criteria:

1. Family Health Related Emergency- A critical or catastrophic illness or injury of an employee or an immediate family member that poses a threat to life and/or requires inpatient or hospice health care. Immediate family member is defined as spouse, domestic partner, child, parent or other relationship in which the employee is the legal guardian or sole caretaker.
2. Unforeseen Circumstances or Personal Crisis- A personal crisis of a severe nature that directly impacts an employee. This may include natural disasters, family emergencies, or serious legal proceedings. Usage of sick leave for unforeseen circumstances or personal crisis must be approved by both the employee's supervisor and then by the President's Council.

The amount and duration of Presidents Leave Donation is subject to the availability of leave hours and financial means per fiscal year. This leave is determined on a case-by-case basis and is limited to specific employee situations that meet the guidelines above. Employees requesting to use this additional leave must have used all personal accrued vacation and sick leave before they can be considered for Presidents Leave use. Employees making the request for Presidents Leave Donation are not guaranteed to receive approval for leave and may be required to take time off, without pay, to resolve the issue if denied. Donated sick leave may only be used for time off related to the approved request. Documentation or verification of the need for leave may be requested prior to approval or denial.

Procedure: Employees who would like to make a request to receive Presidents Leave Donation are required to complete the Presidents Leave Donation Request Form which includes authorization to present their request to the President's Council of Noorda-COM for the sole purpose of evaluation, consideration, and determination of need.

The Presidents Council or Deans Council will review the application and any related documentation, reports, subpoenas, records, etc. to make an accurate determination of the need for the additional leave. Supporting information is optional unless specifically requested by the Council.

Once a decision has been made, the employee will be informed of the approval, including the amount and duration of leave authorized, or of the denial. A decision of denial is final and cannot be appealed, however the employee may be granted additional time off without pay to recover or resolve the situation.

All applications and supporting documentation must be returned to the Human Resources Department to be retained in the employee personnel file.

Family and Medical Leave (FMLA)

NOTE: Must have 50 Employees to qualify for participation with FMLA

In compliance with the Family and Medical Leave Act of 1993 (FMLA) and the March 8, 2013 Military Family Leave Provisions update, Noorda-COM Family and Medical Leave Policy allows eligible employees to take up to twelve (12) work weeks of unpaid leave for various family and medical reasons and up to twenty-six (26) weeks for qualifying events connected to the Military Caregiver provisions of the law.

An "eligible employee" is defined as an employee who has been employed by Noorda-COM for at least 12 months (not necessarily consecutive) and who has worked at least 1,250 hours during the 12 months preceding the leave.

Family and Medical Leave will be granted to eligible employees for the following reasons:

- Family Leave of up to 12 weeks for the birth of the employee's child.
- Family Leave of up to 12 weeks for the placement of a child with the employee for adoption or foster care.
- Medical Leave of up to 12 weeks to care for a spouse, child, or parent with a serious health condition; or
- Medical Leave of up to 12 weeks due to the employee's own serious health condition that makes it impossible for the employee to perform the functions of their own job.

Military Exigency Leave:

- Military Exigency Leave of up to 12 weeks to deal with exigencies resulting from a Federal Contingency Act when a loved one is being deployed to a foreign country.
- Military Caregiver Leave of up to 26 weeks to care for a covered military family member who is injured in the line of duty or who develops a serious medical condition as a result of their deployment within 5 years from the date of their discharge.

If an employee is the spouse, son, daughter or parent of a military service member on active duty, or on notice of an impending call to active duty to a foreign country, Noorda-

COM will grant up to 12-weeks of unpaid leave in a 12-month period based on “any qualifying exigency”.

If an employee is the spouse, son, daughter, parent or “next of kin” of a military service member who is injured in the line of duty, or who develops a serious medical condition within 5 years from his/her date of discharge, Noorda-COM will grant up to 26-weeks of unpaid leave in a rolling 12-month period to care for the injured family member.

In order to qualify for leave pursuant to the new amendments, an employee still must comply with other provisions of the FMLA Note, also, that if an employee requests FMLA leave to care for an injured service member and that employee has already taken FMLA leave in the past 12 months, the 26-week leave period will be reduced by the amount of leave previously taken.

Amount and Timing of Leave

An eligible employee is entitled to 12 weeks (Military: 26 weeks) of unpaid FMLA leave within a 12-month period for one or more of the six reasons listed above. However, if a husband and wife are both employed by Noorda-COM, they are entitled to a combined total of 12 weeks of unpaid FMLA leave for the same reason (e.g., the birth of a child, the placement of a child for adoption or foster care, or to care for a parent). Noorda-COM calculates FMLA entitlement on a “rolling 12-month” basis. The 12-month period begins on the first day of a particular FMLA leave.

Notice and Procedures for Requesting a Medical Leave

Employees should make requests for medical leave by notifying their Supervisor or Human Resources at least 30 days in advance of foreseeable events and as soon as possible for unforeseen events. It is requested that the employee complete the Notice of Eligibility and Rights & Responsibilities (WH-381) form from the US Department of Labor. This form can be obtained from the Human Resources Department or on the USDOL website: <https://www.dol.gov/agencies/whd/fmla/forms>
Additional unprotected leave extending beyond the 12/26-weeks will only be granted upon further review and approval from Management.

Certification for Medical Leaves

An employee requesting FMLA leave to care for a spouse, child or parent or due to their own serious health condition must provide Noorda-COM with a completed medical certification by a health care provider verifying the need for medical leave and the probable duration of the leave. The forms may be obtained from the Human Resources Department or located the following website:

For Employee: WH-380-E Certification of Health Care Provider for Employee’s Serious Health Condition (<https://www.dol.gov/agencies/whd/fmla/forms>)

For a Family Member: WH-380-F Certification of Health Care Provider for Family Member’s Serious Health Condition (<https://www.dol.gov/agencies/whd/fmla/forms>)

Noorda-COM will not determine if a leave falls under the FMLA guidelines until the medical certification form is received. Noorda-COM may require an employee on FMLA leave to report periodically on his or her status or intent to return while on leave.

Use of Paid Leave

Employees may substitute accrued paid vacation, personal time or sick leave for any type of family or medical leave. The period of time during which paid leave is substituted for unpaid leave will be counted against the 12/26-week FMLA entitlement. After using any paid leave for the FMLA leave, the balance of the FMLA leave will be provided without compensation. Workers' Compensation, Short-Term Disability, and Long-Term Disability time off will be counted against the employee's 12-week FMLA entitlement.

Health Care Coverage

An employee may elect to continue coverage under Noorda-COM's group health and dental plans for the duration of the FMLA leave at the same level and under the same terms and conditions as if they were not on leave. Employees who elect coverage are required to continue to pay their portion of the monthly premium. Payment arrangements can be made with Human Resources to maintain health and dental insurance benefits while the employee is on leave. Failure to make premium payments when due may result in a loss of coverage. Whether or not employees elect to continue medical coverage during the FMLA leave, when the employees return to employment, they will be reinstated to the same coverage as they had before the leave.

Reinstatement

Upon returning from FMLA leave, an employee will be restored to their original position or be placed in an equivalent position with equivalent employment benefits and pay. If an employee takes FMLA leave due to their own serious health condition, the employee must present Noorda-COM with a fitness-for-duty certification completed by the employee's health care provider prior to returning to work. If it is discovered the employee worked for another College while on FMLA leave, Noorda-COM maintains the right to terminate employment with the employee.

Non-FMLA Medical Leave

Non-FMLA Medical Leave is available for employees with a serious medical condition who are not eligible for Family Medical Leave. Employees with less than one (1) year of employment may be eligible for up to six (6) weeks unpaid leave. Employees with over one (1) year of employment may be eligible for up to six (6) months (combined FMLA and Non-FMLA) unpaid leave in a rolling 12-month period. Contact Human Resources for more information. Medical/dental insurance benefits will continue while the employee is on leave, as long as they pay their monthly premium. Failure to pay the monthly premium may result in loss of benefits retroactive to the last date paid. It is important that the employee remains in contact with their supervisor during this leave period.

Bereavement Leave

In the event of death of an immediate member of the employee's family the College grants up to a five workday paid leave. The College defines immediate family as the employee's spouse, parent, step-parent, grandparent, child, stepchild, grandchild and sibling. A three-day leave with pay is granted in the event of the death of the employee's spouse's parent, step-parent, grandparent or sibling.

Employees may, with their supervisor's approval, receive additional unpaid time off if necessary or use their vacation and/or sick time.

Jury Duty

Full-time employees called for jury duty will receive their full salary for up to 5 days within a one-year period.

Employees must present the jury duty summons to their supervisor or to Human Resources. If an employee receives wages from Noorda College of Osteopathic Medicine while on jury duty, monies received from state or federal authorities as compensation for jury duty service must be submitted to the Human Resources office. Employees must consult with their supervisor when a jury duty notice is received. Postponements may be available and sometimes necessary if such duty should occur during a peak period in the department.

Voting Leave

Noorda-COM encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule. If employees are unable to vote in an election during their non-working hours, Noorda-COM will grant up to two hours of paid time to vote in local, state and national elections.

Employees must request time off to vote by notifying their supervisor at least two working days prior to the Election Day.

Witness Leave

Employees are given the necessary time off without pay to attend or participate in a court proceeding in accordance with state law. Employees must notify their supervisor and the HR Manager of the need to take witness leave as far in advance as is possible. Exempt employees may be provided time off with pay when necessary to comply with state and federal wage and hour laws.

Professional Witness Leave (Expert Witness)

Employees who may be requested to serve as a professional witness will be granted the necessary time off without pay to attend or participate in a court proceeding in accordance with state law. Typically, those providing expert or professional testimony are compensated by the legal system for their services and as such are not eligible for paid leave. Voluntary participation in the provision of professional witness leave should not interfere with responsibilities and duties associated with employment at Noorda-COM.

Other Court Leave

Employees may be allowed to take time to attend court hearings and trials without pay; however, employees may use vacation leave or supervisor approved sick leave to compensate for their time away from work.

Military Leave

A military leave of absence will be granted to employees who are absent from work due to service in the United States Uniformed Services in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA). Advance notice of military service is required unless military necessity prevents such notice, or it is otherwise impossible or unreasonable.

The leave will be unpaid. However, employees may use any available vacation for the absence.

Employees on military leave for up to 30 days are required to return to work on the first regularly scheduled shift after the end of service, allowing reasonable travel time. Employees on longer military leave must apply for reinstatement in accordance with USERRA and all applicable state laws.

Employees returning from military leave will be placed in the position they would have attained had they remained continuously employed or a comparable position depending on the length of military service in accordance with USERRA. They will be treated as though they were continuously employed for the purposes of determining benefits based on length of service.

Parental Leave

Full-time employees who have completed their introductory period may be granted a leave of absence without pay upon the birth or adoption of a child consistent with the needs of the College. Such leave must begin immediately upon the birth of the child and/or placement of a child for adoption.

A period of parental leave may not exceed six (6) weeks (Eight (8) weeks for California based employees) in a 12-month period. Employees will be required to substitute their accrued vacation or sick time for all or part of their parental leave. In addition, vacation, sick days will not accrue while employees are on a parental leave. Holidays during a leave of absence are unpaid and do not accrue.

Employees seeking parental leave must submit a Request for Leave form (See) a minimum of 30 days' advance notice of their intent to take parental leave and the anticipated date of their return. Employees may not accept other employment or apply for unemployment insurance while on parental leave. Acceptance of other employment while on leave will be treated as a voluntary resignation from employment.

A reasonable effort will be made to return employees to the same or a similar position upon return from leave subject to staffing and business requirements.

