



FACULTY HANDBOOK



**ALABAMA COLLEGE OF
OSTEOPATHIC MEDICINE**

REVISION HISTORY

Author	Revision	Effective Date
Faculty Assembly	01	05/10/2013
Faculty Assembly	02	02/15/2015
Faculty Assembly	03	11/14/2022

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 Medicine 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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CHAPTER 1: GENERAL MATTERS

Section 1 Introduction

This Faculty Handbook is a guide for the Faculty of ACOM and is designed to present general information for the Faculty of the ACOM. This Faculty Handbook is not intended to create a contractual relationship between ACOM and its faculty, nor is it intended to create any contractual rights between any faculty member and ACOM. The legal relationship between faculty members and ACOM is defined solely by the contract of employment between ACOM and faculty members. This Faculty Handbook does not alter, amend, or revise any provisions of the employment contract between ACOM and any faculty member. Likewise, this Faculty Handbook does not create any rights of tenure for any faculty member as all faculty of ACOM are non-tenured faculty.

This Faculty Handbook is updated and maintained by the ACOM Faculty Assembly and approved under the principles of jointly shared governance with the ACOM Board of Directors. The policies and procedures referred to herein are intended to reflect the current policies and procedures of ACOM. However, users are cautioned that changes or additions may have become effective since the publication of this Handbook. In the event of a conflict, the current policies and statements that are approved by the ACOM Board of Directors shall take precedence.

Section 2 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 free inquiry, thought, and discussion for each faculty member in their 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 their professional standing or employment status. ACOM supports the American Association of University Professors guidelines, which are herein intended to be advisory only. The *1940 Statement of Principles of Academic Freedom and Tenure* of the AAUP stipulates the following:

Academic Freedom

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.

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.

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 3 Academic Responsibility

ACOM is a community of individuals 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 they speak on the authority of their own work and reputation, not as a representative of ACOM. Such rights and obligations presuppose that the faculty member adequately performs their other academic duties. For specific policy regarding other professional endeavors, see Chapter 6: General Policies, Section 4.

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 their utterances. Hence, the faculty member should at all times show respect for the opinions of others and treat others with dignity and respect.

Section 4 Professional Ethics

ACOM expects its faculty to conduct themselves in an ethical manner. It is the policy of ACOM to require its faculty members to abide by professional and ethical standards applicable to the academic profession. ACOM adopts the statement on professional ethics of the American Association of University Professors as originally adopted by the association in 1966 and revised in 1987 and 2009. That statement provides:

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.

Section 5 Faculty

Faculty members shall be the professionals of instruction, clinical practice, research, and administration in basic sciences, clinical sciences, or medical education who have been appointed with the rank of Professor, Associate Professor, Assistant Professor, Senior Instructor, Instructor, Adjunct Faculty, Affiliate Clinical Professor, Affiliate Clinical Associate Professor, Affiliate Clinical Assistant Professor, or Affiliate Clinical Instructor. 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 upon only those individuals who meet the academic criteria set forth herein.

Each faculty member shall be provided with a copy of the Faculty Handbook and employment contract at the time of their appointment. Applicants shall be provided with a copy of the Handbook upon request; it being understood, however, that the Handbook applies only to appointed faculty members. Decisions regarding appointment, reappointment, and promotion shall be made in accordance with the Handbook. The appointment/reappointment process for faculty members and ACOM shall be governed by the policies, procedures, and responsibilities as described in this Handbook. Each faculty member shall be assigned an appropriate appointment, classification, and academic rank as defined in Chapter 2: Faculty Classification, Rank, and Appointment.

Section 6 Duties of Faculty Members

Faculty members shall fulfill the instructive, clinical, investigative, scholarly, and administrative responsibilities set forth in the Handbook 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 faculty, acknowledges 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 and approval of the President and the Board, processes the student for graduation. In addition, the faculty shares a major responsibility for matters related to faculty status, such as faculty promotion, grievances, and other matters related to the attainment and maintenance of professional competence and excellence.

