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FACULTY HANDBOOK

The Office of the Executive Vice President for Academic Affairs and Provost



Changing What's Possible

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FACULTY SENATE

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1. Preface

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

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

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

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

The Handbook contains the rules and regulations that govern faculty affairs and functions as part of the University Faculty Appointment Contract between each faculty member and the university. Faculty members should be knowledgeable about the areas covered in the Handbook. The signing of annual contracts that specify an individual faculty member's compensation and distribution of activity does not negate the Handbook's status as a partial contract of employment. For more information on Faculty Appointment, Promotion, Evaluation, and Tenure Policies, see section five of the Handbook.

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

2. Introduction

The Handbook contains university policies that are of major concern to the faculty, other information considered to be of special interest to the faculty, and a collection of university governing documents. The current Board-approved version of the Handbook is accessible on the [MUSC Faculty website](#).

2.01. Revision Process

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

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

- The Senate’s Faculty & Institutional Relationships Committee will meet regularly to consider revisions suggested by the Governance Committee, the faculty, the Executive Vice President for Academic Affairs and Provost, or others.
- Changes recommended by the Faculty & Institutional Relationships Committee will be evaluated by the Faculty Senate and presented to the university faculty in writing and/or by email prior to Faculty Senate approval.
- All proposed changes must be approved by the Faculty Senate, the Executive Vice President for Academic Affairs and Provost, the Provost’s Council, the President, and the Board of Trustees.

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

2.02. Abbreviations & Definitions

AAF	Academic Affairs Faculty
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	The Family and Medical Leave Act
FOIA	The Freedom of Information Act
FRD	MUSC Foundation for Research Development, Inc. (d/b/a Zucker Institute for Innovation Commercialization)
HHS	United States Department of Health and Human Services
IRB	Institutional Review Board
MUHA	The Medical University Hospital Authority; used when describing the legal organization and/or governance of clinical care. (see MUSC Health)
MUSC	The Medical University of South Carolina
MUSC Health	Used when describing the clinical entity of MUHA (see MUHA)
MUSC-P	MUSC Physicians (see UMA)
Provost	Executive Vice President for Academic Affairs and Provost
TERI	The Teacher and Employee Retention Incentive Program
UMA	University Medical Associates of the Medical University of South Carolina (see MUSC-P)

3. Faculty Organization & Governance

3.01. The Faculty Body

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

3.02. The Faculty Senate

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

3.02.01. Faculty Senate Constitution

The official version is made accessible electronically by visiting:

<https://horseshoe.musc.edu/university/faculty/senate/constitution>

3.02.02. Faculty Senate Bylaws

The official version is made accessible electronically by visiting:

<https://horseshoe.musc.edu/university/faculty/senate/bylaws>

3.03. University-Wide Committees

In addition to special committees as from time to time may be appointed or elected, there shall be standing chartered committees.

The most current list is accessible by visiting:

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

All university-wide committees have faculty representation.

4. Faculty Ranks & Status

4.01. Faculty Employment

4.01.01. University Employed Faculty

University Employed Faculty are those individuals who are employed by the Medical University of South Carolina. These individuals may also be members of MUSC Physicians (MUSC-P).

4.01.02. Community Employed Faculty

Community Employed Faculty are those individuals who are responsible for administration of graduate medical education (GME) or other oversight of educational or research services in hospitals that are part of MUHA (e.g., core faculty, program directors, associate program directors, site directors, etc.).

Community Employed Faculty may hold Regular Rank as set forth in Section 4.02 of the Handbook in a designated college at the discretion of that college and may be promoted to higher rank in accordance with the promotion provisions in Section 5.03 of the Handbook at the discretion of that college. The individual shall have the voting rights in accordance with their faculty rank as set forth in Section 4.02 of the Handbook.

A Community Employed Faculty member's appointment is separate and distinct from employment with their community employer, and the rights and responsibilities included in the Handbook accrue to the faculty member solely as it relates to their MUSC faculty appointment. The terms of and conditions of the individual's employment are governed by the individual's employment contract, not by the Handbook.

Community Employed Faculty appointments shall be subject to the terms and conditions of the individual's employment contract and terminate upon termination of the individual's employment contract.

4.01.03. Medical University Hospital Authority (MUHA)

Individuals whose employment and primary responsibility rests in one of the components of MUHA and who supervise students or residents or provide other oversight of educational or research services in hospitals that are part of MUHA (e.g., core faculty, program directors, associate program directors, site directors, etc.), may hold a faculty appointment in a designated college at the discretion of that college, thereby recognizing participation in its educational programs.

4.01.04. South Carolina Area Health Education Consortium (SC AHEC)

MUSC recognizes the valuable contributions of health care professionals employed by the educational programs at AHEC-affiliated institutions and volunteer professionals not employed by AHEC-affiliated institutions. Both categories of professionals are eligible to apply for MUSC appointments. The employed AHEC professionals have "MUSC AHEC" preceding their faculty rank; volunteer professionals have "MUSC AHEC Clinical" preceding their faculty rank. All MUSC AHEC appointments are without tenure and the SC AHEC Appointments and Promotions Committee coordinates this process with the MUSC deans' offices.

4.02. Regular Faculty Ranks

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

4.02.01. Instructor

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

4.02.02. Assistant Professor

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

4.02.03. Associate Professor

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

4.02.04. Professor

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

4.03. Special Faculty Ranks

Faculty holding special appointments do not have voting privileges.

4.03.01. Assistant

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

4.03.02. Associate

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

4.04. Modifiers to Faculty Ranks

The following modifiers may be made to either Regular Faculty Ranks (Section 4.02) or Special Faculty Ranks (Section 4.03). These modifiers shall be assigned according to the Procedures for Appointment (Section 5.02.02).

Faculty with Regular faculty ranks modified by Clinical or Research may participate in faculty governance and have full voting privileges regarding University affairs. Faculty with Regular faculty ranks modified by Visiting or Adjunct and all faculty with Special faculty rank, regardless of modifier, do not have University voting privileges.

Participation in college, department, and division governance will be determined by individual colleges.

4.04.01. Visiting

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

4.04.02. Adjunct

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

continuous, and whose activities do not ordinarily involve direct patient contact or teaching in clinical courses.

4.04.03. Affiliate

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

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

4.04.04. Clinical

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

4.04.05. Research

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

4.05. Honorary University Status

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

4.05.01. Emeritus

4.05.01.01. Definition

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

4.05.01.02. Eligibility

Emeritus status is generally reserved for regular, full-time faculty who are retiring at the rank Professor or Associate Professor and such individuals are designated as Professor

Emeritus. An individual retiring at a lower rank may be granted the status of Emeritus at that rank based on the length and quality of his/her service to the institution. An administrator retiring with the rank of the Dean or above may be designated as Dean Emeritus, etc.

