



School of Osteopathic Medicine

**RowanSOM
FACULTY HANDBOOK**

ROWAN UNIVERSITY
SCHOOL OF OSTEOPATHIC MEDICINE

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The following ethics code was adopted by the Faculty on September 9, 2014 and is to be adhered to by all SOM faculty, MD and DO.

I. CODE OF ETHICS OF THE AMERICAN OSTEOPATHIC ASSOCIATION

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

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

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

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

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

SECTION 6 - The osteopathic medical profession has an obligation to society to maintain its high standards and, therefore, to continuously regulate itself. A substantial part of such regulation is due to the efforts and influence of the recognized local, state and national associations representing the osteopathic medical profession. A physician should maintain membership in and actively support such associations and abide by their rules and regulations.

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

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

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

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

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

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

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

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

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

SECTION 16 - Sexual harassment by a physician is considered unethical. Sexual harassment is defined as physical or verbal intimidation 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 work in any way.

SECTION 19 - When participating in research, a physician shall follow the current laws, regulations and standards of the United States or, if the research is conducted outside the United States, the laws, regulations and standards applicable to research in the nation where the research is conducted. This standard shall apply for physician involvement in research at any level and degree of responsibility, including, but not limited to, research, design, funding, and 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.

II. ROWANSOM CODE OF CONDUCT

Purpose

The pursuit of Rowan University's School of Osteopathic Medicine (RowanSOM) fourfold mission —excellence in teaching, patient care, research and public service — requires a shared commitment to the University's core values and ethical conduct in the discharge of one's duties, responsibilities and all other RowanSOM activities. The Code of Conduct ("Code") is a statement of that commitment, emphasizing key aspects of dealings inside and outside the University which demand ethical and professional behavior and is intended to inform us of the basic principles which Rowan SOM requires us to follow in conducting RowanSOM business.

All members of the RowanSOM community are expected to adhere to the Code as well as to applicable laws, regulations and RowanSOM policies. The RowanSOM Community includes the Board of Trustees, the RowanSOM management, faculty, and other academic personnel, clinical staff, researchers, employees, students, contractors, agents and others associated with or supporting RowanSOM (collectively "persons associated with RowanSOM").

III. THE FACULTY AFFAIRS COMMITTEE

A. Composition

1. Faculty members of the committee shall be determined by the Dean as outlined in Article III, Section 4.1.5 of the Bylaws of Rowan University School of Osteopathic Medicine.
2. The committee shall be composed of seven full-time faculty members.
3. The chairperson of the committee shall be appointed by the Dean.
4. Only ONE faculty member from a department may serve on the committee at the same time.
5. Term of office is three years, staggered for continuity purposes.

B. Voting

1. Voting shall be by a show of hands or voice response and recorded.
2. In the case of favorable or unfavorable recommendations, the committee shall state the reasons for its decision clearly and promptly in a letter to the Dean and the appropriate chairperson.
3. Recommendation for an appointment, promotion or tenure conferral shall be by majority vote of the committee.
4. No member of the committee may abstain from voting, except when an appointment or position is being considered in the same department as that member. In that case, the member of the same department may participate in the discussion, but cannot vote.

C. Review of Appointments

1. For appointments below the rank of Associate Professor, the committee may conduct its business by telephone, memo or email without a formal meeting.
2. A formal meeting of the committee is necessary for appointments, promotions and tenure considerations above the rank of Assistant Professor.

D. Communications

1. The committee has the responsibility to obtain all information necessary including solicitation of letters from outside reviewers and experts, to allow members of the committee to deliberate properly on the qualifications of all individuals nominated.
2. Departments and search committees have the responsibility of providing the committee with full documentation about their decisions concerning faculty appointments and promotions. If questions arise, the chairperson of a department or search committee may seek information from the committee chair.
3. Notification of all actions of the committee shall be sent to the Dean and the appropriate chairperson or supervisor appropriate chairperson or supervisor.

4. Any member of the committee who dissents from the majority vote may submit a letter to the Dean or appropriate chairperson (copies to the committee members) explaining the minority opinion or objections to the particular appointment or promotion.
5. The discussions of the committee are to be held in confidence. “Sounding out” committee members about votes is improper. Questions and comments should be directed to the committee as a whole.

E. Initiating Actions

Normally, the chairperson of a department initiates an action about a faculty appointment or promotion with the committee. In regard to new appointments, prospective faculty should be informed in writing that commitments for specific academic rank can be recommended, but cannot be finalized inasmuch as all academic appointments must be approved through the University system. If the chairperson does not initiate an action and the faculty member requests one, he or she may initiate it directly with the committee in writing.

Materials for nomination of a candidate for appointment or promotion

The packet submitted to the committee for review should consist of the following:

Face page and Chairperson’s cover letter including a statement indicating that a background check has been completed, where applicable.

A curriculum vitae (University format) including, but not limited to, a copy of the advanced degree diploma, e.g., D.O., M.D., or Ph.D., copies of licenses and Board certifications where applicable.

Three letters from outside sources and additional materials depending upon the candidate’s career path and nominated rank as listed under Articles II or III, guidelines for appointments/promotions, and the current Informational Newsletters for basic scientists and clinicians, respectively.

F. Appeals

The chair who initiated a recommendation for appointment or promotion for the individual faculty member may appeal the decision of the committee. The chair or faculty member must communicate in writing his/her intent to appeal the decision within one month of written notification of the action taken by the committee. An appeal will be considered upon receipt of additional information as requested in the notification of an action by the committee.

G. Faculty Senate

The Faculty Senate serves as a representative forum for the free exchange of faculty ideas and concerns. The bylaws state:

“The Faculty Senate of the RowanSOM shall comprise the full-time and part-time Faculty except those holding administrative titles. The Dean, Associate/Assistant Deans, Chairpersons, or other Faculty members holding administrative titles shall not be members. The President of the RowanSOM Faculty Senate shall be elected by a majority vote of the RowanSOM faculty at a meeting where a quorum is present, or by a majority of the membership of the RowanSOM faculty if a mail ballot is used. The term of the office shall be two years.

The RowanSOM Faculty Senate shall meet regularly to provide a forum for the free exchange of information and ideas among its members. The President of the RowanSOM Faculty Senate may bring issues identified by the RowanSOM Faculty Senate to the attention of the Dean and may request a formal response from the Dean.”

Preface for Articles IV and V

Guidelines for Appointments and Promotions of Full-Time Faculty

- Guidelines for appointments and promotions for basic scientists are listed under Article IV, and those for clinicians are listed under Article V.
- These articles are intended to provide a framework of criteria that can be used to achieve professional goals.

IV. Guidelines for Appointments and Promotions for Basic Scientists

The Faculty Affairs Committee will assess a candidate based on a review of all aspects of an applicant's professional achievements. No single item will either be disqualifying, or likely to ensure, appointment or promotion.

