

MUSC Faculty Handbook (2011 Version)

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1 **PREAMBLE**

2 The Board of Trustees of the Medical University of South Carolina (hereafter referred to as the
3 "Board" and "MUSC" respectively) is the governing board of the University; however, the
4 University administrators and the members of the Faculty of the University share responsibility
5 for planning and implementing cooperative and constructive actions within the institutional
6 structure under the guidance of the Board. The policies and respective rules governing the
7 Board, the administration, and the faculty, as set forth in the Faculty Handbook, should convey
8 the mutual trust and agreement inherent in all explicit and implied contractual agreements
9 between these respective bodies.

10 The Faculty Handbook (hereafter called "the Handbook") contains the rules and regulations that
11 govern faculty affairs and functions as part of the University Faculty Appointment Contract
12 between the faculty member and the University. Each faculty member should be knowledgeable
13 about the areas covered in the Handbook. (8/13/99) The signing of annual contracts that specify
14 an individual faculty member's compensation and distribution of activity, does not negate the
15 Handbook's status as a partial contract of employment. University Faculty Appointment
16 contract letters will be sent out in duplicate to the faculty member, who will return a signed copy
17 to the office of the departmental chair or other appropriate supervisor to be kept on file. All
18 hiring officials (deans, chairs, business managers, and Human Resources Management
19 personnel) should be aware of this procedure. (8/13/99) The Handbook's [Appendix P](#) hyperlinks
20 to the current universal faculty contract.

21 Interpreting the Handbook constitutes a faculty matter. This obliges the Faculty Senate to offer
22 to the administration, via the Office of the Vice President for Academic Affairs and Provost,
23 interpretations of the contents and meaning of the Faculty Handbook. Faculty interpretations,
24 however, remain subject to approval by the Board of Trustees.

25

26

THE FACULTY HANDBOOK

27 The MUSC Handbook contains a compilation of those University policies that are of major
28 concern to the Faculty, a summary of other information considered to be of special interest to the
29 faculty, and a collection of University governing documents. In certain instances, reference is
30 made to sources of information not included in the body of the Handbook that are either in the
31 corresponding section of the Appendix or linked to web addresses in the University Website.
32 These websites and links are made part of the handbook by reference as if fully reproduced
33 herein. HTML and PDF versions of the currently Board-approved Handbook are accessible on
34 the MUSC Faculty Senate Website (<http://www.musc.edu/facsen/>), together with a working draft
35 containing proposed revisions.

36 The Governance Committee of the Faculty Senate includes the Faculty Handbook among the
37 Senate's governing documents and reviews the handbook on an ongoing basis. Revisions of the
38 Faculty Handbook are subject to the following procedures:

- 39 (1) The Faculty and Institutional Relationships Committee will meet regularly to consider
40 revisions suggested by the Governance Committee, the Faculty, the Vice President for
41 Academic Affairs and Provost, or others.
- 42 (2) Changes recommended by the Faculty and Institutional Relationships Committee will be
43 evaluated by the Faculty Senate and presented to the University Faculty in writing and/or by
44 e-mail prior to Faculty Senate approval.
- 45 (3) All proposed changes must be approved by the Faculty Senate, the Vice President for
46 Academic Affairs and Provost, the Deans' Council, the President's Council, and the Board of
47 Trustees.
- 48 (4) Changes approved or new policies adopted by the Board of Trustees will be placed in the
49 Faculty Handbook [Appendix A](#) between editions of the handbook. When the Board of
50 Trustees approves a new edition of the Handbook, [Appendix A](#) items move to their proper
51 place in the Handbook with date of enactment and replace the sections they supercede.

52 This Handbook supersedes the MUSC Faculty Handbook of August 2007, and reflects all
53 changes made since that time through May 19th 2011.

54

55 1. HISTORY AND MISSION

56 1.01 History

57 MUSC has the distinction of being the oldest medical institution and academic medical center in
58 the southern United States. Since its beginning in 1824, the University has grown from a
59 medical school to a health professional institution comprised of teaching hospitals and six
60 colleges: alphabetically, the College of Dental Medicine, the College of Graduate Studies, the
61 College of Health Professions, the College of Medicine, the College of Nursing, and the College
62 of Pharmacy.

63 The institution was founded by the Medical Society of South Carolina, an extant Charleston
64 medical organization, as the Medical College of South Carolina. Prior to the school's founding,
65 medical students in this region attended schools in the North or abroad. Revolutionary medical

66 changes began to burden the school financially and on February 8, 1913, the State Legislature
67 passed a bill transferring the ownership of the school to the state and committing South Carolina
68 to the support of medical education as an important branch of its public education system.

69 Through affiliations and special programs, MUSC coordinates the medical education activities of
70 numerous regional hospitals and provides opportunities for its students to acquire training in
71 various community settings.

