

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:

<https://web.musc.edu/about/leadership>

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<https://education.musc.edu/leadership/provost>

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.

30 **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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32 The MUSC *Faculty Handbook* contains university policies that are of major concern to the
33 faculty, other information considered to be of special interest to the faculty, and a collection
34 of university governing documents. The current Board-approved Handbook is accessible on
35 the MUSC Faculty Senate Website (<https://education.musc.edu/faculty/faculty-senate>).

36 **2.01 Revision Process**

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

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

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

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

53 **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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70 **3. FACULTY ORGANIZATION AND GOVERNANCE**

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

78 **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	

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

84 **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

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

89 **Article I**

90 **Name**

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

93 **Article II**

94 **Purpose**

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

102 **Article III**

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

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

110 **A. Electoral Units**

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

115 **B. Representation**

116 **Senators**

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

122 Alternate Senators

123 Each Electoral Unit shall have two Alternates. Electoral Units with more than 100 qualified
124 faculty members shall choose one additional Alternate for each 66 faculty members over
125 100.

126 **C. Nominations**

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

130 **D. Eligibility to Vote**

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

134 **E. Elections**

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

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

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

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

153 **F. Terms of Office**

154 **1. Senators**

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

160 **2. Alternate Senators**

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

169 **Article IV**

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

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

177 **A. Election of Officers**

178 Election of Officers for the upcoming year (October – September) will be held at the July
179 meeting. In May the Governance Committee shall call for nomination of Officers from the
180 members of the Faculty Senate (Senators and Alternate Senators) after the election results
181 become available. Any member of the Faculty Senate may nominate either another member
182 of the Faculty Senate or himself or herself. All Senators are eligible to be slated regardless
183 of time remaining on their current term unless a maximum of three terms has been reached.
184 The Governance Committee will then draw up a slate of qualified individuals who agree to
185 serve as President, Vice President, and Secretary. The Governance Committee shall oversee
186 the voting process and report the results to the full Faculty Senate. (Paragraph amended May
187 2013)

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

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

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

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

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

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

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

203 **Article V**

204 **Senators and Alternate Senators: Duties**

205 **A. Senators**

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

212 **B. Alternate Senators**

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

217 **Article VI**

218 **Removal from Faculty Senate**

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

221 **Article VII**

222 **Committees**

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

229 **A. Executive Committee**

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

239 **B. Standing Committees**

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

242 **C. *Ad hoc* Committees**

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

244 **Article VIII**

245 **Meetings**

246 **A. Faculty Senate**

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

252 **B. Faculty**

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

256 **Article IX**

257 **Bylaws**

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

260 **Article X**

261 **Ratification of Constitution**

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

274 **Article XI**

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

276 **A. Constitution**

277 This Constitution may be amended as follows:

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

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

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

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

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

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

297 **B. Bylaws**

298 The Bylaws may be revised as follows:

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

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

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

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

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

314 **Article XII**

315 **Review of the Constitution**

316 A. There shall be a mandatory review of the Constitution five years after its adoption and at
317 least every five years thereafter to occur on the decade and years ending in '5', for example
318 2009-2010, then 2014-2015.

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

322 **3.02.02 Faculty Senate By-Laws**

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

323 **Article I. Quorum**

- 324 A. A quorum of the Faculty Senate necessary for the conduct of business shall be a simple
325 majority of the voting members of the Faculty Senate except for changes to the
326 Constitution and Bylaws as describe in Article XI of the Constitution.
- 327 B. A quorum of the Executive Committee necessary for the conduct of business on behalf of
328 the Faculty Senate shall be a simple majority of the voting members of the Executive
329 Committee.
- 330 C. Proxy votes shall not be allowed.

331 **Article II. Conduct of Business**

- 332 A. The President shall appoint a Parliamentarian. The Parliamentarian shall be a qualified
333 faculty member but need not be a Senator. The Parliamentarian shall act as advisor to the
334 President on matters of rules of procedure.
- 335 B. Business shall be conducted using the current edition of Robert's Rules of Order Newly
336 Revised, except where otherwise specified in the Constitution and Bylaws.
- 337 C. Business of the Faculty Senate is normally conducted at regular meetings, special
338 meetings, and in standing or *ad hoc* committees.
- 339 D. At the discretion of the President and with prior consent of the Faculty Senate, business
340 of the Faculty Senate may also be conducted by distribution of information and ballots
341 through mail, email or other transfer of information, provided that all other requirements
342 of the Constitution of the Faculty Senate are met.
- 343 E. Action items requiring a vote by the Faculty Senate shall be distributed by the Secretary
344 of the Faculty Senate at least 10 days before the meeting.

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

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

348 **A. Membership on Committees**

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

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

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

359 The Chair of each committee shall:

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

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

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

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

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

369 1. The Executive Committee shall:

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

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

390 2. The Governance Committee shall:

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

402 3. The Institutional Advancement Committee shall:

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

411 4. The Faculty and Institutional Relationships Committee shall:

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

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

418 5. The Communication Committee shall:

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

425 6. The Electoral Unit Committees shall:

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

435 **D. *Ad hoc* Committees**

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

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

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

448 **Article VI. Revisions to Bylaws**

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

451 **3.03 University-Wide Committees**

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

454 <https://web.musc.edu/about/leadership/councils>

455 All university-wide committees have faculty representation.

456

457 **4. FACULTY RANKS AND STATUS**

458 **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	

459 The following faculty ranks, as generally described below, are used throughout MUSC. Refer to
460 individual college/department guidelines for specific criteria regarding appointment or
461 promotion to any of these faculty ranks. With regard to University affairs, the voting faculty
462 shall be those individuals holding an academic appointment at MUSC with regular faculty rank
463 of Instructor and above, regardless of the percentage of FTE of the faculty appointment.
464

465 4.01.01 Instructor

466 This rank usually requires training beyond the baccalaureate degree. Demonstrated technical
467 proficiency and experience may serve in lieu of formal training. The ability to contribute to the
468 University's teaching programs is required.
469

470 4.01.02 Assistant Professor

471 This rank usually requires that a faculty member holds the appropriate terminal degree and
472 possesses strong potential for development as a teacher, scholar, and researcher. An Assistant
473 Professorship may be awarded in the absence of a terminal degree to individuals who have made
474 significant teaching, research, or service contributions and who have shown evidence of
475 academic potential.
476

477 4.01.03 Associate Professor

478 This rank usually requires the appropriate terminal degree and exemplary service as an Assistant
479 Professor for at least three (3) years at this university or equivalent service elsewhere.
480 Individuals achieving this rank should have demonstrated teaching effectiveness, should have
481 made significant contributions in the areas of research/scholarly activity and service, and should
482 show promise of continued intellectual growth.
483

484 4.01.04 Professor

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

491 **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	

492 Faculty holding special appointments do not have voting privileges.

493

494 4.02.01 Assistant

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

497

498 4.02.02 Associate

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

501

502 **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	
Sep 2018	Oct 2018	Oct 2018	Not required		

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

505

506 4.03.01 Visiting

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

509

510 4.03.02 Adjunct

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

514

515 4.03.03 Affiliate

516 This modified rank applies to faculty who provide a valuable service to the MUSC mission; are

517 appropriately qualified for the service s/he provides; qualifications and contributions are vetted
 518 by the committee that approves the college or unit’s promotion applications, then approved by
 519 the Dean and the by the Board of Trustees if the appointment is at the Associate or Professor
 520 rank; and the individual must receive no state compensation from the college or unit that issues
 521 the Affiliate faculty appointment.

522
 523 With continued and extensive service, Affiliate faculty are eligible for consideration for
 524 promotion in rank.

525 4.03.03 Clinical

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

530 4.03.04 Research

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

535
 536 Faculty with Regular faculty ranks modified by Clinical or Research may participate in faculty
 537 governance and have full voting privileges regarding University affairs. Faculty with Regular
 538 faculty ranks modified by Visiting or Adjunct and all faculty with Special faculty rank,
 539 regardless of modifier, do not have University voting privileges. Participation in college,
 540 department, and division governance will be determined by individual colleges.

541
 542 **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	

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

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

549 **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	

550 MUSC recognizes the valuable contributions of health care professionals employed by the
 551 educational programs at AHEC-affiliated institutions and volunteer professionals not
 552 employed by AHEC-affiliated institutions. Both categories of professionals are eligible to
 553 apply for MUSC appointments. The employed AHEC professionals have “MUSC AHEC”
 554 preceding their faculty rank; volunteer professionals have “MUSC AHEC Clinical”
 555 preceding their faculty rank. All MUSC AHEC appointments are without tenure and the SC
 556 AHEC Appointments and Promotions Committee coordinates this process with the MUSC
 557 Deans’ Offices.

558

559 **4.06 Honorary University Status**

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	

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

561 **4.06.01 Emeritus**

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

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

573 Procedure: The retiring faculty member may initiate the process for obtaining Emeritus
 574 status, through a formal request to their department Chair. The department Chair on behalf

575 of the retiring faculty member may also initiate this process. The Chair will make a written
576 recommendation to the Dean of the college with documentation of the faculty member's
577 service, usually his/her *curriculum vitae*. If the Dean concurs, the Dean forwards the
578 recommendation to the Executive Vice President for Academic Affairs and Provost. If the
579 Executive Vice President for Academic Affairs and Provost concurs, the Executive Vice
580 President for Academic Affairs and Provost seeks approval from the Board. If approved, the
581 Executive Vice President for Academic Affairs and Provost shall notify the faculty member
582 in writing of the award of Emeritus Faculty status. If the retiring faculty member is a
583 department Chair, the Dean initiates the request. For administrative titles at the level of
584 Dean or above, the next highest administrator initiates the recommendation.

585 Benefits: Emeritus status is conferred on the faculty member for life, subject to the same
586 policies for termination as apply for an active tenured faculty member. The following
587 university benefits may be made available to all present and future emeritus faculty to
588 include at a minimum:

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

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

597 **4.06.02 Distinguished University Professor**

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

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

608 Procedure: Consideration of a faculty member for the title of Distinguished University
609 Professor within the colleges will comply with the college level process for appointment and
610 promotion. If the Dean approves the request within the college, the Dean forwards the
611 recommendation to the Executive Vice President for Academic Affairs and Provost with
612 documentation substantiating the request. If the Executive Vice President for Academic
613 Affairs and Provost concurs, the Executive Vice President for Academic Affairs and Provost

614 seeks approval from the Board. If approved, the Executive Vice President for Academic
 615 Affairs and Provost shall notify the faculty member in writing of the award of Distinguished
 616 University Professor. If the candidate is a department Chair, the Dean initiates the request
 617 with consideration by the college Appointment, Promotion, and Tenure committee.

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

622 **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
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

623 The primary appointment of a faculty member holding joint/dual appointments is confirmed
 624 by the Executive Vice President for Academic Affairs and Provost. If a faculty member
 625 resigns his primary appointment or if his primary appointment is otherwise terminated, all
 626 dual and/or joint appointments in other departments or colleges are terminated the date the
 627 primary appointment is terminated. If a change of status is to be requested by the chair of the
 628 department in which the dual or joint appointment rests, such a request is submitted as a
 629 primary faculty appointment through the appropriate channels.

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

633 **4.07.01 Joint**

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

636 **4.07.02 Dual**

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

639

640 **5. FACULTY APPOINTMENT, PROMOTION, TENURE AND**
 641 **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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642 Each college shall develop and publish in one document all appointment, promotion, and
 643 tenure guidelines or criteria, and establish a formal review of this document every three
 644 years. Each document should be explicit and the process clearly defined with input from the
 645 faculty. Each college shall establish appropriate procedures for all faculty appointments and
 646 promotions including those on tenure and non-tenure tracks. Faculty may switch between
 647 tenure and non-tenure tracks one time with approval by the dean of the college. Faculty
 648 members on the tenure track will be afforded protected time for academic pursuits.

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

651 College of Dental Medicine:

652 <https://education.musc.edu/colleges/dental/about/resources/development>

653 College of Health Professions:

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

655 College of Medicine:

656 <https://horseshoe.musc.edu/university/colleges/com/musc-appointments-promotion-and-tenure-information>
 657

658 College of Nursing:

659 <https://portal.musc.edu/nursing/CON%20Intranet/Resources/Faculty%20Handbook/Section%20V.pdf>
 660

661 College of Pharmacy:

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

664 College of Graduate Studies:

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

666 Academic Affairs Faculty:

<https://education.musc.edu/colleges/aaf/policies>

667

668 **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
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

669 **Purpose:**

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

676 **Composition:**

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

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

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

690 The committee should consist of a minimum number of four. There shall be no maximum
691 number.

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

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

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

698 **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	

699 **5.02.01 Criteria for Appointment**

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

706 **5.02.02 Procedures for Appointment**

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

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

713 Upon approval by the dean, requests for appointment shall be forwarded to the Executive
714 Vice President for Academic Affairs and Provost for approval. If departmental affiliation
715 within a college is not involved, the requests shall be initiated by the appropriate dean and
716 addressed to the Executive Vice President for Academic Affairs and Provost. If collegial
717 affiliation is not involved, the requests shall be initiated by the Executive Vice President for
718 Academic Affairs and Provost and addressed to the President. Upon such approval,
719 recommendations for appointment shall be forwarded to the President.

720 Appointments to the rank of Assistant Professor without tenure and below shall be made by
721 the President. On the recommendation of the President, appointments to any rank with
722 tenure, and all appointments to the rank of Associate Professor or Professor shall be made
723 by the Board.

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

727 **5.02.03 Term of Appointment**

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

- 729 • A twelve (12) month appointment
- 730 • A nine (9) month appointment
- 731 • Appointment for other specified periods of time

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

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

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

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

- 751 (1) At least three [3] months prior to the expiration of the contract for faculty under his or her
752 initial faculty appointment.
- 753 (2) At least six [6] months prior to the expiration of the contract for faculty appointed under a
754 second-year contract.
- 755 (3) At least one [1] year prior to the expiration of the contract for faculty under a third [3rd]
756 year or subsequent-year contract.

757 **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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758 Promotion both recognizes achievement and acknowledges that the individual is capable of
759 greater accomplishments and responsibilities. The policy of the university is to make
760 promotions strictly on merit.

761 **5.03.01 Criteria for Promotion**

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

768 **5.03.02 Procedures for Promotion**

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

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

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

781 Recommendations for promotion are considered by the dean of the appropriate college
782 following the recommendation of his/her committee. Recommendations concerning
783 administrative officers who hold faculty rank are submitted by the next higher
784 administrative officer.

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

787 recommendations to the President. The President reviews the recommendations submitted
788 by the Executive Vice President for Academic Affairs and Provost, renders decisions, and,
789 when required, submits recommendations to the Board.

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

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

796 **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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797 Tenure shall be the assurance of continuous appointment to a particular faculty rank, with
798 continuation of salary commensurate with the rank, as long as duties are performed in
799 accordance with accepted standards, subject to termination for cause, upon retirement, on
800 account of financial exigency, or the change or abolition of institutional programs. Tenure
801 rests in the college or department of primary appointment only. The initial letter of
802 appointment and/or contract and annual renewals shall specify status with regard to tenure.

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

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

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

813 **5.04.01 Criteria for Tenure**

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

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

822 **5.04.02 Procedures for Granting Tenure**

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

837 **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
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Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

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

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

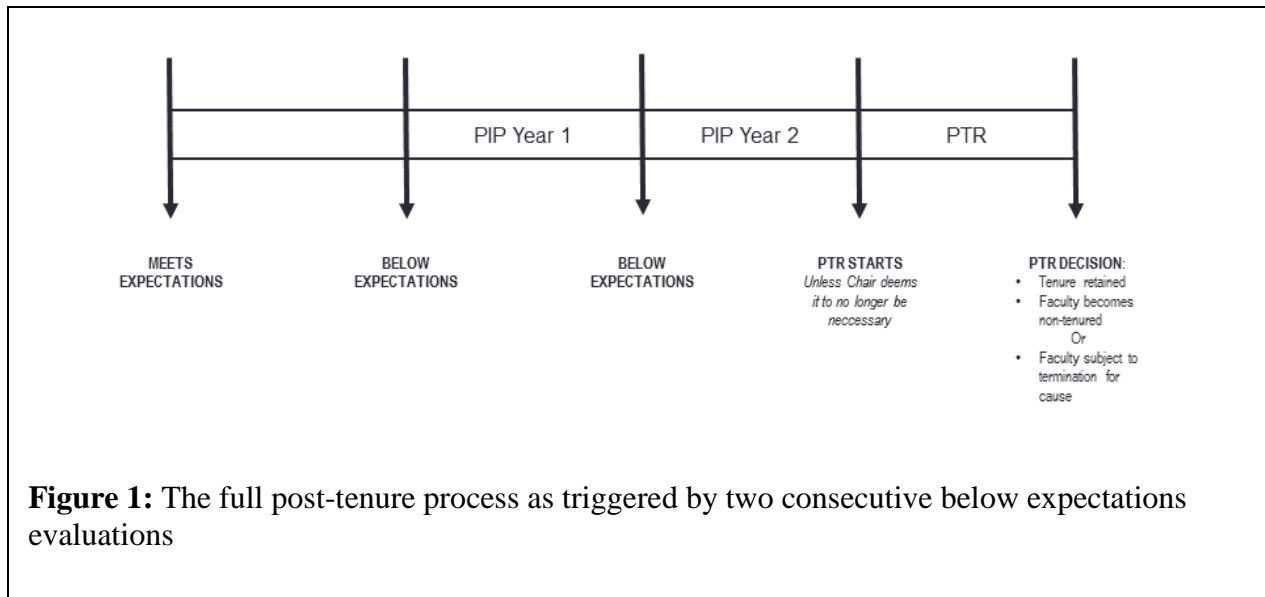
- 857 1) **Each tenured faculty member undergoes annual reviews.** The faculty member's
858 annual review is integral in determining performance. The department Chair/division
859 Director will use the three-point scale for annual reviews (below, meets or exceeds
860 expectations). If a faculty member is rated as below expectations in a majority of
861 applicable performance categories, they will receive a "below expectations" overall
862 evaluation. Each year, the faculty member must be made aware of specific
863 requirements to attain an adequate annual review so that he or she is given the
864 chance to meet these specific requirements.
- 865 2) **If the tenured faculty member receives no ratings of below, they undergo**
866 **streamlined post-tenure review every sixth year.** For a tenured faculty member
867 who has received overall ratings of meets or exceeds expectations in all annual
868 performance evaluations in the preceding six years, the department Chair/division
869 Director will send a letter to the Appointment, Promotions and Tenure (APT)
870 Committee of the faculty member's college stating that the faculty member satisfies
871 the requirements of a favorable post-tenure review. A copy of this letter will be sent
872 to the faculty member under review and the college Dean, and placed in the faculty
873 member's personnel file. The faculty then starts a new six-year cycle.
- 874 3) **If the faculty member receives an overall rating of below in a majority of**
875 **applicable performance categories, they undergo a full post-tenure review.**
876 There are two mechanisms that lead to a full post-tenure review: (i) If a faculty
877 member has received a below in a majority of applicable performance categories
878 evaluation during the six-year cycle, the faculty member is subject to full post-tenure
879 review at the end of that cycle (see (b) below), or (ii) If the faculty is rated as below
880 in a majority of applicable performance categories in two consecutive years, a full
881 post-tenure review is triggered, which starts after the second year of the
882 performance-improvement plan (see (c) below).
- 883 a) **Upon the first rating of below in a majority of applicable performance**
884 **categories in an annual review, a Performance-Improvement Plan (PIP) is**
885 **implemented.** If a tenured faculty member is rated below in a majority of
886 applicable performance categories on an annual evaluation, the department
887 Chair/division Director shall meet with the faculty member to outline the steps of
888 improvement to be taken to correct the deficiencies, to establish criteria for the
889 satisfaction of those deficiencies and to indicate what resources are available to
890 support the plan, as appropriate. This Performance-Improvement Plan (PIP)
891 should be approved by the college Dean, reported to the Executive Vice
892 President for Academic Affairs and Provost, and described in the associated

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

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

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

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



925

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

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

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

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

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

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

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

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

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

979 (c) The college APT Committee shall forward the report to the college Dean with a
980 clear recommendation for retention of tenure when the faculty member, in the Committee's
981 judgment, is rated superior or adequate. A rating of inadequate by the college APT
982 Committee shall be forwarded to the college Dean with a recommendation pertaining to
983 tenure. The written report and recommendation of the APT committee shall be provided
984 simultaneously to the faculty member under review and the Dean. The college Dean reviews
985 the recommendation and if he or she determines the removal of tenure is warranted,
986 forwards the recommendation to the Executive Vice President for Academic Affairs and
987 Provost for review and action by the University Tenure Committee. The college Dean shall
988 provide to the faculty member, department Chair/division Director and college APT
989 Committee memoranda indicating her/his action.

