
FACULTY HANDBOOK



*The Alabama College of Osteopathic Medicine is an
Academic Division of the Houston County Health Care Authority*

FACULTY HANDBOOK

Revision History



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Draft and Archived/Obsolete revisions are not to be used.

While this handbook intends to reflect currently and accurately any policies of the Alabama College of Osteopathic and its Board of Directors, users are cautioned that changes or additions to such policies may have become effective since the publication of this material. Additionally, specific details of rank, duties, rights and responsibilities of faculty are detailed in individual employment contracts.

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Policy on Fairness & Equal Opportunity



The Alabama College of Osteopathic Medicine does not discriminate on the basis of age, race, color, sex, gender, sexual orientation, religion or creed, national or ethnic origin, or disability in its programs, activities, hiring, or the admission of students.

This policy applies in recruitment and admission of students, employment of faculty and staff, and scholarship and loan programs. This policy is also followed in the operation of all other programs, activities and services of the College.

ACOM subscribes to the principles and adheres to the requirements of state and federal law pertaining to civil rights and equal opportunity, in accordance with the requirements of Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973, as amended; and the Age Discrimination Act of 1975, as amended.

Evidence of practices inconsistent with this policy should be reported to the Director of Human Resources, who is the designated coordinator of ACOM's non-discrimination program. Inquiries regarding compliance with the sex discrimination provisions of Title IX may also be directed to the Assistant Secretary for Civil Rights, Department of Education, Washington, D.C.

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Chapter I GENERAL MATTERS

Section 1 Academic Freedom

The protection of the academic freedom of individual teachers, scientists, clinicians and scholars is the instrument by which society at large is protected from hindrances to the search for knowledge and from limits on the dissemination of knowledge and its applications. The protection of academic freedom is extended to all Faculty Members during their terms of appointment.

It is ACOM's policy to maintain and encourage conditions of free inquiry, thought and discussion for each Faculty Member in his/her professional activities, including research, teaching and publication.

Academic freedom also extends to Faculty participation in the determination of ACOM policy. A Faculty Member may examine and make recommendations concerning any educational policy, program or practice without compromise to his/her professional standing or employment status. ACOM supports the AAUP Guidelines, which are herein extended to be advisory only. The 1940 Statement of Principles of Academic Freedom and Tenure of the American Association of University Professors (AAUP) stipulates the following:

“Academic Freedom”

- a. *Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.*
- b. *Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter, which has no relation to their subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.*
- c. *College and university teachers are citizens, members of a learned profession and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others and should make every effort to indicate that they are not speaking for the institution.*

Section 2 Academic Responsibility

ACOM is a community of men and women devoted to the search for truth. As a self-governing institution, it has its own standards of excellence and responsibility.

Each Faculty Member has the obligation to speak and write with accuracy, with due respect for the opinions of others and with proper care to specify that he/she speaks on the authority of his/her own work and reputation, not as a representative of ACOM. Such rights and obligations presuppose that the Faculty Member adequately performs his/her other academic duties. For specific policy regarding other professional endeavors, see Chapter VI, Section 5.

ACOM is part of the civic community in which it exists. Its members, both Faculty and students, are entitled to exercise the rights of citizenship and are subject to the responsibilities thereof. Conferral of Faculty status at ACOM indicates that the individual is a member of a learned profession. When speaking or writing as an individual, the Faculty Member should be free from institutional censorship or discipline, but should be aware that this special position in the institutional community imposes special obligations. As a person of learning and a member of an educational institution, the Faculty Member should remember that the public may judge the profession and the institution by his/her utterances. Hence, the Faculty Member should at all times show respect for the opinions of others and treat others with dignity and respect.

Section 3 Faculty

Faculty Members shall be the professionals of instruction, clinical practice, research and administration in the basic or clinical sciences who have been appointed with the rank of Professor, Associate Professor, Assistant Professor, Instructor or Clinical/Adjunct Faculty. Other administrators whose functions are in part academic may be appointed to Faculty status by the Dean, after consultation with the President and subject to the approval of the Board. Except as otherwise noted herein, Faculty status shall be conferred only upon those individuals who meet the academic criteria set forth herein. Evaluation of qualifications for Faculty status and rank shall be a function of the Associate Dean and CAPR, which shall convey its recommendations to the Dean for review and forwarding to the President.

Each Faculty Member shall be provided with a copy of the Handbook, Bylaws and Employment Contract at the time of his/her appointment. Applicants shall also be provided with a copy of the Handbook and the Bylaws, it being understood, however, that the Handbook and Bylaws apply only to appointed Faculty Members. Decisions regarding appointment, reappointment, and promotion shall be made in accordance with the Handbook. The appointment/reappointment between each Faculty Member and ACOM shall bind both parties to all policies, procedures and responsibilities described in this Handbook and the Bylaws. Each Faculty Member shall be assigned an appropriate appointment classification and academic rank as defined in Chapter II.

Section 4 Duties of Faculty Members

Faculty Members shall fulfill the instructive, clinical, investigative, scholarly and administrative responsibilities set forth in the Handbook, Bylaws, and Employment Contract including, without limitation, classroom teaching and preparation thereof, consultation and interchange with students and colleagues, scholarly research for publication or professional enrichment and service to ACOM, including committee and administrative assignments.

Subject to the approvals of the Dean and President and consent of the Board, the Faculty shall have the primary responsibility for recommendations regarding such fundamental academic matters as admission standards, curriculum content and implementation, standards for grading, research and those aspects of student life which relate to the educational process. The faculty establishes the requirements for graduation in accordance with accreditation guidelines and by a vote of the general faculty acknowledge that a student has met said requirements and is eligible to graduate. They recommend to the Dean those eligible to graduate and the Dean, with the recommendation of the Faculty, approval of the President and the Board, processes the student for graduation. Faculty Members may be requested to certify attendance, participation and competency of individuals enrolled in their post-doctoral training programs. In addition, the Faculty shares a major responsibility for matters relating to Faculty status such as Faculty promotion, grievances and other matters related to the attainment and maintenance of professional competence and excellence.

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Chapter II

FACULTY CLASSIFICATION, RANK, AND APPOINTMENT

Section 1 Classification of Faculty Appointments

- a. **Full Time.** Full Time Faculty Members devote the majority of their professional time (40 Hours) and efforts to the responsibilities of their appointment, shall receive salaried compensation and shall be entitled to receive full fringe benefits, which shall be equitable for all Full Time Faculty as provided in the applicable benefits publications.
- b. **Part Time.** Part Time Faculty Members shall perform specific administrative, teaching or research duties and may receive compensation for these activities from ACOM. Appointments from .1 to .9 FTE are entitled to pro-rata benefits.
- c. **Guest Faculty (Adjunct)** Guest Faculty (Adjunct) contribute to the curriculum during academic years one and two are contracted on an hourly basis. They serve as independent contractors are used to deliver specialized course content consistent with their expertise.
- d. **Volunteer.** Professionals of affiliated hospitals and others who volunteer their administrative, clinical, teaching or research activities to augment the educational programs of ACOM shall be designated Volunteer Faculty.
- e. **Clinical Faculty (Adjunct).** This term is used to describe clinical faculty who do not hold Full Time or Part Time appointment, but who contribute content to the curriculum during academic years three and four on an hourly basis or independent contract for special services rendered.

Section 2 Appointment Letters

Appointment letters shall specify the Faculty Member's classification and rank.

Section 3 Academic Rank

At the time of appointment, the initial Faculty rank established shall depend on the satisfaction of the following qualifications: Appointments shall be made, under the procedures set forth in Section 5 of this Chapter, to the following academic ranks: Professor, Associate Professor, Assistant Professor, Instructor and Clinical/Adjunct Faculty.

