

MUSC FACULTY HANDBOOK

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1 **1. PREFACE**

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

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

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

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

12 The *Faculty Handbook* (hereafter referred to as "the Handbook") contains the rules and
13 regulations that govern faculty affairs and functions as part of the University Faculty
14 Appointment Contract between each faculty member and the university. Faculty members
15 should be knowledgeable about the areas covered in the Handbook. The signing of annual
16 contracts that specify an individual faculty member's compensation and distribution of
17 activity, does not negate the Handbook's status as a partial contract of employment. For
18 more information on Faculty Appointment, Promotion, Evaluation, and Tenure Policies, see
19 section 5 of the Handbook.

20 As representative body of the faculty, the Faculty Senate is expected to offer interpretation
21 of the Handbook to the Office of the Executive Vice President for Academic Affairs and
22 Provost.

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24 **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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26 The MUSC *Faculty Handbook* contains university policies that are of major concern to the
27 faculty, other information considered to be of special interest to the faculty, and a collection
28 of university governing documents. The current Board-approved Handbook is accessible on
29 the MUSC Faculty Senate Website (<https://education.musc.edu/faculty/faculty-senate>).

30 **2.01 Revision Process**

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

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

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

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

47 **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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64 **3. FACULTY ORGANIZATION AND GOVERNANCE**

65 **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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66 The faculty of MUSC is composed of the President, the vice presidents, the deans, any
 67 officers of the university who hold academic rank, and the members of the teaching,
 68 research, service and administrative staff who hold academic rank at MUSC or its affiliated
 69 programs. With regard to university affairs, the voting faculty shall be those individuals
 70 holding a full-time primary academic appointment at MUSC with rank of Instructor and
 71 above.

72 **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
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73 The Faculty Senate acts as the sole representative body for organizing and executing that
 74 business of the faculty submitted to it by members of the faculty, the administration, or the
 75 Senate itself. The Senate also advises the administration and the faculty in matters pertaining
 76 to the faculty. The Faculty Senate is organized and governed according to the Faculty Senate
 77 Constitution and By-Laws

78 **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
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79 This Constitution defines the composition of the Faculty Senate, its role in the academic
 80 affairs of the university, and the basic principles of self-governance of the faculty of the
 81 Medical University of South Carolina as authorized by the Bylaws of the Board of Trustees
 82 of the Medical University of South Carolina, Section 6, Article b, August 1976.

83 **Article I**

84 **Name**

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

87 **Article II**

88 **Purpose**

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

96 **Article III**

97 **Electoral Units, Representation, Nominations, Eligibility to Vote, Elections, and Terms**
98 **of Office**

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

104 **A. Electoral Units**

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

109 **B. Representation**

110 **Senators**

111 Electoral Units having 50 or fewer qualified faculty shall be represented by four Senators.
112 Electoral Units having between 51 and 100 qualified members shall be represented by six
113 Senators. Electoral Units with more than 100 qualified faculty members shall have six
114 Senators and elect one additional Senator for every 33 additional qualified faculty members
115 in excess of 100.

116 Alternate Senators

117 Each Electoral Unit shall have two Alternates. Electoral Units with more than 100 qualified
118 faculty members shall choose one additional Alternate for each 66 faculty members over
119 100.

120 **C. Nominations**

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

124 **D. Eligibility to Vote**

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

128 **E. Elections**

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

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

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

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

147 **F. Terms of Office**

148 **1. Senators**

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

154 **2. Alternate Senators**

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

163 **Article IV**

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

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

171 **A. Election of Officers**

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

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

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

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

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

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

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

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

197 **Article V**

198 **Senators and Alternate Senators: Duties**

199 **A. Senators**

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

206 **B. Alternate Senators**

207 Alternate Senators are encouraged to attend all meetings of the Faculty Senate. Alternate
208 Senators are eligible to vote when attending in place of a Senator who is unable to attend a
209 meeting. Alternate Senators are eligible and encouraged to serve as members of Faculty
210 Senate Committees.

211 **Article VI**

212 **Removal from Faculty Senate**

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

215 **Article VII**

216 **Committees**

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

223 **A. Executive Committee**

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

233 **B. Standing Committees**

234 Standing committees of the Faculty Senate and their duties are described in the Bylaws of
235 the Faculty Senate.

236 **C. *Ad hoc* Committees**

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

238 **Article VIII**

239 **Meetings**

240 **A. Faculty Senate**

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

246 **B. Faculty**

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

250 **Article IX**

251 **Bylaws**

252 Procedural guidelines governing the work of the Faculty Senate are documented in the
253 Bylaws of the Faculty Senate.

254 **Article X**

255 **Ratification of Constitution**

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

268 **Article XI**

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

270 **A. Constitution**

271 This Constitution may be amended as follows:

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

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

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

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

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

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

291 **B. Bylaws**

292 The Bylaws may be revised as follows:

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

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

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

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

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

308 **Article XII**

309 **Review of the Constitution**

310 A. There shall be a mandatory review of the Constitution five years after its adoption and at
311 least every five years thereafter to occur on the decade and years ending in '5', for example
312 2009-2010, then 2014-2015.

313 B. This review shall be carried out by the Governance Committee at the direction of the
314 Executive Committee. The review shall include recommendations of the Executive
315 Committee and standing committee chairs.

316 **3.02.02 Faculty Senate By-Laws**

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317 **Article I. Quorum**

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

321 B. A quorum of the Executive Committee necessary for the conduct of business on behalf of
322 the Faculty Senate shall be a simple majority of the voting members of the Executive
323 Committee.

324 C. Proxy votes shall not be allowed.

325 **Article II. Conduct of Business**

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

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

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

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

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

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

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

342 **A. Membership on Committees**

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

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

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

353 The Chair of each committee shall:

354 Apportion committee work efficiently and fairly among the committee members and, in
355 consultation with the other committee members, decide whether the appointment of
356 subcommittees is appropriate;

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

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

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

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

363 1. The Executive Committee shall:

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

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

384 2. The Governance Committee shall:

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

396 3. The Institutional Advancement Committee shall:

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

405 4. The Faculty and Institutional Relationships Committee shall:

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

410 b. Accept and evaluate requests to change the Faculty
411 Handbook.

412 5. The Communication Committee shall:

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

419 6. The Electoral Unit Committees shall:

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

429 **D. *Ad hoc* Committees**

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

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

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

442 **Article VI. Revisions to Bylaws**

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

445 **3.03 University-Wide Committees**

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

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

449 All university-wide committees have faculty representation.

450

451 **4. FACULTY RANKS AND STATUS**

452 **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	

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

459 4.01.01 Instructor

460 This rank usually requires training beyond the baccalaureate degree. Demonstrated technical
461 proficiency and experience may serve in lieu of formal training. The ability to contribute to the
462 University's teaching programs is required.
463

464 4.01.02 Assistant Professor

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

471 4.01.03 Associate Professor

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

478 4.01.04 Professor

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

485 **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	

486 Faculty holding special appointments do not have voting privileges.

487

488 4.02.01 Assistant

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

491

492 4.02.02 Associate

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

495

496 **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		

497 The following modifiers may be made to either Regular faculty ranks (4.01) or Special faculty
498 ranks (4.02). These modifiers shall be assigned according to **5.02.02 Procedures for**
499 **Appointment.**

500

501 4.03.01 Visiting

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

504

505 4.03.02 Adjunct

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

509

510 4.03.03 Affiliate

511 This modified rank applies to faculty who provide a valuable service to the MUSC mission; are
 512 appropriately qualified for the service s/he provides; qualifications and contributions are vetted
 513 by the committee that approves the college or unit’s promotion applications, then approved by
 514 the Dean and the by the Board of Trustees if the appointment is at the Associate or Professor
 515 rank; and the individual must receive no state compensation from the college or unit that issues
 516 the Affiliate faculty appointment.

517
 518 With continued and extensive service, Affiliate faculty are eligible for consideration for
 519 promotion in rank.

520
 521 4.03.03 Clinical

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

525
 526 4.03.04 Research

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

530
 531 Faculty with Regular faculty ranks modified by Clinical or Research may participate in faculty
 532 governance and have full voting privileges regarding University affairs. Faculty with Regular
 533 faculty ranks modified by Visiting or Adjunct and all faculty with Special faculty rank,
 534 regardless of modifier, do not have University voting privileges. Participation in college,
 535 department, and division governance will be determined by individual colleges.

536
 537 **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	

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

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

544 **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
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545 MUSC recognizes the valuable contributions of health care professionals employed by the
 546 educational programs at AHEC-affiliated institutions and volunteer professionals not
 547 employed by AHEC-affiliated institutions. Both categories of professionals are eligible to
 548 apply for MUSC appointments. The employed AHEC professionals have “MUSC AHEC”
 549 preceding their faculty rank; volunteer professionals have “MUSC AHEC Clinical”
 550 preceding their faculty rank. All MUSC AHEC appointments are without tenure and the SC
 551 AHEC Appointments and Promotions Committee coordinates this process with the MUSC
 552 Deans’ Offices.

553

554 **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	

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

556 **4.06.01 Emeritus**

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

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

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

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

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

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

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

592 **4.06.02 Distinguished University Professor**

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

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

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

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

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

617 **4.07 Faculty Appointment to More than One Unit**

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

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

628 **4.07.01 Joint**

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

631 **4.07.02 Dual**

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

634

635 **5. FACULTY APPOINTMENT, PROMOTION, TENURE AND**
 636 **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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637 Each college shall develop and publish in one document all appointment, promotion, and
 638 tenure guidelines or criteria, and establish a formal review of this document every three
 639 years. Each document should be explicit and the process clearly defined with input from the
 640 faculty. Each college shall establish appropriate procedures for all faculty appointments and
 641 promotions including those on tenure and non-tenure tracks. Faculty may switch between
 642 tenure and non-tenure tracks one time with approval by the dean of the college. Faculty
 643 members on the tenure track will be afforded protected time for academic pursuits.

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

646 College of Dental Medicine:

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

648 College of Health Professions:

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

650 College of Medicine:

651 <https://horseshoe.musc.edu/university/colleges/com/musc-appointments-promotion-and-tenure-information>
 652

653 College of Nursing:

654 <https://portal.musc.edu/nursing/CON%20Intranet/Resources/Faculty%20Handbook/Section%20V.pdf>
 655

656 College of Pharmacy:

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

659 College of Graduate Studies:

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

661 Academic Affairs Faculty:

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

662

663 **5.01 College/Department Faculty Appointment, Promotion and Tenure Committee**

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

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

671 **Composition:**

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

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

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

685 The committee should consist of a minimum number of four. There shall be no maximum
686 number.

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

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

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

693 **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	

694 **5.02.01 Criteria for Appointment**

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

701 **5.02.02 Procedures for Appointment**

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

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

708 Upon approval by the dean, requests for appointment shall be forwarded to the Executive
709 Vice President for Academic Affairs and Provost for approval. If departmental affiliation
710 within a college is not involved, the requests shall be initiated by the appropriate dean and
711 addressed to the Executive Vice President for Academic Affairs and Provost. If collegial
712 affiliation is not involved, the requests shall be initiated by the Executive Vice President for
713 Academic Affairs and Provost and addressed to the President. Upon such approval,
714 recommendations for appointment shall be forwarded to the President.

715 Appointments to the rank of Assistant Professor without tenure and below shall be made by
716 the President. On the recommendation of the President, appointments to any rank with
717 tenure, and all appointments to the rank of Associate Professor or Professor shall be made
718 by the Board.

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

722 **5.02.03 Term of Appointment**

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

- 724 • A twelve (12) month appointment
- 725 • A nine (9) month appointment
- 726 • Appointment for other specified periods of time

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

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

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

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

- 746 (1) At least three [3] months prior to the expiration of the contract for faculty under his or her
747 initial faculty appointment.
- 748 (2) At least six [6] months prior to the expiration of the contract for faculty appointed under a
749 second-year contract.
- 750 (3) At least one [1] year prior to the expiration of the contract for faculty under a third [3rd]
751 year or subsequent-year contract.

752 **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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753 Promotion both recognizes achievement and acknowledges that the individual is capable of
754 greater accomplishments and responsibilities. The policy of the university is to make
755 promotions strictly on merit.

756 **5.03.01 Criteria for Promotion**

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

763 **5.03.02 Procedures for Promotion**

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

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

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

776 Recommendations for promotion are considered by the dean of the appropriate college
777 following the recommendation of his/her committee. Recommendations concerning
778 administrative officers who hold faculty rank are submitted by the next higher
779 administrative officer.

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

782 recommendations to the President. The President reviews the recommendations submitted
783 by the Executive Vice President for Academic Affairs and Provost, renders decisions, and,
784 when required, submits recommendations to the Board.

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

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

791 **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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792 Tenure shall be the assurance of continuous appointment to a particular faculty rank, with
793 continuation of salary commensurate with the rank, as long as duties are performed in
794 accordance with accepted standards, subject to termination for cause, upon retirement, on
795 account of financial exigency, or the change or abolition of institutional programs. Tenure
796 rests in the college or department of primary appointment only. The initial letter of
797 appointment and/or contract and annual renewals shall specify status with regard to tenure.

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

801 The tenure of a faculty member who also holds an administrative position, such as dean or
802 department chair, extends only to the faculty position s/he holds jointly with such an
803 administrative position.

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

808 **5.04.01 Criteria for Tenure**

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

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

817 **5.04.02 Procedures for Granting Tenure**

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

832 **5.05 Post Tenure Review**

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

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

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

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

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

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

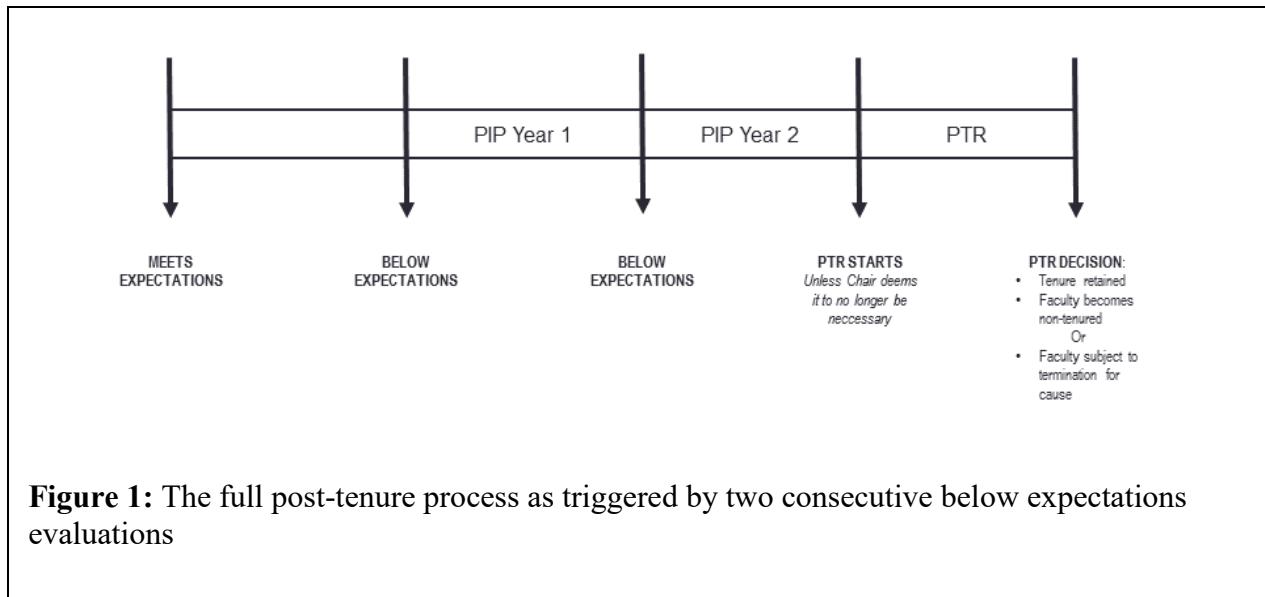
878 a) **Upon the first rating of below in a majority of applicable performance**
879 **categories in an annual review, a Performance-Improvement Plan (PIP) is**
880 **implemented.** If a tenured faculty member is rated below in a majority of
881 applicable performance categories on an annual evaluation,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

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

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

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

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



920

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

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

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

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

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

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

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

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

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

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

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

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

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

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

999 (a) The full post-tenure review process, as described above in 4), must be concluded
 1000 within 12 months. Responsibility for adhering to this timetable rests with the Executive Vice
 1001 President for Academic Affairs and Provost’s office.

1002 (b) The outcomes of all evaluations shall be confidential; that is, confined to the
 1003 appropriate college or university persons or bodies and faculty member being evaluated, and
 1004 shall be released only with the written consent of the faculty member.

1005 (c) In accordance with the review process mandated by the *Faculty Handbook*, the
 1006 above policy and standards and criteria developed to carry out this policy should be
 1007 evaluated with respect to the effectiveness in supporting faculty development and redressing
 1008 problems of faculty performance.

1009 **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
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	
May 2022	July 2022	July 2022	August 2022	August 2022	

1010 The State of South Carolina requires that all state universities and colleges evaluate faculty
 1011 performance. In order to comply with this requirement, MUSC has developed a faculty
 1012 evaluation procedure which has been approved by the division of Human Resources of the
 1013 State Fiscal Accountability Authority (FAA) .

1014 The university has established standardized evaluation categories and a standardized rating
 1015 scale for use in faculty evaluations across all colleges and AAF. A 2021 university-

1016 approved electronic system is used to conduct and house the faculty evaluation process.
 1017 Evaluation categories approved to evaluate faculty performance are the following:

- 1018 • **Teaching/Instruction/Mentorship** (e.g., Curriculum Support / Instructional
 1019 Development / Academic Consultation / Student Advising / Teaching)
- 1020 • **Research/Scholarly Activity** (e.g., Presentations / Publications / Professional
 1021 Development / Innovation)
- 1022 • **Service/Institutional Activity:** (e.g., Institutional / Community)
- 1023 • **Administration:** (e.g., Leadership / Mentoring / Supervision / Management)
- 1024 • **Professional Practice** (e.g., maintenance of accreditation and certifications for
 1025 clinical practice; patient care)
- 1026 • **Other** (activities that do not fall into one of the above categories)

1027 Not all categories must be used for each faculty member, but for categories that are
 1028 applicable, the following three-point scale will be used: “Does not Meet / Meets / Exceeds
 1029 Expectations.” Categories that do not apply to a faculty member are labelled as “not
 1030 applicable” and no rating will be provided.

1031 Specific criteria used to evaluate each category are agreed to by the Chair or Direct
 1032 Supervisor and faculty member on an annual basis. Colleges and AAF may provide
 1033 examples of appropriate criteria to their faculty. The evaluation is completed annually for
 1034 each faculty member, and a copy of the evaluation is maintained in the university-approved
 1035 electronic system. The faculty member has a right to full disclosure of their Performance
 1036 Evaluation.

1037 Faculty members have the right to make written comments concerning agreement or
 1038 disagreement with the evaluation and to have those comments included within their
 1039 evaluation record.

1040 **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
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

1041 Salary increases for faculty members will be distributed as merit based increases.
 1042 When funds are designated for faculty salary increases, the amount and the procedure for
 1043 allocation of these funds will be communicated to the faculty.

1044 All funds will be distributed as merit increases, based on the approved Faculty Performance
 1045 Evaluation Form, which is mentioned in Section 5.06 of the university *Faculty Handbook*.

1046 **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
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

1047 The assignment of a faculty member's division of responsibilities between academic
 1048 activities is initially specified in the letter of offer and initial contract. Review and,
 1049 eventually, reevaluation of division of obligations is carried out as part of the annual
 1050 evaluation, at which time the faculty member and supervisor mutually agree upon any
 1051 changes in the balance of instruction/teaching, scholarly activity, administrative
 1052 responsibilities, community services, and, when applicable, clinical services, in keeping with
 1053 the mission of the Medical University. The faculty member and the supervisor sign the
 1054 Performance Evaluation Form, on which the percent effort for various
 1055 assignments/responsibilities is outlined in writing. Should an agreement not be reached,
 1056 either the faculty member or Chair will proceed under policies detailed in Section 8 of the
 1057 *Faculty Handbook*.

1058 **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
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

1059 Faculty members have the right to review their personnel file upon written notification to
 1060 their department chair and/or dean. Faculty members may make additional submissions
 1061 and/or provide explanations of errors or omissions. Such additions shall become a part of the
 1062 permanent file. Nothing herein shall grant the faculty member a right to purge or remove
 1063 anything in their personnel file without prior written consent of their direct supervisor and
 1064 the dean of the college.

1065

1066

1067 **5.10 Universal Faculty Contract**

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

Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	
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1068 <https://education.musc.edu/-/sm/education/faculty/faculty-senate/f/approved-faculty->
1069 [contract.ashx?la=en](https://education.musc.edu/-/sm/education/faculty/faculty-senate/f/approved-faculty-)

1070

1071 **6. FACULTY DEVELOPMENT**

1072 **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
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

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

1080 A sabbatical leave may be granted by the Board upon recommendation by the President,
1081 following approval by the department Chair, the Dean of the college concerned, and the
1082 Executive Vice President for Academic Affairs and Provost, and with the understanding that
1083 the faculty member will return to active service MUSC when such leave has ended.