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

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

997 If the Executive Vice President for Academic Affairs and Provost’s decision and, if used,
 998 the Grievance and Appeal Procedure, results in the decision to remove the faculty member’s
 999 tenure, there are two possible outcomes: the faculty will continue as a non-tenured faculty or
 1000 the faculty member will be subject to termination for cause under Section 9.01 of the
 1001 *Faculty Handbook*. In the event of termination for cause, the process of full post-tenure
 1002 review will have fulfilled Section 9.02 of the *Faculty Handbook*.

1003 **Policies:** The following policies are applicable to post-tenure review:

1004 (a) The full post-tenure review process, as described above in 4), must be concluded
 1005 within 12 months. Responsibility for adhering to this timetable rests with the Executive Vice
 1006 President for Academic Affairs and Provost’s office.

1007 (b) The outcomes of all evaluations shall be confidential; that is, confined to the
 1008 appropriate college or university persons or bodies and faculty member being evaluated, and
 1009 shall be released only with the written consent of the faculty member.

1010 (c) In accordance with the review process mandated by the *Faculty Handbook*, the
 1011 above policy and standards and criteria developed to carry out this policy should be
 1012 evaluated with respect to the effectiveness in supporting faculty development and redressing
 1013 problems of faculty performance.

1014 **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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1015 The State of South Carolina requires that all state universities and colleges evaluate faculty
 1016 performance. In order to comply with this requirement, MUSC has developed a faculty
 1017 evaluation procedure which has been approved by the division of Human Resources of the
 1018 State Budget and Control Board.

1019 Each college of the university has an approved Performance Appraisal form (faculty
 1020 evaluation). Consult with respective Dean’s Office for copies of these forms. The form is
 1021 completed annually for each member, and is kept in a permanent file under the purview of

1022 the dean or director. The faculty member has a right to full disclosure of the Performance
1023 Appraisal.

1024 The faculty member is required to sign the appraisal, indicating s/he has read the evaluation
1025 form, but has the right to make written comments concerning agreement or disagreement
1026 with the evaluation.

1027 College of Health Professions:

1028 [http://academicdepartments.musc.edu/chp/academic-faculty-affairs/faculty-
fa/faculty_evaluation.htm](http://academicdepartments.musc.edu/chp/academic-faculty-affairs/faculty-
1029 fa/faculty_evaluation.htm)

1030 College of Dental Medicine:

1031 <https://education.musc.edu/colleges/dental/about/resources/development>

1032 College of Medicine:

1033 <http://academicdepartments.musc.edu/com/faculty/apt/forms/FacPerfEval.doc>

1034 College of Nursing:

1035 [https://horseshoe.musc.edu/university/colleges/college-of-nursing/faculty/resources/faculty-
evaluation-and-process-forms](https://horseshoe.musc.edu/university/colleges/college-of-nursing/faculty/resources/faculty-
1036 evaluation-and-process-forms)

1037 College of Pharmacy:

1038 The MUSC COP Evaluation form is located inside of the Faculty Resources File within
1039 MUSC Box –COP

1040 Academic Affairs Faculty:

1041 <http://colbert.library.musc.edu/dlsifac/>

1042 **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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1043 Salary increases for faculty members will be distributed as merit based increases.
1044 When funds are designated for faculty salary increases, the amount and the procedure for
1045 allocation of these funds will be communicated to the faculty.

1046 All funds will be distributed as merit increases, based on the approved Faculty Performance
 1047 Evaluation Form, which is mentioned in Section 5.06 of the university *Faculty Handbook*.

1048 **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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1049 The assignment of a faculty member's division of responsibilities between academic
 1050 activities is initially specified in the letter of offer and initial contract. Review and,
 1051 eventually, reevaluation of division of obligations is carried out as part of the annual
 1052 evaluation, at which time the faculty member and supervisor mutually agree upon any
 1053 changes in the balance of instruction/teaching, scholarly activity, administrative
 1054 responsibilities, community services, and, when applicable, clinical services, in keeping with
 1055 the mission of the Medical University. The faculty member and the supervisor sign the
 1056 Performance Evaluation Form, on which the percent effort for various
 1057 assignments/responsibilities is outlined in writing. Should an agreement not be reached,
 1058 either the faculty member or Chair will proceed under policies detailed in Section 8 of the
 1059 *Faculty Handbook*.

1060 **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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1061 Faculty members have the right to review their personnel file upon written notification to
 1062 their department chair and/or dean. Faculty members may make additional submissions
 1063 and/or provide explanations of errors or omissions. Such additions shall become a part of the
 1064 permanent file. Nothing herein shall grant the faculty member a right to purge or remove
 1065 anything in their personnel file without prior written consent of their direct supervisor and
 1066 the dean of the college.

1067

1068

1069 **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
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1070 <http://academicdepartments.musc.edu/fac/>

1071

1072 **6. FACULTY DEVELOPMENT**

1073 **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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1074 A faculty member holding the rank of Professor or Associate Professor who has rendered six
1075 or more years of satisfactory service to MUSC may be granted sabbatical leave in order to
1076 study or undertake further training. Sabbatical leave is for the primary purpose of enhancing
1077 the value of the professional status of the faculty member in further service to the Medical
1078 University. The period for sabbatical leave may be for up to one year. Salary support during
1079 this period will be at the rate of one month for each year of service to MUSC, up to a
1080 maximum of twelve months salary.

1081 A sabbatical leave may be granted by the Board upon recommendation by the President,
1082 following approval by the department Chair, the Dean of the college concerned, and the
1083 Executive Vice President for Academic Affairs and Provost, and with the understanding that
1084 the faculty member will return to active service MUSC when such leave has ended.

1085 During sabbatical leave, annual leave accrual is prorated according to the percentage of the
1086 MUSC salary paid to the faculty member (i.e., a faculty member receiving half-pay from the
1087 university while on sabbatical leave would accrue one-half of full annual leave entitlement.
1088 Upon return, it is incumbent upon a faculty member receiving partial pay while on
1089 sabbatical to request that his/her department submit a leave correction form to ensure that
1090 the full annual leave entitlement is reinstated.

1091 In accord with the state Sick Leave Act, faculty members will not accrue sick leave while on
1092 sabbatical leave.

1093 Benefits may continue during a sabbatical leave, but the faculty member MUST contact the
1094 Benefits Section of the Department of Human Resources Management for advice on what
1095 action is required to maintain current benefits. To prevent loss of benefits, it is essential that
1096 the faculty member contact Human Resources Management at least 60 days prior to
1097 beginning sabbatical leave.

1098

1099 **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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1100 **PURPOSE:** This policy is intended for the primary purpose of enhancing the value of the
 1101 professional status of the faculty member in further service to MUSC. The university,
 1102 therefore, upon prior approval of the dean of the college in which s/he holds primary
 1103 appointment, offers the faculty member who does not possess a terminal degree in her/his
 1104 field an opportunity to pursue a planned program for upward mobility toward an advanced
 1105 degree.

1106 **ELIGIBILITY:** Full-time faculty members with no modifiers to their ranks are eligible to
 1107 apply for admission to an advanced degree program under this policy.

1108 **6.02.01 Academic Requirements**

- 1109 1) In any course of study pursued toward a degree, the faculty member shall meet the same
 1110 requirements for the degree, as published in the University Bulletin, as any other student.
 1111 2) The student/faculty member will be required to meet the regularly scheduled class times
 1112 in courses in which s/he is enrolled.
 1113 a) Student laboratory assignments that can be accomplished outside of the faculty
 1114 member's normal working time may be made an exception, if approved IN
 1115 ADVANCE by the deans and department chairs concerned.
 1116 b) If his/her duties and responsibilities as a faculty member conflict with his/her student
 1117 class hours, his/her faculty responsibilities shall take precedence. This is to be
 1118 determined by the deans involved.
 1119 3) The faculty member seeking an MUSC degree will be required to demonstrate his/her
 1120 academic progress to a committee of qualified evaluators at least once each year by
 1121 means of either a written and/or oral examination. The results of the evaluation will be
 1122 submitted by this committee to the dean of the college in which the degree is being
 1123 pursued and to the department chair, if appropriate. This dean shall file a copy of the
 1124 report with the Executive Vice President for Academic Affairs and Provost.
 1125 4) Failure to perform in a satisfactory manner at any time shall be reported to the Executive
 1126 Vice President for Academic Affairs and Provost by the dean involved.
 1127 5) No deviation from the approved plan of study will be permitted without a written request
 1128 from the department chairs, the recommendation of the deans, and the approval of the
 1129 Executive Vice President for Academic Affairs and Provost. Such approval for an
 1130 amended study plan shall be filed in the student/faculty member's record in the office of
 1131 the University Registrar.

1132 **6.02.02 Financial Considerations and Requirements as a Faculty Member**

- 1133 1) The faculty member who has been admitted as a student to a degree program in at the
1134 Medical University or elsewhere must abide by the following if s/he is to receive
1135 financial considerations by the university:
1136 a) promotion as a faculty member may be denied during the period of time the degree
1137 program is in progress.
1138 b) faculty salary increases other than "across the board" raises may be denied.
1139 c) obtaining of the degree in no way obligates MUSC to alter his/her initial faculty
1140 appointment, to promote him/her, or to significantly adjust his/her salary, although
1141 any or all of these may be a result.
1142 d) s/he shall agree, in writing, to continue his/her employment to MUSC for a period of
1143 not less than one year after receiving the degree.
1144 2) The faculty member who agrees to the above financial terms may pursue his/her
1145 approved plan of study at the yearly average rate of 15% of his/her normal work time,
1146 with no reduction in salary.
1147 3) If an accelerated plan of study is requested by the faculty member and is approved by the
1148 chair, deans, and the Executive Vice President for Academic Affairs and Provost, the
1149 faculty member must voluntarily reduce both her/his teaching responsibilities and her/his
1150 salary proportionately.
1151 4) If the approved plan of study includes extensive bench research or clinical rotations
1152 during normal faculty working time, a proportionate salary reduction shall be required. If
1153 this is determined at the time the program is initially approved, the amount of salary
1154 reduction will be determined at that time.

1155 **6.02.03 Financial Requirements as a Student**

- 1156 1) While pursuing his/her approved plan of study, the student/faculty member will officially
1157 register for each course taken and pay the appropriate tuition and fees as set by the
1158 college in which s/he is enrolled. In the year in which the degree is to be conferred, the
1159 student/faculty member shall pay, in addition to the required tuition, the full fees required
1160 of all students.
1161 2) If an accelerated plan, as described in Section 6.02.02 under "Financial Considerations
1162 and Requirements as a Faculty Member," is in effect, the student/faculty member must
1163 pay the appropriate tuition each semester.

1164 **6.02.04 Procedure for Faculty Member**

- 1165 1) The faculty member shall submit
1166 a) to the chair of his/her department and the dean of the college in which s/he holds
1167 primary faculty appointment, and if applicable
1168 b) to the dean of the college in which s/he proposes to pursue the advanced degree, a
1169 complete outline of the proposed curriculum, semester by semester. S/he shall also
1170 indicate all courses to be taken, the proposed research and/or clinical experience
1171 required, and the degree which is to be sought.
1172 2) If the faculty member's proposal is disapproved at any step in the Administrative
1173 Procedure stated below, s/he will be so notified; this action shall be considered final.

- 1174 3) If the faculty member's proposal is approved, the Executive Vice President for Academic
1175 Affairs and Provost will notify him/her in writing and s/he may then proceed to apply for
1176 admission through the regularly prescribed admissions policy of the college in which s/he
1177 is seeking admission.
- 1178 4) The application for admission shall have attached to it the following:
- 1179 a) outline of plan of study
- 1180 b) letter of approval from the Executive Vice President for Academic Affairs and
1181 Provost to pursue the degree as outlined
- 1182 c) required application fee.

1183 **6.02.05 Administrative Procedure**

- 1184 1) Upon receipt of a request with attachment thereto of a complete outline of proposed study
1185 as stated under "Procedure for Faculty Member" above, to pursue admission to a specific
1186 advanced degree program within a college of the Medical University, the dean(s) of the
1187 college(s) concerned in conjunction with the appropriate department chairs either approve
1188 or disapprove the request. If more than one dean is concerned (i.e., if the dean of the
1189 college of proposed study is different from the dean of the college in which the faculty
1190 member holds primary appointment), approval to apply for admission must be by both.
1191 Either one disapproving, the request shall be denied.
- 1192 2) If the request is approved, the dean of the college in which the faculty member holds
1193 primary appointment shall write a letter to the Executive Vice President for Academic
1194 Affairs and Provost, with a copy to the dean of the college to whom the faculty member
1195 will submit his/her application, stating willingness for the faculty member to apply for
1196 admission as a student. The letter should include: (a) how all of the individual's duties,
1197 teaching responsibilities, and other commitments to his/her department would be met; (b)
1198 what financial considerations would apply as described in Section 6.02.02 under
1199 "Financial Considerations and Requirements as a Faculty Member," and (c) indication of
1200 approval of the plan of study.
- 1201 3) In like manner, if the request is approved, the dean of the college of proposed student
1202 enrollment shall notify the Executive Vice President for Academic Affairs and Provost in
1203 writing of: (a) procedures for evaluation of the faculty member's progress as a student in
1204 accordance with his/her approved plan of study; and (b) the names of the faculty
1205 members assigned to evaluate the faculty/student's progress. Such progress will be
1206 evaluated in accordance with Subsections (3) and (4) under Section 6.02.01 "Academic
1207 Requirements."
- 1208 4) The faculty member shall then be notified in writing by the Executive Vice President for
1209 Academic Affairs and Provost that her/his plan of study has been approved and that s/he
1210 may apply for admission through the regular admissions process of the college in which
1211 the advanced degree is to be sought.

1212 Any time the above procedures or processes are not adhered to, the faculty member, if
1213 admitted to a course of study, may be removed from the college in which s/he is enrolled or
1214 may be required to reimburse MUSC for any financial losses suffered either as a result of
1215 being a student and/or a faculty member.

1216 **6.03 Faculty Desiring to Obtain a Degree in Addition to Terminal Degree Already Held**

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1217 A faculty member holding a terminal degree in the area of his/her original appointment who
 1218 wishes to obtain an additional degree offered at MUSC will be subject to the same policy,
 1219 rules, regulations and requirements as a faculty member who seeks a terminal degree.
 1220 Further, since such a program of study is not to be construed as a faculty member's service
 1221 to MUSC, a proportionate reduction in salary may be necessary to meet his/her
 1222 responsibility, unless otherwise approved by the dean of the college of his/her primary
 1223 appointment.

1224 **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
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

1225 MUSC provides tuition and mandatory fees assistance to permanent employees (classified,
 1226 faculty, and other unclassified employees) for up to four credit hours a semester as
 1227 authorized by Section 59-111-15 of the 1976 South Carolina Code of Laws, as Amended
 1228 (<http://www.scstatehouse.gov/code/t59c111.php>). Tuition and mandatory fees assistance
 1229 will be provided by reimbursement of tuition cost after course completion, subject to
 1230 availability of employing department funds. Permanent employees who are employed at
 1231 least 30 hours per week are eligible to apply for tuition and mandatory fees assistance
 1232 regardless of race, color, religion, sex, age, national origin, disability or veteran status. The
 1233 tuition assistance program is only for MUSC employees to enroll in a credit-bearing course
 1234 at MUSC or any other state institution (not including continuing education) on a space-
 1235 available basis and with approvals of the course director or department chairperson.

1236 **Faculty Tuition Assistance Policy Links**

1237 University HR: Link to Tuition Assistance Request Form found within policy

1238 <https://horseshoe.musc.edu/~media/files/hr-files/univ-files/policies/policy17.pdf?la=en>

1239 Hospital HR

1240 <https://horseshoe.musc.edu/~media/files/hr-files/muha->
1241 [files/policies/policy17tuitionassistance.pdf?la=en](https://horseshoe.musc.edu/~media/files/hr-files/muha-files/policies/policy17tuitionassistance.pdf?la=en)

1242 **6.05 Travel**

1243 MUSC, as an agency of the State of South Carolina, is subject to the travel guidelines set by
1244 the State Budget and Control Board: <http://www.state.sc.us/cg/info/disbregs/travel.htm>

1245 **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	

1246 <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	

1250 It is the duty of the faculty to create an environment that is conducive both to the education
 1251 of skilled professionals and to the scholarly pursuits of the faculty. The university provides
 1252 an environment for intellectual development, reasonable working space, and an appropriate
 1253 amount of time for scholarly growth and achievement.

1254 Subject to the approval of the Board, the faculty of each college has jurisdiction over all
 1255 matters pertaining to the curriculum. The faculty has the responsibility for prescribing the
 1256 curriculum, determining academic standards and teaching and examining accordingly. It has
 1257 the responsibility for determining the entrance requirements, determining requirements for
 1258 promotion and dismissal of students, determining the requirements for the graduation of
 1259 students, recommending candidates for degrees and certificates, and enacting rules and
 1260 regulations for the overall guidance of student programs.

1261 The faculty shall serve an advisory function on the appointment, promotion or dismissal of
 1262 faculty and administrators, on the distribution of funds and facilities for education, research
 1263 and service; and on the acquisition of external support for research and other scholarly
 1264 activities.

1265 **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	

1266 <https://web.musc.edu/about/compliance/conduct>

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1269 **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	

1270 A member of the faculty is free to teach and to discuss in classes any aspect of a topic
 1271 pertinent to the understanding of the subject matter of the course which is being taught; to
 1272 act and to speak as a private citizen without institutional censorship or discipline. A member
 1273 of the faculty is free to carry on research and disseminate the results.

1274 **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	

1275 Faculty members should not participate in outside activities that create a conflict of
 1276 commitment with their contractual obligations to the Medical University. A faculty member
 1277 may engage in outside activities, whether for compensation or not, on a limited basis,
 1278 provided that such activities are in keeping with his/her professional practice agreement,
 1279 competency, and development, and do not interfere with the performance of his/her assigned
 1280 duties. Activities such as preparation and presentation of research results, presentation to
 1281 professional groups, peer review activities, and service as members of professional or
 1282 community societies are normally not considered outside activities, i.e., they are within the
 1283 scope of work. Employment of faculty by other state agencies or institutions must be
 1284 accomplished through the procedures established by the state; remuneration is limited by
 1285 law.

1286 Outside activities must be disclosed to the Institution annually as described in the
 1287 MUSC/MUHA Conflict of Interest Policy. Additionally, outside activities must comply with
 1288 the provisions of the MUSC/MUHA Conflict of Interest Policy and the MUSC/MUHA
 1289 Industry Relations Policy. These policies appear in following sections via links to the
 1290 [MUSC Conflict of Interest Office](#). Questions regarding application of these policies can be
 1291 directed to that office.

1292

1293 **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	

1294 Faculty members of the Medical University may undertake civic duties and participate in
 1295 community political activities and, as a general rule, hold municipal or local political offices
 1296 without interference from the Medical University. However, great care should be exercised
 1297 in active political campaigning in state and federal elections. Campaigning for a major state
 1298 or federal government office requires a leave of absence authorized by the President of the
 1299 Medical University. Any faculty member elected to major state or federal government office
 1300 either must obtain a leave of absence authorized by the President or resign from the faculty.