CHAPTER 2: FACULTY CLASSIFICATION, RANK, AND APPOINTMENT

Section 1 Classification of Faculty Appointments

Appointment letters shall specify the faculty member's classification and rank as indicated below:

A. Full-time Faculty

Full-time faculty members (0.8 to 1.0 FTE) devote the majority of their professional time (40 hours for 1.0 FTE) 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 Faculty

Part-time faculty members shall perform specific administrative, teaching, research and other scholarly activity, service, and patient care (where applicable) duties and may receive compensation for these activities from ACOM. Appointments from 0.5 but less than 0.8 FTE are entitled to pro-rata benefits.

C. Term Appointment

Term-appointed faculty are individuals appointed for a fixed term. Adjunct or Affiliate faculty appointed for up to a three-year term are eligible for reappointment upon request by an Associate Dean or the Dean. Adjunct or Affiliate faculty participate in teaching, research, service, and/or patient care (where applicable) and may be paid for specific tasks.

1. Adjunct Faculty

The prefix "Adjunct" identifies a faculty member whose primary place of employment is not ACOM or who is appointed to give instruction or participate in research on an as needed or discontinuous basis. Adjunct Faculty may hold faculty titles at other academic institutions. They are fully qualified professionals who contribute to the education of ACOM students by participating in teaching or research programs. Adjunct Faculty typically deliver specialized course content consistent with their expertise.

2. Affiliate Clinical Faculty

Affiliate Clinical Faculty are healthcare providers at ACOM-affiliated facilities who contribute to the clinical education of ACOM students.

As a community-based medical school, ACOM is distinctly aware of the important role our affiliate hospitals and Affiliate Clinical Faculty play in our educational program. It is our intent to account and acknowledge the time, commitment, and expertise invested by our affiliated Core Site Medical Education Directors and preceptors who provide our students with high-

quality clinical experiences. Those who demonstrate an interest in a formal faculty role are reviewed for eligibility and may be granted an Affiliate Clinical Faculty appointment. They may hold faculty titles at other academic institutions. Affiliate Clinical Faculty roles include ACOM Core Site Medical Education Directors, preceptors, and others who provide supervision and training at off-campus clinical sites for ACOM students.

Affiliate Clinical Faculty will be appointed to one of the following ranks:

1. Affiliate Clinical Professor
2. Affiliate Clinical Associate Professor
3. Affiliate Clinical Assistant Professor
4. Affiliate Clinical Instructor

Affiliate Clinical Faculty are eligible for promotion. Promotion to a higher rank will be determined through application of the **Affiliate Clinical Faculty Appointment, Reappointment, and Promotion Policy**.

D. Volunteer Faculty

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.

Section 2 Faculty Ranks

The initial faculty rank will be recommended to the Dean by the Associate Dean of the division in which the appointment is made. 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. All other faculty rank decisions will be determined by the Committee on Appointment, Promotion, and Rank (CAPR) as discussed within the Faculty Promotion (Chapter 3) section of the Handbook.

If applicable, faculty members shall maintain requirements for licensure and/or continuing education in their area of specialty and maintain membership in applicable professional organizations. Each faculty member shall maintain high standards of ethical behavior and professional integrity to include, without limitation, compliance with both ACOM ethical standards and the AAUP Statement on Professional Ethics (see appendices). All clinical faculty members will also adhere to the AOA Code of Ethics (see appendix). Each full or part-time faculty member will be classified as one of the following:

A. Instructor Faculty

A candidate for appointment to the rank of Instructor will have earned a terminal degree within the teaching or related discipline or will have experience and time in service commensurate with a terminal degree. Reappointment to instructor faculty positions will occur annually for the first three years, and subsequent appointments may not exceed three (3) years.

1. *Instructor*

Instructor is the initial appointment rank for the Instructor Faculty.

