

MUSC FACULTY HANDBOOK

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1. PREFACE

The Board of Trustees of the Medical University of South Carolina (hereafter referred to as the "Board" and "MUSC" respectively) is the governing board of the university; however, the university administrators and the members of the faculty of the university share responsibility for planning and implementing cooperative and constructive actions within the institutional structure under the guidance of the Board (Current administrative structures are depicted at these links:

<http://academicdepartments.musc.edu/leadership/MUSC-Org-Chart-2015-10FINAL.pdf>

<http://academicdepartments.musc.edu/provost/about/>

The policies and respective rules governing the Board, the administration, and the faculty, as set forth in the *Faculty Handbook*, should convey the mutual trust and agreement inherent in all explicit and implied contractual agreements between these respective bodies.

The *Faculty Handbook* (hereafter called "the Handbook") contains the rules and regulations that govern faculty affairs and functions as part of the University Faculty Appointment Contract between the faculty member and the university. Each faculty member should be knowledgeable about the areas covered in the Handbook. The signing of annual contracts that specify an individual faculty member's compensation and distribution of activity, does not negate the Handbook's status as a partial contract of employment. University Faculty Appointment contract letters will be sent out to the faculty member, who will return a signed copy to the office of the departmental chair or other appropriate supervisor to be kept on file. All hiring officials (deans, chairs, business managers, and Human Resources Management personnel) should be aware of this procedure. For a copy, see Section 5: Faculty Appointment, Promotion, Evaluation and Tenure Policies

Interpreting the Handbook constitutes a faculty matter. This obliges the Faculty Senate to offer to the administration, via the Office of the Executive Vice President for Academic Affairs and Provost, interpretations of the contents and meaning of the *Faculty Handbook*. Faculty interpretations, however, remain subject to approval by the Board of Trustees.

29 **2. INTRODUCTION**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

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31 The MUSC *Faculty Handbook* contains university policies that are of major concern to the
32 faculty, other information considered to be of special interest to the faculty, and a collection
33 of university governing documents. The current Board-approved Handbook is accessible on
34 the MUSC Faculty Senate Website (<http://www.musc.edu/facsen/>).

35 **2.01 Revision Process**

36 The charge of the Governance Committee of the Faculty Senate includes oversight and
37 regular review of the *Faculty Handbook*.

38 Unless otherwise indicated within the policy, revisions to Sections 2-9 of the *Faculty*
39 *Handbook* are subject to the following procedures:

- 40 • The Senate's Faculty and Institutional Relationships Committee will meet regularly
41 to consider revisions suggested by the Governance Committee, the faculty, the
42 Executive Vice President for Academic Affairs and Provost, or others.
- 43 • Changes recommended by the Faculty and Institutional Relationships Committee
44 will be evaluated by the Faculty Senate and presented to the university faculty in
45 writing and/or by e-mail prior to Faculty Senate approval.
- 46 • All proposed changes must be approved by the Faculty Senate, the Executive Vice
47 President for Academic Affairs and Provost, the Provost's Council, the President,
48 and the Board of Trustees.

49 Sections other than 2-9 may be revised by the Executive Vice President for Academic
50 Affairs and Provost, the Provost's Council, and the President with the advice of the Faculty
51 Senate and subject to Board of Trustees approval.

52 **2.02 Abbreviations and Definitions**

- APT Appointment, Promotion and Tenure
- Board MUSC Board of Trustees
- College All Colleges and the Academic Affairs Faculty
- Deans Deans of all colleges and the Chair of the Academic Affairs Faculty
- EEO/AA Equal Employment Opportunity/Affirmative Action

Evaluation	Synonymous with appraisal
FMLA	Family and Medical Leave Act
FOIA	Freedom of Information Act
FRD	South Carolina Foundation for Research Development, Inc.
HHS	United States Department of Health Human Services
IRB	Institutional Review Board
MUHA	Medical University Hospital Authority
MUSC	Medical University of South Carolina
MUSC/P	MUSC Physicians (See UMA)
Provost	Executive Vice President for Academic Affairs and Provost
TERI	Teacher and Employee Retiree Incentive Program
UMA	University Medical Associates (See MUSC/P)

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69 **3. FACULTY ORGANIZATION AND GOVERNANCE**

70 **3.01 The Faculty Body**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

71 The faculty of MUSC is composed of the President, the vice presidents, the deans, any
 72 officers of the university who hold academic rank, and the members of the teaching,
 73 research, service and administrative staff who hold academic rank at MUSC or its affiliated
 74 programs. With regard to university affairs, the voting faculty shall be those individuals
 75 holding a full-time primary academic appointment at MUSC with rank of Instructor and
 76 above.

77 **3.02 The Faculty Senate**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

78 The Faculty Senate acts as the sole representative body for organizing and executing that
 79 business of the faculty submitted to it by members of the faculty, the administration, or the
 80 Senate itself. The Senate also advises the administration and the faculty in matters pertaining
 81 to the faculty. The Faculty Senate is organized and governed according to the Faculty Senate
 82 Constitution and By-Laws

83 **3.02.01 Faculty Senate Constitution**

Senate Approval Date	Faculty Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Nov 2017		Mar 2018	Apr 2018	May 2018

84 This Constitution defines the composition of the Faculty Senate, its role in the academic
 85 affairs of the university, and the basic principles of self-governance of the faculty of the
 86 Medical University of South Carolina as authorized by the Bylaws of the Board of Trustees
 87 of the Medical University of South Carolina, Section 6, Article b, August 1976.

88 **Article I**

89 **Name**

90 The name of this representative body shall be: The Medical University of South Carolina
91 Faculty Senate, referred to in this document as Faculty Senate or as Senate.

92 **Article II**

93 **Purpose**

94 The purpose of the Faculty Senate shall be to act as the sole representative body of the
95 faculty, to receive, organize and, if deemed appropriate, execute business of the faculty that
96 is submitted to it by members of the faculty, the administration, or the Faculty Senate itself,
97 and to represent the views of the faculty to the administration. The Faculty Senate serves as
98 the voice of the faculty. In accordance with its vision and as permitted by state law, the
99 Faculty Senate serves as an advisor to the administration in ensuring the success of the
100 university's mission in teaching, research, and service.

101 **Article III**

102 **Electoral Units, Representation, Nominations, Eligibility to Vote, Elections, and Terms**
103 **of Office**

104 Membership shall be limited to qualified faculty. . For the purposes of the Faculty Senate
105 membership, qualified faculty are defined as those persons holding primary academic
106 appointments of at least 50% FTE at MUSC with ranks of Instructor or above. All faculty
107 regardless of FTE shall be able to nominate for and vote in Faculty Senate elections.
108 (Paragraph amended May 2017)

109 **A. Electoral Units**

110 For the purpose of elections, the Faculty Senate shall be divided into seven Electoral Units:
111 College of Medicine Basic Sciences, College of Medicine Clinical Sciences, Dental
112 Medicine, Health Professions, Academic Affairs Faculty, Nursing, and Pharmacy. The
113 department or college of primary appointment determines Electoral Unit affiliation.

114 **B. Representation**

115 **Senators**

116 Electoral Units having 50 or fewer qualified faculty shall be represented by four Senators.
117 Electoral Units having between 51 and 100 qualified members shall be represented by six
118 Senators. Electoral Units with more than 100 qualified faculty members shall have six
119 Senators and elect one additional Senator for every 33 additional qualified faculty members
120 in excess of 100.

121 Alternate Senators

122 Each Electoral Unit shall have two Alternates. Electoral Units with more than 100 qualified
123 faculty members shall choose one additional Alternate for each 66 faculty members over
124 100.

125 **C. Nominations**

126 Candidates for membership on the Faculty Senate may be nominated by any qualified
127 faculty member of their Electoral Unit, including themselves. Qualified faculty members are
128 eligible for nomination only within the Electoral Unit with which they are affiliated.

129 **D. Eligibility to Vote**

130 All qualified faculty members are eligible to vote for Senators and Alternates. Faculty
131 members shall vote only in the primary Electoral Unit with which they are affiliated.
132 (Paragraph amended May 2017)

133 **E. Elections**

134 The Governance Committee shall establish the rules and procedures for all regular elections
135 according to sections of this Article governing Electoral Units, Representation, Nomination,
136 Eligibility to Vote and Terms of Office.

137 Regular elections to the Faculty Senate shall be conducted during the months of August and
138 September, with terms of office to begin at the Faculty Senate meeting in October.

139 Candidates receiving the greatest number of votes shall become the Senators for their
140 Electoral Unit. Candidates with the next highest numbers of votes shall become Alternate
141 Senators as determined by the formula in Article III.B. The Governance Committee shall
142 retain the results of the election so that Alternate Senators with the highest numbers of votes
143 may replace resigning Senators and the slots of Alternate Senators are refilled. In the case of
144 a tie, candidates shall come to an agreement among themselves; otherwise Senators of the
145 representative Electoral Unit shall vote for one of the candidates. In the case that alternate
146 senator slots are not filled, Electoral Unit leaders may recruit faculty to serve as alternate
147 senators until the next scheduled election.

148 The Governance Committee, upon notification of the Faculty Senate of a vacancy in the
149 Faculty Senate between regular elections, shall notify the appropriate Electoral Unit
150 Committee who shall appoint a replacement to complete the unexpired term. (Paragraph
151 amended May 2017)

152 **F. Terms of Office**

153 **1. Senators**

154 Senators shall be elected to a two-year term and shall be eligible to serve a maximum of
155 three consecutive terms. The terms of Senators from each unit shall be staggered: one-half
156 shall be elected each year. Senators who cannot complete their terms shall submit a written
157 resignation to the Secretary of the Faculty Senate at least one month before the date of
158 resignation.

159 **2. Alternate Senators**

160 Alternate Senators shall be elected to a one-year term. When a Senator resigns from his or
161 her office, the Alternate with the greatest number of votes from the prior election
162 automatically advances to the ex-Senator's position and completes the remainder of the ex-
163 Senator's term of office. After succeeding the ex-Senator and serving the remainder of that
164 term of office, the former Alternate may stand for election and ultimately serve for a period
165 not exceeding a total of seven consecutive years. Alternate Senators who cannot complete
166 their term of office shall submit a letter of resignation to the Secretary of the Faculty Senate
167 at least one month before the date of resignation.

168 **Article IV**

169 **Officers of the Faculty Senate: Election and Duties**

170 The Officers of the Faculty Senate shall be the President, Vice President, and Secretary.
171 Officers of the Senate are considered to be at-large Senators and do not stand for re-election
172 to the Senate from their Electoral Unit in October even if their Senate term is scheduled to
173 expire. If an Officer-Elect's term is not scheduled to expire when they become Officers at
174 the October meeting, their Electoral Unit seat shall become vacant, and be filled during the
175 regular election. (Paragraph amended May 2017)

176 **A. Election of Officers**

177 Election of Officers for the upcoming year (October – September) will be held at the July
178 meeting. In May the Governance Committee shall call for nomination of Officers from the
179 members of the Faculty Senate (Senators and Alternate Senators) after the election results
180 become available. Any member of the Faculty Senate may nominate either another member
181 of the Faculty Senate or himself or herself. All Senators are eligible to be slated regardless
182 of time remaining on their current term unless a maximum of three terms has been reached.
183 The Governance Committee will then draw up a slate of qualified individuals who agree to
184 serve as President, Vice President, and Secretary. The Governance Committee shall oversee
185 the voting process and report the results to the full Faculty Senate. (Paragraph amended May
186 2013)

187 **B. President of the Faculty Senate**

188 The President shall preside over the Faculty Senate; represent the Faculty Senate on
189 appropriate university Committees; convene and preside at Executive Committee meetings;
190 coordinate review of policy affecting the faculty; conduct the business of the Faculty Senate

191 and fulfill other responsibilities incumbent on the leader of the Faculty Senate as deemed
192 appropriate. At his or her discretion, the President may delegate these responsibilities.

193 **C. Vice President of the Faculty Senate**

194 The Vice President shall assume the role of the President in the latter's absence and perform
195 other duties as requested by the President.

196 **D. Secretary of the Faculty Senate**

197 The Secretary shall take attendance, record and publish minutes of meetings; publicize
198 scheduled meetings and agendas and items for vote; and update the Faculty Senate archives.
199 Prior to a vote by the Faculty Senate, the Secretary shall establish the existence of a quorum
200 and determine those empowered to vote. The Secretary shall discharge other duties assigned
201 by the President.

202 **Article V**

203 **Senators and Alternate Senators: Duties**

204 **A. Senators**

205 Faculty Senators shall represent the views and interests of the faculty of their respective
206 Electoral Units and the faculty-at-large. Senators shall attend at least two-thirds of monthly
207 meetings of the Faculty Senate and serve on at least one committee of the Faculty Senate. A
208 Senator who knows in advance that he/she will be unable to attend a meeting of the Faculty
209 Senate is responsible for arranging for one of the Electoral Unit's Alternate Senators to
210 attend in his/her absence.

211 **B. Alternate Senators**

212 Alternate Senators are encouraged to attend all meetings of the Faculty Senate. Alternate
213 Senators are eligible to vote when attending in place of a Senator who is unable to attend a
214 meeting. Alternate Senators are eligible and encouraged to serve as members of Faculty
215 Senate Committees.

216 **Article VI**

217 **Removal from Faculty Senate**

218 Officers, Senators or Alternates may be removed from the Faculty Senate if they are unable
219 to fulfill their duties as stipulated in the Bylaws.

220 **Article VII**

221 **Committees**

222 Committees of the Faculty Senate have delegated authority to: consider, investigate and
223 advise on those matters directly related to the operation and purposes of the Faculty Senate;
224 and, to take action on behalf of the Faculty Senate commensurate with the committee's
225 duties, or as specially authorized by the Faculty Senate. The members of the standing
226 committees, *ad hoc* committees and subcommittees shall be members of the Faculty Senate
227 or other qualified faculty. Committees shall be chaired by Senators or Alternate Senators.

228 **A. Executive Committee**

229 The Executive Committee shall be composed of one Senator from each of the seven
230 Electoral Units, and the Officers of the Faculty Senate. The immediate Past President of the
231 Faculty Senate and the Chairs of the Senate Standing Committees shall serve as a non-
232 voting, consultative member. The Executive Committee member from the respective
233 Electoral Unit shall be selected by the Senators of that unit as stipulated in the Bylaws. The
234 Officers-Elect (President-Elect, Vice President-Elect and Secretary-Elect) of the Faculty
235 Senate shall be non-voting members of the Executive Committee from July through
236 September. The Executive Committee may go into executive session when discussing
237 sensitive issues as permitted by state law. (Paragraph amended May 2017)

238 **B. Standing Committees**

239 Standing committees of the Faculty Senate and their duties are described in the Bylaws of
240 the Faculty Senate.

241 **C. *Ad hoc* Committees**

242 *Ad hoc* committees of the Faculty Senate are constituted for focused tasks.

243 **Article VIII**

244 **Meetings**

245 **A. Faculty Senate**

246 Meetings shall be held monthly at a regular time and designated place. Faculty Senate
247 meetings are open to the faculty. The time and place of meetings (regular and special) shall
248 be advertised to the faculty. Members of the faculty may request to be heard at Faculty
249 Senate meetings, but have no vote or other legislative privilege. The President may call an
250 executive session that is open only to Senators and Alternate Senators

251 **B. Faculty**

252 Meetings of the faculty shall be called and presided over by the President of the Faculty
253 Senate. Notice of faculty meetings shall be given at least 30 days in advance. Meetings shall
254 be held at least once yearly. (Paragraph amended May 2017)

255 **Article IX**

256 **Bylaws**

257 Procedural guidelines governing the work of the Faculty Senate are documented in the
258 Bylaws of the Faculty Senate.

259 **Article X**

260 **Ratification of Constitution**

261 The Constitution of the Faculty Senate shall be ratified by a two-thirds vote of all Senators
262 and a two-thirds vote of all qualified faculty present at a special meeting of the faculty as
263 called by the President of the Faculty Senate or two-thirds votes of all qualified faculty
264 casting a vote in an electronically conducted vote. Upon ratification and henceforth, Articles
265 of the Constitution shall not be changed. All changes to the Constitution shall be by
266 Amendment, as described in Article XI. The Constitution shall be transmitted by the
267 President of the Faculty Senate, through the appropriate administrative channels, to the
268 Board of Trustees and shall take effect upon approval by the Board of Trustees. Prior to
269 ratification of the Constitution or any Amendment, the Governance Committee will
270 distribute pertinent documents to all qualified faculty members at least thirty days in
271 advance of a regularly scheduled faculty Meeting or electronically conducted vote (VIII.B),
272 will invite written comment, and offer an opportunity for discussion.

273 **Article XI**

274 **Amendments to the Constitution and Revisions to the Bylaws**

275 **A. Constitution**

276 This Constitution may be amended as follows:

277 A. Proposals for amendments to the Constitution may be made in writing to the President of
278 the Faculty Senate. Any qualified faculty member may propose an amendment. The
279 President of the Faculty Senate will have the item discussed at the Executive Committee. If
280 a majority of the members of the Executive Committee agree, the item will be added to the
281 agenda of the next regular meeting of the Faculty Senate.

282 B. The President shall give notice of the proposed amendments to all Senators at least thirty
283 days prior to the vote via the usual dissemination routes (e.g., email).

284 C. Faculty Senate approval of amendments will be by a vote of two-thirds of the Faculty
285 Senators.

286 D. The President shall give notice of the proposed amendment to the faculty at least thirty
287 days prior to the vote via the usual dissemination routes (e.g., email).

288 E. The proposed amendments shall be presented at a meeting of the faculty. They shall be
289 adopted by a two-thirds vote of all qualified faculty present at this meeting. Alternatively,
290 the amendment will be presented via email to the faculty, and an electronically conducted
291 vote will be taken. Two-thirds vote of all qualified faculty casting a vote is required for
292 adoption.

293 F. All amendments shall be transmitted by the President of the Faculty Senate, through the
294 appropriate administrative channels, to the Board of Trustees and shall take effect upon
295 approval by the Board of Trustees.

296 **B. Bylaws**

297 The Bylaws may be revised as follows:

298 A. Proposals for revisions to the Bylaws may be made in writing to the President of the
299 Faculty Senate. Any qualified faculty member may propose a revision. The President of the
300 Faculty Senate will have the item discussed at the Executive Committee. If a majority of the
301 members of the Executive Committee agree, the item will be added to the agenda of the next
302 regular meeting of the Faculty Senate.

303 B. The President shall give notice of the proposed revision to all Senators at least thirty days
304 prior to the vote via the usual dissemination routes (e.g., email).

305 C. Faculty Senate approval of revisions will be by a vote of two-thirds of the Faculty
306 Senators present at the meeting.

307 D. The President shall give notice of the proposed revisions to the faculty at least thirty days
308 prior to the vote via the usual dissemination routes (e.g., email).

309 E. The proposed revisions shall be presented at a regular meeting of the faculty. They shall
310 be adopted by majority vote of all qualified faculty present at this meeting. Alternatively, the
311 amendment will be presented via email to the faculty, and an electronically conducted vote
312 will be taken. Two-thirds vote of all qualified faculty casting a vote is required for adoption.

313 **Article XII**

314 **Review of the Constitution**

315 A. There shall be a mandatory review of the Constitution five years after its adoption and at
316 least every five years thereafter to occur on the decade and years ending in '5', for example
317 2009-2010, then 2014-2015.

318 B. This review shall be carried out by the Governance Committee at the direction of the
319 Executive Committee. The review shall include recommendations of the Executive
320 Committee and standing committee chairs.

321 **3.02.02 Faculty Senate By-Laws**

Senate Approval Date	Faculty Approval Date	Reviewed for Accuracy and Consistency
Nov 2017		May 2018

322 **Article I. Quorum**

323 A. A quorum of the Faculty Senate necessary for the conduct of business shall be a simple
324 majority of the voting members of the Faculty Senate except for changes to the
325 Constitution and Bylaws as describe in Article XI of the Constitution.

326 B. A quorum of the Executive Committee necessary for the conduct of business on behalf of
327 the Faculty Senate shall be a simple majority of the voting members of the Executive
328 Committee.

329 C. Proxy votes shall not be allowed.

330 **Article II. Conduct of Business**

331 A. The President shall appoint a Parliamentarian. The Parliamentarian shall be a qualified
332 faculty member but need not be a Senator. The Parliamentarian shall act as advisor to the
333 President on matters of rules of procedure.

334 B. Business shall be conducted using the current edition of Robert's Rules of Order Newly
335 Revised, except where otherwise specified in the Constitution and Bylaws.

336 C. Business of the Faculty Senate is normally conducted at regular meetings, special
337 meetings, and in standing or *ad hoc* committees.

338 D. At the discretion of the President and with prior consent of the Faculty Senate, business
339 of the Faculty Senate may also be conducted by distribution of information and ballots
340 through mail, email or other transfer of information, provided that all other requirements
341 of the Constitution of the Faculty Senate are met.

342 E. Action items requiring a vote by the Faculty Senate shall be distributed by the Secretary
343 of the Faculty Senate at least 10 days before the meeting.

344 F. Action items requiring a vote by the faculty shall be distributed for comment at least 30
345 days prior to a regularly scheduled meeting or vote.

346 **Article III. Standing Committees, *ad hoc* Committees, and Duties of Committee Members**

347 **A. Membership on Committees**

348 Most work of the Faculty Senate is conducted by standing and *ad hoc* committees.

- 349 1. Membership of the Executive Committee is by election or by virtue of office and
350 governed by Article VII.A. of the Constitution.
351 2. Each Senator shall serve on a minimum of one standing committee.
352 3. The Executive Committee appoints each committee chair from among Faculty
353 Senators or from members of the Executive Committee.
354 4. Senators shall serve on standing committees for one-year terms and may serve
355 multiple terms.
356 5. Members on *ad hoc* committees may serve until the assigned task is completed.

357 **B. Duties of the Committee Chair**

358 The Chair of each committee shall:

359 Apportion committee work efficiently and fairly among the committee members and, in
360 consultation with the other committee members, decide whether the appointment of
361 subcommittees is appropriate;

362 Seek advice from the faculty, from administrative and professional staff, and from
363 students, if it is deemed beneficial to the committee's deliberations;

364 Keep minutes or other records of proceedings that are adequate for efficient continuation
365 of work throughout and beyond the committee's period of service;

366 Submit an annual report to the Faculty Senate at the end of each academic year.

367 **C. Executive Committee and Standing Committees**

368 1. The Executive Committee shall:

- 369 a. Appoint Senators, Alternate Senators and qualified faculty to all committees of the
370 Faculty Senate, except for the Executive Committee itself;
371 b. Appoint each committee chair from among Faculty Senators; members of the
372 Executive Committee are eligible to serve as chair;
373 c. Ensure that committee assignments are distributed fairly among Electoral Units and
374 academic ranks;
375 d. Initiate the formation and dismissal of *ad hoc* committees, as needed;

- 376 e. Accept annual reports from each standing and *ad hoc* committee of the Faculty
377 Senate;
378 f. Submit to the faculty an annual report at the end of each academic year;
379 g. Appoint Senators, Alternate Senators or qualified faculty to represent the Faculty
380 Senate on university-wide committees;
381 h. Facilitate communication among the Administration of the university, the Faculty
382 Senate, and the faculty by meeting with the President or the President's designee and
383 the college Deans or their designees as necessary and by reporting to the faculty, as
384 deemed appropriate;
385 i. Act on behalf of the Faculty Senate in emergency situations. In circumstances
386 requiring immediate action, the committee may advise the Administration of the
387 university on behalf of the Faculty Senate. It shall report its recommendations to the
388 Faculty Senate at the next Senate meeting. (Paragraph amended May 2017)

389 2. The Governance Committee shall:

- 390 a. Govern the proceedings of the Senate;
391 b. Conduct Faculty Senate elections, certify eligibility of faculty for election, and
392 maintain appropriate records of elections [See Amendment 1 and Amendment 2];
393 c. Review the Faculty Senate's governing documents and recommend changes to these
394 documents as deemed appropriate;
395 d. Interpret the provisions of the Constitution and Bylaws;
396 e. Codify changes or amendments to the Constitution and Bylaws, as deemed necessary;
397 f. Call for nominations, establish slates, and conduct elections of officers of the Faculty
398 Senate, as described in Article IV.A.;
399 g. Monitor and, as necessary, manage changes to the practices and procedures of the
400 Faculty Senate, by revision to Bylaws as appropriate.

401 3. The Institutional Advancement Committee shall:

- 402 a. Monitor major trends in the life of the institution;
403 b. Track progress of action items discussed in the Senate throughout the administrative
404 channels of the university;
405 c. Participate in strategic planning for the university;
406 d. Report back to the Faculty Senate where deemed appropriate;
407 e. Request that the Faculty Senate take a position or act on issues of general interest.
408 Examples of actions: Collect information and report on major building activities, and
409 on creation, development, or discontinuation of major units or departments.

410 4. The Faculty and Institutional Relationships Committee shall:

- 411 a. Consider issues pertaining to negotiations and procedures that, in a generic sense,
412 apply to individual faculty. Examples of actions: Formulation of contracts,
413 tenure/post-tenure review, promotions and rank, equity, sabbaticals, conflicts of
414 interest, means of grievance.

415 b. Accept and evaluate requests to change the Faculty
416 Handbook.

417 5. The Communication Committee shall:

- 418 a. Collaborate with other standing committees to inform faculty of issues;
419 b. Inform the faculty about the work of the Senate through organized activities.
420 Examples of actions: the organization of targeted workshops or retreats addressing
421 themes such as faculty mentoring, tenure, interpretation of contracts, and sabbaticals.
422 c. Maintain the Faculty Senate web site and ensure that Senate activities are published
423 in university publications.