1301 **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	

1302 The faculty of the Medical University of South Carolina engages in a wide variety of
 1303 external activities with public and private organizations. The Medical University endorses
 1304 and subscribes to the principles of the joint statement of the American Council on Education
 1305 and the American Association of University Professors, "On Preventing Conflicts of Interest
 1306 in Government-Sponsored Research at Universities." With the acceptance of a full-time
 1307 appointment to the faculty of the Medical University of South Carolina, the faculty makes a
 1308 commitment to MUSC that such employment is full-time in the most inclusive sense.
 1309 Outside obligations, financial interests, and activities in other areas are not to conflict with
 1310 their commitment to the Medical University of South Carolina.

1311 All faculty and administrative staff shall disclose any conflict of interests using the MUSC
 1312 web based disclosure mechanism, see <https://www.carc.musc.edu/coi>. Such disclosure is
 1313 made on an annual basis as defined by the MUSC/MUHA conflict of interest policy.
 1314 Whenever a new conflict of interest arises or when a significant change occurs concerning
 1315 an existing disclosure, a new disclosure form must be completed and submitted for review
 1316 either in advance of the anticipated change in situation or within 30 days of the event

1317 Infraction of the letter or spirit of this policy constitutes a serious offense, which shall be
 1318 responded to with appropriate action ranging from private reprimands to termination at the
 1319 discretion of the Executive Vice President for Academic Affairs and Provost.

1320 The following policy, governs employee financial conflicts of interest within MUSC,
 1321 MUHA, and our affiliates. Various parts of the institution may have their own sub-policies,
 1322 consistent with this general policy, but specific to their specific areas of activity. Clinical,
 1323 research, and research start-up policies and charters appear on the Conflict of Interest
 1324 website:

1325 <https://web.musc.edu/about/coi/coi-policies>

1326

1327 **7.05.01 Medical University of South Carolina and Medical University Hospital**
 1328 **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	

- 1329 This policy:
- 1330 • Articulates MUSC’s annual disclosure requirements and the institution’s responsibility to
 - 1331 review, identify and manage potential employee conflicts of interest;
 - 1332 • References the SC State Ethics Law which makes it unlawful for public officials, public
 - 1333 members, and public employees to use their position to obtain an economic interest or to
 - 1334 have a financial interest in most any contract or purchase connected with MUSC/MUHA;
 - 1335 and
 - 1336 • Fulfills MUSC’s obligation as an institution that conducts research funded by the Public
 - 1337 Health Service to have a written, enforced policy that complies with 42 CFR Part 50
 - 1338 Subpart F - "Responsibility of Applicants for Promoting Objectivity in Research for
 - 1339 which Public Health Service Funding is Sought" and 45 CFR Part 94 “Responsible
 - 1340 Prospective Contractors" as well as all other relevant policies of federal funding and
 - 1341 oversight agencies.

1342 **Persons covered by this policy:**

1343 This policy applies to all Trustees, Officers, Faculty, Administrators, and Staff,
 1344 including all full-time, part-time, temporary, and contract Employees of Medical
 1345 University of South Carolina (“MUSC”) and Medical University Hospital Authority
 1346 (“MUHA”). Affiliates (entities which derive their not for profit status from MUSC, such
 1347 as University Medical Associates, the MUSC Foundation, and the MUSC Foundation for
 1348 Research Development) shall as a condition of continued business with MUSC and

1349 MUHA adopt a policy substantially similar to this Policy, adapted to accommodate those
1350 affiliate employees who are not public employees.

1351 **Preamble**

- 1352 1) Enhancing the public good through improved health initiatives and superior economic
1353 development is the foundation of many government policies. MUSC, as a contemporary,
1354 public research university, has a responsibility to actively participate and promote these
1355 initiatives even if conflicts of interest are more likely and many times unavoidable.
1356 Conflicts of interest, therefore, may arise from ordinary and appropriate activities as a
1357 part of assigned employment duties so the existence of a conflict should not imply
1358 wrongdoing. When conflicts of interest do arise, however, they must be recognized and
1359 disclosed, then eliminated or appropriately managed. The Board of Trustees for MUSC
1360 and MUHA has a duty to govern those State entities in a manner such that conflicts are
1361 appropriately reviewed and acted on to maintain public confidence in the integrity of our
1362 institutions.
- 1363 2) This policy provides a framework for recognizing and managing employee conflicts of
1364 interest, and should minimize even the appearance of conflicts of interest. The primary
1365 goal of this policy is to prevent an employee's activities from adversely influencing
1366 MUSC or MUHA operations.
- 1367 3) Particular departments and activities of MUSC or MUHA may have specific conflict of
1368 interest policies. It is intended, however, that this policy will apply to the entire MUSC
1369 enterprise, providing a framework for those specific additional policies to operate under,
1370 such that those specific policies will not supersede this policy unless approved by the
1371 Board of Trustees.
- 1372 4) This policy references South Carolina Code (S.C. Code § 8-13-10 *et seq.*) (the “Ethics
1373 Law”), which makes it unlawful for public officials, public members, and public
1374 employees to use their position to obtain an economic interest or to have a financial
1375 interest in most any contract or purchase connected with MUSC/MUHA, unless certain
1376 exceptions apply. This policy is implemented in addition to all requirements of the Ethics
1377 Law and does not supersede it. The South Carolina Ethics Law is at
1378 www.scstatehouse.gov/code/t08c013.php
- 1379 5) As MUSC conducts research funded by the Public Health Service and other federal
1380 agencies, it is required by federal law to maintain an appropriate written, enforced policy
1381 on conflict of interest that complies with 42 CFR Part 50 Subpart F – “Responsibility of
1382 Applicants for Promoting Objectivity in Research for which Public Health Service
1383 Funding is Sought”
1384 (http://grants.nih.gov/grants/compliance/42_CFR_50_Subpart_F.htm) as well as all other
1385 relevant policies of federal funding and oversight agencies.

1386 **A. Statement of general policy**

- 1387 1) MUSC/MUHA policy is that its employees conduct the affairs of MUSC/MUHA in
1388 accordance with the highest legal, ethical and moral standards.
- 1389 2) MUSC/MUHA policy is that employees of MUSC/MUHA shall disclose perceived and
1390 real conflicts of interest.

- 1391 3) MUSC/MUHA policy is that employees shall not use their position to secure personal
1392 financial benefits or economic interest for themselves, any member of their immediate
1393 family, any individuals or entity with whom the employee has a business relationship that
1394 renders an employee economic benefit. A perceived and/or real conflict of interest arises
1395 whenever the employee has the opportunity to influence university or Authority
1396 operations or business decisions in ways that could result in a personal financial benefit
1397 or economic gain to the employee, a member of an employee's immediate family, or
1398 individuals or entities with whom the employee has a business relationship which renders
1399 the employee economic benefit. Although certain specific examples of conflicts of
1400 interest are provided in this policy, they are meant only as illustrations, and supervisors
1401 and employees are expected to use good judgment to identify possible conflicts of
1402 interest that may adversely influence MUSC/MUHA operations, and to avoid or manage
1403 them as appropriate.
- 1404 4) This policy is not intended to prohibit approved and appropriately managed economic
1405 development activities related to MUSC/MUHA generated intellectual property,
1406 including MUSC/MUHA employee involvement with startup companies, Small Business
1407 Administration (SBIR/STTR) funded research and Centers of Economic Excellence
1408 Activities. However, any such activities by MUSC/MUHA employees that make use of
1409 university or Authority property, facilities, equipment or other resources for personal
1410 benefit shall be approved as required herein, of benefit to MUSC/MUHA, and for fair
1411 value.
- 1412 5) Nothing in this policy shall be construed to permit, even with disclosure, any activity that
1413 is prohibited by law.

1414 **B. Definitions**

- 1415 1) *Conflicts of interest* occur when an employee or immediate family member receives
1416 personal financial benefit or an economic interest from the employee's position in a
1417 manner that may inappropriately influence the employee's judgment, compromise the
1418 employee's ability to carry out MUSC/MUHA responsibilities or, be a detriment to
1419 MUSC/MUHA integrity.
- 1420 2) *Immediate family* includes the employee's parents, spouse, siblings, children,
1421 stepchildren, and grandchildren.
- 1422 3) *Manage and managing* means an affirmative action by the university or the Authority to
1423 establish parameters or conditions that minimize or eliminate the risk of the perceived or
1424 real conflict of interest.
- 1425 4) *Personal financial benefit or economic benefit* is defined as anything of monetary value,
1426 including salary, commissions, fees, honoraria, gifts of more than nominal value, equity
1427 interests, interests in real or personal property, dividends, royalty, rent, capital gains,
1428 intellectual property rights, loans, and forgiveness of debt. "Personal financial benefit"
1429 does not include:
- 1430 a) compensation or payments received from MUSC/MUHA or any of its affiliates or the
1431 Ralph H. Johnson Department of Veterans Affairs Medical Center;
- 1432 b) payments for participation in seminars, lectures or other educational activities as long
1433 as not acting in the employee's official capacity, or reasonable expenses for the same
1434 activities even if acting in official capacity;

- 1435 c) payments for participation in seminars, lectures or other educational activities, and
1436 reasonable expenses for the same activities as long as acting within the context of an
1437 individual's Faculty Appointment Contract;
- 1438 d) any financial interest arising solely by means of investment in a mutual, pension, or
1439 other institutional investment fund over the management and investments of which
1440 the employee or an associated immediate family member does not exercise control;
1441 and
- 1442 e) investments in publicly traded entities as long as employee owns less than a five
1443 percent and/or less than \$10,000 stake in said entity.
- 1444 5) *University* means Medical University of South Carolina.
- 1445 6) *Authority* means the Medical University Hospital Authority.
- 1446 7) *MUSC or MUHA responsibilities* are defined as the responsibilities of an employee to
1447 perform MUSC or MUHA activities as defined by management or contract.

1448 C. Policy provisions

- 1449 1. An employee shall disclose any situation in which the employee has, or may have, a real
1450 or potential conflict of interest as defined herein. These conflicts of interest must be
1451 reported annually to the appropriate Conflict of Interest Office. Modifications to existing
1452 disclosures or a new activity will require submittal of an additional disclosure in a timely
1453 manner. An authorized group of employees shall review the disclosure and recommend to
1454 the appropriate Vice President a suitable action plan to eliminate or manage the conflict
1455 of interest so as to ensure that MUSC or MUHA business is not improperly influenced or
1456 adversely affected. In the event that there is no reasonable way to manage a conflict of
1457 interest, then the employee may be prohibited from participating in related
1458 MUSC/MUHA affairs until such a time as the conflict is eliminated. In other words,
1459 employees and Officers of MUSC/MUHA have a duty to immediately disclose, manage
1460 or eliminate any real or potential conflicts of interest that are not in the best interests of
1461 the University or Authority.
- 1462 a. An employee shall disclose conflicts of interest in writing on an approved paper
1463 or digital Conflicts of Interest Disclosure Form, including a statement describing
1464 the nature and extent of the conflict, to their supervisor and to the appropriate
1465 Compliance Office. This disclosure must be completed annually, on a form
1466 designated for such purposes. A new disclosure form must be completed
1467 whenever a new conflict of interest arises or when a significant change occurs
1468 concerning an existing disclosure. See the following Web site for this disclosure
1469 form: Annual Conflict of Interest Disclosure < <https://www.carc.musc.edu/coi> >.
- 1470 b. If a supervisor becomes aware of a conflict of interest that an employee has not
1471 disclosed, the supervisor shall discuss the situation with the employee, require
1472 that a written disclosure be made as provided in this policy, and inform the Office
1473 of Compliance to anticipate the receipt of a new Disclosure Form.
- 1474 c. All conflicts of interest shall be reported to the MUSC or MUHA Office of
1475 Compliance. The Board of Trustees or its designee will retain authority to take
1476 such action as it deems appropriate regardless of any action or inaction by an
1477 Officer of MUSC and/or MUHA.

- 1478 2. The following are examples of conflicts of interest requiring disclosure. These examples
1479 are illustrations only and are not meant to be exclusive.
- 1480 a. Employee or immediate family member has a financial interest in a business
1481 entity with which the University or Authority does or proposes to do business, and
1482 the employee is in a decision-making role or otherwise is in a position to
1483 influence the University's or Authority's business decisions regarding the business
1484 entity. Business entity examples for which an employee disclosure is required:
 - 1485 i. finance or accounting services
 - 1486 ii. equipment services
 - 1487 iii. marketing services
 - 1488 iv. construction services
 - 1489 v. consulting
 - 1490 vi. counseling
 - 1491 vii. catering
 - 1492 viii. computer supplies
 - 1493 ix. programming
 - 1494 x. architectural services
 - 1495 xi. legal services
 - 1496 xii. grant preparation
 - 1497 xiii. temporary personnel services
 - 1498 xiv. office or laboratory supplies
 - 1499 xv. painting services
 - 1500 xvi. lawn and grounds services
 - 1501 b. Employee holds or assumes an executive, officer or director position in a for-
1502 profit or not-for-profit business or entity engaged in commercial, educational, or
1503 research activities similar to those in which the University or Authority engages.
 - 1504 c. Employee participates in consultation activities for a for-profit or not-for-profit
1505 business or entity engaged in commercial, educational or research activities
1506 similar to those of the University or Authority.
 - 1507 d. Employee holds or assumes an executive, officer or director position in a for-
1508 profit or not-for-profit business or entity that does business with the University or
1509 Authority.
- 1510 3. The activities listed below are prohibited unless sanctioned by an Officer of the
1511 University or Authority. Sanctioned activities are those activities documented within an
1512 individual's Faculty Appointment Contract, contained within an employee's job
1513 description or expectations, appropriately authorized agreements, Memoranda of
1514 Understanding, or otherwise approved by the employee's Vice President.
- 1515 a. Significant use of University or Authority property, facilities, equipment or other
1516 resources in any manner other than as part of the employee's responsibilities, that
1517 results in personal financial benefit or economic interest to an employee, a
1518 member of an employee's immediate family or business with which the employee
1519 has a business relationship.
 - 1520 b. Using significant University or Authority property, facilities, equipment or other
1521 resources in any manner to support an entity not associated with the University or
1522 Authority unless special permission is provided in writing by an authorized
1523 Officer of MUSC or MUHA.

- 1524 c. Using University or Authority stationery, letterhead, logo, or trademark in
1525 connection with outside activities, other than activities having a legitimate
1526 relationship to the performance of University or Authority business.
- 1527 d. Using University or Authority facilities, resources, or the employee's position at
1528 the University for the purpose of advocating, endorsing, or marketing the sale of
1529 any goods or services, other than as part of the employee's responsibilities,
1530 without the prior approval in writing by an authorized Officer of MUSC or
1531 MUHA.
- 1532 e. Using the University or Authority name, trademark or trade name for personal
1533 business or economic gain to the employee, a member of the employee's
1534 immediate family or a business with which the employee has a business
1535 relationship.
- 1536 f. Using any University or Authority intellectual property data or information that is
1537 not in the public domain for personal financial benefit or economic gain to the
1538 employee or a member of the employee's immediate family, or a business which
1539 the employee has a business relationship.
- 1540 g. Using any University or Authority employee for any outside activity during
1541 normal work time for which he or she is receiving compensation from the
1542 University or Authority (not applicable when employees are on a paid or unpaid
1543 leave).
- 1544 h. Participating in the selection or awarding of a contract between the University or
1545 Authority and any entity with which an employee is dually employed, is seeking
1546 employment or has been offered employment.
- 1547 i. Other activities may be prohibited if there is no reasonable way to manage an
1548 associated conflict of interest.

1549 **D. Employee responsibilities**

- 1550 1) Employees shall not engage in the prohibited activities listed above unless sanctioned in
1551 advance or in any other activity that has been prohibited following a completed review of
1552 an employee's conflict of interest disclosure.
- 1553 2) Employees shall disclose a real or perceived conflict of interest as described above:
1554 a) As soon as the employee knows of the conflict, and then annually thereafter for as
1555 long as the conflict continues to exist;
1556 b) In writing on the approved Conflict of Interest Disclosure Form;
1557 c) To the appropriate MUSC or MUHA Office of Compliance;
- 1558 3) Employees shall avoid any involvement with all related University or Authority activities
1559 and decisions until such time as the conflict of interest has been evaluated and the
1560 disclosed activity been approved.
- 1561 4) If there is any question whatsoever about an activity representing a conflict of interest,
1562 then the employee should consult with an MUSC or MUHA Office of Compliance or an
1563 MUSC or MUHA Office of Legal Counsel for direction.

1564 **E. MUSC/MUHA responsibilities**

- 1565 1. Supervisors shall ensure that all new employees are informed of this policy.

- 1566 2. Supervisors and administrators of MUSC and MUHA shall ensure that all current
1567 employees are reminded of this policy on a periodic basis.
1568 3. The University and Authority shall develop a peer process to evaluate conflict of interest
1569 disclosures, and to review the conduct of approved Management Plans.
1570 4. In the event that a reported conflict of interest is approved, the corresponding Office of
1571 Compliance shall ensure there is an appropriate Management Plan in place to monitor
1572 and manage the situation so that resources are used in an appropriate manner and that
1573 there is no improper influence on University or Authority decisions.
1574 5. The Offices of Compliance shall ensure that Conflicts of Interest Disclosure forms are
1575 retained for future reference. Upon an employee's transfer from the unit or termination
1576 from the University or Authority, associated Conflict of Interest Forms shall be retained
1577 by the Offices of Compliance for a minimum of three years.
1578 6. Supervisors shall establish and maintain a work environment that encourages employees
1579 to ask questions about real or potential conflicts of interest.
1580 7. If supervisors have any question whatsoever about an external activity representing a
1581 conflict of interest, they should consult with an Office of Compliance or an Office of
1582 Legal Counsel.

1583 **F. Sanctions for violation**

- 1584 1) Violations of University or Authority policies, including the failure to avoid a prohibited
1585 activity or disclose a conflict of interest in a timely manner, will be dealt with in
1586 accordance with applicable policies and procedures that may include disciplinary actions
1587 up to and including termination of employment.
1588 2) The Board of Trustees, as the ultimate governing body, or its designee retains authority to
1589 make a final determination of any matter covered by this Policy.

1590 **G. South Carolina state law**

- 1591 1. The South Carolina Ethics Government Accountability and Campaign Reform Act
1592 (herein the "Ethics Law") S.C. Code § 8-13-100, among other things, makes it unlawful
1593 for a public official, public member or public employee to knowingly use his official
1594 office, membership or employment to obtain economic interest for himself, a member of
1595 his immediate family, an individual with whom he is associated* or a business with
1596 whom he is associated**. This policy is implemented in addition to any requirements of
1597 the Ethics Law. Certain persons associated with the Authority or University are required
1598 to make filings with the South Carolina Ethics Commission and completion of the form
1599 attached to this policy will not satisfy that requirement.

1600 * Defined in the Act as: "Individual with whom he is associated" means an individual
1601 with whom the person or a member of his immediate family mutually has an interest
1602 in any business of which the person or a member of his immediate family is a
1603 director, officer, owner, employee, compensated agent, or holder of stock worth one
1604 hundred thousand dollars or more at fair market value and which constitutes five
1605 percent or more of the total outstanding stock of any class.

1606 ** Defined in the Act as: "Business with which he is associated" means a business of
1607 which the person or a member of his immediate family is a director, an officer,
1608 owner, employee, a compensated agent, or holder of stock worth one hundred
1609 thousand dollars or more at fair market value and which constitutes five percent or
1610 more of the total outstanding stock of any class.