1084 During sabbatical leave, annual leave accrual is prorated according to the percentage of the
1085 MUSC salary paid to the faculty member (i.e., a faculty member receiving half-pay from the
1086 university while on sabbatical leave would accrue one-half of full annual leave entitlement.
1087 Upon return, it is incumbent upon a faculty member receiving partial pay while on
1088 sabbatical to request that his/her department submit a leave correction form to ensure that
1089 the full annual leave entitlement is reinstated.

1090 In accord with the state Sick Leave Act, faculty members will not accrue sick leave while on
1091 sabbatical leave.

1092 Benefits may continue during a sabbatical leave, but the faculty member MUST contact the
1093 Benefits Section of the Department of Human Resources Management for advice on what
1094 action is required to maintain current benefits. To prevent loss of benefits, it is essential that
1095 the faculty member contact Human Resources Management at least 60 days prior to
1096 beginning sabbatical leave.

1097

1098 **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
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

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

1105 **ELIGIBILITY:** Full-time faculty members with no modifiers to their ranks are eligible to
 1106 apply for admission to an advanced degree program under this policy.

1107 **6.02.01 Academic Requirements**

- 1108 1) In any course of study pursued toward a degree, the faculty member shall meet the same
 1109 requirements for the degree, as published in the University Bulletin, as any other student.
 1110 2) The student/faculty member will be required to meet the regularly scheduled class times
 1111 in courses in which s/he is enrolled.
 1112 a) Student laboratory assignments that can be accomplished outside of the faculty
 1113 member's normal working time may be made an exception, if approved IN
 1114 ADVANCE by the deans and department chairs concerned.
 1115 b) If his/her duties and responsibilities as a faculty member conflict with his/her student
 1116 class hours, his/her faculty responsibilities shall take precedence. This is to be
 1117 determined by the deans involved.
 1118 3) The faculty member seeking an MUSC degree will be required to demonstrate his/her
 1119 academic progress to a committee of qualified evaluators at least once each year by
 1120 means of either a written and/or oral examination. The results of the evaluation will be
 1121 submitted by this committee to the dean of the college in which the degree is being
 1122 pursued and to the department chair, if appropriate. This dean shall file a copy of the
 1123 report with the Executive Vice President for Academic Affairs and Provost.
 1124 4) Failure to perform in a satisfactory manner at any time shall be reported to the Executive
 1125 Vice President for Academic Affairs and Provost by the dean involved.
 1126 5) No deviation from the approved plan of study will be permitted without a written request
 1127 from the department chairs, the recommendation of the deans, and the approval of the
 1128 Executive Vice President for Academic Affairs and Provost. Such approval for an
 1129 amended study plan shall be filed in the student/faculty member's record in the office of
 1130 the University Registrar.

1131 **6.02.02 Financial Considerations and Requirements as a Faculty Member**

- 1132 1) The faculty member who has been admitted as a student to a degree program in at the
1133 Medical University or elsewhere must abide by the following if s/he is to receive
1134 financial considerations by the university:
1135 a) promotion as a faculty member may be denied during the period of time the degree
1136 program is in progress.
1137 b) faculty salary increases other than "across the board" raises may be denied.
1138 c) obtaining of the degree in no way obligates MUSC to alter his/her initial faculty
1139 appointment, to promote him/her, or to significantly adjust his/her salary, although
1140 any or all of these may be a result.
1141 d) s/he shall agree, in writing, to continue his/her employment to MUSC for a period of
1142 not less than one year after receiving the degree.
1143 2) The faculty member who agrees to the above financial terms may pursue his/her
1144 approved plan of study at the yearly average rate of 15% of his/her normal work time,
1145 with no reduction in salary.
1146 3) If an accelerated plan of study is requested by the faculty member and is approved by the
1147 chair, deans, and the Executive Vice President for Academic Affairs and Provost, the
1148 faculty member must voluntarily reduce both her/his teaching responsibilities and her/his
1149 salary proportionately.
1150 4) If the approved plan of study includes extensive bench research or clinical rotations
1151 during normal faculty working time, a proportionate salary reduction shall be required. If
1152 this is determined at the time the program is initially approved, the amount of salary
1153 reduction will be determined at that time.

1154 **6.02.03 Financial Requirements as a Student**

- 1155 1) While pursuing his/her approved plan of study, the student/faculty member will officially
1156 register for each course taken and pay the appropriate tuition and fees as set by the
1157 college in which s/he is enrolled. In the year in which the degree is to be conferred, the
1158 student/faculty member shall pay, in addition to the required tuition, the full fees required
1159 of all students.
1160 2) If an accelerated plan, as described in Section 6.02.02 under "Financial Considerations
1161 and Requirements as a Faculty Member," is in effect, the student/faculty member must
1162 pay the appropriate tuition each semester.

1163 **6.02.04 Procedure for Faculty Member**

- 1164 1) The faculty member shall submit
1165 a) to the chair of his/her department and the dean of the college in which s/he holds
1166 primary faculty appointment, and if applicable
1167 b) to the dean of the college in which s/he proposes to pursue the advanced degree, a
1168 complete outline of the proposed curriculum, semester by semester. S/he shall also
1169 indicate all courses to be taken, the proposed research and/or clinical experience
1170 required, and the degree which is to be sought.
1171 2) If the faculty member's proposal is disapproved at any step in the Administrative
1172 Procedure stated below, s/he will be so notified; this action shall be considered final.

- 1173 3) If the faculty member's proposal is approved, the Executive Vice President for Academic
1174 Affairs and Provost will notify him/her in writing and s/he may then proceed to apply for
1175 admission through the regularly prescribed admissions policy of the college in which s/he
1176 is seeking admission.
- 1177 4) The application for admission shall have attached to it the following:
- 1178 a) outline of plan of study
- 1179 b) letter of approval from the Executive Vice President for Academic Affairs and
1180 Provost to pursue the degree as outlined
- 1181 c) required application fee.

1182 **6.02.05 Administrative Procedure**

- 1183 1) Upon receipt of a request with attachment thereto of a complete outline of proposed study
1184 as stated under "Procedure for Faculty Member" above, to pursue admission to a specific
1185 advanced degree program within a college of the Medical University, the dean(s) of the
1186 college(s) concerned in conjunction with the appropriate department chairs either approve
1187 or disapprove the request. If more than one dean is concerned (i.e., if the dean of the
1188 college of proposed study is different from the dean of the college in which the faculty
1189 member holds primary appointment), approval to apply for admission must be by both.
1190 Either one disapproving, the request shall be denied.
- 1191 2) If the request is approved, the dean of the college in which the faculty member holds
1192 primary appointment shall write a letter to the Executive Vice President for Academic
1193 Affairs and Provost, with a copy to the dean of the college to whom the faculty member
1194 will submit his/her application, stating willingness for the faculty member to apply for
1195 admission as a student. The letter should include: (a) how all of the individual's duties,
1196 teaching responsibilities, and other commitments to his/her department would be met; (b)
1197 what financial considerations would apply as described in Section 6.02.02 under
1198 "Financial Considerations and Requirements as a Faculty Member," and (c) indication of
1199 approval of the plan of study.
- 1200 3) In like manner, if the request is approved, the dean of the college of proposed student
1201 enrollment shall notify the Executive Vice President for Academic Affairs and Provost in
1202 writing of: (a) procedures for evaluation of the faculty member's progress as a student in
1203 accordance with his/her approved plan of study; and (b) the names of the faculty
1204 members assigned to evaluate the faculty/student's progress. Such progress will be
1205 evaluated in accordance with Subsections (3) and (4) under Section 6.02.01 "Academic
1206 Requirements."
- 1207 4) The faculty member shall then be notified in writing by the Executive Vice President for
1208 Academic Affairs and Provost that her/his plan of study has been approved and that s/he
1209 may apply for admission through the regular admissions process of the college in which
1210 the advanced degree is to be sought.

1211 Any time the above procedures or processes are not adhered to, the faculty member, if
1212 admitted to a course of study, may be removed from the college in which s/he is enrolled or
1213 may be required to reimburse MUSC for any financial losses suffered either as a result of
1214 being a student and/or a faculty member.

1215 **6.03 Faculty Desiring to Obtain a Degree in Addition to Terminal Degree Already Held**

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

1216 A faculty member holding a terminal degree in the area of his/her original appointment who
 1217 wishes to obtain an additional degree offered at MUSC will be subject to the same policy,
 1218 rules, regulations and requirements as a faculty member who seeks a terminal degree.
 1219 Further, since such a program of study is not to be construed as a faculty member's service
 1220 to MUSC, a proportionate reduction in salary may be necessary to meet his/her
 1221 responsibility, unless otherwise approved by the dean of the college of his/her primary
 1222 appointment.

1223 **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	

1224 MUSC provides tuition and mandatory fees assistance to permanent employees (classified,
 1225 faculty, and other unclassified employees) for up to four credit hours a semester as
 1226 authorized by Section 59-111-15 of the 1976 South Carolina Code of Laws, as Amended
 1227 (<http://www.scstatehouse.gov/code/t59c111.php>). Tuition and mandatory fees assistance
 1228 will be provided by reimbursement of tuition cost after course completion, subject to
 1229 availability of employing department funds. Permanent employees who are employed at
 1230 least 30 hours per week are eligible to apply for tuition and mandatory fees assistance
 1231 regardless of race, color, religion, sex, age, national origin, disability or veteran status. The
 1232 tuition assistance program is only for MUSC employees to enroll in a credit-bearing course
 1233 at MUSC or any other state institution (not including continuing education) on a space-
 1234 available basis and with approvals of the course director or department chairperson.

1235 **Faculty Tuition Assistance Policy Links**

1236 University HR: Link to Tuition Assistance Request Form found within policy

1237 <https://horseshoe.musc.edu/~media/files/hr-files/univ-files/policies/policy17.pdf?la=en>

1238 Hospital HR

1239 <https://horseshoe.musc.edu/~media/files/hr-files/muha->
1240 [files/policies/policy17tuitionassistance.pdf?la=en](https://horseshoe.musc.edu/~media/files/hr-files/muha-files/policies/policy17tuitionassistance.pdf?la=en)

1241 **6.05 Travel**

1242 MUSC, as an agency of the State of South Carolina, is subject to the travel guidelines set by
1243 the State Budget and Control Board: <http://www.state.sc.us/cg/info/disbregs/travel.htm>

1244 **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	

1245 <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	

1249 It is the duty of the faculty to create an environment that is conducive both to the education
 1250 of skilled professionals and to the scholarly pursuits of the faculty. The university provides
 1251 an environment for intellectual development, reasonable working space, and an appropriate
 1252 amount of time for scholarly growth and achievement.

1253 Subject to the approval of the Board, the faculty of each college has jurisdiction over all
 1254 matters pertaining to the curriculum. The faculty has the responsibility for prescribing the
 1255 curriculum, determining academic standards and teaching and examining accordingly. It has
 1256 the responsibility for determining the entrance requirements, determining requirements for
 1257 promotion and dismissal of students, determining the requirements for the graduation of
 1258 students, recommending candidates for degrees and certificates, and enacting rules and
 1259 regulations for the overall guidance of student programs.

1260 The faculty shall serve an advisory function on the appointment, promotion or dismissal of
 1261 faculty and administrators, on the distribution of funds and facilities for education, research
 1262 and service; and on the acquisition of external support for research and other scholarly
 1263 activities.

1264 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	

1265 <https://web.musc.edu/about/compliance/conduct>

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1268 **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	

1269 A member of the faculty is free to teach and to discuss in classes any aspect of a topic
 1270 pertinent to the understanding of the subject matter of the course which is being taught; to
 1271 act and to speak as a private citizen without institutional censorship or discipline. A member
 1272 of the faculty is free to carry on research and disseminate the results.

1273 **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	

1274 Faculty members should not participate in outside activities that create a conflict of
 1275 commitment with their contractual obligations to the Medical University. A faculty member
 1276 may engage in outside activities, whether for compensation or not, on a limited basis,
 1277 provided that such activities are in keeping with his/her professional practice agreement,
 1278 competency, and development, and do not interfere with the performance of his/her assigned
 1279 duties. Activities such as preparation and presentation of research results, presentation to
 1280 professional groups, peer review activities, and service as members of professional or
 1281 community societies are normally not considered outside activities, i.e., they are within the
 1282 scope of work. Employment of faculty by other state agencies or institutions must be
 1283 accomplished through the procedures established by the state; remuneration is limited by
 1284 law.

1285 Outside activities must be disclosed to the Institution annually as described in the
 1286 MUSC/MUHA Conflict of Interest Policy. Additionally, outside activities must comply with
 1287 the provisions of the MUSC/MUHA Conflict of Interest Policy and the MUSC/MUHA
 1288 Industry Relations Policy. These policies appear in following sections via links to the
 1289 [MUSC Conflict of Interest Office](#). Questions regarding application of these policies can be
 1290 directed to that office.

1291

1292 **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	

1293 Faculty members of the Medical University may undertake civic duties and participate in
 1294 community political activities and, as a general rule, hold municipal or local political offices
 1295 without interference from the Medical University. However, great care should be exercised
 1296 in active political campaigning in state and federal elections. Campaigning for a major state
 1297 or federal government office requires a leave of absence authorized by the President of the
 1298 Medical University. Any faculty member elected to major state or federal government office
 1299 either must obtain a leave of absence authorized by the President or resign from the faculty.

1300 **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	

1301 The faculty of the Medical University of South Carolina engages in a wide variety of
 1302 external activities with public and private organizations. The Medical University endorses
 1303 and subscribes to the principles of the joint statement of the American Council on Education
 1304 and the American Association of University Professors, "On Preventing Conflicts of Interest
 1305 in Government-Sponsored Research at Universities." With the acceptance of a full-time
 1306 appointment to the faculty of the Medical University of South Carolina, the faculty makes a
 1307 commitment to MUSC that such employment is full-time in the most inclusive sense.
 1308 Outside obligations, financial interests, and activities in other areas are not to conflict with
 1309 their commitment to the Medical University of South Carolina.

1310 All faculty and administrative staff shall disclose any conflict of interests using the MUSC
 1311 web based disclosure mechanism, see <https://www.carc.musc.edu/coi>. Such disclosure is
 1312 made on an annual basis as defined by the MUSC/MUHA conflict of interest policy.
 1313 Whenever a new conflict of interest arises or when a significant change occurs concerning
 1314 an existing disclosure, a new disclosure form must be completed and submitted for review
 1315 either in advance of the anticipated change in situation or within 30 days of the event

1316 Infraction of the letter or spirit of this policy constitutes a serious offense, which shall be
 1317 responded to with appropriate action ranging from private reprimands to termination at the
 1318 discretion of the Executive Vice President for Academic Affairs and Provost.

1319 The following policy, governs employee financial conflicts of interest within MUSC,
 1320 MUHA, and our affiliates. Various parts of the institution may have their own sub-policies,
 1321 consistent with this general policy, but specific to their specific areas of activity. Clinical,
 1322 research, and research start-up policies and charters appear on the Conflict of Interest
 1323 website:

1324 <https://web.musc.edu/about/coi/coi-policies>

1325

1326 **7.05.01 Medical University of South Carolina and Medical University Hospital**
 1327 **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	

1328 This policy:

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

1341 **Persons covered by this policy:**

1342 This policy applies to all Trustees, Officers, Faculty, Administrators, and Staff,
 1343 including all full-time, part-time, temporary, and contract Employees of Medical
 1344 University of South Carolina (“MUSC”) and Medical University Hospital Authority
 1345 (“MUHA”). Affiliates (entities which derive their not for profit status from MUSC, such
 1346 as University Medical Associates, the MUSC Foundation, and the MUSC Foundation for
 1347 Research Development) shall as a condition of continued business with MUSC and

1348 MUHA adopt a policy substantially similar to this Policy, adapted to accommodate those
1349 affiliate employees who are not public employees.

1350 **Preamble**

- 1351 1) Enhancing the public good through improved health initiatives and superior economic
1352 development is the foundation of many government policies. MUSC, as a contemporary,
1353 public research university, has a responsibility to actively participate and promote these
1354 initiatives even if conflicts of interest are more likely and many times unavoidable.
1355 Conflicts of interest, therefore, may arise from ordinary and appropriate activities as a
1356 part of assigned employment duties so the existence of a conflict should not imply
1357 wrongdoing. When conflicts of interest do arise, however, they must be recognized and
1358 disclosed, then eliminated or appropriately managed. The Board of Trustees for MUSC
1359 and MUHA has a duty to govern those State entities in a manner such that conflicts are
1360 appropriately reviewed and acted on to maintain public confidence in the integrity of our
1361 institutions.
- 1362 2) This policy provides a framework for recognizing and managing employee conflicts of
1363 interest, and should minimize even the appearance of conflicts of interest. The primary
1364 goal of this policy is to prevent an employee's activities from adversely influencing
1365 MUSC or MUHA operations.
- 1366 3) Particular departments and activities of MUSC or MUHA may have specific conflict of
1367 interest policies. It is intended, however, that this policy will apply to the entire MUSC
1368 enterprise, providing a framework for those specific additional policies to operate under,
1369 such that those specific policies will not supersede this policy unless approved by the
1370 Board of Trustees.
- 1371 4) This policy references South Carolina Code (S.C. Code § 8-13-10 *et seq.*) (the “Ethics
1372 Law”), which makes it unlawful for public officials, public members, and public
1373 employees to use their position to obtain an economic interest or to have a financial
1374 interest in most any contract or purchase connected with MUSC/MUHA, unless certain
1375 exceptions apply. This policy is implemented in addition to all requirements of the Ethics
1376 Law and does not supersede it. The South Carolina Ethics Law is at
1377 www.scstatehouse.gov/code/t08c013.php
- 1378 5) As MUSC conducts research funded by the Public Health Service and other federal
1379 agencies, it is required by federal law to maintain an appropriate written, enforced policy
1380 on conflict of interest that complies with 42 CFR Part 50 Subpart F – “Responsibility of
1381 Applicants for Promoting Objectivity in Research for which Public Health Service
1382 Funding is Sought”
1383 (http://grants.nih.gov/grants/compliance/42_CFR_50_Subpart_F.htm) as well as all other
1384 relevant policies of federal funding and oversight agencies.

1385 **A. Statement of general policy**

- 1386 1) MUSC/MUHA policy is that its employees conduct the affairs of MUSC/MUHA in
1387 accordance with the highest legal, ethical and moral standards.
- 1388 2) MUSC/MUHA policy is that employees of MUSC/MUHA shall disclose perceived and
1389 real conflicts of interest.

- 1390 3) MUSC/MUHA policy is that employees shall not use their position to secure personal
1391 financial benefits or economic interest for themselves, any member of their immediate
1392 family, any individuals or entity with whom the employee has a business relationship that
1393 renders an employee economic benefit. A perceived and/or real conflict of interest arises
1394 whenever the employee has the opportunity to influence university or Authority
1395 operations or business decisions in ways that could result in a personal financial benefit
1396 or economic gain to the employee, a member of an employee's immediate family, or
1397 individuals or entities with whom the employee has a business relationship which renders
1398 the employee economic benefit. Although certain specific examples of conflicts of
1399 interest are provided in this policy, they are meant only as illustrations, and supervisors
1400 and employees are expected to use good judgment to identify possible conflicts of
1401 interest that may adversely influence MUSC/MUHA operations, and to avoid or manage
1402 them as appropriate.
- 1403 4) This policy is not intended to prohibit approved and appropriately managed economic
1404 development activities related to MUSC/MUHA generated intellectual property,
1405 including MUSC/MUHA employee involvement with startup companies, Small Business
1406 Administration (SBIR/STTR) funded research and Centers of Economic Excellence
1407 Activities. However, any such activities by MUSC/MUHA employees that make use of
1408 university or Authority property, facilities, equipment or other resources for personal
1409 benefit shall be approved as required herein, of benefit to MUSC/MUHA, and for fair
1410 value.
- 1411 5) Nothing in this policy shall be construed to permit, even with disclosure, any activity that
1412 is prohibited by law.

1413 **B. Definitions**

- 1414 1) *Conflicts of interest* occur when an employee or immediate family member receives
1415 personal financial benefit or an economic interest from the employee's position in a
1416 manner that may inappropriately influence the employee's judgment, compromise the
1417 employee's ability to carry out MUSC/MUHA responsibilities or, be a detriment to
1418 MUSC/MUHA integrity.
- 1419 2) *Immediate family* includes the employee's parents, spouse, siblings, children,
1420 stepchildren, and grandchildren.
- 1421 3) *Manage and managing* means an affirmative action by the university or the Authority to
1422 establish parameters or conditions that minimize or eliminate the risk of the perceived or
1423 real conflict of interest.
- 1424 4) *Personal financial benefit or economic benefit* is defined as anything of monetary value,
1425 including salary, commissions, fees, honoraria, gifts of more than nominal value, equity
1426 interests, interests in real or personal property, dividends, royalty, rent, capital gains,
1427 intellectual property rights, loans, and forgiveness of debt. "Personal financial benefit"
1428 does not include:
- 1429 a) compensation or payments received from MUSC/MUHA or any of its affiliates or the
1430 Ralph H. Johnson Department of Veterans Affairs Medical Center;
- 1431 b) payments for participation in seminars, lectures or other educational activities as long
1432 as not acting in the employee's official capacity, or reasonable expenses for the same
1433 activities even if acting in official capacity;

- 1434 c) payments for participation in seminars, lectures or other educational activities, and
1435 reasonable expenses for the same activities as long as acting within the context of an
1436 individual's Faculty Appointment Contract;
- 1437 d) any financial interest arising solely by means of investment in a mutual, pension, or
1438 other institutional investment fund over the management and investments of which
1439 the employee or an associated immediate family member does not exercise control;
1440 and
- 1441 e) investments in publicly traded entities as long as employee owns less than a five
1442 percent and/or less than \$10,000 stake in said entity.
- 1443 5) *University* means Medical University of South Carolina.
- 1444 6) *Authority* means the Medical University Hospital Authority.
- 1445 7) *MUSC or MUHA responsibilities* are defined as the responsibilities of an employee to
1446 perform MUSC or MUHA activities as defined by management or contract.