Academic rank as set forth herein is subject to and limited by those restrictions set forth in Section 4 of this Chapter.

- a. **Qualifications.** Each Faculty Member shall meet the following qualifications for the ranks indicated:
 1. *Professional Education and Specialty Certification for Professorial Ranks:* Each Professor, Associate Professor and Assistant Professor shall possess an earned doctorate/terminal degree. Each Professor and Associate Professor shall be Board Certified where applicable. Each Assistant Professor shall either be Board Certified or Board Eligible where applicable. Each person holding professional rank shall be an active member of his/her specialty college, where applicable.
 2. *Professional Education for Instructors:* In certain cases, a candidate with a recently conferred doctoral or equivalent terminal degree may be appointed to the rank of Instructor. In other cases, one who possesses a Bachelor or Masters degree in an area of special expertise, has three (3) or more years of experience in his/her field, and demonstrates unusual ability or skill in teaching, may qualify for appointment as an Instructor. An Instructor without a doctoral degree is not eligible for promotion to Assistant Professor.
 3. *Clinical/Adjunct Faculty* are those professionals in the Clinical and Basic Sciences from affiliated hospitals and other institutions who support and participate in the educational programs of the ACOM.
 4. *Professional Affiliations for all Faculty Members:* Each Faculty Member shall maintain membership in appropriate professional organizations.
 5. *Ethical Standards for all Faculty Members:* Each Faculty Member shall maintain high standards of ethical behavior and professional integrity to include, without limitation, compliance with both Alabama College of Osteopathic Medicine ethical standards and the AAUP Statement on Professional Ethics. All Clinical Faculty members also will adhere to the AOA Code of Ethics.

Section 4 Categories of Rank

Each Faculty Member shall be considered to be in one of the following categories:

- a. **Instructor**

A candidate for appointment to the rank of Instructor must have an appropriate record of educational achievement or relevant experience or both and must have the potential to be an effective teacher. All Instructors are expected to demonstrate a high level of performance in the classroom, to contribute to instructional effectiveness in assigned courses, and to engage in outreach/academic citizenship.

b. Assistant Professor

Appointment to the rank of Assistant Professor is based on educational achievement or related professional experience or both and upon potential for outstanding instructional effectiveness and for scholarly contributions appropriate to his/her discipline and fields of specialization. The candidate normally should have completed a doctoral program or other terminal academic program appropriate to the discipline. There should be substantial evidence to indicate that the individual has the capabilities and competencies required for successful performance of all anticipated professional responsibilities. All faculty members at the rank of Assistant Professor are expected to maintain a good level of performance in the classroom and/or other appropriate instructional settings; to contribute to the overall instructional effectiveness of the academic programs in which they have assigned duties; to engage in an ongoing program of research, publication, creative activity, and scholarly efforts appropriate to their discipline and fields of specialization; and to engage in outreach/academic citizenship appropriate to one's area and expertise. All faculty members at the rank of Assistant Professor are expected to maintain a good level of performance in the classroom and/or other appropriate instructional settings; to contribute to the overall instructional effectiveness of the academic programs in which they have assigned duties; to engage in an ongoing program of research, publication, creative activity, and scholarly efforts appropriate to their discipline and fields of specialization; and to engage in outreach/academic citizenship appropriate to one's area and expertise.

Associate Professor

Appointment to the rank of Associate Professor is based upon a candidate's instructional effectiveness and record of scholarly contributions appropriate to his/her discipline and fields of specialization; however, candidates who have no prior record at the rank of Assistant Professor may be appointed at the rank of Associate Professor provided they possess a combination of educational achievement and professional contributions which gives them the capabilities and competencies required for successful performance at the Associate Professor rank and also the professional stature commensurate with that rank.

All faculty members who hold the rank of Associate Professor are expected to approach a standard of outstanding performance in the classroom and/or other appropriate instructional settings; to make a strong contribution to the overall instructional quality of the academic programs in which they have assigned duties; to engage in an ongoing and substantive program of research, publication, creative activity, and scholarly efforts appropriate to their discipline and fields of specialization; and to engage in outreach/academic citizenship appropriate to one's area and expertise.

Professor

Appointment to the rank of Professor is based upon a candidate's instructional effectiveness and record of scholarly contributions appropriate to his/her discipline and fields of specialization; however, candidates who have no prior record at the rank of Associate Professor may be appointed at the rank of Professor provided they possess a combination of educational achievement and professional contributions which gives

them the capabilities and competencies required for successful performance at the rank of Professor and also the professional stature commensurate with that rank.

All faculty members who hold the rank of Professor are expected to contribute to the leadership of academic programs; to maintain an outstanding level of effectiveness in the classroom and/or other appropriate instructional settings; to make a strong contribution to overall instructional quality; to engage in an ongoing and substantive program of research, publication, creative activity, and scholarly efforts appropriate to their discipline and fields of specialization; and to engage in outreach/academic citizenship appropriate to one's area and expertise.

Section 5 Initial Appointment and Reappointment

- a. **Procedure for Appointment and Assignment of Rank.** The recommendation for appointment of a new Faculty Member shall be the responsibility of the Associate Dean after consultation with members of the division. The credentials of the nominee shall be reviewed by the Associate Dean, who has the responsibility to review the applicant's qualifications and recommend the appropriate rank to the Dean. The Dean shall be responsible for making final determinations on all Faculty appointments (including, without limitation, the assignment of rank), subject to the approval of the President.
- b. **Independence of Hospital and Faculty Appointments.** Appointments to the Faculty and appointment to any hospital Medical Staff are separate processes. An appointment to a Medical Staff does not automatically convey Faculty status.

Section 6 Identification Cards

All Faculty Members shall be issued identification cards when appointed. The card is considered property of ACOM and shall be worn while on campus. The card shall be surrendered to the Dean upon severance from the Faculty for any reason.

Section 7 Policy on Contractual Authority

Faculty Members shall not bind ACOM contractually (e.g. ordering equipment, books and supplies) without authorization. Appropriate forms shall be executed, and action obligating ACOM shall have the written approval of the Dean, or his/her designee, who shall comply with established procedures and policies.

Section 8 Standard Faculty Requirements

Full Time Faculty Members shall be provided with adequate laboratory space, office space, support personnel and the resources to implement their responsibilities, all as determined at the discretion of the Dean, who shall consider the recommendations of the appropriate Division

Chair, Associate Dean and other administrative personnel.

a. **Terms and Conditions of Faculty Appointments.**

1. *Term of Appointment.* Faculty appointments may be made at any time. The term of Initial Appointment shall not extend beyond the end of the Academic Year in which the first anniversary of the appointment occurs. On or before 90 days remaining in the Initial Appointment, and annually, thereafter, the Dean or his designee shall meet with the Faculty Member to evaluate and discuss performance, salary and rank. Subsequent terms of appointment may not exceed three (3) years.
2. *Notification in Writing.* Decisions regarding appointment, reappointment, and promotion shall be made only in accordance with the procedures of this Handbook and the Bylaws. At the time of appointment or reappointment, the Faculty Member shall be advised, in writing, of the rank, salary, and duration of appointment.
3. *Notice of Reappointment and Non-reappointment of Full Time Faculty.* Faculty may be retained on an annual or multi-year appointment/reappointment upon recommendation by the Associate Dean to the Dean, and subject to the approval of the ACOM Board and the President. Failure to reappoint a Faculty Member at the end of his/her initial appointment shall not be reason for grievance.

Reappointment shall be specific and made in writing. The actual terms and conditions of a reappointment must be incorporated in the employment contract. There is no guarantee that reappointment will be made under the same, or substantially the same, terms and conditions of an earlier appointment.