1611 **Office responsible for this policy:**

1612 <https://web.musc.edu/about/coi>

1613

1614 **7.05.02 Research Conflict of Interest Definitions and Guidelines**

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	

1615 <https://web.musc.edu/about/coi/coi-committees>

1616 For additional information related to research conflict of interest, please refer to the Conflict
1617 of Interest website: <https://web.musc.edu/about/coi/coi-committees>

1618 The Charter of the MUSC Administrative and Clinical Conflict of Interest Committee can be
1619 found at: <https://web.musc.edu/about/coi/coi-committees>

1620 **7.06 University Compliance**

1621 The faculty is subject to the University Compliance Plan, the most current version of which
1622 is included at: <https://web.musc.edu/about/compliance>

1623 **University and Authority Compliance Offices:**

1624 <https://web.musc.edu/about/compliance>

1625 **Research Data Ownership & Record Retention Policy (including guidelines for
1626 sequestration of documents) (RDO&RR)**

1627 <https://research.musc.edu/resources/ori/irb/policies>

1628

1629 **7.07 Industry Relations 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 2014		
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

1630 This policy establishes guidelines for University-Industry relationships to ensure that
 1631 individuals who work for MUSC interact with Industry knowing the rules of the University
 1632 and State that govern such interactions.

1633 I. Policy Statement

1634 MUSC recognizes the value of its relationships with the healthcare industry (“Industry”). The
 1635 University also believes that such relationships must be entered into on the basis of a
 1636 partnership that advances the benefits of biomedical research, education and clinical care in
 1637 pursuit of improving human health. Importantly, these activities must avoid either the
 1638 existence or impression of professional impropriety by University or MUSC individuals who
 1639 are entrusted with the integrity of the institution’s educational, clinical or research programs.

1640 II. Scope

1641 This policy applies to all Trustees, Officers, Faculty, Administrators, Staff, Students and
 1642 Trainees including all full-time, part-time, temporary and contract employees of the Medical
 1643 University of South Carolina. The Medical University Hospital Authority and affiliates of the
 1644 University (including but not limited to University Medical Associates of the Medical
 1645 University of South Carolina, the MUSC Foundation and the Foundation for Research
 1646 Development), which derive their not for profit status from MUSC, shall as a condition of
 1647 conducting business with MUSC, develop and implement policies and procedures
 1648 substantially similar to and consistent with this policy.

1649 III. Approval Authority

1650 Board of Trustees

1651 IV. Purpose of this policy

1652 The purpose of this policy is to establish straightforward, effective and principled guidelines
 1653 for University-Industry relationships to ensure that individuals who work for MUSC interact
 1654 with Industry knowing the rules of the University and State that govern such interactions.
 1655 This is critical to protect the interests of the individual, the University and our patients as we
 1656 undertake these activities to achieve our ultimate goals of promoting scientific research,

1657 evidence based clinical care, and educating trainees. The University recognizes the
1658 importance of mutually beneficial relationships with Industry as long as those relationships
1659 do not compromise the integrity of our missions. Rather, one of the overarching aims of the
1660 policy is for full disclosure of consulting and educational activities by MUSC personnel to
1661 help ensure that these activities meet the guidelines set forth in this policy.

1662 V. Who should be knowledgeable about this policy

1663 All MUSC enterprise employees, students, and trainees

1664 VI. The Policy

1665 1. Consulting and Educational Programming:

1666 **a). Consulting**

1667 Purpose: Consulting interactions can facilitate the advancement of innovative ideas and
1668 discoveries, both of which ultimately benefit the general public through the transfer of
1669 scientific discovery. This section of the policy clarifies the terms of interactions with
1670 Industry where the primary goal is scientific exchange.

1671 Policy Statement: Consulting refers to all activities where the external entity furnishes a
1672 Personal Financial Benefit or an Economic Benefit and/or other Personal Benefit as
1673 reimbursement/compensation for the exchange of clinical, educational, professional and/or
1674 scientific information or activities by Covered Persons (see also above). The provision of
1675 bona fide Consulting Services by Covered Persons to external entities is consistent with
1676 MUSC's mission when those activities:

- 1677 (a) involve a two-way exchange of ideas in which each party benefits from the
1678 interchange;
- 1679 (b) are relevant to and enrich the consultant's research, education or other professional
1680 responsibilities;
- 1681 (c) do not interfere with the consultant's responsibilities to patients or the institution;
- 1682 (d) do not adversely affect the consultant's intellectual independence or the integrity of the
1683 institution;
- 1684 (e) are confined to the exchange of clinical, educational, professional and/or scientific
1685 information.

1686 i. Approved consulting activities include but are not limited to the following:

1687 • Serving on advisory boards, expert panels, leadership groups, data safety monitoring
1688 boards, and/or similar groups.

1689 • Providing expert witness testimony. (See MUSC Faculty Handbook.)

- 1690 • Providing scientific or medical presentations or expertise to industry scientists,
1691 research and development staff, and/or their staff.
- 1692 • Providing product review, product evaluation, and product feedback for Industry.
- 1693 • Demonstrating an Industry product (i.e., teaching when and how to appropriately use
1694 a product) for medical or research professionals in the context of medical or scientific
1695 education.
- 1696 • Providing consultation to venture capital firms, and serving as a scientific or medical
1697 advisor to Industry for purposes of MUSC intellectual property development.
- 1698 ii. Prohibited consulting activities include but are not limited to the following:
- 1699 • Consulting activities requiring or appearing to require MUSC staff to endorse or appear
1700 to endorse a particular product, drug, device, or service (either orally or in writing).
1701 This includes demonstrating an Industry product for promotional or sales purposes; and
1702 appearing (or being quoted) in a video, television, radio, internet broadcast, web site, or
1703 in other publicly-broadcasted or distributed materials for promotional or sales purposes
1704 without proper authority or approval.
- 1705 • Participating in ghostwriting, which is defined as Industry sponsorship for (i) making a
1706 major contribution towards the writing and/or research of scientific and medical
1707 publications without receiving authorship; or (ii) accepting authorship for a scientific or
1708 medical publication without making a major contribution towards the writing and/or the
1709 research.
- 1710 • Serving as an Industry sponsored “named reference” for a product recommendation.
- 1711 • Providing MUSC slides, videos, pamphlets or any other MUSC logo or copyrighted
1712 materials to Industry for marketing or promotional use. Such use must be approved in
1713 accordance with MUSC/MUHA policy or procedure.
- 1714 • Providing services that conflict or appear to conflict with SEC rules and regulations for
1715 stock brokers, investment houses, equity management companies, banks, and/or
1716 financial institutions.
- 1717 • Providing services to an Industry that is in a known legal dispute with MUSC.
- 1718 • Speaking to investors on behalf of a company, except when the company is an MUSC
1719 sanctioned and supported faculty start-up company.
- 1720 The lists of approved and prohibited consulting activities are the same whether consulting is
1721 done on personal or professional time. All Covered Persons who participate in consulting
1722 activities are subject to the approval procedures outlined in section VI.1.g of this policy.

1723 **b). Educational Programming**

1724 **Purpose:** MUSC recognizes the value to the institution and Covered Persons in having such
1725 opinion leaders present educational material before professional and lay groups. As noted in
1726 the MUSC Faculty Handbook, activities such as presentations to professional groups such as
1727 other universities, health systems, and professional societies are considered to be within the
1728 scope of Covered Persons' work. Education provided by Covered Persons shall be in the
1729 best interest of the public, independent from commercial interest, and refrain from product
1730 promotion. Additionally, MUSC recognizes the benefits that Covered Persons obtain by
1731 attending educational programs.

1732 **Policy Statement:** This policy applies to all medical, healthcare and scientific speaking
1733 engagements or educational presentations, with or without professional continuing
1734 education credit, where Industry furnishes a Personal Financial Benefit or an Economic
1735 Benefit and/or other Personal Benefit as reimbursement/compensation for the provision of
1736 those presentations by Covered Persons. The policy also applies to Covered Persons who
1737 attend such educational meetings. Educational programming should be independent from
1738 commercial interest and promote evidence-based clinical care and/or advance scientific
1739 research. MUSC recognizes that bona fide educational activities typically adhere to
1740 ACCME, ADA CERP, ACPE, ANCC or other national accreditation standards and qualify
1741 for continuing education credit. Other acceptable activities that do not provide CE credits
1742 but would serve recognized educational purposes include presentations to industry (e.g.,
1743 providing scientific or medical expertise) and training for medical or research professionals
1744 (e.g., teaching practitioners when and how to appropriately use a medical device).
1745 Otherwise, non-accredited, industry sponsored speaking to healthcare providers is not
1746 consistent with the standards of allowable educational programming due to the risk of
1747 industry influence.

1748 i. Approved educational speaker activities include but are not limited to the following:

1749 Providing continuing education (CE) services, scientific or medical presentations or
1750 expertise at academic meetings and professional societies, at other universities or
1751 research institutions, and at lay organization meetings as long as the following conditions
1752 are met:

1753 • These activities are designed to promote evidence-based clinical care and/or advance
1754 scientific research; • The presentation is made in accordance with professional
1755 accreditation standards such as the ACCME's Standards for Commercial Support, 1 the
1756 ADA CERP Continuing Education Recognition Program, or other national
1757 accreditation standards including those set by the ACPE and the ANCC, i.e., the
1758 educational content, including handouts and visual-aids, must be determined entirely by
1759 the speaker; and

1760 • The financial support of industry, if provided, is clearly disclosed. Payments to Covered
1761 Persons for speaking and for travel costs for these approved educational activities are
1762 permitted for approved speaker activities (see section VI.1.c for rules about payments).

- 1763 ii. Prohibited educational speaker activities include but are not limited to the following:
- 1764 • Speaking at any educational meeting where the content of the presentation, including
1765 handouts and visual-aids, is not determined entirely by the Covered Person.
- 1766 • Educational speaking should be independent from commercial interest, and refrain
1767 from product promotion. As such, speaking activities frequently referred to as speakers’
1768 bureaus are prohibited. Speakers’ bureaus are typically characterized by, but are not
1769 limited to, the following attributes:
- 1770 1. Promotional educational activity concerning a biomedical or pharmaceutical product;
- 1771 2. The company has the contractual right to dictate or control the content of the
1772 presentation or talk;
- 1773 3. The company creates the slides or presentation material and/or restricts or otherwise
1774 limits the Covered Person’s intellectual independence over the educational content of his
1775 or her presentation; and/or
- 1776 4. Covered Persons are expected to act as a company’s agent or spokesperson for the
1777 purpose of disseminating company or product information (e.g., the presentation is
1778 focused on a healthcare product made by the sponsor and does not include a balanced
1779 representation of alternative products or services).
- 1780 If you have questions about whether a speaking activity is a speakers’ bureau, you
1781 should consult with the COI Office for guidance.
- 1782 • Providing industry sponsored continuing education (CE) services or scientific or
1783 medical training to an audience consisting only of MUSC attendees.
- 1784 iii. Attendance at educational meetings sponsored by Industry
- 1785 Covered Persons may attend any educational meeting sponsored by industry but may not
1786 undertake the following:
- 1787 • Receive gifts, other compensation, or travel costs for attendance;
- 1788 • Participate in industry sponsored food, beverages or entertainment events if the
1789 audience is restricted to MUSC personnel only (i.e., MUSC personnel can only accept
1790 industry sponsored meals, beverages and entertainment events if the audience is not
1791 restricted to MUSC personnel and is open to members of the professional community at
1792 large).
- 1793 The lists of approved and prohibited educational activities are the same whether these
1794 activities are done on personal or professional time. All Covered Persons who participate

1795 as speakers in Educational Programs are subject to the approval procedures outlined in
1796 section 4g of this policy.

1797 **c). Payments for Consulting and Educational Programming**

1798 Payments for consulting and educational services should be at a level commensurate with
1799 effort. If done on professional time, the distribution of payment to either the individual or
1800 the institution will be at the discretion of each college or department. For all outside
1801 activities, Covered Persons should coordinate with the Conflict of Interest Office to
1802 determine reporting requirements for any industry relationship.

1803 Senior institutional officials (defined here as the President, Vice Presidents, Deans and
1804 Associate Deans) who conduct outside activities that fall within the institution's missions
1805 and/or relate to their service as institutional leaders must conduct those activities under a
1806 written agreement with the institution. Remuneration for the outside activity must be paid
1807 to the institution and cover the senior official's time and effort for the work;
1808 compensation should not be in addition to the senior official's institutional salary.

1809 **d). Leave Status Requirements for Consulting and Educational Programming**
1810 **Activities**

1811 Consulting and Educational Programming activities may occur on either Personal Leave
1812 (time) or Professional Leave. Please refer to section XI of this policy for specific
1813 definitions.

1814 **Consulting or Educational Programming Conducted on Personal Leave**

1815 • MUSC resources (e.g., secretarial assistance, office space, etc.) are not allowed to be
1816 used while providing consulting services or educational programming activities
1817 performed on personal time.

1818 • Covered Persons considering to undertake consulting or educational programming
1819 activities with a company with whom they are performing concurrent research should
1820 consult with the Conflict of Interest Office.

1821 • Covered Persons who consult or conduct educational programming while on Personal
1822 Leave may retain 100 percent of the fee; this fee must be paid directly to the Covered
1823 Person from the external entity. The Covered Person is responsible for securing payment
1824 for these consulting or educational activities, tax liability, and any financial concerns
1825 associated with such payments.

1826 • MUSC does not provide liability insurance coverage for Covered Persons performing
1827 consulting OR educational programming activities on personal leave.

1828 • Covered Persons may provide consulting or educational services on Personal Leave in
1829 conjunction with MUSC approved travel. Additional travel expenses incurred by the

1830 consulting or educational activities (e.g., additional hotel night/s, per diem,
1831 transportation, miscellaneous) will be the responsibility of the Covered Person.

1832 • Covered Persons should be aware that payments received from medical device,
1833 pharmaceutical manufacturers and biomedical suppliers are subject to the Physician
1834 Payment Sunshine Act and will be made publicly accessible via a Centers for Medicare
1835 and Medicaid Services website.

1836 **Consulting or Educational Programming Conducted on Professional Leave**

1837 • MUSC resources may be utilized to conduct consulting or educational programming on
1838 professional leave.

1839 • Covered Persons considering to undertake consulting or educational programming
1840 activities with a company with whom they are performing concurrent research should
1841 consult with the Conflict of Interest Office.

1842 • If the consulting or educational programming is completed on MUSC time while on
1843 professional leave, payment must be made to MUSC and allocated to an account within
1844 the college, department or division. Each college, department or division will be
1845 responsible for the disbursement of funds.

1846 • Consulting or educational programming conducted on professional leave requires a
1847 contract or agreement; please see section VI.1.f of this policy.

1848 • MUSC provides liability insurance coverage for Covered Persons performing
1849 consulting activities or educational programming on professional leave.

1850 **e) Consulting or Educational Programming Conducted with Concurrent Research**

1851 For consulting or educational activities that occur with concurrent research with the
1852 same company, Covered Persons should consult with the Conflict of Interest Office.

1853 **f) Consulting or Educational Programming Contracts**

1854 **Professional Leave Status:**

1855 All formal consulting and educational programming relationships approved for Covered
1856 Persons that are conducted while on Professional Leave must be formalized in a fully
1857 executed contract. All such agreements must be channeled through the appropriate contract
1858 approval process.

1859 • All agreements must clearly describe the services and deliverables to be furnished by
1860 the consultant or speaker, including the time required for such services or method of
1861 calculating compensation, a description of the compensation due under the agreement, a
1862 declaration regarding disposition of intellectual property rights if applicable, and a

1863 provision to protect the use of the MUSC name if appropriate. The agreement should be
1864 consistent with MUSC policies and eliminate unauthorized transfer of MUSC intellectual
1865 property.

1866 • An agreement must be signed and dated by all parties prior to the commencement of
1867 any of the consulting or educational programming activities. All agreements must be
1868 consistent with MUSC’s policies, mission and duties to its stakeholders.

1869 • The consultant or speaker is expected to maintain records of the consulting or
1870 educational programming activities for 6 years after the termination of the contract.

1871 **Personal Leave Status:**

1872 Covered Persons who consult or provide educational programming on Personal Leave are
1873 acting as independent contractors. Covered Persons may not bind or obligate MUSC in any
1874 way. Contracts entered into by Covered Persons acting as independent contractors should
1875 not contain any references to MUSC or its Affiliates; this includes an individual title (i.e.,
1876 Professor, Director etc.) or work addresses.

1877 **g) Approval Process for Consulting and Educational Programming**

1878 All consulting and educational programming whether occurring on Personal Leave or
1879 Professional Leave must not impact negatively on MUSC or MUSC’s research,
1880 educational or clinical missions. For all outside activities, Covered Persons should
1881 coordinate with the Conflict Of Interest Office to determine reporting requirements for
1882 any industry relationship. Requests for consulting and educational programming
1883 occurring on Professional Leave must be approved by the department chair or appropriate
1884 supervisor during the university’s contract approval process. It is recommended that
1885 Covered Persons notify their department chair or supervisor of any consulting or
1886 educational programming occurring on Personal Leave, as individual departments and/or
1887 colleges may have additional requirements.

1888 **2. Gifts**

1889 Covered Persons and their immediate family members may not accept gifts of value
1890 exceeding \$10 from vendors or other representatives of industry. Examples of gifts include,
1891 but are not necessarily limited to, travel and lodging expenses; membership dues; admission
1892 fees; preferential terms on a loan, goods or services; or the use of real property; for this
1893 section, “gifts” does not include food and beverages which is a subject handled in Section 6
1894 below.

1895 Acceptance of travel funds to participate in meetings or training directly related to ongoing
1896 sponsored research is not considered a gift and is allowable.

1897 Covered Persons may accept travel funds from scientific or professional societies that are
1898 funded by industry, as long as the society controls the selection of the recipient. Covered

1899 Persons may not accept travel funds directly from industry but travel support from industry
1900 funds provided to MUSC is allowed.

1901 3. Food, Beverages and General Hospitality

1902 Except as noted below, Covered Persons should not accept food and beverages, support for
1903 social events, or other hospitality offered directly by Industry to the Covered Person.
1904 Industry support for food and beverages for college, department or division meetings or
1905 retreats is prohibited.

1906 Covered Persons attending an educational meeting or conference may participate in food,
1907 beverages and social receptions sponsored by Industry as long as invitation to these events is
1908 open to non-MUSC attendees as well, i.e., the event is open to all meeting attendees.

1909 A Covered Person engaged in off-site consulting may accept food and beverages as a part of
1910 a reasonable compensation package for consulting services.

1911 Covered Persons cannot participate in industry sponsored food, beverages and/or
1912 entertainment events that are provided only for a select invited individual or group of
1913 individuals if the primary purpose of the event is for marketing and promotional purposes.
1914 However, this restriction does not preclude allowable activities, such as site visits and
1915 meetings with potential vendors, which may occur when obtaining contracted goods and
1916 services; these activities are governed by state and MUSC and/or MUHA procurement
1917 guidelines. Covered Persons should recognize that attendance at an industry supported event
1918 may cause their name and institutional affiliation to be reported as required by federal
1919 regulation. This can be avoided by paying for one's own meal at such events, and removing
1920 one's name from the attendance list.

1921 4. Industry Supported Continuing Education Programs

1922 • Continuing Education (CE) programs supported by Industry are permitted provided the
1923 following criteria are met:

- 1924 ○ Industry sponsored programs offering continuing education (CE) credit must be
1925 processed through the Office of Continuing Medical Education if appropriate and adhere to
1926 the standards for commercial support established by the ACCME, the ADA CERP, the
1927 ACPE, the ANCC, or other such accrediting or licensing body if available.
- 1928 ○ Industry provided food and beverages are prohibited at educational programs in which
1929 the only attendees are from MUSC, both on campus and off campus.
- 1930 ○ Students or trainees may participate in the continuing education programs as long as the
1931 programs are structured group settings that are supervised by faculty.
- 1932 ○ Appropriate disclosure statements are made in any pre-meeting announcement and by the
1933 speaker prior to beginning the program.
- 1934 ○ Companies seeking to provide support for CE programs may do so through unrestricted
1935 educational grants.