The primary role of Instructors is to educate students. Instructors are expected to demonstrate and maintain satisfactory teaching performance and contribute to the instructional effectiveness in assigned courses. Satisfactory teaching performance will be determined during summary year-end performance evaluations.

Though the primary role of the instructor is to educate students, Instructors are expected to contribute to the academic institution through service activities within the college. Additional activities may include clinical or non-clinical outreach.

2. *Senior Instructor*

Appointment to the rank of Senior Instructor is based on sufficient time in rank, established excellence in teaching, and demonstrated contributions to the academic institution.

Senior Instructors are expected to maintain established teaching excellence and contribute to the instructional effectiveness in assigned courses. Excellence in teaching performance will be determined through summary year-end performance evaluations.

Though the primary role of the Senior Instructor is to educate students, Senior Instructors are expected to contribute to the academic institution through service activities within the college. Additional activities may include clinical or non-clinical outreach and/or scholarly activities.

B. *Professorial Faculty*

1. *Assistant Professor*

Appointment to the rank of Assistant Professor is based on educational achievement, relevant professional experience, potential for outstanding instructional effectiveness, and potential for scholarly contributions appropriate to their discipline and fields of specialization.

- a. The terminal degree appropriate for the field of expertise is expected; for physicians teaching clinical sciences, it is expected that residency training in the specialty area of choice has been completed.
- b. There should be substantial evidence to indicate that the individual has the capabilities and competencies required for successful performance of all anticipated professional responsibilities.
- c. The faculty member at this rank should possess or demonstrate potential for successful classroom or other teaching/related experience and potential for pursuing scholarly activity and service in the field and/or to ACOM.

All faculty members at the rank of Assistant Professor are expected to:

- a. Maintain a good level of performance in the classroom and/or other appropriate instructional settings;
- b. Contribute to the overall instructional effectiveness of the academic programs in which they have assigned duties;
- c. Engage in an ongoing program of research, publication, creative activity, and/or scholarly efforts appropriate to their discipline and fields of specialization; and
- d. Engage in outreach/academic citizenship appropriate to (their) area and expertise.

There should be evidence of continued professional development, apart from classroom teaching, including continuing education and professional development in their respective fields, active membership in appropriate professional organizations, and participation in professional meetings and conferences.

2. Associate Professor

Appointment to the rank of Associate Professor is based on educational achievement, relevant professional experience or both, potential for outstanding instructional effectiveness, and for scholarly contributions appropriate to their 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 Associate Professor if 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 the professional stature commensurate with that rank.

- a. The faculty member will meet all the requirements of the Assistant Professor and will additionally demonstrate outstanding teaching performance, continued professional development apart from classroom teaching, and service to ACOM.
- b. Physicians should also demonstrate the ability to supervise graduate clinical or non-clinical activity and to participate in academic program evaluation.
- c. Physicians will also be required to maintain board certification by the appropriate AOA and/or ABMS certification board and meet all CME requirements of their certifying board and of other appropriate professional organizations.
- d. The Associate Professor will also have evidence of continued contributions in the areas of scholarly activity and service to their profession, as well as involvement in institution-wide activities; participation in all areas of academic endeavor is expected with excellence demonstrated in at least one area.

All faculty members who hold the rank of Associate Professor are expected to:

- a. Demonstrate outstanding performance in the classroom and/or other appropriate instructional settings;
- b. Make a strong contribution to the overall instructional quality of the academic programs in which they have assigned duties;

- c. Engage in research, publication, and scholarly efforts appropriate to their discipline and fields of specialization; and
- d. Engage in outreach/academic citizenship appropriate to their area and expertise.

3. Professor

Appointment to the rank of Professor is based upon a candidate's instructional effectiveness and record of scholarly contributions appropriate to their discipline and fields of specialization. However, candidates who have no prior record at the rank of Professor may be appointed at the rank of Professor if 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.