If reappointment is not intended, ACOM will give notification, in writing, 90 days prior to the date of termination, except when ACOM's decision is not for reappointment for a reason set forth in Chapter IV of this Handbook,

Section 9 Resignation by Faculty Members

A Faculty Member may resign his/her appointment, effective at the end of an Academic Year. Notice of intent to resign should be given at the earliest possible opportunity, and in no event later than within thirty (30) days of receiving the reappointment. A Faculty Member may properly request a waiver of this requirement of notice from the Dean in case of hardship or in a situation where he/she would otherwise be denied substantial professional advancement of other opportunity.

A Faculty Member shall be deemed to have resigned his/her appointment by failing to accept and return his/her appointment thirty (30) days after the date the reappointment is mailed or hand-delivered to the Faculty Member or delivered to a recognized courier service by ACOM, whichever is later. In the event such date is a Saturday, Sunday or legal holiday, then the reappointment shall be returnable the next business day. Failure to so accept and return such reappointment by the required deadline shall result in the Faculty Member's automatic resignation, unless excused by the Dean. In order to meet the above stipulations, backdating of

reappointments by either party shall not be permitted.

Upon resignation, a Faculty Member shall be compensated for vacation accrued, but unused to such time if the minimum time meets with the vacation accrual policy. Resignations will not qualify for grievance proceedings.

Section 10 Dean's Power to Make an Appointment which Varies from Handbook

Subject to the approval of the Board and President, the Dean, may offer any Faculty Member or prospective Faculty Member an appointment which differs in terms of specific provisions, rank or otherwise from this Handbook. Such a non-conforming appointment shall be offered only under extraordinary circumstances. Such appointment shall be reviewed periodically by the Dean, so that the Dean may assess the continued need for the appointment. The Dean shall encourage the Faculty Member to come into compliance with established qualifications for all Faculty Members wherever possible.

Section 11 Effect of Time Limits

- a. Circumstances may cause the time frames set forth in this Handbook to be modified at the discretion of the Dean and President.

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Chapter III PROMOTION

Section 1 Annual Evaluation Process

Each Full Time Faculty Member will receive a mandatory annual review of his/her professional performance. The purpose of the annual review is to inform a Faculty Member of his/her progress toward promotion, of any areas of deficiency and of suggested remediation in a timely manner. At the annual review, the Faculty Member shall be informed by the Associate Dean of all matters relevant to eligibility for promotion. The criteria are proficiency in teaching, research and other scholarly work, clinical competence, where applicable, and service to ACOM. The Faculty Member shall cooperate with the process to ensure that the file on which the review is based contains all relevant material. The Faculty Member shall receive the written evaluation, which shall become part of his/her record. The Faculty Member shall be afforded the opportunity to comment, in writing, on the evaluation and any such comment shall also become part of his/her record. The Faculty Member also shall have the right to place additional relevant material into his/her record.

The evaluation form and process shall be approved by the Dean on the recommendation of the Deans Cabinet with input from each division.

The responsibility for implementing Faculty evaluation procedures which adequately reflect the Faculty Member's previous year's performance lies with the individual Associate Dean who shall be held accountable for ensuring a timely review by the Dean.

Section 2 Promotion

- a. **Criteria for Promotion.** Proficiency in teaching, research and other scholarly work, clinical competence when applicable, and service to ACOM are the criteria to be considered in evaluating a candidate for promotion. A candidate for promotion from Assistant Professor to Associate Professor should excel in at least one of these categories and exhibit competence in all others. Associate Professors being considered for promotion to Professor should excel in at least two areas. Flexibility should be maintained in balancing distinguished productivity in one area against less productive accomplishments in another. At the time of evaluation, the overall effectiveness and productivity of the individual shall be the primary consideration. Promotion to

any rank is a recognition of past achievement and a sign of confidence in the individual's potential for continuing growth and accomplishment.

The evaluation of teaching quality is a critical aspect of the process. The prime characteristics of an effective Faculty Member are intellectual competence, skill in communication, integrity, independence, flexibility, a collegial attitude toward his/her peers, a positive attitude toward innovative course development and teaching methods, and enthusiasm for teaching and stimulating the intellectual interest of students. Therefore, evaluation material shall include evidence drawn from sources such as students, student advisees and peer reviews of performance.

Attainment of the highest possible level of medical care for patients and clinical training programs for students shall be considered in the evaluation of clinical competence.

For the evaluation of research and other scholarly work, the following evidence is expected: publication refereed in professional journals and/or books, production of educational materials, and presentations at professional meetings, seminars and symposia. Quality of work shall be considered more important than mere quantity. The candidate should accomplish definite continuing programs of studies, investigations or other appropriate works.

Service encompasses regional, national and international Committee work, other endeavors which enhance the prestige of ACOM, and administrative duties at a level that is significant within ACOM.

Prior service at another academic institution may be considered in applying the criteria listed below for promotion review. If denied promotion, an individual may reapply for review after one (1) Academic Year.

b. **Procedure for Promotion.** Recommendations to the Committee on Appointment, Promotion and Rank for promotion normally shall originate from the Associate Dean; however, any Faculty Member whose Associate Dean is unwilling to recommend promotion may request evaluation by the CAPR. In any case, the following documentation shall be forwarded to the CAPR:

1. *Letter of Proposal* – The Associate Dean shall address a letter of proposal to the Chair of the CAPR providing the following information:
 - a) The candidate's present rank and the effective date of the proposed change in rank;
 - b) Evaluation of the candidate's teaching ability and the extent of his/her responsibility;
 - c) Evaluation of clinical performance where applicable;
 - d) The quality, originality and significance of the candidate's research, including a description of any work in progress, publications and grant-seeking activity.
 - e) The candidate's administrative and/or other service to the Department and ACOM.
 - f) The candidate's role in Divisional programs.
 - g) The candidate's ethical and professional integrity; and
 - h) A discussion of the collegial manner by which the faculty member performs their

obligations within the college.

When a Faculty Member originates the promotion review, he/she shall notify the Associate Dean who shall submit a statement to the CAPR through the President of the Faculty Assembly giving reasons for his/her non-concurrence. The candidate shall be provided copies of this statement, his/her annual evaluation, and other records from the candidate's Associate Dean as necessary.

2. *Letter of Application* – A letter of application to the CAPR also shall be submitted by the candidate through the President of the Faculty Assembly. The letter shall state the candidate's agreement to a thorough review and investigation of supporting information and other matters deemed appropriate by the CAPR pertaining to the candidate's application.
3. *Supporting Letters* – Supporting letters must be submitted in addition to the letters of proposal and application described above. The support letters should contain information and/or opinion regarding the areas listed above. The number and type of support letters needed are determined by the proposed rank of the candidate as described below.

Instructor: One letter from inside or outside ACOM.

Assistant Professor: Two letters, at least one of which must come from outside ACOM

Associate Professor or Professor: Four letters total, at least two of which must come from outside ACOM. .

4. *Curriculum Vitae* – The candidate shall submit a curriculum vitae, which contains the information listed below:
 - a. Name in full;
 - b. Education, including calendar years attended and degrees granted for college(s) and graduate or professional school(s);
 - c. Postgraduate training listed chronologically;
 - d. All positions held, listed chronologically, including consulting positions;
 - e. Certifications and licensure (where applicable)
 - f. Military service (where applicable);
 - g. Honors and awards;
 - h. Membership and offices held in professional societies;
 - i. Editorial positions;
 - j. Service on national grant review panels, study sections and Committees;
 - k. ACOM and/or institutional committees and administrative service
 - l. Sponsorship of post-doctoral fellows or candidates for postgraduate degrees;
 - m. Current teaching responsibilities;
 - n. Grant support, listing year of award(s), granting agency and candidate's role in grant;
 - o. Bibliography, listed under the headings: (i) published papers; (ii) books and

chapters in books; *(iii)* abstracts, letters to the editor and book reviews; *(iv)* items in press or submitted for publication; and *(v)* work in progress. If the candidate has no publications, this fact should be stated.