1447 C. Policy provisions

- 1448 1. An employee shall disclose any situation in which the employee has, or may have, a real
1449 or potential conflict of interest as defined herein. These conflicts of interest must be
1450 reported annually to the appropriate Conflict of Interest Office. Modifications to existing
1451 disclosures or a new activity will require submittal of an additional disclosure in a timely
1452 manner. An authorized group of employees shall review the disclosure and recommend to
1453 the appropriate Vice President a suitable action plan to eliminate or manage the conflict
1454 of interest so as to ensure that MUSC or MUHA business is not improperly influenced or
1455 adversely affected. In the event that there is no reasonable way to manage a conflict of
1456 interest, then the employee may be prohibited from participating in related
1457 MUSC/MUHA affairs until such a time as the conflict is eliminated. In other words,
1458 employees and Officers of MUSC/MUHA have a duty to immediately disclose, manage
1459 or eliminate any real or potential conflicts of interest that are not in the best interests of
1460 the University or Authority.
- 1461 a. An employee shall disclose conflicts of interest in writing on an approved paper
1462 or digital Conflicts of Interest Disclosure Form, including a statement describing
1463 the nature and extent of the conflict, to their supervisor and to the appropriate
1464 Compliance Office. This disclosure must be completed annually, on a form
1465 designated for such purposes. A new disclosure form must be completed
1466 whenever a new conflict of interest arises or when a significant change occurs
1467 concerning an existing disclosure. See the following Web site for this disclosure
1468 form: Annual Conflict of Interest Disclosure < <https://www.carc.musc.edu/coi> >.
- 1469 b. If a supervisor becomes aware of a conflict of interest that an employee has not
1470 disclosed, the supervisor shall discuss the situation with the employee, require
1471 that a written disclosure be made as provided in this policy, and inform the Office
1472 of Compliance to anticipate the receipt of a new Disclosure Form.
- 1473 c. All conflicts of interest shall be reported to the MUSC or MUHA Office of
1474 Compliance. The Board of Trustees or its designee will retain authority to take
1475 such action as it deems appropriate regardless of any action or inaction by an
1476 Officer of MUSC and/or MUHA.

- 1477 2. The following are examples of conflicts of interest requiring disclosure. These examples
1478 are illustrations only and are not meant to be exclusive.
- 1479 a. Employee or immediate family member has a financial interest in a business
1480 entity with which the University or Authority does or proposes to do business, and
1481 the employee is in a decision-making role or otherwise is in a position to
1482 influence the University's or Authority's business decisions regarding the business
1483 entity. Business entity examples for which an employee disclosure is required:
 - 1484 i. finance or accounting services
 - 1485 ii. equipment services
 - 1486 iii. marketing services
 - 1487 iv. construction services
 - 1488 v. consulting
 - 1489 vi. counseling
 - 1490 vii. catering
 - 1491 viii. computer supplies
 - 1492 ix. programming
 - 1493 x. architectural services
 - 1494 xi. legal services
 - 1495 xii. grant preparation
 - 1496 xiii. temporary personnel services
 - 1497 xiv. office or laboratory supplies
 - 1498 xv. painting services
 - 1499 xvi. lawn and grounds services
 - 1500 b. Employee holds or assumes an executive, officer or director position in a for-
1501 profit or not-for-profit business or entity engaged in commercial, educational, or
1502 research activities similar to those in which the University or Authority engages.
 - 1503 c. Employee participates in consultation activities for a for-profit or not-for-profit
1504 business or entity engaged in commercial, educational or research activities
1505 similar to those of the University or Authority.
 - 1506 d. Employee holds or assumes an executive, officer or director position in a for-
1507 profit or not-for-profit business or entity that does business with the University or
1508 Authority.
- 1509 3. The activities listed below are prohibited unless sanctioned by an Officer of the
1510 University or Authority. Sanctioned activities are those activities documented within an
1511 individual's Faculty Appointment Contract, contained within an employee's job
1512 description or expectations, appropriately authorized agreements, Memoranda of
1513 Understanding, or otherwise approved by the employee's Vice President.
- 1514 a. Significant use of University or Authority property, facilities, equipment or other
1515 resources in any manner other than as part of the employee's responsibilities, that
1516 results in personal financial benefit or economic interest to an employee, a
1517 member of an employee's immediate family or business with which the employee
1518 has a business relationship.
 - 1519 b. Using significant University or Authority property, facilities, equipment or other
1520 resources in any manner to support an entity not associated with the University or
1521 Authority unless special permission is provided in writing by an authorized
1522 Officer of MUSC or MUHA.

- 1523 c. Using University or Authority stationery, letterhead, logo, or trademark in
1524 connection with outside activities, other than activities having a legitimate
1525 relationship to the performance of University or Authority business.
- 1526 d. Using University or Authority facilities, resources, or the employee's position at
1527 the University for the purpose of advocating, endorsing, or marketing the sale of
1528 any goods or services, other than as part of the employee's responsibilities,
1529 without the prior approval in writing by an authorized Officer of MUSC or
1530 MUHA.
- 1531 e. Using the University or Authority name, trademark or trade name for personal
1532 business or economic gain to the employee, a member of the employee's
1533 immediate family or a business with which the employee has a business
1534 relationship.
- 1535 f. Using any University or Authority intellectual property data or information that is
1536 not in the public domain for personal financial benefit or economic gain to the
1537 employee or a member of the employee's immediate family, or a business which
1538 the employee has a business relationship.
- 1539 g. Using any University or Authority employee for any outside activity during
1540 normal work time for which he or she is receiving compensation from the
1541 University or Authority (not applicable when employees are on a paid or unpaid
1542 leave).
- 1543 h. Participating in the selection or awarding of a contract between the University or
1544 Authority and any entity with which an employee is dually employed, is seeking
1545 employment or has been offered employment.
- 1546 i. Other activities may be prohibited if there is no reasonable way to manage an
1547 associated conflict of interest.

1548 **D. Employee responsibilities**

- 1549 1) Employees shall not engage in the prohibited activities listed above unless sanctioned in
1550 advance or in any other activity that has been prohibited following a completed review of
1551 an employee's conflict of interest disclosure.
- 1552 2) Employees shall disclose a real or perceived conflict of interest as described above:
1553 a) As soon as the employee knows of the conflict, and then annually thereafter for as
1554 long as the conflict continues to exist;
- 1555 b) In writing on the approved Conflict of Interest Disclosure Form;
- 1556 c) To the appropriate MUSC or MUHA Office of Compliance;
- 1557 3) Employees shall avoid any involvement with all related University or Authority activities
1558 and decisions until such time as the conflict of interest has been evaluated and the
1559 disclosed activity been approved.
- 1560 4) If there is any question whatsoever about an activity representing a conflict of interest,
1561 then the employee should consult with an MUSC or MUHA Office of Compliance or an
1562 MUSC or MUHA Office of Legal Counsel for direction.

1563 **E. MUSC/MUHA responsibilities**

- 1564 1. Supervisors shall ensure that all new employees are informed of this policy.

- 1565 2. Supervisors and administrators of MUSC and MUHA shall ensure that all current
1566 employees are reminded of this policy on a periodic basis.
1567 3. The University and Authority shall develop a peer process to evaluate conflict of interest
1568 disclosures, and to review the conduct of approved Management Plans.
1569 4. In the event that a reported conflict of interest is approved, the corresponding Office of
1570 Compliance shall ensure there is an appropriate Management Plan in place to monitor
1571 and manage the situation so that resources are used in an appropriate manner and that
1572 there is no improper influence on University or Authority decisions.
1573 5. The Offices of Compliance shall ensure that Conflicts of Interest Disclosure forms are
1574 retained for future reference. Upon an employee's transfer from the unit or termination
1575 from the University or Authority, associated Conflict of Interest Forms shall be retained
1576 by the Offices of Compliance for a minimum of three years.
1577 6. Supervisors shall establish and maintain a work environment that encourages employees
1578 to ask questions about real or potential conflicts of interest.
1579 7. If supervisors have any question whatsoever about an external activity representing a
1580 conflict of interest, they should consult with an Office of Compliance or an Office of
1581 Legal Counsel.

1582 **F. Sanctions for violation**

- 1583 1) Violations of University or Authority policies, including the failure to avoid a prohibited
1584 activity or disclose a conflict of interest in a timely manner, will be dealt with in
1585 accordance with applicable policies and procedures that may include disciplinary actions
1586 up to and including termination of employment.
1587 2) The Board of Trustees, as the ultimate governing body, or its designee retains authority to
1588 make a final determination of any matter covered by this Policy.

1589 **G. South Carolina state law**

- 1590 1. The South Carolina Ethics Government Accountability and Campaign Reform Act
1591 (herein the "Ethics Law") S.C. Code § 8-13-100, among other things, makes it unlawful
1592 for a public official, public member or public employee to knowingly use his official
1593 office, membership or employment to obtain economic interest for himself, a member of
1594 his immediate family, an individual with whom he is associated* or a business with
1595 whom he is associated**. This policy is implemented in addition to any requirements of
1596 the Ethics Law. Certain persons associated with the Authority or University are required
1597 to make filings with the South Carolina Ethics Commission and completion of the form
1598 attached to this policy will not satisfy that requirement.

1599 * Defined in the Act as: "Individual with whom he is associated" means an individual
1600 with whom the person or a member of his immediate family mutually has an interest
1601 in any business of which the person or a member of his immediate family is a
1602 director, officer, owner, employee, compensated agent, or holder of stock worth one
1603 hundred thousand dollars or more at fair market value and which constitutes five
1604 percent or more of the total outstanding stock of any class.

1605 ** Defined in the Act as: "Business with which he is associated" means a business of
1606 which the person or a member of his immediate family is a director, an officer,
1607 owner, employee, a compensated agent, or holder of stock worth one hundred
1608 thousand dollars or more at fair market value and which constitutes five percent or
1609 more of the total outstanding stock of any class.

1610 **Office responsible for this policy:**

1611 <https://web.musc.edu/about/coi>

1612

1613 **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	

1614 <https://web.musc.edu/about/coi/coi-committees>

1615 For additional information related to research conflict of interest, please refer to the Conflict
1616 of Interest website: <https://web.musc.edu/about/coi/coi-committees>

1617 The Charter of the MUSC Administrative and Clinical Conflict of Interest Committee can be
1618 found at: <https://web.musc.edu/about/coi/coi-committees>

1619 **7.06 University Compliance**

1620 The faculty is subject to the University Compliance Plan, the most current version of which
1621 is included at: <https://web.musc.edu/about/compliance>

1622 **University and Authority Compliance Offices:**

1623 <https://web.musc.edu/about/compliance>

1624 **Research Data Ownership & Record Retention Policy (including guidelines for
1625 sequestration of documents) (RDO&RR)**

1626 <https://research.musc.edu/resources/ori/irb/policies>

1627

1628 **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	

1629 This policy establishes guidelines for University-Industry relationships to ensure that
 1630 individuals who work for MUSC interact with Industry knowing the rules of the University
 1631 and State that govern such interactions.

1632 I. Policy Statement

1633 MUSC recognizes the value of its relationships with the healthcare industry (“Industry”). The
 1634 University also believes that such relationships must be entered into on the basis of a
 1635 partnership that advances the benefits of biomedical research, education and clinical care in
 1636 pursuit of improving human health. Importantly, these activities must avoid either the
 1637 existence or impression of professional impropriety by University or MUSC individuals who
 1638 are entrusted with the integrity of the institution’s educational, clinical or research programs.

1639 II. Scope

1640 This policy applies to all Trustees, Officers, Faculty, Administrators, Staff, Students and
 1641 Trainees including all full-time, part-time, temporary and contract employees of the Medical
 1642 University of South Carolina. The Medical University Hospital Authority and affiliates of the
 1643 University (including but not limited to University Medical Associates of the Medical
 1644 University of South Carolina, the MUSC Foundation and the Foundation for Research
 1645 Development), which derive their not for profit status from MUSC, shall as a condition of
 1646 conducting business with MUSC, develop and implement policies and procedures
 1647 substantially similar to and consistent with this policy.

1648 III. Approval Authority

1649 Board of Trustees

1650 IV. Purpose of this policy

1651 The purpose of this policy is to establish straightforward, effective and principled guidelines
 1652 for University-Industry relationships to ensure that individuals who work for MUSC interact
 1653 with Industry knowing the rules of the University and State that govern such interactions.
 1654 This is critical to protect the interests of the individual, the University and our patients as we
 1655 undertake these activities to achieve our ultimate goals of promoting scientific research,

1656 evidence based clinical care, and educating trainees. The University recognizes the
1657 importance of mutually beneficial relationships with Industry as long as those relationships
1658 do not compromise the integrity of our missions. Rather, one of the overarching aims of the
1659 policy is for full disclosure of consulting and educational activities by MUSC personnel to
1660 help ensure that these activities meet the guidelines set forth in this policy.

1661 V. Who should be knowledgeable about this policy

1662 All MUSC enterprise employees, students, and trainees

1663 VI. The Policy

1664 1. Consulting and Educational Programming:

1665 **a). Consulting**

1666 Purpose: Consulting interactions can facilitate the advancement of innovative ideas and
1667 discoveries, both of which ultimately benefit the general public through the transfer of
1668 scientific discovery. This section of the policy clarifies the terms of interactions with
1669 Industry where the primary goal is scientific exchange.

1670 Policy Statement: Consulting refers to all activities where the external entity furnishes a
1671 Personal Financial Benefit or an Economic Benefit and/or other Personal Benefit as
1672 reimbursement/compensation for the exchange of clinical, educational, professional and/or
1673 scientific information or activities by Covered Persons (see also above). The provision of
1674 bona fide Consulting Services by Covered Persons to external entities is consistent with
1675 MUSC's mission when those activities:

- 1676 (a) involve a two-way exchange of ideas in which each party benefits from the
1677 interchange;
- 1678 (b) are relevant to and enrich the consultant's research, education or other professional
1679 responsibilities;
- 1680 (c) do not interfere with the consultant's responsibilities to patients or the institution;
- 1681 (d) do not adversely affect the consultant's intellectual independence or the integrity of the
1682 institution;
- 1683 (e) are confined to the exchange of clinical, educational, professional and/or scientific
1684 information.

1685 i. Approved consulting activities include but are not limited to the following:

1686 • Serving on advisory boards, expert panels, leadership groups, data safety monitoring
1687 boards, and/or similar groups.

1688 • Providing expert witness testimony. (See MUSC Faculty Handbook.)

- 1689 • Providing scientific or medical presentations or expertise to industry scientists,
1690 research and development staff, and/or their staff.
- 1691 • Providing product review, product evaluation, and product feedback for Industry.
- 1692 • Demonstrating an Industry product (i.e., teaching when and how to appropriately use
1693 a product) for medical or research professionals in the context of medical or scientific
1694 education.
- 1695 • Providing consultation to venture capital firms, and serving as a scientific or medical
1696 advisor to Industry for purposes of MUSC intellectual property development.
- 1697 ii. Prohibited consulting activities include but are not limited to the following:
- 1698 • Consulting activities requiring or appearing to require MUSC staff to endorse or appear
1699 to endorse a particular product, drug, device, or service (either orally or in writing).
1700 This includes demonstrating an Industry product for promotional or sales purposes; and
1701 appearing (or being quoted) in a video, television, radio, internet broadcast, web site, or
1702 in other publicly-broadcasted or distributed materials for promotional or sales purposes
1703 without proper authority or approval.
- 1704 • Participating in ghostwriting, which is defined as Industry sponsorship for (i) making a
1705 major contribution towards the writing and/or research of scientific and medical
1706 publications without receiving authorship; or (ii) accepting authorship for a scientific or
1707 medical publication without making a major contribution towards the writing and/or the
1708 research.
- 1709 • Serving as an Industry sponsored “named reference” for a product recommendation.
- 1710 • Providing MUSC slides, videos, pamphlets or any other MUSC logo or copyrighted
1711 materials to Industry for marketing or promotional use. Such use must be approved in
1712 accordance with MUSC/MUHA policy or procedure.
- 1713 • Providing services that conflict or appear to conflict with SEC rules and regulations for
1714 stock brokers, investment houses, equity management companies, banks, and/or
1715 financial institutions.
- 1716 • Providing services to an Industry that is in a known legal dispute with MUSC.
- 1717 • Speaking to investors on behalf of a company, except when the company is an MUSC
1718 sanctioned and supported faculty start-up company.
- 1719 The lists of approved and prohibited consulting activities are the same whether consulting is
1720 done on personal or professional time. All Covered Persons who participate in consulting
1721 activities are subject to the approval procedures outlined in section VI.1.g of this policy.

1722 **b). Educational Programming**

1723 **Purpose:** MUSC recognizes the value to the institution and Covered Persons in having such
1724 opinion leaders present educational material before professional and lay groups. As noted in
1725 the MUSC Faculty Handbook, activities such as presentations to professional groups such as
1726 other universities, health systems, and professional societies are considered to be within the
1727 scope of Covered Persons' work. Education provided by Covered Persons shall be in the
1728 best interest of the public, independent from commercial interest, and refrain from product
1729 promotion. Additionally, MUSC recognizes the benefits that Covered Persons obtain by
1730 attending educational programs.

1731 **Policy Statement:** This policy applies to all medical, healthcare and scientific speaking
1732 engagements or educational presentations, with or without professional continuing
1733 education credit, where Industry furnishes a Personal Financial Benefit or an Economic
1734 Benefit and/or other Personal Benefit as reimbursement/compensation for the provision of
1735 those presentations by Covered Persons. The policy also applies to Covered Persons who
1736 attend such educational meetings. Educational programming should be independent from
1737 commercial interest and promote evidence-based clinical care and/or advance scientific
1738 research. MUSC recognizes that bona fide educational activities typically adhere to
1739 ACCME, ADA CERP, ACPE, ANCC or other national accreditation standards and qualify
1740 for continuing education credit. Other acceptable activities that do not provide CE credits
1741 but would serve recognized educational purposes include presentations to industry (e.g.,
1742 providing scientific or medical expertise) and training for medical or research professionals
1743 (e.g., teaching practitioners when and how to appropriately use a medical device).
1744 Otherwise, non-accredited, industry sponsored speaking to healthcare providers is not
1745 consistent with the standards of allowable educational programming due to the risk of
1746 industry influence.

1747 i. Approved educational speaker activities include but are not limited to the following:

1748 Providing continuing education (CE) services, scientific or medical presentations or
1749 expertise at academic meetings and professional societies, at other universities or
1750 research institutions, and at lay organization meetings as long as the following conditions
1751 are met:

- 1752 • These activities are designed to promote evidence-based clinical care and/or advance
1753 scientific research; • The presentation is made in accordance with professional
1754 accreditation standards such as the ACCME's Standards for Commercial Support, 1 the
1755 ADA CERP Continuing Education Recognition Program, or other national
1756 accreditation standards including those set by the ACPE and the ANCC, i.e., the
1757 educational content, including handouts and visual-aids, must be determined entirely by
1758 the speaker; and
- 1759 • The financial support of industry, if provided, is clearly disclosed. Payments to Covered
1760 Persons for speaking and for travel costs for these approved educational activities are
1761 permitted for approved speaker activities (see section VI.1.c for rules about payments).

- 1762 ii. Prohibited educational speaker activities include but are not limited to the following:
- 1763 • Speaking at any educational meeting where the content of the presentation, including
1764 handouts and visual-aids, is not determined entirely by the Covered Person.
- 1765 • Educational speaking should be independent from commercial interest, and refrain
1766 from product promotion. As such, speaking activities frequently referred to as speakers’
1767 bureaus are prohibited. Speakers’ bureaus are typically characterized by, but are not
1768 limited to, the following attributes:
- 1769 1. Promotional educational activity concerning a biomedical or pharmaceutical product;
- 1770 2. The company has the contractual right to dictate or control the content of the
1771 presentation or talk;
- 1772 3. The company creates the slides or presentation material and/or restricts or otherwise
1773 limits the Covered Person’s intellectual independence over the educational content of his
1774 or her presentation; and/or
- 1775 4. Covered Persons are expected to act as a company’s agent or spokesperson for the
1776 purpose of disseminating company or product information (e.g., the presentation is
1777 focused on a healthcare product made by the sponsor and does not include a balanced
1778 representation of alternative products or services).
- 1779 If you have questions about whether a speaking activity is a speakers’ bureau, you
1780 should consult with the COI Office for guidance.
- 1781 • Providing industry sponsored continuing education (CE) services or scientific or
1782 medical training to an audience consisting only of MUSC attendees.
- 1783 iii. Attendance at educational meetings sponsored by Industry
- 1784 Covered Persons may attend any educational meeting sponsored by industry but may not
1785 undertake the following:
- 1786 • Receive gifts, other compensation, or travel costs for attendance;
- 1787 • Participate in industry sponsored food, beverages or entertainment events if the
1788 audience is restricted to MUSC personnel only (i.e., MUSC personnel can only accept
1789 industry sponsored meals, beverages and entertainment events if the audience is not
1790 restricted to MUSC personnel and is open to members of the professional community at
1791 large).
- 1792 The lists of approved and prohibited educational activities are the same whether these
1793 activities are done on personal or professional time. All Covered Persons who participate

1794 as speakers in Educational Programs are subject to the approval procedures outlined in
1795 section 4g of this policy.