1936 5. Educational Materials and Equipment

1937 Donations of educational materials and equipment may be accepted. Such donations are
1938 expected to be used by faculty, staff, students and trainees and are not expected to be used
1939 by a single Covered Person. Donations are expected to be donated directly to an appropriate
1940 college or departmental official within the University or a University affiliate, and
1941 documentation of the donation, including the value of the equipment donated and the date of
1942 the donation, should be retained. Donations of capital equipment require approval of the
1943 Executive Vice President for Academic Affairs and Provost, except in cases of sponsored
1944 research, in which equipment donations are managed by the Office of Research and
1945 Sponsored Programs.

1946 6. Scholarships and other Educational Funding for Students and Residents

1947 Industry support for student scholarships, residents and fellows should be made in
1948 cooperation with the appropriate MUSC entity or University official. This may include the
1949 MUSC Foundation or the MUSC Foundation for Research Development, the Development
1950 Office, the Office of Research and Sponsored Programs or senior leadership according to
1951 the Institution's policies and procedures. Covered Persons must obtain approval from the
1952 department chair, division director or college dean before soliciting Industry for these
1953 purposes. The appropriate MUSC entity or University Official must manage and oversee the
1954 receipt of such Industry support. The evaluation and selection of recipients of such funds
1955 and use of such funds must be at the sole discretion of the University, college, or
1956 department. All potential industry sponsors should be given the opportunity to contribute.

1957 7. Fundraising and Business Development Activities

1958 The Institution recognizes that the MUSC Foundation has a unique and integral mission to
1959 attract financial support that furthers the research, education and patient care initiatives of
1960 the MUSC enterprise. Similarly, the Institution recognizes that certain activities are
1961 necessary to further the strategic and business development initiatives of the institution.
1962 Activities necessary to the successful conduct of fundraising and strategic advancement on
1963 behalf of the Institution may continue. However, these activities are not permitted to
1964 influence educational, clinical or research operations of the Institution other than providing
1965 support to further those missions. Activities intended to further strategic and business
1966 development initiatives must be part of the Covered Person's official duties or approved in
1967 advance by a member of the President's Group

1968 No gift shall influence or appear to influence Institutional decision-making related to
1969 procurement, patient care, education and research integrity. Any concerns shall be reported
1970 immediately to the Conflict of Interest Office. Notwithstanding anything in this section, SC
1971 state employees remain subject to the SC Ethics Law and must act in compliance with state
1972 regulations.

1973 8. Charitable Contributions

1974 Charitable contributions from industry for the benefit of the University or any of its
1975 affiliates must be made through the appropriate University channels. This may include the
1976 Development Office, MUSC Foundation or University leadership. The distribution of
1977 charitable contributions for their intended purposes will be the responsibility of the
1978 department, division director, college deans, and administration. Industry funding for
1979 sponsored projects (funding provided which is subject to terms and conditions) is accepted
1980 and managed on behalf of MUSC by the Office of Research and Sponsored Programs
1981 (ORSP).

1982 9. Pharmaceutical Samples

1983 Drug samples that are provided for distribution to patients will be handled in accordance
1984 with MUHA Policy C-26, Medication Samples.

1985 10. Site Access

1986 The MUSC Medical Center recognizes the value of information provided by various
1987 industry representatives but intends to limit access to its personnel and facilities to prevent
1988 interference with patient care activities. All vendors are expected to adhere to policy A-15,
1989 Account/Vendor Representatives <https://www.musc.edu/medcenter/policy/Med/A015.pdf> or
1990 any applicable contract with the vendor.

1991 11. Use of Confidential Information

1992 Unauthorized use of confidential, privileged or proprietary information by Covered Persons
1993 or their family members is prohibited. This includes but is not limited to, disclosure of such
1994 information to commercial entities without authorization; unauthorized use of such
1995 information to engage in a relationship with a commercial entity that leads to a Personal
1996 Financial Benefit or Economic Benefit for the Covered Person or their family member.

1997 12. Purchasing

1998 Covered Persons with any financial interest in any particular manufacturer of
1999 pharmaceuticals, devices or equipment or any provider of goods or services, must disclose
2000 such interests and recuse themselves from purchasing decisions relevant to the conflicting
2001 interests. Any Covered Person whose expertise is necessary to evaluate any product must
2002 disclose his/her financial ties to any manufacturer of that or any related product to those
2003 charged with the responsibility of making the purchasing decision.

2004 13. Disclosure and Notification

2005 Covered Persons shall disclose all relationships with commercial entities as described in the
2006 MUSC/MUHA Board of Trustees Conflict of Interest Policy. This policy can be found at
2007 www.musc.edu/coi.

2008 If there is a question about appropriate interaction with a commercial entity or the potential
2009 for a Conflict of Interest, the Covered Person should consult with individuals within their
2010 chain of command, the MUSC Conflict of Interest Office, MUSC, MUHA or UMA Office
2011 of Compliance, or the MUSC General Counsel's Office for guidance.

2012 VII. Special Situations

2013 Exceptions

2014 The University Conflict of Interest Committee will review/consider requests for exceptions
2015 to this policy. Request for exceptions must be submitted in writing to the Conflict of Interest
2016 Office. Resolution of such requests will be documented in the minutes of the University
2017 Conflict of Interest Committee and reported back to the requestor and their supervisor. If
2018 additional recourse is desired after review and action by the University Conflict of Interest
2019 Committee, a Covered Person may submit their request in writing to the MUSC Executive
2020 Vice President for Academic Affairs and Provost for appeal.

2021 VII. Sanctions for Non-compliance

2022 Violations of this Policy, including the failure to avoid a prohibited activity or disclose
2023 relationships with commercial entities will be dealt with in accordance with applicable
2024 policies and procedures that may include disciplinary action up to and including termination
2025 of employment or medical staff privileges. Sanctions may include suspension or dismissal,
2026 nonrenewal of appointment, denial of eligibility to engage in research funded through
2027 MUSC, denial of merit pay, or other appropriate penalties. Such sanctions may require
2028 giving notice of relevant information to funding agencies, professional bodies or journals, or
2029 the public. Termination of medical staff privileges or denial of medical staff privileges
2030 under this policy will not be based upon a physician's individual competence, quality of
2031 care, or professional conduct. Therefore, the revocation or denial of appointment or
2032 reappointment will not be reportable to any agency or databank.

2033 The Executive Vice President for Academic Affairs and Provost will determine the methods of
2034 resolving non-compliance with this policy and applying sanctions. The Executive Vice
2035 President for Academic Affairs and Provost may refer the matter to the appropriate College
2036 Dean or in the case of affiliates, to the senior administrative officer of that affiliate, take
2037 action on his or her own, or initiate MUSC procedures governing such discipline. The Board
2038 of Trustees, as the ultimate governing body, or its designee, retains authority to make a final
2039 determination of any matter covered by this policy.

2040 X. Related Information

2041 A References, citations

- 2042 • Korn D. Carlat D. Conflicts of interest in medical education: Recommendations
2043 from the Pew Task Force on medical conflicts of interest. Journal of the American
2044 Medical Association. 310(22):2397-2398, 2013.

2045 • Boumil MM. Cutrell ES. Lowney KE. Berman HA. Pharmaceutical speakers'
2046 bureaus, academic freedom, and the management of promotional speaking at
2047 academic medical centers. Journal of Law, Medicine & Ethics. 40(2):311-25, 2012.

2048 For further information regarding conflicts of interest in medicine and academics related to
2049 Industry relationships, visit the Industry Relations webpage on the Conflict of Interest
2050 website (<https://web.musc.edu/about/coi/coi-policies>).

2051

2052 X. Communication Plan

2053 Review of this policy is covered in the annual mandatory training for all employees.

2054

2055 XI. Definitions:

2056 For purposes of this policy:

2057 **Industry** refers to any corporation, partnership, sole proprietorship, firm, franchise,
2058 association, organization, holding company, joint stock company, receivership, trust,
2059 enterprise, or other legal entity, including for profit and not for profit entities that are
2060 engaged in 1) the manufacture, distribution or sale of diagnostic or therapeutic drugs,
2061 medical/dental devices or equipment, supplies, or information technology, 2) medical
2062 testing, or 3) providing services for clinical care, research, or education. Industry also refers
2063 to entities that provide services to MUSC in the areas of physical plant, university and
2064 hospital administration, human resources, project management, clinical services and
2065 regulatory services. The term industry does not include professional associations and
2066 societies, not for profit foundations, law offices, not for profit volunteer health
2067 organizations, academic institutions or not for profit hospitals that provide medical
2068 research/education-related products and services.

2069 **Conflict of Interest** is defined as the circumstance that arises when an individual has an
2070 opportunity to influence patient care, research and education of trainees regarding the
2071 purchase or use of products or services of an industry with which he/she has a secondary
2072 interest (financial relationship, or research support, or personal benefit).

2073 **Consulting** (Consulting Services, Consultant, etc.) is defined as all activities where the
2074 external entity furnishes a Personal Financial Benefit or Economic Benefit and/or other
2075 Personal Benefit such as reimbursement/compensation for the exchange of clinical,
2076 educational, professional and/or scientific information or activities by Covered Persons.

2077 **Educational Programming** is defined as medical, healthcare and scientific speaking
2078 engagements or educational presentations where Industry furnishes a Personal Financial
2079 Benefit or Economic Benefit and/or other Personal Benefit as reimbursement/compensation
2080 for the provision of those presentations by Covered Persons.

2081 **Personal Financial Benefit or Economic Benefit** is defined as anything of monetary value
2082 - including salary, commissions, fees, honoraria, gifts, equity interests (which include any

2083 stock, stock option, or other ownership interest), interests in real or personal property,
 2084 dividends, royalty, rent, capital gains, intellectual property rights, loans, and forgiveness of
 2085 debt. The term “personal” also includes the Covered Person’s immediate family, including
 2086 parents, spouse, siblings, children, stepchildren and grandchildren.

2087 **Other Personal Benefit** is defined as a non-financial benefit to a Covered Person; for
 2088 example, promise of a job promotion, future grant, research publication, clinical trial or
 2089 authorship, etc. The term “personal” includes the Covered Person’s immediate family,
 2090 defined as parents, spouse, siblings, children, stepchildren and grandchildren.

2091 **Personal Leave** is defined as that time away from work taken as annual leave , or any part
 2092 of a 24-hour period when there are no MUSC assigned responsibilities (e.g., weekends or
 2093 after hours when there are no MUSC assigned responsibilities).

2094 **Professional Leave** includes time away from MUSC to conduct MUSC approved
 2095 professional activities, while receiving compensation from MUSC. A request for this leave
 2096 must be approved by the Covered Person’s supervisor.

2097 XII. Review cycle

2098 At least every five years

2099 The link to this policy can be found at:
 2100 <http://academicdepartments.musc.edu/coi/coipolicies/coipolicies.htm>

2101 **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	

2102 [https://research.musc.edu/resources/frd/services/for-entrepreneurs/start-](https://research.musc.edu/resources/frd/services/for-entrepreneurs/start-ups)
 2103 [ups](https://research.musc.edu/resources/frd)<https://research.musc.edu/resources/frd>

2104

2105 **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	

2106 The Medical University of South Carolina neither encourages nor discourages faculty
 2107 participation as witnesses in legal proceedings. All such requests or directives to serve as a
 2108 witness because of professional training or position should be immediately reported to and
 2109 receive the prior approval of the department chair or next higher administrator. Department
 2110 chairs should file an annual report on all such witness activity with their respective deans.

2111 It is expected that time and resources spent as a witness or consultant in legal matters be
 2112 considered patient care-related and that all remuneration as set by the Medical University of
 2113 South Carolina should be reimbursed to the faculty member’s practice plan or appropriate
 2114 college account.

2115 **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	

2116 A process sanctioned by the Faculty Senate for the annual review by the faculty for
 2117 performance of chairs, deans, and/or other unit directors has been approved by the Executive
 2118 Vice President for Academic Affairs and Provost. Each May, the Executive Vice President
 2119 for Academic Affairs and Provost’s Office sends out questionnaires maintained at the
 2120 following link to all faculty including part-time faculty

2121 [https://education.musc.edu/leadership/provost/reporting-units/institutional-](https://education.musc.edu/leadership/provost/reporting-units/institutional-effectiveness/assessment)
 2122 [effectiveness/assessment](https://education.musc.edu/leadership/provost/reporting-units/institutional-effectiveness/assessment)

2123 Completed forms are sent anonymously to the Office of the Executive Vice President for
 2124 Academic Affairs and Provost or his/her designee where results are collated, tabulated,
 2125 summarized, etc., and given to deans of the respective colleges. The Executive Vice
 2126 President for Academic Affairs and Provost informs the President of the Faculty Senate in
 2127 March that the process has been completed and deans have reviewed the data which is
 2128 archived in the event future reexamination becomes necessary.

2129 **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	

2130 The faculty is subject to the university copyright policies. See Executive Vice President for
 2131 Academic Affairs and Provost Office website:

2132 <https://web.musc.edu/about/compliance/disclaimer> for the most current versions. Also, see
2133 “Intellectual Property” in section 7.12.04.

2134 **7.12 Faculty Research Activities**

2135 **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	

2136 The Office of Research and Sponsored Programs assists investigators and/or leaders of other
2137 sponsored programs in filing timely and complete grant or other support proposals,
2138 coordinating regulatory reviews, filing progress reports as required, and identifying potential
2139 sources of funding. It maintains liaison with federal, state, and other major research support
2140 agencies, assures compliance with MUSC, state, federal, and other agencies' policies and
2141 procedures, reviews proposals and provides administrative approval.

2142 Faculty members are encouraged to consult the office at any time for information or advice
2143 on program development, application preparation, and grants and contracts management.
2144 Those who are ready to make application for funds should contact the Research Office early
2145 in the process to be sure there is sufficient time to complete the required administrative
2146 review before the submission deadline.

2147 A directory of Resources for Researchers at the Medical University of South Carolina is
2148 available on request through the Research Office or the office of the Vice President for
2149 Research. Directory of Research Support, which includes abstracts of research being
2150 conducted, is also available on request. In addition, updated research support data on past
2151 and ongoing grants, cooperative agreements, contracts and other mechanisms of extramural
2152 funding are available through the office of the Vice President for Research.

2153 The financial management of awards is provided by the office of Grants Accounting.

2154 Office of Research and Sponsored programs website:
2155 <https://research.musc.edu/resources/orsp>

2156

2157

2158

2159 **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	

2160 The MUSC Responsible Conduct of Research policy is a key element of the overall
2161 University Compliance policies (see MUSC Webpage:
2162 <http://academicdepartments.musc.edu/uco/rcor.htm>)

2163 and must be signed by all faculty, staff, and students of the university using research
2164 resources or facilities, or receiving research funds administered by the university, and
2165 those engaged in oversight of research facilities or funds. It was approved by the
2166 University Board of Trustees and is presented in its entirety below.

2167 **Section I. Introduction**

2168 MUSC is committed to the highest standards of professional conduct; therefore all
2169 members of the university community are expected to adhere to the highest ethical
2170 standards of professional conduct and integrity. The values we hold among ourselves to
2171 be essential to responsible professional behavior include: honesty, trustworthiness,
2172 respect and fairness in dealing with other people, a sense of responsibility toward others
2173 and loyalty toward the ethical principles espoused by the institution. It is important that
2174 these values and the tradition of ethical behavior be consistently demonstrated and
2175 carefully maintained.

2176 **Section II. Definitions**

2177 Members of the University Community or “Members”: faculty, staff, fellows, residents
2178 and students or any individual employed by the university using university research
2179 resources or facilities, or receiving research funds administered by the university, and
2180 those engaged in oversight of research facilities or funds.

2181 **Section III. Responsibilities**

2182 **Fairness:** Members of the university community have the obligation to respect, and to be
2183 fair to other members, students and persons they supervise, and to foster their intellectual
2184 and professional growth. Members must not engage in, nor permit, harassment and illegal
2185 discrimination. Members must not abuse the authority they have been given, and care
2186 must be taken to ensure that any personal relationships do not result in situations that
2187 might interfere with objective judgment.

2188 **Professional Conduct:** Workplace and educational experiences must impart ethical
2189 standards of professional conduct through instruction and example. Members of the
2190 university community are expected to conscientiously fulfill their obligations toward

2191 students, advisees, colleagues and perform their duties as part of the university
2192 community. Members must support intellectual freedom.

2193 **Compliance:** Members of the university community are expected to understand and
2194 comply with laws and regulations related to their duties. Members are responsible for
2195 adherence to university policies and procedures and are expected to comply with State
2196 and Federal laws. The university has the obligation to provide the opportunities necessary
2197 to assure awareness. Members are expected to see that those who report to them are
2198 informed about, understand and comply with regulations such as those for health and
2199 safety in the workplace, including the procedures to assure the ethical treatment of human
2200 subjects and animals and the use of hazardous materials. Members also have an
2201 obligation to report any noncompliance of regulations that are observed.

2202 **Authorship:** In an academic environment we continually seek knowledge and
2203 understanding and must transmit our findings faithfully. Members of the university
2204 community who create scholarly products or works of art must guarantee the originality
2205 of their work and provide credit for the ideas of others upon which their work is built. All
2206 authors on a published work are responsible for the accuracy and fairness of the presented
2207 information. It is expected that members of the university community consider
2208 individuals for inclusion as authors on work submitted for publication if they have
2209 contributed substantially intellectually to the work. Special care must be taken to clarify
2210 authorship with entry level professional persons such as graduate students, postdoctoral
2211 fellows and trainees, preferably before the work is begun. It is inappropriate for members
2212 to include individuals as authors if they contributed only peripherally to the work.

2213 **Peer Review:** Any material received by members of the university community to review
2214 for funding or publication is confidential and the ideas contained therein must not be used
2215 in any other manner by the reviewer unless specifically permitted.

2216 **Data Collection and Management:** Falsification, fabrication and unacknowledged
2217 appropriation of the data of others by members of the university community are unethical
2218 and prohibited. At the outset of any research project, all participants are expected to
2219 discuss and agree upon data management and access and retention procedures including
2220 procedures for having participants join or leave the project. Privacy of collected data and
2221 rights to intellectual property must be protected. Student rights to data are expected to be
2222 clearly specified. All documentation necessary to reconstruct investigations is expected to
2223 be available and data are to be recorded in a timely and consistent manner.

2224 **Fiscal Responsibilities:** Members of the university community must not accept money or
2225 gifts for research on behalf of the university or as part of their university activities except
2226 as prescribed by university policy. All funds provided for research must be spent in ways
2227 consistent with the funding documents and in compliance with the guidelines on
2228 allowable costs. Members in charge of budgets have an obligation to monitor records of
2229 expenditures for compliance with university policies and procedures and to allow these
2230 records to be viewed by appropriate parties. Departmental files are the property of the
2231 university.

2232 The university has the obligation to provide up-to-date records of financial transactions.

2233 **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	

2234 The principles that govern scientific research long have been established and applied in
2235 the discovery of new knowledge. The faculties and administrators at academic medical
2236 centers and teaching hospitals have a central and critical responsibility to maintain these
2237 high ethical standards. Validity and accuracy in the collection and reporting of data are
2238 intrinsically essential to the scientific process. Dishonesty in these endeavors is contrary
2239 to the very nature of research; that is, the pursuit of truth.

2240 “Research misconduct means fabrication, falsification, or plagiarism in proposing,
2241 performing, or reviewing research, or in reporting research results.” Honest error or
2242 differences of opinion are not included in this definition. [42 CFR § 93.103]. A finding of
2243 misconduct “requires that- (a) There be a significant departure from accepted practices of
2244 the relevant research community; and (b) The misconduct be committed intentionally,
2245 knowingly, or recklessly; and (c) The allegation be proven by a preponderance of the
2246 evidence.” [42 CFR § 93.104].

2247 Primary responsibility for the integrity of all scientific research rests with the individual
2248 researcher. The researcher accepts this responsibility with the understanding that the
2249 commission of misconduct in the research process is a major breach of contract between
2250 the researcher and the institution.

