



**BYLAWS FOR THE GOVERNANCE**

**OF THE**

**UNIVERSITY OF MEDICINE AND DENTISTRY**

**OF NEW JERSEY (UMDNJ)**

SEPTEMBER 14, 1999

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ARTICLE I. CONSTRUCTION AND APPLICATION

Section 1. Construction

1.1 These Bylaws shall constitute rules of the Board of Trustees for governance of the University of Medicine and Dentistry of New Jersey (UMDNJ) as authorized by law. Nothing in these Bylaws shall be construed as an infringement upon the powers and authority of the Board of Trustees or upon the powers and authority of the President as delegated by the Board. Where the faculty and administration exercise their authority to establish policy and procedures, they shall be consistent with any policy established by the Board of Trustees.

1.2 As a basic underlying principle of these Bylaws, the policies of the University and its schools shall be developed through consultation and discussion with appropriate groups, for example the faculty, administration, student body, alumni and citizens of the areas in which the schools of the University are located.

Section 2. Application

These Bylaws shall apply to all schools of UMDNJ as defined in Article II, Title A, below. Each school shall have its own bylaws that must conform to the provisions of the University Bylaws, be reviewed and approved by the Board of Trustees, and shall not be effective until so approved.

ARTICLE II. ADMINISTRATIVE ORGANIZATION

Title A. The University of Medicine and Dentistry of New Jersey

Section 1. Schools

UMDNJ shall be composed of the following schools and such other schools as may be established under the authority of the Board of Trustees.

- 1.1 UMDNJ-Graduate School of Biomedical Sciences
- 1.2 UMDNJ-New Jersey Dental School
- 1.3 UMDNJ-New Jersey Medical School
- 1.4 UMDNJ-Robert Wood Johnson Medical School
- 1.5 UMDNJ-School of Health Related Professions
- 1.6 UMDNJ-School of Nursing
- 1.7 UMDNJ-School of Osteopathic Medicine
- 1.8 UMDNJ-School of Public Health

## Title B. Officers of Administration, UMDNJ

### Section 1. The President

1.1 The President is the chief executive officer of UMDNJ and shall provide educational and administrative leadership under general policy direction from the Board of Trustees. The President may delegate authority or seek advice, but final responsibility for all decisions rests with the President. Assignment of duties to other officers in this title shall be subject to the President's interpretation and decision.

1.2 The President may be appointed only by the Board of Trustees from among a slate of nominees obtained by procedures which include consultation with representatives selected by the faculty, student body, and alumni of all schools of UMDNJ, representatives of the administration of the University and of the schools, and representatives of the community. The President shall serve for a term fixed by the Board of Trustees and make an annual report to the Board of Trustees and faculties.

### Section 2. Senior Vice Presidents

Under the President, there shall be two senior vice presidents with responsibility for the academic and administrative functions of the University.

#### 2.1 The Senior Vice President for Academic Affairs

2.1.1 Under the President, the Senior Vice President for Academic Affairs shall oversee the academic affairs of the University. The Senior Vice President for Academic Affairs shall carry out such other duties as the President may delegate. In the absence or disability of the President, the Senior Vice President for Academic Affairs shall assume the President's authority and responsibilities.

2.1.2 The Senior Vice President for Academic Affairs may be appointed only by the Board of Trustees upon the nomination of the President. The President shall seek the advice and counsel of the faculty on the choice of a nominee and shall consider such advice and counsel in making a decision. The Senior Vice President for Academic Affairs shall serve at the pleasure of the President.

#### 2.2 The Senior Vice President for Administration and Finance

2.2.1 Under the President, the Senior Vice President for Administration and Finance shall oversee the general administration of the University. The Senior Vice President for Administration and Finance shall carry out such other duties as the President may delegate.

2.2.2 The Senior Vice President for Administration and Finance may be appointed only by the Board of Trustees upon the nomination of the President and shall serve at the pleasure of the President.

### Section 3. Other Officers of Administration, UMDNJ

Individuals to fill other Vice Presidential positions under the President or a Senior Vice President may be appointed only by the Board of Trustees upon the nomination of the President. Such officers shall serve at the pleasure of the Senior Vice President or the President as appropriate.

### Section 4. The Administration Committees of UMDNJ

4.1 Matters which regularly concern more than one school within UMDNJ may be handled by committees appointed by the President. The President shall designate the chairperson of the committee and shall determine the term of service of each member.

4.2 Such committees as may be appointed shall advise the President within the bounds set by the charge to the committee.

4.3 The President may establish and appoint such other committees, whether temporary or standing, as he or she may deem necessary to carry out the mission of the University.

## Title C. Officers of Administration, Schools

### Section 1. Schools

A school is a subdivision of UMDNJ organized primarily for the purpose of providing instruction, performing research and delivering patient care and service in any of the arts and sciences pertaining to medicine, dentistry, nursing or the health related professions.