1796 **c). Payments for Consulting and Educational Programming**

1797 Payments for consulting and educational services should be at a level commensurate with
1798 effort. If done on professional time, the distribution of payment to either the individual or
1799 the institution will be at the discretion of each college or department. For all outside
1800 activities, Covered Persons should coordinate with the Conflict of Interest Office to
1801 determine reporting requirements for any industry relationship.

1802 Senior institutional officials (defined here as the President, Vice Presidents, Deans and
1803 Associate Deans) who conduct outside activities that fall within the institution's missions
1804 and/or relate to their service as institutional leaders must conduct those activities under a
1805 written agreement with the institution. Remuneration for the outside activity must be paid
1806 to the institution and cover the senior official's time and effort for the work;
1807 compensation should not be in addition to the senior official's institutional salary.

1808 **d). Leave Status Requirements for Consulting and Educational Programming**
1809 **Activities**

1810 Consulting and Educational Programming activities may occur on either Personal Leave
1811 (time) or Professional Leave. Please refer to section XI of this policy for specific
1812 definitions.

1813 **Consulting or Educational Programming Conducted on Personal Leave**

1814 • MUSC resources (e.g., secretarial assistance, office space, etc.) are not allowed to be
1815 used while providing consulting services or educational programming activities
1816 performed on personal time.

1817 • Covered Persons considering to undertake consulting or educational programming
1818 activities with a company with whom they are performing concurrent research should
1819 consult with the Conflict of Interest Office.

1820 • Covered Persons who consult or conduct educational programming while on Personal
1821 Leave may retain 100 percent of the fee; this fee must be paid directly to the Covered
1822 Person from the external entity. The Covered Person is responsible for securing payment
1823 for these consulting or educational activities, tax liability, and any financial concerns
1824 associated with such payments.

1825 • MUSC does not provide liability insurance coverage for Covered Persons performing
1826 consulting OR educational programming activities on personal leave.

1827 • Covered Persons may provide consulting or educational services on Personal Leave in
1828 conjunction with MUSC approved travel. Additional travel expenses incurred by the

1829 consulting or educational activities (e.g., additional hotel night/s, per diem,
1830 transportation, miscellaneous) will be the responsibility of the Covered Person.

1831 • Covered Persons should be aware that payments received from medical device,
1832 pharmaceutical manufacturers and biomedical suppliers are subject to the Physician
1833 Payment Sunshine Act and will be made publicly accessible via a Centers for Medicare
1834 and Medicaid Services website.

1835 **Consulting or Educational Programming Conducted on Professional Leave**

1836 • MUSC resources may be utilized to conduct consulting or educational programming on
1837 professional leave.

1838 • Covered Persons considering to undertake consulting or educational programming
1839 activities with a company with whom they are performing concurrent research should
1840 consult with the Conflict of Interest Office.

1841 • If the consulting or educational programming is completed on MUSC time while on
1842 professional leave, payment must be made to MUSC and allocated to an account within
1843 the college, department or division. Each college, department or division will be
1844 responsible for the disbursement of funds.

1845 • Consulting or educational programming conducted on professional leave requires a
1846 contract or agreement; please see section VI.1.f of this policy.

1847 • MUSC provides liability insurance coverage for Covered Persons performing
1848 consulting activities or educational programming on professional leave.

1849 **e) Consulting or Educational Programming Conducted with Concurrent Research**

1850 For consulting or educational activities that occur with concurrent research with the
1851 same company, Covered Persons should consult with the Conflict of Interest Office.

1852 **f) Consulting or Educational Programming Contracts**

1853 **Professional Leave Status:**

1854 All formal consulting and educational programming relationships approved for Covered
1855 Persons that are conducted while on Professional Leave must be formalized in a fully
1856 executed contract. All such agreements must be channeled through the appropriate contract
1857 approval process.

1858 • All agreements must clearly describe the services and deliverables to be furnished by
1859 the consultant or speaker, including the time required for such services or method of
1860 calculating compensation, a description of the compensation due under the agreement, a
1861 declaration regarding disposition of intellectual property rights if applicable, and a

1862 provision to protect the use of the MUSC name if appropriate. The agreement should be
1863 consistent with MUSC policies and eliminate unauthorized transfer of MUSC intellectual
1864 property.

1865 • An agreement must be signed and dated by all parties prior to the commencement of
1866 any of the consulting or educational programming activities. All agreements must be
1867 consistent with MUSC’s policies, mission and duties to its stakeholders.

1868 • The consultant or speaker is expected to maintain records of the consulting or
1869 educational programming activities for 6 years after the termination of the contract.

1870 **Personal Leave Status:**

1871 Covered Persons who consult or provide educational programming on Personal Leave are
1872 acting as independent contractors. Covered Persons may not bind or obligate MUSC in any
1873 way. Contracts entered into by Covered Persons acting as independent contractors should
1874 not contain any references to MUSC or its Affiliates; this includes an individual title (i.e.,
1875 Professor, Director etc.) or work addresses.

1876 **g) Approval Process for Consulting and Educational Programming**

1877 All consulting and educational programming whether occurring on Personal Leave or
1878 Professional Leave must not impact negatively on MUSC or MUSC’s research,
1879 educational or clinical missions. For all outside activities, Covered Persons should
1880 coordinate with the Conflict Of Interest Office to determine reporting requirements for
1881 any industry relationship. Requests for consulting and educational programming
1882 occurring on Professional Leave must be approved by the department chair or appropriate
1883 supervisor during the university’s contract approval process. It is recommended that
1884 Covered Persons notify their department chair or supervisor of any consulting or
1885 educational programming occurring on Personal Leave, as individual departments and/or
1886 colleges may have additional requirements.

1887 **2. Gifts**

1888 Covered Persons and their immediate family members may not accept gifts of value
1889 exceeding \$10 from vendors or other representatives of industry. Examples of gifts include,
1890 but are not necessarily limited to, travel and lodging expenses; membership dues; admission
1891 fees; preferential terms on a loan, goods or services; or the use of real property; for this
1892 section, “gifts” does not include food and beverages which is a subject handled in Section 6
1893 below.

1894 Acceptance of travel funds to participate in meetings or training directly related to ongoing
1895 sponsored research is not considered a gift and is allowable.

1896 Covered Persons may accept travel funds from scientific or professional societies that are
1897 funded by industry, as long as the society controls the selection of the recipient. Covered

1898 Persons may not accept travel funds directly from industry but travel support from industry
1899 funds provided to MUSC is allowed.

1900 3. Food, Beverages and General Hospitality

1901 Except as noted below, Covered Persons should not accept food and beverages, support for
1902 social events, or other hospitality offered directly by Industry to the Covered Person.
1903 Industry support for food and beverages for college, department or division meetings or
1904 retreats is prohibited.

1905 Covered Persons attending an educational meeting or conference may participate in food,
1906 beverages and social receptions sponsored by Industry as long as invitation to these events is
1907 open to non-MUSC attendees as well, i.e., the event is open to all meeting attendees.

1908 A Covered Person engaged in off-site consulting may accept food and beverages as a part of
1909 a reasonable compensation package for consulting services.

1910 Covered Persons cannot participate in industry sponsored food, beverages and/or
1911 entertainment events that are provided only for a select invited individual or group of
1912 individuals if the primary purpose of the event is for marketing and promotional purposes.
1913 However, this restriction does not preclude allowable activities, such as site visits and
1914 meetings with potential vendors, which may occur when obtaining contracted goods and
1915 services; these activities are governed by state and MUSC and/or MUHA procurement
1916 guidelines. Covered Persons should recognize that attendance at an industry supported event
1917 may cause their name and institutional affiliation to be reported as required by federal
1918 regulation. This can be avoided by paying for one's own meal at such events, and removing
1919 one's name from the attendance list.

1920 4. Industry Supported Continuing Education Programs

1921 • Continuing Education (CE) programs supported by Industry are permitted provided the
1922 following criteria are met:

1923 ○ Industry sponsored programs offering continuing education (CE) credit must be
1924 processed through the Office of Continuing Medical Education if appropriate and adhere to
1925 the standards for commercial support established by the ACCME, the ADA CERP, the
1926 ACPE, the ANCC, or other such accrediting or licensing body if available.

1927 ○ Industry provided food and beverages are prohibited at educational programs in which
1928 the only attendees are from MUSC, both on campus and off campus.

1929 ○ Students or trainees may participate in the continuing education programs as long as the
1930 programs are structured group settings that are supervised by faculty.

1931 ○ Appropriate disclosure statements are made in any pre-meeting announcement and by the
1932 speaker prior to beginning the program.

1933 ○ Companies seeking to provide support for CE programs may do so through unrestricted
1934 educational grants.

1935 5. Educational Materials and Equipment

1936 Donations of educational materials and equipment may be accepted. Such donations are
1937 expected to be used by faculty, staff, students and trainees and are not expected to be used
1938 by a single Covered Person. Donations are expected to be donated directly to an appropriate
1939 college or departmental official within the University or a University affiliate, and
1940 documentation of the donation, including the value of the equipment donated and the date of
1941 the donation, should be retained. Donations of capital equipment require approval of the
1942 Executive Vice President for Academic Affairs and Provost, except in cases of sponsored
1943 research, in which equipment donations are managed by the Office of Research and
1944 Sponsored Programs.

1945 6. Scholarships and other Educational Funding for Students and Residents

1946 Industry support for student scholarships, residents and fellows should be made in
1947 cooperation with the appropriate MUSC entity or University official. This may include the
1948 MUSC Foundation or the MUSC Foundation for Research Development, the Development
1949 Office, the Office of Research and Sponsored Programs or senior leadership according to
1950 the Institution's policies and procedures. Covered Persons must obtain approval from the
1951 department chair, division director or college dean before soliciting Industry for these
1952 purposes. The appropriate MUSC entity or University Official must manage and oversee the
1953 receipt of such Industry support. The evaluation and selection of recipients of such funds
1954 and use of such funds must be at the sole discretion of the University, college, or
1955 department. All potential industry sponsors should be given the opportunity to contribute.

1956 7. Fundraising and Business Development Activities

1957 The Institution recognizes that the MUSC Foundation has a unique and integral mission to
1958 attract financial support that furthers the research, education and patient care initiatives of
1959 the MUSC enterprise. Similarly, the Institution recognizes that certain activities are
1960 necessary to further the strategic and business development initiatives of the institution.
1961 Activities necessary to the successful conduct of fundraising and strategic advancement on
1962 behalf of the Institution may continue. However, these activities are not permitted to
1963 influence educational, clinical or research operations of the Institution other than providing
1964 support to further those missions. Activities intended to further strategic and business
1965 development initiatives must be part of the Covered Person's official duties or approved in
1966 advance by a member of the President's Group

1967 No gift shall influence or appear to influence Institutional decision-making related to
1968 procurement, patient care, education and research integrity. Any concerns shall be reported
1969 immediately to the Conflict of Interest Office. Notwithstanding anything in this section, SC
1970 state employees remain subject to the SC Ethics Law and must act in compliance with state
1971 regulations.

1972 8. Charitable Contributions

1973 Charitable contributions from industry for the benefit of the University or any of its
1974 affiliates must be made through the appropriate University channels. This may include the
1975 Development Office, MUSC Foundation or University leadership. The distribution of
1976 charitable contributions for their intended purposes will be the responsibility of the
1977 department, division director, college deans, and administration. Industry funding for
1978 sponsored projects (funding provided which is subject to terms and conditions) is accepted
1979 and managed on behalf of MUSC by the Office of Research and Sponsored Programs
1980 (ORSP).

1981 9. Pharmaceutical Samples

1982 Drug samples that are provided for distribution to patients will be handled in accordance
1983 with MUHA Policy C-26, Medication Samples.

1984 10. Site Access

1985 The MUSC Medical Center recognizes the value of information provided by various
1986 industry representatives but intends to limit access to its personnel and facilities to prevent
1987 interference with patient care activities. All vendors are expected to adhere to policy A-15,
1988 Account/Vendor Representatives <https://www.musc.edu/medcenter/policy/Med/A015.pdf> or
1989 any applicable contract with the vendor.

1990 11. Use of Confidential Information

1991 Unauthorized use of confidential, privileged or proprietary information by Covered Persons
1992 or their family members is prohibited. This includes but is not limited to, disclosure of such
1993 information to commercial entities without authorization; unauthorized use of such
1994 information to engage in a relationship with a commercial entity that leads to a Personal
1995 Financial Benefit or Economic Benefit for the Covered Person or their family member.

1996 12. Purchasing

1997 Covered Persons with any financial interest in any particular manufacturer of
1998 pharmaceuticals, devices or equipment or any provider of goods or services, must disclose
1999 such interests and recuse themselves from purchasing decisions relevant to the conflicting
2000 interests. Any Covered Person whose expertise is necessary to evaluate any product must
2001 disclose his/her financial ties to any manufacturer of that or any related product to those
2002 charged with the responsibility of making the purchasing decision.

2003 13. Disclosure and Notification

2004 Covered Persons shall disclose all relationships with commercial entities as described in the
2005 MUSC/MUHA Board of Trustees Conflict of Interest Policy. This policy can be found at
2006 www.musc.edu/coi.

2007 If there is a question about appropriate interaction with a commercial entity or the potential
2008 for a Conflict of Interest, the Covered Person should consult with individuals within their
2009 chain of command, the MUSC Conflict of Interest Office, MUSC, MUHA or UMA Office
2010 of Compliance, or the MUSC General Counsel's Office for guidance.

2011 VII. Special Situations

2012 Exceptions

2013 The University Conflict of Interest Committee will review/consider requests for exceptions
2014 to this policy. Request for exceptions must be submitted in writing to the Conflict of Interest
2015 Office. Resolution of such requests will be documented in the minutes of the University
2016 Conflict of Interest Committee and reported back to the requestor and their supervisor. If
2017 additional recourse is desired after review and action by the University Conflict of Interest
2018 Committee, a Covered Person may submit their request in writing to the MUSC Executive
2019 Vice President for Academic Affairs and Provost for appeal.

2020 VII. Sanctions for Non-compliance

2021 Violations of this Policy, including the failure to avoid a prohibited activity or disclose
2022 relationships with commercial entities will be dealt with in accordance with applicable
2023 policies and procedures that may include disciplinary action up to and including termination
2024 of employment or medical staff privileges. Sanctions may include suspension or dismissal,
2025 nonrenewal of appointment, denial of eligibility to engage in research funded through
2026 MUSC, denial of merit pay, or other appropriate penalties. Such sanctions may require
2027 giving notice of relevant information to funding agencies, professional bodies or journals, or
2028 the public. Termination of medical staff privileges or denial of medical staff privileges
2029 under this policy will not be based upon a physician's individual competence, quality of
2030 care, or professional conduct. Therefore, the revocation or denial of appointment or
2031 reappointment will not be reportable to any agency or databank.

2032 The Executive Vice President for Academic Affairs and Provost will determine the methods of
2033 resolving non-compliance with this policy and applying sanctions. The Executive Vice
2034 President for Academic Affairs and Provost may refer the matter to the appropriate College
2035 Dean or in the case of affiliates, to the senior administrative officer of that affiliate, take
2036 action on his or her own, or initiate MUSC procedures governing such discipline. The Board
2037 of Trustees, as the ultimate governing body, or its designee, retains authority to make a final
2038 determination of any matter covered by this policy.

2039X. Related Information

2040 A References, citations

- 2041 • Korn D. Carlat D. Conflicts of interest in medical education: Recommendations
2042 from the Pew Task Force on medical conflicts of interest. Journal of the American
2043 Medical Association. 310(22):2397-2398, 2013.

2044 • Boumil MM. Cutrell ES. Lowney KE. Berman HA. Pharmaceutical speakers'
2045 bureaus, academic freedom, and the management of promotional speaking at
2046 academic medical centers. Journal of Law, Medicine & Ethics. 40(2):311-25, 2012.

2047 For further information regarding conflicts of interest in medicine and academics related to
2048 Industry relationships, visit the Industry Relations webpage on the Conflict of Interest
2049 website (<https://web.musc.edu/about/coi/coi-policies>).

2050

2051 X. Communication Plan

2052 Review of this policy is covered in the annual mandatory training for all employees.

2053

2054 XI. Definitions:

2055 For purposes of this policy:

2056 **Industry** refers to any corporation, partnership, sole proprietorship, firm, franchise,
2057 association, organization, holding company, joint stock company, receivership, trust,
2058 enterprise, or other legal entity, including for profit and not for profit entities that are
2059 engaged in 1) the manufacture, distribution or sale of diagnostic or therapeutic drugs,
2060 medical/dental devices or equipment, supplies, or information technology, 2) medical
2061 testing, or 3) providing services for clinical care, research, or education. Industry also refers
2062 to entities that provide services to MUSC in the areas of physical plant, university and
2063 hospital administration, human resources, project management, clinical services and
2064 regulatory services. The term industry does not include professional associations and
2065 societies, not for profit foundations, law offices, not for profit volunteer health
2066 organizations, academic institutions or not for profit hospitals that provide medical
2067 research/education-related products and services.

2068 **Conflict of Interest** is defined as the circumstance that arises when an individual has an
2069 opportunity to influence patient care, research and education of trainees regarding the
2070 purchase or use of products or services of an industry with which he/she has a secondary
2071 interest (financial relationship, or research support, or personal benefit).

2072 **Consulting** (Consulting Services, Consultant, etc.) is defined as all activities where the
2073 external entity furnishes a Personal Financial Benefit or Economic Benefit and/or other
2074 Personal Benefit such as reimbursement/compensation for the exchange of clinical,
2075 educational, professional and/or scientific information or activities by Covered Persons.

2076 **Educational Programming** is defined as medical, healthcare and scientific speaking
2077 engagements or educational presentations where Industry furnishes a Personal Financial
2078 Benefit or Economic Benefit and/or other Personal Benefit as reimbursement/compensation
2079 for the provision of those presentations by Covered Persons.

2080 **Personal Financial Benefit or Economic Benefit** is defined as anything of monetary value
2081 - including salary, commissions, fees, honoraria, gifts, equity interests (which include any

2082 stock, stock option, or other ownership interest), interests in real or personal property,
 2083 dividends, royalty, rent, capital gains, intellectual property rights, loans, and forgiveness of
 2084 debt. The term “personal” also includes the Covered Person’s immediate family, including
 2085 parents, spouse, siblings, children, stepchildren and grandchildren.

2086 **Other Personal Benefit** is defined as a non-financial benefit to a Covered Person; for
 2087 example, promise of a job promotion, future grant, research publication, clinical trial or
 2088 authorship, etc. The term “personal” includes the Covered Person’s immediate family,
 2089 defined as parents, spouse, siblings, children, stepchildren and grandchildren.

2090 **Personal Leave** is defined as that time away from work taken as annual leave , or any part
 2091 of a 24-hour period when there are no MUSC assigned responsibilities (e.g., weekends or
 2092 after hours when there are no MUSC assigned responsibilities).

2093 **Professional Leave** includes time away from MUSC to conduct MUSC approved
 2094 professional activities, while receiving compensation from MUSC. A request for this leave
 2095 must be approved by the Covered Person’s supervisor.

2096 XII. Review cycle

2097 At least every five years

2098 The link to this policy can be found at:
 2099 <http://academicdepartments.musc.edu/coi/coipolicies/coipolicies.htm>

2100 **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	
Mar 2020	Mar 2020	Mar 2020	May 2020	May 2020	

2101 **I. Policy Statement**

2102 In order for MUSC to engage in entrepreneurial and economic development activities, parameters are
 2103 required to ensure public trust and integrity in the course of the **activities**, and to create an
 2104 environment that fosters transparent, principled activities.

2106 **II. Scope**

2107 This policy applies to all Officers, Faculty, Students, Administrators, and Staff, including all full-time,
 2108 parttime, temporary, and contract Employees of the Medical University of South Carolina (MUSC) and
 2109 the Medical University Hospital Authority (“MUHA”) (collectively, “MUSC”), as well as third party
 2110 consultants, contractors, vendors and any individual or entity that is provided access to MUSC’s
 2111 information resources. Affiliates (entities which derive their not for profit status from MUSC, including
 2112 but not limited to MUSC Physicians, MUSC Physicians Primary Care, the MUSC Foundation, and the

2113 MUSC Foundation for Research Development (“FRD”)) shall as a condition of continued business with
2114 MUSC and MUHA develop and implement policies and procedures substantially similar to and consistent
2115 with this Policy.