A. Criteria of Evaluation

1. Teaching. Criteria by which to evaluate teaching include, but are not limited to:

- a. Contact hours per course (medical and graduate school)
- b. Effectiveness of lectures (content, student and peer evaluation, exam performance)
- c. Tutorial consultation, supervised independent study
- d. Course organization and direction (where applicable)
- e. Development of new teaching methods, aids and curriculum programs
- f. Mentoring graduate students and postdoctoral fellows
- g. Participation in problem-based learning curriculum

2. Publications. Criteria by which to evaluate publications include, but are not limited to:

- Full-length articles in peer-reviewed journals
- Principal author of articles appearing in major journals in the field as referenced from listings of the Institute for Scientific Information
- Textbook writing – chapters in monographs and books, course reviews
- Editorials and letters will also be considered

3. Research. Criteria by which to evaluate research include, but are not limited to:

- Quality and quantity of publications in peer reviewed journals
- Appearances in citation index
- Editorship for peer-reviewed journals and membership on scientific review boards
- Invited presentations at major national and international scientific meetings
- Evidence and history of an established funded research program

4. National Reputation. Criteria to evaluate reputation include, but are not limited to:

- Invited seminars at special sessions or symposia of national meetings/conventions
- Invited reviews in peer-reviewed publications
- Letters solicited from outside reviewers and experts in one's field
- Editorial board member or editor of leading journal in the field
- Participation on study sections of federal agencies

5. Service to the University and Field. Criteria by which to evaluate service include, but are not limited to:

- Service on committee—school and university
- Chair of committees and assuming elected or appointed positions in state or national societies

V. Guidelines for Appointments and Promotions for Clinicians

The Faculty Affairs Committee will assess a candidate based on a review of all aspects of an applicant's professional achievements. **No single item will either be disqualifying, or likely to ensure, appointment or promotion.**

A. Criteria of Evaluation

1. Teaching. Criteria by which to evaluate teaching include, but are not limited to:

- Peer appraisal of instruction
- Student evaluations, teaching awards
- How students perform on exams
- Presentations at educational meetings
- Development of new teaching methods or aids

2. Publications. Criteria by which to evaluate publications include, but are not limited to:

- Full-length articles in peer-reviewed journals, book chapters, editorials, case reports and letters, etc. will be considered
- Principal author of articles appearing in major journals

3. Research. Criteria by which to evaluate research include, but are not limited to:

- Quality and quantity of publications in peer-reviewed journals
- Appearances in citation index
- Editorship and memberships on scientific review boards
- Invited presentations at major scientific meetings
- Evidence and history of an established funded research program

4. National Reputation. Criteria to evaluate reputation include, but are not limited to:

- Invited seminars at special sessions or symposia of national meetings /conventions
- Invited reviews in peer-reviewed publications
- Letters solicited from outside reviewers and experts in one's field
- Editorial board member or editor of leading journal in the field

5. Service to the University and Field. Criteria by which to evaluate service include, but are not limited to:

- Service on committees
- Chairing committees and assuming elected or appointed positions in state or national organizations

VI. Guidelines for Qualified Appointments and Promotions

These guidelines are intended for those members of the faculty of qualified academic rank having the titles of lecturer, associate and titles preceded by the designations “clinical, adjunct or visiting”. This also applies to faculty considered as qualified (part-time) who participate primarily in clinical service, research or teaching (see RowanSOM Bylaws Article IV, Section 2.2.2).

A. Basic Scientists

The standards and criteria for appointments and promotions for qualified ranks of Assistant, Associate or Professor shall be the same as those for the unqualified ranks as listed under Article II, “Guidelines for Appointments and Promotions for Basic Scientists”.

B. Clinicians

1 The standards and criteria for appointments and promotions for salaried qualified (part-time) ranks of Assistant Professor, Associate Professor or Professor shall be the same as those for the full-time ranks as listed under Article III, “Guidelines for Appointments and Promotions for Clinicians”. This includes information from State Board of Examiners, the National Practitioner’s Data Bank and any other pre-employment requirements.

2. In general, the standards and criteria for appointments and promotions for the unsalaried (volunteer) qualified rank of Assistant Professor shall be the same as that for full-time faculty as listed under Article III, “Guidelines for Appointments and Promotions for Clinicians”. This includes information from State Board of Examiners, the National Practitioner’s Data Bank and any other pre-employment requirements. However, for the qualified ranks of Associate Professor and Professor, the criteria may include the length of service to the school defined as, but not limited to, the extent of the candidate’s contributions in teaching, clinical service and research. This modifies the preferences for publications and/or research as expressed in Article III. The qualified designations apply only to the clinical, educator and research tracks.

Assistant Professor: Board eligible (provisional status) or Board Certified
Associate Professor: seven (7) years of service preferred
Professor: Twelve (12) years of service preferred

VII. Guidelines for Appointments of a Candidate Holding Rank at Another Institution

A. In general, the candidate holding rank at another institution should meet the qualifications of that same rank as listed under Articles II and III, “Guidelines for Appointments and Promotions for Basic Scientists or Clinicians”, respectively.

B. When the SOM qualifications for rank are at variance with those of the same rank of the candidate at another institution then the following criteria may be considered:

1. Documentation of expertise, leadership and the extent of innovative contributions to patient care, teaching and community service as an alternative to the research/publication record preferred for a given rank at RowanSOM.
2. Documentation of a highly regarded set of publications or grant award history as an alternative to both of these considerations for a given rank at RowanSOM.

Preface to Article VIII and IX

Guidelines for Conferral of Tenure of Full-Time Faculty

- Guidelines for conferral of tenure for basic scientists are listed under Article VIII, and those for clinicians are listed under Article IX.
- Assistant Professors, Associate Professors and Professors shall have the opportunity for a formal review for tenure by their department chairs by the tenth year. The period of time may also include full-time service at prior and comparable institutions of higher education at the rank of Assistant Professor higher.
- If, following such a review, the department chair declines to recommend a faculty member for tenure, the faculty member may self-nominate directly to the Faculty Affairs committee.
- If the committee declines to recommend a candidate for tenure, then he/she can be re-nominated after an appropriate period of time that allows the faculty member to accumulate sufficient additional documentation of an extraordinary effort.
- As stated in the RowanSOM Bylaws, Article IV, Section 5.2, “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”.

VIII. Guidelines for Conferral of Tenure for Basic Scientists

To be awarded tenure requires strong evidence that the candidate's academic record, scholarly activities and performance are extraordinary in his/her field. The items to be submitted and criteria for tenure consideration are listed below. They are based on the RowanSOM Bylaws, Article IV, and Section 5 – Tenured Appointments.

A. Preparation of materials for nomination of a faculty member for tenure

1. Face page (Appendix 1)
2. Cover letter from department chair (comments on research, teaching and service)
3. *Curriculum Vitae*
4. Letters from external reviewer (minimum of three)
5. Citation analysis (where applicable)
6. Peer-reviewed publisher papers (best five, highlighting candidate's research programs)
7. Invited reviews
8. Invited chapters and books
9. Documentation of invited presentations at national/international meetings
10. Scholarships, recognition awards
11. Other considerations (e.g., demonstration of a history of continued expansion competence in the candidate's discipline over a significant period of time)

B. Criteria

1. Prerequisite items include those listed under “Article II, Guidelines for Appointments and Promotions for Basic Scientists” and as listed under the Associate Professor or Professor ranks in the most recent Informational Newsletter. In the case of the rank of Associate Professor, the candidate will have achieved an extraordinary level of performance; whereas, at the rank of Professor, the candidate will have continued to maintain an extraordinary level of performance.

2. Demonstration of abilities (where applicable):

- a. Letters (4 to 6) from outside nationally/internationally recognized experts in the candidate's field (Appendix 2)
- b. Innovation and creativity in research and/or education
- c. Evidence of a continually funded and stable research or education program
- d. Innovation and creativity in teaching (student evaluations, awards)
- e. Service to RowanSOM and the community
- f. Collegiality and effective working relationships with colleagues

3. National/international reputation

- a. Invited seminars at special sessions or symposia of national/international meetings or conventions
- b. Invited reviews in peer-reviewed publications
- c. Editorial board member or editor of leading journal(s) in the candidate's field
- d. Study section reviewer for granting agencies (national, international)

IX. Guidelines for Conferral of Tenure for Clinicians

To-be-awarded tenure requires strong evidence that the candidate's academic record, scholarly activities and performance are extraordinary in his/her field. The items to be submitted and criteria for tenure consideration are listed below. They are based on the RowanSOM Bylaws, Article IV, and Section 5 – Tenured Appointments.