Pregnancy related Absences

Noorda-COM will not discriminate against any employee who requests an excused absence for medical conditions associated with pregnancy. Such leave requests will be evaluated according to the medical leave policy provisions outlined in this handbook and all applicable federal and state laws. All absences must be submitted through Workforce NOW (See "Requesting Time Off" section).

Organ Donation Leave

Utah does not require employers to provide time off for organ donation, however If an employee chooses to donate an organ or participate in a bone marrow transplant, unpaid leave will be authorized. Upon approval from their Supervisor, the employee would request the time off as deemed necessary for appropriate recovery.

California requires an employer to provide additional, unpaid leave time, of up to 30 days a year, to an employee who is donating an organ.

Leave of Absence Without Pay

Noorda-COM provides leaves of absence without pay to employees who wish to take time off from work duties to fulfill personal obligations.

Eligible employees may request personal leave only after having completed 180 calendar days of service (6 months). Employees submit an Absence Request through HR Manager (See "Requesting Time Off" section). As soon as eligible employees become aware of the need for a personal leave of absence, they should notify their supervisor.

Personal leave may be granted for a period of up to five calendar days every year. With the supervisor's approval, an employee may take any available paid vacation as part of the approved period of leave.

Requests for personal leave will be evaluated based on a number of factors, including anticipated workload requirements and staffing considerations during the proposed period of absence.

When an extended personal leave ends, every reasonable effort will be made to return the employee to the same position, if it is available, or to a similar available position for which the employee is qualified. However, Noorda-COM cannot guarantee reinstatement in all cases.

If an employee fails to report to work promptly at the expiration of the approved leave period, Noorda-COM will assume the employee has resigned.

Handling Disruptive Student Behavior in the Classroom

This procedure is intended to help assure each student and course instructor at Noorda College of Osteopathic Medicine that the classroom environment is supportive of teaching and learning by providing procedures for dealing with the problem of the student who is perceived to be disruptive. The procedure is also intended to provide due process in the treatment of the student who is involved in an incident of disruptive behavior. Should any provision of the policy appear to be in conflict with existing legal statutes or administrative regulations, those statutes and regulations shall govern. The Noorda College of Osteopathic Medicine Student Code of Conduct governs student behavior and expectations and outlines procedures for reporting disruptive behavior to the Associate Dean of Students Affairs. The Dean should be notified by the Associate Dean of Student Affairs.

Definition

A disruptive student is a student who engages in behavior that interferes with the process of teaching and/or learning.

Procedure for Dealing with Incidents of Disruptive Behavior

Any student whose behavior is judged by the instructor to be disruptive shall be informed by the instructor that his/her actions are disruptive. The instructor shall explain how the behavior disrupts the teaching/learning process, inform the student that if the

behavior continues it will be reported to the Associate Dean of Students, and request that the student cease the behavior. This explanation and request may take place at the time of the behavior or at another time and place deemed appropriate by the instructor (e.g. during office hours).

1. A student may be dismissed by the instructor from any activity in which disruptive behavior persists following the instructor's request that it cease. Subsequent attendance is allowed unless the disruptive behavior continues. If the student refuses a request by the instructor to leave following persistent disruptive behavior, the instructor should call Security immediately.
2. If, at any time, the instructor believes the student poses a physical threat to him/her or to other students, Security should be called by the instructor. Security will notify the Associate Dean of Student Affairs. The Dean should be notified by the Associate Dean of Student Affairs.
3. If a student's disruptive behavior continues following the request that it cease, the instructor shall refer the case to the Associate Dean of Student Affairs for handling. The Associate Dean of Student Affairs will deal with the case according to established student discipline procedures. Administrative withdrawal from the course is a discipline sanction that may be used.
4. A student involved in a classroom incident of disruptive behavior who believes he/she has been unfairly treated may seek relief through established College procedures.

Appendix A: Faculty Council Bylaws

Faculty Council Bylaws

NOORDA COLLEGE OF OSTEOPATHIC MEDICINE

ARTICLE 1. Name

The name of the organization shall be Noorda College of Osteopathic Medicine Faculty Council (“Faculty Council”).

ARTICLE 2. Responsibilities

The mission of the Noorda College of Osteopathic Medicine Faculty Council shall be to represent faculty interests and concerns to College and Community stakeholders. The Faculty Council is responsible for fostering the professional development and economic well-being of the Faculty. The Council shall guide Faculty in the fulfillment of their responsibilities in College shared governance. The purpose of Faculty governance at Noorda College of Osteopathic Medicine is to promote and protect academic freedom, academic integrity, academic quality, effective communication with Administration, and maintenance of a dynamic learning environment free of prejudice or undue partiality.

The Noorda College of Osteopathic Medicine Faculty Council serves as a liaison between faculty and administration. This charge includes:

- Review, and make recommendations to the Noorda College of Osteopathic Medicine Presidents’ Council regarding:
 - Faculty standards
 - Faculty recruitment and retention
 - Faculty rank and promotions
 - Faculty development
 - Faculty Research
 - Academic policies
 - Educational standards
 - Educational curricula
 - Academic regulations
 - Academic resources and staffing
- Develop, support, and preserve faculty opportunities for scholarly learning, teaching, and research activities.
- Establish, and annually review the bylaws of Faculty Council Standing Committees.
- Establish and retire ad hoc Committees, Work Groups and Task Forces as required to perform Faculty Council duties.

- Biannually review, approve bylaws and make recommendations to College Faculty Councils.
- Represent the Faculty on College Committees.
- Participate in the development and implementation of strategic planning and College development objectives.

ARTICLE 3. Members

Definition of Faculty

The Noorda College of Osteopathic Medicine (NOORDA-COM) faculty shall consist of full-time regular, part-time regular and non-regular members who have been appointed to the rank of instructor, assistant professor, associate professor or professor, and whose appointment process has been vetted through the appropriate faculty committee, approved by the Dean and submitted to the President for final approval.

Full-time regular faculty are defined as individuals who are employed with the College, hold a 12-month appointment, hold faculty rank, have primary appointments with NOORDA-COM, and who devote their full academic efforts and attention to their Noorda College of Osteopathic Medicine assignment. Faculty hired as a 0.6 full-time equivalent (FTE) or greater will be considered full-time for the purpose of benefit eligibility. Rank assignment will be at the level of instructor, assistant professor, associate professor, or professor on either the academic (research and/or instructional), clinical, administrative, or library tracks.

Part-time regular faculty are defined as individuals who have appropriate terminal degrees and substantial teaching responsibilities but who are not full-time faculty as defined above. Rank assignment will be at the level of instructor, assistant professor, associate professor, or professor on either the academic (research and/or instructional), clinical, administrative, or library tracks.

Non-regular faculty (Adjunct, Emeritus) are non-salaried and do not have the rights and privileges of regular faculty. Non-regular faculty includes the adjunct clinical track, adjunct academic track, research, and emeritus faculty and non-salaried instructors. Adjunct faculty are all instructors who may or may not have rank above the level of instructor.

Faculty Council Membership and Voting Eligibility

To be eligible to be a voting member of the Faculty Council, an individual:

- MUST be a full-time regular faculty member as defined above.
- With the exception of the Chair of the Faculty Council Executive Committee, MUST NOT be a member of the Noorda College of Osteopathic Medicine President's or Dean's Council.

Ad Hoc Membership

Ad Hoc members may be invited to attend faculty Council meetings for a specific purpose and time period given their area of expertise.

Ad Hoc members may attend and participate in Faculty Council meetings, but will have no voting rights, nor be permitted to hold office, nor count toward quorum.

ARTICLE 4. Faculty Council Executive Committee

Function of the Faculty Council Executive Committee

The Faculty Council Executive Committee (FCEC) serves to represent the faculty to the Administration, set the date, time, and agenda for meetings of the Faculty Council, and to conduct business which does not require a vote on behalf of the Faculty Council in between meetings of the Faculty Council.

The FCEC is charged with the responsibility of reviewing all matters, from each college Faculty Council within Noorda College of Osteopathic Medicine before it can be presented to the President's Council of Noorda College of Osteopathic Medicine for discussion or consideration.

The President's Council of Noorda College of Osteopathic Medicine will not hear any official faculty council issues, or consider any business voted on by any college Faculty Council unless it has first been reviewed by the FCEC and presented to the Faculty Council for any discussion.

Qualifications

Any faculty member who is a Voting Member of the Faculty Council may serve as a member of the FCEC.

Number

There will be at least two (2) members of the FCEC from Biomedical and Clinical Sciences.

There will also be one (1) member elected from the Faculty Council At-Large.

Eligibility, Election and Selection.

Membership of FCEC will be nominated and voted on by each respective academic department to represent that department on FCEC. Recommendations for FCEC representation will be provided by the department to the Chair of the FCEC for approval by FCEC when a seat for that department becomes available.

Members from the appropriate governing body of their respective academic units shall be elected according to procedures set forth in the Bylaws of those academic department.

The At-Large member shall be elected during a meeting of the Faculty Council as follows:

1. Candidates may be nominated by their respective department
2. Candidates may also be self-nominated

3. The At-Large candidate shall be elected by a simple majority from among the candidates nominated. If no candidate receives a majority of the votes on the first balloting, the individual receiving the lowest number of votes will be removed from the ballot and a vote will be taken with the new ballot. This procedure will be used until such time that a candidate receives a majority of the votes.

Tenure

The term of office for a member of the FCEC is two (2) years. A member of the FCEC shall hold office until the member's successor is elected and qualified, or until the member's resignation, removal from office, or their inability to perform duties.

Staggered Terms

The members of the FCEC shall be elected to serve staggered two-year terms, each starting on July 1st of each calendar year.

Of the two inaugural representatives one will be designated to serve a three (3) and one a two (2) year term. The inaugural at-large representative will serve a three (3) year term.

Term Limits

No member of the FCEC may serve for more than two (2) consecutive terms. A member elected to complete the term of a member who resigned, was removed, or became unable to perform their duties, shall be considered to have served a complete term if the remaining term of office was at least one year in length.

In the event a department cannot nominate an acceptable replacement for a term-limited representative, the department may submit a written request for a 3rd term to the FCEC. The FCEC may approve this request with a majority vote.

Resignation, Removal, and Vacancies

Resignation: Any member may resign at any given time by giving written notice to the Chair of the FCEC, except the Chair's resignation shall be given to the FCEC as a whole.

Removal: Members of the FCEC may be removed by unanimous vote of the other members of the FCEC or by two-thirds (2/3) majority of the body from which that member was elected (Faculty Council, Department, Program, or Faculty Council).

Any member subject to a removal vote shall be notified in writing by a designated committee member at least 10 business days prior to a vote being held.

A removed member may appeal their removal through the Faculty Council Grievance Committee.

Vacancies: A position on the FCEC shall be declared vacant upon the member's resignation, removal, or becoming unable to perform their duties. Any vacancy occurring on the FCEC shall be filled by election by the appropriate governing body. The newly elected member shall complete the unexpired term of the predecessor.

Regular and Special Meetings

The FCEC shall meet on a regular basis at such dates and times as determined by the Chair of the Faculty Council. Special meetings may be called by the Chair of the FCEC or by majority action of the FCEC.

Notice of Meeting

Notice of each meeting of the FCEC stating the date and time and place of the meeting, and in the case of a special meeting, the purpose(s) for which the meeting is called, shall be given to members of the FCEC at least two (2) business days prior to the meeting. Notice must be given in writing. Written notice may be delivered either personally, by mail, by private carrier or by electronic transmission.

Quorum

For a meeting of the FCEC, a quorum shall consist of a majority (greater than 50%) of its members being present.

Voting by Proxy

No member of the FCEC may vote or act by proxy at a meeting of the FCEC.