2116
2117 **III. Approval Authority**

2118 Dean’s Council, Faculty Senate
2119

2120 **IV. Purpose of This Policy**

2121 MUSC recognizes that the commercialization of discoveries can have significant benefits for society and
2122 is an important component of the mission of the academic community, as well as the strategic economic
2123 goals of MUSC and the State of South Carolina. Research from our nation’s universities is a major source
2124 of discoveries and intellectual property that are essential for the country’s continuing economic
2125 development. Relationships between academic and commercial entities have been encouraged and
2126 promoted through laws such as the Federal Bayh–Dole Act and the Life Sciences Act of South Carolina.
2127 Innovation and the technology commercialization resulting therefrom, is a pillar of Imagine 2020, the
2128 MUSC Strategic Plan, and is consistent with the Smart State Program in South Carolina.
2129

2130 Moreover, entrepreneurial entities which involve MUSC employees may bring significant benefit to the
2131 economic growth of MUSC and South Carolina. The association of faculty with outside entities may also
2132 have beneficial effects on their teaching and research activities, provide opportunities for research
2133 funding, and advance both MUSC’s and the faculty member’s reputation in the scientific community.
2134 Consequently, MUSC desires to support and facilitate these interactions.
2135

2136 These activities, however, must be undertaken in accordance with The South Carolina Ethics,
2137 Government Accountability, and Campaign Reform Act (the “State Ethics Act”), SC Code Ann. § 8-13-
2138 10, et seq., and MUSC’s policies, including but not limited to the Conflict of Interest Policy, Industry
2139 Relations Policy, and Intellectual Property Policy.
2140

2141 **V. Who Should Be Knowledgeable about This Policy**

2142 All MUSC enterprise employees
2143

2144 **VI. The Policy**

2145 **A. Disclosure of Outside Activities**

2146 Before engaging in Entrepreneurial Activities (as defined in Section X.B.), Covered Persons (as defined
2147 in Section X.A.) must document the activities on the Disclosure of Entrepreneurial Activity Form . The
2148 Disclosure of Entrepreneurial Activity Form is provided by MUSC FRD and attached in the Appendix.
2149 The Covered Person must circulate the Disclosure of Entrepreneurial Activity Form for approval by the
2150 Covered Person’s Supervisor or Department Chair, College Dean (as applicable), and the Office of the
2151 Vice President for Research. If the Covered Person is a MUHA employee, the Disclosure of
2152 Entrepreneurial Activity Form must also be circulated to and approved by the applicable ICCE Chief. A
2153 record of the disclosure must be provided to MUSC FRD and the MUSC Conflict of Interest (COI) Office
2154 in addition to any annual conflict of interest disclosure required under the MUSC/MUHA Conflict of
2155 Interest Policy, as discussed below. In the event of any disagreement, the Vice President for Research will
2156 provide final resolution.
2157

2158 **B. Disclosure to COI Office**

2159 The MUSC/MUHA Conflict of Interest Policy is not intended to prohibit approved and
2160 appropriately managed economic development activities related to MUSC-generated intellectual
2161 property, including MUSC employee involvement with startup companies, Small Business
2162 Administration (SBIR/STTR)-funded research and Centers of Economic Excellence Activities. However,

2163 any such activities by MUSC employees that make use of MUSC property, facilities, equipment, or other
2164 resources shall be for the sole benefit of the MUSC enterprise as required in the MUSC/MUHA Conflict
2165 of Interest Policy. All approved effort and financial relationships concerning Entrepreneurial Activities
2166 must be disclosed in the MUSC disclosure system in accordance with the MUSC/MUHA Conflict of
2167 Interest Policy. For Covered Persons required to submit annual disclosures, if changes in a relationship
2168 with an approved outside entity occur, the Covered Person is required to update their disclosure form
2169 within 30 days of the change.

2170 2171 C. Review of Outside Activities

2172 It is recognized that association of a Covered Person with a company is often necessary for the
2173 commercialization of intellectual property. However, with the progression of time, such individuals may
2174 have to formally partition their effort and salary between MUSC and the outside entity. Such segregation
2175 of effort may be mandated as part of a Conflict of Interest Management Plan directed by the Covered
2176 Person's Department Chair, Supervisor, Dean or the Office of the Vice President for Research or its
2177 designee. Any Covered Person engaged in an Entrepreneurial Activity should have their activities
2178 reviewed by their Supervisor or Department Chair annually to determine if any adjustments are needed.
2179

2180 D. Permissible Use of MUSC Resources Associated with Entrepreneurial Activities

2181 MUSC supports economic development within the State of South Carolina, and Entrepreneurial
2182 Activities of Covered Persons may be considered part of their duties if appropriately approved and
2183 documented. MUSC resources may be used in support of approved Entrepreneurial Activities provided
2184 these activities do not conflict with applicable policies, state and federal laws, and regulations regarding
2185 use of public facilities for private gain.

2186
2187 Permissible use of MUSC resources for Entrepreneurial Activities is limited to: (1) resources that
2188 are freely available to the public; or (2) incidental use of such MUSC resources that does not result in
2189 additional public expense. For example, "incidental use" may include use of material, personnel, or
2190 equipment when:

- 2191 (a) The use of such MUSC resources does not increase MUSC expense;
- 2192 (b) The use does not interfere with the Covered Person's obligation to carry out MUSC duties
2193 in a timely and effective manner;
- 2194 (c) The use in no way undermines the use of resources and services for official purposes;
- 2195 (d) The use does not express or imply sponsorship or endorsement by MUSC; and
- 2196 (e) The use is consistent with MUSC policies, including but not limited to the MUSC
2197 Acceptable Use of Computing and Telecommunications Resources Policy as well as state and federal
2198 laws regarding obscenity, libel, political activity, the marketing of products or services, or other
2199 inappropriate activities.

2200
2201 A proposed use of MUSC resources that advances only the interests of a faculty or staff member,
2202 or of a non-MUSC entity with which a Covered Person he or she is associated without any concurrent
2203 benefit to the MUSC, is prohibited under this Policy.

2204
2205 Covered Persons may make "incidental use" of MUSC resources for Entrepreneurial Activities (as
2206 described above) if:

- 2207 (a) The activity is an Entrepreneurial Activity as defined in Section X.B;
- 2208 (b) Such Entrepreneurial Activity contributes to the MUSC's economic development,
2209 technology transfer, or other public service goals; and
- 2210 (c) The Entrepreneurial Activity is consistent with and similar in nature to activities
2211 such as:
 - 2212 (i) Early stage activities associated with forming a nonprofit organization focused on

2213 health care, education, research, or public policy issues;
2214 (ii) Activities in support of the development of a licensing agreement with an
2215 established company; or
2216 (iii) Early stage activities associated with forming a company to which MUSC FRD
2217 expects to license intellectual property, whether or not MUSC FRD expects to acquire
2218 equity in the company.
2219

2220 E. Contracted Research

2221 If a company executes a contract with MUSC for support of further research related to
2222 development of intellectual property, that company (the “Venture”) will assume the full cost of research
2223 personnel and resources associated with this agreement, including Facilities & Administrative (F&A)
2224 costs derived from the most current and official MUSC F&A rates. Use of state or federal resources must
2225 comply with all applicable state and federal regulations.
2226

2227 The testing of interventions in human patients as part of a clinical trial requires special attention
2228 in cases where there are real or perceived conflicts of interest. Any involvement by the Venture and any
2229 related intellectual property relevant to clinical trials conducted at MUSC must be communicated to the
2230 appropriate Institutional Review Board (IRB) at the time the original protocol is submitted, and to clinical
2231 trial participants in the informed consent documents. Similar information must be communicated to any
2232 collaborators, co-investigators at MUSC and/or multi-site participants for such studies. For clinical trials
2233 involving a MUSC employee and/or trainee, or their immediate family, MUSC will contract for an
2234 outside IRB and/or independent clinical monitor(s) to have the research conducted at MUSC with any
2235 associated expenses paid for by the Venture. If MUSC has an institutional conflict of interest or the
2236 potential for an institutional conflict of interest in a clinical trial to be conducted at MUSC, an outside
2237 IRB must be contracted for review.
2238

2239 F. Management of Potential or Real Conflicts of Interest

2240 Relationships between MUSC and outside entities may introduce actual and potential conflicts of
2241 interest. The MUSC Conflict of Interest (COI) Office shall manage these issues in an equitable manner,
2242 with the goal of empowering the development process in accordance with federal and state guidelines,
2243 the MUSC/MUHA Conflict of Interest Policy, and guidelines provided in this policy.
2244

2245 In most cases of conflict, the appropriate COI Committee, along with the Covered Person and
2246 his/her Supervisor or Department Chair, will devise a COI Management Plan that will attempt to be
2247 equitable to the individual(s) involved, promote the entrepreneurial goals of MUSC, and protect the
2248 academic interests of MUSC, including the scholarly pursuit of new knowledge. COI Management Plans
2249 may require adjustment as circumstances change, and therefore will be reviewed with the individual’s
2250 Supervisor or Departmental Chair, as applicable, at least annually. Conflicts of interest will be disclosed
2251 to all appropriate constituencies, within the MUSC enterprise in accordance with the MUSC/MUHA
2252 Conflict of Interest Policy.
2253

2254 G. Intellectual Property

2255 Intellectual property developed by Covered Persons is subject to the MUSC Intellectual Property
2256 Policy. The MUSC Intellectual Property Policy provides information on the reporting and ownership of
2257 intellectual property developed jointly by an MUSC employee and an outside entity.
2258

2259 Because MUSC is a state-supported institution, and because most research is federally supported
2260 and subject to federal regulations, Covered Persons cannot be given a favored position in respect to
2261 licensing the rights to intellectual property owned by MUSC. Options to technology rights, in lieu of full
2262 licenses, will be considered during the early stages of the Venture. Each option or license must be

2263 negotiated with MUSC FRD in open competition with all entities with a bona fide interest in
2264 commercializing the intellectual property. The fact that the Covered Person or members of their
2265 Departments are the inventor(s) or creator(s) does not ensure licensing of that intellectual property to
2266 the entity in which they hold special interest. Terms for all options or licenses must be based on fair value
2267 and conform to all applicable federal agency rules, regulations and restrictions.
2268

2269 All research findings related to MUSC intellectual property will be open to publication in scientific
2270 journals with limited time delays as defined in the relevant licensing agreement.
2271

2272 Rights to intellectual property resulting from an outside entity’s use of MUSC space and
2273 interaction with MUSC personnel will be governed by the MUSC Intellectual Property Policy, and/or the
2274 licensing agreement between the entity and MUSC FRD.
2275

2276 VII. Exceptions

2277 MUSC FRD will review/consider requests for exceptions to this policy in conjunction with the MUSC
2278 Conflict of Interest (COI) Office. Request for exceptions must be submitted in writing to MUSC FRD and
2279 the COI Office. Resolution of such requests will be reported back to the requestor and their Supervisor. If
2280 additional recourse is desired after review and action by MUSC FRD and the COI Office, a Covered
2281 Person may submit their request in writing to the MUSC Vice President for Academic Affairs & Provost
2282 for appeal.
2283

2284 VIII. Sanctions for Non-compliance

2285 Violations of this Policy, including the failure to avoid a prohibited activity or disclose relationships with
2286 commercial entities, will be dealt with in accordance with applicable policies and procedures that may
2287 include disciplinary action up to and including termination of employment or medical staff privileges.
2288 Sanctions may include suspension or dismissal, non-renewal of appointment, denial of eligibility to
2289 engage in research funded through MUSC, denial of merit pay, or other appropriate penalties. Such
2290 sanctions may require giving notice of relevant information to funding agencies, professional bodies or
2291 journals, or the public. Termination of medical staff privileges or denial of medical staff privileges under
2292 this policy will not be based upon a physician’s individual competence, quality of care, or professional
2293 conduct. Therefore, the revocation or denial of appointment or reappointment will not be reportable to
2294 any agency or databank.
2295

2296 The Vice President for Academic Affairs and Provost will determine the methods of resolving
2297 noncompliance with this policy and applying sanctions. The Provost may refer the matter to the
2298 appropriate College Dean or in the case of Affiliates, to the senior administrative officer of that Affiliate,
2299 take action on his or her own, or initiate MUSC procedures governing such discipline.
2300

2301 The MUSC Board of Trustees, as the ultimate governing body, or its designee, retains authority to make a
2302 final determination of any matter covered by this policy. The MUSC Board of Trustees, or its designee,
2303 will make its determinations in accordance with The South Carolina Ethics, Government Accountability,
2304 and Campaign Reform Act (the “State Ethics Act”), SC Code Ann. § 8-13-10, et seq., and MUSC’s
2305 policies, including but not limited to the Conflict of Interest Policy, Industry Relations Policy, and
2306 Intellectual Property Policy.
2307

2308 IX. Related Information

2309 A. References, citations

2310 1. MUSC/MUHA policies that relate to industry, IP and faculty/employee start-up ventures
2311 (a) MUSC Intellectual Property Policy: <https://research.musc.edu/resources/frd/forinventors/>
2312 policies

- 2313 (b) Disclosure of Entrepreneurial Activity Faculty start-up ventures forms on MUSC
2314 FRD website: <https://academicdepartments.musc.edu/frd/>
2315 (c) MUSC/MUHA Industry Relations Policy and other Conflict of Interest Policies:
2316 <https://web.musc.edu/about/coi/coi-policies>
2317 (d) MUSC Acceptable Use of Computing and Telecommunications Resources Policy
2318 [https://horseshoe.musc.edu/~media/files/services-all-files/ociofiles/
2319 policies/pgc0002-musc-acceptable-use-of-computing-andtelecommunications-
2320 resources-policy.pdf?la=en](https://horseshoe.musc.edu/~media/files/services-all-files/ociofiles/policies/pgc0002-musc-acceptable-use-of-computing-andtelecommunications-resources-policy.pdf?la=en)

2321

2. References and Resources

- 2322 (a) South Carolina Launch, an SCRA Collaboration: Commercialization Services for
2323 Entrepreneurial startup companies: <http://sclaunch.org>
2324 (b) SCBIO association dedicated to growing the life science industry in South Carolina:
2325 <http://scbio.org>
2326 (c) SCTR South Carolina Clinical and Translational Research Institute <http://sctr.musc.edu>
2327 (d) Chair MUSC Research Conflict of Interest Committee: [https://web.musc.edu/about/coi/coi-
2328 committees](https://web.musc.edu/about/coi/coi-committees)
2329 (e) South Carolina Ethics Commission Rules of Conduct: <http://sc.gov/rulesofconduct>
2330 (f) University of Wisconsin-Madison: <http://grad.wisc.edu/research/policyrp>

2331

2332

3. Related Statutes

- 2333 (a) Bayh-Dole Act: 35 U.S.C. § 200-212; 37 C.F.R. 401; 37 C.F.R 404
2334 (b) SC Life Sciences Act: SC Code Section 12-15-10 et seq.
2335 <https://www.scstatehouse.gov/code/t12c015.php>

2336

2337

B. Other

2338 Questions regarding this policy can be directed to the Director of the MUSC Conflict of Interest
2339 (COI) Office, the Chief Innovation Officer, and/or the Executive Director for MUSC FRD.

2340

2341

C. Appendices

2342 A.1 Disclosure of Entrepreneurial Activity Form

2343

2344

2345

X. Definitions

2346 A. “Covered Person(s)” includes all Officers, Faculty, Administrators, Staff, Students
2347 (including visiting students) and Trainees including all full-time, part-time, temporary and contract
2348 employees of the Medical University of South Carolina and the Medical University Hospital Authority,
2349 affiliates of MUSC (including but not limited to University Medical Associates of the Medical University
2350 of South Carolina, the MUSC Foundation and MUSC FRD which derive their not for profit status from
2351 MUSC, shall as a condition of conducting business with MUSC, develop and implement policies and
2352 procedures substantially similar to and consistent with this policy.

2353

2354 B. “Entrepreneurial Activities” include all activities in which any Covered Person engages as part
2355 of that Covered Person’s participation in a startup or other company, which expects to or does
2356 commercialize intellectual property optioned or licensed from MUSC (FRD). Additionally,
2357 Entrepreneurial Activities include a Covered Person’s provision of services to a startup or other company
2358 based upon the Covered Person’s professional expertise, to the extent such services are provided to a
2359 startup or other company that expects to or does commercialize intellectual property optioned or
2360 licensed from MUSC FRD.

2361

2362

2363 C. “Venture” includes those arrangements as defined in Section IVI.E. above.

2364

2365

2366 **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	

2367 The Medical University of South Carolina neither encourages nor discourages faculty
2368 participation as witnesses in legal proceedings. All such requests or directives to serve as a
2369 witness because of professional training or position should be immediately reported to and
2370 receive the prior approval of the department chair or next higher administrator. Department
2371 chairs should file an annual report on all such witness activity with their respective deans.

2372 It is expected that time and resources spent as a witness or consultant in legal matters be
2373 considered patient care-related and that all remuneration as set by the Medical University of
2374 South Carolina should be reimbursed to the faculty member’s practice plan or appropriate
2375 college account.

2376 **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
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2377 A process sanctioned by the Faculty Senate for the annual review by the faculty for
2378 performance of chairs, deans, and/or other unit directors has been approved by the Executive
2379 Vice President for Academic Affairs and Provost. Each May, the Executive Vice President
2380 for Academic Affairs and Provost’s Office sends out questionnaires maintained at the
2381 following link to all faculty including part-time faculty

2382 [https://education.musc.edu/leadership/provost/reporting-units/institutional-](https://education.musc.edu/leadership/provost/reporting-units/institutional-effectiveness/assessment)
2383 [effectiveness/assessment](https://education.musc.edu/leadership/provost/reporting-units/institutional-effectiveness/assessment)

2384 Completed forms are sent anonymously to the Office of the Executive Vice President for
2385 Academic Affairs and Provost or his/her designee where results are collated, tabulated,
2386 summarized, etc., and given to deans of the respective colleges. The Executive Vice
2387 President for Academic Affairs and Provost informs the President of the Faculty Senate in

2388 March that the process has been completed and deans have reviewed the data which is
 2389 archived in the event future reexamination becomes necessary.

2390 **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
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2391 The faculty is subject to the university copyright policies. See Executive Vice President for
 2392 Academic Affairs and Provost Office website:
 2393 <https://web.musc.edu/about/compliance/disclaimer> for the most current versions. Also, see
 2394 “Intellectual Property” in section 7.12.04.

2395 **7.12 Faculty Research Activities**

2396 **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
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2397 The Office of Research and Sponsored Programs assists investigators and/or leaders of other
 2398 sponsored programs in filing timely and complete grant or other support proposals,
 2399 coordinating regulatory reviews, filing progress reports as required, and identifying potential
 2400 sources of funding. It maintains liaison with federal, state, and other major research support
 2401 agencies, assures compliance with MUSC, state, federal, and other agencies' policies and
 2402 procedures, reviews proposals and provides administrative approval.

2403 Faculty members are encouraged to consult the office at any time for information or advice
 2404 on program development, application preparation, and grants and contracts management.
 2405 Those who are ready to make application for funds should contact the Research Office early
 2406 in the process to be sure there is sufficient time to complete the required administrative
 2407 review before the submission deadline.

2408 A directory of Resources for Researchers at the Medical University of South Carolina is
 2409 available on request through the Research Office or the office of the Vice President for
 2410 Research. Directory of Research Support, which includes abstracts of research being
 2411 conducted, is also available on request. In addition, updated research support data on past

2412 and ongoing grants, cooperative agreements, contracts and other mechanisms of extramural
2413 funding are available through the office of the Vice President for Research.

2414 The financial management of awards is provided by the office of Grants Accounting.

2415 Office of Research and Sponsored programs website:

2416 <https://research.musc.edu/resources/orsp>

2417

2418

2419

2420 **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
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2421 The MUSC Responsible Conduct of Research policy is a key element of the overall
2422 University Compliance policies (see MUSC Webpage:
2423 <http://academicdepartments.musc.edu/uco/rcor.htm>)

2424 and must be signed by all faculty, staff, and students of the university using research
2425 resources or facilities, or receiving research funds administered by the university, and
2426 those engaged in oversight of research facilities or funds. It was approved by the
2427 University Board of Trustees and is presented in its entirety below.

2428 **Section I. Introduction**

2429 MUSC is committed to the highest standards of professional conduct; therefore all
2430 members of the university community are expected to adhere to the highest ethical
2431 standards of professional conduct and integrity. The values we hold among ourselves to
2432 be essential to responsible professional behavior include: honesty, trustworthiness,
2433 respect and fairness in dealing with other people, a sense of responsibility toward others
2434 and loyalty toward the ethical principles espoused by the institution. It is important that
2435 these values and the tradition of ethical behavior be consistently demonstrated and
2436 carefully maintained.

2437 **Section II. Definitions**

2438 Members of the University Community or “Members”: faculty, staff, fellows, residents
2439 and students or any individual employed by the university using university research
2440 resources or facilities, or receiving research funds administered by the university, and
2441 those engaged in oversight of research facilities or funds.

2442 **Section III. Responsibilities**

2443 **Fairness:** Members of the university community have the obligation to respect, and to be
2444 fair to other members, students and persons they supervise, and to foster their intellectual
2445 and professional growth. Members must not engage in, nor permit, harassment and illegal
2446 discrimination. Members must not abuse the authority they have been given, and care
2447 must be taken to ensure that any personal relationships do not result in situations that
2448 might interfere with objective judgment.

2449 **Professional Conduct:** Workplace and educational experiences must impart ethical
2450 standards of professional conduct through instruction and example. Members of the
2451 university community are expected to conscientiously fulfill their obligations toward
2452 students, advisees, colleagues and perform their duties as part of the university
2453 community. Members must support intellectual freedom.