A. Preparation of materials for nomination of a faculty member for tenure

1. Face page (Appendix 1)
2. Cover letter from department Chair (comments on clinical practice, research [if applicable] teaching and service)
3. *Curriculum Vitae*
4. Letters from external reviewers (minimum of three)
5. Peer-reviewed published papers (best five, highlighting candidate's area of expertise)
6. Invited reviews
7. Invited chapters and books
8. Documentation of invited presentations at national/international meetings
9. Scholarships, recognition awards
10. Other considerations (e.g., demonstration of a history of continued expansion of competence in the candidate's discipline over a significant period of time).

B. Criteria

1. Prerequisite items include those listed under “Article III, Guidelines for Appointments and Promotions for clinicians” and as listed under the Associate Professor or Professor ranks in the most recent Informational Newsletter. In the case of the rank of Associate Professor, the candidate will have achieved an extraordinary level of performance whereas at the rank of Professor, the candidate will have continued to maintain an extraordinary level of performance.

2. Demonstration of abilities (where applicable)

- a. Letters (four to six) from outside nationally/internationally recognized experts in the candidate’s field (Appendix 3)
- b. Innovation and creativity in clinical practice, service and education
- c. Evidence of a continually funded and stable clinical research program
- d. Innovation and creativity in clinical teaching (student evaluations, awards)
- e. Service to Rowan SOM and the community
- f. Collegiality and effective working relationships with colleagues

3. National/international reputation

- a. Invited seminars at special sessions or symposia of national/international meetings or conventions
- b. Invited reviews in peer reviewed publications
- c. Editorial board member or editor of leading journal(s) in the field

X. Guidelines for Designation of Retiring or Retired Faculty as Emeriti

These guidelines are intended for those senior members of the faculty of unqualified rank who are retiring or have retired. They are based on outstanding contributions with the highest distinction in teaching, research, clinical and administrative services where applicable (see RowanSOM bylaws Article IV Section 2.2.5)

A. General Criteria of Evaluation

1. Recognition and honor to the School and University
2. Eminence in his/her field as an educator, research or clinician
3. Duration of service to the School and University with longevity marked by a high level of accomplishment
4. Unblemished record, reputation and career that have not brought discredit to the School and University

B. Basic Scientists

The standards and specific criteria of evaluation for designation or emeritus status are based on those listed under Articles II and VI: Guidelines for Appointments and Promotions; and Guidelines for Conferral of Tenure for Basic Scientists, respectively.

C. Clinicians

The standards and specific criteria of evaluation for designation of emeritus status are based / on those listed under Articles III and VII: Guidelines for Appointments and Promotions; and Guidelines for Conferral of Tenure for Clinicians, respectively.

**ROWAN UNIVERSITY SCHOOL OF OSTEOPATHIC MEDICINE
CRITERIA FOR DESIGNATION OF RETIRING OR RETIRED FACULTY AS EMERITI**

The history of emeritus designations at RowanSOM is consistent with a highly selective set of criteria under which only a small percent of retiring or retired faculty receive this title for service at the school of the highest distinction. The RowanSOM Bylaws state:

“Such recommendations should be based upon significant contributions in teaching, research or clinical or administrative services.”

The Bylaws also require a process of recommendation and approval beginning within the School and progressing to the Provost, the President, and the Board of Trustees. As part of that process, each School's bylaws are to provide for a faculty committee to review and make recommendations regarding emeritus designations under criteria tailored for the disciplines and traditions of that School. The following criteria shall serve as general statements from which the Schools shall derive their own School-specific criteria which shall be consistent with the RowanSOM criteria:

- The individual has served as a faculty member with the highest distinction as compared with his/her national or international peers and colleagues.
- The individual's national or international reputation and eminence in his/her field as educator, researcher, clinician and/or administrator have brought recognition and honor to the School and University.
- The individual's duration of service at the School or University is such as to confer seniority among his/her fellow faculty members, and his/her longevity of service has been marked by a consistently high level of accomplishments.
- The individual's record, reputation and career shall be unblemished, containing no actions that have brought discredit to the School or University, or that have hindered the advancement of the School's or University's missions

XI. Guidelines for Designations of Distinguished Professors

These guidelines are intended for those faculty members of unqualified rank who are of surpassing academic achievement. They are based on outstanding and continuing contributions with the highest distinction in the academic programs of the School. (See, RowanSOM Bylaws, Article IV, Section 2.26).

A. General Criteria of Evaluation

1. Recognition and honor to the School and University
2. Premier eminence in his/her field as an educator, researcher or clinician
3. Established service to the School and University over time marked by an extraordinary level of accomplishment
4. Unblemished record, reputation and career

B. Basic Scientists

The standards and specific criteria of evaluation for designation of distinguished professor status are based on those listed under Articles II and VI: Guidelines for Appointments and Promotions; and Guidelines for Conferral of Tenure for Basic Scientists, respectively.

C. Clinicians

The standards and specific criteria of evaluation for designation of distinguished professor status are based on those listed under Articles III and VII: Guidelines for Appointments and Promotions; and Guidelines for Conferral of Tenure for Clinicians, respectively.

XII. ROWAN SOM BYLAWS

Article IV Appointment to Academic Staff

Section 1 - Academic Freedom and Academic Responsibility

It is the policy of RowanSOM to foster and maintain full freedom of discussion, inquiry, teaching and research. It is the policy of RowanSOM to foster and maintain standards of professional conduct and public morals. Every member of the General Faculty of RowanSOM is entitled to discuss relevant subjects freely in the classroom. In research and publication, each member is entitled to discuss freely those subjects with which the member is competent to deal, to pursue inquiry thereunto and to present and endeavor to maintain the opinion and conclusions relevant thereunto.

While free to express those ideas which seem justified by the facts, each member is expected to maintain standards of sound scholarship and competent teaching. Every member of the General Faculty of RowanSOM is obliged by the member's position and professional standards to work for the betterment of RowanSOM. Counsel should be lent, as may be required, and the member should undertake a fair share of the burdens of

organization, legislation and deliberation, within the University, RowanSOM and his department. Every member of the General Faculty, outside of the fields of instruction, research and publication, should act in a manner that is neither reprehensible nor yielding of discredit to RowanSOM. When speaking or writing as a citizen the member shall clearly indicate, when necessary, that he or she is not speaking for the institution

Section 2 - Academic Titles

2.1 - Approved Titles

The following academic titles are approved for use in RowanSOM: 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.

2.2 - Definitions

2.2.1 Full academic rank is held by those members of the Faculty of RowanSOM having the title of “professor, associate professor, assistant professor or instructor.”

2.2.2 Qualified academic rank is held by those members of the General Faculty of RowanSOM having the title of lecturer or associate or a title preceded by the designation “clinical, adjunct or visiting.”

2.2.2.1 Part-time General 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.

2.2.2.2 Part-time General 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.

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

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

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

2.2.3 Full-time General Faculty are those members of the General Faculty of RowanSOM who have agreed to abide by all the rules and regulations of RowanSOM and of the University and whose professional careers are fully dedicated to the instructional, research, health care or service missions of RowanSOM and University.

2.2.4 Part-time General Faculty are those members of the General Faculty of RowanSOM who have agreed to abide by all the rules and regulations of RowanSOM and whose professional careers are only partially committed to RowanSOM or its affiliates. They may participate in research, clinical service or teaching programs and in general RowanSOM services.

2.2.5 Emeritus Faculty are those members of RowanSOM Faculty who, by virtue of retirement, have been relieved of regularly assigned teaching and administrative responsibilities, and as such they shall be entitled to attend, (without vote), meetings of the Faculty, to march in a position of honor in academic processions, to receive official RowanSOM and University mailings, to avail themselves of the library and other facilities offered to RowanSOM Faculty members, to represent RowanSOM or the University on appointment at academic ceremonies of other institutions, and to take part with the faculties in all social and ceremonial functions of RowanSOM and the University. Designation as Emeritus Faculty should be based upon significant contributions in teaching, research, or clinical or administrative service.