Action Without Meeting

Any action required or permitted to be taken at a meeting of the FCEC may be taken without a meeting if every member of the FCEC in writing either: (i) votes for such action; (ii) votes against such action; or (iii) abstains from voting.

Agenda

The Chair of the FCEC, in consultation with the other members of the FCEC, shall set the agenda for the meetings of the FCEC. Any member of the FCEC shall be permitted to request items for inclusion on the agenda.

Leadership of Meetings of the Faculty Council

The Chair of the FCEC shall preside at Meetings of the Faculty Council. In the event that the Chair is absent from a Meeting, the Vice Chair of the FCEC shall preside.

Open and Executive Meeting Sessions

Ordinarily, all meetings of the FCEC shall be open to Members of the Faculty Council. However, in the event the Chair of the FCEC, with the consent of a majority of the FCEC members in attendance, deems it appropriate: (i) to exclude non-members at an open meeting for any reason, then the Chair may declare that the meeting is closed, or (ii) to convene an executive session to consider and discuss sensitive matters, then the Chair may specifically designate and call an executive session.

ARTICLE 5. Faculty Council Meetings

Regular and Special Meetings

The Faculty Council shall meet on a regular basis (no less than four (4) times per academic year) at such dates and times as determined by the Faculty Council Executive Committee (FCEC). Special meetings may be called by the Chair of the FCEC or by majority action of the FCEC.

Notice of Meeting

Notice of each meeting of the Faculty Council stating the date and time and place of the meeting, and in the case of a special meeting, the purpose(s) for which the meeting is called, shall be given to Members of the Faculty Council at least 10 business days prior to the meeting. Notice must be given in writing. Written notice may be delivered either personally, by mail, by private carrier or by electronic transmission.

Quorum

For a general meeting of the Faculty Council, a quorum shall consist of 30% of Voting Members being present.

For a meeting at which the election of an At-Large member of the FCEC shall be conducted, a quorum shall consist of 30% Voting Members.

Meetings during which the bylaws will be changed, a quorum shall consist of a majority (greater than 50%) of Voting Members. Bylaws changes and election results can be conducted and approved by electronic voting as long as the number of votes exceeds the appropriate minimum quorum.

Voting by Proxy

No Voting Member may vote or act by proxy at a Meeting of the Faculty Council.

Action Without Meeting

No action required or permitted to be taken at a Meeting of the Faculty Council may be taken without an actual Meeting of the Faculty Council. The FCEC may conduct business which does not require a vote on behalf of the Faculty Council in between meetings of the Faculty Council.

Agenda

The Chair of the FCEC, in consultation with the other members of the FCEC, shall set the agenda for the Meetings of the Faculty Council. Any Member of the Faculty Council shall be permitted to request items for inclusion on the agenda of Meetings of the Faculty Council.

Leadership of Meetings of the Faculty Council

The Chair of the FCEC shall preside at Meetings of the Faculty Council. In the event that the Chair is absent from a Meeting, the Vice Chair of the FCEC shall preside.

ARTICLE 6. Officer

Designation

The officers of the Faculty Council shall be the Chair and the Vice Chair.

Election and Selection

The Chair and Vice Chair shall be elected from among the members of the FCEC, by the members of the FCEC.

Tenure

The term of office for the Chair and Vice Chair of the FCEC are one (1) year. The Chair and Vice Chair of the FCEC shall hold office until a successor is elected and qualified, or until the Chair's resignation, removal, or inability to perform duties.

Term Limits

No Officer of the Faculty Council may serve the same office for more than three (3) consecutive terms. A member elected to complete the term of a member who resigned, was removed, or became unable to perform their duties, shall be considered to have served a complete term if the remaining term of office was at least six months in length.

Resignation, Removal, and Vacancies

Resignation: The Officer's resignation shall be given to the FCEC as a whole.

Removal: The Chair or Vice Chair the FCEC may be removed by unanimous vote of the other members of the FCEC or by two-thirds (2/3) majority of the Faculty Council. The Officer subject to a removal vote shall be notified in writing by a designated committee member at least 10 business days prior to a vote being held. A removed officer may appeal their removal through the Faculty Council Grievance Committee.

Vacancies: The Chair or Vice Chair of the FCEC shall be declared vacant upon the resignation, removal, incapacity, or inability of the prior Chair to perform their duties. The Vice-Chair will assume the role of Chair upon resignation or removal of the Chair.

Duties

The Chair shall:

- Preside over meetings of the FCEC and over meetings of the Faculty Council.
- Serve as the principal representative of the Faculty to the Administration and other bodies.
- Set the agenda for meeting of the Faculty Council or FCEC in consultation with the other members of the FCEC.
- Cause to be published the minutes of the FCEC and of the Faculty Council.
- Cause Members of the Faculty Council and/or FCEC to be notified of meetings of their respective bodies.
- Appoint a Chair pro tempore in the event of the absence of the Chair and Vice

- Chair from a meeting of the FCEC or of the Faculty Council.
- Maintain membership records of the FCEC

The Vice-Chair shall:

- Assume all responsibilities for the Chair in the event that the Chair is absent for meetings
- Communicate with the Chair regarding minutes and agenda

ARTICLE 7. Committees

Designation

The Noorda College of Osteopathic Medicine Faculty Council identifies two categories of College-level committees: Faculty Council Committees overseeing matters of faculty self-governance, and College Committees overseeing matters of College shared governance. All College committees are expected to adhere to the principles set forth in the statement of Academic Freedom in the Noorda-COM Faculty Handbook.

Faculty Council Committees

Faculty Council Committees are established to focus on the major continuing areas of faculty concern, including education, faculty welfare, scholarly activity and research, and curriculum development. Authority over these committees resides with the Faculty Council.

The standing Faculty Council Committees are:

- Faculty Council Research Committee
- Faculty Grievance Committee

College Committees

College Committees are established to focus on areas that affect the entire institution and require faculty representation. College Committees include, but are not limited to: Assessment, IRB, IBC, ACUC, Security & Safety, Information Technology, Infrastructure, etc. Authority over these committees resides with the office of the Dean.

When allowable, the Faculty Council is responsible for approving faculty representation on College Committees. Requests for nominations or appointments of faculty representatives on College Committees should be made to the Chair of the Faculty Council and forwarded to the appropriate Department Chair for their approval.

ad hoc Committees, Work Groups, and Task Forces

The Faculty Council may establish temporary ad hoc committees, work groups, or task forces for specific purposes not attributable to standing Faculty Council Committees.

Qualification

Any Voting Member of the Faculty Council may serve as a member of a Committee in a position designated by the Faculty Council.

ARTICLE 8. AMENDMENTS TO BY-LAWS

Proposal of Amendments

Amendments to the Faculty Council by-laws may be proposed in one of the following ways:

- By resolution at a regular meeting of the Faculty Council such that:
 - A majority (greater than 50%) of those present and voting approve of the proposal
 - An appropriate quorum is present (greater than 50% of total voting membership)
 - By petition of 10% of the Faculty Council
 - By recommendation of the FCEC

Adoption of Amendments

Proposed Amendments generated by any of the methods in Section 8.1 may be approved in one of two ways:

- Approval at a regular meeting of the Faculty Council such that:
 - A majority (greater than 50%) of those present and voting approve of the Amendment
 - An appropriate quorum is present (greater than 50% of total voting membership)
- Approval by electronic means such that:
 - An electronic ballot is made available to every eligible voting member
 - The number of votes exceeds the appropriate minimum quorum (greater than 50% of total membership)
 - A majority (greater than 50%) of those voting approves of the Amendment

Appendix B: Rank and Promotion Guidelines (COM)

CRITERIA AND GUIDELINES FOR APPOINTMENT AND PROMOTION OF FACULTY

OVERVIEW

This document describes the criteria for a promotion. Suggested formats for construction of a promotion portfolio are provided.

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 - b. Administration
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- b) Adjunct
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- b. Assistant Professor
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- c. Joint Appointments
- d. Honorary Appointment

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Appendix 2: Rank and Promotion Procedures

Appendix 3: Overview of exemplary behaviors supporting promotion

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Appendix 5: Committee Descriptions

Definition of Faculty

The Noorda College of Osteopathic Medicine (Noorda-COM) faculty shall consist of full-time regular, part-time regular and non-regular members who have been appointed to the rank of instructor, assistant professor, associate professor or professor, and whose appointment process has been vetted through the appropriate faculty committee, approved by the Dean and submitted to the President for final approval. Noorda College of Osteopathic Medicine is not a tenure-granting institution.

Full-time regular faculty are defined as individuals who are employed with the College, hold a 12-month appointment, hold faculty rank, have primary appointments with Noorda-COM, and who devote their full academic efforts and attention to their Noorda-COM assignment. Faculty hired as a 0.6 full-time equivalent (FTE) or greater will be considered full-time for the purpose of benefits eligibility. Rank assignment will be at the level of

instructor, assistant professor, associate professor, or professor on either the academic (research and/or instructional), clinical, administrative, or library tracks.

Part-time regular faculty are defined as individuals who have appropriate terminal degrees and substantial teaching responsibilities but who are not full-time faculty as defined above. Rank assignment will be at the level of instructor, assistant professor, associate professor, or professor on either the academic (research and/or instructional), clinical, administrative, or library tracks.

Non-regular faculty (Adjunct, Emeritus) are non-salaried and do not have the rights and privileges of regular faculty. Non-regular faculty includes the clinical adjunct track, adjunct academic track, research, and emeritus faculty and non-salaried instructors.

Tenure

Noorda College of Osteopathic Medicine is not a tenure-granting institution.

TRACKS

Regular Faculty

Regular faculty are employed full-time or part-time by Noorda College of Osteopathic Medicine in the capacities of teaching, college service, scholarly activity and/or research, and/or clinical patient care responsibilities.

Fellow

- Fellows function as teaching assistants for labs, aid in the management of the labs, participate in some didactics, facilitate small group sessions, lead review sessions, and serve as a general resource for students in much the same way faculty does.

Instructor

- Instructors may teach students by delivering content or in laboratory settings. Instructors are required to have the appropriate degree for the teaching assignment. This category applies to faculty members without significant curricular responsibility and who deliver content or assist in the instructional laboratory. Instructors are not expected to conduct research but are expected to participate in college service if they are employed full-time.

Academic

- Academic Faculty are appointed full-time or part-time in the capacities of teaching, clinical, service, scholarly activity and/or research. Appointment levels are at the level of Assistant Professor, Associate Professor and Professor.

Administration

- Administrative Faculty are appointed full-time or part-time in the capacities of administration. Appointment levels are at the level of Assistant Professor, Associate Professor and Professor.

Library

- Library faculty engage in library and information management, foster information literacy, teach the skills necessary to navigate the expanding information environment, create opportunities for resource sharing, and make contributions to the College and the profession through service. Librarians hold faculty rank and are appointed to the rank of Assistant Professor, Associate Professor, or Professor.

Adjunct Faculty

Noorda College of Osteopathic Medicine also appoints individuals to the rank of adjunct (non-regular) faculty if their primary appointment is with an institution other than Noorda-COM but they provide instructional service to Noorda-COM classes on an irregular basis. They are generally non-salaried. Ranking in an Adjunct appointment is not transferable to a Regular Academic track. No security of employment is acquired by appointment to a title in this track. Continued appointment is reassessed on a regular basis, at least annually.

Academic

- Academic faculty includes those individuals who provide special topic content or seminars, for example, but who do not staff a course for its duration. Adjunct professors

are ranked at the Adjunct Instructor, Adjunct Assistant Professor, Adjunct Associate Professor and Adjunct Professor levels.