4.05.01.03. Procedure

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

4.05.01.04. Benefits

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

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

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

4.05.02. Distinguished University Professor

4.05.02.01. Definition

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

4.05.02.02. Eligibility

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

4.05.02.03. Procedure

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

4.05.02.04. Benefits

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

4.06. Faculty Appointment to More Than One Unit

The primary appointment of a faculty member holding joint/dual appointments is confirmed by the Executive Vice President for Academic Affairs and Provost. If a faculty member resigns his primary appointment or if his primary appointment is otherwise terminated, all dual and/or joint appointments in other departments or colleges are

terminated the date the primary appointment is terminated. If a change of status is to be requested by the chair of the department in which the dual or joint appointment rests, such a request is submitted as a primary faculty appointment through the appropriate channels.

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

4.06.01. Joint

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

4.06.02. Dual

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

5. Faculty Appointment, Promotion, Tenure, & Evaluation

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

Current information regarding College-specific Appointment, Promotion & Tenure policies is accessible by visiting:

<https://horseshoe.musc.edu/university/faculty/promotion>

5.01. College/Department Faculty Appointment, Promotion & Tenure Committee

5.01.01. Purpose

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

5.01.02. Composition

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

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

Administrators who serve in a supervisory role to faculty members being evaluated for promotion/tenure (e.g., deans, department chairs), and thus have other avenues for

input into the promotion/tenure process, shall be excluded from the college APT committee. Division Directors and program directors who have already had input into an individual's evaluation should be excluded from deliberation and voting on that individual if they are on the committee.

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

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

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

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

5.02. Faculty Appointment

5.02.01. Criteria for Appointment

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

5.02.02. Procedures for Appointment

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

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

Upon approval by the dean, requests for appointment shall be forwarded to the Executive Vice President for Academic Affairs and Provost for approval. If departmental affiliation within a college is not involved, the requests shall be initiated by the appropriate dean and addressed to the Executive Vice President for Academic Affairs and Provost. If collegial affiliation is not involved, the requests shall be initiated by the Executive Vice President for Academic Affairs and Provost and addressed to the

President. Upon such approval, recommendations for appointment shall be forwarded to the President.

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

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

5.02.03. Term of Appointment

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

- a twelve (12) month appointment;
- a nine (9) month appointment;
- appointment for other specified periods of time.

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

Term of Appointment for Non-Tenured Faculty

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

The recommendation and rationale for faculty term of appointment changes must be written by the Dean or responsible administrative officer and submitted to the Executive Vice President for Academic Affairs and Provost for approval. Following approval by the Executive Vice President for Academic Affairs and Provost, written notice of the intention

to change the term of appointment of a non-tenured faculty member shall be given, to the extent that appropriated funds are available and legislation permits, as follows:

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

5.03. Faculty Promotion

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

5.03.01. Criteria for Promotion

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

5.03.02. Procedures for Promotion

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

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

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

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

The dean makes formal recommendations and prepares a consolidated report for the Executive Vice President for Academic Affairs and Provost, who makes formal recommendations to the President. The President reviews the recommendations submitted by the Executive Vice President for Academic Affairs and Provost, renders decisions, and, when required, submits recommendations to the Board.

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

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

5.04. Faculty Tenure

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

The following full-time faculty are not eligible for tenure: (a) faculty holding limited term appointments and (b) faculty holding modified ranks or special appointments as designated in Sections 4.01.03, 4.01.04, 4.03, and 4.04.

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

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

5.04.01. Criteria for Tenure

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

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

5.04.02. Procedures for Granting Tenure

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

5.05. Post Tenure Review

At every stage of a faculty member's career, the division Director and/or department Chair will review the faculty member's performance through the annual review process and reviews for promotion and tenure. Post-tenure review serves to evaluate a tenured faculty member's professional ongoing contributions and value to the university. During these reviews, efforts should be made to identify realistic long-range goals for career enhancement, evaluate the faculty member's strengths and weaknesses in performance, and, through appropriate advice and action, provide opportunities to correct any weaknesses to enable the faculty member to realize her/his full professional development. The review should be used to ensure that all tenured faculty members: (a)

continue to perform at a level to achieve their long- and short-range career goals and (b) serve the needs of the students and the institution.

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

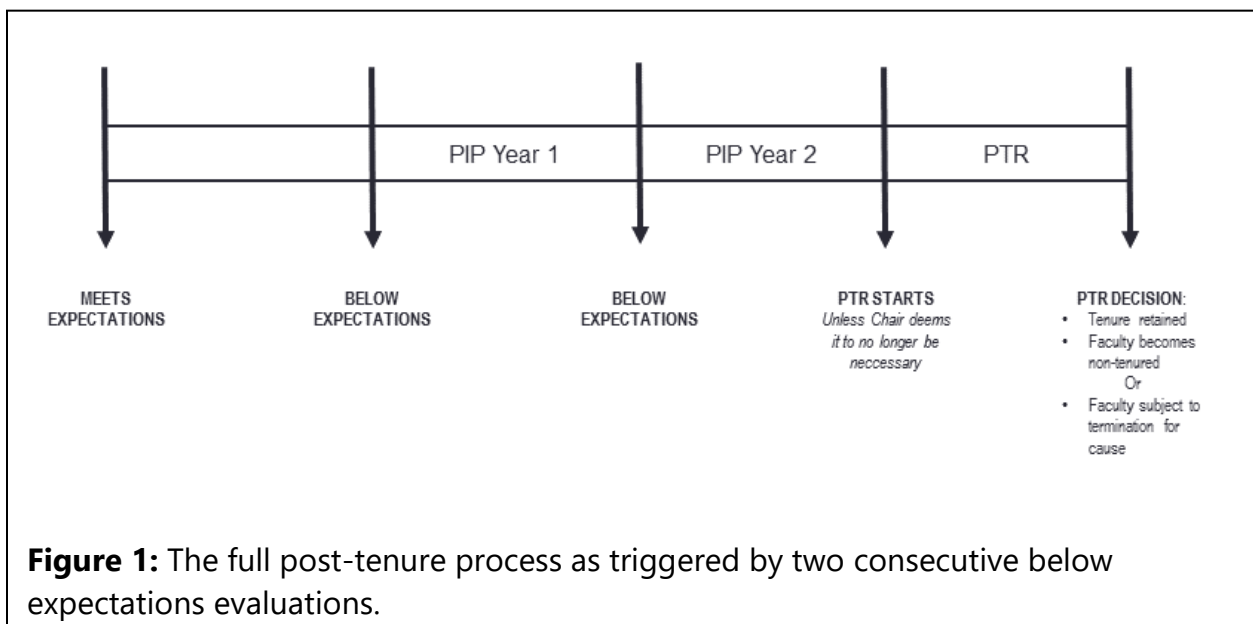
1. **Each tenured faculty member undergoes annual reviews.** The faculty member's annual review is integral in determining performance. The department Chair/division Director will use the three-point scale for annual reviews (below, meets or exceeds expectations). If a faculty member is rated as below expectations in a majority of applicable performance categories, they will receive a "below expectations" overall evaluation. Each year, the faculty member must be made aware of specific requirements to attain an adequate annual review so that he or she is given the chance to meet these specific requirements.
2. **If the tenured faculty member receives no ratings of below, they undergo streamlined post-tenure review every sixth year.** For a tenured faculty member who has received overall ratings of meets or exceeds expectations in all annual performance evaluations in the preceding six years, the department Chair/division Director will send a letter to the Appointment, Promotions and Tenure (APT) Committee of the faculty member's college stating that the faculty member satisfies the requirements of a favorable post-tenure review. A copy of this letter will be sent to the faculty member under review and the college Dean and placed in the faculty member's personnel file. The faculty then starts a new six-year cycle.
3. **If the faculty member receives an overall rating of below in a majority of applicable performance categories, they undergo a full post-tenure review.** There are two mechanisms that lead to a full post-tenure review: (i) If a faculty member has received a below in a majority of applicable performance categories evaluation during the six-year cycle, the faculty member is subject to full post-tenure review at the end of that cycle (see (b) below), or (ii) If the faculty is rated as below in a majority of applicable performance categories in two consecutive