Upon the positive recommendations of the department Chair, the Faculty Affairs Committee, the Dean, the Provost, and the President, designations of Emeritus Faculty shall be considered by the Board of Trustees. Designations of Emeritus Faculty shall be made only by the Board of Trustees after reviewing the recommendations of the Chair, the Faculty Affairs Committee, the Dean, the Provost, and the President. Such recommendations should be based upon significant contributions in teaching, research or clinical or administrative services.

2.2.6 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 RowanSOM and the University. 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.

Designations of Distinguished Professors shall be made only by the Board of Trustees after reviewing the positive recommendations of the Department Chair, the RowanSOM Faculty Affairs Committee, the Dean, the Provost, and the President.

2.3 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 and RowanSOM.

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

- **Mastery of subject matter** as demonstrated by such factors as degrees, licenses, honors and awards, and reputation.
- **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.
- **Research and Scholarly or Professional accomplishments** as demonstrated by such factors as contributions to scientific, educational or clinical knowledge, publications, grant funding and reputation.
- **Contributions to and implementation of the service mission of the University**, that is, service to the host communities of the University's campuses and to the entire state.
- **Continuing growth** as demonstrated by such factors as advanced study or research, ability to handle increasing responsibility and reputation.
- **Degree and effectiveness of service to the University** through activities such as service on RowanSOM or University committees and performance of administrative responsibilities.

Section 3 - General Provisions

3.1 Until a Chairperson is initially appointed to a department the Dean shall recommend all academic appointments to that department from among the slate of candidates proposed by a search committee from the relevant academic discipline.

3.2 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 year, whichever is closer to the effective date of the appointment.

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

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

3.5 Written notice that a term appointment is not to be renewed upon expiration is to be given to the appointee by the Dean or his designee in accordance with the requirements of the University Bylaws.

Section 4 - Eligibility for Full Academic Rank

4.1 Full-time Faculty, as defined in these Bylaws and subject to the provisions and guidelines governing academic appointments as set forth in these Bylaws, 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 and track.

4.1.1. Academic administrators within RowanSOM who qualify for Faculty appointments may be appointed to full academic rank. Academic administrators appointed to full academic rank under this section may be awarded Faculty appointments which shall be coterminous with the administrative appointment.

4.1.2. There shall be separate sets of written criteria and procedures for appointment and promotion for Faculty whose efforts are focused on (1) clinical activity, on (2) research, and on (3) education, administration or service. These criteria shall take into consideration those Faculty who have significant responsibilities in more than one mission-related area. The Dean shall assure that Faculty are informed of these criteria and procedures.

4.1.3. Coterminous Full-Time Faculty at affiliated institutions of RowanSOM or at another school of the University who qualify as full time as defined in Article IV, Section 2.2.3 of these Bylaws 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.

4.1.4. Coterminous Full-Time Faculty at RowanSOM: 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.

4.1.5 Under special circumstances and following the review process described below, a limited number of 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 the University. Upon the positive recommendation 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, the Provost, 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, the Provost and the President.

4.2 Upon the positive recommendations of the department Chair, the Dean, and the Provost appointments of instructors shall be considered by the Board of Trustees. Instructors shall be appointed by the Board of Trustees after reviewing the recommendations of the Chair, the Dean, and the Provost.

4.3 Upon the positive recommendations of the department Chair, the Faculty Affairs Committee, the Dean, the Provost, and the President, appointments of assistant professors, associate professors, and professors shall be considered by the Board of Trustees. Assistant professors, associate professors, and professors may be appointed only by the Board of Trustees after reviewing the recommendations of the Chair, the Faculty Affairs Committee, the Dean, the Provost, and the President.

4.4 Reappointment. The process for reappointment shall be the same as for initial appointment except that no action is required by the Faculty Affairs Committee.

4.5 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.

4.6 Process of Promotion. 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 in Article IV, Section 7 of these Bylaws, and a positive recommendation by the Faculty Affairs Committee shall require consideration by the Board of Trustees or by the Provost, depending on tenure, non-tenure or tenure track status, regardless of negative recommendations of the Chair and/or the Dean.

Section 5 - Tenured Appointments

5.1 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.

5.2. 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. 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 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 SOM and the University such that they are deserving of employment as Faculty members until retirement subject to the conditions set forth in these Bylaws.

5.2.1 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.

5.3 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.

5.4 Individuals appointed or promoted to the rank of associate professor or above are eligible for tenure. All faculty will be given a formal review for tenure by their department chairs, when requested by the Faculty member, at any time, based on procedures for such review as established by the Faculty Affairs Committee. If, following such review, the department chair declines to recommend a Faculty member for tenure, the Faculty member may self-nominate for tenure by petitioning the Faculty Affairs Committee for a tenure review. The committee shall review the application for tenure and make a recommendation.

5.5 The process for the award of tenure shall be as follows: the Chair shall refer individuals to the Faculty Affairs Committee for tenure review after a review with the full-time Faculty of the department holding appointments as Associate Professor or above. Upon positive recommendation of the Faculty Affairs Committee, the Dean and the President, awards of tenure shall be considered by the Board of Trustees. A positive recommendation by the Faculty Affairs Committee shall require consideration by the Board of Trustees regardless of negative recommendations of the Chair, the Dean, the Provost, 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 Affairs Committee, the Dean, the Provost, and the President.

5.6 An appointment with tenure carries with it an obligation on the part of the University 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 determined in accordance with the University Bylaws and applicable law.

5.7 Academic Tenure in Combination with Administrative Appointment

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

Section 6 - Qualified Academic Rank

6.1 Full-time General Faculty as defined in Article IV, Section 2.2.3, 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.

6.2 The part-time General Faculty as defined in Article IV, Section 2.2.4 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 at SOM. The amount of time devoted to the University shall be determined by the department Chair in consultation with the Dean. Their service may be paid or voluntary.

6.3 Procedures and Criteria for Appointment and Promotion to Qualified Academic Rank

6.3.1 Appointment and promotion of General 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.

6.3.2 Upon the positive recommendations of the department Chair and the Dean, appointments to the qualified academic rank of instructor shall be considered by the Provost. Instructors shall be appointed to qualified academic rank by the Board of Trustees after reviewing the recommendations of the Chair, the Dean, and the Provost.

6.3.3 Upon the positive recommendations of the department Chair, the Faculty Affairs Committee and the Dean, appointments to the qualified academic rank of assistant professor and above shall be considered by the Provost. Appointments to qualified academic rank of assistant professor shall be made by the Board of Trustees after reviewing the recommendations of the Chair, the Dean, and the Provost.

6.4 Reappointment. The process for reappointment shall be the same as for initial appointment except that no action is required by the Faculty Affairs Committee.

6.5 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.

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

Section 7 - Procedures and Criteria for Appointments and Promotions

7.1 The Faculty Affairs Committee of the SOM shall specify procedures for nomination of individuals for appointment and promotion as well as procedures by which a member of the Faculty may enter a formal request to be considered for promotion. These procedures and any changes in the procedures for the nomination of individuals for appointment and promotion must be approved by the Executive Council and submitted to the Faculty for ratification.

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7.2 There shall be separate sets of written criteria and procedures for appointment and promotion for Faculty whose efforts are focused on (1) clinical and on (3) education, administration or service. In recommending such criteria, the Faculty Affairs Committee shall take into consideration faculty members who have significant responsibilities in more than one mission-related area.

7.3 RowanSOM criteria and procedures for appointment and promotion shall be in writing; the Dean shall assure that General Faculty are informed of these criteria and procedures.

Article V Leave of Absences

Section 1 - Faculty Renewal Program

1.1 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 RowanSOM and the University. To further this purpose, a period of paid leave may be granted on the basis of demonstrated service to RowanSOM and the University and an application describing a program of planned study, formal education, research, writing or an equivalent.