### Section 2. The Dean

2.1 Under the President and the Senior Vice President for Academic Affairs, the Dean shall be the chief academic and administrative officer of a school of UMDNJ with primary responsibility for implementing the mission of the school. The Dean's duties and powers shall include the following:

2.1.1 primary responsibility for the school's educational, research, health care and service programs, for the development of teaching and research affiliations, for administration of the school, for promotion of the school's development and effectiveness, and for maintaining accreditation with appropriate groups or agencies;

2.1.2 evaluation and final approval of curricula;

2.1.3 supervision of the members of the academic and non-academic staff of the school;

2.1.4 recommendation to the President and the Board of Trustees of appointment, reappointment and promotion of and conferral of tenure upon qualified individuals to serve as faculty of the school;

2.1.5 oversight of a system of review of the effectiveness of performance of individual faculty members;

2.1.6 development and implementation of a system of career development for individual faculty members;

2.1.7 recommendation to the President and the Board of Trustees of appointment, reappointment and promotion of qualified individuals to serve as administrators of the school;

2.1.8 preparation and recommendation of the annual budget;

2.1.9 review and approval of the expenditure of funds allocated to the school;

2.1.10 assignment of space within the school;

2.1.11 development of liaisons and mechanisms to foster consultation and discussion with appropriate community and other external constituent groups;

2.1.12 submission of reports and recommendations to the President and the Board of Trustees concerning the operation, plans and development of the school.

2.2 The Dean may be appointed only by the Board of Trustees upon the nomination of the President from among a slate of nominees provided by a Dean's Search Committee. The members of the Search Committee shall be appointed by the President; the majority shall be from a list of individuals provided by the faculty of the school according to procedures specified in the bylaws of the school. The Committee shall consult student representatives, alumni representatives and representatives of the community in that school's service area.

2.3 The Dean shall serve at the pleasure of the President.

2.4 There shall be a periodic review of the school and the stewardship of the Dean at least once every five (5) years. The Senior Vice President for Academic Affairs shall appoint a committee to conduct the review and to report its findings and recommendations to the Senior Vice President for Academic Affairs who will recommend appropriate action to the President and Board of Trustees. The committee shall take steps to ensure that the faculty and other appropriate constituencies have opportunity for input to the committee's review.

### Section 3. Subordinate Administrative Officers

The Dean may, with the approval of the President and the Board of Trustees, appoint and delegate authority and/or responsibility to such subordinate administrative officers as may be deemed necessary for effective administration. All appointees shall serve at the pleasure of the Dean.

### Section 4. The Department Chairs

4.1 The Departments. Each school of UMDNJ may be subdivided into departments in a manner consistent with its missions and goals on the recommendation of the Dean and with the approval of the President and the Board of Trustees. Procedures for establishing, deleting from or otherwise changing departmental structure shall be specified in the bylaws of each school. Each department shall have a Chair.

4.2 Duties and Powers. Under the Dean, the department Chair shall have general administrative responsibility for, as well as participate in the educational, research, health care and service programs of the department. The Chair's duties shall include the following:

- 4.2.1 development and operation of departmental programs;
- 4.2.2 supervision of departmental faculty and staff;
- 4.2.3 annual evaluation of all departmental faculty and review of those evaluations delegated to division, section or program heads;
- 4.2.4 the process of establishing annual goals and objectives by or for individual faculty members;
- 4.2.5 counseling concerning career development for individual faculty members;
- 4.2.6 recommendations to the Dean regarding all issues of concern to the department;
- 4.2.7 review of the budget and program plans with the members of the department;
- 4.2.8 recommendations regarding appointments, reappointments, promotions, changes in faculty status, leaves, dismissals and acceptance of resignations following review with senior full-title faculty members of the department as defined in the bylaws of each school;
- 4.2.9 evaluation of the department's educational, research, service and, where appropriate, patient care programs, and of faculty and staff performance;
- 4.2.10 maintaining accreditation with appropriate groups and agencies;

4.2.11 preparation and submission of an annual report to the Dean regarding instructional activities, research and service accomplishments, performance and progress of faculty and financial management within the department.

4.3 Method of Selection and Review. The department Chair may be appointed only by the Board of Trustees upon the recommendations of the Dean and the President from among a slate of nominees provided by a search committee as provided for in the bylaws of the school.

4.3.1 The Chair shall serve at the pleasure of the Dean. The performance of the Chair will be reviewed annually by the Dean.

4.3.2 Guidelines and procedures shall be established by each school for the periodic review and evaluation of the department and the Chair's stewardship at least once every five (5) years. Such provisions shall include steps to ensure that the faculty and other appropriate constituencies have opportunity for input to the review and evaluation. The findings of such review and evaluation shall be reported to the Dean.