72 Through the support of health professionals, teachers, and the state of South Carolina, the
73 institution has steadily expanded its teaching and service roles. The College of Pharmacy was
74 founded in 1881. The institution began training nurses in diploma programs in 1919, and the
75 College of Nursing offered its first baccalaureate degree in 1965. Although the College of
76 Graduate Studies was formally established in 1965, the first graduate degree was conferred in
77 1951. The College of Health Professions was established in 1966, and the College of Dental
78 Medicine accepted its first students in 1967. The institution was granted university status in
79 1969. A free standing Department of Libraries and Informatics was established in 1971. In 2001,
80 the Medical Center Hospital was reorganized into the Medical University Hospital Authority
81 (MUHA). In 2005, MUSC and the University of South Carolina in Columbia approved the
82 integrated administration of their Colleges of Pharmacy.

83 **1.02 University Mission Statement**

84 The Medical University of South Carolina is a public institution of higher learning whose
85 purpose is to preserve and optimize human life for the citizens of South Carolina and the nation.
86 The university provides an environment for learning and discovery through education of health
87 care professionals and biomedical scientists, research in the health sciences and provision of
88 comprehensive health care. The university is committed to fulfilling its responsibilities.

- 89 (1) To educate students to become caring, compassionate, ethical, and proficient health care
90 professionals and creative biomedical scientists;
- 91 (2) To recruit and develop dedicated, scholarly teachers who inspire their students to life-long
92 learning in the service of human health;
- 93 (3) To offer educational opportunities to graduates, faculty and staff, to other biomedical
94 scientists and practicing health professionals, and to the public;
- 95 (4) To seek and welcome students, scholars, and staff regardless of gender, race, age, nationality,
96 religion or disability, recognizing the benefits of diversity;
- 97 (5) To conduct research in the health sciences, advancing knowledge and encouraging new
98 responses to health care needs;
- 99 (6) To provide excellence in patient care, in an environment that is respectful of others, adaptive
100 to change, accountable for outcomes, and attentive to the needs of otherwise undeserved
101 populations;
- 102 (7) To optimize the use of all resources, including the financial support from the state and
103 revenues generated from research, clinical operations, and philanthropy;
- 104 (8) To provide leadership to the state in efforts to promote health and prevent disease;

105 (9) To serve as a state resource in health policy, education, and related matters for other
106 institutions and the general public. (4/11/97)

107 **1.03 MUSC Code of Conduct**

108 Introduction

109 This Code of Conduct establishes guidelines for professional conduct by those acting on behalf
110 of the Medical University of South Carolina, including executive officers, faculty, staff, and
111 other individuals employed by MUSC using MUSC resources or facilities, and volunteers and
112 representatives acting as agents of MUSC.

113 This Code of Conduct does not attempt to define specifically what one should and should not do,
114 but to communicate MUSC's expectations of proper conduct and what professional conduct
115 MUSC values.

116 **Conduct**

117 Those acting on behalf of MUSC have a general duty to conduct themselves in a manner that
118 will maintain and strengthen the public's trust and confidence in the integrity of MUSC and take
119 no actions incompatible with their obligations to MUSC. With regard to professional conduct,
120 those acting on behalf of MUSC should practice:

- 121 • Integrity by maintaining an ongoing dedication to honesty and responsibility;
- 122 • Trustworthiness by acting in a reliable and dependable manner;
- 123 • Evenhandedness by treating others with impartiality;
- 124 • Respect by treating others with civility and decency;
- 125 • Stewardship by exercising custodial responsibility for MUSC academic, intellectual,
126 financial, and material assets and resources;
- 127 • Compliance by following Federal and State laws and regulations and MUSC policies and
128 procedures related to their duties and responsibilities;
- 129 • Confidentiality by protecting the integrity and security of MUSC information such as
130 patient records, employees files, student records, and contract negotiation documents;
- 131 • Reporting any activity reasonably believed to violate Federal or State laws or regulations
132 or MUSC policies or procedures.

133 Reporting Possible Violations

134 Report any activity reasonably believed in violation of any law or regulation, any MUSC policy,
135 or any Federal or State healthcare requirement by means of the Confidential Hotline, 1-800-296-
136 0269 (Toll-free, available 24 hours, 7 days a week).

137 MUSC will neither discriminate nor retaliate against any MUSC member who reports in good
138 faith any instances of conduct that do not comply or appear not to comply with Federal or State
139 laws and regulations or MUSC policies and procedures. A MUSC member has the right to
140 remain anonymous, as allowed by law, and to use confidential mechanisms provided by MUSC
141 to disclose non-compliant activity without fear of retaliation of such reports.