years, a full post-tenure review is triggered, which starts after the second year of the performance-improvement plan (see (c) below).

- a. **Upon the first rating of below in a majority of applicable performance categories in an annual review, a Performance-Improvement Plan (PIP) is implemented.** If a tenured faculty member is rated below in a majority of applicable performance categories on an annual evaluation, the department Chair/division Director shall meet with the faculty member to outline the steps of improvement to be taken to correct the deficiencies, to establish criteria for the satisfaction of those deficiencies and to indicate what resources are available to support the plan, as appropriate. This Performance-Improvement Plan (PIP) should be approved by the college Dean, reported to the Executive Vice President for Academic Affairs and Provost, and described in the associated annual contract. The faculty member will be given two years beyond the date of the contract to execute the plan successfully. The goal shall be restoration of adequate performance. A written summary of the meeting shall be prepared for the faculty member by the department Chair/division Director and copied to the college Dean, the college APT committee, and the Executive Vice President for Academic Affairs and Provost.
- b. **Upon a rating of meets or exceeds in the year after a rating of below on annual review, the faculty member will undergo a full post-tenure review at the end of the six-year period.** The department Chair/division Director shall send a letter to the college Dean, the college APT Committee, and the Executive Vice President for Academic Affairs and Provost stating that the faculty member has received an overall rating of meets or exceeds on their subsequent annual performance evaluation, noting that deficiencies have been corrected. A copy of this letter will be sent to the faculty member under review and placed in the faculty member's personnel file. The faculty member then continues their cycle for post-tenure review, but at the end of the six years will be subject to a full post-tenure review, as described in Number 4 of this section.
- c. **Upon the second rating of below in a majority of applicable performance categories in an annual review, a full post-tenure review is triggered.** If the department Chair/division Director finds that the tenured faculty member fails to make substantial progress toward meeting the performance goals that had been set in the performance-improvement plan and receives a second below evaluation on the subsequent annual

evaluation, the faculty member begins year 2 of the performance-improvement plan. Two consecutive inadequate evaluations is also the trigger for a full post-tenure review to be conducted at the end of year 2 of the performance-improvement plan, which is described in Number 4 of this section. If, however, the performance of the faculty has improved significantly at the end of year 2 of the performance-improvement plan, the department Chair/division Director may recommend that the full post-tenure review not occur until the end of the six-year period.

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



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

The charge of the college APT Committee is to recommend for or against the removal of tenure. The college APT Committee will review the faculty member's performance based upon written standards and criteria that are developed by the individual college APT Committees. The criteria should reflect the specific

missions of the individual colleges and the university. Each college APT Committee shall publish and distribute these criteria to its faculty. The basic standard for evaluation shall be whether the faculty member under review discharges the duties appropriately associated with her or his position as documented by annual faculty contracts and the initial offer letter for the position, if applicable. The review must also be flexible enough to acknowledge different expectations in different disciplines and changing expectations at different stages of faculty careers. In reviewing a faculty member's performance, the college APT Committee will recognize not only the diverse talents, activities and accomplishments of faculty within that college, but also that individual faculty are expected, in consultation with their department Chair/division Director, to focus their efforts in selected areas of endeavor. The college APT Committee will also verify that an adequate environment was provided by the department Chair/division Director to support the faculty member in performance of these directives. The college APT Committee must include a tenured MUSC faculty member from outside of the college to review the faculty member's performance. The department Chair/division Director may suggest outside reviewers to the APT Committee.

- a. For its deliberations, the college APT Committee will utilize the following:
 - i. A full report on the faculty member will be prepared by the department Chair/division Director, consisting of copies of the previous six years' annual performance evaluations conducted by the department Chair/division Director using the college/department/division specific faculty performance evaluation forms, and when applicable, written summaries that document deficiencies and plan(s) of remediation, plus the Chair's letter outlining efforts to remedy the deficiencies, supplemented by any other documents and information that the department Chair/division Director wishes to submit.
 - ii. The faculty member under review shall be given the opportunity to appear before the committee and/or submit any documents that he or she wishes to be considered. During the time in which the post-tenure review process is being conducted, the faculty member can submit new materials relevant to the consideration as they become available. Examples of types of documents that a faculty member may wish to submit include: evaluations of teaching performance, documentation related to service and clinical practice, evidence of

- research or scholarship and any other material regarding activities pertinent to the college's mission.
- iii. The college APT Committee may request the submission of further documentation in addition to that provided by the department Chair/division Director.
- b. After completing their review, the college APT Committee shall submit a written report to the department Chair/division Director. The report, which shall be a permanent part of the faculty member's personnel file, will contain:
 - i. An evaluation of the faculty member's performance and progress, including the perceived strengths and weaknesses.
 - ii. An analysis of the faculty member's potential for further professional development. If applicable, opportunities for development should be identified (e.g., encouragement of research initiatives, potential mentorships in teaching and research, or appropriate professional development courses that could be taken).
 - c. The college APT Committee shall forward the report to the college Dean with a clear recommendation for retention of tenure when the faculty member, in the Committee's judgment, is rated superior or adequate. A rating of inadequate by the college APT Committee shall be forwarded to the college Dean with a recommendation pertaining to tenure. The written report and recommendation of the APT committee shall be provided simultaneously to the faculty member under review and the Dean. The college Dean reviews the recommendation and if he or she determines the removal of tenure is warranted, forwards the recommendation to the Executive Vice President for Academic Affairs and Provost for review and action by the University Tenure Committee. The college Dean shall provide to the faculty member, department Chair/division Director and college APT Committee memoranda indicating her/his action.
 - d. If the University APT Committee, after a full hearing of the case, supports the recommendation for removal of tenure, this recommendation will be forwarded to the Executive Vice President for Academic Affairs and Provost. The faculty member then has the option to file a Grievance and Appeal Procedure, as described in the Handbook (Section 8.02). The Executive Vice President for Academic Affairs and Provost will make the final determination and, if necessary, make a recommendation to the Board of Trustees for action.