- a. The faculty member will meet all the requirements of the Associate Professor and will additionally demonstrate evidence of teaching excellence, continued professional development apart from classroom teaching, significant scholarly achievement, related experience relevant to their discipline, and ongoing significant contribution to the educational missions of ACOM.
- b. Evidence of service to their profession or specialty on a national level is expected at this rank.
- c. Demonstrated evidence of contributions in all areas of academic endeavor is expected with excellence in more than one area.
- d. Physicians would, at the time of reappointment, be expected to meet all applicable requirements for license renewal and for continuing education in their specialty.

All faculty members who hold the rank of Professor are expected to:

- a. Contribute to the leadership of academic programs;
- b. Maintain an outstanding level of effectiveness in the classroom and/or other appropriate instructional settings;
- c. Make a strong contribution to overall instructional quality;
- d. Engage in research, publication, and/or scholarly efforts appropriate to their discipline and fields of specialization; and
- e. Engage in outreach or academic citizenship appropriate to their area and expertise.

Section 3 Initial Appointment and Reappointment

Procedure for Appointment and Assignment of Rank

A. Initial Appointment

The recommendation for appointment of a new faculty member shall be the responsibility of the respective Associate Dean after soliciting feedback from all members of the division. The credentials of the applicant 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. Reappointment

Renewal of appointment will be based on the needs of the institution with the recommendation of the Associate Dean and with the concurrence of the Dean. Reappointment at the Professor, Associate Professor, or Assistant Professor levels at the end of the initial appointment term and for subsequent appointment terms may not exceed three (3) years.

Reappointment at the Senior Instructor or Instructor levels will occur annually for the first three years, and subsequent appointments may not exceed three (3) years.

C. Independence of Hospital and Faculty Appointments

Appointments to the faculty and appointments to any hospital medical staff are separate processes. An appointment to a medical staff does not automatically convey faculty status.

Section 4 Identification Cards

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

Section 5 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 their designee, who shall comply with established procedures and policies.

Section 6 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 leader, Associate Dean, Department Chair, and other administrative personnel.

Terms and Conditions of Faculty Appointments

A. Term of Appointment

Faculty appointments may be made at any time. The term of Initial Appointment shall not extend beyond three (3) years. Subsequent terms of appointment may not exceed three (3)

years. Annually, the faculty member's supervisor will meet with the faculty member to evaluate and discuss performance.

B. Notification in Writing

Decisions regarding appointment, reappointment, and promotion shall be made only in accordance with the procedures of this Handbook. At the time of appointment or reappointment, the faculty member shall be advised, in writing, of the rank, salary, and duration of appointment.

C. 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 their initial appointment shall not be a 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 the 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 against reappointment is made for a reason set forth in this Handbook Chapter 4: Termination and Suspension.

Section 7 Resignation by Faculty Members

A faculty member may resign their appointment with notice given in agreement with their individual contract. Notice of intent to resign should be given at the earliest possible opportunity and in no event later than within 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 they would otherwise be denied substantial professional advancement or other opportunity.

A faculty member shall be deemed to have resigned their appointment by failing to accept and return their appointment within 30 days after the date the reappointment is emailed, mailed, hand-delivered to the faculty member, or deposited by ACOM with a recognized courier service. In the event such date is a Saturday, Sunday, official ACOM holiday or Dean's Day, or legal holiday, then the reappointment shall be returnable the next business day. Failure to 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 in accordance with the vacation accrual policy. Resignations will not qualify for grievance proceedings.

Section 8 Authority of Dean to Make Appointments which vary from Handbook

Subject to the approval of the Board and President, the Dean may offer any faculty member or prospective faculty member an appointment that differs in terms of specific provisions, rank, or otherwise from this Handbook. Such a non-conforming appointment may be offered under extraordinary circumstances at the sole discretion of the Dean, President, and/or Board. 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 9 Effect of Time Limits

Circumstances may cause the time frames set forth in this Faculty Handbook to be changed or modified at the discretion of the Dean and/or the President.