142 **2. UNIVERSITY ORGANIZATION AND GOVERNANCE**

143 **2.01 Board of Trustees** (<http://www.scstatehouse.gov/code/t59c123.htm>)

144 2.01a Responsibilities and Organization

145 The management and control of the University shall be vested in the Board to be composed as
146 follows: The Governor (or his designee) ex-officio, twelve members to be elected by the General
147 Assembly in joint assembly and one member to be appointed by the Governor. The Governor
148 shall make the appointment based on merit regardless of race, color, creed or gender and shall
149 strive to assure that the membership of the Board is representative of all citizens of the State of
150 South Carolina.

151 The Board shall elect one of its members to be chairman and is authorized to elect a university
152 president, one or more vice-presidents and a secretary, prescribe their duties and terms of office
153 and fix their compensation. It shall elect teachers of professorial rank in the various colleges
154 which make up and such other officers and employees as may be necessary for the proper
155 conduct of the university and fix their compensation, fix the fees and charges of students and the
156 rules for the government of the university.

157 The Board of Trustees shall also have the following powers:

- 158 (1) To make bylaws and all rules and regulations deemed expedient for the management of its
159 affairs and its own operations not inconsistent with the Constitution and laws of this State or
160 of the United States;
- 161 (2) To confer the appropriate degrees in medicine, dental medicine, pharmacy, nursing, other
162 health professions, and graduate studies in related health fields upon students and such other
163 persons as in the opinion of the Board of Trustees may be qualified to receive them.

164 2.01b Board Committees

165 In addition to such special committees as from time to time may be appointed or elected by the
166 Board, there shall be the following standing committees:

- 167 • Education, Faculty and Student Affairs
- 168 • Research and Institutional Advancement
- 169 • Finance and Administration
- 170 • Physical Facilities

171 **2.02 Administration**

172 Governance of MUSC is vested in the Board. Administrative responsibility is delegated by the
173 Board to the President and in turn to other officers deemed appropriate. The performance of
174 each officer of University administration is evaluated by his immediate superior.
175 Responsibilities and reporting lines for the University's administrative structure are as described
176 below.

177 2.02a President

178 The Chief Executive Officer of the University shall be its President who shall be elected by the
179 Board to serve at the will of the Board at a rate of remuneration specified by the Board.

180 The President shall have and exercise full executive powers over the University and its related
181 operations within the framework of the policies established by the Board.

182 More specifically, the President shall be charged with the organization of the selection of the
183 personnel, subject only to the limitations imposed by these bylaws. S/he shall be the medium of
184 formal communication between the Board and the faculty and administrative organization of the
185 University and also the official spokesperson of the University except as to matters within the
186 special province of the Board, in which realm the Chairman of the Board shall be the official
187 spokesman. The President, with his/her appropriate executive officers and the appropriate
188 committees, shall prepare or receive and forward all requisite reports, budgets, and presentations
189 to public agencies and to the Board.

190 2.02b Vice President for Academic Affairs and Provost

191 This officer is administratively responsible to the President for all academic matters. In the
192 absence of the President of the University, s/he shall act as the Chief Executive Officer. The
193 Vice President for Academic Affairs and Provost is responsible for the coordination of planning
194 for education and research and shall formulate plans to implement policy approved by the
195 President and the support units shall report to and through this officer to the President of the
196 University. Associated duties include responsibilities for overseeing the educational and clinical
197 activities of the MUSC affiliates (those organizations that are included as component units in
198 MUSC's financial statements), except University Medical Associates (hereafter referred to as
199 "UMA"), including purview over the organizations as they relate to the total program of the
200 Medical University. The Chief Executive Officers of the MUSC affiliates, except UMA and
201 MUHA, will report to the Vice President for Academic Affairs.

202 The following Associate Provosts' report to and through this officer to the President of the
203 University:

204 2.02b.1 Associate Provost for Education and Student Life

205 Serves as Director of University educational planning with responsibility for furthering the
206 University's educational mission and with oversight of the implementation and ongoing
207 evaluation of the university-wide educational strategic plan. Coordinates the activities of the
208 University Education Committee. Coordinates and administers various student programs and
209 services. Reports directly to the Provost.

210 2.02b.2 Associate Provost for Institutional Research and Assessment

211 Has primary responsibility for designing, implementing, maintaining, and improving a
212 university-wide system to assess the effectiveness of the University's education and training
213 programs. Associated responsibilities include all activities related to the University's
214 accreditation through the Southern Association of Colleges and Schools (SACS) as well as
215 University reporting to the South Carolina Commission on Higher Education. Reports directly to
216 the Provost.

217 2.02b.3 Associate Provost for Research

218 Has oversight of the Office of Research Administration and the Office of Research Development
219 with responsibility for monitoring institutional extramural research funding, assuring compliance
220 with research integrity guidelines, and coordinating research strategic planning. Reports directly
221 to the Provost.