424 6. The Electoral Unit Committees shall:

- 425 a. Consist of all elected Senators and Alternates from the particular Electoral Unit.
426 b. Elect one representative to serve as a member of the Executive Committee for a one-
427 year term. This election occurs immediately after the results of the Senate election are
428 known. This name is submitted to the Governance Committee;
429 c. Facilitate communication among the Faculty Senate and the dean and faculty of the
430 Electoral Unit;
431 d. Receive requests for Senate action from faculty of their respective units and decides
432 whether the Faculty Senate should be involved in such action. If not, the Committee
433 directly responds to the request.

434 **D. *Ad hoc* Committees**

- 435 a. *Ad hoc* committees are composed of Senators, Alternates and qualified faculty for a
436 focused task.
437 b. Upon completion of the task, the chair presents a report to the Faculty Senate.

438 **Article IV. Procedure for Removal from Senate**

- 439 A. Any Officer, Senator or Alternate may resign his or her duties at any time by sending a
440 letter to the Executive Committee; see Articles III.F.1 and III.F.2 of the Constitution.
441 B. If the Senators of an Electoral Unit determine that one of their Senators or Alternates is
442 ineffective, they shall contact that Senator. If no resolution is reached, the parties may
443 take the case to the Executive Committee for deliberation and decision. These
444 proceedings shall be confidential.
445 C. A Senator or Alternate can be removed for cause from office by a two-thirds majority
446 vote of the Electoral Unit Committee and the Executive Committee.

447 **Article VI. Revisions to Bylaws**

448 The Bylaws shall be reviewed at least once every two years and revisions to the Bylaws are
449 governed by Article XI.B of the Constitution.

450 **3.03 University-Wide Committees**

451 In addition to special committees as from time to time may be appointed or elected, there
452 shall be standing chartered committees. The most current list is presented at

453 <http://academicdepartments.musc.edu/provost/committees/index.htm>

454 All university-wide committees have faculty representation.

455

456 **4. FACULTY RANKS AND STATUS**

457 **4.01 Regular Faculty Ranks**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Sep 2015	Jul 2016		Oct 2016		
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

458 The following faculty ranks, as generally described below, are used throughout MUSC. Refer to
459 individual college/department guidelines for specific criteria regarding appointment or
460 promotion to any of these faculty ranks. With regard to University affairs, the voting faculty
461 shall be those individuals holding an academic appointment at MUSC with regular faculty rank
462 of Instructor and above, regardless of the percentage of FTE of the faculty appointment.
463

464 4.01.01 Instructor

465 This rank usually requires training beyond the baccalaureate degree. Demonstrated technical
466 proficiency and experience may serve in lieu of formal training. The ability to contribute to the
467 University's teaching programs is required.
468

469 4.01.02 Assistant Professor

470 This rank usually requires that a faculty member holds the appropriate terminal degree and
471 possesses strong potential for development as a teacher, scholar, and researcher. An Assistant
472 Professorship may be awarded in the absence of a terminal degree to individuals who have made
473 significant teaching, research, or service contributions and who have shown evidence of
474 academic potential.
475

476 4.01.03 Associate Professor

477 This rank usually requires the appropriate terminal degree and exemplary service as an Assistant
478 Professor for at least three (3) years at this university or equivalent service elsewhere.
479 Individuals achieving this rank should have demonstrated teaching effectiveness, should have
480 made significant contributions in the areas of research/scholarly activity and service, and should
481 show promise of continued intellectual growth.
482

483 4.01.04 Professor

484 This is the highest academic rank at the University and usually requires an appropriate doctoral
485 degree. For appointment at or promotion to the rank of Professor, an individual normally will
486 have served at the rank of Associate Professor for at least four (4) years and will have
487 demonstrated excellence in the three areas of academic pursuit: teaching, research/scholarly
488 activity and service. In addition, the individual should have an academic reputation extending
489 beyond the University.

490 **4.02 Special Faculty Ranks**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Sep 2015	Jul 2016		Oct 2016		
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

491 Faculty holding special appointments do not have voting privileges.

492

493 4.02.01 Assistant

494 This rank usually requires a bachelor's degree and the ability to participate in teaching, research,
495 and/or clinical service.

496

497 4.02.02 Associate

498 This rank usually requires at least a non-terminal master's degree or comparable training and
499 experience in an appropriate area.

500

501 **4.03 Modifiers to Faculty Ranks**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Sep2015	Jul 2016		Oct 2016		
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

502 The following modifiers may be made to either Regular faculty ranks (4.01) or Special faculty
503 ranks (4.02). These modifiers shall be assigned according to **6.02b Procedures for Appointment.**

504

505 4.03.01 Visiting

506 This modified rank applies to faculty whose appointment to the faculty is for a limited time and
507 whose responsibilities are important in the regular programs of MUSC.

508

509 4.03.02 Adjunct

510 This modified rank applies to faculty whose responsibilities are important though not extensive
511 in the regular programs of MUSC, whose appointment is annual or continuous, and whose
512 activities do not ordinarily involve direct patient contact or teaching in clinical courses.

513

514 4.03.03 Clinical

515 This modified rank applies to faculty whose responsibilities are important though usually not
516 extensive in the regular programs of MUSC, whose appointment is annual or continuous, and

517 whose activities ordinarily involve direct patient contact or teaching in clinical courses.

518

519 4.03.04 Research

520 This modified rank applies to faculty whose responsibilities are important to the University and
521 who has few or no job obligations other than doing research, often as a member of a research
522 team.

523

524 Faculty with Regular faculty ranks modified by Clinical or Research may participate in faculty
525 governance and have full voting privileges regarding University affairs. Faculty with Regular
526 faculty ranks modified by Visiting or Adjunct and all faculty with Special faculty rank,
527 regardless of modifier, do not have University voting privileges. Participation in college,
528 department, and division governance will be determined by individual colleges.

529

530 **4.04 Medical University Hospital Authority (MUHA)***

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

531 *NOTE: For clarification of subsequent narrative, the “MUHA” is referred to when
532 describing the legal organization and/or governance of clinical care. When describing the
533 clinical entity itself, it will be called the “MUSC HEALTH”.

534 Individuals whose primary responsibility rests in one of the components of MUHA may
535 hold a faculty appointment at a specified rank in a designated college, thereby recognizing
536 participation in its educational programs.

537 **4.05 South Carolina Area Health Education Consortium (SC AHEC)**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

538 MUSC recognizes the valuable contributions of health care professionals employed by the
539 educational programs at AHEC-affiliated institutions and volunteer professionals not
540 employed by AHEC-affiliated institutions. Both categories of professionals are eligible to
541 apply for MUSC appointments. The employed AHEC professionals have “MUSC AHEC”
542 preceding their faculty rank; volunteer professionals have “MUSC AHEC Clinical”
543 preceding their faculty rank. All MUSC AHEC appointments are without tenure and the SC

544 AHEC Appointments and Promotions Committee coordinates this process with the MUSC
545 Deans' Offices.

546

547 **4.06 University**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

548 The Board may appoint distinguished academicians to special university-wide rank.

549 **4.06.01 Emeritus**

550 Definition: Emeritus is an honorary title for a faculty member retiring from active university
551 service. This rank recognizes distinguished service to the institution. It is conferred upon a
552 faculty member when he/she retires by the Executive Vice President for Academic Affairs
553 and Provost upon the recommendation of the department Chair and Dean of the respective
554 college, following approval from the Board.

555 Eligibility: Emeritus status is generally reserved for regular, full-time faculty who are
556 retiring at the rank Professor or Associate Professor and such individuals are designated as
557 Emeritus Professor. An individual retiring at a lower rank may be granted the status of
558 Emeritus at that rank based on the length and quality of his/her service to the institution. An
559 administrator retiring with the rank of the Dean or above may be designated as Dean
560 Emeritus, etc.

561 Procedure: The retiring faculty member may initiate the process for obtaining Emeritus
562 status, through a formal request to their department Chair. The department Chair on behalf
563 of the retiring faculty member may also initiate this process. The Chair will make a written
564 recommendation to the Dean of the college with documentation of the faculty member's
565 service, usually his/her *curriculum vitae*. If the Dean concurs, the Dean forwards the
566 recommendation to the Executive Vice President for Academic Affairs and Provost. If the
567 Executive Vice President for Academic Affairs and Provost concurs, the Executive Vice
568 President for Academic Affairs and Provost seeks approval from the Board. If approved, the
569 Executive Vice President for Academic Affairs and Provost shall notify the faculty member
570 in writing of the award of Emeritus Faculty status. If the retiring faculty member is a
571 department Chair, the Dean initiates the request. For administrative titles at the level of
572 Dean or above, the next highest administrator initiates the recommendation.

573 Benefits: Emeritus status is conferred on the faculty member for life, subject to the same
574 policies for termination as apply for an active tenured faculty member. The following

575 university benefits may be made available to all present and future emeritus faculty to
576 include at a minimum:

- 577 • MUSC ID badge reflecting Emeritus status
- 578 • Continued Access to the university library and certain computer facilities such as email
579 and approved cloud services access
- 580 • Eligibility for continued membership at the Wellness Center at the regular faculty rates
- 581 • Maintenance on a mailing list to receive university related news, announcement and
582 invitations to events as appropriate.

583 Other benefits may be negotiable with the college/department. All benefits are subject to
584 administrative review and the availability of resources.

585 **4.06.02 Distinguished University Professor**

586 Definition: The title of Distinguished University Professor is an honorary title given to a
587 senior level faculty member who has had a distinguished academic career in teaching,
588 service or research. It is conferred in writing by the Executive Vice President for Academic
589 Affairs and Provost upon the recommendation of the department Chair and the Dean of the
590 college, following approval of the Board. Upon retirement, the faculty member may use the
591 title of Distinguished University Professor Emeritus.

592 Eligibility: Distinguished University Professor status is generally reserved for regular, full-
593 time senior or retiring faculty at the rank of Professor. This high honor is reserved for those
594 faculty members who have made outstanding contributions to their professions and have
595 achieved national and/or international recognition for their accomplishments.

596 Procedure: Consideration of a faculty member for the title of Distinguished University
597 Professor within the colleges will comply with the college level process for appointment and
598 promotion. If the Dean approves the request within the college, the Dean forwards the
599 recommendation to the Executive Vice President for Academic Affairs and Provost with
600 documentation substantiating the request. If the Executive Vice President for Academic
601 Affairs and Provost concurs, the Executive Vice President for Academic Affairs and Provost
602 seeks approval from the Board. If approved, the Executive Vice President for Academic
603 Affairs and Provost shall notify the faculty member in writing of the award of Distinguished
604 University Professor. If the candidate is a department Chair, the Dean initiates the request
605 with consideration by the college Appointment, Promotion, and Tenure committee.

606 Benefits: Status as a Distinguished University Professor is conferred on the faculty member
607 for life, subject to the same policies for termination as apply for an active tenured faculty
608 member. The Distinguished University Professor will automatically be eligible for all the
609 benefits conferred upon the Emeritus faculty, if he/she is retiring from active service.

610 **4.07 Faculty Appointment to More than One Unit**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
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611 The primary appointment of a faculty member holding joint/dual appointments is confirmed
 612 by the Executive Vice President for Academic Affairs and Provost. If a faculty member
 613 resigns his primary appointment or if his primary appointment is otherwise terminated, all
 614 dual and/or joint appointments in other departments or colleges are terminated the date the
 615 primary appointment is terminated. If a change of status is to be requested by the chair of the
 616 department in which the dual or joint appointment rests, such a request is submitted as a
 617 primary faculty appointment through the appropriate channels.

618 The following terms are descriptive of appointments in more than one unit of MUSC, or
 619 between MUSC and some other institution. These terms may be used with all of the above
 620 modifiers and ranks as appropriate.

621 **4.07.01 Joint**

622 A faculty member who holds a coordinated appointment in two or more colleges of MUSC
 623 or between MUSC and some other institution of higher learning holds a joint appointment.

624 **4.07.02 Dual**

625 A faculty member who holds an appointment between or among two or more departments
 626 within the same college holds a dual appointment.

627

628 **5. FACULTY APPOINTMENT, PROMOTION, TENURE AND**
 629 **EVALUATION**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
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630 Each college shall develop and publish in one document all appointment, promotion, and
 631 tenure guidelines or criteria, and establish a formal review of this document every three
 632 years. Each document should be explicit and the process clearly defined with input from the
 633 faculty. Each college shall establish appropriate procedures for all faculty appointments and
 634 promotions including those on tenure and non-tenure tracks. Faculty may switch between
 635 tenure and non-tenure tracks one time with approval by the dean of the college. Faculty
 636 members on the tenure track will be afforded protected time for academic pursuits.

637 Current links to College-specific Appointment, Promotion, and Tenure Policies can be found
 638 below:

639 College of Dental Medicine:

640 <http://academicdepartments.musc.edu/dentistry/about/For%20Faculty%20and%20staff/2013%20APT%20Guidelines.pdf>
 641

642 College of Health Professions:

643 http://academicdepartments.musc.edu/chp/academic_faculty-affairs/index.htm

644 College of Medicine:

645 <http://academicdepartments.musc.edu/com/faculty/apt/musc/>

646 College of Nursing:

647 https://academicdepartments.musc.edu/nursing/intranet/faculty/Documents/Faculty-Handbook/Section_V.pdf
 648

649 College of Pharmacy:

650 [http://academicdepartments.musc.edu/faculty_senate/essential_docs/promotion/pharm.ht](http://academicdepartments.musc.edu/faculty_senate/essential_docs/promotion/pharm.html)
 651 [ml](http://academicdepartments.musc.edu/faculty_senate/essential_docs/promotion/pharm.html)

652 College of Graduate Studies:

653 http://academicdepartments.musc.edu/grad/faculty_resources/grad_fac_app_info.htm

654 Academic Affairs Faculty:

655 http://www.library.musc.edu/tree_docs/DLSI/2012_DLSI_APT_Guidelines_Final.pdf

656

657 **5.01 College/Department Faculty Appointment, Promotion and Tenure Committee**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
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658 **Purpose:**

659 Each college and general faculty unit will have an Appointment, Promotion and Tenure
660 (APT) Committee. In addition to reviewing initial appointments, this committee shall
661 evaluate faculty seeking promotion, tenure and review of tenured faculty. Colleges may
662 choose to have a subcommittee of the APT that will exclusively evaluate initial tenure and
663 review of tenured faculty. Any subcommittee must follow the guidelines for composition.
664 The college APT committee will be advisory to the Dean.

665 **Composition:**

666 The Dean may determine the composition of the committee by either appointment or
667 election, as long as the composition of the committee meets the following guidelines. The
668 term of membership should be three years in length for both elected and appointed members,
669 and may be renewed once. One-third of the committee shall be appointed or elected each
670 year.

671 If the college has multiple tracks (educator/clinician, educator/researcher) faculty
672 representatives from each track should be represented on the committee.

673 Administrators who serve in a supervisory role to faculty members being evaluated for
674 promotion/tenure (e.g., deans, department chairs), and thus have other avenues for input into
675 the promotion/tenure process, shall be excluded from the college APT committee. Division
676 Directors and program directors who have already had input into an individual's evaluation
677 should be excluded from deliberation and voting on that individual if they are on the
678 committee.

679 The committee should consist of a minimum number of four. There shall be no maximum
680 number.

681 Only faculty at or above the rank, for which the individual is being considered, may vote on
682 decisions involving promotion.

683 Only tenured faculty may vote on decisions involving individuals seeking tenure, or on
684 review of tenured faculty.

685 If there are insufficient numbers of tenured faculty available to meet the above guidelines,
686 non-tenured faculty may serve in their place, at the discretion of the Dean.

687 **5.02 Faculty Appointment**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

688 **5.02.01 Criteria for Appointment**

689 Each college, through its Appointment, Promotion, and Tenure Committee, shall develop
690 and publish a set of criteria which has been approved by the Executive Vice President for
691 Academic Affairs and Provost through appropriate channels, and which will be used in the
692 appointment of new faculty members. Such criteria should reflect the specific missions of
693 the individual colleges and should be formulated to promote faculty excellence within the
694 institution as a whole.

695 **5.02.02 Procedures for Appointment**

696 Appointments to the faculty ordinarily are initiated by the department chair. Academic
697 appointments at the level of department chairman or higher usually are initiated by the
698 administrative officer of the next higher rank.

699 The department chair shall consult with the departmental faculty of equal or superior rank to
700 the prospective appointee or with the departmental Appointment, Promotion, and Tenure
701 Committee before nominations are forwarded to the dean.

702 Upon approval by the dean, requests for appointment shall be forwarded to the Executive
703 Vice President for Academic Affairs and Provost for approval. If departmental affiliation
704 within a college is not involved, the requests shall be initiated by the appropriate dean and
705 addressed to the Executive Vice President for Academic Affairs and Provost. If collegial
706 affiliation is not involved, the requests shall be initiated by the Executive Vice President for
707 Academic Affairs and Provost and addressed to the President. Upon such approval,
708 recommendations for appointment shall be forwarded to the President.

709 Appointments to the rank of Assistant Professor without tenure and below shall be made by
710 the President. On the recommendation of the President, appointments to any rank with
711 tenure, and all appointments to the rank of Associate Professor or Professor shall be made
712 by the Board.

713 When a faculty member holding a modified rank or special appointment is considered for a
714 change to a regular non-modified rank, the appointment shall follow the established
715 procedures for initial appointment.

716 **5.02.03 Term of Appointment**

717 Appointment of faculty members with respect to term is of three types:

- 718 • A twelve (12) month appointment
- 719 • A nine (9) month appointment
- 720 • Appointment for other specified periods of time

721 Appointments are made on an annual basis: Twelve (12) month appointments usually begin
722 July 1st. Appointments for time periods other than twelve (12) months span the academic
723 year of the college of primary responsibility. The initial letter of appointment and/or contract
724 and subsequent written notification of reappointment specifying the salary, rank, term of
725 appointment, and tenure status, is given by the department chairman or other responsible
726 administrative officer with the approval of the Executive Vice President for Academic
727 Affairs and Provost.

728 **Term of Appointment for Non-Tenured Faculty:**

729 Any change in term of appointment for non-tenured faculty must be based upon documented
730 evidence of financial exigencies or impending financial exigencies or of need for program
731 redirection to insure the viability of a department or college. Efforts to make suitable
732 reassignments of affected personnel will be made by the responsible administrative officers
733 should the faculty desire to retain his or her original term of appointment.

734 The recommendation and rationale for faculty term of appointment changes must be written
735 by the Dean or responsible administrative officer and submitted to the Executive Vice
736 President for Academic Affairs and Provost for approval. Following approval by the
737 Executive Vice President for Academic Affairs and Provost, written notice of the intention
738 to change the term of appointment of a non-tenured faculty member shall be given, to the
739 extent that appropriated funds are available and legislation permits, as follows:

- 740 (1) At least three [3] months prior to the expiration of the contract for faculty under his or her
741 initial faculty appointment.
- 742 (2) At least six [6] months prior to the expiration of the contract for faculty appointed under a
743 second-year contract.
- 744 (3) At least one [1] year prior to the expiration of the contract for faculty under a third [3rd]
745 year or subsequent-year contract.

746 **5.03 Faculty Promotion**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
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747 Promotion both recognizes achievement and acknowledges that the individual is capable of
748 greater accomplishments and responsibilities. The policy of the university is to make
749 promotions strictly on merit.

750 **5.03.01 Criteria for Promotion**

751 Each college, through its Appointment, Promotion and Tenure Committee, shall develop,
752 publish, and distribute to its faculty a set of criteria which have been approved by the
753 President through appropriate channels, and which shall be used in the consideration of
754 promotion to the various ranks. Such criteria should reflect the specific missions of the
755 individual colleges and should be formulated to promote faculty excellence within the
756 institution as a whole.

757 **5.03.02 Procedures for Promotion**

758 Recommendations for promotion of a faculty member are submitted to the dean by the
759 department chairman after consultation: 1) with those faculty members of the department or
760 administrative unit who are at or above the academic level to which the faculty member is
761 seeking promotion; and/or 2) with the department or college Appointment, Promotion and
762 Tenure Committee. In the case of promotion for department chairs or deans, the next higher
763 administrator shall compile and forward the recommendations.

764 The faculty member being considered for promotion will be notified in writing by the
765 department chair or other appropriate administrative officer of the schedule for the
766 promotion review and will be given the opportunity to submit evidence relevant to the
767 evaluation of his/her performance and future promise.

768 If the recommendation for promotion is disapproved, the faculty member shall be notified of
769 the disapproval and the reason for it prior to the promotion deadlines.

770 Recommendations for promotion are considered by the dean of the appropriate college
771 following the recommendation of his/her committee. Recommendations concerning
772 administrative officers who hold faculty rank are submitted by the next higher
773 administrative officer.

774 The dean makes formal recommendations and prepares a consolidated report for the
775 Executive Vice President for Academic Affairs and Provost, who makes formal

776 recommendations to the President. The President reviews the recommendations submitted
777 by the Executive Vice President for Academic Affairs and Provost, renders decisions, and,
778 when required, submits recommendations to the Board.

779 The dean is responsible for notifying the faculty member in writing of any action taken in
780 regard to promotion by the Executive Vice President for Academic Affairs and Provost or
781 the President, and where applicable, also by the MUSC Board. The department chair notifies
782 the faculty member in writing regarding salary for the forthcoming fiscal year.

783 Promotions are approved by the Board of Trustees and made effective on either January 1 or
784 July 1 each year.

785 **5.04 Faculty Tenure**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
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786 Tenure shall be the assurance of continuous appointment to a particular faculty rank, with
787 continuation of salary commensurate with the rank, as long as duties are performed in
788 accordance with accepted standards, subject to termination for cause, upon retirement, on
789 account of financial exigency, or the change or abolition of institutional programs. Tenure
790 rests in the college or department of primary appointment only. The initial letter of
791 appointment and/or contract and annual renewals shall specify status with regard to tenure.

792 The following full-time faculty are not eligible for tenure: (a) faculty holding limited term
793 appointments and (b) faculty holding modified ranks or special appointments as designated
794 in Sections 4.02, 4.03, 4.04, and 4.05.

795 The tenure of a faculty member who also holds an administrative position, such as dean or
796 department chair, extends only to the faculty position s/he holds conjointly with such an
797 administrative position.

798 The assurance of continuation of salary shall apply to compensation based on academic
799 rank, as defined in the annual contract (See Section 5.10). It shall not apply to additional
800 compensation including, but not limited to, clinical practice income, consultation fees,
801 administrative supplements, and special payments.

802 **5.04.01 Criteria for Tenure**

803 The faculty member must demonstrate competence and promise of long-term usefulness to
804 the missions and programs of the university to be considered for tenure.

805 Each college, through its Appointment, Promotion, and Tenure Committee shall develop a
 806 set of criteria to be used in the consideration of granting tenure and which shall have
 807 received the approval, through appropriate channels, of the Board. Each committee also
 808 shall publish and distribute these criteria to its faculty. Such criteria should reflect the
 809 specific missions of the individual colleges and should be formulated to promote faculty
 810 excellence within the institution as a whole.

811 **5.04.02 Procedures for Granting Tenure**

- 812 (1) The department chair or her/his designee initiates and forwards a recommendation to the
 813 dean after consultation with the departmental Appointment, Promotion and Tenure
 814 Committee and, where appropriate, with students, faculty outside the department, and
 815 professional colleagues. After consideration, the college Appointment, Promotion and
 816 Tenure Committee submits its recommendation to the dean.
- 817 (2) The dean reviews recommendations and forwards approved recommendations to the
 818 Executive Vice President for Academic Affairs and Provost, and through him/her to the
 819 university Tenure Committee. The recommendations of the University Tenure Committee
 820 are reviewed by the Executive Vice President for Academic Affairs and Provost and
 821 approved recommendations are then forwarded to the President and the Board for final
 822 action.
- 823 (3) If the recommendation for tenure is disapproved, the faculty member shall be notified of
 824 the disapproval and the reason for it prior to the tenure deadlines.
- 825 (4) Tenure ordinarily becomes effective once a year on January 1.

826 **5.05 Post Tenure Review**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Jul 2017			Aug 2017		
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

827 At every stage of a faculty member's career, the division Director and/or department Chair
 828 will review the faculty member's performance through the annual review process and
 829 reviews for promotion and tenure. Post-tenure review serves to evaluate a tenured faculty
 830 member's professional ongoing contributions and value to the university. During these
 831 reviews, efforts should be made to identify realistic long-range goals for career
 832 enhancement, evaluate the faculty member's strengths and weaknesses in performance, and,
 833 through appropriate advice and action, provide opportunities to correct any weaknesses to
 834 enable the faculty member to realize her/his full professional development. The review
 835 should be used to ensure that all tenured faculty members: (a) continue to perform at a level
 836 to achieve their long and short range career goals and (b) serve the needs of the students and
 837 the institution.

838 All tenured faculty members are subject to post-tenure review. There are two mechanisms of
839 post-tenure review: a streamlined post-tenure review (described in 5.05, subsection 2 below)
840 and a full post-tenure review (described in 5.05, subsection 4 below). A streamlined post-
841 tenure review occurs every six years for those who have been evaluated as adequate or
842 superior in each of the six years. The full post-tenure review occurs either every six years if
843 a faculty member has received an inadequate evaluation during the prior six years, or is
844 triggered if a faculty member's performance is deemed to be inadequate in two consecutive
845 years. In either mechanism, the post-tenure review is reliant on the annual review.