2454 **Compliance:** Members of the university community are expected to understand and
2455 comply with laws and regulations related to their duties. Members are responsible for
2456 adherence to university policies and procedures and are expected to comply with State
2457 and Federal laws. The university has the obligation to provide the opportunities necessary
2458 to assure awareness. Members are expected to see that those who report to them are
2459 informed about, understand and comply with regulations such as those for health and
2460 safety in the workplace, including the procedures to assure the ethical treatment of human
2461 subjects and animals and the use of hazardous materials. Members also have an
2462 obligation to report any noncompliance of regulations that are observed.

2463 **Authorship:** In an academic environment we continually seek knowledge and
2464 understanding and must transmit our findings faithfully. Members of the university
2465 community who create scholarly products or works of art must guarantee the originality
2466 of their work and provide credit for the ideas of others upon which their work is built. All
2467 authors on a published work are responsible for the accuracy and fairness of the presented
2468 information. It is expected that members of the university community consider
2469 individuals for inclusion as authors on work submitted for publication if they have
2470 contributed substantially intellectually to the work. Special care must be taken to clarify
2471 authorship with entry level professional persons such as graduate students, postdoctoral
2472 fellows and trainees, preferably before the work is begun. It is inappropriate for members
2473 to include individuals as authors if they contributed only peripherally to the work.

2474 **Peer Review:** Any material received by members of the university community to review
 2475 for funding or publication is confidential and the ideas contained therein must not be used
 2476 in any other manner by the reviewer unless specifically permitted.

2477 **Data Collection and Management:** Falsification, fabrication and unacknowledged
 2478 appropriation of the data of others by members of the university community are unethical
 2479 and prohibited. At the outset of any research project, all participants are expected to
 2480 discuss and agree upon data management and access and retention procedures including
 2481 procedures for having participants join or leave the project. Privacy of collected data and
 2482 rights to intellectual property must be protected. Student rights to data are expected to be
 2483 clearly specified. All documentation necessary to reconstruct investigations is expected to
 2484 be available and data are to be recorded in a timely and consistent manner.

2485 **Fiscal Responsibilities:** Members of the university community must not accept money or
 2486 gifts for research on behalf of the university or as part of their university activities except
 2487 as prescribed by university policy. All funds provided for research must be spent in ways
 2488 consistent with the funding documents and in compliance with the guidelines on
 2489 allowable costs. Members in charge of budgets have an obligation to monitor records of
 2490 expenditures for compliance with university policies and procedures and to allow these
 2491 records to be viewed by appropriate parties. Departmental files are the property of the
 2492 university.

2493 The university has the obligation to provide up-to-date records of financial transactions.

2494 **7.12.03 Misconduct in Scientific Research**

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2495 The principles that govern scientific research long have been established and applied in
 2496 the discovery of new knowledge. The faculties and administrators at academic medical
 2497 centers and teaching hospitals have a central and critical responsibility to maintain these
 2498 high ethical standards. Validity and accuracy in the collection and reporting of data are
 2499 intrinsically essential to the scientific process. Dishonesty in these endeavors is contrary
 2500 to the very nature of research; that is, the pursuit of truth.

2501 “Research misconduct means fabrication, falsification, or plagiarism in proposing,
 2502 performing, or reviewing research, or in reporting research results.” Honest error or
 2503 differences of opinion are not included in this definition. [42 CFR § 93.103]. A finding of
 2504 misconduct “requires that- (a) There be a significant departure from accepted practices of
 2505 the relevant research community; and (b) The misconduct be committed intentionally,

2506 knowingly, or recklessly; and (c) The allegation be proven by a preponderance of the
 2507 evidence.” [42 CFR § 93.104].

2508 Primary responsibility for the integrity of all scientific research rests with the individual
 2509 researcher. The researcher accepts this responsibility with the understanding that the
 2510 commission of misconduct in the research process is a major breach of contract between
 2511 the researcher and the institution.

2512 Pursuant to the Final Rule notice of 42 CFR Parts 50 and 93 Public Health Service
 2513 Policies on Research Misconduct in the May 17, 2005 Federal Register effective June 16,
 2514 2005, MUSC, as the awardee or applicant "institution," has complied with the necessary
 2515 assurance to the Department of Health and Human Services (HHS) that there are both
 2516 policies and procedures in place, and other institutional responsibilities are consonant
 2517 with 42 CFR Subpart C, § 93.300-319 of the Federal Register's Rules and Regulations.

2518 MUSC Policies and Procedures for Responding to Allegations of Research Misconduct
 2519 may be accessed at http://academicdepartments.musc.edu/research/ori/ric/pp_IV.html .
 2520 Both the inquiry and the investigative phases, as well as administrative actions in the
 2521 event of a finding of misconduct are included. Information at this Office of Research
 2522 Integrity website supersedes the *Faculty Handbook* in the event of a discrepancy.

2523 **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	
Mar 2020	Mar 2020	Mar 2020	May 2020	May 2020	

2524 [Intellectual Property Policy 10.04-10.18 in the 2007 edition of the *Faculty Handbook* applies to
 2525 faculty/staff who have intellectual property, conceived or first reduced to practice any invention
 2526 or trade secret, prior to May 15, 2008]

2527 **1.0 Purpose**

2528 The purpose of this document is to delineate the policy and procedures pertaining to
 2529 intellectual property created by employees, students, and visitors of the Medical University
 2530 of South Carolina (“MUSC”) and its affiliates, including but not limited to the University
 2531 Medical Associates of the Medical University of South Carolina (“MUSC Physicians”), the

2532 Medical University Hospital Authority (MUHA), the MUSC Foundation, and the MUSC
2533 Foundation for Research Development (“FRD”) (collectively the “MUSC Enterprise”).
2534

2535 2.0 Objective

2536 The objective of this Policy is to further the MUSC Enterprise’s mission by (i) providing for
2537 the necessary protections, incentives, and vehicles to encourage the discovery and
2538 development of new knowledge for the public good; (ii) fostering research links and
2539 collaboration with industry and other academic institutions; and (iii) enabling advancement
2540 of economic development in South Carolina and beyond.
2541

2542 3.0 Applicability

2543 3.1 Employees (as defined below) and Students (as defined below): This Policy
2544 applies as a condition of appointment or employment by the MUSC Enterprise to every
2545 employee, and as a condition of enrollment by every student, who during the period of their
2546 appointment, employment, or enrollment by the MUSC Enterprise shall:

- 2547 (a) Conceive or first reduce to practice, actually or constructively, any invention or trade
2548 secret;
- 2549 (b) Prepare a copyrightable work;
- 2550 (c) Contribute substantially to the existence of any tangible result of research; or
- 2551 (d) Otherwise contribute to the creation of an item of intellectual property.
2552

2553 3.2 Visitors: This Policy applies as a condition of use of MUSC Resources (as defined
2554 below) to all persons who are not covered under Section 3.1 above, who through their use of
2555 MUSC Resources shall:

- 2556 (a) Conceive or first reduce to practice, actually or constructively, any invention or trade
2557 secret;
- 2558 (b) Prepare a copyrightable work;
- 2559 (c) Contribute substantially to the existence of any tangible result of research; or
- 2560 (d) Otherwise contribute to the creation of an item of intellectual property.
2561

2562 Such persons are called “Visitors” herein. MUSC Enterprise personnel allowing Visitor
2563 access to MUSC Resources shall ensure that the Visitor has been notified of this Policy and
2564 obtained written consent from the Visitor, using approved forms available on FRD’s
2565 website, to be bound by this Policy.
2566

2567 4.0 Definitions

2568 4.1 “Intellectual Property” as used herein is broadly defined to include inventions,
2569 discoveries, know-how, show-how, trade secrets, processes, unique materials, tangible
2570 results of research, copyrightable works, original data, and other creative or artistic works.
2571 Intellectual property includes, but is not limited to, that which is protectable by statute or
2572 legislation, such as patents, copyrights, trademarks, service marks, trade secrets, mask
2573 works, and plant variety protection certificates. It also includes the physical embodiments of
2574 intellectual effort including, for example, models, machines, devices, designs, apparatus,
2575 instrumentation, circuits, computer programs and visualizations,
2576 biological materials, chemicals, other compositions of matter, plants, and records of
2577 research.

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4.2 “Copyright able Works ” shall mean copyrightable works as defined under the laws of the United States, including 17 U.S.C. 101 et seq.

4.3 “Traditional Academic Copyrightable Works” are a subset of Copyrightable works created independently and at the Creator’s initiative for traditional academic purposes. Examples include manuscripts for scholarly journals, class notes, text books and supplemental materials, theses and dissertations, videos, digital video disks (dvds) containing audio, video, and/or interactive simulations as well as non-interactive demonstrations, compact disks containing audio, video and/or interactive simulations, as well as non-interactive demonstrations, articles, non-fiction, fiction, poems, musical works, dramatic works including any accompanying music, pantomimes and choreographic works, pictorial, graphic and sculptural works, or other works of artistic imagination that are not created as a) an institutional initiative or b) with MUSC Resources. Specifically excluded from this definition are software works.

4.4 "Creator" means an Employee, Student, or Visitor who, individually or jointly with others creates Intellectual Property and (1) meets the criteria for inventorship under United States patent laws and regulations; (2) meets the criteria for author if the Intellectual Property is a work of authorship qualifying for protection under United States copyright laws and regulations; or (3) is determined to have otherwise made a substantive intellectual contribution to the development of the Intellectual Property and is named on the applicable Intellectual Property disclosure form.

4.5 “MUSC Resources” means the material use of facilities, supplies, materials, or other resources of the MUSC Enterprise, with the exception of its library collections and other resources that are freely available to the public. MUSC Resources do not include “incidental uses” of resources as that term is described in the MUSC Policies and Procedures for Employee Involvement in Entrepreneurial Activities.

4.6 "Net Proceeds" means the net amount received by MUSC or its designee from the sale, licensing or other disposition of any Intellectual Property, initially owned, pursuant to this Policy, in whole or in part by MUSC, after deduction of all costs reasonably attributable to the protection and distribution of such Intellectual Property, including any reasonable expense of patent or copyright prosecution, maintenance, interference proceedings, litigation, marketing or other dissemination and licensing.

4.7 “Employees” means full-time and part-time faculty (of all ranks and status as outlined in the MUSC Faculty Handbook) and all levels of full-time and part-time staff employed by the MUSC Enterprise.

4.8 “Students” means full-time and part-time students of all levels including those in training, such as post doctoral fellows and residents.

5.0 Disclosure and Assignment Requirements

2624
2625 5.1 Intellectual Property is required to be disclosed, pursuant to this Policy, by the
2626 Creator to FRD or another designee as determined by MUSC, using approved forms
2627 available on FRD's website. All disclosures are confidential. Ownership of the Intellectual
2628 Property included in such disclosure shall be determined pursuant to the applicable
2629 provisions of this Policy.

2630
2631 5.2 Disclosure should be made in a timely manner upon the Creator's recognition that
2632 Intellectual Property may have been created. Disclosure should be made prior to public
2633 presentations or publications, or other dissemination of the Intellectual Property to third
2634 parties whether public or confidential.

2635
2636 5.3 Creators shall and hereby do assign to MUSC ownership of any Intellectual Property that
2637 MUSC is entitled to claim ownership of pursuant to this Policy as a condition of
2638 employment, enrollment, or use of MUSC Resources. Creators shall in good faith execute
2639 any and all assignment of ownership documents required to effectuate this Policy. MUSC
2640 may require assignment of ownership documents be signed for any Intellectual Property
2641 covered under this Policy regardless of whether the assignment of ownership document is
2642 required by law to transfer ownership to MUSC.

2643 2644 6.0 Ownership

2645 6.1 Employees: MUSC shall be entitled to claim ownership of Intellectual Property which is
2646 made in the field in which the Employee Creator is engaged by the MUSC Enterprise or
2647 made with the use of MUSC Resources. The Employee Creator shall share in any proceeds
2648 derived there from in accordance with this Policy and subject to any preexisting
2649 commitments to outside sponsoring agencies.

2650
2651 6.2 Students: Intellectual Property created by Student Creators shall be owned by the Student
2652 Creator unless the Intellectual Property is created, conceived or reduced to practice (a)
2653 during the course of research conducted at MUSC; (b) through the use of MUSC Resources;
2654 (c) in conjunction with one or more persons who are otherwise obligated to assign their
2655 rights in such Intellectual Property to MUSC under this Policy; or (d) under terms of an
2656 MUSC Enterprise contract with a third party which provide for other disposition of the
2657 Intellectual Property. For Intellectual Property of categories (a) through (d), MUSC shall be
2658 entitled to claim ownership, and the Student Creator shall share in any proceeds derived
2659 there from in accordance with this Policy and subject to any preexisting commitments to
2660 outside sponsoring agencies.

2661
2662 6.3 Visitors: MUSC shall be entitled to claim ownership of Intellectual Property created by
2663 Visitors through the use of MUSC Resources. The Visitor shall share in any proceeds
2664 derived there from in accordance with this Policy and subject to any pre-existing
2665 commitments to outside sponsoring agencies.

2666 2667 6.4 Copyright:

2668

2669 6.4.1 Copyrightable Works that MUSC is entitled to claim ownership to under this Policy
2670 shall be treated as works for hire under the U.S, Copyright Act and MUSC shall be
2671 deemed the author. Employees, Students, and Visitors who would otherwise qualify as
2672 authors of the Copyrightable Works under United States copyright law will be considered
2673 Creators for purposes of this Policy.
2674

2675 6.4.2 Unless subject to any of the exceptions specified in Section 6.4.3, Creators shall
2676 retain all rights to Traditional Academic Copyrightable Works and are free to submit
2677 such for publication and execute assignment documents in their own name.
2678

2679 6.4.3 MUSC shall own Traditional Academic Copyrightable Works as follows:

- 2680 (a) Works created pursuant to the terms of an MUSC Enterprise agreement with
2681 an external party;
- 2682 (b) Works created as a specific requirement of employment or as an assigned
2683 MUSC Enterprise duty that may be specified, for example, in a written job
2684 description or any employment agreement;
- 2685 (c) Works specifically commissioned by the MUSC Enterprise; and
- 2686 (d) Works that are also patentable
2687

2688 Nothing contained herein shall be interpreted to grant ownership to MUSC of Traditional
2689 Academic Copyrightable Works that are manuscripts for submission to scholarly
2690 journals, including electronic submissions which contain multimedia interactive
2691 components.
2692

2693 6.5 Agreements Impacting MUSC Ownership 2694

2695 6.5.1 Sponsored Research Agreements: Ownership and disposition of Intellectual
2696 Property may be governed in whole or in part by sponsored research agreements, which
2697 may supersede certain provisions of this Policy. Prior to the execution of any sponsored
2698 research agreement which would conflict with this Policy, the Office of Research and
2699 Sponsored Programs must approve the agreement in question.
2700

2701 6.5.2 Consulting: Employees engaged in external consulting work or business are
2702 responsible for ensuring that agreements emanating from such work are not in conflict
2703 with MUSC Enterprise policies or with the MUSC Enterprise's contractual commitments,
2704 including but not limited to MUSC's rights to certain Employee know-how pursuant to
2705 this Policy. Such employees should make their university obligations known to others
2706 with whom they make such agreements and should provide the parties to such
2707 agreements a statement of applicable MUSC Enterprise policies regarding ownership of
2708 intellectual property and related rights.
2709

2710 7.0 Commercialization of Intellectual Property

2711 7.1 Commercialization 2712

2713 7.1.1 In making commercialization decisions for its Intellectual Property, MUSC, or its
2714 designee, shall have full discretion, subject to the purpose, objectives, and requirements

2715 of this Policy. MUSC has designated FRD, a not-for-profit foundation whose sole
2716 purpose is to solely benefit MUSC, for the administration and commercialization of
2717 Intellectual Property.

2718
2719 7.1.2 FRD shall keep the Creator reasonably informed of its commercialization efforts;
2720 provided, however, if the Creator has an interest in an entity which desires to license or
2721 otherwise make commercial use of the Intellectual Property, the Creator shall not be
2722 privy to financial or other confidential information concerning the offers of competing
2723 parties.

2724
2725 7.2 Timetable

2726
2727 7.2.1 Complete Submission: Upon submission of an Intellectual Property disclosure,
2728 FRD shall notify the Creator within thirty (30) days if the Intellectual Property disclosure
2729 is deemed complete. If it is not deemed complete, the Intellectual Property disclosure
2730 shall be returned to the Creator with a request for the additional information needed.

2731
2732 7.2.2 Ownership: Within nine (9) months of a complete submission, FRD shall inform the
2733 Creators if MUSC is exercising its right to claim ownership of the Intellectual Property.

2734
2735 7.2.3 FRD shall be reasonably diligent in making efforts to commercialize the Intellectual
2736 Property to which MUSC has claimed ownership.

2737
2738 7.3 Disposition of Intellectual Property

2739
2740 7.3.1 After evaluation of the Intellectual Property and review of applicable contractual
2741 commitments, FRD may (a) commercialize the Intellectual Property through licensing or
2742 other transfer of rights, (b) release it to the sponsor of the research under which it was
2743 made (if contractually obligated to do so), (c) release it to the Creator if permitted by law,
2744 or (d) take such other actions as are determined to be in the interest of MUSC and the
2745 public. Licensing or other transfer of Intellectual Property rights to entities which the
2746 Creator has an interest in is not prohibited by any provisions of this Policy.

2747 Commercialization by FRD or its designee may or may not involve statutory protection
2748 of the intellectual property rights, such as filing for patent protection, registering a
2749 copyright or securing plant variety certification.

2750
2751
2752 7.3.2 Should the FRD abandon commercialization of MUSC-owned Intellectual Property,
2753 ownership may be assigned to the Creator as allowed by law subject to the rights of
2754 sponsors and the federal government, if applicable, and to the retention of a license to
2755 practice the Intellectual Property rights for the internal purposes of MUSC, its affiliated
2756 entities, and not-for-profit research collaborators. The minimum terms of such license
2757 shall grant MUSC, its affiliated entities, and its not-for-profit research collaborators, the
2758 right to use the Intellectual Property in their internally administered programs of
2759 teaching, research, and public service on a perpetual, royalty-free, non-exclusive basis.

2760 MUSC or FRD may require the repayment of its out of pocket expenses from any profits
2761 made due to commercialization by the Creator.
2762

2763 7.4 Distribution of Net Proceeds: After retaining a fifteen percent (15%) deduction from Net
2764 Proceeds for administration expenses of FRD, which shall be used to further the objectives
2765 and purposes of this Policy, FRD shall distribute Net Proceeds at a frequency decided by
2766 FRD, in no event less frequently than annually. FRD may, in its sole discretion, withhold or
2767 delay distribution where there are foreseeable expected costs reasonably attributable to
2768 the Intellectual Property yet to be incurred.

2769 Net Proceeds shall be distributed pursuant to the following schedule:
2770

2771	Net Proceeds	Creator(s)	Department(s)	Lab(s)	Angel Fund	MUSC	College(s)
2772	1-\$10,000	100	0	0	0	0	0
2773	> \$10,000	40	10	15	10	20	5

2774
2775 For Creators who do not have a Laboratory, Department, and/or College appointment, the
2776 distribution of Laboratory, Department, and/or College shares will be determined, in
2777 advance of the receipt of Net Proceeds, by the applicable entity within the MUSC
2778 Enterprise by which the Creator is employed. In no event shall the Creator's share of the
2779 Net Proceeds fall below the amounts specified above.
2780

2781 7.4.1 If Net Proceeds are attributable to more than one item of Intellectual Property (e.g.
2782 more than one patent), the Net Proceeds shall be first apportioned equally amongst each
2783 item (e.g. patent family) prior to application of the distribution schedule, unless otherwise
2784 agreed to by the pertinent Creators or if no agreement, as directed by the Divisional CEO
2785 (or their designees), as applicable, who shall be under no obligation to attempt to discern
2786 an apportionment other than equal.
2787

2788 7.4.2 If Net Proceeds are attributable to more than one Creator, distribution of Net
2789 Proceeds (the apportioned share if more than one item of Intellectual Property) pursuant
2790 to the schedule shall be made using an equal distribution for each Creator absent a written
2791 agreement to the contrary signed by all the Creators. If the Creators are from different
2792 Departments, Laboratories, and/or Colleges, if applicable, distribution of Net Proceeds to
2793 the Departments, Laboratories, and/or Colleges will be equal.
2794

2795 7.4.3 Payment of the Creator's share shall not end due to the Creator's death, disability,
2796 or termination of employment or other association with MUSC. In the event of death,
2797 payment of the Creator's share shall be made to the Creator's estate.
2798

2799 7.4.4 In the event that a Creator changes Departments within the MUSC Enterprise,
2800 future distribution of the Department shares shall remain in the originating Department. If
2801 a Department ceases to exist, their shares shall accrue to the Angel Fund until and unless
2802 the Creator joins a new Department.
2803

2804 7.4.5 In the event that a Creator, or in the case of a Student Creator, when their mentor,
2805 leaves the employment of the MUSC Enterprise or terminates research operations then

2806 fifty percent (50%) of any remaining balance of Laboratory shares and future Laboratory
2807 shares from Net shall be redistributed to the Angel Fund and the remaining fifty percent
2808 (50%) will be distributed proportionally among the Department, MUSC and College
2809 according to the table in 7.4 with the stipulation that these funds be solely used to support
2810 further growth of intellectual property and technology transfer initiatives at the MUSC
2811 Enterprise.