Research

- Research faculty are employed in the capacity of research scientists. Research faculty may teach in content and/or laboratory settings, and in both basic and clinical sciences. Assignment of rank is at the level of Postdoctoral Fellow, Research Assistant Professor, Research Associate Professor, or Research Professor. Holders of these positions have a primary responsibility to do research. This position is usually dependent upon outside funding.

Clinical

- Adjunct clinical faculty members are appointed to teaching positions at affiliated hospitals, clinics, and other training institutions, based on academic need, and are generally non-salaried. They function in clinical roles at off campus (non-College operated) sites and are not routinely involved in on campus instruction. Assignment of rank in this track is at the Clinical Adjunct Instructor, Clinical Adjunct Assistant Professor, Clinical Adjunct Associate Professor, or Clinical Adjunct Professor level.

Emeritus

All nominees must have been a full-time academic or administrative faculty member at Noorda-COM for typically ten years, and must have demonstrated a record of excellence in performance of professional duties (appropriate to the nominee's job category) including: teaching, other instructional activities, or professional performance. In addition, the nominee must have made a significant contribution while at the college in at least two of the following areas:

- Meaningful contributions to the curriculum or program
- A record of sustained research/creative activity that has contributed to the profession
- Commitment to and participation in shared governance and service to the College
- Additional areas of excellence specific to the nominee's job category

REQUIREMENTS FOR RANK OR PROMOTION

Initial Appointment and Promotion

All regular full-time, part-time or adjunct faculty are assigned to an academic division within the COM. Initial faculty rank is recommended for appointment by the Department Chair at the time of hiring. Credentials of the nominee shall be forwarded by the Department Chair to the Rank and Promotion Committee which has the responsibility to review the applicant's qualifications and affirm or recommend appropriate rank to the Dean. In the case of interdivision appointments, the joint recommendations of the chairs of the divisions shall be submitted for consideration.

Adjunct faculty holding rank in recognized teaching institutions may be awarded equivalent rank upon application at Noorda-COM for Adjunct status provided they meet the Noorda-COM requirements.

Faculty who wish to apply for academic advancement initiate the promotion application process with a written request to the department chair and by submitting his/her application portfolio in conformance with deadlines established annually.

Criteria for faculty promotion in Noorda-COM are consistent with relevant portions of the Noorda-COM Faculty Bylaws, applicable policies, and procedures. Promotion criteria are intended as guidelines to be used in conjunction with Noorda-COM policy. A candidate should be considered for promotion after the individual has made contributions to both the institution and their profession.

Instructor

Annual Professional Development requirements are structured in support of fulfilling the mission of the College. Faculty are expected to accomplish at a minimum all College-wide and track focused modules. Successful completion of modules is reviewed by the faculty's supervisor as part of annual evaluations and taken into consideration for recommendation of promotion.

Regular Full-Time or Part-Time

- Have a Master's or terminal degree from an accredited institution and an educational background/experience in a field appropriate for their assigned duties.
- Physician-Candidates must have graduated from an accredited medical school, have an unrestricted, active state license, and evidence of experience/training in their area of expertise.

Adjunct Academic or Research

- Have a terminal degree from an accredited academic or professional training program and evidence of experience/training in their area of expertise.

Clinical Adjunct

- Be at a minimum, a post-graduate intern, resident, or fellow in an accredited training program.
- Possess an unrestricted state license.
- Be actively contributing to the education and training of Noorda-COM students.

Library

- Possess a graduate degree in library or information science or in a special field relevant to the position.
- Several years of relevant paraprofessional experience or experience in another profession.

Assistant Professor

Appointment or promotion to the rank of Assistant Professor includes all of the prerequisites through Instructor, plus the following: (See Appendix A for examples of qualifying evidence)

Annual Professional Development requirements are structured in support of fulfilling the mission of the College. Faculty are expected to accomplish, at a minimum, all College-wide and track focused modules. Successful completion of modules is reviewed by the faculty's supervisor as part of annual evaluations and taken into consideration for recommendation of promotion.

In addition to demonstrated areas of academic scholarship, candidate must accomplish a minimum of three (3) letters of support from peers in candidates area of expertise, discipline, or area(s) of interest, one (1) of which must be external to Noorda-COM, who are experts in the field of the candidate and hold at least the academic rank or equivalent of the candidate. A letter supporting the applicants request for promotion is to be obtained from the applicants Chair/ Direct Supervisor.

Regular Full-Time or Part-Time

- Regular Full-Time or Part-Time Faculty will have various allocations of scholarship commensurate with their specific job areas:
 - Teaching
 - Research
 - Service/ Administration
 - Clinical

Adjunct Academic or Research

- Candidates should have a Doctoral or terminal degree from an accredited institution.
- Successfully completion of professional training or acquired equivalent experience in a clinical academic or research field commensurate with their assigned duties.

Clinical Adjunct

- Completion of an AOA or ACGME approved residency.
- Board certified or board eligible.
- Possess an unrestricted state license.
- Candidates should have a Doctoral or terminal degree from an accredited institution and successfully completed professional training or acquired equivalent experience in a clinical academic or research field commensurate with their assigned duties.
- The Physician-Candidate must be board certified or board eligible for specialty or subspecialty certification.
- Be actively contributing to the education and training of Noorda-COM students.

Administrative

- Candidates should have a at minimum a bachelor's degree from an accredited institution in a related field of study and successfully completed professional training or acquired equivalent experience in an academic, clinical or research field commensurate with their assigned duties. Advanced degrees (MSEd, EdD, PhD) and professional certifications preferred.

Library

- Possesses a graduate degree in library science or in a special field relevant to the position.
- Professional experience with increasing specialization in a technical, subject, or administrative area.
- Demonstrates progressive responsibility for development and implementation of policies, programs, and services.
- Contribute to the profession in his/her area of library specialization.
- Has made increasing contributions to the profession through professional activity, publication, or research.

Associate Professor

Initial appointment or promotion to the rank of Associate Professor include all of the prerequisites through Assistant Professor, plus the following: (See Appendix A for examples of qualifying evidence)

Candidates must have served at the rank of Assistant Professor or academic equivalent for a minimum of five (5) years, three of which may be at a previous institution.

Annual Professional Development requirements are structured in support of fulfilling the mission of the College. Faculty are expected to accomplish, at a minimum, all College-wide and track focused modules. Successful completion of modules is reviewed by the faculty's supervisor as part of annual evaluations and taken into consideration for recommendation of promotion.

In addition to demonstrated areas of academic scholarship, candidate must accomplish a minimum of three (3) letters of support from peers in candidates area of expertise, discipline, or area(s) of interest, one (1) of which must be external to Noorda-COM, who are experts in the field of the candidate and hold at least the academic rank or equivalent of the candidate. A letter supporting the applicants request for promotion is to be obtained from the applicants Chair/ Direct Supervisor.

Regular Full-Time or Part-Time

- Must demonstrate academic success as evidence of sustained excellence commensurate with the specific applicant's job description in two (2) of three (3) areas of scholarship (for basic science candidates) or two (2) of four (4) areas of scholarship (for clinical candidates) in a minimum of three (3) of four (4) areas of performance in role as **Assistant Professor**.
 - *Teaching*
 - Sustained and superior performance in education

- Outstanding teaching performance as documented by learner and peer evaluations and awards.
- Development of innovative educational programs.
- Sustained evidence of being recognized as an effective, consistent mentor of students, pre-doctoral fellows, post-graduate residents/fellows, and /or faculty-peers.
- Outstanding service and/or administration performance as demonstrated through active engagement, major responsibility and/or leadership role in state, and/or regional education organizations or societies.
- **Research**
 - Sustained and superior performance in research
 - Sustained clinical research effort as principal investigator on extramural research grants, contracts or training grants.
 - Leadership role in the development of a research program.
 - Sustained evidence of being recognized as an effective, consistent mentor of students, pre-doctoral fellows, post-graduate residents/fellows, and /or faculty-peers.
 - Outstanding service and/or administration performance as demonstrated through active engagement, major responsibility and/or leadership role in state, and/or regional research organizations or societies.
- **Service/ Administration**
 - Sustained and superior performance in Service and/or Administration
 - Effective leadership and service as Associate Dean, Assistant Dean, Department or Committee Chair.
 - Provides effective, active support as advisor to colleges' students, clubs, societies and organizations.
 - Sustained evidence of being recognized as an effective, consistent mentor of students, pre-doctoral fellows, post-graduate residents/fellows, and /or faculty-peers.
 - Outstanding service and/or administration performance as demonstrated through active engagement, major responsibility and/or leadership role in state, and/or regional organizations or societies.
- **Clinical**
 - Sustained and superior performance in Clinical service
 - Board certified in medical specialty or subspecialty.
 - Evidence of recognition as content expert in area of clinical/ professional expertise by peers and clinic/ hospital leadership.
 - Sustained evidence of being recognized as an effective, consistent mentor of students, post-graduate residents/fellows, and /or faculty-peers.
 - Outstanding service and/or administration performance as demonstrated through active engagement, major responsibility and/or leadership role in state, and/or regional medical organizations or societies.
- In addition to demonstrated areas of academic scholarship, candidate must accomplish:
 - Minimum of five (5) articles in peer-reviewed journals or equivalent peer-reviewed repository
 - As first author or senior author, primary author or played a major role in the inception, design, and implementation of the publication

Adjunct Academic or Research

- Sustained evidence of being recognized as an effective, consistent mentor of Noorda-COM students, pre-doctoral fellows, post-graduate residents/fellows, and /or faculty.
- Outstanding service and/or administration performance as demonstrated through active engagement, major responsibility and/or leadership role in state, and/or regional organizations or societies.

Clinical Adjunct

To include all the requirements as outlined for Adjunct Academic Associate Professor

- Must be board certified in their medical specialty or subspecialty.
- Evidence of scholarly activity, or the development of and teaching in graduate medical education programs.
- Be actively contributing to the education and training of Noorda-COM students, residents, or fellows with an average over the last three years as follows:
 - Primary care physicians – precepting six (6) students per year
 - Specialty physicians – precepting four (4) students per year
- An **accelerated rank promotion** may be granted with the following guidelines:
 - Candidate must be actively engaged in education and training of Noorda-COM students and consistently has acceptable student and site evaluations.
 - Primary care physicians – 12 students per year or cumulatively 30 students.
 - Specialty physicians - 8 students per year or cumulatively 20 students.
 - Completion of 3 faculty development modules per quarter

Administrative

- Effective leadership and service as Associate Dean, Assistant Dean, Department or Committee Chair.
- Provides effective, active support as advisor to colleges' students, clubs, societies, and organizations.
- Sustained evidence of being recognized as an effective, consistent mentor of students, pre-doctoral fellows, post-graduate residents/fellows, and /or faculty-peers.
- Outstanding service and/or administration performance as demonstrated through active engagement, major responsibility and/or leadership role in state, and/or regional organizations or societies.
- In addition to demonstrated areas of academic scholarship, candidate must accomplish:
 - Minimum of five (5) articles in peer-reviewed journals or equivalent peer-reviewed repository.
 - As first author or senior author, primary author or played a major role in the inception, design, and implementation of the publication.

Library

- The individual appointed to this rank possesses a graduate degree in library science or in a special field relevant to the position.
- Additional graduate degrees or course work enhancing general knowledge and special competence is preferred.
- Must have demonstrated continual growth in specific areas of librarianship, including increasing specialization in a technical, subject, or administrative area, such as

supervision, collection development, technical processing, systems planning, or specialized reference and bibliographical work.

- Has established considerable recognized expertise in a defined area of librarianship on a state, regional or national level.
- Has made significant contributions to the profession through professional activity, publication, or research.

Professor

The requirements for initial appointment or promotion to the rank of Professor include all of the prerequisites through Associate Professor, including the following: (See Appendix A for examples of qualifying evidence)

Candidates must have served at the rank of Associate Professor or academic equivalent for a minimum of five (5) years, three of which may be at a previous institution.