- p. Reprints of the applicant's three most significant publications should be submitted with the curriculum vitae; and
- q. Any other information, which may be relevant.

The recommendations of the CAPR to grant or deny promotion shall be transmitted to the Associate Dean and the President of the Faculty Assembly. The Dean has ultimate responsibility for the promotion determination, subject to the approval of the President.

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Chapter IV

TERMINATION AND SUSPENSION

Section 1 Termination or Suspension of Faculty

During a term of appointment, , a Faculty Member may be terminated or suspended only pursuant to this Handbook's procedures or as otherwise provided by appointment/reappointment. Suspension, termination or threat thereof may not be used to restrain or interfere with Faculty Members in their exercise of academic freedom or other rights of citizenship. Resignation does not constitute termination or suspension within the meaning of this Article. Faculty Members who are terminated or suspended pursuant to any of this Article IV, are not entitled to severance.

Section 2 Termination

Termination for Just Cause.

The Dean/Chief Academic Officer (CAO) may terminate this Agreement at any time for "just cause," which termination would be immediate, with no additional compensation due to the Faculty Member. In addition to any of its other normally understood meanings in employment contracts, "just cause" shall include the following: (Just cause judgments by the CAO are exercised under the standard of proof of "more likely than not", without requirement for legal counsel.)

- a. This contract will be termed if satisfactory completion of a physical exam, drug screen and nicotine screen, reference checks, and conviction checks are not completed prior to hire date;
- b. A deliberate or serious violation of the duties set forth in this Agreement and the Employment Contract or refusal or unwillingness to perform such duties in good faith and to the best of the Faculty Member's abilities;
- c. A violation of any of the other terms and conditions of the Employment Contract not remedied after 60 days' written notice thereof to the Faculty Member; Any conduct of the Faculty Member that constitutes moral turpitude, or that would tend to bring public disrespect, contempt, or ridicule upon ACOM;
- d. A deliberate or serious violation of any law, rule, regulation, Constitutional provision or bylaw of ACOM, or local, state, or federal law, which violation may, in the judgment of the CAO, reflect adversely upon ACOM;
- e. Prolonged absence for greater than three days from duty without the CAO's or his designees consent.

Termination without Cause.

The Dean/Chief Academic Officer (CAO) may terminate this Agreement prior to its normal expiration, without cause, which, in addition to any of its other normally understood meanings in employment contracts, shall include the following situations:

- a. Regardless of any other provision of this Agreement, this Agreement shall terminate automatically if the Faculty Member dies or becomes totally disabled, or totally incapacitated or incapable of carrying out his/her duties;
- b. If the CAO deems the Faculty member disabled, totally incapacitated, or incapable of carrying out his/her duties, ACOM reserves the right to require the Faculty Member to submit to a medical examination, either physical or mental. Such examination shall be performed by a physician licensed to practice medicine in all of its branches, selected and paid for by ACOM. Failure to submit to such an examination shall be grounds for immediate termination.
- c. ACOM may exercise the right not to renew at any time by delivering to the Faculty Member written notice of ACOM's intent to not to renew this Agreement without cause, which notice shall be effective no less than 90 days after the date the notice is delivered. In such event, the Faculty Member shall be entitled to compensation only through the effective date.

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Chapter V GRIEVANCE PROCEDURE

Section 1 Purpose of Grievance Procedure

The procedure provided herein shall be utilized to review all grievances arising from a Faculty Member's claim that an adverse action has been taken affecting his/her term of appointment, promotion, or conditions of employment and which is (a) arbitrary and capricious; (b) discriminatory or otherwise in violation of the law; or (c) not in compliance with this Handbook or the Bylaws. In the case of an administrator who is also a faculty member, the review functions of the Grievance Procedure shall apply only to his/her faculty responsibilities. Failure to reappoint a Faculty Member at the end of his/her initial appointment shall not be subject to grievance. Resignations shall not be subject to the procedure.

All documentation/evidence which is gathered pursuant to the procedures of either an informal or formal review shall be kept in a confidential file separate from personnel files and released upon request only by the Faculty Member(s) and members of the administration involved in the procedure and the Grievance Committee or pursuant to a subpoena or order of a court of competent jurisdiction or by statutory authority vested in government agencies. All persons named in the documents of this confidential file shall have the right to read the parts in which they are named, along with relevant contexts, and to make a written response that shall be included in the file. The Dean shall notify those named in the file of their right to read and respond.

The alleged adverse action shall be effective while it is being grieved, unless otherwise agreed to by the Dean, with the consent of the Board. In the event of the absence of the Dean, President of the Faculty Senate or other Person responsible for implementing the grievance procedure, the Person authorized to assume that Person's responsibilities shall also act under the grievance procedure.

Section 2 Informal Grievance Procedure

A Faculty Member (Grievant) shall advise his/her academic supervisor of his/her grievance within five (5) working days of when the Faculty Member becomes aware of the alleged violation. When the grievance is brought to the attention of the academic supervisor, it shall be the responsibility of the academic supervisor to promptly schedule a meeting with the Grievant

within five (5) working days of being advised of the grievance and listen, analyze and explain applicable policy and procedure in an attempt to promptly resolve the grievance.

If the grievance is not resolved by this process within seven (7) working days of the meeting or the academic supervisor fails to promptly schedule a meeting, the Faculty Member may initiate the formal grievance procedure.

Section 3 Formal Grievance Procedure

The formal procedure begins after the informal procedure has been completed or the Grievant's academic supervisor has failed to promptly schedule a meeting with the Grievant. At that time the Faculty Member presents a written request for formal review in writing to the Dean and the President of the Faculty Assembly. The request for formal review shall be submitted within five (5) working days after the Faculty Member has been provided a proposed resolution or where the academic supervisor fails to promptly schedule a meeting, within ten (10) working days after the Grievant notified his/her academic supervisor of the grievance. The President of the Faculty Assembly shall forward the request for formal review to the Chair of the Grievance Committee within two (2) working days of receipt of such request. Although the request for formal review requires no particular format, the Faculty Member shall include the following information in the written request:

- a descriptive statement of the facts and circumstances which provide the basis for the request for formal review;
- a description of attempts to resolve the problem on an informal basis and the results of these attempts;
- a description of the manner in which the aggrieved action adversely affects his/her term of appointment, promotion, tenure or conditions of employment and is (a) arbitrary and capricious; (b) discriminatory or otherwise in violation of the law, or (c) not in compliance with this Handbook or the Bylaws; and
- the signature of the Faculty Member and the date of the submission of a request for formal review.

a. Grievance Committee Proceedings.

The Grievance Committee shall convene to review the matter within ten (10) working days after the receipt of a written request from the President of the Faculty Assembly for formal review. The scope of the Grievance Committee review shall be whether the proper procedures were followed in connection with the aggrieved action. Any Person who is or was a principle in the grievance or is otherwise determined to have a conflict of interest shall not serve as a member of the Grievance Committee during this review and his/her position will be considered temporarily vacant. The Dean shall not participate in the Grievance Committee proceeding, but his/her membership position will not be considered vacant.