2812
2813 7.4.6 For Student or Visitor Creators, the Laboratory, Department, and College shares
2814 shall be payable to the Laboratory, Department, and College of the Student's mentor or
2815 the Laboratory, Department, and College of the Visitor's sponsor, respectively.

2816
2817 7.4.7 In the event that equity is received from the commercialization of Intellectual
2818 Property, equity shall not be considered Net Proceeds until the equity can be freely
2819 tradable or liquidated. MUSC and/or FRD shall not be responsible or liable for any
2820 valuation fluctuations of equity.

2821
2822 7.4.8 Creators are responsible for any tax consequences associated with their receipt of
2823 Net Proceeds.

2824
2825 7.4.9 In the event FRD is a third party not-for-profit entity, MUSC can cause FRD to
2826 make payments on MUSC's behalf pursuant to the schedule.

2827
2828 7.4.10 Angel Fund: The proceeds designated for the Angel Fund shall be paid to FRD
2829 with its own budget line and be used to further the development of emerging MUSC
2830 owned Intellectual Property as approved by FRD's Board of Directors. The Intellectual
2831 Property Committee shall be periodically informed by FRD regarding the use of these
2832 funds.

2833 2834 8.0 Faculty Cooperation

2835
2836 The Creator will use reasonable effort to cooperate and assist, at no expense to the
2837 Creator, in the commercialization efforts of FRD. The Creator shall execute
2838 appropriate documentation for the protection of the Intellectual Property.

2839
2840 Potential conflicts of interest that a Creator has with respect to Intellectual Property
2841 and its disposition under this Policy shall be disclosed by the Creator pursuant to appropriate
2842 MUSC Enterprise policy(ies).

2843 2844 9.0 Intellectual Property Committee

2845
2846 9.1 Membership: The Intellectual Property Committee ("IPC") shall be a standing
2847 committee and consist of members appointed by FRD and approved by MUSC, MUHA, and
2848 MUSCP. Members shall be chosen from the various colleges and departments of the MUSC
2849 Enterprise which generate disclosures of Intellectual Property. One member shall be
2850 designated by the Vice President for Research as the Chair. A student shall also be
2851 appointed to the committee by the Vice President for Research.

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9.2 Duties: The IPC shall:

(a) Provide advice to the MUSC Enterprise and FRD regarding implementation of this Policy, and undertake a periodic review of the Policy making recommendations for any revisions, if needed; FRD regarding implementation of this policy, and undertake a periodic review of

the Policy making recommendations for any revisions, if needed;

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

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

9.4 Dispute Resolution Procedures

9.4.1 A Creator, FRD, or MUSC Enterprise administration can request the IPC mediate a dispute arising under this Policy.

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

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

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2880

8. CONTRACT DISPUTE RESOLUTION and FACULTY GRIEVANCE AND APPEAL

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

2881 The right to grieve and appeal by any member of the faculty is recognized by the
 2882 administration and the Board. Presentation of grievances is made through the following
 2883 procedures established by and for the faculty and approved by the administration and the
 2884 Board of Trustees.

2885 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	

2886 The Faculty Appointment Contract (FAC) clarifies an individual's activities and
 2887 responsibilities for the upcoming academic year and links the listed activities to
 2888 compensation. These contracts are offered in good faith between the faculty member and the
 2889 chair. They serve as a platform for discussing and resolving issues that could be
 2890 misinterpreted between a faculty member and the chair. To assure collegial working
 2891 relationships, the primary responsibility for resolving any dispute concerning the FAC lies
 2892 with the faculty member and the department chair / division chief. However, some issues in
 2893 a proposed FAC occasionally cannot be resolved at the department level.

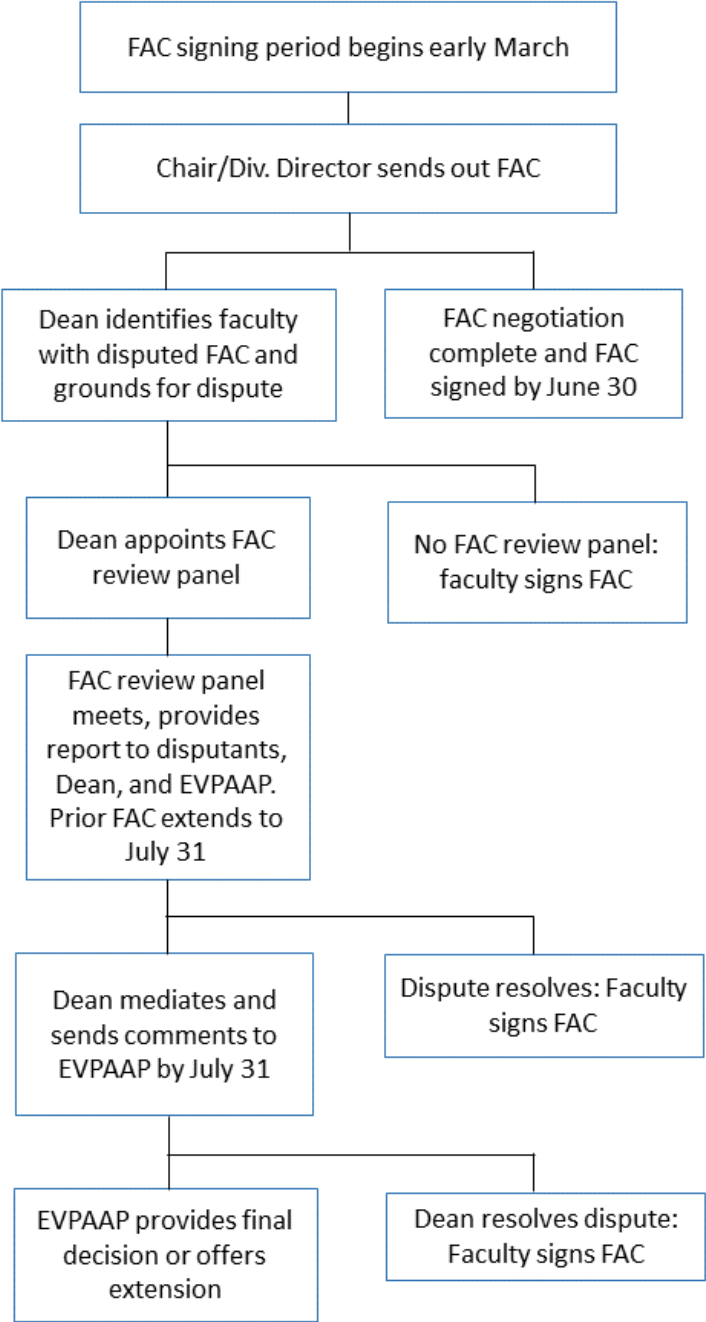
2894 The FAC signing period begins in early March and is to be completed by June 30. Any
 2895 faculty member unwilling to sign his/her draft FAC may request a formal review and
 2896 adjudication of the draft contract through their dean, who will make a formal request to the
 2897 Office of the Executive Vice President for Academic Affairs and Provost. If the faculty
 2898 member requests a review, the current FAC will be extended with appointment rights
 2899 continued until July 31, by the Executive Vice President for Academic Affairs and Provost,
 2900 or his/her designee. This should provide sufficient time for a review panel to gather facts
 2901 and hear from those involved as needed to clarify issues in dispute. The review panel will be
 2902 established by the Dean and be composed of faculty peers. The panel will have at least three
 2903 senior faculty members, excluding department chairs or division directors, and may include
 2904 faculty member(s) from another college. Panels are convened to review the issues and to
 2905 render an opinion to the disputants, the Dean, and to the Executive Vice President for

2906 Academic Affairs and Provost. Each review panel member will sign a confidentiality
2907 agreement in order to encourage the free sharing of opinions and facts. Panel members may
2908 recuse themselves for perceived conflict of interest. The Executive Vice President for
2909 Academic Affairs and Provost makes the final MUSC decision regarding the FAC being
2910 offered.

2911 Both the faculty member and the chair or division directors shall have the opportunity to
2912 meet with the panel. The panel determines when to close fact-finding and hearing phases of
2913 the review and to begin deliberation. Following adequate deliberation on the issues, the
2914 panel shall submit a written recommendation to the disputants, the Dean, and the Executive
2915 Vice President for Academic Affairs and Provost. The Dean may mediate and resolve the
2916 dispute; however, if necessary, upon receipt of the Dean's comments on the Panel Report
2917 prior to July 31st, the Executive Vice President for Academic Affairs and Provost will
2918 provide the final written decision on the contested issue to all parties. If a resolution has not
2919 been achieved by July 31st, the Executive Vice President for Academic Affairs and Provost,
2920 or designee, can grant an additional extension to facilitate the resolution.

2921 For FAC disputes, this policy recognizes: 1) the importance of timely resolution, and 2)
2922 faculty desire for peer review at the college level. The flow chart below outlines this policy.
2923 The general grievance policy in Section 8.02 covers FAC disputes and complaints that
2924 cannot be resolved as described above in 8.01.

**Faculty Appointment Contract (FAC)
Flow Chart**



2926 **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
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

2927 The general grievance policy in this section covers complaints that cannot be resolved in an
 2928 informal way at the department or college level and which are not covered by other
 2929 procedures.

2930 In any community of free people, even under the best of circumstances, complaints will be
 2931 generated from time to time by individuals or groups who feel that a condition exists that is
 2932 detrimental to their professional careers or personal well-being.

2933 A community of academicians operates on the premise that a complaint brought by one or
 2934 more of its members against another or against the institution itself is best resolved when the
 2935 parties involved are encouraged to seek a just and equitable solution.

2936 When individual efforts fail to produce a satisfactory resolution of a complaint, it behooves
 2937 the greater academic community to intercede so that an equitable solution is obtained with
 2938 dispatch.

2939 Therefore, a grievance and appeal procedure is established to handle complaints that cannot
 2940 be resolved in an informal way at the department or college level and which are not covered
 2941 by other procedures.

2942 Participation in a grievance procedure in any capacity, including as a grievor, within the
 2943 scope of such grievance proceeding is considered by the University to be within the scope of
 2944 duties of a faculty member. The faculty member shall be afforded the same protection for
 2945 such participation as for any other faculty duties subject to the provisions of the liability
 2946 insurance policies purchased to cover liability of faculty members.

2947 The granting or the failure to grant tenured status to teaching and research faculty,
 2948 professional librarians, academic administrators and all other persons holding faculty
 2949 appointments or nonrenewal of employment contracts at the end of the contract term shall
 2950 not be subject for consideration by this grievance procedure (Section 8-17-380, S.C. Code of
 2951 Laws 1976). Section 8.01 governs resolution of faculty contract and post-tenure review
 2952 disputes.

2953 **8.02.01 Initial Stage and Grievance Procedure**

2954 A complaint concerning any condition that is felt to be detrimental to the complainant's
 2955 professional development or personal well being shall first be directed as described below:

- 2956 1) Complaints against a member of the complainant's department shall be explained to the
2957 departmental chair. When the complaint is against the chair, it is lodged with the dean of
2958 the college.
2959 2) Complaints against a member or chairman in the complainant's college, but not a member
2960 of the complainant's department, shall be lodged with the dean of the college.
2961 3) Complaints against a member of another college shall be lodged with the dean(s) of the
2962 college(s) involved.
2963 4) Complaints against any administrator shall be lodged with the next higher level of
2964 administration.

2965 The person with whom the complaint is lodged shall attempt to mediate an amicable
2966 solution, or to suggest another person who might more effectively mediate an amicable
2967 solution.

2968 **8.02.02 Grievance Procedure**

- 2969 1) In the event that the complaint is not resolved within a reasonable period of time, the
2970 complainant may submit a written request for a hearing. The proper avenue for such a
2971 request is through established channels of authority to the Executive Vice President for
2972 Academic Affairs and Provost. Once initiated, a grievance or appeal must be afforded full
2973 due process regardless of changes in employment status.
2974 2) The grievance or appeal shall be referred by the Executive Vice President for Academic
2975 Affairs and Provost to a Standing University Faculty Hearing Committee consisting of
2976 three (3) faculty members recommended by the Faculty Senate, three (3) faculty
2977 members recommended by the Provost's Council, and one (1) faculty member selected
2978 by the Executive Vice President for Academic Affairs and Provost. The Committee may
2979 elect a chair, or may request that the Executive Vice President for Academic Affairs and
2980 Provost designate one of the seven individuals to be chair. Additional individuals who
2981 may be needed in case of a conflict of interest with a standing committee member will be
2982 selected from individuals representing each college and the Academic Affairs Faculty,
2983 who have received training in mediation. Faculty Senate and Provost's Council may
2984 nominate individuals to receive mediation training and to serve in the Pool of potential
2985 Hearing Committee Members. This Pool (referred to as the Standing University Faculty
2986 Hearing Committee Pool) will be composed of one member from each college and the
2987 Academic Affairs Faculty nominated by the Faculty Senate, and one member from each
2988 college and the Academic Affairs Faculty nominated by the Provost's Council. Standing
2989 University Faculty Hearing Committee Pool members shall serve terms of up to three
2990 years, staggered such that there will be some continuity of membership from year to year.
2991 3) The grievance or appeal shall be in writing and shall specify the condition(s) felt to be
2992 detrimental to the individual's professional development or personal well-being and the
2993 manner in which it/they may affect the complainant adversely. The statement shall
2994 specify the reason(s) why such a condition is/are felt to be the responsibility of a person
2995 or persons named in the grievance or appeal, and it shall suggest the changes in
2996 conditions that would satisfy the complainant.
2997 4) Upon receipt of a grievance or appeal, and in no case longer than thirty (30) days after the
2998 receipt thereof, the Executive Vice President for Academic Affairs and Provost will

2999 convene a seven member Hearing Committee at full strength from individuals selected
3000 from the Standing University Faculty Hearing Committee pool.

3001 **8.02.03 Action by the Hearing Committee**

3002 1) When a grievance or appeal is referred to the Faculty Hearing Committee, the chair of the
3003 Committee shall distribute copies of all pertinent materials to the parties involved who
3004 have not already received them and to the members of the Committee within one week of
3005 the referral.

3006 The Committee shall refuse to hear a grievance or appeal if it determines that:

- 3007 a) The parties have made inadequate effort to resolve the dispute by discussion and
3008 agreement or have not utilized other reasonably available avenues for relief within the
3009 division, department, college(s);
- 3010 b) The dispute is patently frivolous or plainly without merit;
- 3011 c) The relief sought is beyond the power of the university to grant;
- 3012 d) The grievance is insufficiently related to the concerns of the academic community;
- 3013 e) The dispute is within the jurisdiction of another committee or unit of the university.
- 3014 2) Within twenty-one (21) days of the distribution of the materials pertinent to the grievance
3015 or appeal, the Committee shall meet and decide whether to hear the case. If the
3016 Committee decides to hear the case, it shall immediately notify the principals and shall
3017 commence hearings within another seven (7) days. As it deems appropriate, the
3018 Committee may call any witnesses and examine any documents in addition to those
3019 presented by the parties to the grievance or appeal. The Committee shall prepare and
3020 keep a transcript of its proceedings.
- 3021 3) After hearing the parties to the grievance or appeal and the witnesses, the Committee
3022 shall deliberate in executive session. It shall then determine to: (a) recommend an
3023 appropriate action or (b) dismiss the grievance. The chair shall send, in writing, the
3024 Committee's recommendation(s) to the parties. It shall then declare the hearing
3025 concluded.
- 3026 4) The chair also shall send the Committee's recommendation(s) and rationale for it/them to
3027 the Executive Vice President for Academic Affairs and Provost of the university for
3028 consideration and recommendation by that officer. This report shall be submitted within
3029 ten (10) days after the conclusion of the hearing.
- 3030 5) In preparing the written recommendations to the Executive Vice President for Academic
3031 Affairs and Provost, the Committee shall consider only the evidence presented at the
3032 hearing and such written and oral arguments as the Committee, in its discretion, may
3033 allow.
- 3034 6) Under unusual and compelling circumstances, the Committee, with the concurrence of
3035 the Executive Vice President for Academic Affairs and Provost, may extend any
3036 deadlines upon written notification to the parties to the grievance or appeal.

3037 **8.02.04 Action by the Administration of the University**

3038 Within thirty (30) days of the receipt of the Faculty Hearing Committee recommendations
3039 and rationale, the Executive Vice President for Academic Affairs and Provost of the
3040 university, who is ordinarily appointed by the President to act on her/his behalf, shall review
3041 the record and notify the parties to the grievance or appeal and the chair of the Faculty
3042 Hearing Committee of his/her recommendation in the case. In the event that the Executive
3043 Vice President for Academic Affairs and Provost has been a participant in the hearing of the
3044 aggrieved faculty member or for other valid reasons, the Executive Vice President for
3045 Academic Affairs and Provost may disqualify herself/himself and request the President to
3046 appoint another designee for said review.

3047 If the Executive Vice President for Academic Affairs and Provost concurs in the
3048 recommendation of the Committee that is favorable to the faculty member, no further action
3049 in the matter may be taken. If the Executive Vice President for Academic Affairs and
3050 Provost either declines to accept a Committee recommendation that is favorable to the
3051 faculty member, or concurs in a Committee recommendation that is unfavorable to the
3052 faculty member, the faculty member may appeal to the Board for review. The appeal shall
3053 be submitted in writing to the Secretary of the Board within ten (10) days following the
3054 decision of the Executive Vice President for Academic Affairs and Provost who ordinarily
3055 acts as the designee of the President. It shall state the decision complained of and the redress
3056 desired.

3057 **8.02.05 Action by the Board**

3058 The appeal shall be placed on the next regular Agenda of the Board for the consideration of
3059 the Board.

3060 The Board in its sole discretion may grant a review, but if granted the Board shall not be
3061 required to conduct an additional hearing or hear arguments of the faculty member or
3062 counsel but may review the record of the proceedings. The Board, at its discretion, may elect
3063 to hear arguments, oral or written, by both of the principals or their representatives and may
3064 consult with the hearing Committee.

3065 Any action taken by the Board shall be final.

3066 **8.02.06 Definition of Rights and Challenges in a Grievance Procedure**

3067 1) Challenge of Committee Members:

- 3068 a) Upon the request of a party to a grievance, a member of the Committee may be
3069 removed from considering a case if deemed biased or in conflict of interest. If a
3070 member of the Committee refuses to remove herself/himself when challenged for
3071 such cause, the challenging party may appeal to the entire Committee who shall make
3072 a final determination of the challenge. A Committee member may disqualify
3073 herself/himself.
3074 b) If s/he so desires, each party shall have, in addition, a challenge without stated cause.
3075 A member so challenged shall not consider the case.

3076 2) To Present Witnesses and Supporting Materials:

3077 Each party involved in a grievance or appeal may:

- 3078 a) submit any written materials in support of his/her position;
- 3079 b) present witnesses at hearings.

3080 3) To Have an Advisor During the Hearing:

- 3081 a) Each party to a grievance or appeal may be accompanied in the hearing by a non-
- 3082 participating advisor of his/her choice and may consult with the advisor throughout
- 3083 the hearing.
- 3084 b) If any party chooses to have participating legal counsel present, written notification
- 3085 must be presented to the chair of the Committee at least five (5) days before the
- 3086 hearing. The chair shall then promptly notify the other parties. The Hearing
- 3087 Committee conducts an internal administrative review, rather than a legal proceeding.
- 3088 Legal counsel may advise, but may not participate in the hearing. The Committee
- 3089 chair, in consultation with University General Counsel, may remove any advisor from
- 3090 the hearing should said advisor persist in attempts to participate in the hearing [rather
- 3091 than to render advice to any participant(s)].

3092 4) To Have an Observer Attend Hearings:

3093 At the request of any party to a grievance or appeal, or at the request of the Committee
3094 hearing the case, a representative of a responsible professional or educational association
3095 shall be permitted to attend hearings as an observer. The chair will determine the
3096 qualifications and responsibility of the association.

3097 **8.02.07 Access to Records of Hearings**

- 3098 1) A written record shall be made of the proceedings during hearings.
- 3099 2) Each party to a grievance or appeal shall have access to all records of the hearing and,
- 3100 should s/he request it, shall be furnished, upon payment of reasonable charges for
- 3101 transcription or reproduction, a record of the proceedings. (A copy of the official record
- 3102 of the proceedings, in whatever form it is made, shall satisfy this requirement.)

3103 **8.02.08 To Receive Expeditious Consideration**

- 3104 1) The parties to any grievance or appeal have the right to expeditious consideration at all
- 3105 stages of these procedures.
- 3106 2) The Hearing Committee is expected to formulate its written recommendation(s) and to
- 3107 communicate it/them to the parties to the grievance or appeal within ten (10) days of the
- 3108 conclusion of the hearing.

3109 **8.02.09 Annual Report of the Chair of the Hearing Committee**

3110 Each July the chair of the Hearing Committee shall make a summary of formal grievance
3111 and appeal activities and statistics on cases in progress and those settled during the
3112 preceding year. S/he shall send this report to the President of the Faculty Senate, the
3113 Executive Vice President for Academic Affairs and Provost, and to the President of MUSC.