Annual Professional Development requirements are structured in support of fulfilling the mission of the College. Faculty are expected to accomplish, at a minimum, all College-wide and track focused modules. Successful completion of modules is reviewed by the faculty's supervisor as part of annual evaluations and taken into consideration for recommendation of promotion.

In addition to demonstrated areas of academic scholarship, candidate must accomplish a minimum of five (5) letters of support from peers in candidates area of expertise, discipline, or area(s) of interest, two (2) of which must be external to Noorda-COM, who are experts in the field of the candidate and hold at least the academic rank or equivalent of the candidate. A letter supporting the applicants request for promotion is to be obtained from the applicants Chair/ Direct Supervisor.

Regular Full-Time or Part-Time

- Demonstrate consistent success and productivity commensurate with the specific applicant's job description with evidence of excellence in two (2) of four (4) areas of scholarship (for clinical candidates) or two (2) of three (3) areas of scholarship (for basic science candidates) in a minimum of four (4) of five (5) areas of performance in role as Associate Professor.
 - **Teaching**
 - Sustained and superior performance in education
 - Outstanding teaching performance as documented by learner and peer evaluations and awards.
 - Development, implementation, and evaluation of innovative educational and/ or clinical programs.
 - Class performance above the national average as measured by standardized exam (COMLEX-USA, USMLE, COMSAE, COMAT, NBME) in area of content expertise.
 - Sustained evidence of being recognized as an effective, consistent mentor of students, pre-doctoral fellows, post-graduate residents/fellows, and /or faculty-peers.
 - Outstanding service and/or administration performance as demonstrated through active engagement, major responsibility and/or leadership role in

- national education organizations or societies.
- **Research**
 - Sustained and superior performance in research
 - Sustained and superior performance in research documented by having major responsibility for an independent research program, playing a leadership role in a collaborative research effort, or having a sustained clinical research effort.
 - Sustained record of extramural funding as principal investigator on research grants, contracts, or training grants.
 - Active participant in multi-organization research collaborative.
 - Sustained evidence of being recognized as an effective, consistent mentor of students, pre-doctoral fellows, post-graduate residents/fellows, and /or faculty-peers.
 - Outstanding service and/or administration performance as demonstrated through active engagement, major responsibility and/or leadership role in national research organizations or societies.
- **Service/ Administration**
 - Sustained and superior performance in Service and/or Administration
 - Effective leadership and service as Associate Dean, Assistant Dean, Department or Committee Chair.
 - Provides effective, active support as advisor to colleges' students, clubs, societies and organizations.
 - Serves active role in external organization within the community, state or region.
 - Sustained evidence of being recognized as an effective, consistent mentor of students, pre-doctoral fellows, post-graduate residents/fellows, and /or faculty-peers.
 - Outstanding service and/or administration performance as demonstrated through active engagement, major responsibility and/or leadership role in national organizations or societies.
- **Clinical**
 - Sustained and superior performance in Clinical service
 - Designated as fellow in their specialty or subspecialty professional association/college.
 - Evidence of recognition as content expert in area of clinical/ professional expertise by peers and clinic/ hospital leadership.
 - Serves active role in external organization within the community, state or region.
 - Sustained evidence of being recognized as an effective, consistent mentor of students, post-graduate residents/fellows, and /or faculty-peers.
 - Outstanding service and/or administration performance as demonstrated through active engagement, major responsibility and/or leadership role in national medical organizations or societies.
- In addition to demonstrated academic areas of scholarship:
 - Minimum of fifteen (15) articles for non-clinical faculty and ten (10) articles for clinical faculty, in peer-reviewed journals or equivalent peer-reviewed repository the majority published while at the rank of associate professor and reflecting ongoing and significant contribution to scholarly efforts.
 - As first author or senior author, primary author or played a major role in

the inception, design, and implementation of the publication

Adjunct Academic or Research

- Should be a fellow in their specialty or subspecialty professional association/college.
- Must demonstrate sustained evidence of national/international expertise and recognition in their area of expertise, discipline, or area(s) of interest (described and exemplified in the Appendices).
- Sustained, significant contributions in administration (such as a Designated Institutional Officer) or service to the community, specialty or profession.
- Must demonstrate sustained evidence of being recognized as an effective, consistent mentor of students, pre-doctoral fellows, post-graduate residents/fellows, and /or faculty-peers.
- In addition to demonstrated academic areas of scholarship:
 - Minimum of five (5) articles in peer-reviewed journals or equivalent peer-reviewed repository.
 - As first author or senior author, primary author or played a major role in the inception, design, and implementation of the publication.

Clinical Adjunct

- To include all the requirements as outlined for Adjunct Academic Professor.
- Be actively contributing to the education and training of Noorda-COM students with an average over the last three years as follows:
 - Primary care physicians – precepting six (6) students per year
 - Specialty physicians – precepting four (4) students per year
- An **accelerated rank promotion** may be granted with the following guidelines:
 - Candidate must be actively engaged in education and training of Noorda-COM students and consistently has acceptable student and site evaluations.
 - Primary care physicians — 12 students per year or cumulatively 30 students.
 - Specialty physicians - 8 students per year or cumulatively 20 students.
 - Completion of 3 faculty development modules per quarter

Administrative

- Effective leadership and service as Associate Dean, Assistant Dean, Department or Committee Chair for 5 years.
- Provides effective, active support as advisor to colleges' students, clubs, societies and organizations.
- Serves active role in external organization within the community, state or region.
- Sustained evidence of being recognized as an effective, consistent mentor of students, pre-doctoral fellows, post-graduate residents/fellows, and /or faculty-peers.
- Outstanding service and/or administration performance as demonstrated through active engagement, major responsibility and/or leadership role in national organizations or societies.
- In addition to demonstrated academic areas of scholarship:
 - Minimum of fifteen (15) articles in peer-reviewed journals or equivalent peer-reviewed repository the majority published while at the rank of associate professor and reflecting ongoing and significant contribution to scholarly efforts.
 - As first author or senior author, primary author or played a major role in

the inception, design, and implementation of the publication

Library

- Possesses a graduate degree in library science or in a special field relevant to the position.
- Has a second graduate degree or Ph.D.
- Has established considerable recognized expertise in a defined area of librarianship or a field of scholarly endeavor, on a state, regional or national level.
- Demonstrated leadership in specific areas of librarianship, including increasing specialization in a technical, subject, or administrative area, such as supervision, collection development, technical processing, systems planning, specialized reference and bibliographical work, or a field of scholarly endeavor.
- Has made significant contributions to librarianship or fields of scholarly endeavor, through professional activity, consulting, publication, or research.

SPECIAL APPOINTMENTS

Visiting Faculty

The titles of Visiting Instructor/Visiting Assistant Professor/Visiting Associate Professor/Visiting Professor are used only for temporary appointment of persons either visiting from other institutions where they hold similar ranks or who are brought to Noorda-COM on a trial basis. Such appointments are limited to two (2) years unless an exception is approved in writing by the President.

Cross Appointments

Cross appointments designate faculty appointments to more than one department, or school with financial support for the position coming from only one of the units. Cross appointments may be at any of the faculty ranks. Recommendations for promotion in rank for cross appointed faculty should be made only after consultation among the various administrative units of the department, or school and such input provided in a recommendation to the appropriate dean as part of the promotion process.

Joint Appointments

Joint appointments designate faculty appointments to more than one department, or school with financial support for the position shared by the units concerned. Joint appointments may be at any of the faculty ranks. Recommendations for promotion in rank for joint appointed faculty should be made only after consultation among the various administrative units of the department or school and such input provided in a recommendation to the appropriate dean as part of the promotion process. In all cases, the faculty member will have a primary academic appointment in one of the departments of a school and this department will take the lead on all evaluations and promotion procedures.

Honorary Appointment

Honorary appointments are given to those not employed by the College who render service to the College's mission in a manner that justifies the recognition of an honorary title. Campus' published academic publications shall maintain a list of honorary titles, indicated as such.

Appendix 1: Portfolio Requirements for consideration of Application for Promotion after initial appointment

Regular Full-Time or Part-Time

- 1) Letter of support for rank and/or promotion from chair/supervisor (portfolios may be submitted for review even if supervisor or chair has not submitted a supporting letter)
- 2) Copy of current/ accurate Curriculum Vitae
- 3) Demonstrated accomplishments with appendices containing supporting evidence as appropriate:
 - a) Teaching
 - b) Research/ Scholarship
 - c) Service
 - d) Clinical
- 4) Letters of recommendation commensurate with requested rank.
- 5) Copies of publications.
- 6) Statement of professional goals for next five years in the areas of teaching, clinical practice, research, and service.

Appendix 2: Rank and Promotion Procedures

Procedure for Promotion

The Associate Dean shall maintain a record of promotion deadlines and notify faculty one year prior to any mandatory deadline.

Recommendations to the Noorda-COM Rank and Promotion Committee (RPC) for promotion normally shall originate from the Department Chair or Associate Dean. However, any Faculty Member whose Division Chair/ Associate Dean is unwilling to recommend promotion may appeal to the Dean for evaluation by the Noorda-COM RPC.

Appendix 3: Overview of exemplary behaviors that support the applicants request for promotion.

CRITERIA FOR TEACHING

Assistant Professor

Quality Performance

- Effective teaching and assessment of student learning as indicated by peer evaluations
- Participating in activities to develop one's teaching skills
- Participating in teaching activities related to clinical practice
- Receiving local teaching awards
- Participating in Noorda-COM programs related to teaching (e.g., Quality Enhancement Plan, Interprofessional Education)

Associate Professor

Quality Performance

- Designing, delivering, and evaluating new curricular materials (e.g., courses, educational software)
- Effectively coordinating teaching by other faculty members
- Demonstrating excellent peer evaluation of teaching
- Mentoring junior faculty and/or students in teaching
- Participating in Noorda-COM programs related to teaching (e.g., Quality Enhancement Plan, Interprofessional Education)
- Designing, implementing, and evaluating innovative teaching programs that benefit students
- Evidence of effective instruction in all teaching activities
- Invited education-based seminars and/or guest lectures

Outstanding Performance

- Providing innovation and leadership in designing, coordinating, and evaluating teaching activities as a course director
- Recognized excellence in developing and directing continuing professional education courses
- Outstanding peer course evaluations
- Receiving local teaching awards
- Being nominated for a state or national teaching award
- Providing exceptional mentorship for junior faculty, postdoctoral fellows, and/or graduate students in teaching
- Designing, delivering, and evaluating innovative teaching strategies such as team-based learning, immersive simulation, and interprofessional team training.
- Demonstrating excellence in teaching activities related to clinical practice
- Publishing, in peer reviewed venues, studies of teaching methodologies that contribute to the advancement of teaching
- Providing leadership in curricular development and review, revisions, and follow up assessments

- Authoring book chapters adopted for teaching at Noorda-COM and/or at other institutions
- Being recognized by peers for excellence in teaching in clinical, research, and/or didactic training of students, residents, and/or fellows or continuing medical education attendees, and/or mentoring of graduate students
- Obtaining support for educational projects/scholarship from foundations and federal, state, and/or local agencies

Professor

Quality Performance

- Preparing new/innovative curricular materials (e.g., courses, educational software)
- Receiving positive reviews of course director activities from supervisors and peers
- Demonstrating expert teaching in classroom and/or laboratory as evidenced by student and peer evaluations
- Successfully guiding masters, doctoral, or postdoctoral students
- Providing leadership in curricular development and review, revisions, and follow up assessments