846 1) **Each tenured faculty member undergoes annual reviews.** The faculty member's
847 annual review is integral in determining performance. The department Chair/division
848 Director will use the three-point scale for annual reviews (below, meets or exceeds
849 expectations). If a faculty member is rated as below expectations in a majority of
850 applicable performance categories, they will receive a "below expectations" overall
851 evaluation. Each year, the faculty member must be made aware of specific
852 requirements to attain an adequate annual review so that he or she is given the
853 chance to meet these specific requirements.

854 2) **If the tenured faculty member receives no ratings of below, they undergo**
855 **streamlined post-tenure review every sixth year.** For a tenured faculty member
856 who has received overall ratings of meets or exceeds expectations in all annual
857 performance evaluations in the preceding six years, the department Chair/division
858 Director will send a letter to the Appointment, Promotions and Tenure (APT)
859 Committee of the faculty member's college stating that the faculty member satisfies
860 the requirements of a favorable post-tenure review. A copy of this letter will be sent
861 to the faculty member under review and the college Dean, and placed in the faculty
862 member's personnel file. The faculty then starts a new six-year cycle.

863 3) **If the faculty member receives an overall rating of below in a majority of**
864 **applicable performance categories, they undergo a full post-tenure review.**
865 There are two mechanisms that lead to a full post-tenure review: (i) If a faculty
866 member has received a below in a majority of applicable performance categories
867 evaluation during the six-year cycle, the faculty member is subject to full post-tenure
868 review at the end of that cycle (see (b) below), or (ii) If the faculty is rated as below
869 in a majority of applicable performance categories in two consecutive years, a full
870 post-tenure review is triggered, which starts after the second year of the
871 performance-improvement plan (see (c) below).

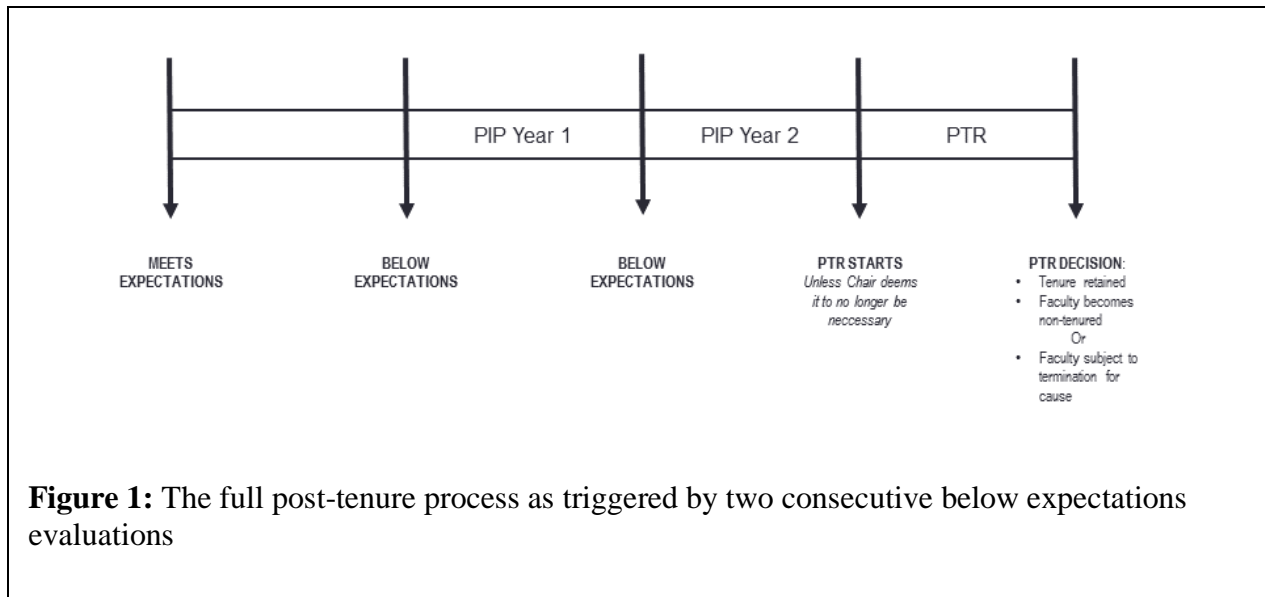
872 a) **Upon the first rating of below in a majority of applicable performance**
873 **categories in an annual review, a Performance-Improvement Plan (PIP) is**
874 **implemented.** If a tenured faculty member is rated below in a majority of
875 applicable performance categories on an annual evaluation, the department
876 Chair/division Director shall meet with the faculty member to outline the steps of
877 improvement to be taken to correct the deficiencies, to establish criteria for the
878 satisfaction of those deficiencies and to indicate what resources are available to
879 support the plan, as appropriate. This Performance-Improvement Plan (PIP)
880 should be approved by the college Dean, reported to the Executive Vice
881 President for Academic Affairs and Provost, and described in the associated

882 annual contract. The faculty member will be given two years beyond the date of
883 the contract to execute the plan successfully. The goal shall be restoration of
884 adequate performance. A written summary of the meeting shall be prepared for
885 the faculty member by the department Chair/division Director and copied to the
886 college Dean, the college APT committee, and the Executive Vice President for
887 Academic Affairs and Provost.

888 **b) Upon a rating of meets or exceeds in the year after a rating of below on**
889 **annual review, the faculty member will undergo a full post-tenure review at**
890 **the end of the six-year period.** The department Chair/division Director shall
891 send a letter to the college Dean, the college APT Committee, and the Executive
892 Vice President for Academic Affairs and Provost stating that the faculty member
893 has received an overall rating of meets or exceeds on their subsequent annual
894 performance evaluation, noting that deficiencies have been corrected. A copy of
895 this letter will be sent to the faculty member under review and placed in the
896 faculty member's personnel file. The faculty member then continues their cycle
897 for post-tenure review, but at the end of the six years will be subject to a full
898 post-tenure review, as described in Number 4 of this section.

899 **c) Upon the second rating of below in a majority of applicable performance**
900 **categories in an annual review, a full post-tenure review is triggered.** If the
901 department Chair/division Director finds that the tenured faculty member fails to
902 make substantial progress toward meeting the performance goals that had been
903 set in the performance-improvement plan and receives a second below evaluation
904 on the subsequent annual evaluation, the faculty member begins year 2 of the
905 performance-improvement plan. Two consecutive inadequate evaluations is also
906 the trigger for a full post-tenure review to be conducted at the end of year 2 of the
907 performance-improvement plan, which is described in Number 4 of this section.
908 If, however, the performance of the faculty has improved significantly at the end
909 of year 2 of the performance-improvement plan, the department Chair/division
910 Director may recommend that the full post-tenure review not occur until the end
911 of the six-year period.

912 **d) The process leading to full post-tenure review after two inadequate evaluations is**
913 **illustrated in Figure 1.**



914

915 **4) Full Post-Tenure Review:** The full post-tenure review is initiated by the department
 916 Chair/division Director or supervising administrator. The department Chair/division Director
 917 submits a letter to the college APT Committee detailing the deficiencies of the faculty
 918 member under review with corroborating documentation. The department Chair/division
 919 Director must also notify the college Dean and the Executive Vice President for Academic
 920 Affairs and Provost. A copy of the letter will also be sent to the faculty member under
 921 review and placed in the faculty member’s personnel file.

922 The charge of the college APT Committee is to recommend for or against the removal of
 923 tenure. The college APT Committee will review the faculty member's performance based
 924 upon written standards and criteria that are developed by the individual college APT
 925 Committees. The criteria should reflect the specific missions of the individual colleges and
 926 the university. Each college APT Committee shall publish and distribute these criteria to its
 927 faculty. The basic standard for evaluation shall be whether the faculty member under review
 928 discharges the duties appropriately associated with her or his position as documented by
 929 annual faculty contracts and the initial offer letter for the position, if applicable. The review
 930 must also be flexible enough to acknowledge different expectations in different disciplines
 931 and changing expectations at different stages of faculty careers. In reviewing a faculty
 932 member's performance, the college APT Committee will recognize not only the diverse
 933 talents, activities and accomplishments of faculty within that college, but also that individual
 934 faculty are expected, in consultation with their department Chair/division Director, to focus
 935 their efforts in selected areas of endeavor. The college APT Committee will also verify that
 936 an adequate environment was provided by the department Chair/division Director to support
 937 the faculty member in performance of these directives. The college APT Committee must
 938 include a tenured MUSC faculty member from outside of the college to review the faculty
 939 member’s performance. The department Chair/division Director may suggest outside
 940 reviewers to the APT Committee.

941 (a) For its deliberations, the college APT Committee will utilize the following:

942 (i) A full report on the faculty member will be prepared by the department Chair/division
943 Director, consisting of copies of the previous six years' annual performance evaluations
944 conducted by the department Chair/division Director using the
945 college/department/division specific faculty performance evaluation forms, and when
946 applicable, written summaries that document deficiencies and plan(s) of remediation, plus
947 the Chair's letter outlining efforts to remedy the deficiencies, supplemented by any other
948 documents and information that the department Chair/division Director wishes to submit.

949 (ii) The faculty member under review shall be given the opportunity to appear before the
950 committee and/or submit any documents that he or she wishes to be considered. During
951 the time in which the post-tenure review process is being conducted, the faculty member
952 can submit new materials relevant to the consideration as they become available.
953 Examples of types of documents that a faculty member may wish to submit include:
954 evaluations of teaching performance, documentation related to service and clinical
955 practice, evidence of research or scholarship and any other material regarding activities
956 pertinent to the college's mission.

957 (iii) The college APT Committee may request the submission of further documentation in
958 addition to that provided by the department Chair/division Director.

959 (b) After completing their review, the college APT Committee shall submit a written
960 report to the department Chair/division Director. The report, which shall be a permanent part
961 of the faculty member's personnel file, will contain:

962 (i) An evaluation of the faculty member's performance and progress, including the
963 perceived strengths and weaknesses.

964 (ii) An analysis of the faculty member's potential for further professional development. If
965 applicable, opportunities for development should be identified (*e.g.*, encouragement of
966 research initiatives, potential mentorships in teaching and research, or appropriate
967 professional development courses that could be taken).

968 (c) The college APT Committee shall forward the report to the college Dean with a
969 clear recommendation for retention of tenure when the faculty member, in the Committee's
970 judgment, is rated superior or adequate. A rating of inadequate by the college APT
971 Committee shall be forwarded to the college Dean with a recommendation pertaining to
972 tenure. The written report and recommendation of the APT committee shall be provided
973 simultaneously to the faculty member under review and the Dean. The college Dean reviews
974 the recommendation and if he or she determines the removal of tenure is warranted,
975 forwards the recommendation to the Executive Vice President for Academic Affairs and
976 Provost for review and action by the University Tenure Committee. The college Dean shall
977 provide to the faculty member, department Chair/division Director and college APT
978 Committee memoranda indicating her/his action.

979 (d) If the University APT Committee, after a full hearing of the case, supports the
980 recommendation for removal of tenure, this recommendation will be forwarded to the

981 Executive Vice President for Academic Affairs and Provost. The faculty member then has
 982 the option to file a Grievance and Appeal Procedure, as described in the *Faculty Handbook*
 983 (Section 8.02). The Executive Vice President for Academic Affairs and Provost will make
 984 the final determination and, if necessary, make a recommendation to the Board of Trustees
 985 for action.

986 If the Executive Vice President for Academic Affairs and Provost’s decision and, if used,
 987 the Grievance and Appeal Procedure, results in the decision to remove the faculty member’s
 988 tenure, there are two possible outcomes: the faculty will continue as a non-tenured faculty or
 989 the faculty member will be subject to termination for cause under Section 9.01 of the
 990 *Faculty Handbook*. In the event of termination for cause, the process of full post-tenure
 991 review will have fulfilled Section 9.02 of the *Faculty Handbook*.

992 **Policies:** The following policies are applicable to post-tenure review:

993 (a) The full post-tenure review process, as described above in 4), must be concluded
 994 within 12 months. Responsibility for adhering to this timetable rests with the Executive Vice
 995 President for Academic Affairs and Provost’s office.

996 (b) The outcomes of all evaluations shall be confidential; that is, confined to the
 997 appropriate college or university persons or bodies and faculty member being evaluated, and
 998 shall be released only with the written consent of the faculty member.

999 (c) In accordance with the review process mandated by the *Faculty Handbook*, the
 1000 above policy and standards and criteria developed to carry out this policy should be
 1001 evaluated with respect to the effectiveness in supporting faculty development and redressing
 1002 problems of faculty performance.

1003 **5.06 Faculty Evaluation**

Senate Approval Date	Provost’s Council Approval Date	Provost’s Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
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1004 The State of South Carolina requires that all state universities and colleges evaluate faculty
 1005 performance. In order to comply with this requirement, MUSC has developed a faculty
 1006 evaluation procedure which has been approved by the division of Human Resources of the
 1007 State Budget and Control Board.

1008 Each college of the university has an approved Performance Appraisal form (faculty
 1009 evaluation). Consult with respective Dean’s Office for copies of these forms. The form is
 1010 completed annually for each member, and is kept in a permanent file under the purview of

1011 the dean or director. The faculty member has a right to full disclosure of the Performance
1012 Appraisal.

1013 The faculty member is required to sign the appraisal, indicating s/he has read the evaluation
1014 form, but has the right to make written comments concerning agreement or disagreement
1015 with the evaluation.

1016 College of Health Professions:

1017 [http://academicdepartments.musc.edu/chp/academic-faculty-affairs/faculty-
fa/faculty_evaluation.htm](http://academicdepartments.musc.edu/chp/academic-faculty-affairs/faculty-
1018 fa/faculty_evaluation.htm)

1019 College of Dental Medicine:

1020 http://academicdepartments.musc.edu/dentistry/faculty_staff/faculty_eval.html

1021 College of Medicine:

1022 <http://academicdepartments.musc.edu/com/faculty/apt/forms/FacPerfEval.doc>

1023 College of Nursing:

1024 <https://academicdepartments.musc.edu/nursing/intranet/faculty/index.htm>

1025 College of Pharmacy:

1026 The MUSC COP Evaluation form is located inside of the Faculty Resources File within
1027 MUSC Box –COP

1028 Academic Affairs Faculty:

1029 <http://colbert.library.musc.edu/dlsifac/>

1030 **5.07 Faculty Salary Increases**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
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1031 Salary increases for faculty members will be distributed as merit based increases.
1032 When funds are designated for faculty salary increases, the amount and the procedure for
1033 allocation of these funds will be communicated to the faculty.

1034 All funds will be distributed as merit increases, based on the approved Faculty Performance
 1035 Evaluation Form, which is mentioned in Section 5.06 of the university *Faculty Handbook*.

1036 **5.08 Distribution of Faculty Activity**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
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1037 The assignment of a faculty member's division of responsibilities between academic
 1038 activities is initially specified in the letter of offer and initial contract. Review and,
 1039 eventually, reevaluation of division of obligations is carried out as part of the annual
 1040 evaluation, at which time the faculty member and supervisor mutually agree upon any
 1041 changes in the balance of instruction/teaching, scholarly activity, administrative
 1042 responsibilities, community services, and, when applicable, clinical services, in keeping with
 1043 the mission of the Medical University. The faculty member and the supervisor sign the
 1044 Performance Evaluation Form, on which the percent effort for various
 1045 assignments/responsibilities is outlined in writing. Should an agreement not be reached,
 1046 either the faculty member or Chair will proceed under policies detailed in Section 8 of the
 1047 *Faculty Handbook*.

1048 **5.09 Faculty Record Review**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
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1049 Faculty members have the right to review their personnel file upon written notification to
 1050 their department chair and/or dean. Faculty members may make additional submissions
 1051 and/or provide explanations of errors or omissions. Such additions shall become a part of the
 1052 permanent file. Nothing herein shall grant the faculty member a right to purge or remove
 1053 anything in their personnel file without prior written consent of their direct supervisor and
 1054 the dean of the college.

1055

1056

1057 **5.10 Universal Faculty Contract**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

1058 <http://academicdepartments.musc.edu/fac/>

1059

1060 **6. FACULTY DEVELOPMENT**

1061 **6.01 Sabbatical Leave**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
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1062 A faculty member holding the rank of Professor or Associate Professor who has rendered six
1063 or more years of satisfactory service to MUSC may be granted sabbatical leave in order to
1064 study or undertake further training. Sabbatical leave is for the primary purpose of enhancing
1065 the value of the professional status of the faculty member in further service to the Medical
1066 University. The period for sabbatical leave may be for up to one year. Salary support during
1067 this period will be at the rate of one month for each year of service to MUSC, up to a
1068 maximum of twelve months salary.

1069 A sabbatical leave may be granted by the Board upon recommendation by the President,
1070 following approval by the department Chair, the Dean of the college concerned, and the
1071 Executive Vice President for Academic Affairs and Provost, and with the understanding that
1072 the faculty member will return to active service MUSC when such leave has ended.

1073 During sabbatical leave, annual leave accrual is prorated according to the percentage of the
1074 MUSC salary paid to the faculty member (i.e., a faculty member receiving half-pay from the
1075 university while on sabbatical leave would accrue one-half of full annual leave entitlement.
1076 Upon return, it is incumbent upon a faculty member receiving partial pay while on
1077 sabbatical to request that his/her department submit a leave correction form to ensure that
1078 the full annual leave entitlement is reinstated.

1079 In accord with the state Sick Leave Act, faculty members will not accrue sick leave while on
1080 sabbatical leave.

1081 Benefits may continue during a sabbatical leave, but the faculty member MUST contact the
1082 Benefits Section of the Department of Human Resources Management for advice on what
1083 action is required to maintain current benefits. To prevent loss of benefits, it is essential that
1084 the faculty member contact Human Resources Management at least 60 days prior to
1085 beginning sabbatical leave.

1086

1087 **6.02 Upward Faculty Mobility Toward Advanced Degrees**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
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1088 **PURPOSE:** This policy is intended for the primary purpose of enhancing the value of the
 1089 professional status of the faculty member in further service to MUSC. The university,
 1090 therefore, upon prior approval of the dean of the college in which s/he holds primary
 1091 appointment, offers the faculty member who does not possess a terminal degree in her/his
 1092 field an opportunity to pursue a planned program for upward mobility toward an advanced
 1093 degree.

1094 **ELIGIBILITY:** Full-time faculty members with no modifiers to their ranks are eligible to
 1095 apply for admission to an advanced degree program under this policy.

1096 **6.02.01 Academic Requirements**

- 1097 1) In any course of study pursued toward a degree, the faculty member shall meet the same
 1098 requirements for the degree, as published in the University Bulletin, as any other student.
 1099 2) The student/faculty member will be required to meet the regularly scheduled class times
 1100 in courses in which s/he is enrolled.
 1101 a) Student laboratory assignments that can be accomplished outside of the faculty
 1102 member's normal working time may be made an exception, if approved IN
 1103 ADVANCE by the deans and department chairs concerned.
 1104 b) If his/her duties and responsibilities as a faculty member conflict with his/her student
 1105 class hours, his/her faculty responsibilities shall take precedence. This is to be
 1106 determined by the deans involved.
 1107 3) The faculty member seeking an MUSC degree will be required to demonstrate his/her
 1108 academic progress to a committee of qualified evaluators at least once each year by
 1109 means of either a written and/or oral examination. The results of the evaluation will be
 1110 submitted by this committee to the dean of the college in which the degree is being
 1111 pursued and to the department chair, if appropriate. This dean shall file a copy of the
 1112 report with the Executive Vice President for Academic Affairs and Provost.
 1113 4) Failure to perform in a satisfactory manner at any time shall be reported to the Executive
 1114 Vice President for Academic Affairs and Provost by the dean involved.
 1115 5) No deviation from the approved plan of study will be permitted without a written request
 1116 from the department chairs, the recommendation of the deans, and the approval of the
 1117 Executive Vice President for Academic Affairs and Provost. Such approval for an
 1118 amended study plan shall be filed in the student/faculty member's record in the office of
 1119 the University Registrar.

1120 **6.02.02 Financial Considerations and Requirements as a Faculty Member**

- 1121 1) The faculty member who has been admitted as a student to a degree program in at the
1122 Medical University or elsewhere must abide by the following if s/he is to receive
1123 financial considerations by the university:
1124 a) promotion as a faculty member may be denied during the period of time the degree
1125 program is in progress.
1126 b) faculty salary increases other than "across the board" raises may be denied.
1127 c) obtaining of the degree in no way obligates MUSC to alter his/her initial faculty
1128 appointment, to promote him/her, or to significantly adjust his/her salary, although
1129 any or all of these may be a result.
1130 d) s/he shall agree, in writing, to continue his/her employment to MUSC for a period of
1131 not less than one year after receiving the degree.
1132 2) The faculty member who agrees to the above financial terms may pursue his/her
1133 approved plan of study at the yearly average rate of 15% of his/her normal work time,
1134 with no reduction in salary.
1135 3) If an accelerated plan of study is requested by the faculty member and is approved by the
1136 chair, deans, and the Executive Vice President for Academic Affairs and Provost, the
1137 faculty member must voluntarily reduce both her/his teaching responsibilities and her/his
1138 salary proportionately.
1139 4) If the approved plan of study includes extensive bench research or clinical rotations
1140 during normal faculty working time, a proportionate salary reduction shall be required. If
1141 this is determined at the time the program is initially approved, the amount of salary
1142 reduction will be determined at that time.

1143 **6.02.03 Financial Requirements as a Student**

- 1144 1) While pursuing his/her approved plan of study, the student/faculty member will officially
1145 register for each course taken and pay the appropriate tuition and fees as set by the
1146 college in which s/he is enrolled. In the year in which the degree is to be conferred, the
1147 student/faculty member shall pay, in addition to the required tuition, the full fees required
1148 of all students.
1149 2) If an accelerated plan, as described in Section 6.02.02 under "Financial Considerations
1150 and Requirements as a Faculty Member," is in effect, the student/faculty member must
1151 pay the appropriate tuition each semester.

1152 **6.02.04 Procedure for Faculty Member**

- 1153 1) The faculty member shall submit
1154 a) to the chair of his/her department and the dean of the college in which s/he holds
1155 primary faculty appointment, and if applicable
1156 b) to the dean of the college in which s/he proposes to pursue the advanced degree, a
1157 complete outline of the proposed curriculum, semester by semester. S/he shall also
1158 indicate all courses to be taken, the proposed research and/or clinical experience
1159 required, and the degree which is to be sought.
1160 2) If the faculty member's proposal is disapproved at any step in the Administrative
1161 Procedure stated below, s/he will be so notified; this action shall be considered final.

- 1162 3) If the faculty member's proposal is approved, the Executive Vice President for Academic
1163 Affairs and Provost will notify him/her in writing and s/he may then proceed to apply for
1164 admission through the regularly prescribed admissions policy of the college in which s/he
1165 is seeking admission.
- 1166 4) The application for admission shall have attached to it the following:
- 1167 a) outline of plan of study
- 1168 b) letter of approval from the Executive Vice President for Academic Affairs and
1169 Provost to pursue the degree as outlined
- 1170 c) required application fee.

1171 **6.02.05 Administrative Procedure**

- 1172 1) Upon receipt of a request with attachment thereto of a complete outline of proposed study
1173 as stated under "Procedure for Faculty Member" above, to pursue admission to a specific
1174 advanced degree program within a college of the Medical University, the dean(s) of the
1175 college(s) concerned in conjunction with the appropriate department chairs either approve
1176 or disapprove the request. If more than one dean is concerned (i.e., if the dean of the
1177 college of proposed study is different from the dean of the college in which the faculty
1178 member holds primary appointment), approval to apply for admission must be by both.
1179 Either one disapproving, the request shall be denied.
- 1180 2) If the request is approved, the dean of the college in which the faculty member holds
1181 primary appointment shall write a letter to the Executive Vice President for Academic
1182 Affairs and Provost, with a copy to the dean of the college to whom the faculty member
1183 will submit his/her application, stating willingness for the faculty member to apply for
1184 admission as a student. The letter should include: (a) how all of the individual's duties,
1185 teaching responsibilities, and other commitments to his/her department would be met; (b)
1186 what financial considerations would apply as described in Section 6.02.02 under
1187 "Financial Considerations and Requirements as a Faculty Member," and (c) indication of
1188 approval of the plan of study.
- 1189 3) In like manner, if the request is approved, the dean of the college of proposed student
1190 enrollment shall notify the Executive Vice President for Academic Affairs and Provost in
1191 writing of: (a) procedures for evaluation of the faculty member's progress as a student in
1192 accordance with his/her approved plan of study; and (b) the names of the faculty
1193 members assigned to evaluate the faculty/student's progress. Such progress will be
1194 evaluated in accordance with Subsections (3) and (4) under Section 6.02.01 "Academic
1195 Requirements."
- 1196 4) The faculty member shall then be notified in writing by the Executive Vice President for
1197 Academic Affairs and Provost that her/his plan of study has been approved and that s/he
1198 may apply for admission through the regular admissions process of the college in which
1199 the advanced degree is to be sought.

1200 Any time the above procedures or processes are not adhered to, the faculty member, if
1201 admitted to a course of study, may be removed from the college in which s/he is enrolled or
1202 may be required to reimburse MUSC for any financial losses suffered either as a result of
1203 being a student and/or a faculty member.

1204 **6.03 Faculty Desiring to Obtain a Degree in Addition to Terminal Degree Already Held**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
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1205 A faculty member holding a terminal degree in the area of his/her original appointment who
 1206 wishes to obtain an additional degree offered at MUSC will be subject to the same policy,
 1207 rules, regulations and requirements as a faculty member who seeks a terminal degree.
 1208 Further, since such a program of study is not to be construed as a faculty member's service
 1209 to MUSC, a proportionate reduction in salary may be necessary to meet his/her
 1210 responsibility, unless otherwise approved by the dean of the college of his/her primary
 1211 appointment.