The Grievance Committee shall meet with the Grievant and the appropriate administrative representative either individually or jointly. The Grievance Committee may also request information from other Persons and may convene a meeting during which information is presented by other members of the ACOM community. Any meeting need not be conducted strictly according to rules of evidence or procedures applicable in courts of law; the chair of the Grievance Committee shall make a determination as to the actual procedures to be used at the meeting and the relevancy of any matter. A record of any meetings conducted by the Grievance Committee shall be made by tape recording or other means, by a designated member of the Grievance Committee. The Grievance Committee may obtain expert advice, including legal counsel, as it deems necessary with approval of the Dean.

After the Grievance Committee has reviewed all relevant material, it shall prepare and convey a written determination to the Dean and the President of the Faculty Assembly within five (5) working days of completion of its meetings, but in no event later than twenty-five (25) working days from the date of receipt of the formal request for review, unless otherwise agreed to by the Dean. The findings as to whether the proper procedures were complied with in connection with the aggrieved action, the vote count (ayes, nays and abstentions) and the rationale by which the Grievance Committee made its findings shall be transmitted to the Dean and the Grievant. Members of the Grievance Committee who dissent from the findings of the majority may report their dissent in writing. Their separate report(s) shall be included with the majority findings that are transmitted to the Dean and the Grievant and shall become part of the record. The Grievant and the Dean are entitled to a written record of the grievance proceedings and the findings of the Grievance Committee.

b. Review by the Dean.

Within ten (10) working days of receipt of the Grievance Committee's report, the Dean, upon consideration of the relevant information, including the Grievance Committee's findings regarding compliance with the applicable procedures shall prepare, in writing, findings regarding the action aggrieved, and shall provide it to the Grievant. The Dean may, but need not, request additional information or a meeting with any Person. The Dean may, at his/her discretion, refer other aspects of grievance for review and recommendation by the Grievance Committee. In the event no appeal is filed, the written findings and recommendations of the Dean shall be final, unless the authority to render a final decision rests with another Person, in which case the Dean's recommendation shall be forwarded to that Person for action. In the event such another Person modifies or reverses the Dean's recommendation, the Grievant may appeal that determination to the President following the procedures for appeal of the Dean's determination with the relevant copies and opportunity for response being provided to the Person who rendered the decision.

c. Appeal of the Dean's Determination.

The Grievant shall have seven (7) working days to file an appeal of the Dean's determination to the President. The appeal shall be made in writing and shall specify the reasons for the

appeal. The appeal shall be provided to the President with a copy to the Dean. The Dean may submit a written response to the appeal within five (5) working days of his/her receipt of the appeal and shall provide a copy of such response to the Grievant. The Grievant may respond, in writing, to the Dean's submission, within three (3) working days of receipt of any such submission.

The President shall review the grievance, the appeal and response, as well as all other information deemed relevant, including, without limitation, the findings submitted by the Grievance Committee and the Dean to determine whether the decision was justified. New or additional matters not raised at an earlier stage shall only be raised under circumstances, which indicate that such matters are necessary in the interest of fundamental fairness, and the President shall, in his/her sole discretion, determine whether new matters shall be considered. The President may affirm, modify, or reverse the decision of the Dean. The President shall notify the Grievant and the Dean.

No Faculty Member shall be subject to retaliatory action as a result of bringing a charge or participating in any grievance or appeal proceeding.

Section 4 Exclusivity / Exhaustion of Remedies

The grievance procedure established herein is the exclusive remedy available to Faculty Members and a decision rendered by the President shall be final and binding on all parties.

FACULTY HANDBOOK



Chapter VI GENERAL POLICIES

This section outlines specific Faculty policies as they relate to research, sabbatical leave and other professional endeavors. Faculty Members should consult the ACOM Policies and Procedures Manual for a full listing and detail of all policies.

Section 1 Intellectual Property Rights

- a. Unless otherwise agreed upon in advance in a written agreement signed by the Dean of the Alabama College of Osteopathic Medicine (ACOM), all rights in and to any intellectual property developed, written, designed, discovered or created by the Employee during the employment by ACOM and for a period of three (3) years after the termination thereof, shall belong exclusively to ACOM. In consideration of the employment of the Employee by ACOM, Employee hereby irrevocably assigns and transfers to ACOM all rights in and to any computer programs, operating systems, applications, inventions, concepts, ideas, discoveries or any other intellectual property rights developed, written, designed, discovered or created by Employee during the term of employment by ACOM or for a period of three (3) years following the termination of said employment. Employee hereby irrevocably assigns and transfers to ACOM all of Employee's rights to any patents, trademarks, copyrights, or other registrations applicable to all rights in and to any computer programs, operating systems, applications, inventions, concepts, ideas, discoveries or any other intellectual property rights developed, written, designed or created by Employee during the term of employment by ACOM or for a period of three (3) years following the termination of said employment.

Employee agrees to keep and maintain adequate and current written records of all intellectual properties or inventions made, developed or created by Employee (solely or jointly with others) during the term of his or her employment with ACOM. The records will be in the form of notes, sketches, drawings, programs and any other format that may be specified by the ACOM. The records will be available to and remain the sole property of the ACOM at all times.

Employee acknowledges that during his or her employment by ACOM, Employee will have access to proprietary information, methods and operations of ACOM. Employee agrees that he or she will not disclose or utilize any such proprietary information without the prior written consent of ACOM.

- b. **Patent Management.** ACOM may utilize the services of independent patent managers to evaluate inventions for their commercial and scientific utility, administer patent applications, develop commercial license agreements, and defend patents against infringement. ACOM may assign, or arrange for assignment to the patent manager its right, title and interest to all inventions so administered. ACOM reserves the right to use the services of a patent manager for any and all inventions in which ACOM may be entitled to own patent rights under the provision of this policy.
- c. **Administration of Inventions.**
1. Upon creation, all inventions or discoveries shall be fully and promptly disclosed to ACOM in writing in a uniform manner on an Invention Disclosure Form, which shall record:
 - a) the date the invention was conceived;
 - b) a detailed description of the invention;
 - c) any awareness of relevant prior art;
 - d) prior publications relevant to the invention;
 - e) circumstances under which the invention was conceived and/or reduced to practice, with specific reference to:
 - 1) the project or program sponsor, if any; and
 - 2) whether the invention is within the Faculty Member's scope of employment and the extent, if any, that the invention was conceived or developed, with the use of (and the work leading up to the invention utilized) ACOM funds, equipment, facilities or other resources.
 2. All inventions or discoveries shall be disclosed by the Inventor through the appropriate Associate Dean to the Dean.

Section 2 Ethical Policies for Conducting Research and Misconduct in Research

a. **Definitions.**

1. *Researcher – any faculty, staff member or student who engages in research.*
2. *Human subject – a living individual about whom an investigator (whether professional or student) conducting research obtains data through intervention or interaction with the individual, or identifiable private information.*
3. *Research – a systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge. Activities which meet this definition constitute research for purposes of this policy, whether or not they are conducted or supported under a program which is considered research for other purposes. For example, some demonstration and service programs may include research activities.*
4. *Deception – when a human subject is deliberately given false information in the course*

- of research by a researcher.*
5. *Misconduct – fabrication, falsification, plagiarism, or other serious deviation from accepted practices in proposing, carrying out, and/or reporting results from research or other scholarly activity.*
 6. *Allegation – written or oral statement of possible misconduct made to a member of the Dean’s cabinet.*
 7. *Complainant – person who makes an allegation of research misconduct.*
 8. *Inquiry – system by which information is gathered to determine whether an allegation or apparent instance of research misconduct warrants an investigation.*
 9. *Investigation – the formal examination and evaluation of all relevant facts to determine if misconduct has occurred and, if so, to determine the responsible person and the seriousness of the misconduct.*
 10. *Respondent – the researcher against whom an allegation of research misconduct is directed. There can be more than one respondent in any inquiry or investigation.*
 - 11.