Outstanding Performance

- Providing leadership in curriculum development and/or revision
- Submitting applications for and obtaining training grants
- Designing, implementing, and evaluating innovative teaching strategies
- Providing leadership in assessment of student learning outcomes
- Providing leadership in developing and implementing interprofessional educational activities
- Receiving awards for teaching
- Developing and directing successful continuing professional education courses
- Sustained excellence of teaching activities related to clinical practice with outstanding evaluation from students and trainees
- Publishing, in peer reviewed venues, studies of teaching methodologies that contribute to the advancement of teaching
- Being invited to present education-based seminars and/or guest lectures
- Being recognized by peers for excellence in teaching in clinical, research, and/or didactic training of students, residents, and/or fellows or continuing medical education attendees, and/or mentoring of graduate students
- Obtaining support for educational projects/scholarship from foundations and/or federal, state, and local agencies
- Supervising training programs with a state or national audience
- Serving as a journal editorial board member or editor of a journal that focuses on education

CRITERIA FOR RESEARCH AND SCHOLARLY ACTIVITIES

Assistant Professor

Quality performance

- Authoring peer-reviewed journal articles
- Authoring textbook chapters

- Presenting posters or abstracts at local, state, or national conferences
- Presenting lectures at local, state, or national conferences
- Participating as a principal investigator or sub-investigator in pharmaceutical or device trials

Outstanding performance

- Acquiring intramural grant funding as a principal investigator or co-investigator
- Acquiring extramural grant funding as a principal investigator or co-investigator
- Acquiring an extramural contract to perform research services as a principal investigator or co-investigator
- Acquiring a patent
- Participating in successful biomedical product commercialization
- Receiving a local research award

Associate Professor

Quality performance

- Authoring peer-reviewed journal articles
- Authoring textbook chapters
- Presenting posters or abstracts at state or national conferences
- Presenting lectures at state or national conferences
- Participating as a principal investigator in pharmaceutical or device trials
- Acquiring an intramural grant
- Acquiring an extramural grant as a co-investigator
- Acquiring an extramural contract to perform research services as a principal investigator or co-investigator
- Receiving a local research award

Outstanding performance

- Acquiring a multi-year extramural grant as a principal investigator at the funding level of NIH R21, K23, or higher
- Acquiring an extramural grant as a principal investigator at the funding level of National Institutes of Health (NIH) R03, or higher
- Acquiring as a principal investigator a grant award comparable to
 - above from other extramural agencies or foundations
 - above from other agencies or foundations
- Acquiring a patent
- Participating in successful biomedical product commercialization
- Receiving a local, state, or national research award
- Membership in an NIH study section, special emphasis panel, or comparable review group

Professor

Quality performance

- Authoring peer-reviewed journal articles
- Authoring textbook chapters
- Writing or editing a commonly used textbook
- Presenting posters or abstracts at national or international conferences

- Presenting lectures at national or international conferences
- Participating as a principal investigator in pharmaceutical or device trials
- Acquiring an intramural grant as a principal investigator
- Membership in an NIH study section, special emphasis panel, or comparable review group

Outstanding performance

- Acquiring an extramural grant as a principal investigator at the funding level of NIH R21, or higher
- Acquiring a multi-year extramural grant award as a principal investigator at the funding level of NIH R01, or higher
- Acquiring as a principal investigator a grant award or extramural contract comparable to
 - above from other agencies or foundations
 - above to perform research services
- Acquiring a patent
- Participating in successful biomedical product commercialization
- Writing or editing a commonly used textbook
- Receiving a local, state, or national research award
- Membership in an NIH national advisory council or comparable advisory group

CRITERIA FOR CLINICAL

Assistant Professor

Quality Performance

- Effective teaching and assessment of student learning in a clinical setting
- Participating in activities to develop one's clinical skills
- Maintain Unrestricted Medical License
- Receiving local clinically related awards
- Participating in committees related to patient care/hospital/clinic (e.g. Utilization Review, GMEC, Patient Safety, etc.)
- Patient care in the Outpatient or hospital setting
- Leadership role(s) in patient care/hospital/clinic
- Clinically related Community Service
 - Health fairs
 - Immunization clinics
 - Public relations with community groups re: health care issues

Associate Professor

Quality Performance

- Demonstrating excellent peer evaluation of clinical care
- Mentoring junior faculty and/or students in the clinical setting
- Maintain Unrestricted Medical License
- Participating in committees related to patient care/hospital/clinic (e.g. Utilization Review, GMEC, Patient Safety, etc.)
- Designing, implementing, and evaluating innovative health care programs that benefit the community

- Appointments to higher level leadership roles in clinical service activities
- Invited seminars and/or guest lectures

Outstanding Performance

- Clinical division director Residency program
- Receiving exemplary (outstanding) reviews of service as a chair of a clinical committee
- Providing exemplary (outstanding) contributions to a Noorda-COM department or institute/center
- Receiving excellent (outstanding) reviews of service as a leader/participant of a professional clinical organization committee or subcommittee at the local, state, or national level
- Providing exceptional clinical service at a local, state, or national level (i.e., designing and implementing innovative approaches to patient care, programs to enhance patient-centered care, or programs to enhance patient safety)
- Demonstrating leadership in clinical outreach activities for Noorda-COM
- Organizing/directing clinical symposia at local, state, or national levels
- Serving as a peer reviewer for a major refereed journal
- Being invited to present lectures/seminars at the state level or at other in area of practice expertise
- Receiving high-quality reviews of service as a chair/vice chair of a Noorda-COM committee or Noorda-COM department (e.g., National Board scores, in-training scores, shelf tests > 50th percentile)

Professor

Quality Performance

- Receiving quality reviews of service as a committee member at the local, regional or national clinically related organization
- Receive acknowledgement as a Fellow in a clinical college
- Receiving positive reviews of service as a member on a clinical committee or subcommittee at the local, state, or national level in a professional organization
- Being recognized as an ad-hoc clinical journal reviewer or ad-hoc member of a review committee or study section
- Receiving high-quality reviews of clinical practice from supervisors, peers, patients, and community
- Providing leadership in practice in clinic settings and/or the local community
- Appointment to recurring leadership roles in clinical service activities is expected.

Outstanding Performance

- Providing exemplary (outstanding) service as a chair/vice chair/dean/associate dean of a Noorda-COM department, institute/center, or clinical division
- Receiving excellent reviews for service as an officer or member of a clinically related committee or subcommittee at a national/international level in a professional organization
- Being assigned to a national residency review committee or specialty board, or as officer of national, state, or county medical society
- Demonstrating leadership in outreach activities for Noorda-COM
- Serving as an officer in the Faculty Council

- Excellent performance as chair of Noorda-COM clinical committees
- Serving on a national governmental commission, task force, or advisory board
- Organizing clinical symposia on national or international levels
- Serving as an editorial board member for major refereed clinical journals

Appendix 4: Statement of Academic Freedom

1940 Statement of Principle on Academic Freedom and Tenure with 1970 Interpretive Comments

In 1940, following a series of joint conferences begun in 1934, representatives of the American Association of College Professors and of the Association of American Colleges (now the Association of American Colleges and Universities) agreed upon a restatement of principles set forth in the 1925 Conference Statement on Academic Freedom and Tenure. This restatement is known to the profession as the 1940 Statement of Principles on Academic Freedom and Tenure.

The 1940 Statement is printed below, followed by Interpretive Comments as developed by representatives of the American Association of College Professors and the Association of American Colleges in 1969. The governing bodies of the two associations, meeting respectively in November 1989 and January 1990, adopted several changes in language in order to remove gender-specific references from the original text.

The purpose of this statement is to promote public understanding and support of academic freedom and tenure and agreement upon procedures to ensure them in colleges and universities. Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher or the institution as a whole.¹ The common good depends upon the free search for truth and its free exposition.

Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with its duty's correlative with rights. [1]²

Tenure is a means to certain ends; specifically: (1) freedom of teaching and research and of extramural activities, and (2) a sufficient degree of economic security to make the profession attractive to men and women of ability. Freedom and economic security, hence, tenure, are indispensable to the success of an institution in fulfilling its obligations to its students and to society.

Academic Freedom

- 1) Teachers 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

institution.

- 2) Teachers 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. [2]
- 3) Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment. [3]
- 4) College and College teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from College 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 the word “teacher” as used in this document is understood to include the investigator who is attached to an academic institution without teaching duties.
- 5) Boldface numbers in brackets refer to Interpretive Comments that follow 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 institution. [4]

Academic Tenure

After the expiration of a probationary period, teachers or investigators should have permanent or continuous tenure, and their service should be terminated only for adequate cause, except in the case of retirement for age, or under extraordinary circumstances because of financial exigencies. In the interpretation of this principle it is understood that the following represents acceptable academic practice:

- 1) The precise terms and conditions of every appointment should be stated in writing and be in the possession of both institution and teacher before the appointment is consummated.
- 2) Beginning with appointment to the rank of full-time instructor or a higher rank, [5] the probationary period should not exceed seven years, including within this period full-time service in all institutions of higher education; but subject to the proviso that when, after a term of probationary service of more than three years in one or more institutions, a teacher is called to another institution, it may be agreed in writing that the new appointment is for a probationary period of not more than four years, even though thereby the person’s total probationary period in the academic profession is extended beyond the normal maximum of seven years. [6]
- 4) Notice should be given at least one year prior to the expiration of the probationary period if the teacher is not to be continued in service after the expiration of that period. [7] 3.
- 5) During the probationary period, a teacher should have the academic freedom that all other members of the faculty have. [8]
- 6) Termination for cause of a continuous appointment, or the dismissal for cause of a teacher before the expiration of a term appointment, should, if possible, be considered by both a faculty committee and the governing board of the institution. In all cases where the facts are in dispute, the accused teacher should be informed before the hearing in writing of the charges and should have the opportunity to be heard in his or her own defense by all bodies that pass judgment upon the case. The teacher should be permitted to be accompanied by an advisor of his or her own choosing who may act as counsel. There should be a full stenographic record of the hearing available to the parties concerned. In the hearing of charges of iNoorda-COMpetence, the testimony should include that of

teachers and other scholars, either from the teacher's own or from other institutions. Teachers on continuous appointment who are dismissed for reasons not involving moral turpitude should receive their salaries for at least a year from the date of notification of dismissal whether or not they are continued in their duties at the institution. [9]

- 7) Termination of a continuous appointment because of financial exigency should be demonstrably bona fide.

1940 Interpretations

At the conference of representatives of the American Association of College Professors and of the Association of American Colleges on November 7–8, 1940, the following interpretations of the 1940 *Statement of Principles on Academic Freedom and Tenure* were agreed upon:

- 1) That its operation should not be retroactive.
- 2) That all tenure claims of teachers appointed prior to the endorsement should be determined in accordance with the principles set forth in the 1925 Conference Statement on Academic Freedom and Tenure.
- 3) If the administration of a college or College feels that a teacher has not observed the admonitions of paragraph 3 of the section on Academic Freedom and believes that the extramural utterances of the teacher have been such as to raise grave doubts concerning the teacher's fitness for his or her position, it may proceed to file charges under paragraph 4 of the section on Academic Tenure. In pressing such charges, the administration should remember that teachers are citizens and should be accorded the freedom of citizens. In such cases the administration must assume full responsibility, and the American Association of College Professors and the Association of American Colleges are free to make an investigation.

1970 Interpretive Comments

Following extensive discussions on the 1940 Statement of Principles on Academic Freedom and Tenure with leading educational associations and with individual faculty members and administrators, a joint committee of the AAUP and the Association of American Colleges met during 1969 to reevaluate this key policy statement. On the basis of the comments received, and the discussions that ensued, the joint committee felt the preferable approach was to formulate interpretations of the Statement in terms of the experience gained in implementing and applying the Statement for over thirty years and of adapting it to current needs. The committee submitted to the two associations for their consideration the following "Interpretive Comments." These interpretations were adopted by the Council of the American Association of College Professors in April 1970 and endorsed by the Fifty-sixth Annual Meeting as Association policy.