1.2 Full-time, full-title Faculty who have completed at least six consecutive years of service within RowanSOM shall be eligible to be granted leave under this program. Consecutive years of service shall be computed as provided in section 3.4 of Article IV, Section 3. An individual granted leave under this program shall be ineligible for additional leave under this program until an additional six consecutive years of service have been accumulated.

1.3 Leave under this program may be granted only by the Provost upon considering the recommendations of the Chairperson of the department, the Faculty Affairs Committee, and the Dean.

Section 2 - Other Leaves

2.1 Upon the recommendations of the Chairperson of the department and the Dean, the Provost may approve other leaves of absence by members of the Faculty 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 the University.

2.2 Applications for such leaves of absence under this Section shall be made to the Provost through the Dean, upon recommendation of the Chairperson of the department. Each application shall include a statement of the purpose for which the leave is requested, its anticipated duration and its value to the applicant and the University.

XIII. Frequently Asked Questions (FAQs) – Clarifications of Guidelines

PEER REVIEWED PUBLICATIONS

Definition: A peer-reviewed publication is a publication that has been:

1. Published in a nationally recognized journal.
2. The journal uses the expertise of external experts as part of the decision making process.
3. The journal is selective in what it publishes. Greater credit is given for the more selective journals.

FUNDING

The Committee is interested in whether the funding listed by the applicant was obtained competitively. Obtaining funding in a situation where most applications are funded is not given as much weight as funding obtained under more competitive circumstances. The amount of funding obtained is also considered by the Committee as part of their overall evaluation.

Non-Research Funding: The weight given to funding is proportional to the degree of difficulty in obtaining that funding. Thus, little weight is given to obtaining funding where the success rate is high, greater weight if the success rate is low.

Research Funding: Credit is given for obtaining any funding to support research at RowanSOM (from clinical trials to federal grants). The degree of difficulty in obtaining the funding is still a factor, but not as great a factor as with non-research funding. The Committee also takes into account whether the grant/contract pays the full overhead rate.

EXCELLENCE

Excellence is a term frequently used in the Guidelines as part of the assessment of a candidate for promotion to the rank of Associate Professor and above. Excellence implies recognition of sustained performance at a superior level by an appropriate peer group.

The Guidelines clearly state that for promotion to Associate Professor and above, there are three primary criteria: research, teaching and clinical performance. The relative importance depends on the track the faculty member is on. Irrespective of track, the Guidelines emphasize that the candidate must show evidence of excellence in at least one of these three endeavors. While other definitions of excellence may be acceptable on a case-by-case basis, the general expectation is for the excellence to be recognized at the national level by the applicant's peer group.

Excellence in performance of the duties associated with the faculty member's position at RowanSOM is expected from all candidates for promotion to Associate Professor or full Professor. However, it does not satisfy the excellence criteria for promotion; neither does the occasional extra-mural presentation or involvement at national meetings.

The Committee does not expect "excellence" in all three categories. But true excellence in the primary category associated with the candidate's track is essential. For the other two categories, meeting the minimal criteria may be considered acceptable. Meeting or barely exceeding the minimal criteria in all three categories, without evidence of true excellence/distinction in at least one category, is not enough to qualify for promotion to the rank of Associate Professor and above. The committee is aware that some candidates will have more opportunity than others to achieve excellence on the national scene and this is factored into the overall evaluation.

XIV. Rowan University Employee Sexual Misconduct and Harassment Policy

All Faculty and Staff at Rowan University have the right to a workplace environment free from all forms of gender based discrimination involving sexual misconduct, harassment, sexual violence or exploitation. This gender based discrimination is prohibited under all activities related to the recruitment, evaluation, classification, payment, assignment, retention or treatment of employees. Rowan University does not tolerate sexual misconduct or harassment of any kind. This policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated. All members of the Rowan community are expected to conduct themselves in a manner that does not infringe upon the rights of others. This policy applies to all faculty, staff, visitors and students, when a claim involves both a student and faculty or staff member.

When an allegation of a violation of this policy is brought to the attention of the University, the University will investigate the violation to the best of its ability. The University will also take steps to bring the behavior that is in violation to an end, prevent further violations by the perpetrator(s), and, to the best of its ability, remedy any adverse impact of the violation.

The University reserves the right to take whatever measures it deems necessary in response to an allegation of sexual misconduct or harassment in order to protect the rights of employees and the personal safety of members of the Rowan community. Such measures include, but are not limited to, a cease and desist letter, change in work schedule, no contact orders or suspension of the accused employee.

Not all forms of sexual misconduct are equal in seriousness, and the University reserves the right to impose differing sanctions depending on the severity of the offense.

The University will consider the concerns and rights of both the complainant and the person accused of sexual misconduct or harassment.

A. Prohibited Conduct

Sexual Misconduct Offenses

Any of the following forms of behavior will be considered a violation of this policy:

1. Non-Consensual Sexual Contact- any intentional sexual touching, however slight, with any body part or any object, without consent

2. Non-Consensual Sexual Intercourse or Penetration - any sexual intercourse or penetration (vaginal, anal or oral), however slight, with any body part or any object, without consent.

3. Sexual Exploitation - behavior that takes non-consensual sexual advantage of any person to benefit any other person when the behavior does not otherwise constitute sexual misconduct violation. Examples of sexual exploitation include, but are not limited to:

- prostituting another person;
- non-consensual video or audio-recording of sexual activity, or transmitting or distributing video or audio-recordings without permission;
- voyeurism or spying on persons where they have a reasonable expectation of privacy;
- knowingly transmitting a sexually transmitted infection or HIV to another person;
- stalking with a sexual component. Stalking may take many forms, including persistent calling, texting, or posting on a social networking site as well as physical stalking. When the content of the messages or the nature of the physical stalking is of a sexual nature, sexual misconduct has occurred.

4. Domestic/Relationship violence- any violence by a person with whom the victim shares a history of a romantic or intimate relationship.

5. Other Sexual Misconduct- inappropriate sexual behaviors not covered previously in this section, such as but not limited, to sex in public places.

Sexual Harassment Offenses

Any gender based verbal or physical conduct that unreasonably interferes with or deprives others of their right as an employee for a workplace free from gender discrimination is a violation of this policy.

Sexual harassment offenses fall into two general categories:

Hostile Environment

- Hostile environment is defined as harassing conduct that is sufficiently severe, pervasive/persistent and objectively offensive that it substantially interferes with the conditions of employment, from both a subjective (the alleged victim's) and an objective (reasonable person's) viewpoint.

The determination of whether an environment is "hostile" will be based on all of the circumstances. These circumstances could include but are not limited to:

- the frequency of the conduct;
- the nature and severity of the conduct
- whether the conduct was physically threatening;

- whether the conduct was directed at a specific individual or more than one person;
- whether the conduct arose in the context of other discriminatory conduct;
- whether the conduct unreasonably interfered with the alleged victim's work performance; or
- whether the speech or conduct is excluded from the protections of free speech or academic freedom.

Quid-pro-quo

- A violation of quid-pro-quo occurs when:

- Explicit or implicit suggestions of sex are made by a supervisor or manager in return for a favorable employment action such as but not limited to hiring, compensation, promotion, or retention.
- Suggesting or implying that failure to accept a request for a date or sex would result in an adverse employment consequence with respect to any employment practice such as performance evaluation, promotional opportunity or etc.

B. Title IX

Title IX of the Education Amendments of 1972 is a federal Law that prohibits sex discrimination involving employees in educational settings. It reads:

Title IX broadly prohibit(s) "discrimination in employment, or recruitment, consideration, or selection therefor, whether full-time or part-time, under any education program or activity operated by a recipient that receives Federal financial assistance."

Other Relevant Laws

Sex discrimination includes sexual harassment and sexual assault and may violate the New Jersey Law Against Discrimination, N.J.S.A 10:5-1 et seq., therefore complaints of this type also fall under the New Jersey Policy Prohibiting Discrimination the Workplace.