4.4 Divisions, Sections and Programs. Divisions or sections may be formed within a department on the recommendation of the Chair and with the approval of the Dean, the President and the Board of Trustees. Programs leading to the conferral by the University of certificates or degrees may be established within a department on the recommendation of the Chair and with the approval of the Dean, the President and the Board of Trustees. A division, section or program head may be appointed only by the Board of Trustees upon the recommendations of the Chair, the Dean and the President, and shall serve at the pleasure of the Chair. Provisions shall be made and guidelines and procedures established by each school for the periodic review and evaluation of the stewardship of the head of the division, section or program at least once every five (5) years. The findings of such review and evaluation shall be reported to the Chair and to the Dean.

### ARTICLE III. ORGANIZATION OF THE FACULTY

#### Title A. The Faculty

##### Section 1. Composition

Membership in the faculty arises as specified in Article IV of these Bylaws. The voting and nonvoting membership of the faculty of a school shall be defined in the bylaws of the school. The Dean or his/her designee shall be the presiding officer of the faculty. The presiding officer may vote only in case of a tie.

##### Section 2. Duties and Powers of the Faculty

2.1 Under the Dean, the President and the Board of Trustees, the faculty of each school shall have the following duties and powers with regard to academic matters:

- 2.1.1 establishment of requirements for admission; development of criteria and procedures for selection of students; and, via a committee of the faculty, recommendation of students for admission;
- 2.1.2 design, approval, implementation, evaluation and revision of the curriculum;
- 2.1.3 establishment and promulgation of the academic calendar;
- 2.1.4 encouragement of research activities of faculty members and of students;
- 2.1.5 establishment of standards for examinations, grading, academic standing, honors in courses, and attendance;
- 2.1.6 establishment of requirements for degrees and certificates;
- 2.1.7 recommendation through the Dean and the President to the Board of Trustees, of those candidates who have fulfilled the requirements for degrees and certificates;
- 2.1.8 establishment of regulations and procedures under which the faculty operates;
- 2.1.9 recommendations to the Board of Trustees of amendments to these Bylaws and to the school's bylaws through the Dean and the President.

### Section 3. Communication with University's Administration

Ordinarily, communication between the faculty and the President or Senior Vice Presidents regarding issues of importance to the faculty or the school shall be through the Dean. However, when appropriate or necessary, the faculty may communicate directly with the President or Senior Vice Presidents.

### Section 4. Procedures

The faculty of each school shall meet as specified in its bylaws.

## Title B. Committees of the Faculty

### Section 1. Executive Council

Composition. The bylaws of each school shall provide for an Executive Council to be composed of the Dean who shall be the presiding officer and who may vote only in case of a tie; the Chair of each academic department; and a representative number of faculty other than Chairs who shall be elected by the faculty. Provision may be made in the bylaws of the school for the inclusion of additional members.

## Section 2. Duties and Powers of the Executive Council

2.1 The Executive Council shall act for the faculty with regard to the duties and powers of the faculty enumerated in Article III, Title A, Section 2. However, the right of the faculty to review and to accept or reject decisions of the Executive Council shall not be abridged.

2.2 The Executive Council shall advise the Dean on matters affecting the operation and policies of the school.

2.3 The Executive Council may, upon request or upon its own initiative, express faculty concerns directly to the Dean. If so requested by the Executive Council, the Dean shall take these concerns forward to the Senior Vice President for Academic Affairs, the President and the Board of Trustees.

## Section 3. Other Committees

3.1 The bylaws of each school shall make provision for standing committees to act for the faculty, subject to review by the faculty, in the following areas: admission; curriculum; rules and procedures (including mechanisms for appeal therefrom) for promotion, appointment and tenure decisions; faculty affairs; student affairs; and such other matters as the faculty may desire. Provision may be made when appropriate for voting or non-voting membership of students or other groups on committees.

3.2 The bylaws of each school shall make provision for ad hoc committees to deal with special issues.

# ARTICLE IV. APPOINTMENT, REAPPOINTMENT AND PROMOTION OF FACULTY

## Title A. Academic Titles

### Section 1. Definitions

1.1 Full Academic Rank: Rank held by those members of the faculty having the titles of professor, associate professor, assistant professor and instructor.

1.2 Qualified Academic Rank: Rank held by those members of the faculty having the titles of lecturer, associate and titles preceded by the designations "clinical," "adjunct" and "visiting."

1.2.1 Part-time faculty participating primarily in programs involving patient care shall be designated by the titles clinical professor, clinical associate professor, clinical assistant professor and clinical instructor.

1.2.2 Part-time faculty who participate primarily in research and teaching shall be designated by the titles adjunct professor, adjunct associate professor, adjunct assistant professor and adjunct instructor.