- e. If the Executive Vice President for Academic Affairs and Provost's decision and, if used, the Grievance and Appeal Procedure, results in the decision to remove the faculty member's tenure, there are two possible outcomes: the faculty will continue as a non-tenured faculty or the faculty member will be subject to termination for cause under [Section 9.01 of the Handbook](#). In the event of termination for cause, the process of full post-tenure review will have fulfilled [Section 9.02 of the Handbook](#).

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

- a. The full post-tenure review process, as described above in 4), must be concluded within 12 months. Responsibility for adhering to this timetable rests with the Executive Vice President for Academic Affairs and Provost's office.
- b. The outcomes of all evaluations shall be confidential; that is, confined to the appropriate college or university persons or bodies and faculty member being evaluated, and shall be released only with the written consent of the faculty member.
- c. In accordance with the review process mandated by the Handbook, the above policy and standards and criteria developed to carry out this policy should be evaluated with respect to the effectiveness in supporting faculty development and redressing problems of faculty performance.

5.06. Faculty Evaluation

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

The university has established standardized evaluation categories and a standardized rating scale for use in faculty evaluations across all colleges and Academic Affairs Faculty (AAF). A 2021 university-approved electronic system is used to conduct and house the faculty evaluation process. Evaluation categories approved to evaluate faculty performance are the following:

- **Teaching/Instruction/Mentorship** (e.g., Curriculum Support/Instructional Development/Academic Consultation/Student Advising/Teaching);
- **Research/Scholarly Activity** (e.g., Presentations/Publications/Professional Development/Innovation);
- **Service/Institutional Activity:** (e.g., Institutional/Community);

- **Administration:** (e.g., Leadership/Mentoring/Supervision/Management);
- **Professional Practice** (e.g., maintenance of accreditation and certifications for clinical practice; patient care);
- **Other** activities that do not fall into one of the above categories.

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

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

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

5.07. Faculty Salary Increases

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

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

5.08. Distribution of Faculty Activity

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

5.09. Faculty Record Review

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

5.10. Universal Faculty Contract

All contracts should be prepared and completed using the official template within the FACTS (ServiceNow and DocuSign) system. A sample of the most current version of the faculty contract at the time of this revision may be found by visiting:

<https://horseshoe.musc.edu/-/sm/horseshoe/university/faculty/f/resources/faculty-contract-sample.ashx>

6. Faculty Development

6.01. Sabbatical Leave

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

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

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

In accord with the South Carolina Department of Administration requirements, faculty members will not accrue sick leave while on sabbatical leave.

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

6.02. Upward Faculty Mobility Toward Advanced Degrees

PURPOSE: This policy is intended for the primary purpose of enhancing the value of the professional status of the faculty member in further service to MUSC. The university, therefore, upon prior approval of the dean of the college in which s/he holds primary appointment, offers the faculty member who does not possess a terminal degree in

her/his field an opportunity to pursue a planned program for upward mobility toward an advanced degree.

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

6.02.01. Academic Requirements

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

6.02.02. Financial Considerations & Requirements as a Faculty Member

1. The faculty member who has been admitted as a student to a degree program at MUSC or elsewhere must abide by the following if s/he is to receive financial considerations by the university:

- a. promotion as a faculty member may be denied during the period of time the degree program is in progress;
 - b. faculty salary increases other than "across the board" raises may be denied;
 - c. obtaining of the degree in no way obligates MUSC to alter his/her initial faculty appointment, to promote him/her, or to significantly adjust his/her salary, although any or all of these may be a result;
 - d. s/he shall agree, in writing, to continue his/her employment to MUSC for a period of not less than one year after receiving the degree.
2. The faculty member who agrees to the above financial terms may pursue his/her approved plan of study at the yearly average rate of 15% of his/her normal work time, with no reduction in salary.
 3. If an accelerated plan of study is requested by the faculty member and is approved by the chair, deans, and the Executive Vice President for Academic Affairs and Provost, the faculty member must voluntarily reduce both her/his teaching responsibilities and her/his salary proportionately.
 4. If the approved plan of study includes extensive bench research or clinical rotations during normal faculty working time, a proportionate salary reduction shall be required. If this is determined at the time the program is initially approved, the amount of salary reduction will be determined at that time.

6.02.03. Financial Requirements as a Student

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

6.02.04. Procedure for Faculty Member

1. The faculty member shall submit
 - a. to the chair of his/her department and the dean of the college in which s/he holds primary faculty appointment, and if applicable;
 - b. to the dean of the college in which s/he proposes to pursue the advanced degree, a complete outline of the proposed curriculum, semester by semester. S/he shall also indicate all courses to be taken, the proposed

research and/or clinical experience required, and the degree which is to be sought.

2. If the faculty member's proposal is disapproved at any step in the Administrative Procedure stated below, s/he will be so notified; this action shall be considered final.
3. If the faculty member's proposal is approved, the Executive Vice President for Academic Affairs and Provost will notify him/her in writing and s/he may then proceed to apply for admission through the regularly prescribed admissions policy of the college in which s/he is seeking admission.
4. The application for admission shall have attached to it the following:
 - a. outline of plan of study;
 - b. letter of approval from the Executive Vice President for Academic Affairs and Provost to pursue the degree as outlined;
 - c. required application fee.

6.02.05. Administrative Procedure

1. Upon receipt of a request with attachment thereto of a complete outline of proposed study as stated under "Procedure for Faculty Member" above, to pursue admission to a specific advanced degree program within a college of MUSC, the dean(s) of the college(s) concerned in conjunction with the appropriate department chairs either approve or disapprove the request. If more than one dean is concerned (i.e., if the dean of the college of proposed study is different from the dean of the college in which the faculty member holds primary appointment), approval to apply for admission must be by both. Either one disapproving, the request shall be denied.
2. If the request is approved, the dean of the college in which the faculty member holds primary appointment shall write a letter to the Executive Vice President for Academic Affairs and Provost, with a copy to the dean of the college to whom the faculty member will submit his/her application, stating willingness for the faculty member to apply for admission as a student. The letter should include: (a) how all of the individual's duties, teaching responsibilities, and other commitments to his/her department would be met; (b) what financial considerations would apply as described in Section 6.02.02 under "Financial Considerations and Requirements as a Faculty Member," and (c) indication of approval of the plan of study.
3. In like manner, if the request is approved, the dean of the college of proposed student enrollment shall notify the Executive Vice President for Academic Affairs and Provost in writing of:

- a. procedures for evaluation of the faculty member's progress as a student in accordance with his/her approved plan of study; and
 - b. the names of the faculty members assigned to evaluate the faculty/student's progress. Such progress will be evaluated in accordance with Subsections (3) and (4) under [Section 6.02.01 "Academic Requirements."](#)
4. The faculty member shall then be notified in writing by the Executive Vice President for Academic Affairs and Provost that her/his plan of study has been approved and that s/he may apply for admission through the regular admissions process of the college in which the advanced degree is to be sought.