b. Obligation to Human Subjects

1. *Researchers at the Alabama College of Osteopathic Medicine have an ethical obligation to:*
2. *Inform subjects of a research project of all features of the research that may have an effect on their willingness to participate in a research project.*
3. *Respect the freedom of subjects to decline participation or to withdraw from participation in research at any time.*
4. *Honor all commitments and responsibilities that they make to subjects in the research project.*
5. *Protect subjects from physical or mental discomfort, distress, harm or danger.*
6. *Obtain written informed consent from human subjects.*
7. *Protect the anonymity and/or confidentiality of subjects to the extent possible and practical and not disclose personally identifiable information that has been collected during the conduct of research projects.*
8. *Explain, at the conclusion of the research project, why concealment of information or deception was necessary if it was required as part of the validity of a research project.*

MISCONDUCT PROCEDURES

Complaint

Anyone having reason to believe that a member of the faculty, staff, or student body has engaged in misconduct in research or other scholarly activity should consult with the appropriate Department Chair or Associate Dean. If the result of such discussion confirms the seriousness of the allegation, the matter then shall be reported, in writing, to the Dean's Council. The identity of the complainant will be kept confidential during the inquiry. Persons who knowingly falsify allegations of misconduct shall themselves be subject to disciplinary action. If the individual making the informal allegation chooses not to make a formal allegation, but the Department Chair or Associate Dean believes there is sufficient cause to warrant an inquiry, the matter will be pursued without a complainant.

Inquiry

Upon receipt of the allegation, the Dean's Cabinet will convene a board of inquiry or members as designated by the Dean's Council. The inquiry normally should be concluded within 30 days. If the inquiry cannot be completed within the 30 days, the board of inquiry must submit a report citing the reasons for the delay and progress to date. If the allegation is serious enough to warrant interim administrative action prior to completion of the inquiry, the Dean's Council must approve such action. Interim administrative action will be taken only when there is a possibility of additional damage if a research program continues and can consist of an order to stop specified research activities. This interim administrative action should not be considered in the assessment of guilt of the respondent. If the evidence brought forward during the inquiry supports the allegation, the respondent will be given an opportunity to respond in writing to the allegations prior to the completion of the inquiry.

The Dean's Council will designate a board of inquiry officer to be responsible for the security and confidentiality of all evidentiary materials relating to the inquiry. It is understood that all involved parties are obliged to cooperate to the fullest in any and all proceedings concerned with securing data related to the case. All materials related to the inquiry will be kept until such time that no further action is required and, at that time, the materials will be destroyed.

The board of inquiry will submit, for the record, a written report to the Dean's Council that outlines the review of evidence and relevant conclusions of the inquiry. The submission of this report will conclude the inquiry. If the board of inquiry concludes that the allegation does not warrant an investigation, the inquiry will be closed, and the appropriate individuals will be notified.

Investigation

If the board of inquiry calls for a formal investigation, the respondent shall be notified and sent a copy of the inquiry report. At this time, the Dean's Council will appoint members of an investigation committee to review the report from the board of inquiry and the misconduct allegation. The investigation must start within 30 days of the date that the inquiry ends or as deemed by the Dean's Council. The investigation committee must be comprised of at least five (5) faculty (or external scholars or persons who have the relevant expertise to examine the allegations) who do not have a conflict of interest. The committee shall conduct a prompt and thorough investigation in order to ascertain the facts of the case and to determine whether the respondent has violated this policy.

The respondent has the right to address the allegations through the presentation of statements and/or documents with respect to the misconduct allegation, to call witnesses, to provide information concerning the matter under investigation, and to cross examine all witnesses called by the investigative committee. The respondent also has the right to obtain an attorney (or other individual) to advise them during the course of the proceedings.

At the end of the investigation, the committee shall prepare a preliminary report that outlines the review of evidence and findings in the investigation with regards to the misconduct allegation. The respondent will receive a copy of this preliminary report and must present a written response within two weeks of receipt of the report. The investigation committee will prepare a final investigation report after the conclusion of the two weeks.

The final investigative report shall contain:

1. The allegations of misconduct
2. The names of the investigation committee
3. The evidence reviewed
4. The conclusions reached by the investigation committee

If a majority of the investigation committee finds that the individual guilty of misconduct, it shall recommend an appropriate course of action to the Dean's Council, who will recommend any disciplinary action to be taken. This report shall be provided to appropriate parties, including the respondent.

Disciplinary Action

Disciplinary action of employees may consist of, but is not limited to, one or more of the following:

1. Letter of reprimand
2. Removal from particular project
3. Special monitoring of future work
4. Probation
5. Suspension
6. Salary reduction
7. Rank reduction
8. Termination of employment

Reporting to External Funding Agencies

The Dean's Council, in compliance with applicable laws, regulations and agreements, will notify external research funders/sponsors if:

1. An board of inquiry recommends a formal investigation
2. Any administrative actions are taken that affect the research project
3. The seriousness of the allegation warrants notification
4. There is an immediate health or environmental hazard concern
5. The funding agency's (or sponsor's) resources, reputation, or other interests require protection
6. Federal action is required to protect the interests of a subject of the investigation
7. The scientific community or the general public need to be informed.
8. There is reasonable indication of a possible criminal violation.

If necessary, the external funding agency (or sponsor) shall be provided with copies of all final reports and decisions resulting from any investigation.

Section 3 Sabbatical Leave

Sabbatical leaves are among the most important means by which the effectiveness of Faculty Members may be enhanced and an institution's academic program strengthened and developed. The major purpose of a sabbatical leave shall be to provide opportunity for continued professional growth and new or renewed intellectual achievement through study, research, writing and travel. Sabbatical leaves shall also be provided in appropriate circumstances for projects of direct benefit to ACOM and for public or private service outside of ACOM.

a. Eligibility.

1. Only Full Time Faculty Members are eligible for sabbatical leave and only after six (6) Academic Years of continued service.
2. Following sabbatical, six (6) Academic Years shall elapse before an individual's eligibility for sabbatical shall be restored.
3. To be eligible for sabbatical leave, the applicant must hold tenure or be a previously appointed Faculty Member.

b. Application Procedures and Decision.

1. Application shall be made to the Dean with the approval of the Division Chair by October 15 of the Academic Year prior to the intended year or semester of sabbatical. A completed application shall signify that the applicant has agreed to abide by the rules governing sabbaticals as described in this Handbook.
2. The Dean shall convey his/her recommendation to the Board through the

President.

3. The Dean shall inform the applicant of the Board's decision within five (5) days following the January meeting of the Board and shall appraise the Faculty Member of the reasons if the application is denied.
 4. When the number of applicants exceeds budget limits, seniority shall determine the priority. Seniority computations shall be based upon the number of elapsed years from the beginning of Full Time employment or elapsed years since previous sabbatical leave, whichever is less. If there is equal seniority between two (2) or more applicants, the matter shall be referred to the Faculty Senate for a recommendation to the Dean.
 5. When the Faculty Member's sabbatical occurs during a semester in which he/she has teaching responsibilities, the Division Chair shall make recommendations to the Dean for hiring a temporary replacement when necessary.
- c. **Duration of Leave.** Sabbaticals shall be either for six (6) or twelve (12) continuous months within one Academic Year. It is possible that under special circumstances, additional time may be granted for special projects or in emergency situations.
- d. **Remuneration.** College-paid Benefits: The College will pay the Faculty Member's full salary while on Sabbatical for six (6) months or half salary while on a Sabbatical up to twelve (12) continuous months.