CHAPTER 3: PROMOTION

Section 1 Annual Evaluation Process

Each full- and part-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 Dean's Cabinet with input from each division.

The responsibility for implementing Faculty evaluation procedures that 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. See the **Performance Evaluation and Remediation Policy** and procedure for further details.

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 divisional, institutional, 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 (CAPR) 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 division 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 Chair 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 Committee on Appointment, Promotion, and Rank (CAPR) shall also be submitted by the candidate through the Chair 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.
5. **Reprints** - Reprints of the applicant's three most significant publications should be submitted with the curriculum vitae; and
6. Any other information which may be relevant.

The recommendations of the Committee on Appointment, Promotion, and Rank (CAPR) to grant or deny promotion shall be transmitted to the Associate Dean and the Chair of the Faculty Assembly. The Dean has ultimate responsibility for the promotion determination, subject to the approval of the President.

For promotion of Affiliate Clinical faculty, see the **Affiliate Clinical Faculty Appointment, Reappointment, and Promotion Policy** and related procedures.

CHAPTER 4: TERMINATION AND SUSPENSION

Section 1 Termination or Suspension of Faculty

During a term of appointment, a faculty member may be terminated or suspended pursuant to the procedures as set forth in this Faculty Handbook or as otherwise provided by the employment contract of such faculty member. 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 chapter. Faculty members who are terminated or suspended pursuant to any of the provisions of this chapter are not entitled to severance compensation.

Section 2 Termination

A. Termination for Cause

The Dean/Chief Academic Officer (CAO) may terminate the employment agreement of any faculty member of ACOM at any time for cause. A termination for cause shall be immediate with no additional compensation due to such faculty member. In addition to any of its other normally understood meanings in employment contracts, “for cause” shall include the circumstances summarized below. For cause determinations by the CAO are exercised under the standard of proof of “more likely than not,” without requirement for legal counsel.

- a. The employment contract will be terminated if satisfactory completion of a physical exam, drug 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.
- d. Any conduct of the faculty member that constitutes moral turpitude or that would tend to bring public disrespect, contempt, or ridicule upon ACOM.
- e. A deliberate or serious violation of any law, rule, regulation, constitutional provision, bylaw of ACOM, or local, state, or federal law, which in the judgment of the CAO may reflect adversely upon ACOM.
- f. Prolonged absence for greater than three days from duty without the CAO’s or his designee’s consent.
- g. Conviction of any felony or misdemeanor involving moral turpitude.
- h. Loss or suspension of any professional license, including, but not limited to a license to practice medicine in any state.
- i. Inability to obtain professional liability insurance or the inability to renew any professional liability insurance.
- j. The cancellation or suspension of any professional liability insurance.

- k. The loss of or revocation or denial of hospital privileges at any hospital at which such faculty member may have applied for staff privileges.
- l. The involvement of the faculty member in any inappropriate sexual or romantic relationship between such faculty member and any student of ACOM.
- m. The use, buying, selling or possession of any drug or other controlled substance except for the use of such drugs as may be lawfully prescribed by a physician for such faculty member.
- n. The commission of any act which shall reflect negatively on ACOM or bring disrepute on the faculty of ACOM.

B. Termination without Cause

The Dean/CAO may terminate the agreement of any faculty member 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, totally incapacitated, or incapable of carrying out their duties;
- b. If the CAO deems the faculty member disabled, totally incapacitated, or incapable of carrying out their 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 the appropriate specialty, selected and paid for by ACOM. Failure to submit to such an examination shall be grounds for immediate termination; and
- c. ACOM may exercise the right to terminate without cause at any time by delivering to the faculty member written notice of ACOM's intent to terminate without cause. Termination will be effective no less than 90 days after the date the notice of intent to terminate is delivered. In such event, the faculty member shall be entitled to compensation through the termination effective date.