2251 Pursuant to the Final Rule notice of 42 CFR Parts 50 and 93 Public Health Service
2252 Policies on Research Misconduct in the May 17, 2005 Federal Register effective June 16,
2253 2005, MUSC, as the awardee or applicant "institution," has complied with the necessary
2254 assurance to the Department of Health and Human Services (HHS) that there are both
2255 policies and procedures in place, and other institutional responsibilities are consonant
2256 with 42 CFR Subpart C, § 93.300-319 of the Federal Register's Rules and Regulations.

2257 MUSC Policies and Procedures for Responding to Allegations of Research Misconduct
2258 may be accessed at http://academicdepartments.musc.edu/research/ori/ric/pp_IV.html .
2259 Both the inquiry and the investigative phases, as well as administrative actions in the
2260 event of a finding of misconduct are included. Information at this Office of Research
2261 Integrity website supersedes the *Faculty Handbook* in the event of a discrepancy.

2262 **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	

2263 [Intellectual Property Policy 10.04-10.18 in the 2007 edition of the *Faculty Handbook* applies to
2264 faculty/staff who have intellectual property, conceived or first reduced to practice any invention
2265 or trade secret, prior to May 15, 2008]

2266 1.0 Purpose

2267 The purpose of this document is to delineate the policy and procedures pertaining to
2268 intellectual property created by employees, students, and visitors of the Medical University
2269 of South Carolina (“MUSC”) and its affiliates, including but not limited to MUSC
2270 Physicians, the Medical University Hospital Authority, the MUSC Foundation, and the
2271 MUSC Foundation for Research Development. (“MUSC Enterprise”).
2272

2273 2.0 Objective

2274 The objective of this policy is to further MUSC Enterprise’s mission by (i) providing for the
2275 necessary protections, incentives, and vehicles to encourage the discovery and development
2276 of new knowledge for the public good; (ii) fostering of research links and collaboration with
2277 industry and other academic institutions; and (iii) enabling advancement of economic
2278 development in South Carolina and beyond.
2279

2280 3.0 Applicability

2281 3.1 Employees (as defined below) and Students (as defined below): This Policy
2282 applies as a condition of appointment or employment by the MUSC Enterprise to every
2283 employee, and as a condition of enrollment by every student, who during the period of their
2284 appointment, employment, or enrollment by the MUSC Enterprise shall:

- 2285 (a) Conceive or first reduce to practice, actually or constructively, any invention or trade
2286 secret;
- 2287 (b) Prepare a copyrightable work;
- 2288 (c) Contribute substantially to the existence of any tangible result of research; or
- 2289 (d) Otherwise contribute to the creation of an item of intellectual property.

2290
2291 3.2 Visitors: This Policy applies as a condition of use of University Resources (as defined
2292 below) to all persons who are not covered under Section 3.1 above, who through their use of
2293 University Resources shall:

- 2294 (a) Conceive or first reduce to practice, actually or constructively, any invention or trade
2295 secret;
- 2296 (b) Prepare a copyrightable work;
- 2297 (c) Contribute substantially to the existence of any tangible result of research; or

2298 (d) Otherwise contribute to the creation of an item of intellectual property.

2299

2300 Such persons are called “Visitors” herein. MUSC Enterprise personnel allowing Visitor
2301 access to University Resources shall ensure that the Visitor has been notified of this Policy
2302 and obtained written consent from the Visitor, using approved forms (VISITORS
2303 consent on IP Policy - <http://frd.musc.edu/forms.html>), to be bound by this Policy.

2304

2305 4.0 Definitions

2306 4.1 “Intellectual Property” as used herein is broadly defined to include inventions,
2307 discoveries, know-how, show-how, trade secrets, processes, unique materials, tangible
2308 results of research, copyrightable works, original data, and other creative or artistic works
2309 which have potential commercial value. Intellectual property includes that which is
2310 protectable by statute or legislation, such as patents, copyrights, trademarks, service marks,
2311 trade secrets, mask works, and plant variety protection certificates. It also includes the
2312 physical embodiments of intellectual effort including, for example, models, machines,
2313 devices, designs, apparatus, instrumentation, circuits, computer programs and visualizations,
2314 biological materials, chemicals, other compositions of matter, plants, and records of
2315 research.

2316 4.1.1 “Copyright” shall mean copyrightable works as defined under the laws of the
2317 United States of America, including 17 U.S.C. 101 et seq. A computer program (defined
2318 in 17 U.S.C. 101 as: “...a set of statements or instructions to be used directly or indirectly
2319 in a computer in order to bring about a certain result”) when licensed solely as a
2320 copyrightable work shall have the resulting Net Proceeds distributed as a “Copyright”.

2321

2322 4.1.2 “Patent and Other Intellectual Property (excluding Copyright)” shall mean (a) a
2323 patentable invention as defined under the laws of the United States of America including
2324 35 U.S.C. 101 and (b) all other forms of Intellectual Property, excepting for Copyrights.

2325

2326 This definition (of 4.1.2) includes patentable processes which can be implemented in a
2327 computer (often called “business method patents”) and methods and algorithms capable of
2328 being implemented using a computer and protectable as a trade secret. In instances where
2329 patentable processes and/or trade secrets, and copyrightable works which fix in a tangible
2330 medium a specific instance of the patentable process and/or trade secret (i.e. a computer
2331 program) are licensed out together, the resulting total Net Proceeds shall be distributed as
2332 “Patent and Other Intellectual Property (excluding Copyright)” and not distributed as a
2333 “Copyright”

2334

2335 4.2 “Traditional Academic Copyrightable Works” are a subset of copyrightable works
2336 created independently and at the creator’s initiative for traditional academic purposes.
2337 Examples include manuscripts for scholarly journals, class notes, text books and
2338 supplemental materials, theses and dissertations, videos, digital video disks (dvds)
2339 containing audio, video, and/or interactive simulations as well as non-interactive
2340 demonstrations, compact disks containing audio, video and/or interactive simulations, as
2341 well as non-interactive demonstrations, articles, non-fiction, fiction, poems, musical
2342 works, dramatic works including any accompanying music, pantomimes and choreographic
2343 works, pictorial, graphic and sculptural works, or other works of artistic

2344 imagination that are not created as a) an institutional initiative or b) with University
2345 Resources. Specifically excluded from this definition are software works.

2346
2347 4.3 "Creator" means an individual or group of individuals who create, conceive, reduce to
2348 practice, author, or otherwise make a substantive intellectual contribution to the creation of,
2349 Intellectual Property. "Creator" includes the definition of "inventor" used in U.S. patent law
2350 and the definition of "author" used in the U.S. Copyright Act. Creators may be faculty, staff,
2351 and other persons employed by MUSC Enterprise whether full-or part-time; visiting faculty
2352 and researchers; and any other persons, including students, who create or discover
2353 applicable intellectual property using University resources.

2354
2355 4.4 "University Resources" means the material use of facilities, supplies, materials, or other
2356 resources of the MUSC Enterprise, with the exception of its Library collections.

2357
2358 4.5 "Net Proceeds" means the net amount received by MUSC or its designee from the sale,
2359 licensing or other disposition of any Intellectual Property, initially owned, pursuant to this
2360 policy, in whole or in part by MUSC, after deduction of all costs reasonably attributable to
2361 the protection and distribution of such Intellectual Property, including a fifteen (15) percent
2362 15% deduction from gross income for administration expenses of the FRD, which shall be
2363 used to further the objectives and purpose of this Policy, and any reasonable expense of
2364 patent or copyright prosecution, maintenance, interference proceedings, litigation, marketing
2365 or other dissemination and licensing.

2366
2367 4.6 "Employees" means full-time and part-time faculty (of all ranks and status as
2368 outlined in the MUSC faculty handbook) and all levels of full-time and part-time staff
2369 employed by the MUSC Enterprise.

2370
2371 4.7 "Students" means full-time and part-time students of all levels including those in
2372 training, such as post doctoral fellows and residents.

2373 2374 5.0 Disclosure and Assignment Requirements

2375
2376 5.1 Intellectual Property is required to be disclosed, pursuant to this Policy, by the
2377 Creator to the MUSC Foundation for Research Development or another designee as
2378 determined by MUSC, using approved forms (<http://frd.musc.edu/forms.html>). All
2379 disclosures are confidential. Ownership of such disclosure shall be determined pursuant to
2380 the applicable provisions of this policy.

2381
2382 5.2 Disclosure should be made in a timely manner upon the Creator's recognition that
2383 Intellectual Property may have been created. Disclosure should be made prior to public
2384 presentations or publications, or other dissemination of the Intellectual Property to third
2385 parties whether public or confidential.

2386
2387 5.3 Creators shall and hereby do assign to MUSC ownership of any Intellectual Property
2388 pursuant to this policy as a condition of employment, enrollment, or use of University
2389 Resources. Creators shall in good faith execute any and all assignment of ownership

2390 documents required to effectuate this policy. MUSC may require assignment of ownership
2391 documents be signed for any Intellectual Property covered under this policy regardless of
2392 whether the assignment of ownership document is required by law to transfer ownership to
2393 MUSC.
2394

2395 6.0 Ownership

2396 6.1 Employees (including faculty) and Staff: MUSC shall be entitled to claim ownership of
2397 Intellectual Property which is made in the field in which the employee or staff Creator is
2398 engaged by MUSC or made with the use of University Resources. The employee or staff
2399 Creator shall share in any proceeds derived there from in accordance with this policy and
2400 subject to any preexisting commitments to outside sponsoring agencies.
2401

2402 6.2 Students (including trainees): Intellectual Property created by student Creators shall be
2403 owned by the student Creator unless the Intellectual Property is created, conceived or
2404 reduced to practice (a) during the course of research conducted at MUSC; (b) through the
2405 use of University Resources; (c) in conjunction with one or more persons who are otherwise
2406 obligated to assign their rights in such Intellectual Property to MUSC under this policy; or
2407 (d) under terms of an MUSC contract with a third party which provide for other disposition
2408 of the Intellectual Property. For Intellectual Property of categories (a) through (d), MUSC
2409 shall be entitled to claim ownership, and the student Creator shall share in any proceeds
2410 derived there from in accordance with this policy and subject to any preexisting
2411 commitments to outside sponsoring agencies.
2412

2413 6.3 Visitors: MUSC shall be entitled to claim ownership of Intellectual Property created by
2414 Visitors through the use of University Resources. The Visitor shall share in any proceeds
2415 derived there from in accordance with this policy and subject to any pre-existing
2416 commitments to outside sponsoring agencies.
2417

2418 6.4 Copyright:

2419
2420 6.4.1 Copyrightable works that MUSC is entitled to claim ownership to under this policy
2421 shall be treated as works for hire.
2422

2423 6.4.2 Unless subject to any of the exceptions specified in Section 6.4.3, Creators shall
2424 retain all rights to Traditional Academic Copyrightable Works and are free to submit
2425 such for publication and execute assignment documents in their own name.
2426

2427 6.4.3 MUSC shall own Traditional Academic Copyrightable Works as follows:

- 2428 (a) Works created pursuant to the terms of an MUSC agreement with an external
2429 party;
- 2430 (b) Works created as a specific requirement of employment or as an assigned
2431 university duty that may be specified, for example, in a written job description or
2432 any employment agreement;
- 2433 (c) Works specifically commissioned by MUSC; and
- 2434 (d) Works that are also patentable
2435

2436 Nothing contained herein shall be interpreted to grant ownership to MUSC of Traditional
2437 Academic Works that are manuscripts for submission to scholarly journals, including
2438 electronic submissions which contain multimedia interactive components.
2439

2440 6.5 Agreements Impacting University Ownership 2441

2442 6.5.1 Sponsored Research Agreements: Ownership and disposition of Intellectual
2443 Property may be governed in whole or in part by sponsored research agreements, which may
2444 supersede certain provisions of this Policy. Prior to the execution of any sponsored research
2445 agreement which would conflict with this Policy, the Vice President for Research or
2446 designee must approve the agreement in question.
2447

2448 6.5.2 Consulting: Employees engaged in external consulting work or business are
2449 responsible for ensuring that agreements emanating from such work are not in conflict with
2450 university policy or with MUSC's contractual commitments. Such employees should make
2451 their university obligations known to others with whom they make such agreements and
2452 should provide the parties to such agreements a statement of applicable university policies
2453 regarding ownership of intellectual property and related rights.
2454

2455 7.0 Commercialization of Intellectual Property

2456 7.1 Commercialization 2457

2458 7.1.1 In making commercialization decisions for its Intellectual Property, MUSC, or its
2459 designee, shall have full discretion, subject to the purpose, objectives, and requirements
2460 of this policy. MUSC shall designate an internal office, or a retained third party entity
2461 such as a not-for-profit foundation, whose sole purpose is to solely benefit MUSC,
2462 hereafter referred to as the Foundation for Research Development ("FRD") for the
2463 administration and commercialization of Intellectual Property.
2464

2465 7.1.2 The FRD shall keep the Creator reasonably informed of its commercialization
2466 efforts; provided, however, if the Creator has an interest in an entity which desires to
2467 license or otherwise make commercial use of the Intellectual Property, the Creator shall
2468 not be privy to financial or other confidential information concerning the offers of
2469 competing parties. In this event, the supervisor of the conflicted Creator shall be
2470 informed of the commercialization efforts in lieu of the conflicted Creator.
2471

2472 7.2 Timetable 2473

2474 7.2.1 Complete Submission: Upon submission of an Intellectual Property Disclosure, the
2475 FRD shall notify the Creator within thirty (30) days if the Intellectual Property Disclosure
2476 is deemed complete. If it is not deemed complete, the Intellectual Property Disclosure
2477 shall be returned to the Creator with a request for the additional information needed.
2478

2479 7.2.2 Ownership: Within nine (9) months of a Complete Submission, the FRD shall
2480 inform the Creators if MUSC is exercising its right to claim ownership of the intellectual
2481 property.

2482
2483 7.2.3 The FRD shall be reasonably diligent in making efforts to commercialize the
2484 Intellectual Property to which it has claimed ownership.

2485
2486 7.3 Disposition of Intellectual Property

2487
2488 7.3.1 After evaluation of the Intellectual Property and review of applicable contractual
2489 commitments, the FRD may (a) commercialize the Intellectual Property through licensing
2490 or other transfer of rights, (b) release it to the sponsor of the research under which it was
2491 made (if contractually obligated to do so), (c) release it to the Creator if permitted by law,
2492 or (d) take such other actions as are determined to be in the interest of MUSC and the
2493 public. Licensing or other transfer of Intellectual Property rights to entities which the
2494 Creator has an interest in is not prohibited by any provisions of this policy.
2495 Commercialization by the FRD or its designee may or may not involve statutory
2496 protection of the intellectual property rights, such as filing for patent protection,
2497 registering a copyright or securing plant variety certification.

2498
2499 7.3.2 The FRD may create a policy, with the approval of the Vice President for
2500 Research, to allow for the rapid and streamlined disposition of certain copyrightable
2501 works under “open source”, “creative commons” or “copy left” agreements.

2502
2503 7.3.3 Should the FRD abandon commercialization of university-owned Intellectual
2504 Property, ownership may be assigned to the Creator as allowed by law subject to the
2505 rights of sponsors and to the retention of a license to practice the Intellectual Property
2506 rights for the internal purposes of MUSC, its affiliated entities, and not-for-profit research
2507 collaborators. The minimum terms of such license shall grant MUSC, its affiliated
2508 entities, and its not-for-profit research collaborators, the right to use the Intellectual
2509 Property in their internally administered programs of teaching, research, and public
2510 service on a perpetual, royalty-free, non-exclusive basis. In such event MUSC may
2511 require the repayment of its out of pocket patent prosecution and maintenance expenses
2512 from any profits made due to commercialization by the Creator. In such an event the
2513 Creator may if they desire avail themselves of Section 9.4.

2514
2515 7.4 Distribution of Net Proceeds: Net Proceeds shall be distributed quarterly unless the
2516 recovery of costs reasonably attributable to the protection and distribution of such
2517 Intellectual Property necessitates a delay of up to six (6) months in order to receive and
2518 process third party invoices for such protection (i.e. patent prosecution invoices). Net
2519 Proceeds shall be distributed pursuant to the following schedule:

2520
2521 DISTRIBUTION OF NET PROCEEDS: (net proceeds excludes 15% reduction from
2522 gross proceeds; see Section 4.5)

Royalty (\$)	Inventor(s)	Department(s)	Lab(s)	Angel Fund	University	College(s)
2523 1-\$10,000	100	0	0	0	0	0
2524 > \$10,000	40	10	15	10	20	5

2526

2527 7.4.1 If Net Proceeds are attributable to more than one item of Intellectual Property (e.g.
2528 more than one patent), the Net Proceeds shall be first apportioned equally amongst each
2529 item prior to application of the distribution schedule, unless otherwise agreed to by the
2530 pertinent Creators or if no agreement, as directed by the Vice President for Research or
2531 Vice President for Research, who shall be under no obligation to attempt to discern an
2532 apportionment other than equal.

2533
2534 7.4.2 If Net Proceeds are attributable to more than one Creator, distribution of Net
2535 Proceeds (the apportioned share if more than one item of Intellectual Property) pursuant
2536 to the schedule shall be made using an equal distribution for each Creator absent a written
2537 agreement to the contrary signed by all the Creators.

2538
2539 7.4.3 Payment of the Creator's Share shall not end due to the Creator's death, disability,
2540 or termination of employment or other association with MUSC. In the event of death,
2541 payment of the Creator's share shall be made to the Creator's estate.

2542
2543 7.4.4 In the event that a Creator changes departments within MUSC, future distribution of
2544 the department share and funds previously earned by the former department shall remain
2545 in the originating department. If a department ceases to exist, their shares shall accrue to
2546 the University Royalty Income Account until and unless the inventor, author, or
2547 contributor joins a new University department.

2548
2549 7.4.5 In the event that a Creator, or in the case of a student-Creator, when their mentor,
2550 leaves the employment of MUSC or terminates research operations then 50% of any
2551 remaining balance of laboratory shares and future laboratory shares from net proceeds
2552 resulting from patents, licensing or copyrightable works shall be redistributed to the
2553 Angel Fund and the remaining 50% will be distributed proportionally among the
2554 Department, University and School/College according to the table in 7.4 with the
2555 stipulation that these funds be solely used to support further growth of intellectual
2556 property and technology transfer initiatives at MUSC.

2557
2558 7.4.6 Students and Visitors: For Student or Visitor Creators, the lab, department, and
2559 school /college shares shall be payable to the Laboratory, Department, and
2560 School/College of the Student's mentor or the Laboratory, Department, and
2561 School/College of the Visitor's sponsor.

2562
2563 7.4.7 In the event that equity is received from the commercialization of Intellectual
2564 Property, equity shall not be considered Net Proceeds until the equity can be freely
2565 tradable or liquidated. MUSC and/or FRD shall not be responsible or liable for any
2566 valuation fluctuations of equity.

2567
2568 7.4.8 Creators are responsible for any tax consequences associated with their receipt of
2569 Net Proceeds.

2570
2571 7.4.9 In the event the FRD is a third party not-for-profit entity, MUSC can cause the FRD
2572 to make payments on MUSC's behalf pursuant to the schedule.