The College will contribute the usual payments for Faculty benefits (i.e., fringe benefits) during the period of Sabbatical leave.

Every Faculty Member shall be considered in Full Time attendance in the position from which the leave was taken during the period of Sabbatical leave. The Faculty Member shall be eligible to receive consideration for time served on leave towards promotion and tenure as determined by the Dean after considering the recommendation of the CAPR Committee.

Because of the importance of scholarship and research to teaching, the ACOM considers research projects, scholarly writings, and travel as part of one's professional activities during a Sabbatical. Faculty Members are urged to secure external funds to supplement the one-half salary, which is granted for up to a 12-month continuous leave.

- e. **Obligations of Recipients.** Faculty Members, upon taking a sabbatical, contractually obligate themselves for the full refund of salaries and fringe benefits paid to them during the term of the sabbatical should they fail to return to their duties for one (1) Academic Year upon completion of the leave (death or disability excepted). This penalty may be waived with approval of the Board.

The recipient of a sabbatical leave shall submit a written report to the President, the Dean, and the appropriate Associate Dean no later than the end of the semester of his/her return. This report should describe the Faculty Member's professional activities during the sabbatical.

Section 4 Other Professional Endeavors

a. Outside Employment.

1. Full Time Faculty Members shall not engage in outside employment within their professional field (whether as an employee, independent contractor, consultant, or otherwise) while under appointment without prior written approval of the Dean. This provision is intended to be broadly construed.
2. Outside employment or engagement in activity made possible by disclosure of a Faculty Member's ACOM affiliation shall be reported to the Associate Dean in writing by all Faculty Members. ACOM does not discourage Faculty Members from participating in limited professional activities with governmental agencies, professional organizations, industry or other educational institutions.
3. Faculty Members shall not accept employment or engage in business or professional activity which might require disclosure of confidential information acquired as part of the Faculty responsibilities.
4. Faculty Members using ACOM facilities and/or students for profit ventures shall:
 - a) avoid exploitation of students for private gain;
 - b) exercise professional ethics and judgment in the use of ACOM facilities and comply with all ACOM regulations, which may govern these activities;
 - c) reimburse ACOM for facilities used in private ventures; and
 - d) obtain written administrative approval prior to use of students or ACOM facilities for private ventures.

Section 5 Benefits

ACOM shall provide Faculty Members with an annually reviewed benefits package submitted to and approved by the President and Board of ACOM on or before October 1st to be effective January 1st of each year which includes health care coverage, life insurance, short-term and long-term disability insurance, and such other benefits as set forth in ACOM's Employee Benefit Enrollment Guide. The Faculty Member will be responsible for employee portion of benefit costs as set forth in the Benefit Enrollment Guide.

FACULTY HANDBOOK



Chapter VII

FACULTY COMMITTEE AND FACULTY ASSEMBLY GOVERNANCE

Section 1 Faculty Assembly and Committee Structure and Operation

Appendix I of this document contains a table which outlines the committee structure found within ACOM. All committees will appoint chairman who should have the responsibility of running meetings. Meetings of the faculty will be described as the faculty assembly. The faculty assembly shall be composed of all full-time faculty members and those part-time faculty that hold a .1 FTE or greater. The faculty assembly is held to promote exchange of information, open discussion and the promotion of a collegial working environment.

Responsibilities:

1. The President of the Faculty Assembly shall preside at all faculty assemblies meetings.
2. The faculty assembly shall be kept informed of any proposed amendments or revisions to the faculty bylaws that have been proposed by the Bylaws Committee.
3. The faculty assembly shall serve as a form for the dissemination and exchange of ideas between the faculty and administration.
4. Robert's Rules of Order will be utilized to govern the proceedings of the Faculty Assembly and all standing committees

Procedure policies:

1. Faculty assemblies shall be called by the President, Dean, or by the President of the Faculty Assembly.
2. Faculty assemblies shall be conducted at least three times each year.
3. An agenda for the meeting shall be prepared by the President of the Faculty Assembly. Items can be entered in consultation with the Dean, the President or other Full time Faculty. The Secretary of the Faculty Assembly shall be responsible for distributing notices of meetings and copies of the agenda. Minutes of all faculty assemblies will be

distributed within 15 working days of the meeting.

Section 2 Procedure for Formal Review of Faculty Conduct

Whenever a Committee is required to conduct a formal review to determine findings of fact, recommendations and/or conclusions, unless expressly set forth in other sections of this Handbook, the following procedures shall apply:

- a. The request for such a Committee shall be conveyed to the President of the Faculty Assembly who shall constitute an Ad Hoc Committee for these purposes;

The Ad Hoc Committee may hold any preliminary meeting with the affected Faculty Member, which may be useful in resolving the issue before it;

- a. Notice of any proceeding or meeting shall be sent to the affected Faculty Member and the Dean at least twenty (20) days prior to the proceeding. Such notice shall set forth the purpose or purposes of the proceeding or meeting and/or the nature of any charges against the Faculty Member;
- b. The Ad Hoc Committee may make a verbatim record of the proceedings. If recorded, a transcript of the proceedings will be made available to the affected Faculty Member on request, at his/her expense;
- c. The affected Faculty Member may request assistance from the Ad Hoc Committee to obtain necessary witnesses and documentary or other evidence. The Ad Hoc Committee will use its best efforts to provide such assistance within the limits of its authority;
- d. If the Ad Hoc Committee chooses in the interests of justice to use a writing or other form of document in lieu of calling a witness to testify to the facts contained in the document, the Ad Hoc Committee will inform the affected Faculty Member and disclose the document to the affected Faculty Member prior to the proceeding;
- e. Testimony of the Faculty Member or a member of the faculty of another institution may be admitted on the issue of the affected Faculty Member's fitness or qualifications;
- f. The Ad Hoc Committee is not bound to adhere to the strict rules of evidence and may admit any information which it decides is relevant in determining the issues involved;
- g. At the close of the proceeding and after deliberation, the Ad Hoc Committee shall make written findings of fact and recommendations, which shall be submitted to the affected Faculty Member and the Dean. The Findings shall be based solely upon the record of the proceedings; and

- h. The Ad Hoc Committee may request the assistance and/or presence of ACOM counsel at any time.

Section 3 Confidentiality

- a. Neither a Committee member nor a Faculty Member may disclose to anyone other than a Committee member or the Dean, any information concerning any other Faculty Member which the Committee member or Faculty Member has received in the course of evaluating any Faculty Member or in evaluating the findings of any other committee.
- b. Neither a Committee member nor a Faculty Member may disclose any matter discussed at any Committee meeting to anyone other than a Committee member or the Dean.
- c. Neither a Committee member nor a Faculty Member may make any public statement on any matter before the Committee.
- d. Committee members and Faculty Members shall maintain confidentiality of the proceedings and no materials shall be disseminated except upon consent of all interested persons or pursuant to law or to a subpoena or order issued by a court of competent jurisdiction.

Section 4 Conflicts of Interest

Committee members should avoid any conflicts of interest relating to any Committee proceeding, including but not limited to participation by a Committee member who may have been personally involved in an underlying dispute. Committee members should exercise their individual professional judgment to determine whether a conflict exists. Upon the showing of good cause, any Committee member may be removed by the Division Chair of the applicable Committee for conflict of interest. A Committee Director may be removed for conflict of interest by the President of the Faculty Assembly. Committee members may continue to serve if the conflict is fully disclosed to the Committee and all affected persons and the conflict is waived by the Committee and all affected persons.