1.2.3 Faculty whose service is for a limited time may be appointed as visiting faculty, e.g., visiting professor, visiting associate professor, visiting assistant professor.

1.2.4 Faculty whose service is discontinuous or intermittent may be appointed as lecturers.

1.2.5 The title of associate may be used when other academic titles are judged not to be appropriate.

1.3 Full-Time Faculty: Those members of the faculty who have agreed to abide by all the rules and regulations of the University and whose professional careers are fully dedicated to the instructional, research, health care or service missions of the University.

1.4 Part-Time Faculty: Those members of the faculty who have agreed to abide by all the rules and regulations of the University and whose professional careers are only partially committed to a school. They may participate in teaching, research, clinical or service programs and in general University service.

1.5 Emeritus Faculty: Members of the faculty who, by virtue of retirement, have been relieved of regularly assigned teaching and administrative responsibilities may be designated as emeriti.

1.6 Distinguished Professors: Distinguished professors are faculty members of surpassing academic achievement. Such achievement may include outstanding and continued research and scholarly work, excellence in teaching, and major contributions in areas such as clinical service, curriculum, program development and service to the school or University.

## Section 2. Approved Titles

2.1 The following academic titles are approved for use in UMDNJ: distinguished professor, emeritus professor, emeritus associate professor, professor, associate professor, assistant professor, instructor, clinical professor, clinical associate professor, clinical assistant professor, clinical instructor, adjunct professor, adjunct associate professor, adjunct assistant professor, adjunct instructor, visiting professor, visiting associate professor, visiting assistant professor, lecturer and associate.

## Section 3. Determination of Academic Title

In determining the academic title to which an individual is recommended for appointment or promotion, the qualities to be considered shall be those which determine (a) the effectiveness of the individual in performing prescribed duties and

(b) the overall contributions of the individual to the goals and purposes of the University.

Determination of academic title shall take into consideration the following factors:

- (a) Mastery of subject matter as demonstrated by such factors as degrees, licenses, honors and awards, and reputation.
- (b) Effectiveness in teaching as demonstrated by such factors as performance evaluation, judgment of peers, student response and performance, and development of teaching materials and techniques.
- (c) Research and scholarly or professional accomplishments as demonstrated by such factors as contributions to scientific, educational or clinical knowledge, publications, grants and reputation.
- (d) Contributions to and implementation of the service mission of UMDNJ, that is service to the host communities of the University's campuses and to the entire state.
- (e) Continuing growth as demonstrated by such factors as advanced study or research, ability to handle increasing responsibility and reputation.
- (f) Degree and effectiveness of service to the University through activities such as service on school or University committees and performance of administrative responsibilities.

## Title B. General Provisions

### Section 1. Appointment

All members of the faculty shall have an appointment specified with regard to the school or schools and to the department or departments in which the appointment is effective.

### Section 2. Date of Appointment

Academic appointments and reappointments shall be based on the academic year, which shall commence on July 1 of each calendar year and extend through June 30 of the following year. Continuing appointments shall take effect on July 1. Initial appointments may take effect on any specified date. If the date is other than July 1, an anniversary date shall be specified for the purpose of determining years of service. The anniversary date shall be July 1 of the current academic year or July 1 of the following academic year, whichever is closer to the effective date of the appointment.

### Section 3. Terms and Conditions of Appointment

The terms and conditions of appointment, including tenure where applicable, shall be stated in writing at the time of appointment or reappointment and shall be signed by the faculty member and the Dean or the Dean's designee and in the possession of both the institution and the appointee before the appointment or reappointment may be considered valid.

### Section 4. Computation of Service

In computing consecutive years of service for the purposes of this title, periods of vacation leave, periods of sick leave with full salary and periods of leave under the Faculty Renewal Program shall be included. Periods of unpaid leave of absence shall not be included, but shall not be deemed an interruption of otherwise consecutive service.

## Title C. Full Academic Rank

### Section 1. Eligibility for Full Academic Rank

1.1 Full-Time Faculty: Full-time faculty as defined in Article IV, Title A, Section 1.3, and subject to the provisions and guidelines governing academic appointments set forth in Article IV, are eligible for and ordinarily should receive appointments to full academic rank. In order to qualify for full academic rank, faculty members shall demonstrate ability to carry responsibilities at a level of proficiency appropriate to their rank.

1.2 Academic Administrators: Academic administrators within a school or in another school or unit of the University who qualify for faculty appointments may be appointed to full academic rank.

1.3 Coterminous Full-Time Faculty: Faculty at affiliated institutions of a school or at another school of the University who qualify as full time as defined in Article IV, Title A, Section 1.3 may be appointed to full academic rank.