3114 **9. FACULTY SEPARATION**

3115 **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
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

3116 Tenure terminates when a faculty member resigns or retires. Tenure may also be terminated
 3117 for cause. Cause includes one or more of the following:

- 3118 a) Neglect or refusal to perform the duties and responsibilities of the academic rank to
 3119 which the faculty member is appointed, or performance below the standards generally
 3120 accepted for the rank.
- 3121 b) Conduct seriously prejudicial to the Medical University of South Carolina through
 3122 infraction of the law, moral turpitude, or infraction of commonly accepted standards of
 3123 behavior in academic and professional communities.
- 3124 c) Inability to perform the usual duties because of physical or mental incapacities.
 3125 Terminations for medical reasons must be based upon clear and convincing medical
 3126 evidence.
- 3127 d) Documented evidence of financial exigencies or need for curtailment or discontinuance
 3128 of programs, departments, colleges or positions. The administration shall seek
 3129 appropriate faculty input in arriving at such decisions and shall observe every effort to
 3130 make suitable reassignments of displaced personnel. In such decisions, appropriate
 3131 weight will be given to seniority of service. The place of any faculty member so released
 3132 shall not be filled within a period of two years, unless the released faculty member has
 3133 been offered reappointment and has declined or failed to respond within a specific and
 3134 reasonable period of time.

3135 In instances involving termination for cause, the faculty member has the right to appeal through
 3136 the Faculty Grievance and Appeal Procedure (Section 8.02).

3137 **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
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

3138 The President may remove a faculty member for cause at any time, including termination or
 3139 removal prior to hearing. Should such action be taken, the President shall implement a full

3140 hearing pursuant to the grievance procedure within sixty (60) days of said removal. Prior to
3141 the presentation of notice of dismissal, discussions concerning mutually agreeable settlement
3142 may be held through the organized administrative structure between the faculty member and
3143 the administrative officer(s) as designated by the President. Except for summary termination
3144 or removal by the President, termination of tenure for cause, unless waived by the faculty
3145 member involved, will be preceded by the following:

3146 1) For termination pertaining to:

3147
3148

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

3149 This procedure serves as the initial stage of the Faculty Grievance and Appeal Procedure.
3150 Referral to the Executive Vice President for Academic Affairs and Provost will actuate the
3151 Grievance Procedure.

3152

3153 b. Prejudicial conduct and for precedence for rectifying the situation - the appropriate
3154 dean shall meet with the faculty member to discuss the nature of the conduct. The
3155 President may suspend the faculty member until the consequences of due process have
3156 been accomplished. A written summary of the meeting shall be provided to the faculty
3157 member who must abide by its terms. Failure of the dean to reach accord with the faculty
3158 member, or failure of the faculty member to meet the terms of the summary, shall result
3159 in the matter being referred to the Executive Vice President for Academic Affairs and
3160 Provost.

3161

3162 c. Incapacity - the department chair shall meet with the faculty member to document the
3163 nature and extent of the incapacity and forward a copy of the documentation to the dean,
3164 who shall refer the matter through appropriate channels to the Executive Vice President
3165 for Academic Affairs and Provost.

3166

3167 d. Abolition or discontinuance of positions or programs - the President of the University
3168 through Executive Vice President for Academic Affairs and Provost notifies the dean of
3169 the college concerned of such exigencies. Written notice of termination, through
3170 appropriate channels, is given to the faculty member(s) involved by the respective dean.
3171 Such notice is given at least twelve months in advance of the termination, to the extent
3172 that appropriated funds are available and legislation permits. Prior to the written
3173 termination notice, the dean and the Executive Vice President for Academic Affairs and
3174 Provost will have made reasonable efforts to place the faculty member(s) in any existing
3175 faculty vacancies within the university, consistent with the faculty member's
3176 qualifications and area of expertise. The faculty member(s) shall have a right to a
3177 hearing under the Faculty Grievance and Appeal Procedure.

3178

3179 *Procedures a) through c) serve as the initial stages of the Faculty Grievance and Appeal*
3180 *Procedure. Referral to the Executive Vice President for Academic Affairs and Provost*
3181 *will actuate the Grievance Procedure*

3182 2) Until a final decision concerning termination of tenure has been reached, the appropriate
 3183 dean and the Executive Vice President for Academic Affairs and Provost, upon approval
 3184 by the President, may suspend or assign the faculty member to other duties. Before
 3185 suspending a faculty member, the dean shall consult with the Appointment, Promotion
 3186 and Tenure Committee of his/her college. A faculty member who has been suspended
 3187 will suffer no loss of salary unless his/her appointment is duly terminated, in which
 3188 event the, subject to the approval of the President and the Board, will determine the date
 3189 of termination. In determining the date, the Executive Vice President for Academic
 3190 Affairs and Provost may take into account the length and quality of service of the faculty
 3191 member.

3192 **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
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	
Sep 2019	Oct 2019	Sep 2019	Dec 2019	Jan 2020	

3193 Unless otherwise stated by a written contract of appointment, all non-tenured faculty
 3194 members are under contract for one (1) year from the date of their employment with the
 3195 department. For appointments other than 12-months, the contract period shall be stated in
 3196 writing at the time of appointment or employment.

3197 State legislation (S.C. Code of Laws, as amended, Section 8-17-380)
 3198 (<http://www.scstatehouse.gov/code/t08c017.php>) provides that non-renewal of employment
 3199 contracts at the end of the contract term is not grievable by the mechanism outlined in the
 3200 Code.

3201 Written notice of the intention not to renew the appointment of a non-tenured faculty
 3202 member shall be given, to the extent that appropriated funds are available and legislation
 3203 permits, as follows:

- 3204 1) At least three (3) months prior to the expiration of the most recent contract for faculty
 3205 with the Medical University if the initial contract was for a one (1) year term.
- 3206 2) At least six (6) months prior to the expiration of the most recent contract for faculty
 3207 appointed under a second-year contract with the department. Previous service to the
 3208 university to other departments or capacities is calculated for notice purposes).
- 3209 3) At least one (1) year prior to the expiration of the most recent contract for faculty under a
 3210 third (3rd) year or subsequent-year contract with the department.

3211 **9.04 Dismissal For Cause Before the End of a Specific Contract Period for Non-Tenured**
 3212 **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
Nov 2017	Mar 2018	Mar 2018	Apr 2018	May 2018	

3213 Cause or grounds for dismissal of a non-tenured faculty member before the end of a specific
 3214 contract period are the same as those set forth for revocation of tenure (see Section 9.02,
 3215 Procedures for Termination of Tenured Faculty).

3216 **9.05 Resignation**

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

3217 Under ordinary circumstances, a faculty member is expected to fulfill his or her contractual
 3218 obligations to the university. Letters of resignation requesting release from those contractual
 3219 obligations prior to the end of a contract period may be accepted by the appropriate
 3220 department chair or administrator if such actions are mutually acceptable. In the event the
 3221 resignation is not accepted by the university, the faculty member shall complete his or her
 3222 contractual service for the year in question. Faculty members who plan to leave university
 3223 employment at the end of a contract period shall give sufficient notice and clear all financial
 3224 and other obligations.

3225 **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	

3226 Information regarding eligibility and procedures for retirement are contained in
 3227 <https://web.musc.edu/human-resources/university-hr>

3228

3229 **10. UNIVERSITY HUMAN RESOURCES POLICIES**

3230 **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	
August 2022	Not Required	August 2022	

3231 **10.01.01 Leave with Pay**

3232 **Annual Leave**

3233 Eligible full-time faculty members accrue 176 hours of annual leave (22 working days) per
 3234 calendar year (January 1 – December 31). Leave is accrued on a monthly basis provided
 3235 the faculty member is in a pay status for at least one-half of the workdays of the month.
 3236 Faculty members continue to accrue annual leave while on annual leave, sick leave or other
 3237 authorized leave with pay. No leave is accrued if the faculty member is in a leave without
 3238 pay status. The maximum amount of unused annual leave that may be carried over into a
 3239 new calendar year (January 1 – December 31) is 360 hours (45 days).

3240 Eligible part-time faculty, with a twelve-month contract will accrue proportionate annual
 3241 leave benefits based on the percentage of time worked. As with full-time faculty, the
 3242 maximum amount of unused leave that part-time faculty may carry over into a new calendar
 3243 year is 360 hours (45 days).

3244 Eligible faculty with nine-month contracts are entitled to accrue and use annual leave during
 3245 the period of their contract. The amount of accrual will be 75% (16.5 days) of the amount
 3246 accrued by full-time twelve-month faculty. As with other faculty, 360 hours (45 days) is the
 3247 maximum amount of unused leave that faculty with nine-month contracts may carry over
 3248 into a new calendar year.

3249 As far as possible, leave shall be scheduled in accordance with the preference of the faculty
 3250 member. However, leave shall be approved by the appropriate supervisor/administrator to
 3251 assure efficient operation. Recognizing the nature of academic responsibility and the high
 3252 priority of class scheduling, faculty may be granted annual leave before it is earned.

3253 Faculty members may use up to a maximum of 240 annual leave hours (30 days) in any one
3254 calendar year, at the department's discretion

3255 Twelve-month faculty (full & part-time) who leave the employment of MUSC who have
3256 unused annual leave are entitled to a lump-sum payment for such leave not to exceed 360
3257 hours (45 days), to be calculated as follows:

3258 University hourly rate multiplied by number of hours of accrued, unused annual leave.
3259 Earnings are taxed as extra income per IRS regulations. Contact the HR Benefits office to
3260 discuss the option of deferring a portion of the payment to an approved supplemental
3261 retirement account.

3262 **Official Holidays**

3263 Holidays observed by the University in accordance with State regulations, can be found at
3264 the following link:

3265 <https://horseshoe.musc.edu/human-resources/univ/employee-corner/leave/holidays>. If
3266 conditions preclude taking the holiday at the prescribed time, comparable time must be
3267 taken within one year; there is no provision for payment for earned but unused holidays.

3268 **Sick Leave**

3269 Eligible full-time faculty members accrue sick leave at the rate of 10 hours per month on a
3270 calendar year basis for a total of 15 working days. Leave is accrued provided the faculty
3271 member is in a pay status for at least one-half of the workdays of the month. Faculty
3272 members continue to accrue sick leave while on annual leave, sick leave or other authorized
3273 leave with pay, unless work effort drops below 50%. No leave is accrued if the faculty
3274 member is in a leave without pay status. The maximum amount of unused sick leave that
3275 may be carried over into a new calendar year is 1,440 hours (180 days). Eligible part-time
3276 faculty, working 50% of the time or more, will accrue sick leave on a prorated basis.

3277 **Leave Donation**

3278 Excess sick leave may be donated to the MUSC Catastrophic Leave Program (Please refer
3279 to HRM Policy #48, [Catastrophic Leave Program](#)).

3280 Faculty may also donate annual leave to the catastrophic leave pool, as long as the eligibility
3281 requirements are met. Faculty annual leave donations will be designated for faculty annual
3282 leave requests. The department of the requesting faculty member should ensure that the
3283 leave recipient does not receive or use transferred annual leave from the pool after the
3284 personal emergency ends, and HR should be notified immediately.

3285 **For Additional information, see the following links:**

3286 University HR [Policies](#)

3287 **10.01.02 Extended Leave without Pay**

3288 Extended leaves of absence without pay may be granted by the President, through regular
3289 administrative channels, under circumstances wherein the best interests of MUSC would be
3290 served through granting such leave. Authorization may be considered in such cases as:

3291 (1) Absence for advanced academic training, research, or other experience which
3292 leads to increased competence and promotes the interests of the Medical
3293 University as well as those of the faculty member, and

3294 (2) Absences due to prolonged illness or for personal reasons when such absences
3295 extend beyond available annual leave or sick leave. Sick leave must be exhausted
3296 first before leave without pay is granted. Normally, the total period of absence
3297 will not exceed six months (including up to 480 hours approved under FMLA for
3298 qualified conditions) and may be granted in increments depending on the
3299 circumstances.

3300 The granting of leave-without-pay is a matter of administrative discretion. The
3301 administrative channels for request for leave-without-pay shall be the same as for other
3302 faculty actions.

3303 Although sick leave or annual leave does not accrue during periods of leave-without-pay,
3304 the accumulated leave balances are not forfeited.

3305 A member of the faculty who has acquired tenure shall retain tenure during any period of
3306 leave; however, time served on leave-without-pay may not be counted toward acquiring a
3307 sabbatical leave.

3308 **10.01.03 Family and Medical Leave Act**

3309 A faculty member who has worked for a State of South Carolina employer for 12 months
3310 or more and has worked at least 1,250 hours during the preceding 12 months, may be
3311 eligible for Family and Medical Leave.

3312 See HR Policy #30 ([Family Medical Leave Act](#))

3313 **10.01.04 Authorized Absences**

3314 **Sabbatical Leave**

3315 See Section 6.01 Sabbatical Leave

3316 **Attendance in Court**

3317 When a faculty member is a voluntary witness in litigation as an individual, and not in an
3318 official capacity, the time taken from work shall be charged as annual leave or leave-
3319 without-pay, as appropriate.

3320 When, in obedience to a subpoena or other legal direction by proper authority a faculty
3321 member appears to testify, serve as a witness, or serve on a jury for the Federal
3322 Government, the State of South Carolina or one of its political subdivisions, the faculty
3323 member shall be granted leave-with-pay for the necessary period of time which shall be
3324 recorded as Administrative Leave.

3325 **Death in Family**

3326 Supplemental leave (with pay) may be authorized by the department for a death in the
3327 family. This leave, which shall not exceed three consecutive working days, may be
3328 granted in the case of death of the following relatives of the faculty member, or legal
3329 spouse of the employee:

- 3330 • Spouse
- 3331 • Parents
- 3332 • Legal Guardians
- 3333 • Brothers or Spouse of Brothers
- 3334 • Sisters or Spouse of Sisters
- 3335 • Children or Spouse of Children
- 3336 • Grandparents or Great-Grandparents
- 3337 • Grandchildren or Great-Grandchildren

3338 **Voting**

3339 Each faculty member who is eligible to vote in a South Carolina primary or general
3340 election will be authorized up to two hours leave for voting. If possible, voting should be
3341 done before or after work.

3342 **Military Leave**

3343 In accordance with State Law, a faculty member is entitled to a maximum of 15 work
3344 days of paid leave in any one calendar or fiscal year for active duty training with the
3345 South Carolina National Guard or one of the Reserve units of the Armed Forces of the
3346 United States. These 15 days need not be consecutive and may be used intermittently
3347 throughout the year. Insofar as possible, such training should be arranged to be of least
3348 interference with regular academic, research or clinical commitments.

3349 In the event a faculty member is called upon to serve during an emergency ordered by the
 3350 Governor or the Armed Forces concerned, s/he shall be entitled to an additional leave of
 3351 absence with pay not to exceed 30 working days.

3352 A faculty member is normally entitled to leave-without-pay during an extended period for
 3353 up to five years for active military duty. After such leave, the faculty member may return
 3354 to active employment with MUSC in a comparable position to the one held at the time
 3355 such leave was granted, in accordance with the MUSC Military Leave Policy and the
 3356 Uniformed Service Employment and Reemployment Rights Act (USERRA).

3357 **Assault by Patient**

3358 Covered employees who are temporarily disabled as a result of an assault by a patient or
 3359 client are entitled to the use of supplemental leave with pay during the period of
 3360 disability.

3361 **Donating Blood**

3362 Supplemental leave for blood donation is limited to four (4) hours. A department head
 3363 may require documentation of the donation.

3364 **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	

3365 Time related to professional development, conferences, off-site work activities are not
 3366 charged as leave; however, it is required to be documented for insurance and liability
 3367 purposes. As far as possible, leave shall be scheduled in accordance with the preference of
 3368 the faculty member. However, leave shall be approved by the appropriate
 3369 supervisor/administrator to assure efficient operation.

3370 **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	
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3371 Faculty members who resign, retire, or for other reasons terminate their employment with
3372 MUSC must contact the Department of Human Resources Management concerning the
3373 action they need to take with regard to the following: a) Retirement, b) State Health, Dental
3374 and Vision Insurance, c) State Optional or Dependent Life Insurance, d) Supplemental Long
3375 Term Disability and flexible spending accounts, e) Tax Sheltered Annuities, and d) Deferred
3376 Compensation Plans.

3377 Faculty employed by MUSC-affiliated institutions or organizations, such as VA Medical
3378 Center or MUSC Physicians, should refer to their Human Resource Management policies for
3379 eligible benefits.

3380 **10.02.01 General Employment Benefits**

3381 For information related to the core State benefits provided by the University, contact MUSC
3382 Human Resources Management at 843-792-2071, opt 4 or benefits@musc.edu. Contact
3383 information for counselors can be found on the directory. [http://horseshoe.musc.edu/human-](http://horseshoe.musc.edu/human-resources/univ/benefits/contacts)
3384 [resources/univ/benefits/contacts](http://horseshoe.musc.edu/human-resources/univ/benefits/contacts)

3385 For assistance with supplemental benefits offered to clinical faculty by MUSC Physicians,
3386 contact MUSC Physicians at 843-852-3100 or muscbenefits@musc.edu.

3387 To find an overview of benefits go to:

3388 University: <http://academicdepartments.musc.edu/hr/university/benefits>MUSC
3389 Physicians: <http://horseshoe.musc.edu/human-resources/musc/benefits>

3390 Additional Perks and Discounts:

3391 [Other Benefits- Perks and Discounts](#)

3392 The comparison between University and MUSC Physicians benefits is located at the
3393 following link:

3394 [Faculty Benefits](#)
3395 (<http://academicdepartments.musc.edu/hr/university/benefits/faculty%20benefits.htm>)

3396 **10.02.02 Liability Insurance**

3397 Pursuant to State law, faculty members and other employees are insured for all activities
3398 within the scope of their duties for MUSC. This State mandated insurance coverage is
3399 provided through the South Carolina Insurance Reserve Fund. Specific information
3400 regarding coverage may be obtained from the Office of University Risk Management.

3401 If an event occurs which may expose a health provider or the institution to a claim or legal
3402 action, notify the [University Risk Management](#) office immediately. They will, in turn, notify
3403 appropriate persons in the affected areas and hospitals.

3404 **10.03 Nepotism**

3405 [Nepotism](#)

3406 **10.04 Employee Health Screening Policy and Criteria**

3407 [Employee Health Services](#)

3408 **10.05 Criminal Record Searches**

3409 [Criminal Record Searches](#)

3410

3411 **10.06 Drug Free Workplace**

3412 [Drug-Free Workplace](#)

3413

3414 **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	

3415 **11.01 Affirmative Action**

3416 <https://education.musc.edu/leadership/diversity/equal-employment>

3417

3418 **11.02 Infectious Diseases**

3419 Bloodborne Pathogen Protocols:

3420 [http://horseshoe.musc.edu/everyone/health-wellness/employee-health/bloodborne-pathogen-](http://horseshoe.musc.edu/everyone/health-wellness/employee-health/bloodborne-pathogen-exposures)
3421 [exposures](http://horseshoe.musc.edu/everyone/health-wellness/employee-health/bloodborne-pathogen-exposures)

3422

3423 Infectious Disease Exposure Questionnaire:
3424 [http://horseshoe.musc.edu/~media/files/services-all-files/health-wellness-files/employee-](http://horseshoe.musc.edu/~media/files/services-all-files/health-wellness-files/employee-health-files/infectious-disease-exposure-form-all-diseases.pdf?la=en)
3425 [health-files/infectious-disease-exposure-form-all-diseases.pdf?la=en](http://horseshoe.musc.edu/~media/files/services-all-files/health-wellness-files/employee-health-files/infectious-disease-exposure-form-all-diseases.pdf?la=en)

3426

3427 Personal Protective Equipment Policy:

3428 [https://horseshoe.musc.edu/~media/files/univ-files/risk-management-](https://horseshoe.musc.edu/~media/files/univ-files/risk-management-files/updated-forms/personal-protective-equipment-policy.pdf?la=en)
3429 [files/updated-forms/personal-protective-equipment-policy.pdf?la=en](https://horseshoe.musc.edu/~media/files/univ-files/risk-management-files/updated-forms/personal-protective-equipment-policy.pdf?la=en)

3430

3431 **11.03 Sexual Harassment Policies**

3432 <https://education.musc.edu/leadership/diversity/title-ix>

3433

3434 **11.04 Use of the University Name, Seal, or Logos**

3435 <https://web.musc.edu/about/leadership/institutional-offices/communications/brand>

3436

3437 **11.05 Computer Use Policy**

3438

3439 <https://web.musc.edu/ocio/policies/cup.pdf>

3440

3441 **11.06 Emergency / Disaster Preparedness**

3442 [https://research.musc.edu/resources/doing-research/policies/disaster-](https://research.musc.edu/resources/doing-research/policies/disaster-preparedness-policy)
3443 [preparedness-policy](https://research.musc.edu/resources/doing-research/policies/disaster-preparedness-policy)

3444

3445

3446 **11.07 MUSC Honor Code**

3447 Faculty members who suspect that conduct constituting a violation of the Honor Code
3448 occurred in academic work overseen by them are required to immediately report the
3449 violation to the Honor Council. The matter will be handled in accordance with MUSC's
3450 Honor Code, rather than direct action by the faculty member. The faculty will honor the
3451 decision and sanction imposed by the Honor Council related to the suspected violation. The
3452 faculty retain the responsibility for assessing the quality of the academic work using an
3453 objective assessment. If the Honor Council determines no violation occurred the objective
3454 grade for the assignment will be upheld.

3455 <http://www.musc.edu/honorcode>

3456