2573
2574 7.4.10 Angel Fund: The proceeds designated for the Angel Fund shall be paid to the
2575 MUSC FRD with its own budget line and be used to further the development of emerging
2576 MUSC owned Intellectual Property as approved by the FRD Board of Directors and the
2577 Vice President for Research. The Intellectual Property Committee shall be periodically
2578 informed by the FRD regarding the use of these funds.
2579

2580 8.0 Faculty Cooperation

2581
2582 The Creator will use reasonable effort to cooperate and assist, at no expense to the
2583 Creator, in the commercialization efforts of the FRD. The Creator shall execute
2584 appropriate documentation for the protection of the Intellectual Property.
2585

2586 Potential conflicts of interest that a Creator has with respect to Intellectual Property
2587 and its disposition under this policy shall be disclosed by the Creator pursuant to appropriate
2588 MUSC policy.
2589

2590 9.0 Intellectual Property Committee

2591
2592 9.1 Membership: The Intellectual Property Committee (“IPC”) shall be a standing
2593 committee and consist of seven (7) to eleven (11) members appointed by the Vice President
2594 for Research. Members shall be chosen from the various colleges and departments of MUSC
2595 which generate disclosures of Intellectual Property. One member shall be designated by the
2596 Vice President for Research or Vice President for Research as the Chair. A student shall also
2597 be appointed to the committee by the Vice President for Research.
2598

2599 9.2 Duties: The IPC shall:

- 2600 (a) Provide advice to the Vice President for Research and the
2601 FRD regarding implementation of this policy, and undertake a periodic review of
2602 the policy making recommendations for any revisions, if needed;
2603 (b) Encourage compliance with this policy through education of potential Creators of
2604 Intellectual Property, and through periodic meetings with those persons and entities
2605 responsible for implementation of this policy.
2606

2607 9.3 Meetings: The IPC shall meet at least quarterly and at such other times as requested by
2608 the Vice President for Research, the FRD, the Chair, or by at least 1/3 of the committee
2609 members.
2610

2611 9.4 Dispute Resolution Procedures

2612
2613 9.4.1 A Creator or MUSC administration can request the IPC mediate a dispute arising
2614 under this policy.
2615

2616 9.4.2 If a mediated resolution amongst the parties is not obtained, the Committee can
2617 make a recommendation to the Vice President for Research for a resolution of the
2618 dispute.

2619
2620
2621
2622
2623

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.

2624
2625

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

2630

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
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

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The Faculty Appointment Contract (FAC) clarifies an individual's activities and responsibilities for the upcoming academic year and links the listed activities to compensation. These contracts are offered in good faith between the faculty member and the chair. They serve as a platform for discussing and resolving issues that could be misinterpreted between a faculty member and the chair. To assure collegial working relationships, the primary responsibility for resolving any dispute concerning the FAC lies with the faculty member and the department chair / division chief. However, some issues in a proposed FAC occasionally cannot be resolved at the department level.

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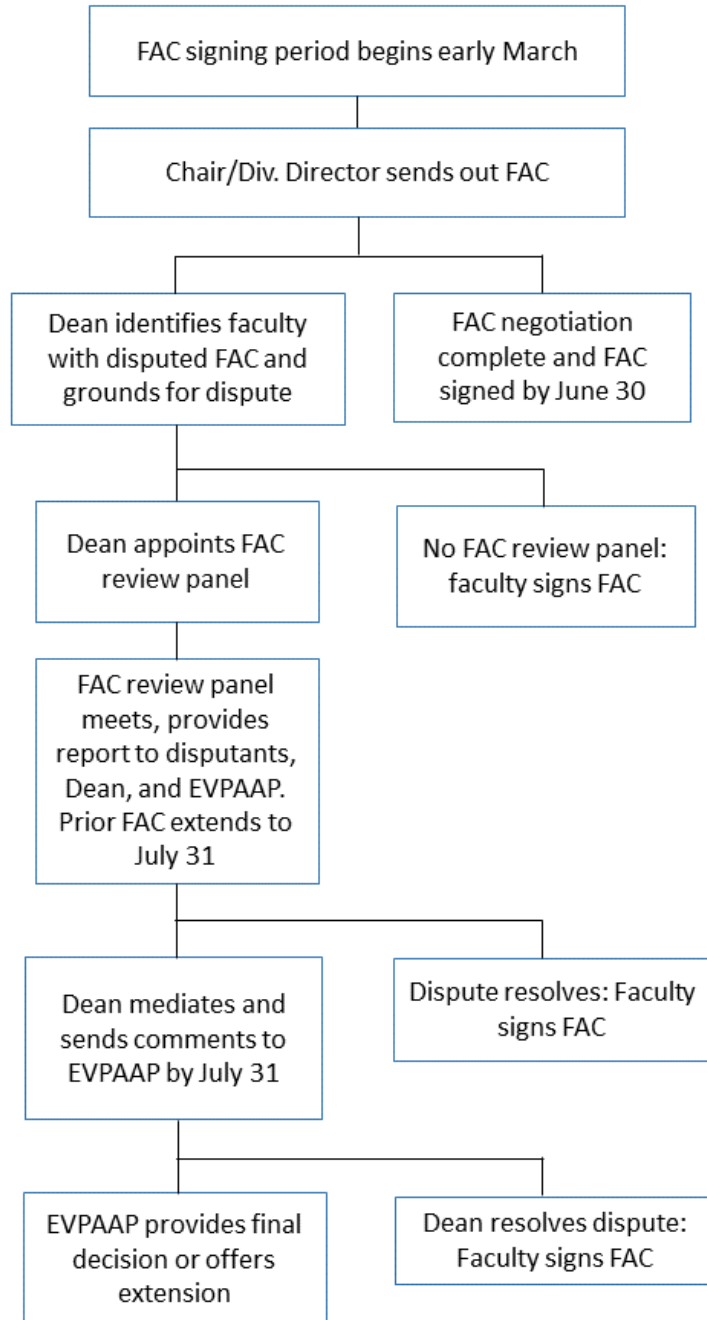
The FAC signing period begins in early March and is to be completed by June 30. Any faculty member unwilling to sign his/her draft FAC may request a formal review and adjudication of the draft contract through their dean, who will make a formal request to the Office of the Executive Vice President for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

2651 Academic Affairs and Provost. Each review panel member will sign a confidentiality
2652 agreement in order to encourage the free sharing of opinions and facts. Panel members may
2653 recuse themselves for perceived conflict of interest. The Executive Vice President for
2654 Academic Affairs and Provost makes the final MUSC decision regarding the FAC being
2655 offered.

2656 Both the faculty member and the chair or division directors shall have the opportunity to
2657 meet with the panel. The panel determines when to close fact-finding and hearing phases of
2658 the review and to begin deliberation. Following adequate deliberation on the issues, the
2659 panel shall submit a written recommendation to the disputants, the Dean, and the Executive
2660 Vice President for Academic Affairs and Provost. The Dean may mediate and resolve the
2661 dispute; however, if necessary, upon receipt of the Dean's comments on the Panel Report
2662 prior to July 31st, the Executive Vice President for Academic Affairs and Provost will
2663 provide the final written decision on the contested issue to all parties. If a resolution has not
2664 been achieved by July 31st, the Executive Vice President for Academic Affairs and Provost,
2665 or designee, can grant an additional extension to facilitate the resolution.

2666 For FAC disputes, this policy recognizes: 1) the importance of timely resolution, and 2)
2667 faculty desire for peer review at the college level. The flow chart below outlines this policy.
2668 The general grievance policy in Section 8.02 covers FAC disputes and complaints that
2669 cannot be resolved as described above in 8.01.

Faculty Appointment Contract (FAC) Flow Chart



2671 **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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2672 The general grievance policy in this section covers complaints that cannot be resolved in an
 2673 informal way at the department or college level and which are not covered by other
 2674 procedures.

2675 In any community of free people, even under the best of circumstances, complaints will be
 2676 generated from time to time by individuals or groups who feel that a condition exists that is
 2677 detrimental to their professional careers or personal well-being.

2678 A community of academicians operates on the premise that a complaint brought by one or
 2679 more of its members against another or against the institution itself is best resolved when the
 2680 parties involved are encouraged to seek a just and equitable solution.

2681 When individual efforts fail to produce a satisfactory resolution of a complaint, it behooves
 2682 the greater academic community to intercede so that an equitable solution is obtained with
 2683 dispatch.

2684 Therefore, a grievance and appeal procedure is established to handle complaints that cannot
 2685 be resolved in an informal way at the department or college level and which are not covered
 2686 by other procedures.

2687 Participation in a grievance procedure in any capacity, including as a grievor, within the
 2688 scope of such grievance proceeding is considered by the University to be within the scope of
 2689 duties of a faculty member. The faculty member shall be afforded the same protection for
 2690 such participation as for any other faculty duties subject to the provisions of the liability
 2691 insurance policies purchased to cover liability of faculty members.

2692 The granting or the failure to grant tenured status to teaching and research faculty,
 2693 professional librarians, academic administrators and all other persons holding faculty
 2694 appointments or nonrenewal of employment contracts at the end of the contract term shall
 2695 not be subject for consideration by this grievance procedure (Section 8-17-380, S.C. Code of
 2696 Laws 1976). Section 8.01 governs resolution of faculty contract and post-tenure review
 2697 disputes.

2698 **8.02.01 Initial Stage and Grievance Procedure**

2699 A complaint concerning any condition that is felt to be detrimental to the complainant's
 2700 professional development or personal well being shall first be directed as described below:

- 2701 1) Complaints against a member of the complainant's department shall be explained to the
2702 departmental chair. When the complaint is against the chair, it is lodged with the dean of
2703 the college.
- 2704 2) Complaints against a member or chairman in the complainant's college, but not a member
2705 of the complainant's department, shall be lodged with the dean of the college.
- 2706 3) Complaints against a member of another college shall be lodged with the dean(s) of the
2707 college(s) involved.
- 2708 4) Complaints against any administrator shall be lodged with the next higher level of
2709 administration.

2710 The person with whom the complaint is lodged shall attempt to mediate an amicable
2711 solution, or to suggest another person who might more effectively mediate an amicable
2712 solution.

2713 **8.02.02 Grievance Procedure**

- 2714 1) In the event that the complaint is not resolved within a reasonable period of time, the
2715 complainant may submit a written request for a hearing. The proper avenue for such a
2716 request is through established channels of authority to the Executive Vice President for
2717 Academic Affairs and Provost. Once initiated, a grievance or appeal must be afforded full
2718 due process regardless of changes in employment status.
- 2719 2) The grievance or appeal shall be referred by the Executive Vice President for Academic
2720 Affairs and Provost to a Standing University Faculty Hearing Committee consisting of
2721 three (3) faculty members recommended by the Faculty Senate, three (3) faculty
2722 members recommended by the Provost's Council, and one (1) faculty member selected
2723 by the Executive Vice President for Academic Affairs and Provost. The Committee may
2724 elect a chair, or may request that the Executive Vice President for Academic Affairs and
2725 Provost designate one of the seven individuals to be chair. Additional individuals who
2726 may be needed in case of a conflict of interest with a standing committee member will be
2727 selected from individuals representing each college and the Academic Affairs Faculty ,
2728 who have received training in mediation. Faculty Senate and Provost's Council may
2729 nominate individuals to receive mediation training and to serve in the Pool of potential
2730 Hearing Committee Members. This Pool (referred to as the Standing University Faculty
2731 Hearing Committee Pool) will be composed of one member from each college and the
2732 Academic Affairs Faculty nominated by the Faculty Senate, and one member from each
2733 college and the Academic Affairs Faculty nominated by the Provost's Council. Standing
2734 University Faculty Hearing Committee Pool members shall serve terms of up to three
2735 years, staggered such that there will be some continuity of membership from year to year.
- 2736 3) The grievance or appeal shall be in writing and shall specify the condition(s) felt to be
2737 detrimental to the individual's professional development or personal well-being and the
2738 manner in which it/they may affect the complainant adversely. The statement shall
2739 specify the reason(s) why such a condition is/are felt to be the responsibility of a person
2740 or persons named in the grievance or appeal, and it shall suggest the changes in
2741 conditions that would satisfy the complainant.
- 2742 4) Upon receipt of a grievance or appeal, and in no case longer than thirty (30) days after the
2743 receipt thereof, the Executive Vice President for Academic Affairs and Provost will

2744 convene a seven member Hearing Committee at full strength from individuals selected
2745 from the Standing University Faculty Hearing Committee pool.

2746 **8.02.03 Action by the Hearing Committee**

2747 1) When a grievance or appeal is referred to the Faculty Hearing Committee, the chair of the
2748 Committee shall distribute copies of all pertinent materials to the parties involved who
2749 have not already received them and to the members of the Committee within one week of
2750 the referral.

2751 The Committee shall refuse to hear a grievance or appeal if it determines that:

- 2752 a) The parties have made inadequate effort to resolve the dispute by discussion and
2753 agreement or have not utilized other reasonably available avenues for relief within the
2754 division, department, college(s);
- 2755 b) The dispute is patently frivolous or plainly without merit;
- 2756 c) The relief sought is beyond the power of the university to grant;
- 2757 d) The grievance is insufficiently related to the concerns of the academic community;
- 2758 e) The dispute is within the jurisdiction of another committee or unit of the university.
- 2759 2) Within twenty-one (21) days of the distribution of the materials pertinent to the grievance
2760 or appeal, the Committee shall meet and decide whether to hear the case. If the
2761 Committee decides to hear the case, it shall immediately notify the principals and shall
2762 commence hearings within another seven (7) days. As it deems appropriate, the
2763 Committee may call any witnesses and examine any documents in addition to those
2764 presented by the parties to the grievance or appeal. The Committee shall prepare and
2765 keep a transcript of its proceedings.
- 2766 3) After hearing the parties to the grievance or appeal and the witnesses, the Committee
2767 shall deliberate in executive session. It shall then determine to: (a) recommend an
2768 appropriate action or (b) dismiss the grievance. The chair shall send, in writing, the
2769 Committee's recommendation(s) to the parties. It shall then declare the hearing
2770 concluded.
- 2771 4) The chair also shall send the Committee's recommendation(s) and rationale for it/them to
2772 the Executive Vice President for Academic Affairs and Provost of the university for
2773 consideration and recommendation by that officer. This report shall be submitted within
2774 ten (10) days after the conclusion of the hearing.
- 2775 5) In preparing the written recommendations to the Executive Vice President for Academic
2776 Affairs and Provost, the Committee shall consider only the evidence presented at the
2777 hearing and such written and oral arguments as the Committee, in its discretion, may
2778 allow.
- 2779 6) Under unusual and compelling circumstances, the Committee, with the concurrence of
2780 the Executive Vice President for Academic Affairs and Provost, may extend any
2781 deadlines upon written notification to the parties to the grievance or appeal.

2782 **8.02.04 Action by the Administration of the University**

2783 Within thirty (30) days of the receipt of the Faculty Hearing Committee recommendations
2784 and rationale, the Executive Vice President for Academic Affairs and Provost of the
2785 university, who is ordinarily appointed by the President to act on her/his behalf, shall review
2786 the record and notify the parties to the grievance or appeal and the chair of the Faculty
2787 Hearing Committee of his/her recommendation in the case. In the event that the Executive
2788 Vice President for Academic Affairs and Provost has been a participant in the hearing of the
2789 aggrieved faculty member or for other valid reasons, the Executive Vice President for
2790 Academic Affairs and Provost may disqualify herself/himself and request the President to
2791 appoint another designee for said review.

2792 If the Executive Vice President for Academic Affairs and Provost concurs in the
2793 recommendation of the Committee that is favorable to the faculty member, no further action
2794 in the matter may be taken. If the Executive Vice President for Academic Affairs and
2795 Provost either declines to accept a Committee recommendation that is favorable to the
2796 faculty member, or concurs in a Committee recommendation that is unfavorable to the
2797 faculty member, the faculty member may appeal to the Board for review. The appeal shall
2798 be submitted in writing to the Secretary of the Board within ten (10) days following the
2799 decision of the Executive Vice President for Academic Affairs and Provost who ordinarily
2800 acts as the designee of the President. It shall state the decision complained of and the redress
2801 desired.

2802 **8.02.05 Action by the Board**

2803 The appeal shall be placed on the next regular Agenda of the Board for the consideration of
2804 the Board.

2805 The Board in its sole discretion may grant a review, but if granted the Board shall not be
2806 required to conduct an additional hearing or hear arguments of the faculty member or
2807 counsel but may review the record of the proceedings. The Board, at its discretion, may elect
2808 to hear arguments, oral or written, by both of the principals or their representatives and may
2809 consult with the hearing Committee.

2810 Any action taken by the Board shall be final.

2811 **8.02.06 Definition of Rights and Challenges in a Grievance Procedure**

2812 1) Challenge of Committee Members:

2813 a) Upon the request of a party to a grievance, a member of the Committee may be
2814 removed from considering a case if deemed biased or in conflict of interest. If a
2815 member of the Committee refuses to remove herself/himself when challenged for
2816 such cause, the challenging party may appeal to the entire Committee who shall make
2817 a final determination of the challenge. A Committee member may disqualify
2818 herself/himself.

2819 b) If s/he so desires, each party shall have, in addition, a challenge without stated cause.
2820 A member so challenged shall not consider the case.

2821 2) To Present Witnesses and Supporting Materials:

2822 Each party involved in a grievance or appeal may:

- 2823 a) submit any written materials in support of his/her position;
- 2824 b) present witnesses at hearings.

2825 3) To Have an Advisor During the Hearing:

- 2826 a) Each party to a grievance or appeal may be accompanied in the hearing by a non-
- 2827 participating advisor of his/her choice and may consult with the advisor throughout
- 2828 the hearing.
- 2829 b) If any party chooses to have participating legal counsel present, written notification
- 2830 must be presented to the chair of the Committee at least five (5) days before the
- 2831 hearing. The chair shall then promptly notify the other parties. The Hearing
- 2832 Committee conducts an internal administrative review, rather than a legal proceeding.
- 2833 Legal counsel may advise, but may not participate in the hearing. The Committee
- 2834 chair, in consultation with University General Counsel, may remove any advisor from
- 2835 the hearing should said advisor persist in attempts to participate in the hearing [rather
- 2836 than to render advice to any participant(s)].

2837 4) To Have an Observer Attend Hearings:

2838 At the request of any party to a grievance or appeal, or at the request of the Committee
2839 hearing the case, a representative of a responsible professional or educational association
2840 shall be permitted to attend hearings as an observer. The chair will determine the
2841 qualifications and responsibility of the association.

2842 **8.02.07 Access to Records of Hearings**

- 2843 1) A written record shall be made of the proceedings during hearings.
- 2844 2) Each party to a grievance or appeal shall have access to all records of the hearing and,
- 2845 should s/he request it, shall be furnished, upon payment of reasonable charges for
- 2846 transcription or reproduction, a record of the proceedings. (A copy of the official record
- 2847 of the proceedings, in whatever form it is made, shall satisfy this requirement.)

2848 **8.02.08 To Receive Expeditious Consideration**

- 2849 1) The parties to any grievance or appeal have the right to expeditious consideration at all
- 2850 stages of these procedures.
- 2851 2) The Hearing Committee is expected to formulate its written recommendation(s) and to
- 2852 communicate it/them to the parties to the grievance or appeal within ten (10) days of the
- 2853 conclusion of the hearing.

2854 **8.02.09 Annual Report of the Chair of the Hearing Committee**

2855 Each July the chair of the Hearing Committee shall make a summary of formal grievance
2856 and appeal activities and statistics on cases in progress and those settled during the
2857 preceding year. S/he shall send this report to the President of the Faculty Senate, the
2858 Executive Vice President for Academic Affairs and Provost, and to the President of MUSC.

2859 **9. FACULTY SEPARATION**

2860 **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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2861 Tenure terminates when a faculty member resigns or retires. Tenure may also be terminated
 2862 for cause. Cause includes one or more of the following:

- 2863 a) Neglect or refusal to perform the duties and responsibilities of the academic rank to
 2864 which the faculty member is appointed, or performance below the standards generally
 2865 accepted for the rank.
- 2866 b) Conduct seriously prejudicial to the Medical University of South Carolina through
 2867 infraction of the law, moral turpitude, or infraction of commonly accepted standards of
 2868 behavior in academic and professional communities.
- 2869 c) Inability to perform the usual duties because of physical or mental incapacities.
 2870 Terminations for medical reasons must be based upon clear and convincing medical
 2871 evidence.
- 2872 d) Documented evidence of financial exigencies or need for curtailment or discontinuance
 2873 of programs, departments, colleges or positions. The administration shall seek
 2874 appropriate faculty input in arriving at such decisions and shall observe every effort to
 2875 make suitable reassignments of displaced personnel. In such decisions, appropriate
 2876 weight will be given to seniority of service. The place of any faculty member so released
 2877 shall not be filled within a period of two years, unless the released faculty member has
 2878 been offered reappointment and has declined or failed to respond within a specific and
 2879 reasonable period of time.