1212 **6.04 Tuition Assistance**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
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1213 MUSC provides tuition and mandatory fees assistance to permanent employees (classified,
 1214 faculty, and other unclassified employees) for up to four credit hours a semester as
 1215 authorized by Section 59-111-15 of the 1976 South Carolina Code of Laws, as Amended
 1216 (<http://www.scstatehouse.gov/code/t59c111.php>). Tuition and mandatory fees assistance
 1217 will be provided by reimbursement of tuition cost after course completion, subject to
 1218 availability of employing department funds. Permanent employees who are employed at
 1219 least 30 hours per week are eligible to apply for tuition and mandatory fees assistance
 1220 regardless of race, color, religion, sex, age, national origin, disability or veteran status. The
 1221 tuition assistance program is only for MUSC employees to enroll in a credit-bearing course
 1222 at MUSC or any other state institution (not including continuing education) on a space-
 1223 available basis and with approvals of the course director or department chairperson.

1224 **Faculty Tuition Assistance Policy Links**

1225 University HR: Link to Tuition Assistance Request Form found within policy

1226 [http://academicdepartments.musc.edu/vpfa/finance/controller/accounting/tuition%20assistan](http://academicdepartments.musc.edu/vpfa/finance/controller/accounting/tuition%20assistance.pdf)
 1227 [ce.pdf](http://academicdepartments.musc.edu/vpfa/finance/controller/accounting/tuition%20assistance.pdf)

1228 Hospital HR

1229 <http://www.musc.edu/hr/documents/POLICY17-TUITIONASSISTANCE.pdf>

1230 **6.05 Travel**

1231 MUSC, as an agency of the State of South Carolina, is subject to the travel guidelines set by
1232 the State Budget and Control Board: <http://www.state.sc.us/cg/info/disbregs/travel.htm>

1233 **6.06 International Travel Policy**

Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Mar 2018	Apr 2018	May 2018	

1234 <http://globalhealth.musc.edu/blog/musc-international-travel-policy>

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7. FACULTY DUTIES AND RESPONSIBILITIES

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

1238 It is the duty of the faculty to create an environment that is conducive both to the education
 1239 of skilled professionals and to the scholarly pursuits of the faculty. The university provides
 1240 an environment for intellectual development, reasonable working space, and an appropriate
 1241 amount of time for scholarly growth and achievement.

1242 Subject to the approval of the Board, the faculty of each college has jurisdiction over all
 1243 matters pertaining to the curriculum. The faculty has the responsibility for prescribing the
 1244 curriculum, determining academic standards and teaching and examining accordingly. It has
 1245 the responsibility for determining the entrance requirements, determining requirements for
 1246 promotion and dismissal of students, determining the requirements for the graduation of
 1247 students, recommending candidates for degrees and certificates, and enacting rules and
 1248 regulations for the overall guidance of student programs.

1249 The faculty shall serve an advisory function on the appointment, promotion or dismissal of
 1250 faculty and administrators, on the distribution of funds and facilities for education, research
 1251 and service; and on the acquisition of external support for research and other scholarly
 1252 activities.

1253 7.01 MUSC Code of Conduct

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

1254 http://academicdepartments.musc.edu/musc/about/compliance/code_conduct.htm

1255

1256

1257 **7.02 Academic Freedom**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

1258 A member of the faculty is free to teach and to discuss in classes any aspect of a topic
 1259 pertinent to the understanding of the subject matter of the course which is being taught; to
 1260 act and to speak as a private citizen without institutional censorship or discipline. A member
 1261 of the faculty is free to carry on research and disseminate the results.

1262 **7.03 Outside Activities**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

1263 Faculty members should not participate in outside activities that create a conflict of
 1264 commitment with their contractual obligations to the Medical University. A faculty member
 1265 may engage in outside activities, whether for compensation or not, on a limited basis,
 1266 provided that such activities are in keeping with his/her professional practice agreement,
 1267 competency, and development, and do not interfere with the performance of his/her assigned
 1268 duties. Activities such as preparation and presentation of research results, presentation to
 1269 professional groups, peer review activities, and service as members of professional or
 1270 community societies are normally not considered outside activities, i.e., they are within the
 1271 scope of work. Employment of faculty by other state agencies or institutions must be
 1272 accomplished through the procedures established by the state; remuneration is limited by
 1273 law.

1274 Outside activities must be disclosed to the Institution annually as described in the
 1275 MUSC/MUHA Conflict of Interest Policy. Additionally, outside activities must comply with
 1276 the provisions of the MUSC/MUHA Conflict of Interest Policy and the MUSC/MUHA
 1277 Industry Relations Policy. These policies appear in following sections via links to the
 1278 [MUSC Conflict of Interest Office](#). Questions regarding application of these policies can be
 1279 directed to that office.

1280

1281 **7.04 Political Activities**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

1282 Faculty members of the Medical University may undertake civic duties and participate in
 1283 community political activities and, as a general rule, hold municipal or local political offices
 1284 without interference from the Medical University. However, great care should be exercised
 1285 in active political campaigning in state and federal elections. Campaigning for a major state
 1286 or federal government office requires a leave of absence authorized by the President of the
 1287 Medical University. Any faculty member elected to major state or federal government office
 1288 either must obtain a leave of absence authorized by the President or resign from the faculty.

1289 **7.05 Conflict of Interest**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

1290 The faculty of the Medical University of South Carolina engages in a wide variety of
 1291 external activities with public and private organizations. The Medical University endorses
 1292 and subscribes to the principles of the joint statement of the American Council on Education
 1293 and the American Association of University Professors, "On Preventing Conflicts of Interest
 1294 in Government-Sponsored Research at Universities." With the acceptance of a full-time
 1295 appointment to the faculty of the Medical University of South Carolina, the faculty makes a
 1296 commitment to MUSC that such employment is full-time in the most inclusive sense.
 1297 Outside obligations, financial interests, and activities in other areas are not to conflict with
 1298 their commitment to the Medical University of South Carolina.

1299 All faculty and administrative staff shall disclose any conflict of interests using the MUSC
 1300 web based disclosure mechanism, see <https://www.carc.musc.edu/coi>. Such disclosure is
 1301 made on an annual basis as defined by the MUSC/MUHA conflict of interest policy.
 1302 Whenever a new conflict of interest arises or when a significant change occurs concerning
 1303 an existing disclosure, a new disclosure form must be completed and submitted for review
 1304 either in advance of the anticipated change in situation or within 30 days of the event

1305 Infraction of the letter or spirit of this policy constitutes a serious offense, which shall be
 1306 responded to with appropriate action ranging from private reprimands to termination at the
 1307 discretion of the Executive Vice President for Academic Affairs and Provost.

1308 The following policy, governs employee financial conflicts of interest within MUSC,
 1309 MUHA, and our affiliates. Various parts of the institution may have their own sub-policies,
 1310 consistent with this general policy, but specific to their specific areas of activity. Clinical,
 1311 research, and research start-up policies and charters appear on the Conflict of Interest
 1312 website:

1313 <http://academicdepartments.musc.edu/coi/coipolicies/coipolicies.htm>

1314 **7.05.01 Medical University of South Carolina and Medical University Hospital**
 1315 **Authority: Conflict of Interest Policy**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
			Dec 2015		
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

1316 This policy:

- 1317 • Articulates MUSC’s annual disclosure requirements and the institution’s responsibility to
- 1318 review, identify and manage potential employee conflicts of interest;
- 1319 • References the SC State Ethics Law which makes it unlawful for public officials, public
- 1320 members, and public employees to use their position to obtain an economic interest or to
- 1321 have a financial interest in most any contract or purchase connected with MUSC/MUHA;
- 1322 and
- 1323 • Fulfills MUSC’s obligation as an institution that conducts research funded by the Public
- 1324 Health Service to have a written, enforced policy that complies with 42 CFR Part 50
- 1325 Subpart F - "Responsibility of Applicants for Promoting Objectivity in Research for
- 1326 which Public Health Service Funding is Sought" and 45 CFR Part 94 “Responsible
- 1327 Prospective Contractors" as well as all other relevant policies of federal funding and
- 1328 oversight agencies.

1329 **Persons covered by this policy:**

1330 This policy applies to all Trustees, Officers, Faculty, Administrators, and Staff,
 1331 including all full-time, part-time, temporary, and contract Employees of Medical
 1332 University of South Carolina (“MUSC”) and Medical University Hospital Authority
 1333 (“MUHA”). Affiliates (entities which derive their not for profit status from MUSC, such
 1334 as University Medical Associates, the MUSC Foundation, and the MUSC Foundation for
 1335 Research Development) shall as a condition of continued business with MUSC and
 1336 MUHA adopt a policy substantially similar to this Policy, adapted to accommodate those
 1337 affiliate employees who are not public employees.

1338

Preamble

- 1339 1) Enhancing the public good through improved health initiatives and superior economic
1340 development is the foundation of many government policies. MUSC, as a contemporary,
1341 public research university, has a responsibility to actively participate and promote these
1342 initiatives even if conflicts of interest are more likely and many times unavoidable.
1343 Conflicts of interest, therefore, may arise from ordinary and appropriate activities as a
1344 part of assigned employment duties so the existence of a conflict should not imply
1345 wrongdoing. When conflicts of interest do arise, however, they must be recognized and
1346 disclosed, then eliminated or appropriately managed. The Board of Trustees for MUSC
1347 and MUHA has a duty to govern those State entities in a manner such that conflicts are
1348 appropriately reviewed and acted on to maintain public confidence in the integrity of our
1349 institutions.
- 1350 2) This policy provides a framework for recognizing and managing employee conflicts of
1351 interest, and should minimize even the appearance of conflicts of interest. The primary
1352 goal of this policy is to prevent an employee's activities from adversely influencing
1353 MUSC or MUHA operations.
- 1354 3) Particular departments and activities of MUSC or MUHA may have specific conflict of
1355 interest policies. It is intended, however, that this policy will apply to the entire MUSC
1356 enterprise, providing a framework for those specific additional policies to operate under,
1357 such that those specific policies will not supersede this policy unless approved by the
1358 Board of Trustees.
- 1359 4) This policy references South Carolina Code (S.C. Code § 8-13-10 *et seq.*) (the “Ethics
1360 Law”), which makes it unlawful for public officials, public members, and public
1361 employees to use their position to obtain an economic interest or to have a financial
1362 interest in most any contract or purchase connected with MUSC/MUHA, unless certain
1363 exceptions apply. This policy is implemented in addition to all requirements of the Ethics
1364 Law and does not supersede it. The South Carolina Ethics Law is at
1365 www.scstatehouse.gov/code/t08c013.php
- 1366 5) As MUSC conducts research funded by the Public Health Service and other federal
1367 agencies, it is required by federal law to maintain an appropriate written, enforced policy
1368 on conflict of interest that complies with 42 CFR Part 50 Subpart F – “Responsibility of
1369 Applicants for Promoting Objectivity in Research for which Public Health Service
1370 Funding is Sought”
1371 (http://grants.nih.gov/grants/compliance/42_CFR_50_Subpart_F.htm) as well as all other
1372 relevant policies of federal funding and oversight agencies.

1373

A. Statement of general policy

- 1374 1) MUSC/MUHA policy is that its employees conduct the affairs of MUSC/MUHA in
1375 accordance with the highest legal, ethical and moral standards.
- 1376 2) MUSC/MUHA policy is that employees of MUSC/MUHA shall disclose perceived and
1377 real conflicts of interest.
- 1378 3) MUSC/MUHA policy is that employees shall not use their position to secure personal
1379 financial benefits or economic interest for themselves, any member of their immediate
1380 family, any individuals or entity with whom the employee has a business relationship that

1381 renders an employee economic benefit. A perceived and/or real conflict of interest arises
1382 whenever the employee has the opportunity to influence university or Authority
1383 operations or business decisions in ways that could result in a personal financial benefit
1384 or economic gain to the employee, a member of an employee's immediate family, or
1385 individuals or entities with whom the employee has a business relationship which renders
1386 the employee economic benefit. Although certain specific examples of conflicts of
1387 interest are provided in this policy, they are meant only as illustrations, and supervisors
1388 and employees are expected to use good judgment to identify possible conflicts of
1389 interest that may adversely influence MUSC/MUHA operations, and to avoid or manage
1390 them as appropriate.

1391 4) This policy is not intended to prohibit approved and appropriately managed economic
1392 development activities related to MUSC/MUHA generated intellectual property,
1393 including MUSC/MUHA employee involvement with startup companies, Small Business
1394 Administration (SBIR/STTR) funded research and Centers of Economic Excellence
1395 Activities. However, any such activities by MUSC/MUHA employees that make use of
1396 university or Authority property, facilities, equipment or other resources for personal
1397 benefit shall be approved as required herein, of benefit to MUSC/MUHA, and for fair
1398 value.

1399 5) Nothing in this policy shall be construed to permit, even with disclosure, any activity that
1400 is prohibited by law.

1401 **B. Definitions**

- 1402 1) *Conflicts of interest* occur when an employee or immediate family member receives
1403 personal financial benefit or an economic interest from the employee's position in a
1404 manner that may inappropriately influence the employee's judgment, compromise the
1405 employee's ability to carry out MUSC/MUHA responsibilities or, be a detriment to
1406 MUSC/MUHA integrity.
- 1407 2) *Immediate family* includes the employee's parents, spouse, siblings, children,
1408 stepchildren, and grandchildren.
- 1409 3) *Manage and managing* means an affirmative action by the university or the Authority to
1410 establish parameters or conditions that minimize or eliminate the risk of the perceived or
1411 real conflict of interest.
- 1412 4) *Personal financial benefit or economic benefit* is defined as anything of monetary value,
1413 including salary, commissions, fees, honoraria, gifts of more than nominal value, equity
1414 interests, interests in real or personal property, dividends, royalty, rent, capital gains,
1415 intellectual property rights, loans, and forgiveness of debt. "Personal financial benefit"
1416 does not include:
- 1417 a) compensation or payments received from MUSC/MUHA or any of its affiliates or the
1418 Ralph H. Johnson Department of Veterans Affairs Medical Center;
- 1419 b) payments for participation in seminars, lectures or other educational activities as long
1420 as not acting in the employee's official capacity, or reasonable expenses for the same
1421 activities even if acting in official capacity;
- 1422 c) payments for participation in seminars, lectures or other educational activities, and
1423 reasonable expenses for the same activities as long as acting within the context of an
1424 individual's Faculty Appointment Contract;

- 1425 d) any financial interest arising solely by means of investment in a mutual, pension, or
1426 other institutional investment fund over the management and investments of which
1427 the employee or an associated immediate family member does not exercise control;
1428 and
1429 e) investments in publicly traded entities as long as employee owns less than a five
1430 percent and/or less than \$10,000 stake in said entity.
1431 5) *University* means Medical University of South Carolina.
1432 6) *Authority* means the Medical University Hospital Authority.
1433 7) *MUSC or MUHA responsibilities* are defined as the responsibilities of an employee to
1434 perform MUSC or MUHA activities as defined by management or contract.

1435 **C. Policy provisions**

- 1436 1. An employee shall disclose any situation in which the employee has, or may have, a real
1437 or potential conflict of interest as defined herein. These conflicts of interest must be
1438 reported annually to the appropriate Conflict of Interest Office. Modifications to existing
1439 disclosures or a new activity will require submittal of an additional disclosure in a timely
1440 manner. An authorized group of employees shall review the disclosure and recommend to
1441 the appropriate Vice President a suitable action plan to eliminate or manage the conflict
1442 of interest so as to ensure that MUSC or MUHA business is not improperly influenced or
1443 adversely affected. In the event that there is no reasonable way to manage a conflict of
1444 interest, then the employee may be prohibited from participating in related
1445 MUSC/MUHA affairs until such a time as the conflict is eliminated. In other words,
1446 employees and Officers of MUSC/MUHA have a duty to immediately disclose, manage
1447 or eliminate any real or potential conflicts of interest that are not in the best interests of
1448 the University or Authority.
- 1449 a. An employee shall disclose conflicts of interest in writing on an approved paper
1450 or digital Conflicts of Interest Disclosure Form, including a statement describing
1451 the nature and extent of the conflict, to their supervisor and to the appropriate
1452 Compliance Office. This disclosure must be completed annually, on a form
1453 designated for such purposes. A new disclosure form must be completed
1454 whenever a new conflict of interest arises or when a significant change occurs
1455 concerning an existing disclosure. See the following Web site for this disclosure
1456 form: Annual Conflict of Interest Disclosure < <https://www.carc.musc.edu/coi> >.
 - 1457 b. If a supervisor becomes aware of a conflict of interest that an employee has not
1458 disclosed, the supervisor shall discuss the situation with the employee, require
1459 that a written disclosure be made as provided in this policy, and inform the Office
1460 of Compliance to anticipate the receipt of a new Disclosure Form.
 - 1461 c. All conflicts of interest shall be reported to the MUSC or MUHA Office of
1462 Compliance. The Board of Trustees or its designee will retain authority to take
1463 such action as it deems appropriate regardless of any action or inaction by an
1464 Officer of MUSC and/or MUHA.
- 1465 2. The following are examples of conflicts of interest requiring disclosure. These examples
1466 are illustrations only and are not meant to be exclusive.
- 1467 a. Employee or immediate family member has a financial interest in a business
1468 entity with which the University or Authority does or proposes to do business, and

- 1469 the employee is in a decision-making role or otherwise is in a position to
1470 influence the University's or Authority's business decisions regarding the business
1471 entity. Business entity examples for which an employee disclosure is required:
- 1472 i. finance or accounting services
 - 1473 ii. equipment services
 - 1474 iii. marketing services
 - 1475 iv. construction services
 - 1476 v. consulting
 - 1477 vi. counseling
 - 1478 vii. catering
 - 1479 viii. computer supplies
 - 1480 ix. programming
 - 1481 x. architectural services
 - 1482 xi. legal services
 - 1483 xii. grant preparation
 - 1484 xiii. temporary personnel services
 - 1485 xiv. office or laboratory supplies
 - 1486 xv. painting services
 - 1487 xvi. lawn and grounds services
- 1488 b. Employee holds or assumes an executive, officer or director position in a for-
1489 profit or not-for-profit business or entity engaged in commercial, educational, or
1490 research activities similar to those in which the University or Authority engages.
 - 1491 c. Employee participates in consultation activities for a for-profit or not-for-profit
1492 business or entity engaged in commercial, educational or research activities
1493 similar to those of the University or Authority.
 - 1494 d. Employee holds or assumes an executive, officer or director position in a for-
1495 profit or not-for-profit business or entity that does business with the University or
1496 Authority.
- 1497 3. The activities listed below are prohibited unless sanctioned by an Officer of the
1498 University or Authority. Sanctioned activities are those activities documented within an
1499 individual's Faculty Appointment Contract, contained within an employee's job
1500 description or expectations, appropriately authorized agreements, Memoranda of
1501 Understanding, or otherwise approved by the employee's Vice President.
- 1502 a. Significant use of University or Authority property, facilities, equipment or other
1503 resources in any manner other than as part of the employee's responsibilities, that
1504 results in personal financial benefit or economic interest to an employee, a
1505 member of an employee's immediate family or business with which the employee
1506 has a business relationship.
 - 1507 b. Using significant University or Authority property, facilities, equipment or other
1508 resources in any manner to support an entity not associated with the University or
1509 Authority unless special permission is provided in writing by an authorized
1510 Officer of MUSC or MUHA.
 - 1511 c. Using University or Authority stationery, letterhead, logo, or trademark in
1512 connection with outside activities, other than activities having a legitimate
1513 relationship to the performance of University or Authority business.

- 1514 d. Using University or Authority facilities, resources, or the employee's position at
1515 the University for the purpose of advocating, endorsing, or marketing the sale of
1516 any goods or services, other than as part of the employee's responsibilities,
1517 without the prior approval in writing by an authorized Officer of MUSC or
1518 MUHA.
- 1519 e. Using the University or Authority name, trademark or trade name for personal
1520 business or economic gain to the employee, a member of the employee's
1521 immediate family or a business with which the employee has a business
1522 relationship.
- 1523 f. Using any University or Authority intellectual property data or information that is
1524 not in the public domain for personal financial benefit or economic gain to the
1525 employee or a member of the employee's immediate family, or a business which
1526 the employee has a business relationship.
- 1527 g. Using any University or Authority employee for any outside activity during
1528 normal work time for which he or she is receiving compensation from the
1529 University or Authority (not applicable when employees are on a paid or unpaid
1530 leave).
- 1531 h. Participating in the selection or awarding of a contract between the University or
1532 Authority and any entity with which an employee is dually employed, is seeking
1533 employment or has been offered employment.
- 1534 i. Other activities may be prohibited if there is no reasonable way to manage an
1535 associated conflict of interest.

1536 **D. Employee responsibilities**

- 1537 1) Employees shall not engage in the prohibited activities listed above unless sanctioned in
1538 advance or in any other activity that has been prohibited following a completed review of
1539 an employee's conflict of interest disclosure.
- 1540 2) Employees shall disclose a real or perceived conflict of interest as described above:
1541 a) As soon as the employee knows of the conflict, and then annually thereafter for as
1542 long as the conflict continues to exist;
1543 b) In writing on the approved Conflict of Interest Disclosure Form;
1544 c) To the appropriate MUSC or MUHA Office of Compliance;
- 1545 3) Employees shall avoid any involvement with all related University or Authority activities
1546 and decisions until such time as the conflict of interest has been evaluated and the
1547 disclosed activity been approved.
- 1548 4) If there is any question whatsoever about an activity representing a conflict of interest,
1549 then the employee should consult with an MUSC or MUHA Office of Compliance or an
1550 MUSC or MUHA Office of Legal Counsel for direction.

1551 **E. MUSC/MUHA responsibilities**

- 1552 1. Supervisors shall ensure that all new employees are informed of this policy.
1553 2. Supervisors and administrators of MUSC and MUHA shall ensure that all current
1554 employees are reminded of this policy on a periodic basis.

- 1555 3. The University and Authority shall develop a peer process to evaluate conflict of interest
1556 disclosures, and to review the conduct of approved Management Plans.
1557 4. In the event that a reported conflict of interest is approved, the corresponding Office of
1558 Compliance shall ensure there is an appropriate Management Plan in place to monitor
1559 and manage the situation so that resources are used in an appropriate manner and that
1560 there is no improper influence on University or Authority decisions.
1561 5. The Offices of Compliance shall ensure that Conflicts of Interest Disclosure forms are
1562 retained for future reference. Upon an employee's transfer from the unit or termination
1563 from the University or Authority, associated Conflict of Interest Forms shall be retained
1564 by the Offices of Compliance for a minimum of three years.
1565 6. Supervisors shall establish and maintain a work environment that encourages employees
1566 to ask questions about real or potential conflicts of interest.
1567 7. If supervisors have any question whatsoever about an external activity representing a
1568 conflict of interest, they should consult with an Office of Compliance or an Office of
1569 Legal Counsel.

1570 **F. Sanctions for violation**

- 1571 1) Violations of University or Authority policies, including the failure to avoid a prohibited
1572 activity or disclose a conflict of interest in a timely manner, will be dealt with in
1573 accordance with applicable policies and procedures that may include disciplinary actions
1574 up to and including termination of employment.
1575 2) The Board of Trustees, as the ultimate governing body, or its designee retains authority to
1576 make a final determination of any matter covered by this Policy.

1577 **G. South Carolina state law**

- 1578 1. The South Carolina Ethics Government Accountability and Campaign Reform Act
1579 (herein the "Ethics Law") S.C. Code § 8-13-100, among other things, makes it unlawful
1580 for a public official, public member or public employee to knowingly use his official
1581 office, membership or employment to obtain economic interest for himself, a member of
1582 his immediate family, an individual with whom he is associated* or a business with
1583 whom he is associated**. This policy is implemented in addition to any requirements of
1584 the Ethics Law. Certain persons associated with the Authority or University are required
1585 to make filings with the South Carolina Ethics Commission and completion of the form
1586 attached to this policy will not satisfy that requirement.

1587 * Defined in the Act as: "Individual with whom he is associated" means an individual
1588 with whom the person or a member of his immediate family mutually has an interest
1589 in any business of which the person or a member of his immediate family is a
1590 director, officer, owner, employee, compensated agent, or holder of stock worth one
1591 hundred thousand dollars or more at fair market value and which constitutes five
1592 percent or more of the total outstanding stock of any class.

1593 ** Defined in the Act as: "Business with which he is associated" means a business of
1594 which the person or a member of his immediate family is a director, an officer,

1595 owner, employee, a compensated agent, or holder of stock worth one hundred
 1596 thousand dollars or more at fair market value and which constitutes five percent or
 1597 more of the total outstanding stock of any class.