CHAPTER 5: 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 their 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 their faculty responsibilities. Failure to reappoint a faculty member at the end of their 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 only upon request by the faculty member and members of 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.

Decisions regarding 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, the Chair of the Faculty Assembly or other person responsible for implementing the grievance procedure or 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 their academic supervisor of their 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 Procedures

The formal procedure begins after the informal procedure has been completed or the grieving'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 to the Dean and the Chair 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 seven (7) working days after the grievant notified their academic supervisor of the grievance. The Chair 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:

1. A descriptive statement of the facts and circumstances which provide the basis for the request for formal review;
2. A description of attempts to resolve the problem on an informal basis and the results of these attempts;
3. A description of the manner in which the aggrieved action adversely affects their term of appointment, promotion, or conditions of employment and is (i) arbitrary and capricious; (ii) discriminatory or otherwise in violation of the law; or (iii) not in compliance with this Handbook or the Bylaws; and
4. The signature of the faculty member and the date of the submission of a request for formal review.

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 Chair 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 principal 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 their position will be considered temporarily vacant. The Dean shall not participate in the Grievance Committee proceedings.

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 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 and 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 Chair 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 of 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.

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.

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 their 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, 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 that indicate that such matters are necessary in the interest of fundamental fairness, and the President shall, in their 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.

CHAPTER 6: GENERAL POLICIES

This section outlines specific faculty policies as they relate to intellectual property rights, research, sabbatical leave, other professional endeavors, and benefits. Faculty members should consult the ACOM electronic policy and procedure management system for a full listing and detail of all policies.

Section 1 Intellectual Property Rights

See individual faculty employment contract.

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 a research investigator (whether professional or student) 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 that meet this definition constitute research for the purposes of this policy, whether or not they are conducted or supported under a program that 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 person responsible 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.

B. Obligation to Human Subjects

Researchers at the Alabama College of Osteopathic Medicine have an ethical obligation to:

1. 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.

2. Respect the freedom of subjects to decline participation or to withdraw from participation in research at any time.
3. Honor all commitments and responsibilities they make to subjects in the research project.
4. Protect subjects from physical or mental discomfort, distress, harm, or danger.
5. Obtain written informed consent from human subjects.
6. 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.
7. 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.

C. Misconduct Procedures

1. 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 division leader 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 Cabinet. 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 division leader or Associate Dean believes there is sufficient cause to warrant an inquiry, the matter will be pursued without a complainant.

2. Inquiry

Upon receipt of the allegation, the Dean's Cabinet will convene a Board of Inquiry as designated by the Dean's Cabinet. 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 to the Dean 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 Cabinet 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 evidence will be presented in writing to the respondent, and the respondent will be given an opportunity to respond in writing to the allegations prior to the completion of the inquiry.

The Dean's Cabinet 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 Cabinet 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.

3. 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 Cabinet 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 thirty (30) days of the date that the inquiry ends or as deemed by the Dean's Cabinet. 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 and 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 regard to the misconduct allegation. The respondent will receive a copy of this preliminary report and will have two (2) weeks after receipt of the report to provide a written response. The Investigation Committee will prepare a final investigation report after the conclusion of the two weeks. The final investigative report shall contain the following:

- a. The allegations of misconduct
- b. The names of the Investigation Committee members
- c. The evidence reviewed
- d. The written response from the respondent
- e. The conclusions reached by the Investigation Committee

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

4. *Disciplinary Action*

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

- a. Letter of reprimand
- b. Removal from particular project
- c. Special monitoring of future work
- d. Probation
- e. Suspension
- f. Salary reduction
- g. Termination of employment

5. *Reporting to External Funding Agencies*

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

- a. A Board of Inquiry recommends a formal investigation
- b. Any administrative actions are taken that affect the research project
- c. The seriousness of the allegation warrants notification
- d. There is an immediate health or environmental hazard concern
- e. The funding agency's (or sponsor's) resources, reputation, or other interests require protection
- f. Federal action is required to protect the interests of a subject of the investigation
- g. The scientific community or the general public needs to be informed
- h. 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.