Academic appointments given under this Section shall be coterminous with the expiration or termination of the faculty member's contract with the affiliated institution or with the other school of the University. Financial responsibility for such appointments shall rest with the affiliated institution or with the other school of the University.

1.3.1 Academic administrators appointed to full academic rank under Article IV, Title C, Section 1.2 may be awarded faculty appointments which shall be coterminous with the termination of the administrative appointment.

1.3.2 Where fifty percent (50%) or more of the academic base salary of a full-time member of the faculty is derived from sources other than the state budget of the University ("outside funding") at the time of the full-time appointment, the appointment may be made at full academic rank and may have a provision that the faculty member must agree in writing that the appointment shall be coterminous with the availability and receipt of the outside funding for the position, and that said appointment shall be without tenure.

1.4 Part-Time Faculty: Under special circumstances and following the review process described below, a few part-time faculty may be appointed to positions of full academic rank. Such appointments may be considered for individuals who do not qualify as full-time faculty as specified in Article IV, Title A, Section 1.3, but whose professional service contributions are particularly meritorious and whose professional careers are heavily committed to UMDNJ. Upon the positive recommendations of the department Chair, a faculty committee as provided for in the bylaws of the school, a 2/3 majority of those present at a regular meeting of the Executive Council, the Dean and the President, appointments of part-time faculty to positions of full academic rank shall be considered by the Board of Trustees. Such appointments may be made only by the Board of Trustees after reviewing the recommendations of the Chair, the faculty committee, the Executive Council, the Dean and the President.

## Section 2. Procedures and Criteria for Appointment and Promotion to Full Academic Rank

Each school shall develop and maintain procedures and clearly defined criteria for appointment and promotion to each full academic rank. There shall be separate sets of criteria for appointment and promotion for faculty whose efforts are focused on (1) clinical activity, on (2) research, and on (3) education, administration or service. In establishing such criteria, the schools shall take into consideration those faculty who have significant responsibilities in more than one mission-related area.

The school criteria and procedures shall be in writing; the Dean shall assure that faculty are informed of these criteria and procedures.

## Section 3. Process of Appointment

### 3.1 Initial Appointment

3.1.1 Upon the positive recommendations of the department Chair and the Dean, appointments of instructors shall be considered by the Senior Vice President for Academic Affairs. Instructors shall be appointed by the Senior Vice President for Academic Affairs after reviewing the recommendations of the Chair and the Dean.

3.1.2 Upon the positive recommendations of the department Chair, the Dean and the President, appointments of assistant professors on the tenure track or to the tenure track from a non-tenure track shall be considered by the University Affairs/Research Committee of the Board of Trustees. The schools at their option may provide in their bylaws for review and recommendation of assistant professor appointments by a faculty committee. Assistant professors may be appointed on or to the tenure track only by the Board of Trustees after reviewing the recommendations of the Chair, the faculty committee if any, the Dean and the President.

Upon the positive recommendations of the department Chair and the Dean, appointments of assistant professors on or to the non-tenure track shall be considered by the Senior Vice President for Academic Affairs. The schools at their option may provide in their bylaws for review and recommendation of assistant professor appointments by a faculty committee. Assistant professors on the non-tenure track shall be appointed by the Senior Vice President for Academic Affairs after reviewing the recommendations of the Chair, the faculty committee if any, and the Dean.

3.1.3 Upon the positive recommendations of the department Chair, the Dean and the President, appointments of associate professors and professors on the tenure track or to the tenure track from a non-tenure track or with tenure shall be considered by the University Affairs/Research Committee of the Board of Trustees. The schools shall provide in their bylaws for review and recommendation of associate professor and professor appointments by a faculty committee. Associate professors and professors may be appointed on or to the tenure track or with tenure only by the Board of Trustees after reviewing the recommendations of the Chair, the faculty committee, the Dean and the President.

Upon the positive recommendations of the department Chair and the Dean, appointments of associate professors and professors on the non-tenure track or to the non-tenure track shall be considered by the Senior Vice President for Academic Affairs. The schools shall provide in their bylaws for review and recommendation of associate professor and professor appointments by a faculty committee. Associate professors and professors on or to the non-tenure track shall be appointed by the Senior Vice President for Academic Affairs after reviewing the recommendations of the Chair, the faculty committee and the Dean.

### 3.2 Reappointment

The process for reappointment shall be the same as for initial appointment on the non-tenure track except that in no case shall action be taken by a faculty committee.

#### Section 4. Term of Appointment

Non-tenured faculty may be appointed for terms of one to five years and may be reappointed for additional terms of one to five years.

#### Section 5. Notice of Non-Reappointment

Written notice that a term appointment is not to be renewed upon expiration is to be given to the appointee by the Dean of the school or the Dean's representative as soon as possible and not less than:

- (a) four months prior to the expiration of a one-year appointment;
- (b) six months prior to the expiration of a two-year appointment; and
- (c) twelve months prior to the expiration of an appointment longer than two years as computed from the anniversary date.