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

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

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

6.04. Tuition Assistance

MUSC provides tuition and mandatory fees assistance to permanent employees (classified, faculty, and other unclassified employees) for up to four credit hours a semester as authorized by [Section 59-111-15 of the 1976 South Carolina Code of Laws, as Amended](#). Tuition and mandatory fees assistance will be provided by reimbursement of tuition cost after course completion, subject to availability of employing department funds. Permanent employees who are employed at least 30 hours per week are eligible to apply for tuition and mandatory fees assistance regardless of race, color, religion, sex, age, national origin, disability, genetic information, or veteran status. The tuition assistance program is only for MUSC employees to enroll in a credit-bearing course at MUSC or any other state institution (not including continuing education) on a space-available basis and with approvals of the course director or department chairperson.

The most current information for requesting tuition assistance may be provided by reaching out to the respective Human Resources department of each entity.

MUSC Human Resources

1 S Park Cir, Ste 100

Charleston, SC 29407

university-hr@musc.edu

[843-792-2071](tel:843-792-2071)

<https://horseshoe.musc.edu/human-resources/univ>

MUHA Human Resources

1 S Park Cir, Ste 502

Charleston, SC 29407

muhahr@musc.edu

[843-792-0819](tel:843-792-0819)

<https://horseshoe.musc.edu/human-resources/muha>

MUSC-P Human Resources

2 S Park Cir, Ste 100, Box 5

Charleston, SC 29407

muscphysicianshr@musc.edu

[843-876-5800 opt. 1](tel:843-876-5800)

<https://horseshoe.musc.edu/human-resources/musc-p>

6.05. Travel

MUSC, as an agency of the State of South Carolina, is subject to the travel regulations set by the State Budget and Control Board (n/k/a the State Fiscal Accountability Authority) at the S.C. Code Ann. Regs. 19-101 (2025).

6.06. International Travel Policy

The official version of this policy is made accessible electronically by visiting:

<https://musc.policytech.com/dotNet/documents/?docid=4152>

7. Faculty Duties & Responsibilities

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

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

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

7.01. Standards of Ethical Conduct

The official version of this policy is made accessible electronically by visiting:

<https://musc.policytech.com/dotNet/documents/?docid=19018>

7.02. Academic Freedom

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

7.03. Outside Activities

Faculty members should not participate in outside activities that create a conflict of commitment with their contractual obligations to MUSC. A faculty member may engage in outside activities, whether for compensation or not, on a limited basis, provided that such activities are in keeping with his/her professional practice agreement, competency, and development, and do not interfere with the performance of his/her assigned duties.

Activities such as preparation and presentation of research results, presentation to professional groups, peer review activities, and service as members of professional or community societies are normally not considered outside activities, i.e., they are within the scope of work. Employment of faculty by other state agencies or institutions must be accomplished through the procedures established by the state; remuneration is limited by law.

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

7.04. Political Activities

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

7.05. Conflict of Interest

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

All faculty and administrative staff shall disclose any conflict of interests using the MUSC web-based disclosure mechanism, see <https://web.musc.edu/about/coi>. Such disclosure is made on an annual basis as defined by the MUSC/MUHA Conflict of Interest Policy. Whenever a new conflict of interest arises or when a significant change occurs concerning an existing disclosure, a new disclosure form must be completed and

submitted for review either in advance of the anticipated change in situation or within 30 days of the event.

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

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

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

7.05.01. MUSC/MUHA Conflict of Interest

The official version of this policy is made accessible electronically by visiting:

<https://musc.policytech.com/dotNet/documents/?docid=4433>

7.05.02. Research Conflict of Interest Definitions & Guidelines

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

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

The charter of the MUSC Administrative and Clinical Conflict of Interest Committee can be found by visiting:

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

7.06. University Compliance

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

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

Information regarding MUSC, MUHA, and MUSC-P Compliance Offices may be found on the Compliance Offices website:

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

The Research Data Ownership & Record Retention Policy may be accessed by visiting:

<https://musc.policytech.com/dotNet/documents/?docid=4031>

Additional IRB policies may be found on the IRB website:

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

7.07. Enterprise Industry Relations

The official version of this policy is made accessible electronically by visiting:

<https://musc.policytech.com/dotNet/documents/?docid=21136>

7.08. Employee Involvement in Entrepreneurial Activities

The official version of this policy is made accessible electronically by visiting:

<https://musc.policytech.com/dotNet/documents/?docid=4358>

7.09. Expert Testimony

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

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

7.10. Evaluation of Department Chairs, Deans, & Unit Directors

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

<https://education.musc.edu/about/leadership/provost/institutional-effectiveness/assessment>

Completed forms are sent anonymously to the Office of the Executive Vice President for Academic Affairs and Provost or his/her designee where results are collated, tabulated,

summarized, etc., and given to deans of the respective colleges. The Executive Vice President for Academic Affairs and Provost informs the President of the Faculty Senate in March that the process has been completed and deans have reviewed the data which is archived in the event future reexamination becomes necessary.

7.11. Copyright Protections

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

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

Also, see Intellectual Property in section 7.12.04.

7.12. Faculty Research Activities

7.12.01. Research & Sponsored Programs

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

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

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

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

The Office of Research & Sponsored Programs (ORSP) website may be accessed by visiting:

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

7.12.02. MUSC Responsible Conduct of Research Policy

The official version of this policy is made accessible electronically by visiting:

<https://research.musc.edu/resources/ori/ric/allegations-of-misconduct/general-policies>

7.12.03. Misconduct in Scientific Research

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

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

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

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

MUSC Policies & Procedures for Responding to Allegations of Research Misconduct may be accessed by visiting:

<https://research.musc.edu/resources/ori/ric/allegations-of-misconduct>

Both the inquiry and the investigative phases, as well as administrative actions in the event of a finding of misconduct are included. Information at this Office of Research Integrity website supersedes the Handbook in the event of a discrepancy.