In the thirty years since their promulgation, the principles of the 1940 *Statement of Principles on Academic Freedom and Tenure* have undergone a substantial amount of refinement. This has evolved through a variety of processes, including customary acceptance, understandings mutually arrived at between institutions and professors or their representatives, investigations and reports by the American Association of College Professors, and formulations of statements by that association either alone or in conjunction with the Association of American Colleges. These comments represent the attempt of the two associations, as the original sponsors of the 1940 *Statement*, to formulate the most important of these refinements. Their incorporation here as Interpretive

Comments is based upon the premise that the 1940 *Statement* is not a static code but a fundamental document designed to set a framework of norms to guide adaptations to changing times and circumstances. Also, there have been relevant developments in the law itself reflecting a growing insistence by the courts on due process within the academic community which parallels the essential concepts of the 1940 *Statement*; particularly relevant is the identification by the Supreme Court of academic freedom as a right protected by the First Amendment. As the Supreme Court said in *Keyishian v. Board of Regents*, 385 U.S. 589 (1967), “Our Nation is deeply committed to safeguarding academic freedom, which is of transcendent value to all of us and not merely to the teachers concerned. That freedom is therefore a special concern of the First Amendment, which does not tolerate laws that cast a pall of orthodoxy over the classroom.” The numbers refer to the designated portion of the 1940 *Statement* on which Interpretive comment is made.

- 1) The Association of American Colleges and the American Association of College Professors have long recognized that membership in the academic profession carries with its special responsibilities. Both associations either separately or jointly have consistently affirmed these responsibilities in major policy statements, providing guidance to professors in their utterances as citizens, in the exercise of their responsibilities to the institution and to students, and in their conduct when resigning from their institution or when undertaking government-sponsored research. Of particular relevance is the Statement on Professional Ethics, adopted in 1966 as Association policy. (A revision, adopted in 1987, may be found in AAUP, Policy Documents and Reports, 10th ed. [Washington, D.C., 2006], 171–72.)
- 2) The intent of this statement is not to discourage what is “controversial.” Controversy is at the heart of the free academic inquiry which the entire statement is designed to foster. The passage serves to underscore the need for teachers to avoid persistently intruding material which has no relation to their subject.
- 3) Most church-related institutions no longer need or desire the departure from the principle of academic freedom implied in the 1940 Statement, and we do not now endorse such a departure.
- 4) This paragraph is the subject of an interpretation adopted by the sponsors of the 1940 Statement immediately following its endorsement which reads as follows:
 - a) If the administration of a college or College feels that a teacher has not observed the admonitions of paragraph 3 of the section on Academic Freedom and believes that the extramural utterances of the teacher have been such as to raise grave doubts concerning the teacher’s fitness for his or her position, it may proceed to file charges under paragraph 4 of the section on Academic Tenure. In pressing such charges, the administration should remember that teachers are citizens and should be accorded the freedom of citizens. In such cases the administration must assume full responsibility, and the American Association of College Professors and the Association of American Colleges are free to make an investigation.
- 5) Paragraph 3 of the section on Academic Freedom in the 1940 Statement should also be interpreted in keeping with the 1964 Committee A Statement on Extramural

Utterances, which states inter alia: “The controlling principle is that a faculty member’s expression of opinion as a citizen cannot constitute grounds for dismissal unless it clearly demonstrates the faculty member’s unfitness for his or her position. Extramural utterances rarely bear upon the faculty member’s fitness for the position. Moreover, a final decision should consider the faculty member’s entire record as a teacher and scholar.” Paragraph 5 of the Statement on Professional Ethics also deals with the nature of the “special obligations” of the teacher. The paragraph reads as follows: As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their college or College. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have an obligation to promote conditions of free inquiry and to further public understanding of academic freedom. Both the protection of academic freedom and the requirements of academic responsibility apply not only to the full-time probationary and the tenured teacher, but also to all others, such as part-time faculty and teaching assistants, who exercise teaching responsibilities.

- 6) The concept of “rank of full-time instructor or a higher rank” is intended to include any person who teaches a full-time load regardless of the teacher’s specific title. In calling for an agreement “in writing” on the amount of credit given for a faculty member’s prior service at other institutions, the Statement furthers the general policy of full understanding by the professor of the terms and conditions of the appointment. It does not necessarily follow that a professor’s tenure rights have been violated because of the absence of a written agreement on this matter. Nonetheless, especially because of the variation in permissible College practices, a written understanding concerning these matters at the time of appointment is particularly appropriate and advantageous to both the individuals and the institution.⁴
- 7) The effect of this subparagraph is that a decision on tenure, favorable or unfavorable, must be made at least twelve months prior to the completion of the probationary period. If the decision is negative, the appointment for the following year becomes a terminal one. If the decision is affirmative, the provisions in the 1940 Statement with respect to the termination of service of teachers or investigators after the expiration of a probationary period should apply from the date when the favorable decision is made.

For a discussion of this question, see the “Report of the Special Committee on Academic Personnel Ineligible for Tenure,” Policy Documents and Reports, 9th ed. (Washington, D.C., 2001), 88–91. For a more detailed statement on this question, see “On Crediting Prior Service Elsewhere as Part of the Probationary Period,” Policy Documents and Reports, 10th ed. (Washington, D.C., 2006), 55–56.

The general principle of notice contained in this paragraph is developed with greater specificity in the Standards for Notice of Non-reappointment, endorsed by the Fiftieth Annual Meeting of the American Association of College Professors (1964). These standards are: Notices of no reappointment, or of intention not to recommend reappointment to the governing board, should be given in writing in accordance with the following standards:

- 1) Not later than March 1 of the first academic year of service, if the appointment expires at the end of that year; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination.
- 2) Not later than December 15 of the second academic year of service, if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination.
- 3) At least twelve months before the expiration of an appointment after two or more years in the institution Other obligations, both of institutions and of individuals, are described in the Statement on Recruitment and Resignation of Faculty Members, as endorsed by the Association of American Colleges and the American Association of College Professors in 1961.
- 4) The freedom of probationary teachers is enhanced by the establishment of a regular procedure for the periodic evaluation and assessment of the teacher's academic performance during probationary status. Provision should be made for regularized procedures for the consideration of complaints by probationary teachers that their academic freedom has been violated. One suggested procedure to serve these purposes is contained in the Recommended College Regulations on Academic Freedom and Tenure, prepared by the American Association of College Professors.
- 5) A further specification of the academic due process to which the teacher is entitled under this paragraph is contained in the Statement on Procedural Standards in Faculty

Dismissal Proceedings, jointly approved by the American Association of College Professors and the Association of American Colleges in 1958. This interpretive document deals with the issue of suspension, about which the 1940 *Statement* is silent.

The 1958 *Statement* provides: "Suspension of the faculty member during the proceedings is justified only if immediate harm to the faculty member or others is threatened by the faculty member's continuance. Unless legal considerations forbid, any such suspension should be with pay." A suspension which is not followed by either reinstatement or the opportunity for a hearing is in effect a summary dismissal in violation of academic due process. The concept of "moral turpitude" identifies the exceptional case in which the professor may be denied a year's teaching or pay in whole or in part. The statement applies to that kind of behavior which goes beyond simply warranting discharge and is so utterly blameworthy as to make it inappropriate to require the offering of a year's teaching or pay. The standard is not that the moral sensibilities of persons in the particular community have been affronted. The standard is behavior that would evoke condemnation by the academic community generally.

Endorsers

Association of American Colleges and Universities1941

American Association of College Professors	1941
American Library Association (adapted for librarians)	1946
Association of American Law Schools	1946
American Political Science Association	1947
American Association of Colleges for Teacher Education	1950
American Association for Higher Education	1950
Eastern Psychological Association	1950
Southern Society for Philosophy and Psychology	1953
American Psychological Association	1961
American Historical Association	1961
Modern Language Association of America	1962
American Economic Association	1962
American Agricultural Economics Association	1962
Midwest Sociological Society	1962
Organization of American Historians	1963
American Philological Association	1963
American Council of Learned Societies	1963
Speech Communication Association	1963
American Sociological Association	1963
Southern Historical Association	1963
American Studies Association	1963
Association of American Geographers	1963
Southern Economic Association	1963
Classical Association of the Middle West and South	1964
Southwestern Social Science Association	1964
Archaeological Institute of America	1964
Southern Management Association	1964
American Theatre Association	1964
South Central Modern Language Association	1964
Southwestern Philosophical Society	1964
Council of Independent Colleges	1965
Mathematical Association of America	1965
Arizona-Nevada Academy of Science	1965
American Risk and Insurance Association	1965
Academy of Management	1965
American Catholic Historical Association	1966
American Catholic Philosophical Association	1966
Association for Education in Journalism and Mass Communication	1966
Western History Association	1966
Mountain-Plains Philosophical Conference	1966
Society of American Archivists	1966
Southeastern Psychological Association	1966
Southern Speech Communication Association	1966
American Association for the Advancement of Slavic Studies	1967
American Mathematical Society	1967
College Theology Society	1967

Council on Social Work Education	1967
American Association of Colleges of Pharmacy	1967
American Academy of Religion	1967
Association for the Sociology of Religion	1967
American Society of Journalism School Administrators	1967
John Dewey Society	1967
South Atlantic Modern Language Association	1967
American Finance Association	1967
Association for Social Economics	1967
Phi Beta Kappa Society	1968
American Society of Christian Ethics	1968
American Association of Teachers of French	1968
Eastern Finance Association	1968
American Association for Chinese Studies	1968
American Society of Plant Physiologists	1968
College Film and Video Association	1968
American Dialect Society	1968
American Speech-Language-Hearing Association	1968
Association of Social and Behavioral Scientists	1968
College English Association	1968
National College Physical Education Association for Men	1969
American Real Estate and Urban Economics Association	1969
History of Education Society	1969
Council for Philosophical Studies	1969
American Musicological Society	1969
American Association of Teachers of Spanish and Portuguese	1969
Texas Community College Teachers Association	1970
College Art Association of America	1970
Society of Professors of Education	1970
American Anthropological Association	1970
Association of Theological Schools	1970
Association of Schools of Journalism and Mass Communication	1971
American Business Law Association	1971
American Council for the Arts	1972
New York State Mathematics Association of Two-Year Colleges	1972
College Language Association	1973
Pennsylvania Historical Association	1973
Massachusetts Regional Community College Faculty Association	1973
American Philosophical Association ⁵	1974
American Classical League	1974
American Comparative Literature Association	1974
Rocky Mountain Modern Language Association	1974
Society of Architectural Historians	1975
American Statistical Association	1975
American Folklore Society	1975
Association for Asian Studies	1975

Linguistic Society of America	1975
African Studies Association	1975
American Institute of Biological Sciences	1975
North American Conference on British Studies	1975
Sixteenth-Century Studies Conference	1975
Texas Association of College Teachers	1976
Society for Spanish and Portuguese Historical Studies	1976
Association for Jewish Studies	1976
Western Speech Communication Association	1976
Texas Association of Colleges for Teacher Education	1977
Metaphysical Society of America	1977
American Chemical Society	1977
Texas Library Association	1977
American Society for Legal History	1977
Low Higher Education Association	1977
American Physical Therapy Association	1979
North Central Sociological Association	1980
Dante Society of America	1980
National Communication Association	1981
American Association of Physics Teachers	1982
Middle East Studies Association	
1982	
5. Endorsed by the association's Western Division in 1952, Eastern Division in 1953, and Pacific Division in	1962
National Education Association	1985
American Institute of Chemists	1985
American Association of Teachers of German	1985
American Association of Teachers of Italian	1985
American Association for Applied Linguistics	1986
American Association of Teachers of Slavic and East European Languages	1986
American Association for Cancer Education.	1986
American Society of Church History	1986
Oral History Association	1987
Society for French Historical Studies	1987
History of Science Society.	1987
American Association of Pharmaceutical Scientists	1988
American Association for Clinical Chemistry.	1988
Council for Chemical Research	1988
Association for the Study of Higher Education	1988
Association for Psychological Science	1989
College and College Labor Education Association	1989
Society for Neuroscience.	1989
Renaissance Society of America.	1989
Society of Biblical Literature	1989
National Science Teachers Association	1989
Medieval Academy of America	1990