1598 **Office responsible for this policy:**

1599 <http://academicdepartments.musc.edu/coi/>

1600 **7.05.02 Research Conflict of Interest Definitions and Guidelines**

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1601 <http://academicdepartments.musc.edu/coi/coicommitee/researchcommittee.htm>

1602 For additional information related to research conflict of interest, please refer to the Conflict
 1603 of Interest website:

1604 [http://academicdepartments.musc.edu/coi/frequently%20asked/frequentlyaskedquestio](http://academicdepartments.musc.edu/coi/frequently%20asked/frequentlyaskedquestions)
 1605 [ns](http://academicdepartments.musc.edu/coi/frequently%20asked/frequentlyaskedquestions)

1606 The Charter of the MUSC Administrative and Clinical Conflict of Interest Committee can be
 1607 found at:

1608 [http://academicdepartments.musc.edu/coi/coicommitee/University%20Conflict%20of](http://academicdepartments.musc.edu/coi/coicommitee/University%20Conflict%20of%20Interest%20Committee%20Charter%20FINAL.pdf)
 1609 [%20Interest%20Committee%20Charter%20FINAL.pdf](http://academicdepartments.musc.edu/coi/coicommitee/University%20Conflict%20of%20Interest%20Committee%20Charter%20FINAL.pdf)

1610 **7.06 University Compliance**

1611 The faculty is subject to the University Compliance Plan, the most current version of which
 1612 is included at:

1613 http://academicdepartments.musc.edu/uco/uc_plan.htm

1614 University and Authority Compliance Offices:

1615 <http://academicdepartments.musc.edu/musc/about/compliance/>

1616

1617 Research Data Ownership & Record Retention Policy (including guidelines for
 1618 sequestration of documents) (RDO&RR)

1619 [http://academicdepartments.musc.edu/research/ori/irb/HRPP/IRB%20HRPP%20Guide%](http://academicdepartments.musc.edu/research/ori/irb/HRPP/IRB%20HRPP%20Guide%20Section%2010.2)
 1620 [20Section%2010.2](http://academicdepartments.musc.edu/research/ori/irb/HRPP/IRB%20HRPP%20Guide%20Section%2010.2)

1621

1622 **7.07 Industry Relations Policy**

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			Nov 2014		
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

1623 This policy establishes guidelines for University-Industry relationships to ensure that
1624 individuals who work for MUSC interact with Industry knowing the rules of the University
1625 and State that govern such interactions.

1626 I. Policy Statement

1627 MUSC recognizes the value of its relationships with the healthcare industry (“Industry”). The
1628 University also believes that such relationships must be entered into on the basis of a
1629 partnership that advances the benefits of biomedical research, education and clinical care in
1630 pursuit of improving human health. Importantly, these activities must avoid either the
1631 existence or impression of professional impropriety by University or MUSC individuals who
1632 are entrusted with the integrity of the institution’s educational, clinical or research programs.

1633 II. Scope

1634 This policy applies to all Trustees, Officers, Faculty, Administrators, Staff, Students and
1635 Trainees including all full-time, part-time, temporary and contract employees of the Medical
1636 University of South Carolina. The Medical University Hospital Authority and affiliates of the
1637 University (including but not limited to University Medical Associates of the Medical
1638 University of South Carolina, the MUSC Foundation and the Foundation for Research
1639 Development), which derive their not for profit status from MUSC, shall as a condition of
1640 conducting business with MUSC, develop and implement policies and procedures
1641 substantially similar to and consistent with this policy.

1642 III. Approval Authority

1643 Board of Trustees

1644 IV. Purpose of this policy

1645 The purpose of this policy is to establish straightforward, effective and principled guidelines
1646 for University-Industry relationships to ensure that individuals who work for MUSC interact
1647 with Industry knowing the rules of the University and State that govern such interactions.
1648 This is critical to protect the interests of the individual, the University and our patients as we

1649 undertake these activities to achieve our ultimate goals of promoting scientific research,
1650 evidence based clinical care, and educating trainees. The University recognizes the
1651 importance of mutually beneficial relationships with Industry as long as those relationships
1652 do not compromise the integrity of our missions. Rather, one of the overarching aims of the
1653 policy is for full disclosure of consulting and educational activities by MUSC personnel to
1654 help ensure that these activities meet the guidelines set forth in this policy.

1655 V. Who should be knowledgeable about this policy

1656 All MUSC enterprise employees, students, and trainees

1657 VI. The Policy

1658 1. Consulting and Educational Programming:

1659 **a). Consulting**

1660 Purpose: Consulting interactions can facilitate the advancement of innovative ideas and
1661 discoveries, both of which ultimately benefit the general public through the transfer of
1662 scientific discovery. This section of the policy clarifies the terms of interactions with
1663 Industry where the primary goal is scientific exchange.

1664 Policy Statement: Consulting refers to all activities where the external entity furnishes a
1665 Personal Financial Benefit or an Economic Benefit and/or other Personal Benefit as
1666 reimbursement/compensation for the exchange of clinical, educational, professional and/or
1667 scientific information or activities by Covered Persons (see also above). The provision of
1668 bona fide Consulting Services by Covered Persons to external entities is consistent with
1669 MUSC's mission when those activities:

- 1670 (a) involve a two-way exchange of ideas in which each party benefits from the
1671 interchange;
1672 (b) are relevant to and enrich the consultant's research, education or other professional
1673 responsibilities;
1674 (c) do not interfere with the consultant's responsibilities to patients or the institution;
1675 (d) do not adversely affect the consultant's intellectual independence or the integrity of the
1676 institution;
1677 (e) are confined to the exchange of clinical, educational, professional and/or scientific
1678 information.

1679 i. Approved consulting activities include but are not limited to the following:

- 1680 • Serving on advisory boards, expert panels, leadership groups, data safety monitoring
1681 boards, and/or similar groups.
- 1682 • Providing expert witness testimony. (See MUSC Faculty Handbook.)

- 1683 • Providing scientific or medical presentations or expertise to industry scientists,
1684 research and development staff, and/or their staff.
- 1685 • Providing product review, product evaluation, and product feedback for Industry.
- 1686 • Demonstrating an Industry product (i.e., teaching when and how to appropriately use
1687 a product) for medical or research professionals in the context of medical or scientific
1688 education.
- 1689 • Providing consultation to venture capital firms, and serving as a scientific or medical
1690 advisor to Industry for purposes of MUSC intellectual property development.
- 1691 ii. Prohibited consulting activities include but are not limited to the following:
- 1692 • Consulting activities requiring or appearing to require MUSC staff to endorse or appear
1693 to endorse a particular product, drug, device, or service (either orally or in writing).
1694 This includes demonstrating an Industry product for promotional or sales purposes; and
1695 appearing (or being quoted) in a video, television, radio, internet broadcast, web site, or
1696 in other publicly-broadcasted or distributed materials for promotional or sales purposes
1697 without proper authority or approval.
- 1698 • Participating in ghostwriting, which is defined as Industry sponsorship for (i) making a
1699 major contribution towards the writing and/or research of scientific and medical
1700 publications without receiving authorship; or (ii) accepting authorship for a scientific or
1701 medical publication without making a major contribution towards the writing and/or the
1702 research.
- 1703 • Serving as an Industry sponsored “named reference” for a product recommendation.
- 1704 • Providing MUSC slides, videos, pamphlets or any other MUSC logo or copyrighted
1705 materials to Industry for marketing or promotional use. Such use must be approved in
1706 accordance with MUSC/MUHA policy or procedure.
- 1707 • Providing services that conflict or appear to conflict with SEC rules and regulations for
1708 stock brokers, investment houses, equity management companies, banks, and/or
1709 financial institutions.
- 1710 • Providing services to an Industry that is in a known legal dispute with MUSC.
- 1711 • Speaking to investors on behalf of a company, except when the company is an MUSC
1712 sanctioned and supported faculty start-up company.
- 1713 The lists of approved and prohibited consulting activities are the same whether consulting is
1714 done on personal or professional time. All Covered Persons who participate in consulting
1715 activities are subject to the approval procedures outlined in section VI.1.g of this policy.

1716 **b). Educational Programming**

1717 **Purpose:** MUSC recognizes the value to the institution and Covered Persons in having such
1718 opinion leaders present educational material before professional and lay groups. As noted in
1719 the MUSC Faculty Handbook, activities such as presentations to professional groups such as
1720 other universities, health systems, and professional societies are considered to be within the
1721 scope of Covered Persons' work. Education provided by Covered Persons shall be in the
1722 best interest of the public, independent from commercial interest, and refrain from product
1723 promotion. Additionally, MUSC recognizes the benefits that Covered Persons obtain by
1724 attending educational programs.

1725 **Policy Statement:** This policy applies to all medical, healthcare and scientific speaking
1726 engagements or educational presentations, with or without professional continuing
1727 education credit, where Industry furnishes a Personal Financial Benefit or an Economic
1728 Benefit and/or other Personal Benefit as reimbursement/compensation for the provision of
1729 those presentations by Covered Persons. The policy also applies to Covered Persons who
1730 attend such educational meetings. Educational programming should be independent from
1731 commercial interest and promote evidence-based clinical care and/or advance scientific
1732 research. MUSC recognizes that bona fide educational activities typically adhere to
1733 ACCME, ADA CERP, ACPE, ANCC or other national accreditation standards and qualify
1734 for continuing education credit. Other acceptable activities that do not provide CE credits
1735 but would serve recognized educational purposes include presentations to industry (e.g.,
1736 providing scientific or medical expertise) and training for medical or research professionals
1737 (e.g., teaching practitioners when and how to appropriately use a medical device).
1738 Otherwise, non-accredited, industry sponsored speaking to healthcare providers is not
1739 consistent with the standards of allowable educational programming due to the risk of
1740 industry influence.

1741 i. Approved educational speaker activities include but are not limited to the following:

1742 Providing continuing education (CE) services, scientific or medical presentations or
1743 expertise at academic meetings and professional societies, at other universities or
1744 research institutions, and at lay organization meetings as long as the following conditions
1745 are met:

1746 • These activities are designed to promote evidence-based clinical care and/or advance
1747 scientific research; • The presentation is made in accordance with professional
1748 accreditation standards such as the ACCME's Standards for Commercial Support, 1 the
1749 ADA CERP Continuing Education Recognition Program, or other national
1750 accreditation standards including those set by the ACPE and the ANCC, i.e., the
1751 educational content, including handouts and visual-aids, must be determined entirely by
1752 the speaker; and

1753 • The financial support of industry, if provided, is clearly disclosed. Payments to Covered
1754 Persons for speaking and for travel costs for these approved educational activities are
1755 permitted for approved speaker activities (see section VI.1.c for rules about payments).

- 1756 ii. Prohibited educational speaker activities include but are not limited to the following:
- 1757 • Speaking at any educational meeting where the content of the presentation, including
1758 handouts and visual-aids, is not determined entirely by the Covered Person.
- 1759 • Educational speaking should be independent from commercial interest, and refrain
1760 from product promotion. As such, speaking activities frequently referred to as speakers’
1761 bureaus are prohibited. Speakers’ bureaus are typically characterized by, but are not
1762 limited to, the following attributes:
- 1763 1. Promotional educational activity concerning a biomedical or pharmaceutical product;
- 1764 2. The company has the contractual right to dictate or control the content of the
1765 presentation or talk;
- 1766 3. The company creates the slides or presentation material and/or restricts or otherwise
1767 limits the Covered Person’s intellectual independence over the educational content of his
1768 or her presentation; and/or
- 1769 4. Covered Persons are expected to act as a company’s agent or spokesperson for the
1770 purpose of disseminating company or product information (e.g., the presentation is
1771 focused on a healthcare product made by the sponsor and does not include a balanced
1772 representation of alternative products or services).
- 1773 If you have questions about whether a speaking activity is a speakers’ bureau, you
1774 should consult with the COI Office for guidance.
- 1775 • Providing industry sponsored continuing education (CE) services or scientific or
1776 medical training to an audience consisting only of MUSC attendees.
- 1777 iii. Attendance at educational meetings sponsored by Industry
- 1778 Covered Persons may attend any educational meeting sponsored by industry but may not
1779 undertake the following:
- 1780 • Receive gifts, other compensation, or travel costs for attendance;
- 1781 • Participate in industry sponsored food, beverages or entertainment events if the
1782 audience is restricted to MUSC personnel only (i.e., MUSC personnel can only accept
1783 industry sponsored meals, beverages and entertainment events if the audience is not
1784 restricted to MUSC personnel and is open to members of the professional community at
1785 large).
- 1786 The lists of approved and prohibited educational activities are the same whether these
1787 activities are done on personal or professional time. All Covered Persons who participate

1788 as speakers in Educational Programs are subject to the approval procedures outlined in
1789 section 4g of this policy.

1790 **c). Payments for Consulting and Educational Programming**

1791 Payments for consulting and educational services should be at a level commensurate with
1792 effort. If done on professional time, the distribution of payment to either the individual or
1793 the institution will be at the discretion of each college or department. For all outside
1794 activities, Covered Persons should coordinate with the Conflict of Interest Office to
1795 determine reporting requirements for any industry relationship.

1796 Senior institutional officials (defined here as the President, Vice Presidents, Deans and
1797 Associate Deans) who conduct outside activities that fall within the institution's missions
1798 and/or relate to their service as institutional leaders must conduct those activities under a
1799 written agreement with the institution. Remuneration for the outside activity must be paid
1800 to the institution and cover the senior official's time and effort for the work;
1801 compensation should not be in addition to the senior official's institutional salary.

1802 **d). Leave Status Requirements for Consulting and Educational Programming**
1803 **Activities**

1804 Consulting and Educational Programming activities may occur on either Personal Leave
1805 (time) or Professional Leave. Please refer to section XI of this policy for specific
1806 definitions.

1807 **Consulting or Educational Programming Conducted on Personal Leave**

1808 • MUSC resources (e.g., secretarial assistance, office space, etc.) are not allowed to be
1809 used while providing consulting services or educational programming activities
1810 performed on personal time.

1811 • Covered Persons considering to undertake consulting or educational programming
1812 activities with a company with whom they are performing concurrent research should
1813 consult with the Conflict of Interest Office.

1814 • Covered Persons who consult or conduct educational programming while on Personal
1815 Leave may retain 100 percent of the fee; this fee must be paid directly to the Covered
1816 Person from the external entity. The Covered Person is responsible for securing payment
1817 for these consulting or educational activities, tax liability, and any financial concerns
1818 associated with such payments.

1819 • MUSC does not provide liability insurance coverage for Covered Persons performing
1820 consulting OR educational programming activities on personal leave.

1821 • Covered Persons may provide consulting or educational services on Personal Leave in
1822 conjunction with MUSC approved travel. Additional travel expenses incurred by the

1823 consulting or educational activities (e.g., additional hotel night/s, per diem,
1824 transportation, miscellaneous) will be the responsibility of the Covered Person.

1825 • Covered Persons should be aware that payments received from medical device,
1826 pharmaceutical manufacturers and biomedical suppliers are subject to the Physician
1827 Payment Sunshine Act and will be made publicly accessible via a Centers for Medicare
1828 and Medicaid Services website.

1829 **Consulting or Educational Programming Conducted on Professional Leave**

1830 • MUSC resources may be utilized to conduct consulting or educational programming on
1831 professional leave.

1832 • Covered Persons considering to undertake consulting or educational programming
1833 activities with a company with whom they are performing concurrent research should
1834 consult with the Conflict of Interest Office.

1835 • If the consulting or educational programming is completed on MUSC time while on
1836 professional leave, payment must be made to MUSC and allocated to an account within
1837 the college, department or division. Each college, department or division will be
1838 responsible for the disbursement of funds.

1839 • Consulting or educational programming conducted on professional leave requires a
1840 contract or agreement; please see section VI.1.f of this policy.

1841 • MUSC provides liability insurance coverage for Covered Persons performing
1842 consulting activities or educational programming on professional leave.

1843 **e) Consulting or Educational Programming Conducted with Concurrent Research**

1844 For consulting or educational activities that occur with concurrent research with the
1845 same company, Covered Persons should consult with the Conflict of Interest Office.

1846 **f) Consulting or Educational Programming Contracts**

1847 **Professional Leave Status:**

1848 All formal consulting and educational programming relationships approved for Covered
1849 Persons that are conducted while on Professional Leave must be formalized in a fully
1850 executed contract. All such agreements must be channeled through the appropriate contract
1851 approval process.

1852 • All agreements must clearly describe the services and deliverables to be furnished by
1853 the consultant or speaker, including the time required for such services or method of
1854 calculating compensation, a description of the compensation due under the agreement, a
1855 declaration regarding disposition of intellectual property rights if applicable, and a

1856 provision to protect the use of the MUSC name if appropriate. The agreement should be
1857 consistent with MUSC policies and eliminate unauthorized transfer of MUSC intellectual
1858 property.

1859 • An agreement must be signed and dated by all parties prior to the commencement of
1860 any of the consulting or educational programming activities. All agreements must be
1861 consistent with MUSC’s policies, mission and duties to its stakeholders.

1862 • The consultant or speaker is expected to maintain records of the consulting or
1863 educational programming activities for 6 years after the termination of the contract.

1864 **Personal Leave Status:**

1865 Covered Persons who consult or provide educational programming on Personal Leave are
1866 acting as independent contractors. Covered Persons may not bind or obligate MUSC in any
1867 way. Contracts entered into by Covered Persons acting as independent contractors should
1868 not contain any references to MUSC or its Affiliates; this includes an individual title (i.e.,
1869 Professor, Director etc.) or work addresses.

1870 **g) Approval Process for Consulting and Educational Programming**

1871 All consulting and educational programming whether occurring on Personal Leave or
1872 Professional Leave must not impact negatively on MUSC or MUSC’s research,
1873 educational or clinical missions. For all outside activities, Covered Persons should
1874 coordinate with the Conflict Of Interest Office to determine reporting requirements for
1875 any industry relationship. Requests for consulting and educational programming
1876 occurring on Professional Leave must be approved by the department chair or appropriate
1877 supervisor during the university’s contract approval process. It is recommended that
1878 Covered Persons notify their department chair or supervisor of any consulting or
1879 educational programming occurring on Personal Leave, as individual departments and/or
1880 colleges may have additional requirements.

1881 **2. Gifts**

1882 Covered Persons and their immediate family members may not accept gifts of value
1883 exceeding \$10 from vendors or other representatives of industry. Examples of gifts include,
1884 but are not necessarily limited to, travel and lodging expenses; membership dues; admission
1885 fees; preferential terms on a loan, goods or services; or the use of real property; for this
1886 section, “gifts” does not include food and beverages which is a subject handled in Section 6
1887 below.

1888 Acceptance of travel funds to participate in meetings or training directly related to ongoing
1889 sponsored research is not considered a gift and is allowable.

1890 Covered Persons may accept travel funds from scientific or professional societies that are
1891 funded by industry, as long as the society controls the selection of the recipient. Covered

1892 Persons may not accept travel funds directly from industry but travel support from industry
1893 funds provided to MUSC is allowed.

1894 3. Food, Beverages and General Hospitality

1895 Except as noted below, Covered Persons should not accept food and beverages, support for
1896 social events, or other hospitality offered directly by Industry to the Covered Person.
1897 Industry support for food and beverages for college, department or division meetings or
1898 retreats is prohibited.

1899 Covered Persons attending an educational meeting or conference may participate in food,
1900 beverages and social receptions sponsored by Industry as long as invitation to these events is
1901 open to non-MUSC attendees as well, i.e., the event is open to all meeting attendees.

1902 A Covered Person engaged in off-site consulting may accept food and beverages as a part of
1903 a reasonable compensation package for consulting services.

1904 Covered Persons cannot participate in industry sponsored food, beverages and/or
1905 entertainment events that are provided only for a select invited individual or group of
1906 individuals if the primary purpose of the event is for marketing and promotional purposes.
1907 However, this restriction does not preclude allowable activities, such as site visits and
1908 meetings with potential vendors, which may occur when obtaining contracted goods and
1909 services; these activities are governed by state and MUSC and/or MUHA procurement
1910 guidelines. Covered Persons should recognize that attendance at an industry supported event
1911 may cause their name and institutional affiliation to be reported as required by federal
1912 regulation. This can be avoided by paying for one's own meal at such events, and removing
1913 one's name from the attendance list.

1914 4. Industry Supported Continuing Education Programs

1915 • Continuing Education (CE) programs supported by Industry are permitted provided the
1916 following criteria are met:

- 1917 ○ Industry sponsored programs offering continuing education (CE) credit must be
1918 processed through the Office of Continuing Medical Education if appropriate and adhere to
1919 the standards for commercial support established by the ACCME, the ADA CERP, the
1920 ACPE, the ANCC, or other such accrediting or licensing body if available.
- 1921 ○ Industry provided food and beverages are prohibited at educational programs in which
1922 the only attendees are from MUSC, both on campus and off campus.
- 1923 ○ Students or trainees may participate in the continuing education programs as long as the
1924 programs are structured group settings that are supervised by faculty.
- 1925 ○ Appropriate disclosure statements are made in any pre-meeting announcement and by the
1926 speaker prior to beginning the program.
- 1927 ○ Companies seeking to provide support for CE programs may do so through unrestricted
1928 educational grants.

1929 5. Educational Materials and Equipment

1930 Donations of educational materials and equipment may be accepted. Such donations are
1931 expected to be used by faculty, staff, students and trainees and are not expected to be used
1932 by a single Covered Person. Donations are expected to be donated directly to an appropriate
1933 college or departmental official within the University or a University affiliate, and
1934 documentation of the donation, including the value of the equipment donated and the date of
1935 the donation, should be retained. Donations of capital equipment require approval of the
1936 Executive Vice President for Academic Affairs and Provost, except in cases of sponsored
1937 research, in which equipment donations are managed by the Office of Research and
1938 Sponsored Programs.

1939 6. Scholarships and other Educational Funding for Students and Residents

1940 Industry support for student scholarships, residents and fellows should be made in
1941 cooperation with the appropriate MUSC entity or University official. This may include the
1942 MUSC Foundation or the MUSC Foundation for Research Development, the Development
1943 Office, the Office of Research and Sponsored Programs or senior leadership according to
1944 the Institution's policies and procedures. Covered Persons must obtain approval from the
1945 department chair, division director or college dean before soliciting Industry for these
1946 purposes. The appropriate MUSC entity or University Official must manage and oversee the
1947 receipt of such Industry support. The evaluation and selection of recipients of such funds
1948 and use of such funds must be at the sole discretion of the University, college, or
1949 department. All potential industry sponsors should be given the opportunity to contribute.

1950 7. Fundraising and Business Development Activities

1951 The Institution recognizes that the MUSC Foundation has a unique and integral mission to
1952 attract financial support that furthers the research, education and patient care initiatives of
1953 the MUSC enterprise. Similarly, the Institution recognizes that certain activities are
1954 necessary to further the strategic and business development initiatives of the institution.
1955 Activities necessary to the successful conduct of fundraising and strategic advancement on
1956 behalf of the Institution may continue. However, these activities are not permitted to
1957 influence educational, clinical or research operations of the Institution other than providing
1958 support to further those missions. Activities intended to further strategic and business
1959 development initiatives must be part of the Covered Person's official duties or approved in
1960 advance by a member of the President's Group

1961 No gift shall influence or appear to influence Institutional decision-making related to
1962 procurement, patient care, education and research integrity. Any concerns shall be reported
1963 immediately to the Conflict of Interest Office. Notwithstanding anything in this section, SC
1964 state employees remain subject to the SC Ethics Law and must act in compliance with state
1965 regulations.

1966 8. Charitable Contributions

1967 Charitable contributions from industry for the benefit of the University or any of its
1968 affiliates must be made through the appropriate University channels. This may include the
1969 Development Office, MUSC Foundation or University leadership. The distribution of
1970 charitable contributions for their intended purposes will be the responsibility of the
1971 department, division director, college deans, and administration. Industry funding for
1972 sponsored projects (funding provided which is subject to terms and conditions) is accepted
1973 and managed on behalf of MUSC by the Office of Research and Sponsored Programs
1974 (ORSP).

1975 9. Pharmaceutical Samples

1976 Drug samples that are provided for distribution to patients will be handled in accordance
1977 with MUHA Policy C-26, Medication Samples.

1978 10. Site Access

1979 The MUSC Medical Center recognizes the value of information provided by various
1980 industry representatives but intends to limit access to its personnel and facilities to prevent
1981 interference with patient care activities. All vendors are expected to adhere to policy A-15,
1982 Account/Vendor Representatives <https://www.musc.edu/medcenter/policy/Med/A015.pdf> or
1983 any applicable contract with the vendor.

1984 11. Use of Confidential Information

1985 Unauthorized use of confidential, privileged or proprietary information by Covered Persons
1986 or their family members is prohibited. This includes but is not limited to, disclosure of such
1987 information to commercial entities without authorization; unauthorized use of such
1988 information to engage in a relationship with a commercial entity that leads to a Personal
1989 Financial Benefit or Economic Benefit for the Covered Person or their family member.

1990 12. Purchasing

1991 Covered Persons with any financial interest in any particular manufacturer of
1992 pharmaceuticals, devices or equipment or any provider of goods or services, must disclose
1993 such interests and recuse themselves from purchasing decisions relevant to the conflicting
1994 interests. Any Covered Person whose expertise is necessary to evaluate any product must
1995 disclose his/her financial ties to any manufacturer of that or any related product to those
1996 charged with the responsibility of making the purchasing decision.

1997 13. Disclosure and Notification

1998 Covered Persons shall disclose all relationships with commercial entities as described in the
1999 MUSC/MUHA Board of Trustees Conflict of Interest Policy. This policy can be found at
2000 www.musc.edu/coi.

2001 If there is a question about appropriate interaction with a commercial entity or the potential
2002 for a Conflict of Interest, the Covered Person should consult with individuals within their
2003 chain of command, the MUSC Conflict of Interest Office, MUSC, MUHA or UMA Office
2004 of Compliance, or the MUSC General Counsel's Office for guidance.