2880 In instances involving termination for cause, the faculty member has the right to appeal through
 2881 the Faculty Grievance and Appeal Procedure (Section 8.02).

2882 **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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2883 The President may remove a faculty member for cause at any time, including termination or
 2884 removal prior to hearing. Should such action be taken, the President shall implement a full

2885 hearing pursuant to the grievance procedure within sixty (60) days of said removal. Prior to
2886 the presentation of notice of dismissal, discussions concerning mutually agreeable settlement
2887 may be held through the organized administrative structure between the faculty member and
2888 the administrative officer(s) as designated by the President. Except for summary termination
2889 or removal by the President, termination of tenure for cause, unless waived by the faculty
2890 member involved, will be preceded by the following:

2891 1) For termination pertaining to:

2892
2893

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

2894 This procedure serves as the initial stage of the Faculty Grievance and Appeal Procedure.
2895 Referral to the Executive Vice President for Academic Affairs and Provost will actuate the
2896 Grievance Procedure.

2897

2898 b. Prejudicial conduct and for precedence for rectifying the situation - the appropriate
2899 dean shall meet with the faculty member to discuss the nature of the conduct. The
2900 President may suspend the faculty member until the consequences of due process have
2901 been accomplished. A written summary of the meeting shall be provided to the faculty
2902 member who must abide by its terms. Failure of the dean to reach accord with the faculty
2903 member, or failure of the faculty member to meet the terms of the summary, shall result
2904 in the matter being referred to the Executive Vice President for Academic Affairs and
2905 Provost.

2906

2907 c. Incapacity - the department chair shall meet with the faculty member to document the
2908 nature and extent of the incapacity and forward a copy of the documentation to the dean,
2909 who shall refer the matter through appropriate channels to the Executive Vice President
2910 for Academic Affairs and Provost.

2911

2912 d. Abolition or discontinuance of positions or programs - the President of the University
2913 through Executive Vice President for Academic Affairs and Provost notifies the dean of
2914 the college concerned of such exigencies. Written notice of termination, through
2915 appropriate channels, is given to the faculty member(s) involved by the respective dean.
2916 Such notice is given at least twelve months in advance of the termination, to the extent
2917 that appropriated funds are available and legislation permits. Prior to the written
2918 termination notice, the dean and the Executive Vice President for Academic Affairs and
2919 Provost will have made reasonable efforts to place the faculty member(s) in any existing
2920 faculty vacancies within the university, consistent with the faculty member's
2921 qualifications and area of expertise. The faculty member(s) shall have a right to a
2922 hearing under the Faculty Grievance and Appeal Procedure.

2923

2924 *Procedures a) through c) serve as the initial stages of the Faculty Grievance and Appeal*
2925 *Procedure. Referral to the Executive Vice President for Academic Affairs and Provost*
2926 *will actuate the Grievance Procedure*

2927 2) Until a final decision concerning termination of tenure has been reached, the appropriate
 2928 dean and the Executive Vice President for Academic Affairs and Provost, upon approval
 2929 by the President, may suspend or assign the faculty member to other duties. Before
 2930 suspending a faculty member, the dean shall consult with the Appointment, Promotion
 2931 and Tenure Committee of his/her college. A faculty member who has been suspended
 2932 will suffer no loss of salary unless his/her appointment is duly terminated, in which
 2933 event the, subject to the approval of the President and the Board, will determine the date
 2934 of termination. In determining the date, the Executive Vice President for Academic
 2935 Affairs and Provost may take into account the length and quality of service of the faculty
 2936 member.

2937 **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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2938 Unless otherwise stated by a written contract of appointment, all non-tenured faculty
 2939 members are under contract for one (1) year from the date of their employment with the
 2940 department. For appointments other than 12-months, the contract period shall be stated in
 2941 writing at the time of appointment or employment.

2942 State legislation (S.C. Code of Laws, as amended, Section 8-17-380)
 2943 (<http://www.scstatehouse.gov/code/t08c017.php>) provides that non-renewal of employment
 2944 contracts at the end of the contract term is not grievable by the mechanism outlined in the
 2945 Code. When a decision of non-renewal of contract is reached, no reason for non-renewal
 2946 need be given, but it is usually more professional and humane for the chair to discuss the
 2947 reasons leading to the decision with the faculty member affected.

2948 When a decision not to renew an appointment has first been reached, the faculty member
 2949 involved will be informed of that decision by the department chair making the decision; the
 2950 faculty member may be advised upon request of the reasons which contributed to that
 2951 decision. The faculty member may request reconsideration by the deciding individual. If the
 2952 faculty member so requests, the reasons given in explanation of the non-renewal will be
 2953 confirmed in writing.

2954 Written notice of the intention not to renew the appointment of a non-tenured faculty
 2955 member shall be given, to the extent that appropriated funds are available and legislation
 2956 permits, as follows:

2957 1) At least three (3) months prior to the expiration of the most recent contract for faculty
 2958 with the Medical University if the initial contract was for a one (1) year term.

- 2959 2) At least six (6) months prior to the expiration of the most recent contract for faculty
 2960 appointed under a second-year contract with the department. Previous service to the
 2961 university to other departments or capacities is calculated for notice purposes).
 2962 3) At least one (1) year prior to the expiration of the most recent contract for faculty under a
 2963 third (3rd) year or subsequent-year contract with the department.

2964 **9.04 Dismissal For Cause Before the End of a Specific Contract Period for Non-Tenured**
 2965 **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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2966 Cause or grounds for dismissal of a non-tenured faculty member before the end of a specific
 2967 contract period are the same as those set forth for revocation of tenure (see Section 9.02,
 2968 Procedures for Termination of Tenured Faculty).

2969 **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
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2970 Under ordinary circumstances, a faculty member is expected to fulfill his or her contractual
 2971 obligations to the university. Letters of resignation requesting release from those contractual
 2972 obligations prior to the end of a contract period may be accepted by the appropriate
 2973 department chair or administrator if such actions are mutually acceptable. In the event the
 2974 resignation is not accepted by the university, the faculty member shall complete his or her
 2975 contractual service for the year in question. Faculty members who plan to leave university
 2976 employment at the end of a contract period shall give sufficient notice and clear all financial
 2977 and other obligations.

2978 **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
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

2979 Information regarding eligibility and procedures for retirement are contained in
2980 <https://web.musc.edu/human-resources/university-hr>

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2982 **10. UNIVERSITY HUMAN RESOURCES POLICIES**

2983 **10.01 Faculty Leave and Authorized Absences**

Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Mar 2018	Apr 2018	May 2018	
June 2019	Not Required	July 2019	

2984 **10.01.01 Leave with Pay**

2985 **Annual Leave**

2986 Eligible full-time faculty members accrue 176 hours of annual leave (22 working days) per
2987 fiscal year (July 1 – June 30). Leave is accrued on a monthly basis provided the faculty
2988 member is in a pay status for at least one-half of the workdays of the month. Faculty
2989 members continue to accrue annual leave while on annual leave, sick leave or other
2990 authorized leave with pay. No leave is accrued if the faculty member is in a leave without
2991 pay status. The maximum amount of unused annual leave that may be carried over into a
2992 new fiscal year (July 1- June 30) is 360 hours (45 days).

2993 Eligible part-time faculty, with a twelve-month contract will accrue proportionate annual
2994 leave benefits based on the percentage of time worked. As with full-time faculty, the
2995 maximum amount of unused leave that part-time faculty may carry over into a new fiscal
2996 year is 360 hours (45 days).

2997 Eligible faculty with nine-month contracts are entitled to accrue and use annual leave during
2998 the period of their contract. The amount of accrual will be 75% (16.5 days) of the amount
2999 accrued by full-time twelve-month faculty. As with other faculty, 360 hours (45 days) is the
3000 maximum amount of unused leave that faculty with nine-month contracts may carry over
3001 into a new fiscal year.

3002 As far as possible, leave shall be scheduled in accordance with the preference of the faculty
3003 member. However, leave shall be approved by the appropriate supervisor/administrator to
3004 assure efficient operation. Recognizing the nature of academic responsibility and the high
3005 priority of class scheduling, faculty may be granted annual leave before it is earned.

3006 Faculty members may use up to a maximum of 240 annual leave hours (30 days) in any one
3007 fiscal year, at the department's discretion

3008 Twelve-month faculty (full & part-time) who leave the employment of MUSC who have
3009 unused annual leave are entitled to a lump-sum payment for such leave not to exceed 360
3010 hours (45 days), to be calculated as follows:

3011 University hourly rate multiplied by number of hours of accrued, unused annual leave.
3012 Earnings are taxed as extra income per IRS regulations. Contact the HR Benefits office to
3013 discuss the option of deferring a portion of the payment to an approved supplemental
3014 retirement account.

3015 **Official Holidays**

3016 Holidays observed by the University in accordance with State regulations, can be found at
3017 the following link:

3018 <https://horseshoe.musc.edu/human-resources/univ/employee-corner/leave/holidays>. If
3019 conditions preclude taking the holiday at the prescribed time, comparable time must be
3020 taken within one year; there is no provision for payment for earned but unused holidays.

3021 **Sick Leave**

3022 Eligible full-time faculty members accrue sick leave at the rate of 10 hours per month on a
3023 calendar year basis for a total of 15 working days. Leave is accrued provided the faculty
3024 member is in a pay status for at least one-half of the workdays of the month. Faculty
3025 members continue to accrue sick leave while on annual leave, sick leave or other authorized
3026 leave with pay. No leave is accrued if the faculty member is in a leave without pay status.
3027 The maximum amount of unused sick leave that may be carried over into a new fiscal year is
3028 1,440 hours (180 days). Eligible part-time faculty, working 50% of the time or more, will
3029 accrue sick leave on a prorated basis.

3030 **Leave Donation**

3031 Excess sick leave may be donated to the MUSC Catastrophic Leave Program (Please refer
3032 to HRM Policy #48, [Catastrophic Leave Program](#)).

3033 Faculty may also donate annual leave to the catastrophic leave pool, as long as the eligibility
3034 requirements are met. Faculty annual leave donations will be designated for faculty annual
3035 leave requests. The department of the requesting faculty member should ensure that the
3036 leave recipient does not receive or use transferred annual leave from the pool after the
3037 personal emergency ends, and HR should be notified immediately.

3038 **For Additional information, see the following links:**

3039 University HR [Policies](#)

3040 **10.01.02 Extended Leave without Pay**

3041 Extended leaves of absence without pay may be granted by the President, through regular
3042 administrative channels, under circumstances wherein the best interests of MUSC would be
3043 served through granting such leave. Authorization may be considered in such cases as:

3044 (1) Absence for advanced academic training, research, or other experience which
3045 leads to increased competence and promotes the interests of the Medical
3046 University as well as those of the faculty member, and

3047 (2) Absences due to prolonged illness or for personal reasons when such absences
3048 extend beyond available annual leave or sick leave. Sick leave must be exhausted
3049 first before leave without pay is granted. Normally, the total period of absence
3050 will not exceed six months (including up to 480 hours approved under FMLA for
3051 qualified conditions) and may be granted in increments depending on the
3052 circumstances.

3053 The granting of leave-without-pay is a matter of administrative discretion. The
3054 administrative channels for request for leave-without-pay shall be the same as for other
3055 faculty actions.

3056 Although sick leave or annual leave does not accrue during periods of leave-without-pay,
3057 the accumulated leave balances are not forfeited.

3058 A member of the faculty who has acquired tenure shall retain tenure during any period of
3059 leave; however, time served on leave-without-pay may not be counted toward acquiring a
3060 sabbatical leave.

3061 **10.01.03 Family and Medical Leave Act**

3062 A faculty member who has worked for a State of South Carolina employer for 12 months
3063 or more and has worked at least 1,250 hours during the preceding 12 months, may be
3064 eligible for Family and Medical Leave.

3065 See HR Policy #30 ([Family Medical Leave Act](#))

3066 **10.01.04 Authorized Absences**

3067 **Sabbatical Leave**

3068 See Section 6.01 Sabbatical Leave

3069 **Attendance in Court**

3070 When a faculty member is a voluntary witness in litigation as an individual, and not in an
3071 official capacity, the time taken from work shall be charged as annual leave or leave-
3072 without-pay, as appropriate.

3073 When, in obedience to a subpoena or other legal direction by proper authority a faculty
3074 member appears to testify, serve as a witness, or serve on a jury for the Federal
3075 Government, the State of South Carolina or one of its political subdivisions, the faculty
3076 member shall be granted leave-with-pay for the necessary period of time which shall be
3077 recorded as Administrative Leave.

3078 **Death in Family**

3079 Supplemental leave (with pay) may be authorized by the department for a death in the
3080 family. This leave, which shall not exceed three consecutive working days, may be
3081 granted in the case of death of the following relatives of the faculty member, or legal
3082 spouse of the employee:

- 3083 • Spouse
- 3084 • Parents
- 3085 • Legal Guardians
- 3086 • Brothers or Spouse of Brothers
- 3087 • Sisters or Spouse of Sisters
- 3088 • Children or Spouse of Children
- 3089 • Grandparents or Great-Grandparents
- 3090 • Grandchildren or Great-Grandchildren

3091 **Voting**

3092 Each faculty member who is eligible to vote in a South Carolina primary or general
3093 election will be authorized up to two hours leave for voting. If possible, voting should be
3094 done before or after work.

3095 **Military Leave**

3096 In accordance with State Law, a faculty member is entitled to a maximum of 15 work
3097 days of paid leave in any one calendar or fiscal year for active duty training with the
3098 South Carolina National Guard or one of the Reserve units of the Armed Forces of the
3099 United States. These 15 days need not be consecutive and may be used intermittently
3100 throughout the year. Insofar as possible, such training should be arranged to be of least
3101 interference with regular academic, research or clinical commitments.

3102 In the event a faculty member is called upon to serve during an emergency ordered by the
3103 Governor or the Armed Forces concerned, s/he shall be entitled to an additional leave of
3104 absence with pay not to exceed 30 working days.

3105 A faculty member is normally entitled to leave-without-pay during an extended period for
3106 up to five years for active military duty. After such leave, the faculty member may return
3107 to active employment with MUSC in a comparable position to the one held at the time

3108 such leave was granted, in accordance with the MUSC Military Leave Policy and the
 3109 Uniformed Service Employment and Reemployment Rights Act (USERRA).

3110 **Assault by Patient**

3111 Covered employees who are temporarily disabled as a result of an assault by a patient or
 3112 client are entitled to the use of supplemental leave with pay during the period of
 3113 disability.

3114 **Donating Blood**

3115 Supplemental leave for blood donation is limited to four (4) hours. A department head
 3116 may require documentation of the donation.

3117 **10.01.05 Academic Time**

Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Mar 2018	Apr 2018	May 2018	
June 2019	Not Required	July 2019	

3118 Time related to professional development, conferences, off-site work activities are not
 3119 charged as leave; however, it is required to be documented for insurance and liability
 3120 purposes. As far as possible, leave shall be scheduled in accordance with the preference of
 3121 the faculty member. However, leave shall be approved by the appropriate
 3122 supervisor/administrator to assure efficient operation.

3123 **10.02 Faculty Benefits**

Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Mar 2018	Apr 2018	May 2018	
June 2019	Not Required	July 2019	

3124 Faculty members who resign, retire, or for other reasons terminate their employment with
 3125 MUSC must contact the Department of Human Resources Management concerning the
 3126 action they need to take with regard to the following: a) Retirement, b) State Health, Dental

3127 and Vision Insurance, c) State Optional or Dependent Life Insurance, d) Supplemental Long
3128 Term Disability and flexible spending accounts, e) Tax Sheltered Annuities, and d) Deferred
3129 Compensation Plans.

3130 Faculty employed by MUSC-affiliated institutions or organizations, such as VA Medical
3131 Center or MUSC Physicians, should refer to their Human Resource Management policies for
3132 eligible benefits.

3133 **10.02.01 General Employment Benefits**

3134 For information related to the core State benefits provided by the University, contact MUSC
3135 Human Resources Management at 843-792-2071, opt 4 or benefits@musc.edu. Contact
3136 information for counselors can be found on the directory. [http://horseshoe.musc.edu/human-](http://horseshoe.musc.edu/human-resources/univ/benefits/contacts)
3137 [resources/univ/benefits/contacts](http://horseshoe.musc.edu/human-resources/univ/benefits/contacts)

3138 For assistance with supplemental benefits offered to clinical faculty by MUSC Physicians,
3139 contact MUSC Physicians at 843-852-3100 or muscbenefits@musc.edu.

3140 To find an overview of benefits go to:

3141 University: <http://academicdepartments.musc.edu/hr/university/benefits>MUSC
3142 Physicians: <http://horseshoe.musc.edu/human-resources/muscp/benefits>

3143 Additional Perks and Discounts:

3144 [Other Benefits- Perks and Discounts](#)

3145 The comparison between University and MUSC Physicians benefits is located at the
3146 following link:

3147 [Faculty Benefits](#)
3148 (<http://academicdepartments.musc.edu/hr/university/benefits/faculty%20benefits.htm>)

3149 **10.02.02 Liability Insurance**

3150 Pursuant to State law, faculty members and other employees are insured for all activities
3151 within the scope of their duties for MUSC. This State mandated insurance coverage is
3152 provided through the South Carolina Insurance Reserve Fund. Specific information
3153 regarding coverage may be obtained from the Office of University Risk Management.

3154 If an event occurs which may expose a health provider or the institution to a claim or legal
3155 action, notify the [University Risk Management](#) office immediately. They will, in turn, notify
3156 appropriate persons in the affected areas and hospitals.

3157 **10.03 Nepotism**

3158 [Nepotism](#)

3159 **10.04 Employee Health Screening Policy and Criteria**

3160 [Employee Health Services](#)

3161 **10.05 Criminal Record Searches**

3162 [Criminal Record Searches](#)

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3164 **10.06 Drug Free Workplace**

3165 [Drug-Free Workplace](#)

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3167 **11. GENERAL POLICIES AFFECTING FACULTY**

Provost's Approval Date	Board of Trustees Approval Date	Reviewed for Accuracy and Consistency	Related Compliance Information
Mar 2018	Apr 2018	May 2018	
Oct 2018	Not Required		
June 2019	Not Required	July 2019	

3168 **11.01 Affirmative Action**

3169 <https://education.musc.edu/leadership/diversity/equal-employment>

3170

3171 **11.02 Infectious Diseases**

3172 Bloodborne Pathogen Protocols:

3173 <http://horseshoe.musc.edu/everyone/health-wellness/employee-health/bloodborne-pathogen-exposures>

3175

3176 Infectious Disease Exposure Questionnaire:

3177 <http://horseshoe.musc.edu/~media/files/services-all-files/health-wellness-files/employee-health-files/infectious-disease-exposure-form-all-diseases.pdf?la=en>

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Personal Protective Equipment Policy:

<https://horseshoe.musc.edu/~media/files/univ-files/risk-management-files/updated-forms/personal-protective-equipment-policy.pdf?la=en>

11.03 Sexual Harassment Policies

<https://education.musc.edu/leadership/diversity/title-ix>

11.04 Use of the University Name, Seal, or Logos

<https://web.musc.edu/about/leadership/institutional-offices/communications/brand>

11.05 Computer Use Policy

<https://web.musc.edu/ocio/policies/cup.pdf>

11.06 Emergency / Disaster Preparedness

<https://research.musc.edu/resources/doing-research/policies/disaster-preparedness-policy>

11.07 MUSC Honor Code

Faculty members who suspect that conduct constituting a violation of the Honor Code occurred in academic work overseen by them are required to immediately report the violation to the Honor Council. The matter will be handled in accordance with MUSC's Honor Code, rather than direct action by the faculty member. The faculty will honor the decision and sanction imposed by the Honor Council related to the suspected violation. The faculty retain the responsibility for assessing the quality of the academic work using an objective assessment. If the Honor Council determines no violation occurred the objective grade for the assignment will be upheld.

<http://www.musc.edu/honorcode>