American Society of Agronomy	1990
Crop Science Society of America	1990
Soil Science Society of America	1990
International Society of Parasitologists.	1990
Society for Ethnomusicology	1990
American Association of Physicists in Medicine	1990
Animal Behavior Society	1990
Illinois Community College Faculty Association	1990
American Society for Theatre Research	1990
National Council of Teachers of English	1991
Latin American Studies Association	1992
Society for Cinema and Media Studies	1992
American Society for Eighteenth-Century Studies	1992
Council of Colleges of Arts and Sciences.	1992
American Society for Aesthetics	1992
Association for the Advancement of Baltic Studies	1994
American Council of Teachers of Russian	1994
Council of Teachers of Southeast Asian Languages	1994
American Association of Teachers of Arabic	1994
Association of Teachers of Japanese	1994
Academic Council for California Community Colleges	1996
Council of Graduate Programs in Communication Sciences and Disorders	1996
Association for Women in Mathematics.	1997
National Council for the Social Studies	1997
Philosophy of Time Society	1998
World Communication Association	1999
The Historical Society	1999
Association for Theatre in Higher Education	1999
National Association for Ethnic Studies.	1999
Association of Ancient Historians	1999
American Culture Association	1999
American Conference for Irish Studies	1999
Society for Philosophy in the Contemporary World	1999
Eastern Communication Association	1999
Association for Canadian Studies in the United States	1999
American Association for the History of Medicine	2000
Missouri Association of Faculty Councils	2000
Association for Symbolic Logic	2000
American Society of Criminology	2001
New England Historical Association	2001
American Jewish Historical Society	2001
Group for the Use of Psychology in History	2001
Society for the Scientific Study of Religion	2001
Society for German-American Studies	2001
Society for Historians of the Gilded Age and Progressive Era.	2001
Eastern Sociological Society	2001

Chinese Historians in the United States	2001
Community College Humanities Association	2002
Immigration and Ethnic History Society	2002
Agricultural History Society	2004
National Council for Accreditation of Teacher Education	2005
American Council on the Teaching of Foreign Languages	2005
Society for the Study of Social Biology	2005
Association of Black Sociologists.	2005
Society for the Study of Social Problems	2005
Dictionary Society of North America	2005
Society for Buddhist-Christian Studies	2005
National Women’s Studies Association	2006
National Coalition for History.	2006
Society for Armenian Studies.	2006
Society for the Advancement of Scandinavian Study	2006
American Physiological Society.	2006
College Forum of the National Council of Teachers of English	2006
Society for Military History	2006
Society for Industrial and Applied Mathematics	2006
Association for Research on Ethnicity and Nationalism in the Americas	2006
Society of Dance History Scholars	2006
Association of Literary Scholars and Critics	2006
Society for Applied Anthropology	2006
Society for Music Theory	2006
Society for Historians of American Foreign Relations	2006
American Society of Plant Taxonomists	2006
Law and Society Association	2006

APPENDIX 5: COMMITTEE DESCRIPTIONS

Standing Committees of the Faculty Council
Faculty Council Grievance Committee

The Faculty Grievance Committee reviews petitions submitted by faculty who believe that their rights have been violated in such matters as academic freedom, suspension or dismissal for cause, assignment of teaching duties, issues relating to propriety of conduct and sexual harassment, disciplinary actions taken or other matters. Members of the Faculty Grievance Committee are elected by vote of the members of the Faculty Council and shall be composed of faculty members, who shall be representative of the College faculty population. The Director of Human Resources shall be an ex officio (non-voting) member of the committee. The chair is selected by the committee from among its approved members. This committee reports the results of its deliberations and its recommendations to the respective College Dean.

Faculty Council Grievance Appeals Committee

An Appeals Committee may be appointed by the Dean should a faculty member submit an appeal to the findings of the Faculty Grievance Committee. The Dean may also choose to respond directly, based on the findings of the Grievance Committee. If an Appeals Committee to hear the petition is appointed, it shall be composed of three (3) individuals chosen by the Dean or the Dean's designee. The Dean will review the action of the Grievance Committee and /or the recommendation of the Appeals Committee and forward a decision to the faculty member. The decision of the Dean is final.

Faculty Council Research Committee

The College Research Committee engages in strategic planning for the development of the research capability of the institution, recommends policies governing research, oversees the intramural grants program, provides information to faculty concerning research opportunities, and serves as a conduit for communication between faculty and administration for any matters having to do with research. The Committee consists of the Director of Research (appointed by the President's Council of Noorda College of Osteopathic Medicine) and representatives of the individual Colleges. The Chair of the Committee and representatives required by federal and state regulations are appointed by the Dean of NOORDA-COM. The members of the Committee are appointed through the Faculty Council. This Committee reports its activities to the President's Council of Noorda College of Osteopathic Medicine.

Standing Shared Governance Committees of Noorda College of Osteopathic Medicine

Employee Evaluation & Development Committee

The Noorda-COM Employee Evaluation and Development Committee provides monitoring and guidance for College efforts related to ensuring the completion of regular performance evaluations and availability of professional development programming for Noorda-COM faculty and staff

Program Review Committee

The Program Review Committee reviews and assesses each existing and proposed Noorda College of Osteopathic Medicine academic program. This committee provides feedback to the administration makes recommendations for improvement, and monitors progress in addressing accrediting agencies' post-visit requirements. Members of the committee are appointed by the Dean and include the Director of College Research and faculty representatives from each program.

Animal Care and Use Committee (ACUC)

The Animal Care and Use Committee reviews all research projects or proposed projects involving animal subjects in accordance with federal, state, and local regulations. The ACUC has authority to approve, require modifications before approval, or withhold approval of protocols submitted to it for review. No activity involving animals may begin until it has received full approval by the ACUC. Grant submissions with animal research cannot be submitted until the protocols are reviewed by the ACUC. The ACUC is also responsible for meeting all requirements for administration of research facilities as required by federal, state, and local regulations.

Institutional Review Board (IRB)

The Institutional Review Board assesses risks and anticipated benefits of research involving human subjects and must review all research projects or proposed projects involving human subjects. The IRB also determines the adequacy of the provisions to protect the privacy of subjects and to maintain the confidentiality of the data. The IRB has the authority to approve, require modifications before approval, or withhold approval of the proposal submitted to it for review. No activity involving human subjects may begin unless it is first approved by the IRB. The IRB is also responsible for meeting all requirements for administration of human research as required by federal, state, and local regulations.

Biosafety and Chemical Hygiene Plan Committee (IBC)

The Biosafety and Chemical Hygiene Plan (CHP) Committee at Noorda College of Osteopathic Medicine provides guidelines for establishment of a safe environment for research and academic performance. The major objective is to protect the faculty, staff and students from the adverse effects of biological and chemical hazards by providing specific directions for use, storage and disposal of hazardous materials. This is a coordinated effort between the Department of Research, Noorda College of Osteopathic Medicine College Biosafety and Chemical Hygiene Committee (herein referred to as IBC), Biosafety Officer (BSO), Principal Investigators and staff. To be most effective, all members involved in this critical program must understand their roles and responsibilities. Noorda College of Osteopathic Medicine IBC responsibilities are delineated here.

The IBC is responsible for overseeing the effective operation, policies, and compliance of the conduct of biological research at Noorda College of Osteopathic Medicine. The IBC also has specific duties as outlined in the Noorda College of Osteopathic Medicine IBC Bylaws and Noorda College of Osteopathic Medicine IBC Policies and Procedures in addition to the general oversight responsibilities.

College Safety and Security Committee

The College Safety and Security Committee ensures that Noorda College of Osteopathic Medicine is fully compliant with all Federal, State, and local health and safety regulations governing the operation of all facilities, including the teaching and research laboratories and buildings.

The committee is charged with developing, managing, and maintaining the College Security Plan, College Emergency Plan, and assists with oversight of compliance with the Clery Act. It is the body that coordinates, plans, and receives the reports from activities and drills as required by the security and emergency plans. The Safety and Security Committee also coordinates with local, regional, and other emergency preparedness and security organizations to facilitate interactions in the event of a security event. Reports from the Safety and Security Committee are presented regularly to the Dean and the Presidents Council. The Committee consists of representatives from Administration, Facilities, Faculty, Human Resources, Information Technology, Legal Affairs, Student Services, Security, and Students. The members are nominated by their respective groups and appointed by the Dean. The Chair of the Committee is appointed by the Dean.

College Infrastructure Committee

The College Infrastructure Committee's role is to-review and recommend to the Presidents Council policies affecting physical plant and real property, and shall make

recommendations to the President's Council on these and other matters referred to it by the Presidents Council. It is the charge of the College Infrastructure Committee to oversee the physical assets of the College used and useful in the delivery and support of the institution's mission and purpose.

Strategic Planning Steering Committee

The Strategic Planning Steering Committee is comprised of faculty, staff and students from across Noorda College of Osteopathic Medicine. They receive direct feedback from faculty, staff and students to help shape the Noorda-COM Strategic Plan which provides a foundation and direction for Noorda College of Osteopathic Medicine.

Ad Hoc Committees

There are many of these and they may be constituted by administration or faculty, according to the purpose. Some examples of *ad hoc* administrative committees are: Self-Study Steering Committee, Academic Honesty, Facilities Advisory, Faculty Search and Appeals.

APPENDIX C: Statement on Professional Ethics

The statement that follows was originally adopted in 1966. Revisions were made and approved by the Association's Council in 1987 and 2009.

Introduction

From its inception, the American Association of University Professors has recognized that membership in the academic profession carries with it special responsibilities. The Association has consistently affirmed these responsibilities in major policy statements, providing guidance to professors in such matters as their utterances as citizens, the exercise of their responsibilities to students and colleagues, and their conduct when resigning from an institution or when undertaking sponsored research. The *Statement on Professional Ethics* that follows sets forth those general standards that serve as a reminder of the variety of responsibilities assumed by all members of the profession.

In the enforcement of ethical standards, the academic profession differs from those of law and medicine, whose associations act to ensure the integrity of members engaged in private practice. In the academic profession the individual institution of higher learning provides this assurance and so should normally handle questions concerning propriety of conduct within its own framework by reference to a faculty group. The Association supports such local action and stands ready, through the general secretary and the Committee on Professional Ethics, to counsel with members of the academic community concerning questions of professional ethics and to inquire into complaints when local consideration is impossible or inappropriate. If the alleged offense is deemed sufficiently serious to raise the possibility of adverse action, the procedures should be in accordance with the 1940 Statement of Principles on Academic Freedom and Tenure, the *1958 Statement on Procedural Standards in Faculty Dismissal Proceedings*,¹ or the applicable provisions of

The Statement

1. Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.
2. As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.
3. As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates, even when it leads to findings and conclusions that differ from their own. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.
4. As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.
5. As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

Notes

1. AAUP, *Policy Documents and Reports*, 11th ed. (Baltimore: Johns Hopkins University Press, 2015), 91–93.

2. *Ibid.*, 79–90.