2005 VII. Special Situations

2006 Exceptions

2007 The University Conflict of Interest Committee will review/consider requests for exceptions
2008 to this policy. Request for exceptions must be submitted in writing to the Conflict of Interest
2009 Office. Resolution of such requests will be documented in the minutes of the University
2010 Conflict of Interest Committee and reported back to the requestor and their supervisor. If
2011 additional recourse is desired after review and action by the University Conflict of Interest
2012 Committee, a Covered Person may submit their request in writing to the MUSC Executive
2013 Vice President for Academic Affairs and Provost for appeal.

2014 VII. Sanctions for Non-compliance

2015 Violations of this Policy, including the failure to avoid a prohibited activity or disclose
2016 relationships with commercial entities will be dealt with in accordance with applicable
2017 policies and procedures that may include disciplinary action up to and including termination
2018 of employment or medical staff privileges. Sanctions may include suspension or dismissal,
2019 nonrenewal of appointment, denial of eligibility to engage in research funded through
2020 MUSC, denial of merit pay, or other appropriate penalties. Such sanctions may require
2021 giving notice of relevant information to funding agencies, professional bodies or journals, or
2022 the public. Termination of medical staff privileges or denial of medical staff privileges
2023 under this policy will not be based upon a physician's individual competence, quality of
2024 care, or professional conduct. Therefore, the revocation or denial of appointment or
2025 reappointment will not be reportable to any agency or databank.

2026 The Executive Vice President for Academic Affairs and Provost will determine the methods of
2027 resolving non-compliance with this policy and applying sanctions. The Executive Vice
2028 President for Academic Affairs and Provost may refer the matter to the appropriate College
2029 Dean or in the case of affiliates, to the senior administrative officer of that affiliate, take
2030 action on his or her own, or initiate MUSC procedures governing such discipline. The Board
2031 of Trustees, as the ultimate governing body, or its designee, retains authority to make a final
2032 determination of any matter covered by this policy.

2033 IX. Related Information

2034 A References, citations

- 2035 • Korn D. Carlat D. Conflicts of interest in medical education: Recommendations
2036 from the Pew Task Force on medical conflicts of interest. Journal of the American
2037 Medical Association. 310(22):2397-2398, 2013.

2038 • Boumil MM. Cutrell ES. Lowney KE. Berman HA. Pharmaceutical speakers'
2039 bureaus, academic freedom, and the management of promotional speaking at
2040 academic medical centers. Journal of Law, Medicine & Ethics. 40(2):311-25, 2012.

2041 For further information regarding conflicts of interest in medicine and academics related to
2042 Industry relationships, visit the Industry Relations webpage
2043 (www.musc.edu/coi/industryrelations/industryrelations) on the Conflict of Interest website.

2044

2045 X. Communication Plan

2046 Review of this policy is covered in the annual mandatory training for all employees.

2047

2048 XI. Definitions:

2049 For purposes of this policy:

2050 **Industry** refers to any corporation, partnership, sole proprietorship, firm, franchise,
2051 association, organization, holding company, joint stock company, receivership, trust,
2052 enterprise, or other legal entity, including for profit and not for profit entities that are
2053 engaged in 1) the manufacture, distribution or sale of diagnostic or therapeutic drugs,
2054 medical/dental devices or equipment, supplies, or information technology, 2) medical
2055 testing, or 3) providing services for clinical care, research, or education. Industry also refers
2056 to entities that provide services to MUSC in the areas of physical plant, university and
2057 hospital administration, human resources, project management, clinical services and
2058 regulatory services. The term industry does not include professional associations and
2059 societies, not for profit foundations, law offices, not for profit volunteer health
2060 organizations, academic institutions or not for profit hospitals that provide medical
2061 research/education-related products and services.

2062 **Conflict of Interest** is defined as the circumstance that arises when an individual has an
2063 opportunity to influence patient care, research and education of trainees regarding the
2064 purchase or use of products or services of an industry with which he/she has a secondary
2065 interest (financial relationship, or research support, or personal benefit).

2066 **Consulting** (Consulting Services, Consultant, etc.) is defined as all activities where the
2067 external entity furnishes a Personal Financial Benefit or Economic Benefit and/or other
2068 Personal Benefit such as reimbursement/compensation for the exchange of clinical,
2069 educational, professional and/or scientific information or activities by Covered Persons.

2070 **Educational Programming** is defined as medical, healthcare and scientific speaking
2071 engagements or educational presentations where Industry furnishes a Personal Financial
2072 Benefit or Economic Benefit and/or other Personal Benefit as reimbursement/compensation
2073 for the provision of those presentations by Covered Persons.

2074 **Personal Financial Benefit or Economic Benefit** is defined as anything of monetary value
2075 - including salary, commissions, fees, honoraria, gifts, equity interests (which include any

2076 stock, stock option, or other ownership interest), interests in real or personal property,
 2077 dividends, royalty, rent, capital gains, intellectual property rights, loans, and forgiveness of
 2078 debt. The term “personal” also includes the Covered Person’s immediate family, including
 2079 parents, spouse, siblings, children, stepchildren and grandchildren.

2080 **Other Personal Benefit** is defined as a non-financial benefit to a Covered Person; for
 2081 example, promise of a job promotion, future grant, research publication, clinical trial or
 2082 authorship, etc. The term “personal” includes the Covered Person’s immediate family,
 2083 defined as parents, spouse, siblings, children, stepchildren and grandchildren.

2084 **Personal Leave** is defined as that time away from work taken as annual leave , or any part
 2085 of a 24-hour period when there are no MUSC assigned responsibilities (e.g., weekends or
 2086 after hours when there are no MUSC assigned responsibilities).

2087 **Professional Leave** includes time away from MUSC to conduct MUSC approved
 2088 professional activities, while receiving compensation from MUSC. A request for this leave
 2089 must be approved by the Covered Person’s supervisor.

2090 XII. Review cycle

2091 At least every five years

2092 The link to this policy can be found at:
 2093 <http://academicdepartments.musc.edu/coi/coipolicies/coipolicies.htm>

2094 **7.08 Faculty Start-up Ventures Policy**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

2095 <http://academicdepartments.musc.edu/cie/entrepreneurs/For%20Startups.htm>

2096 <http://academicdepartments.musc.edu/frd/entrepreneur/startup>

2097 **7.09 Expert Testimony**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

2098 The Medical University of South Carolina neither encourages nor discourages faculty
 2099 participation as witnesses in legal proceedings. All such requests or directives to serve as a
 2100 witness because of professional training or position should be immediately reported to and
 2101 receive the prior approval of the department chair or next higher administrator. Department
 2102 chairs should file an annual report on all such witness activity with their respective deans.

2103 It is expected that time and resources spent as a witness or consultant in legal matters be
 2104 considered patient care-related and that all remuneration as set by the Medical University of
 2105 South Carolina should be reimbursed to the faculty member's practice plan or appropriate
 2106 college account.

2107 **7.10 Evaluation of Department Chairs, Deans, and/or Unit Directors**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

2108 A process sanctioned by the Faculty Senate for the annual review by the faculty for
 2109 performance of chairs, deans, and/or other unit directors has been approved by the Executive
 2110 Vice President for Academic Affairs and Provost. Each May, the Executive Vice President
 2111 for Academic Affairs and Provost's Office sends out questionnaires maintained at the
 2112 following link to all faculty including part-time faculty

2113 <http://academicdepartments.musc.edu/oie/assessment/index.html>

2114 Completed forms are sent anonymously to the Office of the Executive Vice President for
 2115 Academic Affairs and Provost or his/her designee where results are collated, tabulated,
 2116 summarized, etc., and given to deans of the respective colleges. The Executive Vice
 2117 President for Academic Affairs and Provost informs the President of the Faculty Senate in
 2118 March that the process has been completed and deans have reviewed the data which is
 2119 archived in the event future reexamination becomes necessary.

2120 **7.11 Copyright Protections**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

2121 The faculty is subject to the university copyright policies. See Executive Vice President for
 2122 Academic Affairs and Provost Office website:

2123 <http://academicdepartments.musc.edu/provost/pdf/CopyrightPlcy0108.pdf> for the most
2124 current versions. Also, see “Intellectual Property” in section 7.12.04.

2125 **7.12 Faculty Research Activities**

2126 **7.12.01 Research and Sponsored Programs**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

2127 The Office of Research and Sponsored Programs assists investigators and/or leaders of other
2128 sponsored programs in filing timely and complete grant or other support proposals,
2129 coordinating regulatory reviews, filing progress reports as required, and identifying potential
2130 sources of funding. It maintains liaison with federal, state, and other major research support
2131 agencies, assures compliance with MUSC, state, federal, and other agencies' policies and
2132 procedures, reviews proposals and provides administrative approval.

2133 Faculty members are encouraged to consult the office at any time for information or advice
2134 on program development, application preparation, and grants and contracts management.
2135 Those who are ready to make application for funds should contact the Research Office early
2136 in the process to be sure there is sufficient time to complete the required administrative
2137 review before the submission deadline.

2138 A directory of Resources for Researchers at the Medical University of South Carolina is
2139 available on request through the Research Office or the office of the Vice President for
2140 Research. Directory of Research Support, which includes abstracts of research being
2141 conducted, is also available on request. In addition, updated research support data on past
2142 and ongoing grants, cooperative agreements, contracts and other mechanisms of extramural
2143 funding are available through the office of the Vice President for Research.

2144 The financial management of awards is provided by the office of Grants Accounting.

2145 Office of Research and Sponsored programs website:
2146 <http://academicdepartments.musc.edu/research/orsp/>

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2151 **7.12.02 Responsible Conduct of Research**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

2152 The MUSC Responsible Conduct of Research policy is a key element of the overall
 2153 University Compliance policies (see MUSC Webpage:
 2154 <http://academicdepartments.musc.edu/uco/rcor.htm>)

2155 and must be signed by all faculty, staff, and students of the university using research
 2156 resources or facilities, or receiving research funds administered by the university, and
 2157 those engaged in oversight of research facilities or funds. It was approved by the
 2158 University Board of Trustees and is presented in its entirety below.

2159 **Section I. Introduction**

2160 MUSC is committed to the highest standards of professional conduct; therefore all
 2161 members of the university community are expected to adhere to the highest ethical
 2162 standards of professional conduct and integrity. The values we hold among ourselves to
 2163 be essential to responsible professional behavior include: honesty, trustworthiness,
 2164 respect and fairness in dealing with other people, a sense of responsibility toward others
 2165 and loyalty toward the ethical principles espoused by the institution. It is important that
 2166 these values and the tradition of ethical behavior be consistently demonstrated and
 2167 carefully maintained.

2168 **Section II. Definitions**

2169 Members of the University Community or “Members”: faculty, staff, fellows, residents
 2170 and students or any individual employed by the university using university research
 2171 resources or facilities, or receiving research funds administered by the university, and
 2172 those engaged in oversight of research facilities or funds.

2173 **Section III. Responsibilities**

2174 **Fairness:** Members of the university community have the obligation to respect, and to be
 2175 fair to other members, students and persons they supervise, and to foster their intellectual
 2176 and professional growth. Members must not engage in, nor permit, harassment and illegal
 2177 discrimination. Members must not abuse the authority they have been given, and care
 2178 must be taken to ensure that any personal relationships do not result in situations that
 2179 might interfere with objective judgment.

2180 **Professional Conduct:** Workplace and educational experiences must impart ethical
2181 standards of professional conduct through instruction and example. Members of the
2182 university community are expected to conscientiously fulfill their obligations toward
2183 students, advisees, colleagues and perform their duties as part of the university
2184 community. Members must support intellectual freedom.

2185 **Compliance:** Members of the university community are expected to understand and
2186 comply with laws and regulations related to their duties. Members are responsible for
2187 adherence to university policies and procedures and are expected to comply with State
2188 and Federal laws. The university has the obligation to provide the opportunities necessary
2189 to assure awareness. Members are expected to see that those who report to them are
2190 informed about, understand and comply with regulations such as those for health and
2191 safety in the workplace, including the procedures to assure the ethical treatment of human
2192 subjects and animals and the use of hazardous materials. Members also have an
2193 obligation to report any noncompliance of regulations that are observed.

2194 **Authorship:** In an academic environment we continually seek knowledge and
2195 understanding and must transmit our findings faithfully. Members of the university
2196 community who create scholarly products or works of art must guarantee the originality
2197 of their work and provide credit for the ideas of others upon which their work is built. All
2198 authors on a published work are responsible for the accuracy and fairness of the presented
2199 information. It is expected that members of the university community consider
2200 individuals for inclusion as authors on work submitted for publication if they have
2201 contributed substantially intellectually to the work. Special care must be taken to clarify
2202 authorship with entry level professional persons such as graduate students, postdoctoral
2203 fellows and trainees, preferably before the work is begun. It is inappropriate for members
2204 to include individuals as authors if they contributed only peripherally to the work.

2205 **Peer Review:** Any material received by members of the university community to review
2206 for funding or publication is confidential and the ideas contained therein must not be used
2207 in any other manner by the reviewer unless specifically permitted.

2208 **Data Collection and Management:** Falsification, fabrication and unacknowledged
2209 appropriation of the data of others by members of the university community are unethical
2210 and prohibited. At the outset of any research project, all participants are expected to
2211 discuss and agree upon data management and access and retention procedures including
2212 procedures for having participants join or leave the project. Privacy of collected data and
2213 rights to intellectual property must be protected. Student rights to data are expected to be
2214 clearly specified. All documentation necessary to reconstruct investigations is expected to
2215 be available and data are to be recorded in a timely and consistent manner.

2216 **Fiscal Responsibilities:** Members of the university community must not accept money or
2217 gifts for research on behalf of the university or as part of their university activities except
2218 as prescribed by university policy. All funds provided for research must be spent in ways
2219 consistent with the funding documents and in compliance with the guidelines on
2220 allowable costs. Members in charge of budgets have an obligation to monitor records of

2221 expenditures for compliance with university policies and procedures and to allow these
 2222 records to be viewed by appropriate parties. Departmental files are the property of the
 2223 university.

2224 The university has the obligation to provide up-to-date records of financial transactions.

2225 **7.12.03 Misconduct in Scientific Research**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

2226 The principles that govern scientific research long have been established and applied in
 2227 the discovery of new knowledge. The faculties and administrators at academic medical
 2228 centers and teaching hospitals have a central and critical responsibility to maintain these
 2229 high ethical standards. Validity and accuracy in the collection and reporting of data are
 2230 intrinsically essential to the scientific process. Dishonesty in these endeavors is contrary
 2231 to the very nature of research; that is, the pursuit of truth.

2232 “Research misconduct means fabrication, falsification, or plagiarism in proposing,
 2233 performing, or reviewing research, or in reporting research results.” Honest error or
 2234 differences of opinion are not included in this definition. [42 CFR § 93.103]. A finding of
 2235 misconduct “requires that- (a) There be a significant departure from accepted practices of
 2236 the relevant research community; and (b) The misconduct be committed intentionally,
 2237 knowingly, or recklessly; and (c) The allegation be proven by a preponderance of the
 2238 evidence.” [42 CFR § 93.104].

2239 Primary responsibility for the integrity of all scientific research rests with the individual
 2240 researcher. The researcher accepts this responsibility with the understanding that the
 2241 commission of misconduct in the research process is a major breach of contract between
 2242 the researcher and the institution.

2243 Pursuant to the Final Rule notice of 42 CFR Parts 50 and 93 Public Health Service
 2244 Policies on Research Misconduct in the May 17, 2005 Federal Register effective June 16,
 2245 2005, MUSC, as the awardee or applicant "institution," has complied with the necessary
 2246 assurance to the Department of Health and Human Services (HHS) that there are both
 2247 policies and procedures in place, and other institutional responsibilities are consonant
 2248 with 42 CFR Subpart C, § 93.300-319 of the Federal Register's Rules and Regulations.

2249 MUSC Policies and Procedures for Responding to Allegations of Research Misconduct
 2250 may be accessed at http://academicdepartments.musc.edu/research/ori/ric/pp_IV.html .
 2251 Both the inquiry and the investigative phases, as well as administrative actions in the

2252 event of a finding of misconduct are included. Information at this Office of Research
 2253 Integrity website supersedes the *Faculty Handbook* in the event of a discrepancy.

2254 **7.12.04 Intellectual Property: Policies and Procedures**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Jan 2016			Apr 2016		
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

2255 [Intellectual Property Policy 10.04-10.18 in the 2007 edition of the *Faculty Handbook* applies to
 2256 faculty/staff who have intellectual property, conceived or first reduced to practice any invention
 2257 or trade secret, prior to May 15, 2008]

2258 1.0 Purpose

2259 The purpose of this document is to delineate the policy and procedures pertaining to
 2260 intellectual property created by employees, students, and visitors of the Medical University
 2261 of South Carolina (“MUSC”) and its affiliates, including but not limited to MUSC
 2262 Physicians, the Medical University Hospital Authority, the MUSC Foundation, and the
 2263 MUSC Foundation for Research Development. (“MUSC Enterprise”).
 2264

2265 2.0 Objective

2266 The objective of this policy is to further MUSC Enterprise’s mission by (i) providing for the
 2267 necessary protections, incentives, and vehicles to encourage the discovery and development
 2268 of new knowledge for the public good; (ii) fostering of research links and collaboration with
 2269 industry and other academic institutions; and (iii) enabling advancement of economic
 2270 development in South Carolina and beyond.
 2271

2272 3.0 Applicability

2273 3.1 Employees (as defined below) and Students (as defined below): This Policy
 2274 applies as a condition of appointment or employment by the MUSC Enterprise to every
 2275 employee, and as a condition of enrollment by every student, who during the period of their
 2276 appointment, employment, or enrollment by the MUSC Enterprise shall:

- 2277 (a) Conceive or first reduce to practice, actually or constructively, any invention or trade
 2278 secret;
- 2279 (b) Prepare a copyrightable work;
- 2280 (c) Contribute substantially to the existence of any tangible result of research; or
- 2281 (d) Otherwise contribute to the creation of an item of intellectual property.
 2282

2283 3.2 Visitors: This Policy applies as a condition of use of University Resources (as defined
2284 below) to all persons who are not covered under Section 3.1 above, who through their use of
2285 University Resources shall:

- 2286 (a) Conceive or first reduce to practice, actually or constructively, any invention or trade
2287 secret;
- 2288 (b) Prepare a copyrightable work;
- 2289 (c) Contribute substantially to the existence of any tangible result of research; or
- 2290 (d) Otherwise contribute to the creation of an item of intellectual property.

2291
2292 Such persons are called “Visitors” herein. MUSC Enterprise personnel allowing Visitor
2293 access to University Resources shall ensure that the Visitor has been notified of this Policy
2294 and obtained written consent from the Visitor, using approved forms (VISITORS
2295 consent on IP Policy - <http://frd.musc.edu/forms.html>), to be bound by this Policy.
2296

2297 4.0 Definitions

2298 4.1 “Intellectual Property” as used herein is broadly defined to include inventions,
2299 discoveries, know-how, show-how, trade secrets, processes, unique materials, tangible
2300 results of research, copyrightable works, original data, and other creative or artistic works
2301 which have potential commercial value. Intellectual property includes that which is
2302 protectable by statute or legislation, such as patents, copyrights, trademarks, service marks,
2303 trade secrets, mask works, and plant variety protection certificates. It also includes the
2304 physical embodiments of intellectual effort including, for example, models, machines,
2305 devices, designs, apparatus, instrumentation, circuits, computer programs and visualizations,
2306 biological materials, chemicals, other compositions of matter, plants, and records of
2307 research.

2308 4.1.1 “Copyright” shall mean copyrightable works as defined under the laws of the
2309 United States of America, including 17 U.S.C. 101 et seq. A computer program (defined
2310 in 17 U.S.C. 101 as: “...a set of statements or instructions to be used directly or indirectly
2311 in a computer in order to bring about a certain result”) when licensed solely as a
2312 copyrightable work shall have the resulting Net Proceeds distributed as a “Copyright”.
2313

2314 4.1.2 “Patent and Other Intellectual Property (excluding Copyright)” shall mean (a) a
2315 patentable invention as defined under the laws of the United States of America including
2316 35 U.S.C. 101 and (b) all other forms of Intellectual Property, excepting for Copyrights.
2317

2318 This definition (of 4.1.2) includes patentable processes which can be implemented in a
2319 computer (often called “business method patents”) and methods and algorithms capable of
2320 being implemented using a computer and protectable as a trade secret. In instances where
2321 patentable processes and/or trade secrets, and copyrightable works which fix in a tangible
2322 medium a specific instance of the patentable process and/or trade secret (i.e. a computer
2323 program) are licensed out together, the resulting total Net Proceeds shall be distributed as
2324 “Patent and Other Intellectual Property (excluding Copyright)” and not distributed as a
2325 “Copyright”
2326

2327 4.2 “Traditional Academic Copyrightable Works” are a subset of copyrightable works
2328 created independently and at the creator’s initiative for traditional academic purposes.

2329 Examples include manuscripts for scholarly journals, class notes, text books and
2330 supplemental materials, theses and dissertations, videos, digital video disks (dvds)
2331 containing audio, video, and/or interactive simulations as well as non-interactive
2332 demonstrations, compact disks containing audio, video and/or interactive simulations, as
2333 well as non-interactive demonstrations, articles, non-fiction, fiction, poems, musical
2334 works, dramatic works including any accompanying music, pantomimes and choreographic
2335 works, pictorial, graphic and sculptural works, or other works of artistic
2336 imagination that are not created as a) an institutional initiative or b) with University
2337 Resources. Specifically excluded from this definition are software works.
2338

2339 4.3 "Creator" means an individual or group of individuals who create, conceive, reduce to
2340 practice, author, or otherwise make a substantive intellectual contribution to the creation of,
2341 Intellectual Property. "Creator" includes the definition of "inventor" used in U.S. patent law
2342 and the definition of "author" used in the U.S. Copyright Act. Creators may be faculty, staff,
2343 and other persons employed by MUSC Enterprise whether full-or part-time; visiting faculty
2344 and researchers; and any other persons, including students, who create or discover
2345 applicable intellectual property using University resources.
2346

2347 4.4 "University Resources" means the material use of facilities, supplies, materials, or other
2348 resources of the MUSC Enterprise, with the exception of its Library collections.
2349

2350 4.5 "Net Proceeds" means the net amount received by MUSC or its designee from the sale,
2351 licensing or other disposition of any Intellectual Property, initially owned, pursuant to this
2352 policy, in whole or in part by MUSC, after deduction of all costs reasonably attributable to
2353 the protection and distribution of such Intellectual Property, including a fifteen (15) percent
2354 15% deduction from gross income for administration expenses of the FRD, which shall be
2355 used to further the objectives and purpose of this Policy, and any reasonable expense of
2356 patent or copyright prosecution, maintenance, interference proceedings, litigation, marketing
2357 or other dissemination and licensing.
2358

2359 4.6 "Employees" means full-time and part-time faculty (of all ranks and status as
2360 outlined in the MUSC faculty handbook) and all levels of full-time and part-time staff
2361 employed by the MUSC Enterprise.
2362

2363 4.7 "Students" means full-time and part-time students of all levels including those in
2364 training, such as post doctoral fellows and residents.
2365

2366 5.0 Disclosure and Assignment Requirements

2367

2368 5.1 Intellectual Property is required to be disclosed, pursuant to this Policy, by the
2369 Creator to the MUSC Foundation for Research Development or another designee as
2370 determined by MUSC, using approved forms (<http://frd.musc.edu/forms.html>). All
2371 disclosures are confidential. Ownership of such disclosure shall be determined pursuant to
2372 the applicable provisions of this policy.
2373

2374 5.2 Disclosure should be made in a timely manner upon the Creator's recognition that
2375 Intellectual Property may have been created. Disclosure should be made prior to public
2376 presentations or publications, or other dissemination of the Intellectual Property to third
2377 parties whether public or confidential.
2378

2379 5.3 Creators shall and hereby do assign to MUSC ownership of any Intellectual Property
2380 pursuant to this policy as a condition of employment, enrollment, or use of University
2381 Resources. Creators shall in good faith execute any and all assignment of ownership
2382 documents required to effectuate this policy. MUSC may require assignment of ownership
2383 documents be signed for any Intellectual Property covered under this policy regardless of
2384 whether the assignment of ownership document is required by law to transfer ownership to
2385 MUSC.
2386

2387 6.0 Ownership

2388 6.1 Employees (including faculty) and Staff: MUSC shall be entitled to claim ownership of
2389 Intellectual Property which is made in the field in which the employee or staff Creator is
2390 engaged by MUSC or made with the use of University Resources. The employee or staff
2391 Creator shall share in any proceeds derived there from in accordance with this policy and
2392 subject to any preexisting commitments to outside sponsoring agencies.
2393

2394 6.2 Students (including trainees): Intellectual Property created by student Creators shall be
2395 owned by the student Creator unless the Intellectual Property is created, conceived or
2396 reduced to practice (a) during the course of research conducted at MUSC; (b) through the
2397 use of University Resources; (c) in conjunction with one or more persons who are otherwise
2398 obligated to assign their rights in such Intellectual Property to MUSC under this policy; or
2399 (d) under terms of an MUSC contract with a third party which provide for other disposition
2400 of the Intellectual Property. For Intellectual Property of categories (a) through (d), MUSC
2401 shall be entitled to claim ownership, and the student Creator shall share in any proceeds
2402 derived there from in accordance with this policy and subject to any preexisting
2403 commitments to outside sponsoring agencies.
2404

2405 6.3 Visitors: MUSC shall be entitled to claim ownership of Intellectual Property created by
2406 Visitors through the use of University Resources. The Visitor shall share in any proceeds
2407 derived there from in accordance with this policy and subject to any pre-existing
2408 commitments to outside sponsoring agencies.
2409

2410 6.4 Copyright:

2411
2412 6.4.1 Copyrightable works that MUSC is entitled to claim ownership to under this policy
2413 shall be treated as works for hire.
2414

2415 6.4.2 Unless subject to any of the exceptions specified in Section 6.4.3, Creators shall
2416 retain all rights to Traditional Academic Copyrightable Works and are free to submit
2417 such for publication and execute assignment documents in their own name.
2418

2419 6.4.3 MUSC shall own Traditional Academic Copyrightable Works as follows:

- 2420 (a) Works created pursuant to the terms of an MUSC agreement with an external
2421 party;
2422 (b) Works created as a specific requirement of employment or as an assigned
2423 university duty that may be specified, for example, in a written job description or
2424 any employment agreement;
2425 (c) Works specifically commissioned by MUSC; and
2426 (d) Works that are also patentable
2427

2428 Nothing contained herein shall be interpreted to grant ownership to MUSC of Traditional
2429 Academic Works that are manuscripts for submission to scholarly journals, including
2430 electronic submissions which contain multimedia interactive components.
2431

2432 6.5 Agreements Impacting University Ownership 2433

2434 6.5.1 Sponsored Research Agreements: Ownership and disposition of Intellectual
2435 Property may be governed in whole or in part by sponsored research agreements, which may
2436 supersede certain provisions of this Policy. Prior to the execution of any sponsored research
2437 agreement which would conflict with this Policy, the Vice President for Research or
2438 designee must approve the agreement in question.
2439

2440 6.5.2 Consulting: Employees engaged in external consulting work or business are
2441 responsible for ensuring that agreements emanating from such work are not in conflict with
2442 university policy or with MUSC's contractual commitments. Such employees should make
2443 their university obligations known to others with whom they make such agreements and
2444 should provide the parties to such agreements a statement of applicable university policies
2445 regarding ownership of intellectual property and related rights.
2446

2447 7.0 Commercialization of Intellectual Property 2448

2449 7.1 Commercialization 2450

2451 7.1.1 In making commercialization decisions for its Intellectual Property, MUSC, or its
2452 designee, shall have full discretion, subject to the purpose, objectives, and requirements
2453 of this policy. MUSC shall designate an internal office, or a retained third party entity
2454 such as a not-for-profit foundation, whose sole purpose is to solely benefit MUSC,
2455 hereafter referred to as the Foundation for Research Development ("FRD") for the
2456 administration and commercialization of Intellectual Property.