The results of an investigation will be evaluated under both the Title IX Policy and the New Jersey State Policy Prohibiting Discrimination in the Workplace.

Compliance with this law is everyone's responsibility at Rowan. Rowan University has designated the Assistant Vice President of Equity and Diversity as the Title IX Coordinator for all matters related to sexual discrimination at the University and to coordinate the efforts of the University to comply with the Title IX Law.

Title IX Coordinator

Nyssa Taylor

Title IX Manager

Office of Equity and Diversity, 124 Linden Hall

856.256.5831

taylorny@rowan.edu

Responsibilities: Monitoring and oversight of overall implementation of Title IX compliance at the University, including coordination of training, education, communications, and administration of grievance procedures for faculty, staff, students and other members of the University community. The Assistant Vice President should be contacted for all complaints against faculty, staff and visitors, including those complaints filed by students. Develop and participate in activities to raise awareness regarding sex/gender issues and related institutional policies.

C. Reporting Options

Employees who have knowledge of sexual misconduct or harassment are strongly encouraged to report this information as soon as possible. Prompt reporting of incidents greatly improves the ability of the University and law enforcement to provide support resources to victims and to address the violations effectively. When an employee receives a report about harassment, it is considered an official notice to the University. Although there is no time limit for reporting sexual harassment or misconduct offenses, delays in reporting may reduce the ability of the University and law enforcement to investigate and respond to incidents. Employees can use the Title IX Complaint Form to report an incident.

For strictly employee related complaints of sexual misconduct or harassment and Title IX Complaint Forms reports go directly to the Title IX Coordinator. Complaints can also be filed on the Rowan University Alertline by phone via the 24 hr. Hotline: 855-431-9967 or via the web: <https://rowan.alertline.com>

The complaint should contain a concise statement of the alleged violations of the Employee Sexual Misconduct and Harassment Policy and a detailed statement of the facts supporting the alleged violations.

When criminal behavior is involved Rowan is required to report the claim to law enforcement. Employees can choose to file the report themselves. If they choose to do so, they must file with Rowan Campus Police, 856-256-4922.

In addition to filing an internal complaint with the Office of Equity and Diversity, employees have the right to file a complaint with the New Jersey Division of Civil Rights or the U.S. Equal Employment Opportunity Commission. A copy of the New Jersey Policy Prohibiting Discrimination in the Workplace and the corresponding Model Procedures is available in the Office of Equity and Diversity or at the website: www.rowan.edu/equity.

Student-on-student complaints

If a student comes to any employee with an incident, they must inform that student of Rowan's Title IX Policy: Student Sexual Misconduct and Harassment Policy, and the Title IX Complaint Form they can use to report an incident. The policy can be found in the Student Handbook or at rowan.edu/equity/titleix. The employee must also report that incident to either the Title IX Coordinator or any of the Title IX Deputy Coordinators listed below.

- Dr. Penny McPherson-Barnes- Associate Dean for Academic Enrichment/Director of EOF/MAP-Title IX Deputy Coordinator (856-256-4086)
- Mr. Joseph Mulligan- Associate Dean for Civic Involvement and Title IX Deputy Coordinator (856-256-4242)
- Mr. Travis Douglas- Director of Residential Learning and University Housing and Title IX Deputy Coordinator (856-256-4266)
- Ms. Penny Kempf, Associate Director Athletics and Title IX Deputy Coordinator (856-256-4679)
- Ms. Marion Lombardi- Chief Student Affairs Officer of Cooper Medical School of Rowan University and Title IX Deputy Coordinator (856-361-2850)
- Ms. Paula Watkins, Director of Enrollment Services for Rowan University School of Osteopathic Medicine and Title IX Deputy Coordinator (856-566-7050)
- Dr. Diane Worrada- Director of Graduate School of Biomedical Sciences and Title IX Deputy Coordinator (856-566-6282)
- Mr. Terence Brown, Director, Rowan University School of Osteopathic Medicine, Graduate Medical Education (856-566-2742)
- Nyssa Taylor, Title IX Manager (856-256-5831)

Retaliation

Any harassment or adverse employment action taken against a person because of that person's participation in a complaint or investigation of discrimination or sexual misconduct is a violation of this policy, and will result in immediate action by the University to stop the retaliatory behavior, prevent further violations by the perpetrator(s), and remedy any adverse impact of the violation.

D. Employee Training

Title IX training is available for all employees upon request. Rowan University encourages employees to learn about Title IX and will set up training for any department when prompted.

E. Confidentiality

When the University is made aware of a report or allegation of sexual misconduct or harassment, the University will endeavor to maintain the confidentiality of the matter and of all individuals involved to the extent permitted by law. The University will balance the needs of the individuals involved (victim and accused) with its obligation to fully investigate allegations and to protect the safety and wellbeing of the community at large. In all cases, the University and its employees will respect the dignity and rights of all individuals involved.

F. Rights of Complainants and Accused Employees

- The right to request a No Contact Directive against another employee who has engaged in or threatens to engage in an act of sexual misconduct or harassment which presents a danger to the welfare of the complainant or others.
- The right to request a No Contact Directive against another employee involved in a complaint.
- The right to a reasonable investigation and appropriate resolution of all credible formal complaints.
- The right to request a voluntary resolution procedure.
- The right to have union representation in all meetings pertaining to complaint.
- The right to receive notification of the outcome of the investigation in the form of a determination letter from the University President's designee.
- The right to be free from retaliation.

G. Procedures:

These procedures will be followed whenever an employee is involved in a Title IX complaint.

Voluntary Resolution Procedures:

1. Some complaints of sexual misconduct can be resolved through voluntary problem resolution processes between parties. The Title IX Coordinator or appropriate administrator may arrange for/or facilitate mediation between the involved parties or coordinate other voluntary problem resolution if warranted for the specific situation. Voluntary Resolution Procedures are optional and may be used when the University determines that it is appropriate. Voluntary procedures are never applied in cases involving violence or non consensual sexual intercourse or penetration.
2. The University reserves the right to extend time periods identified in this policy. The resolution of a complaint will be completed within 60 days, unless extraordinary circumstances exist.
3. A preliminary investigation into the complaint will be conducted by the Title IX Coordinator or designee. Voluntary resolution procedures can be initiated within seven calendar days. Details of the complaint will be given to the accused during the first investigatory interview.
4. Once the Voluntary Resolution Procedure is complete, written notification to both parties will be given by the Title IX Coordinator or appropriate administrator.

5. If either party is dissatisfied with the outcome of the voluntary resolution procedure, the formal resolution procedure may be pursued.

Formal Procedures:

1. The formal resolution procedure will be followed when the University determines it is necessary.
2. The University reserves the right to extend time periods identified in this policy. The resolution of a complaint will be completed within 60 days of receiving the initial complaint, unless extraordinary circumstances exist.
3. The investigation may include any of the following: interviews of the parties involved, including witnesses, review of written statements, and the gathering of other relevant information.
4. Once the accused has been notified of the formal written complaint, the complainant and the accused will be advised of the procedures that will guide the resolution of the complaint. Details of the complaint will be given to the accused during the first investigatory interview.
5. After a report of sexual misconduct has been received as a formal complaint, an investigation into the complaint will be initiated by the Title IX coordinator. The Title IX coordinator will then send out notification and acknowledgement letters to all parties involved.
6. Findings will be based on a “Preponderance of the Evidence” standard which means whether “It is more likely than not” that the incident happened as alleged and that a violation of the policy was substantiated.
7. The investigation process will be confidential to the extent possible.
8. The investigation is conducted under the auspices of the Office of Equity and Diversity by the Title IX Coordinator. An investigative report will be completed at the conclusion of the investigation and a final decision made.
9. Once the decision has been made, a determination letter will be sent to both the complainant and accused employee.
10. An appeal of the determination can be made to the Executive Vice President of Administration and Strategic Advancement within 10 days of the final determination.