For further information see the policy on **Ethical Policies for Conducting Research**.

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 may 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 to ACOM.
2. Following sabbatical leave, six (6) academic years at ACOM shall elapse before an individual's eligibility for sabbatical shall be restored.

B. Application Procedures and Decision

1. A letter of application shall be made to the Dean with the approval of the division chair or Associate Dean by October 15 of the academic year prior to the intended academic year 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 their recommendation to the ACOM Board of Directors through the President.
3. The Dean shall inform the applicant of the Board's decision within five (5) days following the February meeting of the Board and shall apprise 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 or more applicants, the matter shall be referred to the Faculty Assembly for a recommendation to the Dean.
5. When the faculty member's sabbatical occurs during a semester in which they have teaching responsibilities, the division leader or Associate Dean shall make recommendations to the Dean for hiring a temporary replacement when necessary.

C. Duration of Leave

Sabbaticals shall be up to 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

The college will pay the faculty member's full salary up to six (6) months or the equivalent of the sabbatical leave, whichever is less, distributed over the term of the sabbatical. 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 as determined by the Dean after considering the recommendation of the Committee on Appointment, Promotion, and Rank (CAPR).

Because of the importance of scholarship and research to teaching, ACOM considers research projects, scholarly writing, 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 to 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 their return. This report should describe the faculty member's professional activities during the sabbatical.

Section 4 Other Professional Endeavors and Outside Employment

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.

Outside employment or engagement in activity made possible by disclosure of a faculty member's ACOM affiliation shall be reported to the Corporate Compliance Officer 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.

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 member's responsibilities. Faculty should refer to the **ACOM Conflict of Interest Policy** for more information.

Faculty members using ACOM facilities and/or students for-profit ventures shall:

1. Avoid exploitation of students for private gain.
2. Exercise professional ethics and judgment in the use of ACOM facilities and comply with all ACOM regulations which may govern these activities.
3. Reimburse ACOM for facilities used in private ventures.
4. 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, 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. Each fall, faculty members will select benefits to be effective January 1 of each upcoming year. The faculty member will be responsible for the employee portion of benefit costs as set forth in the benefit enrollment guide.

CHAPTER 7: FACULTY GOVERNANCE

Section 1 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 or ACOM policy, the following procedures shall apply:

- A. The request for such a committee shall be conveyed to the Chair of the Faculty Assembly, who shall constitute an ad hoc committee for these purposes.
- B. The ad hoc committee may hold a preliminary meeting with the affected faculty member, which may be useful in resolving the issue before it.
- C. 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.
- D. 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 their expense.
- E. 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.
- F. If the ad hoc committee chooses in the interest of justice to use a written 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.
- G. 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.
- H. The ad hoc committee is not bound to adhere to the strict rules of evidence or procedures applicable in courts of law and may admit any information which it decides is relevant in determining the issues involved.
- I. 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.
- J. The ad hoc committee may request the assistance and/or presence of ACOM counsel as it deems necessary and with approval of the Dean.

Section 2 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 that 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 faculty conduct 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 3 Conflicts of Interest

Conflicts of Interest in Committee: 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. A committee member may be removed for conflict of interest by the Chair of the Faculty Assembly unless the conflict is fully disclosed to the committee and all affected persons and the conflict is waived by the committee and all affected persons.

Please refer to the **ACOM Conflict of Interest Policy** for further information.

CHAPTER 8: AMENDMENTS TO THE HANDBOOK

Section 1 Revision of the Handbook

This Handbook may not be amended, modified, or repealed without following these procedures and without the prior approval of the ACOM Board of Directors.