7.12.04. Intellectual Property

The official version of this policy is made accessible electronically by visiting:

<https://musc.policytech.com/dotNet/documents/?docid=4359>

8. Contract Dispute Resolution & Faculty Grievance and Appeal

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

8.01. Faculty Appointment Contract Dispute Resolution

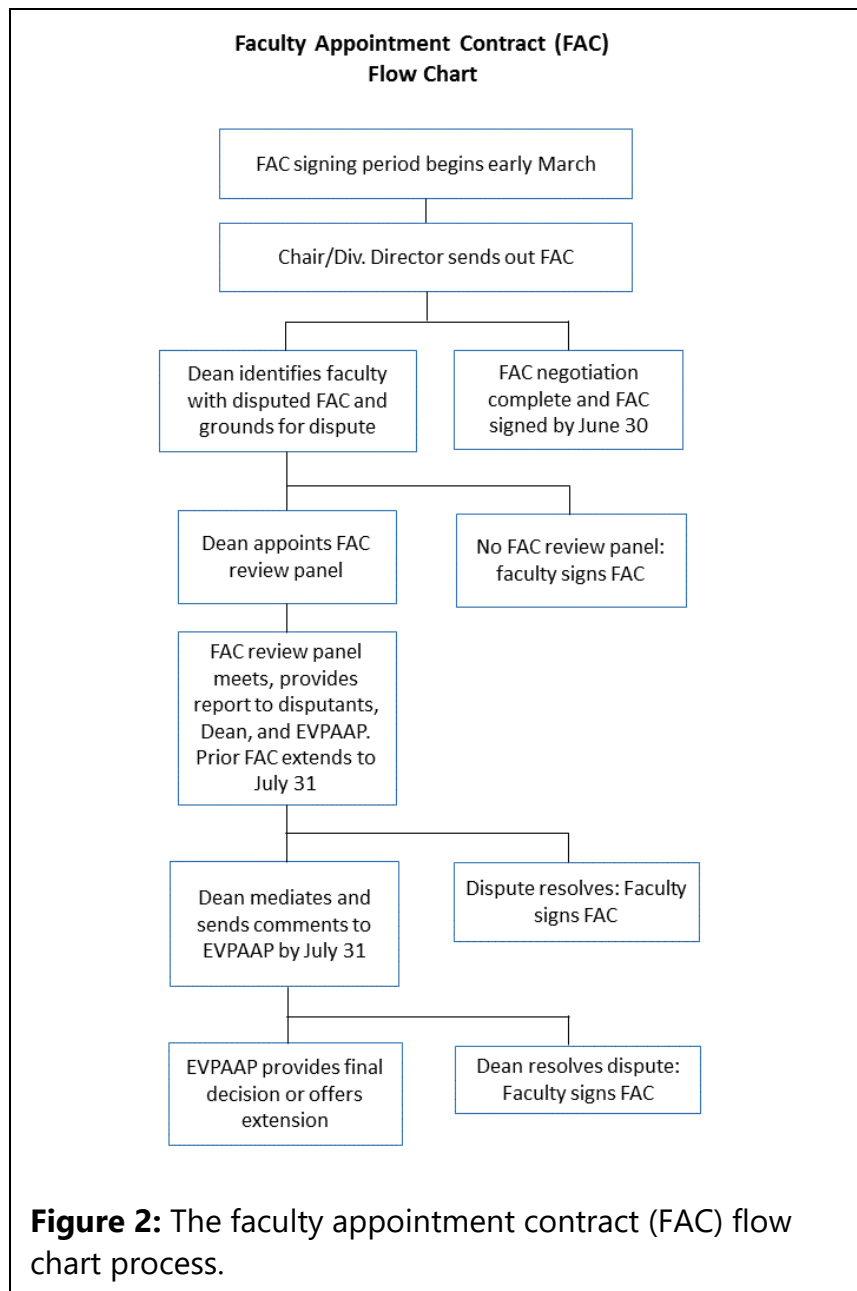
The Faculty Appointment Contract (FAC) clarifies an individual's activities and responsibilities for the upcoming academic year and links the listed activities to compensation. These contracts are offered in good faith between the faculty member and the chair. They serve as a platform for discussing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

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

Both the faculty member and the chair or division directors shall have the opportunity to meet with the panel. The panel determines when to close fact-finding and hearing

phases of the review and to begin deliberation. Following adequate deliberation on the issues, the panel shall submit a written recommendation to the disputants, the Dean, and the Executive Vice President for Academic Affairs and Provost. The Dean may mediate and resolve the dispute; however, if necessary, upon receipt of the Dean's comments on the Panel Report prior to July 31, the Executive Vice President for Academic Affairs and Provost will provide the final written decision on the contested issue to all parties. If a resolution has not been achieved by July 31, the Executive Vice President for Academic Affairs and Provost, or designee, can grant an additional extension to facilitate the resolution.

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



8.02. Faculty Grievance & Appeal Procedure

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

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

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

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

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

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

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

8.02.01. Initial Stage & Grievance Procedure

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

1. Complaints against a member of the complainant's department shall be explained to the departmental chair. When the complaint is against the chair, it is lodged with the dean of the college.
2. Complaints against a member or chairman in the complainant's college, but not a member of the complainant's department, shall be lodged with the dean of the college.
3. Complaints against a member of another college shall be lodged with the dean(s) of the college(s) involved.

4. Complaints against any administrator shall be lodged with the next higher level of administration.

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

8.02.02. Grievance Procedure

1. In the event that the complaint is not resolved within a reasonable period of time, the complainant may submit a written request for a hearing. The proper avenue for such a request is through established channels of authority to the Executive Vice President for Academic Affairs and Provost. Once initiated, a grievance or appeal must be afforded full due process regardless of changes in employment status.
2. The grievance or appeal shall be referred by the Executive Vice President for Academic Affairs and Provost to a Standing University Faculty Hearing Committee consisting of three (3) faculty members recommended by the Faculty Senate, three (3) faculty members recommended by the Provost's' Council, and one (1) faculty member selected by the Executive Vice President for Academic Affairs and Provost. The Committee may elect a chair or may request that the Executive Vice President for Academic Affairs and Provost designate one of the seven individuals to be chair. Additional individuals who may be needed in case of a conflict of interest with a standing committee member will be selected from individuals representing each college and the Academic Affairs Faculty, who have received training in mediation. Faculty Senate and Provost's' Council may nominate individuals to receive mediation training and to serve in the Pool of potential Hearing Committee Members. This Pool (referred to as the Standing University Faculty Hearing Committee Pool) will be composed of one member from each college and the Academic Affairs Faculty nominated by the Faculty Senate, and one member from each college and the Academic Affairs Faculty nominated by the Provost's Council. Standing University Faculty Hearing Committee Pool members shall serve terms of up to three years, staggered such that there will be some continuity of membership from year to year.
3. The grievance or appeal shall be in writing and shall specify the condition(s) felt to be detrimental to the individual's professional development or personal well-being and the manner in which it/they may affect the complainant adversely. The statement shall specify the reason(s) why such a condition is/are felt to be the

responsibility of a person or persons named in the grievance or appeal, and it shall suggest the changes in conditions that would satisfy the complainant.

4. Upon receipt of a grievance or appeal, and in no case longer than thirty (30) days after the receipt thereof, the Executive Vice President for Academic Affairs and Provost will convene a seven-member Hearing Committee at full strength from individuals selected from the Standing University Faculty Hearing Committee pool.