#### Section 6. Process of Promotion

6.1 The bylaws of each school shall specify procedures for nomination of individuals for promotion as well as procedures by which a member of the faculty of the school may enter a formal request to be considered for promotion.

6.2 The process for promotion shall be the same as for initial appointment to each rank except that there shall be a process for self-nomination as provided for in Title C, Section 6.1, and a positive recommendation by a faculty committee provided for in the bylaws of the school shall require consideration by the Board of Trustees or by the Senior Vice President for Academic Affairs, depending on the tenure, tenure-track or non-tenure-track status, regardless of negative recommendations of the Chair, the Dean and/or the President.

#### Section 7. Distinguished Professors

##### 7.1 Privileges

The distinguished professor may have for a stipulated period of time supplemental funds for research, educational or clinical activities, as well as other perquisites to be determined by the Dean.

##### 7.2 Designation of Distinguished Professors

Upon the positive recommendations of the department Chair, the Dean and the President, designations of Distinguished Professors shall be considered by the University Affairs/Research Committee of the Board of Trustees. The schools shall provide in their bylaws for review and recommendation of Distinguished Professors

by a faculty committee. Designations of Distinguished Professors shall be made only by the Board of Trustees after reviewing the recommendations of the Chair, the faculty committee, the Dean and the President.

## Title D. Qualified Academic Rank

### Section 1. Eligibility for Qualified Academic Rank

1.1 The Part-Time Faculty. The part-time faculty as defined in Article IV, Title A, Section 1.4, and subject to the provisions and guidelines governing academic appointments set forth in Article IV, are eligible for appointment to positions of qualified academic rank in UMDNJ. The amount of time devoted to the University shall be determined by the department Chair in consultation with the Dean of the school. Their service may be paid or voluntary.

1.2 Full-time faculty as defined in Article IV, Title A, Section 1.3 whose academic qualifications or role does not qualify them for appointment to full academic rank, may be appointed, on an exception basis, to qualified academic rank.

### Section 2. Procedures and Criteria for Appointment and Promotion to Qualified Academic Rank

Appointment and promotion of faculty to positions of qualified academic rank shall be based upon demonstrated ability to carry out responsibilities at a level of proficiency appropriate to their rank.

Each school shall develop and maintain procedures and clearly defined criteria for appointment and promotion to each qualified academic rank with salary and for appointment and promotion to each non-salaried qualified academic rank. The school criteria and procedures shall be in writing; the Dean shall assure that faculty are informed of these criteria and procedures.

### Section 3. Process of Appointment

#### 3.1 Initial Appointment

3.1.1 Upon the positive recommendations of the department Chair and the Dean, appointments to qualified academic rank of instructors shall be considered by the Senior Vice President for Academic Affairs. Instructors shall be appointed to qualified academic rank by the Senior Vice President for Academic Affairs after reviewing the recommendations of the Chair and the Dean.

3.1.2 Upon the positive recommendations of the department Chair and the Dean, appointments to qualified academic rank of assistant professors shall be considered by the Senior Vice President for Academic Affairs. The schools at their option may provide in their bylaws for review and recommendation of appointments to qualified academic rank of assistant professors by a faculty committee. Appointments to qualified academic rank of assistant professors

shall be made by the Senior Vice President for Academic Affairs after reviewing the recommendations of the Chair, the faculty committee if any, and the Dean.

3.1.3 Upon the positive recommendations of the department Chair and the Dean, appointments to qualified academic rank of associate professors and professors shall be considered by the Senior Vice President for Academic Affairs. The schools shall provide in their bylaws for review and recommendation by a faculty committee of appointments to qualified academic rank of associate professors and professors. Appointments to qualified academic rank of associate professors and professors shall be made by the Senior Vice President for Academic Affairs after reviewing the recommendations of the Chair, the faculty committee and the Dean.

3.2 Reappointment: The process for reappointment shall be the same as for initial appointment except that in no case shall action be taken by a faculty committee.

#### Section 4. Maximum Duration of Appointment

Appointments to qualified academic rank shall not continue beyond June 30 of each academic year. Individuals with such appointments may be reappointed after review to ensure ongoing service to the University. Appointments to qualified academic rank shall not carry tenure.

#### Section 5. Process of Promotion

The process for promotion shall be the same as for initial appointment to each qualified rank.