2457 7.1.2 The FRD shall keep the Creator reasonably informed of its commercialization
2458 efforts; provided, however, if the Creator has an interest in an entity which desires to
2459 license or otherwise make commercial use of the Intellectual Property, the Creator shall
2460 not be privy to financial or other confidential information concerning the offers of
2461 competing parties. In this event, the supervisor of the conflicted Creator shall be
2462 informed of the commercialization efforts in lieu of the conflicted Creator.
2463

2464 7.2 Timetable 2465

2466 7.2.1 Complete Submission: Upon submission of an Intellectual Property Disclosure, the
2467 FRD shall notify the Creator within thirty (30) days if the Intellectual Property Disclosure
2468 is deemed complete. If it is not deemed complete, the Intellectual Property Disclosure
2469 shall be returned to the Creator with a request for the additional information needed.

2470
2471 7.2.2 Ownership: Within nine (9) months of a Complete Submission, the FRD shall
2472 inform the Creators if MUSC is exercising its right to claim ownership of the intellectual
2473 property.

2474
2475 7.2.3 The FRD shall be reasonably diligent in making efforts to commercialize the
2476 Intellectual Property to which it has claimed ownership.

2477
2478 7.3 Disposition of Intellectual Property

2479
2480 7.3.1 After evaluation of the Intellectual Property and review of applicable contractual
2481 commitments, the FRD may (a) commercialize the Intellectual Property through licensing
2482 or other transfer of rights, (b) release it to the sponsor of the research under which it was
2483 made (if contractually obligated to do so), (c) release it to the Creator if permitted by law,
2484 or (d) take such other actions as are determined to be in the interest of MUSC and the
2485 public. Licensing or other transfer of Intellectual Property rights to entities which the
2486 Creator has an interest in is not prohibited by any provisions of this policy.
2487 Commercialization by the FRD or its designee may or may not involve statutory
2488 protection of the intellectual property rights, such as filing for patent protection,
2489 registering a copyright or securing plant variety certification.

2490
2491 7.3.2 The FRD may create a policy, with the approval of the Vice President for
2492 Research, to allow for the rapid and streamlined disposition of certain copyrightable
2493 works under “open source”, “creative commons” or “copy left” agreements.

2494
2495 7.3.3 Should the FRD abandon commercialization of university-owned Intellectual
2496 Property, ownership may be assigned to the Creator as allowed by law subject to the
2497 rights of sponsors and to the retention of a license to practice the Intellectual Property
2498 rights for the internal purposes of MUSC, its affiliated entities, and not-for-profit research
2499 collaborators. The minimum terms of such license shall grant MUSC, its affiliated
2500 entities, and its not-for-profit research collaborators, the right to use the Intellectual
2501 Property in their internally administered programs of teaching, research, and public
2502 service on a perpetual, royalty-free, non-exclusive basis. In such event MUSC may
2503 require the repayment of its out of pocket patent prosecution and maintenance expenses
2504 from any profits made due to commercialization by the Creator. In such an event the
2505 Creator may if they desire avail themselves of Section 9.4.

2506
2507 7.4 Distribution of Net Proceeds: Net Proceeds shall be distributed quarterly unless the
2508 recovery of costs reasonably attributable to the protection and distribution of such
2509 Intellectual Property necessitates a delay of up to six (6) months in order to receive and
2510 process third party invoices for such protection (i.e. patent prosecution invoices). Net
2511 Proceeds shall be distributed pursuant to the following schedule:

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DISTRIBUTION OF NET PROCEEDS: (net proceeds excludes 15% reduction from gross proceeds; see Section 4.5)

Royalty (\$)	Inventor(s)	Department(s)	Lab(s)	Angel Fund	University	College(s)
1-\$10,000	100	0	0	0	0	0
> \$10,000	40	10	15	10	20	5

7.4.1 If Net Proceeds are attributable to more than one item of Intellectual Property (e.g. more than one patent), the Net Proceeds shall be first apportioned equally amongst each item prior to application of the distribution schedule, unless otherwise agreed to by the pertinent Creators or if no agreement, as directed by the Vice President for Research or Vice President for Research, who shall be under no obligation to attempt to discern an apportionment other than equal.

7.4.2 If Net Proceeds are attributable to more than one Creator, distribution of Net Proceeds (the apportioned share if more than one item of Intellectual Property) pursuant to the schedule shall be made using an equal distribution for each Creator absent a written agreement to the contrary signed by all the Creators.

7.4.3 Payment of the Creator's Share shall not end due to the Creator's death, disability, or termination of employment or other association with MUSC. In the event of death, payment of the Creator's share shall be made to the Creator's estate.

7.4.4 In the event that a Creator changes departments within MUSC, future distribution of the department share and funds previously earned by the former department shall remain in the originating department. If a department ceases to exist, their shares shall accrue to the University Royalty Income Account until and unless the inventor, author, or contributor joins a new University department.

7.4.5 In the event that a Creator, or in the case of a student-Creator, when their mentor, leaves the employment of MUSC or terminates research operations then 50% of any remaining balance of laboratory shares and future laboratory shares from net proceeds resulting from patents, licensing or copyrightable works shall be redistributed to the Angel Fund and the remaining 50% will be distributed proportionally among the Department, University and School/College according to the table in 7.4 with the stipulation that these funds be solely used to support further growth of intellectual property and technology transfer initiatives at MUSC.

7.4.6 Students and Visitors: For Student or Visitor Creators, the lab, department, and school /college shares shall be payable to the Laboratory, Department, and School/College of the Student's mentor or the Laboratory, Department, and School/College of the Visitor's sponsor.

7.4.7 In the event that equity is received from the commercialization of Intellectual

2556 Property, equity shall not be considered Net Proceeds until the equity can be freely
2557 tradable or liquidated. MUSC and/or FRD shall not be responsible or liable for any
2558 valuation fluctuations of equity.

2559
2560 7.4.8 Creators are responsible for any tax consequences associated with their receipt of
2561 Net Proceeds.

2562
2563 7.4.9 In the event the FRD is a third party not-for-profit entity, MUSC can cause the FRD
2564 to make payments on MUSC's behalf pursuant to the schedule.

2565
2566 7.4.10 Angel Fund: The proceeds designated for the Angel Fund shall be paid to the
2567 MUSC FRD with its own budget line and be used to further the development of emerging
2568 MUSC owned Intellectual Property as approved by the FRD Board of Directors and the
2569 Vice President for Research. The Intellectual Property Committee shall be periodically
2570 informed by the FRD regarding the use of these funds.

2571
2572 8.0 Faculty Cooperation

2573
2574 The Creator will use reasonable effort to cooperate and assist, at no expense to the
2575 Creator, in the commercialization efforts of the FRD. The Creator shall execute
2576 appropriate documentation for the protection of the Intellectual Property.

2577
2578 Potential conflicts of interest that a Creator has with respect to Intellectual Property
2579 and its disposition under this policy shall be disclosed by the Creator pursuant to appropriate
2580 MUSC policy.

2581
2582 9.0 Intellectual Property Committee

2583
2584 9.1 Membership: The Intellectual Property Committee ("IPC") shall be a standing
2585 committee and consist of seven (7) to eleven (11) members appointed by the Vice President
2586 for Research. Members shall be chosen from the various colleges and departments of MUSC
2587 which generate disclosures of Intellectual Property. One member shall be designated by the
2588 Vice President for Research or Vice President for Research as the Chair. A student shall also
2589 be appointed to the committee by the Vice President for Research.

2590
2591 9.2 Duties: The IPC shall:

2592 (a) Provide advice to the Vice President for Research and the
2593 FRD regarding implementation of this policy, and undertake a periodic review of
2594 the policy making recommendations for any revisions, if needed;

2595 (b) Encourage compliance with this policy through education of potential Creators of
2596 Intellectual Property, and through periodic meetings with those persons and entities
2597 responsible for implementation of this policy.

2598
2599 9.3 Meetings: The IPC shall meet at least quarterly and at such other times as requested by
2600 the Vice President for Research, the FRD, the Chair, or by at least 1/3 of the committee
2601 members.

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9.4 Dispute Resolution Procedures

9.4.1 A Creator or MUSC administration can request the IPC mediate a dispute arising under this policy.

9.4.2 If a mediated resolution amongst the parties is not obtained, the Committee can make a recommendation to the Vice President for Research for a resolution of the dispute.

9.4.3 Mediation of a dispute under this policy shall not be required and shall not be considered to be part of any required administrative remedies available to an employee of MUSC.

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8. CONTRACT DISPUTE RESOLUTION and FACULTY GRIEVANCE AND APPEAL

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

2618 The right to grieve and appeal by any member of the faculty is recognized by the
 2619 administration and the Board. Presentation of grievances is made through the following
 2620 procedures established by and for the faculty and approved by the administration and the
 2621 Board of Trustees.

2622 8.01 Faculty Appointment Contract Dispute Resolution

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
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2623 The Faculty Appointment Contract (FAC) clarifies an individual's activities and
 2624 responsibilities for the upcoming academic year and links the listed activities to
 2625 compensation. These contracts are offered in good faith between the faculty member and the
 2626 chair. They serve as a platform for discussing and resolving issues that could be
 2627 misinterpreted between a faculty member and the chair. To assure collegial working
 2628 relationships, the primary responsibility for resolving any dispute concerning the FAC lies
 2629 with the faculty member and the department chair / division chief. However, some issues in
 2630 a proposed FAC occasionally cannot be resolved at the department level.

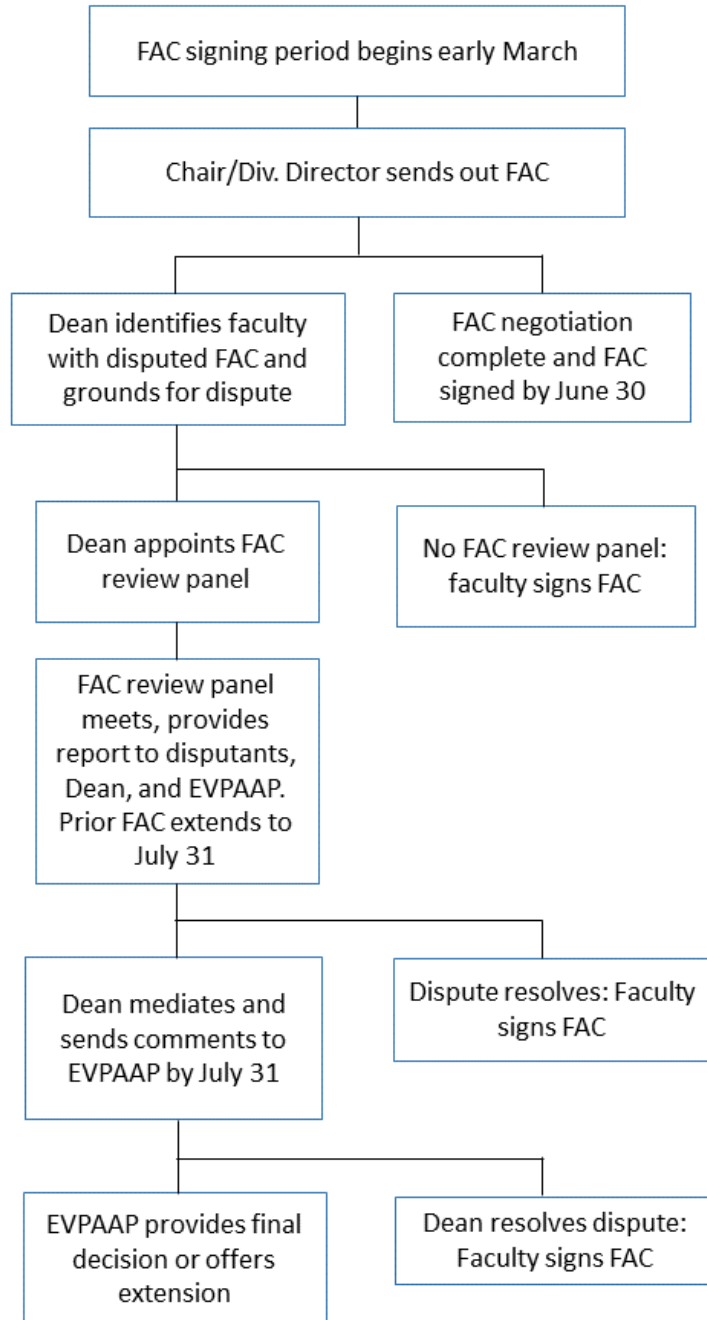
2631 The FAC signing period begins in early March and is to be completed by June 30. Any
 2632 faculty member unwilling to sign his/her draft FAC may request a formal review and
 2633 adjudication of the draft contract through their dean, who will make a formal request to the
 2634 Office of the Executive Vice President for Academic Affairs and Provost. If the faculty
 2635 member requests a review, the current FAC will be extended with appointment rights
 2636 continued until July 31, by the Executive Vice President for Academic Affairs and Provost,
 2637 or his/her designee. This should provide sufficient time for a review panel to gather facts
 2638 and hear from those involved as needed to clarify issues in dispute. The review panel will be
 2639 established by the Dean and be composed of faculty peers. The panel will have at least three
 2640 senior faculty members, excluding department chairs or division directors, and may include
 2641 faculty member(s) from another college. Panels are convened to review the issues and to
 2642 render an opinion to the disputants, the Dean, and to the Executive Vice President for

2643 Academic Affairs and Provost. Each review panel member will sign a confidentiality
2644 agreement in order to encourage the free sharing of opinions and facts. Panel members may
2645 recuse themselves for perceived conflict of interest. The Executive Vice President for
2646 Academic Affairs and Provost makes the final MUSC decision regarding the FAC being
2647 offered.

2648 Both the faculty member and the chair or division directors shall have the opportunity to
2649 meet with the panel. The panel determines when to close fact-finding and hearing phases of
2650 the review and to begin deliberation. Following adequate deliberation on the issues, the
2651 panel shall submit a written recommendation to the disputants, the Dean, and the Executive
2652 Vice President for Academic Affairs and Provost. The Dean may mediate and resolve the
2653 dispute; however, if necessary, upon receipt of the Dean's comments on the Panel Report
2654 prior to July 31st, the Executive Vice President for Academic Affairs and Provost will
2655 provide the final written decision on the contested issue to all parties. If a resolution has not
2656 been achieved by July 31st, the Executive Vice President for Academic Affairs and Provost,
2657 or designee, can grant an additional extension to facilitate the resolution.

2658 For FAC disputes, this policy recognizes: 1) the importance of timely resolution, and 2)
2659 faculty desire for peer review at the college level. The flow chart below outlines this policy.
2660 The general grievance policy in Section 8.02 covers FAC disputes and complaints that
2661 cannot be resolved as described above in 8.01.

Faculty Appointment Contract (FAC) Flow Chart



2663 **8.02 Faculty Grievance and Appeal Procedure**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
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2664 The general grievance policy in this section covers complaints that cannot be resolved in an
 2665 informal way at the department or college level and which are not covered by other
 2666 procedures.

2667 In any community of free people, even under the best of circumstances, complaints will be
 2668 generated from time to time by individuals or groups who feel that a condition exists that is
 2669 detrimental to their professional careers or personal well-being.

2670 A community of academicians operates on the premise that a complaint brought by one or
 2671 more of its members against another or against the institution itself is best resolved when the
 2672 parties involved are encouraged to seek a just and equitable solution.

2673 When individual efforts fail to produce a satisfactory resolution of a complaint, it behooves
 2674 the greater academic community to intercede so that an equitable solution is obtained with
 2675 dispatch.

2676 Therefore, a grievance and appeal procedure is established to handle complaints that cannot
 2677 be resolved in an informal way at the department or college level and which are not covered
 2678 by other procedures.

2679 Participation in a grievance procedure in any capacity, including as a grievor, within the
 2680 scope of such grievance proceeding is considered by the University to be within the scope of
 2681 duties of a faculty member. The faculty member shall be afforded the same protection for
 2682 such participation as for any other faculty duties subject to the provisions of the liability
 2683 insurance policies purchased to cover liability of faculty members.

2684 The granting or the failure to grant tenured status to teaching and research faculty,
 2685 professional librarians, academic administrators and all other persons holding faculty
 2686 appointments or nonrenewal of employment contracts at the end of the contract term shall
 2687 not be subject for consideration by this grievance procedure (Section 8-17-380, S.C. Code of
 2688 Laws 1976). Section 8.01 governs resolution of faculty contract and post-tenure review
 2689 disputes.

2690 **8.02.01 Initial Stage and Grievance Procedure**

2691 A complaint concerning any condition that is felt to be detrimental to the complainant's
 2692 professional development or personal well being shall first be directed as described below:

- 2693 1) Complaints against a member of the complainant's department shall be explained to the
2694 departmental chair. When the complaint is against the chair, it is lodged with the dean of
2695 the college.
2696 2) Complaints against a member or chairman in the complainant's college, but not a member
2697 of the complainant's department, shall be lodged with the dean of the college.
2698 3) Complaints against a member of another college shall be lodged with the dean(s) of the
2699 college(s) involved.
2700 4) Complaints against any administrator shall be lodged with the next higher level of
2701 administration.

2702 The person with whom the complaint is lodged shall attempt to mediate an amicable
2703 solution, or to suggest another person who might more effectively mediate an amicable
2704 solution.

2705 **8.02.02 Grievance Procedure**

- 2706 1) In the event that the complaint is not resolved within a reasonable period of time, the
2707 complainant may submit a written request for a hearing. The proper avenue for such a
2708 request is through established channels of authority to the Executive Vice President for
2709 Academic Affairs and Provost. Once initiated, a grievance or appeal must be afforded full
2710 due process regardless of changes in employment status.
2711 2) The grievance or appeal shall be referred by the Executive Vice President for Academic
2712 Affairs and Provost to a Standing University Faculty Hearing Committee consisting of
2713 three (3) faculty members recommended by the Faculty Senate, three (3) faculty
2714 members recommended by the Provost's Council, and one (1) faculty member selected
2715 by the Executive Vice President for Academic Affairs and Provost. The Committee may
2716 elect a chair, or may request that the Executive Vice President for Academic Affairs and
2717 Provost designate one of the seven individuals to be chair. Additional individuals who
2718 may be needed in case of a conflict of interest with a standing committee member will be
2719 selected from individuals representing each college and the Academic Affairs Faculty ,
2720 who have received training in mediation. Faculty Senate and Provost's Council may
2721 nominate individuals to receive mediation training and to serve in the Pool of potential
2722 Hearing Committee Members. This Pool (referred to as the Standing University Faculty
2723 Hearing Committee Pool) will be composed of one member from each college and the
2724 Academic Affairs Faculty nominated by the Faculty Senate, and one member from each
2725 college and the Academic Affairs Faculty nominated by the Provost's Council. Standing
2726 University Faculty Hearing Committee Pool members shall serve terms of up to three
2727 years, staggered such that there will be some continuity of membership from year to year.
2728 3) The grievance or appeal shall be in writing and shall specify the condition(s) felt to be
2729 detrimental to the individual's professional development or personal well-being and the
2730 manner in which it/they may affect the complainant adversely. The statement shall
2731 specify the reason(s) why such a condition is/are felt to be the responsibility of a person
2732 or persons named in the grievance or appeal, and it shall suggest the changes in
2733 conditions that would satisfy the complainant.
2734 4) Upon receipt of a grievance or appeal, and in no case longer than thirty (30) days after the
2735 receipt thereof, the Executive Vice President for Academic Affairs and Provost will

2736 convene a seven member Hearing Committee at full strength from individuals selected
2737 from the Standing University Faculty Hearing Committee pool.

2738 **8.02.03 Action by the Hearing Committee**

2739 1) When a grievance or appeal is referred to the Faculty Hearing Committee, the chair of the
2740 Committee shall distribute copies of all pertinent materials to the parties involved who
2741 have not already received them and to the members of the Committee within one week of
2742 the referral.

2743 The Committee shall refuse to hear a grievance or appeal if it determines that:

- 2744 a) The parties have made inadequate effort to resolve the dispute by discussion and
2745 agreement or have not utilized other reasonably available avenues for relief within the
2746 division, department, college(s);
- 2747 b) The dispute is patently frivolous or plainly without merit;
- 2748 c) The relief sought is beyond the power of the university to grant;
- 2749 d) The grievance is insufficiently related to the concerns of the academic community;
- 2750 e) The dispute is within the jurisdiction of another committee or unit of the university.
- 2751 2) Within twenty-one (21) days of the distribution of the materials pertinent to the grievance
2752 or appeal, the Committee shall meet and decide whether to hear the case. If the
2753 Committee decides to hear the case, it shall immediately notify the principals and shall
2754 commence hearings within another seven (7) days. As it deems appropriate, the
2755 Committee may call any witnesses and examine any documents in addition to those
2756 presented by the parties to the grievance or appeal. The Committee shall prepare and
2757 keep a transcript of its proceedings.
- 2758 3) After hearing the parties to the grievance or appeal and the witnesses, the Committee
2759 shall deliberate in executive session. It shall then determine to: (a) recommend an
2760 appropriate action or (b) dismiss the grievance. The chair shall send, in writing, the
2761 Committee's recommendation(s) to the parties. It shall then declare the hearing
2762 concluded.
- 2763 4) The chair also shall send the Committee's recommendation(s) and rationale for it/them to
2764 the Executive Vice President for Academic Affairs and Provost of the university for
2765 consideration and recommendation by that officer. This report shall be submitted within
2766 ten (10) days after the conclusion of the hearing.
- 2767 5) In preparing the written recommendations to the Executive Vice President for Academic
2768 Affairs and Provost, the Committee shall consider only the evidence presented at the
2769 hearing and such written and oral arguments as the Committee, in its discretion, may
2770 allow.
- 2771 6) Under unusual and compelling circumstances, the Committee, with the concurrence of
2772 the Executive Vice President for Academic Affairs and Provost, may extend any
2773 deadlines upon written notification to the parties to the grievance or appeal.

2774 **8.02.04 Action by the Administration of the University**

2775 Within thirty (30) days of the receipt of the Faculty Hearing Committee recommendations
2776 and rationale, the Executive Vice President for Academic Affairs and Provost of the
2777 university, who is ordinarily appointed by the President to act on her/his behalf, shall review
2778 the record and notify the parties to the grievance or appeal and the chair of the Faculty
2779 Hearing Committee of his/her recommendation in the case. In the event that the Executive
2780 Vice President for Academic Affairs and Provost has been a participant in the hearing of the
2781 aggrieved faculty member or for other valid reasons, the Executive Vice President for
2782 Academic Affairs and Provost may disqualify herself/himself and request the President to
2783 appoint another designee for said review.

2784 If the Executive Vice President for Academic Affairs and Provost concurs in the
2785 recommendation of the Committee that is favorable to the faculty member, no further action
2786 in the matter may be taken. If the Executive Vice President for Academic Affairs and
2787 Provost either declines to accept a Committee recommendation that is favorable to the
2788 faculty member, or concurs in a Committee recommendation that is unfavorable to the
2789 faculty member, the faculty member may appeal to the Board for review. The appeal shall
2790 be submitted in writing to the Secretary of the Board within ten (10) days following the
2791 decision of the Executive Vice President for Academic Affairs and Provost who ordinarily
2792 acts as the designee of the President. It shall state the decision complained of and the redress
2793 desired.