8.02.03. Action by the Hearing Committee

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

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

- a. The parties have made inadequate effort to resolve the dispute by discussion and agreement or have not utilized other reasonably available avenues for relief within the division, department, college(s);
 - b. The dispute is patently frivolous or plainly without merit;
 - c. The relief sought is beyond the power of the university to grant;
 - d. The grievance is insufficiently related to the concerns of the academic community;
 - e. The dispute is within the jurisdiction of another committee or unit of the university.
2. Within twenty-one (21) days of the distribution of the materials pertinent to the grievance or appeal, the Committee shall meet and decide whether to hear the case. If the Committee decides to hear the case, it shall immediately notify the principals and shall commence hearings within another seven (7) days. As it deems appropriate, the Committee may call any witnesses and examine any documents in addition to those presented by the parties to the grievance or appeal. The Committee shall prepare and keep a transcript of its proceedings.
 3. After hearing the parties to the grievance or appeal and the witnesses, the Committee shall deliberate in executive session. It shall then determine to: (a) recommend an appropriate action or (b) dismiss the grievance. The chair shall send, in writing, the Committee's recommendation(s) to the parties. It shall then declare the hearing concluded.
 4. The chair also shall send the Committee's recommendation(s) and rationale for it/them to the Executive Vice President for Academic Affairs and Provost of the

university for consideration and recommendation by that officer. This report shall be submitted within ten (10) days after the conclusion of the hearing.

5. In preparing the written recommendations to the Executive Vice President for Academic Affairs and Provost, the Committee shall consider only the evidence presented at the hearing and such written and oral arguments as the Committee, in its discretion, may allow.
6. Under unusual and compelling circumstances, the Committee, with the concurrence of the Executive Vice President for Academic Affairs and Provost, may extend any deadlines upon written notification to the parties to the grievance or appeal.

8.02.04. Action by University Administration

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

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

8.02.05. Action by the Board

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

The Board in its sole discretion may grant a review, but if granted the Board shall not be required to conduct an additional hearing or hear arguments of the faculty member or

counsel but may review the record of the proceedings. The Board, at its discretion, may elect to hear arguments, oral or written, by both principals or their representatives and may consult with the hearing Committee.

Any action taken by the Board shall be final.

8.02.06. Definition of Rights & Challenges in a Grievance Procedure

1. Challenge of Committee Members:
 - a. Upon the request of a party to a grievance, a member of the Committee may be removed from considering a case if deemed biased or in conflict of interest. If a member of the Committee refuses to remove herself/himself when challenged for such cause, the challenging party may appeal to the entire Committee who shall make a final determination of the challenge. A Committee member may disqualify herself/himself.
 - b. If s/he so desires, each party shall have, in addition, a challenge without stated cause. A member so challenged shall not consider the case.
2. To Present Witnesses and Supporting Materials:

Each party involved in a grievance or appeal may:

 - a. submit any written materials in support of his/her position;
 - b. present witnesses at hearings.
3. To Have an Advisor During the Hearing:
 - a. Each party to a grievance or appeal may be accompanied in the hearing by a non-participating advisor of his/her choice and may consult with the advisor throughout the hearing.
 - b. If any party chooses to have participating legal counsel present, written notification must be presented to the chair of the Committee at least five (5) days before the hearing. The chair shall then promptly notify the other parties. The Hearing Committee conducts an internal administrative review, rather than a legal proceeding. Legal counsel may advise but may not participate in the hearing. The Committee chair, in consultation with University General Counsel, may remove any advisor from the hearing should said advisor persist in attempts to participate in the hearing (rather than to render advice to any participant(s)).
4. To Have an Observer Attend Hearings:

At the request of any party to a grievance or appeal, or at the request of the Committee hearing the case, a representative of a responsible professional or

educational association shall be permitted to attend hearings as an observer. The chair will determine the qualifications and responsibility of the association.

8.02.07. Access to Hearing Records

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

8.02.08. To Receive Expeditious Consideration

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

8.02.09. Annual Report of the Chair of the Hearing Committee

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

9. Faculty Separation

9.01. Criteria for Termination of Tenured Faculty

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

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

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

9.02. Procedures for Termination of Tenured Faculty

The President may remove a faculty member for cause at any time, including termination or removal prior to hearing. Should such action be taken, the President shall implement a full hearing pursuant to the grievance procedure within sixty (60) days of said removal. Prior to the presentation of notice of dismissal, discussions concerning mutually agreeable settlement may be held through the organized administrative structure between the faculty member and the administrative officer(s) as designated by the President. Except for summary termination or removal by the President, termination

of tenure for cause, unless waived by the faculty member involved, will be preceded by the following:

1. For termination pertaining to:
 - a. Quality of work - please refer to Section 5.05 Post Tenure Review.
This procedure serves as the initial stage of the Faculty Grievance and Appeal Procedure. Referral to the Executive Vice President for Academic Affairs and Provost will actuate the Grievance Procedure.
 - b. Prejudicial conduct and for precedence for rectifying the situation - the appropriate dean shall meet with the faculty member to discuss the nature of the conduct. The President may suspend the faculty member until the consequences of due process have been accomplished. A written summary of the meeting shall be provided to the faculty member who must abide by its terms. Failure of the dean to reach accord with the faculty member, or failure of the faculty member to meet the terms of the summary, shall result in the matter being referred to the Executive Vice President for Academic Affairs and Provost.
 - c. Incapacity - the department chair shall meet with the faculty member to document the nature and extent of the incapacity and forward a copy of the documentation to the dean, who shall refer the matter through appropriate channels to the Executive Vice President for Academic Affairs and Provost.
 - d. Abolition or discontinuance of positions or programs - the President of the University through Executive Vice President for Academic Affairs and Provost notifies the dean of the college concerned of such exigencies. Written notice of termination, through appropriate channels, is given to the faculty member(s) involved by the respective dean. Such notice is given at least twelve months in advance of the termination, to the extent that appropriated funds are available and legislation permits. Prior to the written termination notice, the dean and the Executive Vice President for Academic Affairs and Provost will have made reasonable efforts to place the faculty member(s) in any existing faculty vacancies within the university, consistent with the faculty member's qualifications and area of expertise. The faculty member(s) shall have a right to a hearing under the Faculty Grievance and Appeal Procedure.

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

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

9.03. Non-Reappointment and Termination of Non-Tenured Faculty

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

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

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

1. At least three (3) months prior to the expiration of the most recent contract for faculty with the Medical University if the initial contract was for a one (1) year term.
2. At least six (6) months prior to the expiration of the most recent contract for faculty appointed under a second-year contract with the department. Previous

service to the university to other departments or capacities is calculated for notice purposes).

3. At least one (1) year prior to the expiration of the most recent contract for faculty under a third (3rd) year or subsequent-year contract with the department.