#### Title E. Academic Freedom and Academic Responsibility

It is the policy of UMDNJ to foster and maintain full freedom of discussion, inquiry, teaching and research. It is the responsibility of the faculty of UMDNJ to foster and maintain high standards of professional, academic and public conduct and morals. Every member of the faculty of UMDNJ is entitled to discuss relevant subjects freely in the classroom. In research and publication each faculty member is entitled to discuss freely those subjects with which he or she is competent to deal, to pursue inquiry thereunto and to present and endeavor to maintain the opinions and conclusions relevant thereunto. While free to express those ideas which seem to him or to her justified by the facts, the faculty member is expected to maintain standards of sound scholarship and competent teaching. Every member of the faculty of UMDNJ is obliged by his or her position and the standards of his or her profession to work for the betterment of UMDNJ, its component schools, the academic community and the communities where UMDNJ facilities are located.

Each faculty member should lend his or her counsel as may be required and should undertake in the spirit of community a fair share of the burdens of organization, legislation and deliberation within UMDNJ, the school and the department. Every member of the faculty, outside of the fields of instruction, research and publication should conduct himself or herself in a manner that is neither reprehensible nor yielding of discredit to UMDNJ. When speaking or writing as a citizen, he or she shall be free from institutional censorship or discipline, but should be accurate, should exercise appropriate restraint, should show respect for the opinions of others and must clearly indicate that he or she is not a spokesperson for the institution.

## Title F. Tenure

### Section 1. Purpose

Tenure may be regarded as a means to assure application of the policies set forth in Title E above.

### Section 2. Definition of Tenure

Tenure is continuous academic employment until retirement as long as the duties of the position are performed effectively, absent financial exigency or cause. Only the full academic rank of associate professor or professor may carry tenure. Tenured appointments shall continue until terminated in accordance with the rules set forth in these Bylaws.

### Section 3. Eligibility and Criteria

Tenure may be granted when merited upon or at any time following appointment or promotion to the rank of associate professor or professor. Tenure shall be conferred for achievements of the highest order, the greatest distinction in carrying out the responsibilities of the position, and for unusual promise for continued achievements.

Criteria for tenure shall include superior intellectual attainment and academic productivity as evidenced both in teaching and research. The record of research performance or other scholarly achievements shall be outstanding, meriting recognition within the relevant discipline as being among the best in the field. Faculty members eligible for tenure shall also be influential and able teachers, and, if applicable, excellent clinicians. They shall have demonstrated a history of continued expansion of competence in their discipline(s) over a significant period of time. Their accomplishments shall represent important contributions to the mission and reputation of the department, the school and the University such that they are deserving of employment as faculty members until retirement subject to the conditions set forth in Article IV, Title F, Section 2.

Faculty members who are granted tenure are expected to sustain their accomplishments and contributions to the teaching, research and, where applicable, clinical and service programs of the University and to their area(s) of expertise throughout the duration of the tenure appointment.

The above statements shall serve as guidelines for the schools which shall each develop criteria for recommending individuals for tenure and procedures for evaluating faculty eligibility for tenure. These criteria and procedures of the schools shall be in writing and shall be widely disseminated; the Dean shall ensure that the faculty are informed of these criteria and procedures.

#### Section 4. Award of Tenure

4.1 Individuals appointed or promoted to the rank of assistant professor may be appointed in either non-tenure or tenure-track status. Assistant professors appointed to the tenure track and who remain on the tenure track shall have a formal review for tenure by their department chairs no later than the tenth year after the appointment to the tenure track, with the procedures for such review to be established by the individual schools. If, following such review, the department chair declines to recommend a faculty member for tenure, the faculty member may self-nominate for tenure following procedures to be specified in the bylaws of the individual schools.

4.2 The bylaws of each school shall specify procedures for nomination of individuals for tenure as well as procedures by which a member of the faculty of the school may enter a formal request to be considered for tenure.

4.3 The process for the award of tenure shall be as follows: Upon the positive recommendations of the department Chair, the Dean and the President, awards of tenure shall be considered by the University Affairs/Research Committee of the Board of Trustees. The schools shall provide in their bylaws for review and recommendation of awards of tenure by a faculty committee. There shall be a process for self-nomination as provided for in Title F, Section 4.1, and a positive recommendation by the faculty committee provided for in the bylaws of the school shall require consideration by the Board of Trustees regardless of negative recommendations of the Chair, the Dean and/or the President. Associate professors and professors may be awarded tenure only by the Board of Trustees after considering the recommendations of the Chair of the department, the faculty committee as provided for in the bylaws of the school, the Dean and the President.

## Section 5. The Obligation of UMDNJ

An appointment with tenure carries with it an obligation on the part of UMDNJ to continue to provide, until retirement or dismissal for cause, a salary for the appointed individual consistent with his or her rank and years of service except under conditions of financial exigency, which must be demonstrably *bona fide* as determined by the Board of Trustees and with the participation and consultation of the faculty.