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 Faculty Handbook Committee of the Faculty Assembly for deliberation and a vote of recommendation. The Faculty Handbook Committee's recommendation for or against the amended, modified, or repealed proposition shall be forwarded, along with a brief explanation of the reason thereof, to the Chair of the Faculty Assembly who shall place the item on the agenda for the next meeting of the Faculty Assembly. The issue shall be presented to the Faculty Assembly for review, deliberation, and a vote of recommendation for or against the proposition from the Assembly floor. The Chair of the Faculty Assembly shall convey a written report of the Assembly's recommendations to the Dean for administrative action. The Dean shall thereafter forward all proposed amendments, with or without their recommendation thereon, to the President and the ACOM Board of Directors for final action.

Section 2 Authority to Constitute Faculty Assembly

Upon adoption of this Handbook by the faculty and the ACOM Board of Directors, the faculty shall be vested with the authority to organize itself as the Faculty Assembly. 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 rights and responsibilities.

Section 3 Effective Date of Handbook

This Handbook applies to all faculty members as of the date of adoption.

APPENDIX 1: BYLAWS OF THE FACULTY ASSEMBLY

Bylaws of the Faculty Assembly can be found through the ACOM website [here](#).

APPENDIX 2: ACOM COMMITTEES, SUBCOMMITTEES, and COUNCILS

All Standing Committee descriptions and Charters can be found through the ACOM website [here](#).

- Admissions Committee
- Affiliate Clinical Promotions Subcommittee
- Appeal Board
- Awards Committee
- Clinical Competency Committee
- Committee on Appointment, Promotion, and Rank
- Compliance and Policy Committee
- Curriculum Committee
- Faculty Assembly
- Faculty Handbook Committee
- Grievance Committee
- Institutional Biosafety Committee
- Institutional Diversity Council
- Institutional Review Board
- Pre-Clinical Competency Committee
- Professionalism and Ethics Committee
- Research Committee
- Strategic Plan Steering Committee
- Subcommittee on Academic Learning Management System Calendar
- Subcommittee on Assessment, Evaluation, and Implementation

APPENDIX 3: POLICY ON EQUAL OPPORTUNITY & CLAIMS OF ILLEGAL DISCRIMINATION

The Alabama College of Osteopathic Medicine does not discriminate on the basis of age, race, color, gender, gender identity, sex, 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 1875, 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, Division of Education, Washington, D.C.

For further information, see the full policy on **Equal Opportunity, Claims of Illegal Discrimination**.

APPENDIX 4: 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.

APPENDIX 5: CODE OF ETHICS, AMERICAN OSTEOPATHIC ASSOCIATION

The American Osteopathic Association (AOA) Code of Ethics is a document that applies to all physicians who practice osteopathically throughout the continuum of their careers, from enrollment in osteopathic medical college/school through post graduate training and the practice of osteopathic medicine. It embodies principles that serve as a guide to the prudent physician. It seeks to transcend the economic, political, and religious biases when dealing with patients, fellow physicians, and society. It is flexible in nature in order to permit the AOA to consider all circumstances, both anticipated and unanticipated. The physician/patient relationship and the professionalism of the physician are the basis for this document.

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

Further, the AOA 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 for reasons of discrimination, including, but not limited to, the patient's race, creed, color, sex, national origin, sexual orientation, gender identity, or disability. 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 should make a reasonable effort to partner with patients to promote their health and 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 she/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 or allopathic credentials 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 is in the best interest 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 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 patient with whom a physician-patient relationship currently exists.

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.

Section 18 - A physician shall not intentionally misrepresent himself/herself or his/her research 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.

APPENDIX 6: STATEMENT OF PROFESSIONAL ETHICS AND INTEGRITY

Faculty at the Alabama College of Osteopathic Medicine shall act in accordance with the practices listed below:

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

In addition to complying with these ethical guidelines and college policies and procedures, Alabama College of Osteopathic Medicine administrators and staff are encouraged to follow their own sense of ethical integrity and report actions that they believe are wrong to the appropriate college authorities. 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.

For further information, see the **ACOM Code of Ethics Policy**.