FACULTY HANDBOOK

Chapter VIII

AMENDMENTS TO FACULTY HANDBOOK



Section 1 Revision of the Handbook

Any Faculty Member, the Dean or the President may request or propose a change to this Handbook. All proposed changes to this Handbook shall be submitted in writing to the Bylaws Committee of the Faculty Assembly for deliberation and a vote of recommendation. The Bylaws Committee's recommendation for or against amendment shall be forwarded, along with a brief explanation of the reason thereof, to the President of the Faculty Assembly who shall place this item on the agenda for the next meeting of the Faculty Assembly. These issues shall be presented to the Faculty Assembly for review, deliberation and a vote of recommendation for or against amendment from the Assembly floor. The President of the Faculty Assembly shall convey a written report of the Association's recommendations to the Dean for administrative action. The Dean shall thereafter forward all proposed amendments, with or without his/her recommendation thereon, to the President and the Board for final action. The Board may act in accordance with, or contrary to, recommendations tendered to it pursuant to this Section 3. This Handbook may not be amended, modified or repealed without following these procedures and without the prior approval of the Board.

Section 2 Authority to Constitute Faculty Assembly

Upon adoption of this Handbook by the Faculty and the Board, the Faculty shall be vested with the authority to organize itself as the Faculty Assembly of ACOM under the Bylaws attached hereto and such other rules as may be adopted for its internal operation and governance. The purpose of the Faculty Assembly shall be to provide for Faculty governance and a forum for consideration and evaluation of all areas of Faculty responsibility.

Section 3 Effective Date of Handbook

This Handbook applies to all Faculty Members as of the date of adoption.

FACULTY HANDBOOK

AAUP Ethics



Statement on Professional Ethics

American Association of University Professors (AAUP)

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

Introduction

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

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

The Statement

1. Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although

professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.

2. As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.
3. As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates, even when it leads to findings and conclusions that differ from their own. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.
4. As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.
5. As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons, they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

FACULTY HANDBOOK

AOA Ethics



AMERICAN OSTEOPATHIC ASSOCIATION (AOA) CODE OF ETHICS

The Faculty of ACOM has adopted the AOA Code of Ethics:

The American Osteopathic Association has formulated this Code to guide its member physicians in their professional lives. The standards presented are designed to address the osteopathic physician's ethical and professional responsibilities to patients, to society, to the AOA, to others involved in health care and to self.

Further, the American Osteopathic Association has adopted the position that physicians should play a major role in the development and instruction of medical ethics.

Section 1. The physician shall keep in confidence whatever she/he may learn about a patient in the discharge of professional duties. The physician shall divulge information only when required by law or when authorized by the patient.

Section 2. The physician shall give a candid account of the patient's condition to the patient or to those responsible for the patient's care.

Section 3. A physician-patient relationship must be founded on mutual trust, cooperation, and respect. The patient, therefore, must have complete freedom to choose her/his physician. The physician must have complete freedom to choose patients whom she/he will serve. However, the physician should not refuse to accept patients because of the patient's race, creed, color, sex, national origin or handicap. In emergencies, a physician should make her/his services available.

Section 4. A physician is never justified in abandoning a patient. The physician shall give due notice to a patient or to those responsible for the patient's care when she/he withdraws from the case so that another physician may be engaged.

Section 5. A physician shall practice in accordance with the body of systematized and scientific knowledge related to the healing arts. A physician shall maintain competence in such systematized and scientific knowledge through study and clinical applications.

Section 6. The osteopathic medical profession has an obligation to society to maintain its high standards and, therefore, to continuously regulate itself. A substantial part of such regulation is due to the efforts and influence of the recognized local, state and national associations representing the

osteopathic medical profession. A physician should maintain membership in and actively support such associations and abide by their rules and regulations.

Section 7. Under the law a physician may advertise, but no physician shall advertise or solicit patients directly or indirectly through the use of matters or activities, which are false or misleading.

Section 8. A physician shall not hold forth or indicate possession of any degree recognized as the basis for licensure to practice the healing arts unless he is actually licensed on the basis of that degree in the state in which she/he practices. A physician shall designate her/his osteopathic school of practice in all professional uses of her/his name. Indications of specialty practice, membership in professional societies, and related matters shall be governed by rules promulgated by the American Osteopathic Association.

Section 9. A physician should not hesitate to seek consultation whenever she/he believes it advisable for the care of the patient.

Section 10. In any dispute between or among physicians involving ethical or organizational matters, the matter in controversy should first be referred to the appropriate arbitrating bodies of the profession.

Section 11. In any dispute between or among physicians regarding the diagnosis and treatment of a patient, the attending physician has the responsibility for final decisions, consistent with any applicable osteopathic hospital rules or regulations.

Section 12. Any fee charged by a physician shall compensate the physician for services actually rendered. There shall be no division of professional fees for referrals of patients.

Section 13. A physician shall respect the law. When necessary a physician shall attempt to help to formulate the law by all proper means in order to improve patient care and public health.

Section 14. In addition to adhering to the foregoing ethical standards, a physician shall recognize a responsibility to participate in community activities and services.

Section 15. It is considered sexual misconduct for a physician to have sexual contact with any current patient whom the physician has interviewed and/or upon whom a medical or surgical procedure has been performed.

Section 16. Sexual harassment by a physician is considered unethical. Sexual harassment is defined as physical or verbal intimation of a sexual nature involving a colleague or subordinate in the workplace or academic setting, when such conduct creates an unreasonable, intimidating, hostile or offensive workplace or academic setting.

Section 17. From time to time, industry may provide some AOA members with gifts as an inducement to use their products or services. Members who use these products and services as a

result of these gifts, rather than simply for the betterment of their patients and the improvement of the care rendered in their practices, shall be considered to have acted in an unethical manner.
(Approved July 2003)

Section 18. A physician shall not intentionally misrepresent himself/herself or his/her research work in any way.

Section 19. When participating in research, a physician shall follow the current laws, regulations and standards of the United States or, if the research is conducted outside the United States, the laws, regulations and standards applicable to research in the nation where the research is conducted. This standard shall apply for physician involvement in research at any level and degree of responsibility, including, but not limited to, research, design, funding, participation either as examining and/or treating provider, supervision of other staff in their research, analysis of data and publication of results in any form for any purpose.

FACULTY HANDBOOK

Ethics & Integrity



Statement of Professional Ethics and Integrity for Administrators & Staff at Alabama College of Osteopathic Medicine

Administrators, Faculty and Staff at the College of Osteopathic Medicine shall act in accordance with the practices listed below, as supported by the Alabama College of Osteopathic Medicine Employee Handbook:

- **Conduct themselves professionally to promote the public’s confidence in the integrity of university.**
- **Pursue excellence in fulfilling the responsibilities of their positions and attaining skills for high job performance.**
- **Engage in ethical and legal business practices in performing their duties.**
- **Practice honesty and integrity in all aspects of their work.**
- **Treat all persons fairly with civility and respect, and without discriminating.**
- **Supervisors have a duty to exercise authority over subordinates in a spirit of respect, fairness, and nondiscrimination.**
- **Avoid any actual or perceived conflict of interest and disclose any potential conflict of interest, financial or otherwise.**
- **Conduct all financial transactions with fiduciary responsibility toward all university stakeholders.**
- **Exercise responsible stewardship toward the university’s property and resources.**
- **Comply with all federal and state laws and regulations and university policies and procedures.**

In addition to complying with these ethical guidelines and university policies and procedures, Alabama College of Osteopathic Medicine administrators and staff are strongly encouraged to follow their own sense of ethical integrity and report actions that they believe are wrong to the appropriate university authorities, as outlined in the Alabama College of Osteopathic Medicine Employee Handbook. Such reporting will be kept entirely confidential and no individual who makes a good faith report will be subject to retaliation as a result of making a report.