-Both the accused and complainant may each be accompanied by a Union representative in all meetings throughout the investigatory process.

H. Consequences:

1. An appropriate sanction in each specific case will be determined, taking into consideration the severity of conduct represented in the complaint as well as any mitigating circumstances. All corrective action will be done in compliance with applicable contract agreements.
2. The University will take reasonable steps to remedy the discriminatory effects on the victim(s) and others. Examples of such remedies include: a cease and desist letter, suspension of the accused employee, etc.
3. The University will take reasonable steps to prevent the recurrence of sexual misconduct in any form. If recurrence takes place, those responsible for such behavior may be subject to additional disciplinary action up to and including termination.
4. The University prohibits retaliation against any individual who in good faith reports sexual misconduct or harassment or participates in any investigation of such complaints. Retaliation is a serious violation of this policy and, like the harassment itself, will be subject to disciplinary action.

I. Special Provisions

Attempted Violations

In most circumstances, the University will treat attempts to commit any of the violations described in this policy as if those attempts had been completed, and employees will be subject to disciplinary action accordingly.

False Reports

The University does not tolerate intentional false reporting incidents. Any employee, who knowingly makes a false accusation of prohibited gender discrimination or knowingly provides false information in the course of an investigation of a complaint, may be subjected to administrative and/or disciplinary action, up to and including termination of employment. Complaints made in good faith, however, even if found to be unsubstantiated, shall not be considered a false accusation.

Notification of Outcomes

Both the complainant and the respondent will be informed of the outcome of the investigation in writing.

Past Sexual History/Character

The past sexual history or sexual character of an employee will not be admissible by the investigator unless such information is determined to be highly relevant. If, in the past, the accused employee was found to have violated the Employee Sexual Misconduct and Harassment Policy, the information related to that past violation may be considered if:

- a) The previous violation was substantially similar to the present complaint; and /or
- b) The previous violation indicates a pattern of behavior and substantial conformity with that pattern by the accused employee.

University as Complainant

As necessary, the University reserves the right to initiate a complaint, to serve as complainant, and to initiate an investigation without a formal complaint by the victim of sexual misconduct or harassment.

XV. Grievance Procedure

A. Purpose

The parties agree that it is in the best interests of the academic community that all grievances be resolved promptly, fairly and equitably. To this end, relevant and necessary public information, material and documents concerning any grievance shall be provided by the Association and the University upon written request to the other. This entitlement to information does not include the use of written questions directed to individuals where relevant and necessary information sought can be obtained from witnesses or the University representatives who attend a grievance hearing.

The following procedure, which may be initiated by a bargaining unit member and/or the Association, shall be the sole and exclusive means of seeking adjustment and settling those grievances which are grievable under this Article in cases where the parties are entitled to have the grievance determined through binding arbitration at the final step.

The parties recognize that a bargaining unit member may have rights arising from sources other than this Agreement, and nothing herein shall be construed to prevent any action brought pursuant to such rights where the final step on a grievance is not binding arbitration.

B. Definition of a Grievance

A grievance is an allegation by a bargaining unit member or the Association that there has been:

1. A breach, misinterpretation or improper application of the terms of this Agreement, including the Appendices, or a violation of applicable written University promotion or reappointment procedures, discipline imposed upon bargaining unit members, including, but not limited to, discipline (including termination of librarian unit members) imposed for an asserted breach of University regulations or policies, or a proposed suspension of up to thirty (30) days for medical faculty. No such suspension shall begin to run until 21 days after the affected unit member has, or reasonably should have gained, knowledge of the proposed suspension or, if such person grieve the suspension, until after the Step One determination. In no event shall such a suspension serve to terminate or limit in any way the hospital privileges of unit members, which privileges may be suspended or terminated in conformance with the applicable hospital bylaws.
2. An arbitrary, capricious or improper application of, or failure to act pursuant to other written policies, rules, or regulations of the University, or statutes, which prescribe terms and conditions of employment.

3. The following matters shall not be grievable:
 - a. Termination of medical faculty members for cause, which shall be subject to the procedure set forth in Article XXVI;
 - b. Letters of reprimand;
 - c. Discipline imposed pursuant to University policies which have been arrived at by negotiation between the University and the Association and which set forth alternative procedures for affected faculty unit members to appeal disciplinary action imposed upon them. The sole method for appealing such discipline is the one specified in each policy;
 - d. Termination at will, as provided in the University Bylaws, for qualified title faculty unit members; and
 - e. Decisions pursuant to Article VIII, Section B.8.

C. Preliminary Informal Procedure

A bargaining unit member may orally present and discuss a grievance with his or her department Chairperson or for librarian unit members his or her campus library director on an informal basis. At the bargaining unit member's option, he or she may request the presence of an additional faculty member or librarian as appropriate. If the bargaining unit member exercises this option, the department Chairperson or campus library director may determine that such grievance be moved to the first formal step.

Informal discussions shall not extend the time within which a grievance must be filed unless such an extension is agreed to in writing by a representative of the University.

D. Formal Steps

1. Step One

Within twenty one (21) calendar days after the event or occurrence, or the date on which the aggrieved party first gained or should reasonably have gained knowledge of the event or occurrence, the aggrieved party shall present the grievance in writing to the appropriate Dean or, for librarian unit members, to the University Librarian, with a copy to the Senior Vice President for Academic Affairs and to the Association, on the form agreed to by the Association and the University. The Dean or the University Librarian shall discuss the grievance with the grievant and render a decision to the grievant within twenty one (21) days after receipt of the grievance.

2. Step Two

If the grievant is not satisfied with the disposition of the grievance at Step One, the Association, as representative of the bargaining unit member, may, within thirty (30) days from the date the grievant receives the decision at said Step One as to a grievance brought under 8(1) above, and upon written notification of intent to arbitrate to the Dean or University Librarian, appeal the decision at Step One to arbitration. The arbitrator shall conduct a hearing and investigation to determine the facts and render a decision for the resolution of the grievance. An arbitrator's decision shall be binding. In no event shall an arbitrator's decision have the effect of adding to, subtracting from, modifying or amending the provisions of this Agreement, or any policy of the State, or the University. The arbitrator shall not substitute his or her judgment for academic judgments, including medical, professional or clinical practice judgments, rendered by the persons charged with making such judgments.

If the grievant is not satisfied with the disposition of the grievance at Step One, brought under 8(2) above, the Association, as representative of the bargaining unit member, may, within thirty (30) days from the date the grievant received the decision at said step of a grievance brought under 8(2) above, and upon written notification of intent to appeal to the Dean or University Librarian, appeal the decision at Step One to the Senior Vice President for Academic Affairs of the University. The decision of the Senior Vice President for Academic Affairs shall be the final step of the grievance procedure within the University for grievances brought fewer than 8(2).

Only the Association shall have the right to invoke arbitration. Any costs resulting from the arbitration shall be shared equally by the parties.

The arbitrator making a binding determination of a grievance has the authority to prescribe a compensatory award to implement the decision and shall set forth the reasons for the award. Arbitrators shall be selected on a case-by-case basis under the selection procedures of the Public Employment Relations Commission.

E. Resolution of Grievances Concerning Promotion and Reappointment

1. Matters pertaining to promotion and reappointment of faculty unit members shall be grievable under this agreement only upon the basis of claimed violations involving discriminatory treatment in violation of Article III, Section 1 or claimed violations of applicable written University promotion or reappointment procedures. In all such cases the burden of proof shall be upon the grievant and the decision shall not be set aside during the process of the grievance. In no such cases may an arbitrator order promotion or reappointment of a grievant. Rather, where appropriate, the remedy shall be to remand the matter to the proper level of the involved School for elimination of defects in the procedural process.
2. Where a matter is remanded pursuant to subparagraph 1 above, the arbitrator may, where appropriate, direct that the President of the University, in consultation with the Association, appoint an ad hoc review committee to substitute for any individual on the committee which had been involved in the previous promotion or reappointment action. The purpose of such ad hoc committee will be to consider the involved matter and elimination of defects in the procedural process or elimination of impropriety in the decision making process and to make its recommendations concerning the involved promotion or reappointment matter to the individual or Committee having original jurisdiction.