2794 **8.02.05 Action by the Board**

2795 The appeal shall be placed on the next regular Agenda of the Board for the consideration of
2796 the Board.

2797 The Board in its sole discretion may grant a review, but if granted the Board shall not be
2798 required to conduct an additional hearing or hear arguments of the faculty member or
2799 counsel but may review the record of the proceedings. The Board, at its discretion, may elect
2800 to hear arguments, oral or written, by both of the principals or their representatives and may
2801 consult with the hearing Committee.

2802 Any action taken by the Board shall be final.

2803 **8.02.06 Definition of Rights and Challenges in a Grievance Procedure**

2804 1) Challenge of Committee Members:

2805 a) Upon the request of a party to a grievance, a member of the Committee may be
2806 removed from considering a case if deemed biased or in conflict of interest. If a
2807 member of the Committee refuses to remove herself/himself when challenged for
2808 such cause, the challenging party may appeal to the entire Committee who shall make
2809 a final determination of the challenge. A Committee member may disqualify
2810 herself/himself.

2811 b) If s/he so desires, each party shall have, in addition, a challenge without stated cause.
2812 A member so challenged shall not consider the case.

2813 2) To Present Witnesses and Supporting Materials:

2814 Each party involved in a grievance or appeal may:

- 2815 a) submit any written materials in support of his/her position;
- 2816 b) present witnesses at hearings.

2817 3) To Have an Advisor During the Hearing:

- 2818 a) Each party to a grievance or appeal may be accompanied in the hearing by a non-
- 2819 participating advisor of his/her choice and may consult with the advisor throughout
- 2820 the hearing.
- 2821 b) If any party chooses to have participating legal counsel present, written notification
- 2822 must be presented to the chair of the Committee at least five (5) days before the
- 2823 hearing. The chair shall then promptly notify the other parties. The Hearing
- 2824 Committee conducts an internal administrative review, rather than a legal proceeding.
- 2825 Legal counsel may advise, but may not participate in the hearing. The Committee
- 2826 chair, in consultation with University General Counsel, may remove any advisor from
- 2827 the hearing should said advisor persist in attempts to participate in the hearing [rather
- 2828 than to render advice to any participant(s)].

2829 4) To Have an Observer Attend Hearings:

2830 At the request of any party to a grievance or appeal, or at the request of the Committee
2831 hearing the case, a representative of a responsible professional or educational association
2832 shall be permitted to attend hearings as an observer. The chair will determine the
2833 qualifications and responsibility of the association.

2834 **8.02.07 Access to Records of Hearings**

- 2835 1) A written record shall be made of the proceedings during hearings.
- 2836 2) Each party to a grievance or appeal shall have access to all records of the hearing and,
- 2837 should s/he request it, shall be furnished, upon payment of reasonable charges for
- 2838 transcription or reproduction, a record of the proceedings. (A copy of the official record
- 2839 of the proceedings, in whatever form it is made, shall satisfy this requirement.)

2840 **8.02.08 To Receive Expeditious Consideration**

- 2841 1) The parties to any grievance or appeal have the right to expeditious consideration at all
- 2842 stages of these procedures.
- 2843 2) The Hearing Committee is expected to formulate its written recommendation(s) and to
- 2844 communicate it/them to the parties to the grievance or appeal within ten (10) days of the
- 2845 conclusion of the hearing.

2846 **8.02.09 Annual Report of the Chair of the Hearing Committee**

2847 Each July the chair of the Hearing Committee shall make a summary of formal grievance
2848 and appeal activities and statistics on cases in progress and those settled during the
2849 preceding year. S/he shall send this report to the President of the Faculty Senate, the
2850 Executive Vice President for Academic Affairs and Provost, and to the President of MUSC.

2851 **9. FACULTY SEPARATION**

2852 **9.01 Criteria for Termination of Tenured Faculty**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
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2853 Tenure terminates when a faculty member resigns or retires. Tenure may also be terminated
2854 for cause. Cause includes one or more of the following:

- 2855 a) Neglect or refusal to perform the duties and responsibilities of the academic rank to
2856 which the faculty member is appointed, or performance below the standards generally
2857 accepted for the rank.
- 2858 b) Conduct seriously prejudicial to the Medical University of South Carolina through
2859 infraction of the law, moral turpitude, or infraction of commonly accepted standards of
2860 behavior in academic and professional communities.
- 2861 c) Inability to perform the usual duties because of physical or mental incapacities.
2862 Terminations for medical reasons must be based upon clear and convincing medical
2863 evidence.
- 2864 d) Documented evidence of financial exigencies or need for curtailment or discontinuance
2865 of programs, departments, colleges or positions. The administration shall seek
2866 appropriate faculty input in arriving at such decisions and shall observe every effort to
2867 make suitable reassignments of displaced personnel. In such decisions, appropriate
2868 weight will be given to seniority of service. The place of any faculty member so released
2869 shall not be filled within a period of two years, unless the released faculty member has
2870 been offered reappointment and has declined or failed to respond within a specific and
2871 reasonable period of time.

2872 In instances involving termination for cause, the faculty member has the right to appeal through
2873 the Faculty Grievance and Appeal Procedure (Section 8.02).

2874 **9.02 Procedures for Termination of Tenured Faculty**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
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2875 The President may remove a faculty member for cause at any time, including termination or
2876 removal prior to hearing. Should such action be taken, the President shall implement a full

2877 hearing pursuant to the grievance procedure within sixty (60) days of said removal. Prior to
2878 the presentation of notice of dismissal, discussions concerning mutually agreeable settlement
2879 may be held through the organized administrative structure between the faculty member and
2880 the administrative officer(s) as designated by the President. Except for summary termination
2881 or removal by the President, termination of tenure for cause, unless waived by the faculty
2882 member involved, will be preceded by the following:

2883 1) For termination pertaining to:

2884
2885

a. Quality of work - please refer to Section 5.05 Post Tenure Review.

2886 This procedure serves as the initial stage of the Faculty Grievance and Appeal Procedure.
2887 Referral to the Executive Vice President for Academic Affairs and Provost will actuate the
2888 Grievance Procedure.

2889

2890 b. Prejudicial conduct and for precedence for rectifying the situation - the appropriate
2891 dean shall meet with the faculty member to discuss the nature of the conduct. The
2892 President may suspend the faculty member until the consequences of due process have
2893 been accomplished. A written summary of the meeting shall be provided to the faculty
2894 member who must abide by its terms. Failure of the dean to reach accord with the faculty
2895 member, or failure of the faculty member to meet the terms of the summary, shall result
2896 in the matter being referred to the Executive Vice President for Academic Affairs and
2897 Provost.

2898

2899 c. Incapacity - the department chair shall meet with the faculty member to document the
2900 nature and extent of the incapacity and forward a copy of the documentation to the dean,
2901 who shall refer the matter through appropriate channels to the Executive Vice President
2902 for Academic Affairs and Provost.

2903

2904 d. Abolition or discontinuance of positions or programs - the President of the University
2905 through Executive Vice President for Academic Affairs and Provost notifies the dean of
2906 the college concerned of such exigencies. Written notice of termination, through
2907 appropriate channels, is given to the faculty member(s) involved by the respective dean.
2908 Such notice is given at least twelve months in advance of the termination, to the extent
2909 that appropriated funds are available and legislation permits. Prior to the written
2910 termination notice, the dean and the Executive Vice President for Academic Affairs and
2911 Provost will have made reasonable efforts to place the faculty member(s) in any existing
2912 faculty vacancies within the university, consistent with the faculty member's
2913 qualifications and area of expertise. The faculty member(s) shall have a right to a
2914 hearing under the Faculty Grievance and Appeal Procedure.

2915

2916 *Procedures a) through c) serve as the initial stages of the Faculty Grievance and Appeal*
2917 *Procedure. Referral to the Executive Vice President for Academic Affairs and Provost*
2918 *will actuate the Grievance Procedure*

2919 2) Until a final decision concerning termination of tenure has been reached, the appropriate
 2920 dean and the Executive Vice President for Academic Affairs and Provost, upon approval
 2921 by the President, may suspend or assign the faculty member to other duties. Before
 2922 suspending a faculty member, the dean shall consult with the Appointment, Promotion
 2923 and Tenure Committee of his/her college. A faculty member who has been suspended
 2924 will suffer no loss of salary unless his/her appointment is duly terminated, in which
 2925 event the, subject to the approval of the President and the Board, will determine the date
 2926 of termination. In determining the date, the Executive Vice President for Academic
 2927 Affairs and Provost may take into account the length and quality of service of the faculty
 2928 member.

2929 **9.03 Non-reappointment and Termination of Non-Tenured Faculty**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
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2930 Unless otherwise stated by a written contract of appointment, all non-tenured faculty
 2931 members are under contract for one (1) year from the date of their employment with the
 2932 department. For appointments other than 12-months, the contract period shall be stated in
 2933 writing at the time of appointment or employment.

2934 State legislation (S.C. Code of Laws, as amended, Section 8-17-380)
 2935 (<http://www.scstatehouse.gov/code/t08c017.php>) provides that non-renewal of employment
 2936 contracts at the end of the contract term is not grievable by the mechanism outlined in the
 2937 Code. When a decision of non-renewal of contract is reached, no reason for non-renewal
 2938 need be given, but it is usually more professional and humane for the chair to discuss the
 2939 reasons leading to the decision with the faculty member affected.

2940 When a decision not to renew an appointment has first been reached, the faculty member
 2941 involved will be informed of that decision by the department chair making the decision; the
 2942 faculty member may be advised upon request of the reasons which contributed to that
 2943 decision. The faculty member may request reconsideration by the deciding individual. If the
 2944 faculty member so requests, the reasons given in explanation of the non-renewal will be
 2945 confirmed in writing.

2946 Written notice of the intention not to renew the appointment of a non-tenured faculty
 2947 member shall be given, to the extent that appropriated funds are available and legislation
 2948 permits, as follows:

2949 1) At least three (3) months prior to the expiration of the most recent contract for faculty
 2950 with the Medical University if the initial contract was for a one (1) year term.

- 2951 2) At least six (6) months prior to the expiration of the most recent contract for faculty
 2952 appointed under a second-year contract with the department. Previous service to the
 2953 university to other departments or capacities is calculated for notice purposes).
 2954 3) At least one (1) year prior to the expiration of the most recent contract for faculty under a
 2955 third (3rd) year or subsequent-year contract with the department.

2956 **9.04 Dismissal For Cause Before the End of a Specific Contract Period for Non-Tenured**
 2957 **Faculty**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
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2958 Cause or grounds for dismissal of a non-tenured faculty member before the end of a specific
 2959 contract period are the same as those set forth for revocation of tenure (see Section 9.01.01,
 2960 Criteria for Termination of Tenured Faculty).

2961 **9.05 Resignation**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

2962 Under ordinary circumstances, a faculty member is expected to fulfill his or her contractual
 2963 obligations to the university. Letters of resignation requesting release from those contractual
 2964 obligations prior to the end of a contract period may be accepted by the appropriate
 2965 department chair or administrator if such actions are mutually acceptable. In the event the
 2966 resignation is not accepted by the university, the faculty member shall complete his or her
 2967 contractual service for the year in question. Faculty members who plan to leave university
 2968 employment at the end of a contract period shall give sufficient notice and clear all financial
 2969 and other obligations.

2970 **9.06 Retirement**

Senate Approval Date	Provost's Council Approval Date	Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
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2971 Information regarding eligibility and procedures for retirement are contained in
2972 <http://academicdepartments.musc.edu/hr/university/benefits/all%20retire%20plans.htm>

2973

2974 **10. UNIVERSITY PERSONNEL POLICIES**

2975 **10.01 Faculty Leave and Authorized Absences**

Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
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2976 **10.01.01 Leave with Pay**

2977 **Annual Leave**

2978 Full-time faculty on a twelve-month contract are entitled to one calendar month (22 working
2979 days) of annual leave each fiscal year (July 1 - June 30). Leave time shall accrue from the
2980 date of employment at the rate of 22 days per fiscal year; however, the maximum amount of
2981 unused leave that may be carried over into a new fiscal year is 45 days.

2982 Part-time faculty with a twelve-month contract will accrue proportionate annual leave
2983 benefits based on the percentage of time worked. As with full-time faculty, the maximum
2984 amount of unused leave that part-time faculty may carry over into a new fiscal year is 45
2985 days.

2986 Faculty with nine-month contracts are entitled to accrue and use annual leave during the
2987 period of their contract. The amount of accrual will be 75% (16.5 days) of the amount
2988 accrued by full-time twelve-month faculty. As with other faculty, 45 days is the maximum
2989 amount of unused leave that faculty with nine-month contracts may carry over into a new
2990 fiscal year.

2991 As far as possible, leave shall be scheduled in accordance with the preference of the faculty
2992 member. However, leave shall be approved by the appropriate supervisor/administrator to
2993 assure efficient operation. Recognizing the nature of academic responsibility and the high
2994 priority of class scheduling, faculty may be granted leave before it is earned.

2995 Twelve-month faculty (full & part-time) who leave the employment of MUSC who have
2996 unused annual leave are entitled to a lump-sum payment for such leave not to exceed 45
2997 days, to be calculated as follows:

2998 Hourly rate multiplied by number of hours of leave due*.

2999 *NOTE: Substitute number of working days per month for part-time faculty, as fraction of
3000 22 working days.

- 3001 **Official Holidays**
- 3002 Listed below are the holidays observed by the State of South Carolina.
- 3003 [http://www.admin.sc.gov/humanresources/employee-information/benefits-and-](http://www.admin.sc.gov/humanresources/employee-information/benefits-and-leave/holiday-leave)
- 3004 [leave/holiday-leave](http://www.admin.sc.gov/humanresources/employee-information/benefits-and-leave/holiday-leave)
- 3005 If conditions preclude taking the holiday at the prescribed time, compensatory time must be
- 3006 taken within one year; there is no provision for payment for earned but unused holidays.
- 3007 **Sick Leave**
- 3008 Sick leave is authorized by State law and is applicable to all full- and part-time faculty who
- 3009 work at least 50% of the time (including nine-month faculty). The law defines faculty
- 3010 members on twelve-month appointments as permanent full-time employees and those on
- 3011 nine-month appointments as permanent part-time employees. The overall benefits are the
- 3012 same for both groups of faculty except that twelve-month faculty may accumulate 1 1/4 days
- 3013 of sick leave per month for a total of 15 days per year, whereas nine-month faculty may
- 3014 accumulate 1 1/4 days of sick leave per month for a total of 11 1/4 days per academic year.
- 3015 Further, twelve-month faculty may accumulate sick leave credit to a maximum of 195 days;
- 3016 nine-month faculty may accumulate sick leave credit to a maximum of 146 1/4 days.
- 3017 **For Additional information, see the following links:**
- 3018 University HR
- 3019 <http://horseshoe.musc.edu/~media/files/hr-files/univ-files/policies/policy18.pdf?la=en>
- 3020 Hospital HR
- 3021 <http://www.musc.edu/hr/documents/POLICY18-PTO.pdf>
- 3022 **Leave Donation**
- 3023 Excess leave may be donated to the MUSC Leave Transfer Pool in accordance with the
- 3024 MUSC Leave Transfer Program. See
- 3025 <http://academicdepartments.musc.edu/hr/university/policies/policy48.pdf>
- 3026 for current policy including the most recent approved Leave Donation form. See
- 3027 <http://horseshoe.musc.edu/~media/files/hr-files/univ-files/policies/policy19.pdf?la=enfor>
- 3028 the most current MUSC sick leave policy.
- 3029 **10.01.02 Extended Leave without Pay**

3030 Extended leaves of absence without pay may be granted by the President, through regular
3031 administrative channels, under circumstances wherein the best interests of MUSC would be
3032 served through granting such leave. Authorization may be considered in such cases as:

- 3033 (1) Absence for advanced academic training, research, or other experience which
3034 leads to increased competence and promotes the interests of the Medical
3035 University as well as those of the faculty member, and
3036 (2) Absences due to prolonged illness or for personal reasons when such absences
3037 extend beyond available annual leave or sick leave. Normally, the total period of
3038 absence will not exceed six months. However, under exceptional circumstances,
3039 the President may extend this period to one year.

3040 The granting of leave-without-pay is a matter of administrative discretion. The
3041 administrative channels for request for leave-without-pay shall be the same as for other
3042 faculty actions.

3043 Although sick leave or annual leave does not accrue during periods of leave-without-pay,
3044 the accumulated total is not forfeited.

3045 A member of the faculty who has acquired tenure shall retain tenure during any period of
3046 leave; however, time served on leave-without-pay may not be counted toward acquiring a
3047 sabbatical leave.

3048 A member of the faculty at MUSC Medical University has an obligation to give a written
3049 notice at least six months before the stated expiration date of the leave.

3050 **10.01.03 Family and Medical Leave Act**

3051 A faculty member who has worked for the state for 12 months or more and has worked at
3052 least 1250 hours during the preceding 12 months, may be eligible for Family and Medical
3053 Leave.

3054 See FMLA Policy

3055 <http://horseshoe.musc.edu/~media/files/hr-files/univ-files/policies/policy30.pdf?la=en>

3056 **10.01.04 Authorized Absences**

3057 **Sabbatical Leave**

3058 See Section 6.01 Sabbatical Leave

3059 **Attendance in Court**

3060 When a faculty member is a voluntary witness in litigation as an individual, and not in an
3061 official capacity, the time taken from work shall be charged as annual leave or leave-
3062 without-pay, as appropriate.

3063 When, in obedience to a subpoena or other legal direction by proper authority a faculty
3064 member appears to testify, serve as a witness, or serve on a jury for the Federal
3065 Government, the State of South Carolina or one of its political subdivisions, the faculty
3066 member shall be granted leave-with-pay for the necessary period of time which shall be
3067 recorded as Administrative Leave.

3068 **Death in Family**

3069 Administrative leave (with pay) may be authorized by the department for a death in the
3070 family. This leave, which shall not exceed three consecutive working days, may be
3071 granted in the case of death of the following relatives of the faculty member or spouse:

3072 Husband or wife

3073 Child

3074 Grandchild

3075 Great Grandchild

3076 Sister or Brother

3077 Mother or Father

3078 Grandmother or Grandfather

3079 Great Grandmother or Great Grandfather

3080 **Voting**

3081 Each faculty member who is eligible to vote in a South Carolina primary or general
3082 election will be authorized up to two hours leave for voting. If possible, voting should be
3083 done before or after work.

3084 **Family and Medical Leave**

3085 See FMLA Policy Section 10.01.03

3086 **Military Leave**

3087 In accordance with State Law, a faculty member is entitled to a maximum of 15 work
3088 days of paid leave in any one calendar or fiscal year for active duty training with the
3089 South Carolina National Guard or one of the Reserve units of the Armed Forces of the
3090 United States. These 15 days need not be consecutive and may be used intermittently
3091 throughout the year. Insofar as possible, such training should be arranged to be of least
3092 interference with regular academic, research or clinical commitments.

3093 In the event a faculty member is called upon to serve during an emergency ordered by the
3094 Governor or the Armed Forces concerned, s/he shall be entitled to an additional leave of
3095 absence with pay not to exceed 30 working days.

3096 A faculty member is normally entitled to leave-without-pay during an extended period for
3097 up to five years for active military duty. After such leave, the faculty member may return
3098 to active employment with MUSC in a comparable position to the one held at the time
3099 such leave was granted, provided:

- 3100 (1) Separation from the military service was under honorable conditions.
- 3101 (2) Physical and mental capacities remain adequate for the position.
- 3102 (3) Such application for re-employment is made within 90 days after release from the
3103 military service.

3104 **Assault by Patient**

3105 Covered employees who are temporarily disabled as a result of an assault by a patient or
3106 client are entitled to the use of administrative leave with pay during the period of
3107 disability.

3108 **Donating Blood**

3109 Administrative leave for blood donation is limited to four (4) hours. A department head
3110 may require documentation of the donation.

3111 **10.01.05 Academic Time**

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3112 Time related to professional development, conferences, off-site work activities are not
3113 charged as leave; however, it is required to be documented for insurance and liability
3114 purposes.

3115 **10.02 Faculty Benefits**

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3116 Faculty members who resign, retire, or for other reasons terminate their employment with
3117 MUSC must contact the Department of Human Resources Management Service Center
3118 concerning the action they need to take with regard to the following: a) Retirement, b) State
3119 Health and Dental Insurance, c) State Optional Life Insurance, d) Tax Sheltered Annuities,
3120 and e) Deferred Compensation Plans.

3121 Faculty employed by MUSC-affiliated institutions or organizations, such as VA Medical
3122 Center or University Medical Associates, should refer to their human resources management
3123 policies for eligible benefits.

3124 **10.02.01 General Employment Benefits**

3125 For information related to benefits, contact MUSC Human Resources Management Service
3126 Center

3127 <http://academicdepartments.musc.edu/vpfa/hrm/index.htm>

3128 To find a list of benefits go to: Employee Benefits

3129 <http://academicdepartments.musc.edu/vpfa/hrm/benefits/>

3130 For an overview of Benefits:

3131 <http://academicdepartments.musc.edu/vpfa/hrm/benefits/index.htm>

3132 For Insurance Guidelines:

3133 <http://academicdepartments.musc.edu/vpfa/hrm/benefits/guidelines.htm>

3134 Additional Descriptions:

3135 <http://academicdepartments.musc.edu/vpfa/hrm/benefits/otherbenefit.htm>

3136 The comparison between UMA and MUSC Benefits is location at the following link:

3137 <http://academicdepartments.musc.edu/vpfa/hrm/benefits/faculty%20benefits>

3138 **10.02.02 Liability Insurance**

3139 Pursuant to State law, faculty members and other employees are insured for all activities
3140 within the scope of their duties for MUSC. This State mandated insurance coverage is
3141 provided through the South Carolina Insurance Reserve Fund. Specific information
3142 regarding coverage may be obtained for the Office of University Risk Management.

3143 If an event occurs which may expose a health provider or the institution to a claim or legal
3144 action, notify the [University Risk Management](#) office immediately. They will, in turn notify
3145 appropriate persons in the affected areas and hospitals.

3146

3147 **11. GENERAL HUMAN RESOURCE POLICIES**

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3148 **11.01 Affirmative Action**

3149 <http://academicdepartments.musc.edu/eo/policies/policies.htm>

3150 **11.02 Nepotism**

3151 University HR
3152 [http://horseshoe.musc.edu/~media/files/hr-files/univ-](http://horseshoe.musc.edu/~media/files/hr-files/univ-files/policies/policy07.pdf?la=en)
3153 [files/policies/policy07.pdf?la=en](http://horseshoe.musc.edu/~media/files/hr-files/univ-files/policies/policy07.pdf?la=en)

3154 **11.03 Employee Health Screening Policy**

3155 <http://www.musc.edu/hrm2/policies/policy01.html>

3156 <http://mcintranet.musc.edu/hr/documents/POLICY1-EMPLOYEEHEALTH.pdf>

3157 **11.04 MUSC Employee Health Services Screening Criteria**

3158 [y http://horseshoe.musc.edu/~media/files/hr-files/univ-](http://horseshoe.musc.edu/~media/files/hr-files/univ-files/policies/policy01.pdf?la=en)
3159 [files/policies/policy01.pdf?la=en](http://horseshoe.musc.edu/~media/files/hr-files/univ-files/policies/policy01.pdf?la=en)

3160 **11.05 Criminal Record Searches**

3161 <http://horseshoe.musc.edu/~media/files/hr-files/univ-files/policies/policy26.pdf?la=en>

3162 **11.06 Drug Free Workplace**

3163 [http://horseshoe.musc.edu/~media/files/hr-files/univ-](http://horseshoe.musc.edu/~media/files/hr-files/univ-files/policies/policy47.pdf?la=en)
3164 [files/policies/policy47.pdf?la=en](http://horseshoe.musc.edu/~media/files/hr-files/univ-files/policies/policy47.pdf?la=en)

3165 **11.07 Infectious Diseases**

3166 Bloodborne Pathogen Protocols

3167 <http://academicdepartments.musc.edu/vpfa/operations/Risk%20Management/occpsafety/bbp>
3168 [.htm](http://academicdepartments.musc.edu/vpfa/operations/Risk%20Management/occpsafety/bbp)

3169

- 3170 Infectious Disease Exposure Questionnaire
- 3171 <http://horseshoe.musc.edu/~media/files/services-all-files/health-wellness-files/employee-health-files/infectious-disease-exposure-form-all-diseases.pdf?la=en>
- 3172
- 3173
- 3174 Personal Protective Equipment Policy
- 3175 <http://academicdepartments.musc.edu/vpfa/operations/Risk%20Management/occpsafety/ppe/ppe.htm>
- 3176
- 3177
- 3178 **11.08 Sexual Harassment Policies**
- 3179 <http://academicdepartments.musc.edu/genderequity/policies.htm>
- 3180 **11.09 Use of the University Name, Seal, or Logos**
- 3181 <https://academicdepartments.musc.edu/brand-center/index.html>
- 3182 **11.10 Computer Use Policy**
- 3183 <http://academicdepartments.musc.edu/ocio/policies/cup.pdf>
- 3184 **11.11 Sequestration of Documents/Records for Audits/Investigations Carried Out by**
- 3185 **MUSC**
- 3186 **11.12 Emergency / Disaster Preparedness**
- 3187 <http://academicdepartments.musc.edu/vpfa/operations/Risk%20Management/emergency/>
- 3188
- 3189 Disaster Preparedness – Research Continuity
- 3190 <http://academicdepartments.musc.edu/research/resources/dprc.html>