## Section 6. Academic Tenure in Combination with Administrative Appointment

6.1 Academic tenure may be given to any eligible person concurrent with an administrative appointment, but such tenure shall apply only to the position of academic rank and not to the administrative position. Such administrative position is terminable at will.

6.2 Any person holding a tenured appointment who is given an administrative appointment shall continue to hold such tenured appointment in his or her position of academic rank.

## Title G. Emeritus Faculty

### Section 1. Privileges

Emeritus faculty shall be entitled to attend, without vote, meetings of the faculty, to march in a position of honor in academic processions, to receive official University mailings, to avail themselves of the library and other facilities offered to faculty members, to represent the University or school on appointment at academic ceremonies of other institutions, and to take part with the faculties in all social and ceremonial functions of the University or school.

### Section 2. Designation of Emeritus Faculty

Upon the positive recommendations of the department Chair, the Dean and the President, designations of emeritus faculty shall be considered by the University Affairs/Research Committee of the Board of Trustees. The schools shall provide in their bylaws for review and recommendation of designations of emeritus faculty by a faculty committee. Designations of emeritus faculty shall be made only by the Board of Trustees after reviewing the recommendations of the Chair, the faculty committee, the Dean and the President. Such recommendations should be based upon significant contributions in teaching, research or clinical or administrative services.

## ARTICLE V. LEAVES OF ABSENCE

### Title A. Faculty Renewal Program

#### Section 1. Policy and Purpose

There shall be a faculty renewal program, the purpose of which is to provide a means for improving or sustaining the professional competence of faculty to the benefit and enrichment of the educational, research, health care or service programs of UMDNJ. To further this purpose a period of paid leave may be granted on the basis of demonstrated service to UMDNJ and an application describing a program of planned study, formal education, research, writing, or an equivalent.

#### Section 2. Eligibility

Full-time full-title faculty who have completed at least six consecutive years of service within UMDNJ shall be eligible to be granted leave under this program. Consecutive years of service shall be computed as provided in Article IV, Title B, Section 4, and service in the individual schools prior to the formation of UMDNJ shall be counted. An individual granted leave under this program shall be ineligible until an additional six consecutive years of service have been accumulated.

#### Section 3. Approval

Leave under this program may be granted only by the Senior Vice President for Academic Affairs upon considering the recommendations of the department Chair, a standing committee of the faculty of the school and the Dean. Faculty renewal leaves shall be reported annually to the University Affairs/Research Committee of the Board of Trustees.

### Title B. Other Leaves

Upon the recommendations of the department Chair and the Dean, the Senior Vice President for Academic Affairs may approve other leaves of absence by members of the professional staff at full or reduced salary, or may grant such leave without salary for acceptance of assignments of limited duration with other universities and colleges, public service agencies, or as a delegate, expert, consultant or similar function for other appropriate purposes consistent with the needs and interests of UMDNJ.

Salaried leaves under this Title B shall be reported annually to the University Affairs/Research Committee of the Board of Trustees.

Applications for such leaves of absence under this Title B shall be made to the Senior Vice President for Academic Affairs through the Dean of the school upon recommendation of the department Chair. Each application shall include a statement of the purpose for which leave is requested, its anticipated duration and its value to the applicant and the University.

## ARTICLE VI. TERMINATION OF SERVICE

### Title A. Termination at Will

#### Section 1. Appointments to Qualified Academic Rank

The service of individuals in any qualified academic rank may be terminated at will by the Dean of the school.

### Title B. Automatic Termination

#### Section 1. Term Appointments

Term appointments may not be extended. The service of members of the faculty having term appointments shall cease automatically at the end of their specified terms and such automatic cessation shall not be considered termination for cause within the meaning of Article VI, Title C.

### Title C. Termination for Cause

Termination of service for cause of faculty with full academic rank shall be governed by the provisions of the applicable collective bargaining agreement.

## ARTICLE VII. AMENDMENTS

### Section 1. Amendments Initiated by Schools of UMDNJ

Amendments to these Bylaws may be initiated by action of the faculty or the Executive Council of a school. Proposals for amendments shall be presented to the Executive Councils of all schools for transmission to the individual faculties. To become effective, such proposed amendments shall require approval by a 2/3 majority of the ballots cast in a poll by mail of the faculty members of UMDNJ holding full academic rank, the recommendation of the President and adoption by the Board of Trustees.

### Section 2. Amendments Initiated by the Board of Trustees

Amendments to these Bylaws may be initiated and adopted by the Board of Trustees, provided that no such amendment shall be adopted unless sixty (60) days' written notice thereof and a copy of the proposed amendment have been provided to the salaried and full-title faculty of each school and an opportunity granted to the faculties to present their views to the Board of Trustees within the sixty (60) day period, and further provided that no such amendment shall adversely affect any contract then existing between UMDNJ and the faculty, or any rights of the faculty under law.