F. Time Limits

1. In the event that the time limitation imposed under Step One as to discussion, hearing and decision are not complied with, the grievance shall, upon request, be moved to Step Two.
2. Where the subject of a grievance suggests it is appropriate and where the parties mutually agree, the Senior Vice President for Academic Affairs may substitute for the Dean or University Librarian in Step One of the process.
3. No adjustment of any grievance shall be imposed retroactively beyond the date of which the grievance was initiated or the twenty-one (21) day period provided in Section 01 above except that payroll errors and related matters shall be corrected to the date of error.
4. Time limits provided for in this Article may be extended by mutual written agreement of the parties at the level involved.
5. If the University's decision at Step One is not appealed within the appropriate time limits, such grievance will be considered closed and there shall be no further review or appeal.

G. Representation

The grievant may be represented by the Association Representative at Step One of the Grievance Procedure. No more than two (2) Association representatives may be present at any time and no Association representative will permit attendance at hearings to interfere with obligations to the University. Where more than one Association representative is present, only one shall act as spokesperson for the grievant.

H. Nothing in this Article shall be construed as compelling the Association to submit a grievance to arbitration.

I. No reprisal of any kind shall be taken against any participant in this grievance procedure by reason of proper participation in such procedure.

J. Grievance records shall not be part of the permanent personnel file utilized in the promotion or retention process unless such grievance records pertain to the matter under consideration.

K. Reference to days in this article means calendar days.

XVI. New Jersey Conflicts of Interest Law

All Rowan University employees are required to adhere to the New Jersey Conflicts of Interest Law. Details regarding this law can be found on the following website:
<http://www.state.nj.us/ethics/statutes/conflicts/>

XVII. Equal Employment Opportunity Policy Statement

A. Policy Statement

It is the policy of Rowan University to ensure equal employment opportunity in accordance with all applicable local, state and federal regulations and guidelines. Employment discrimination against employees and applicants due to race, color, religion, gender (including sexual harassment), sexual orientation, gender identity, national origin, disability, age, military status, veteran status, and any other category protected by applicable law, is illegal.

Managers and employees will comply with local, state and federal equal employment laws, rules, regulations and guidelines. Any employee that deliberately violates this policy will be subject to disciplinary action up to and including termination of employment.

Employees or applicants who believe that Rowan University has discriminated against them in employment should report it immediately to the Office of Equity and Diversity in Linden Hall. It is important to note that employees and applicants may raise such concerns without fear of reprisal or retaliation.

B. Plan

- 1. Recruitment** – Rowan University will exercise good faith efforts to recruit a diverse group of employees and provide equal opportunity for all protected class members.
- 2. Selection** – Rowan University will utilize a hiring process that is fair and does not have an adverse impact on members of the protected classes. Prospective employees will not be excluded from the hiring process due to race, color, religion, gender (including sexual harassment), sexual orientation, gender identity, national origin, disability, age, military status, veteran status, and any other category protected by applicable law. Employee Orientation – Rowan University will provide newly hired employees with basic employment information, including available fringe benefits and company policies and procedures. Employees will not be denied fringe benefits and or opportunities for promotion based on race, color, religion, gender (including sexual harassment), sexual orientation, gender identity, national origin, disability, age, military status, veteran status, and any other category protected by applicable law.
- 3. Training** – Rowan University makes every effort to train its employees about its equal employment opportunity obligations under state law.
- 4. Employee Evaluation** – Rowan University will conduct performance evaluations without regard to race, color, religion, gender (including sexual harassment), sexual orientation, gender identity, national origin, disability, age, military status, veteran status, and any other category protected by applicable law.
- 5. Employee Discipline** – Rowan University will not unfairly discipline an employee based on race, color, religion, gender (including sexual harassment), sexual orientation, gender identity, national origin, disability, age, military status, veteran status, and any other category protected by applicable law.

6. EEO Monitoring Strategies – Rowan University understands this plan and will hold itself accountable for the effective implementation of this plan.

7. Minority Business Enterprise Solicitation Strategies – where possible, Rowan University will make a good faith effort to solicit business from certified minority and/or women-owned businesses (MWBE).

XVIII. FRINGE BENEFITS PACKAGE OVERVIEW- A review of some of the more significant provisions for faculty are as follows:

1. Annual Paid Time Off includes one month of vacation (22 working days) and nine paid holidays (listed below).

Paid Holidays

- **New Year's Day**
- **Martin Luther King Jr. Birthday**
- **Good Friday**
- **Memorial Day**
- **Independence Day**
- **Labor Day**
- **Thanksgiving Day**
- **Day After Thanksgiving**
- **Christmas Day**

Separately, faculty members who are covered by the American Association of University Professors (AAUP) collective bargaining agreement receive three float holidays per year. In addition, faculty members accrue one month (22 working days) medical leave time per year.

2. Retirement Benefits have the following distinct components and the employee may elect to participate in all of them, subject to applicable limits as indicated:

- i. Alternative Benefit Plan (ABP) -The University's defined contribution plan is one where the member and employer make regular tax-deferred contributions toward retirement savings. Members contribute 5% of base salary, and employer contributes 8% of base salary.

- a. The 2013 maximum pensionable earnings for which the employer will contribute 8% of base salary is limited to \$141,000. Therefore, the respective limits are \$7,050 for the employee portion (5%) and \$11,280 for the employer portion (8%). The limit of \$141,000 is imposed by New Jersey State law and is independent of the IRS pensionable earnings maximum.
 - b. For salary in between the \$141,000 limit cited above and the IRS pensionable limit of \$250,000, there is no employer match. The employee, however, may continue to contribute 5% of base salary which amounts to \$5,450 ($\$250,000 - \$141,000 \times .05$)
 - ii. New Jersey State Employees Deferred Compensation Plan (NJSEDCP) Voluntary 457 Plan-Members may elect to make additional tax-deferred contributions toward retirement savings. These contributions are not matched by the University. Currently, the annual limit is \$17,500 or \$23,000 for individuals age 50 and over.
3. Life insurance coverage is provided at 3.5 times the base salary up to a maximum of \$875,000 or 3.5 times the IRS maximum pensionable earnings of \$250,000. Members may need to pay taxes on the value of the benefit (referred to as “imputed income”).
 - a) If the election for supplemental life insurance coverage is waived, it is considered an irrevocable election and will, therefore, preclude enrollment at a future date.
 4. Long Term Disability (LTD) pays up to 60% of the maximum pensionable base monthly salary of \$20,833 (\$250,000 annually) or \$12,500.
 5. As an entity of the State of New Jersey Rowan University participates in the State Health Benefit Program that provides a comprehensive and competitive package of health, dental and prescription drug benefits.
 6. Malpractice insurance provided as part of the University’s self-insurance program.
 7. Further details on benefit information is available at:
<http://www.rowan.edu/som/hr/index.html>
 8. After one year of employment with RowanSOM, the Rowan University Tuition Scholarship Program for dependent(s), spouse, domestic or civil union partner, is available to RowanSOM full-time “permanent” employees. This is in accordance with the conditions described in the guidelines that are included in the link below. Please note that this program is only for undergraduate studies and does not pertain to either medical school (CMSRU or RowanSOM).
<http://www.rowan.edu/adminfinance/hr/benefits/files/TuitionScholarshipApp.pdf>
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