9.04. Dismissal for Cause Before the End of a Specific Contract Period for Non-Tenured Faculty

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

9.05. Resignation

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

9.06. Retirement

Information regarding eligibility and procedures for retirement may be found by visiting:

<https://web.musc.edu/human-resources/university-hr/benefits/retirement>

10. University Personnel Policies

10.01. Faculty Leave & Authorized Absences

10.01.01. Leave with Pay

10.01.01.01. Annual Leave

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

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

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

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

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

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

University hourly rate multiplied by number of hours of accrued, unused annual leave. Earnings are taxed as extra income per IRS regulations. Contact the HR Benefits office to

discuss the option of deferring a portion of the payment to an approved supplemental retirement account.

10.01.01.02. Official Holidays

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

<https://horseshoe.musc.edu/human-resources/univ>

If conditions preclude taking the holiday at the prescribed time, comparable time must be taken within one year; there is no provision for payment for earned but unused holidays.

10.01.01.03. Sick Leave

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

10.01.01.04. Leave Donation

Excess sick leave may be donated to the MUSC Catastrophic Leave Program, which may be reviewed by visiting:

<https://musc.policytech.com/dotNet/documents/?docid=8458>

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

10.01.02. Extended Leave without Pay

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

1. absence for advanced academic training, research, or other experience which leads to increased competence and promotes the interests of the Medical University as well as those of the faculty member; and
2. absences due to prolonged illness or for personal reasons when such absences extend beyond available annual leave or sick leave. Sick leave must be exhausted first before leave without pay is granted. Normally, the total period of absence will not exceed six months (including up to 480 hours approved under FMLA for qualified conditions) and may be granted in increments depending on the circumstances.

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

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

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

10.01.03. Family & Medical Leave Act (FMLA)

A faculty member who has worked for a State of South Carolina employer for 12 months or more and has worked at least 1,250 hours during the preceding 12 months, may be eligible for Family and Medical Leave, which may be reviewed by visiting:

<https://musc.policytech.com/dotNet/documents/?docid=14980>

10.01.04. Authorized Absences

10.01.04.01. Sabbatical Leave

See [Section 6.01 Sabbatical Leave](#)

10.01.04.02. Attendance in Court

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

When, in obedience to a subpoena or other legal direction by proper authority a faculty member appears to testify, serve as a witness, or serve on a jury for the Federal Government, the State of South Carolina or one of its political subdivisions, the faculty

member shall be granted leave-with-pay for the necessary period which shall be recorded as Administrative Leave.

10.01.04.03. Death in Family

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

- Spouse
- Parents
- Legal Guardians
- Brothers or Spouse of Brothers
- Sisters or Spouse of Sisters
- Children or Spouse of Children
- Grandparents or Great-Grandparents
- Grandchildren or Great-Grandchildren

10.01.04.04. Voting

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

10.01.04.05. Military Leave

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

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

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

The MUSC Military Leave Policy may be reviewed by visiting:

<https://musc.policytech.com/dotNet/documents/?docid=14907>

10.01.04.06. Assault by Patient

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

10.01.04.07. Donating Blood

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

10.01.05. Academic Time

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

10.02. Faculty Benefits

Faculty members who resign, retire, or for other reasons terminate their employment with MUSC must contact the Department of Human Resources Management concerning the action they need to take regarding the following:

- a. retirement;
- b. state health, dental and vision insurance;
- c. state optional or dependent life insurance;
- d. supplemental long-term disability and flexible spending accounts;
- e. tax sheltered annuities; and
- f. deferred compensation plans.

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

10.02.01. General Employment Benefits

For more information related to the core State benefits provided by the University, contact MUSC Human Resources. Contact information for counselors can be found on the directory:

<https://web.musc.edu/human-resources/university-hr/benefits/benefit-contacts>

For assistance with supplemental benefits offered to clinical faculty by MUSC-P, contact MUSC-P Human Resources at 843-852-3100 or via email at muscbenefits@muscedu.

To find an overview of benefits visit the sites below:

[MUSC Benefits](#)

[MUSC-P Benefits](#)

The comparison between MUSC and MUSC-P benefits is accessible by visiting:

<https://web.musc.edu/-/sm/enterprise/human-resources/university-hr/f/musc-and-musc-p-faculty-benefits-comparison-chart.ashx>

10.02.02. Liability Insurance

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

If an event occurs which may expose a health provider or the institution to a claim or legal action, notify the Office of University Risk Management immediately. They will, in turn, notify appropriate persons in the affected areas and hospitals.

10.03. Nepotism

The official version of this policy is made accessible electronically by visiting:

<https://muscpolicytech.com/dotNet/documents/?docid=12449>

10.04. Employee Health Services

The official version of this policy is made accessible electronically by visiting:

<https://muscpolicytech.com/dotNet/documents/?docid=21913>

10.05. Criminal Record Searches

The official version of this policy is made accessible electronically by visiting:

<https://muscpolicytech.com/dotNet/documents/?docid=14904>

10.06. Drug-Free Workplace

The official version of this policy is made accessible electronically by visiting:

<https://musc.policytech.com/dotNet/documents/?docid=19162>

11. General Human Resource Policies

11.01. Equal Employment Opportunity & Affirmative Action

For enterprise-wide policies on Equal Employment Opportunity & Affirmative Action, visit:

<https://web.musc.edu/about/leadership/institutional-offices/organizational-engagement-and-excellence/federal-and-state-compliance/equal-employment>

11.02. Infectious Diseases

11.02.01. Bloodborne Pathogen Exposures

For information on bloodborne exposures, visit:

<https://horseshoe.musc.edu/everyone/employee-health/bloodborne-pathogen-exposures>

11.02.02. Infectious Disease Exposure Questionnaire

For a copy of the most recent questionnaire, visit:

<https://horseshoe.musc.edu/-/sm/horseshoe/everyone/employee-health/f/infectious-disease-exposure-form-all-diseases.ashx>

11.02.03. Personal Protective Equipment (PPE) & Hazard Assessment

The official version of this policy is made accessible electronically by visiting:

<https://musc.policytech.com/dotNet/documents/?docid=13313>

11.03. Nondiscrimination, Anti-Harassment, and Equal Opportunity

The official version of this policy is made accessible electronically by visiting:

<https://musc.policytech.com/dotNet/documents/?docid=4981>

11.04. MUSC Enterprise Brand

The official version of this policy is made accessible electronically by visiting:

<https://musc.policytech.com/dotNet/documents/?docid=4605>

11.05. Acceptable Use Policy

The official version of this policy is made accessible electronically by visiting:

<https://musc.policytech.com/dotNet/documents/?docid=15975>

11.06. Emergency & Disaster Preparedness

The official version of this policy is made accessible electronically by visiting:

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

11.07. MUSC Honor Code

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

For additional information regarding the MUSC Honor Code, visit:

<https://musc.policytech.com/dotNet/documents/?docid=21384>