222 2.02c Vice President for Finance and Administration

223 This officer is administratively responsible to the President for financial and administrative
224 matters. S/he shall have immediate oversight of all general and financial operations of the
225 University and responsibility for the physical facilities of the University. All financial and
226 administrative support services of the University shall report to and through her/him to the
227 President of the University. This officer shall be the financial advisor to the President and the
228 Board and serve as Treasurer of the University.

229 2.02d Vice President for Medical Affairs

230 The position of Vice President for Medical Affairs may be held jointly with the position of Dean
231 of the College of Medicine. As Vice President, this officer shall report to the President for all
232 clinical matters involving only the faculty of the College of Medicine as they relate to UMA.
233 Associated duties as Vice President for Medical Affairs include responsibility for the activities of
234 the UMA including purview over the organization as it relates to the total program of the
235 Medical University. The Chief Executive Officer of the UMA reports to the Vice President for
236 Medical Affairs. Also, the Vice President for Medical Affairs in collaboration with the Vice
237 President for Operations and Executive Director of MUHA will recommend a candidate(s) for
238 the position of Medical Director of the Medical University Hospital Authority to the President
239 for approval. As Dean, s/he reports to the Vice President for Academic Affairs and Provost for
240 all academic matters, both educational and research.

241 2.02e Vice President for Development

242 This officer is administratively responsible to the President and has immediate oversight in the
243 procurement of private funds for the development of the University's projected and long-range
244 plans. This officer shall have the responsibility for the Office of Development, the Office of
245 Alumni Affairs, and the Health Sciences Foundation, of which s/he may serve as vice president.
246 This officer is also responsible for the management of the University's Board of Visitors.

247 2.02f Vice President for Information Technology & Chief Information Officer

248 The CIO is the senior MUSC executive directly responsible for the effective planning and
249 management of MUSC's information resources. The CIO participates in meetings of the Vice
250 Presidents Group (VPG) and keeps the opportunities, challenges, and issues. Reports to the
251 President.
252

253 2.02g Other Presidential Reports

254 These directors report directly to the President.

255 2.02g.1 Director, Equal Employment Opportunity Affirmative Action Office

256 Responsible for MUSC and MUHA compliance with federal, state and local laws and regulations
257 on nondiscrimination and affirmative action in employment. Investigates complaints involving
258 equal employment opportunity and affirmative action. Responsible for training on Equal
259 Employment Opportunity and Affirmative Action matters.

260 2.02g.2 Director of Public Relations

261 Strategically plans and implements initiatives building awareness of MUSC's programs, policies,
262 opportunities, achievements and its mission of serving all South Carolinians through education,
263 research and patient care. The office improves relations with individual patients, the community,
264 and the state by disseminating information through mass media, publications, video,
265 correspondence, and the Internet.

266 2.02g.3 General Counsel

267 The General Counsel is responsible for all legal affairs of MUSC. Reviews all legal documents
268 and matters which affect or bind the University. This officer represents the University before
269 federal and state courts and before administrative boards and is charged with representing the
270 University in faculty and employee grievance matters.

271 **2.03 Collegial Organization**

272 The Faculty of MUSC shall be organized for administrative and other purposes into colleges that
273 correspond to areas of instruction, research and service relevant to the professions for which the
274 University qualifies its graduates. Each college shall maintain its professional goals and
275 objectives consistent with the University's Mission Statement, policies and standards and shall
276 share a University responsibility subject to the jurisdiction of the Vice President for Academic
277 Affairs and Provost.

278 The chief administrative and executive officer of each college is designated as Dean. A college
279 may also have such associate and assistant deans as the dean may find to be required and as
280 approved by the Vice President for Academic Affairs and Provost and the President.

281 The Colleges of the University are:

- 282 • The College of Dental Medicine
- 283 • The College of Graduate Studies
- 284 • The College of Health Professions
- 285 • The College of Medicine
- 286 • The College of Nursing
- 287 • The College of Pharmacy

288 In addition, there are faculty members from other areas of the University (i.e., The Department
289 of Library Science and Informatics) who receive appointments as "non-aligned" faculty.

290 [Appendix 2.03](#) presents the academic organization chart.

291 2.03a Academic Deans

292 The deans of the colleges report to the Vice President for Academic Affairs and Provost and
293 through her/him to the President of the University. The deans are responsible for the operation
294 of the respective college or division within the framework of policies designated by the Board;
295 they are the presiding officers of the faculty of their respective colleges.

296 2.03b Departmental Organization

297 Each of the colleges is organized for administration, instruction, research, and other purposes
298 into departments corresponding to areas of instruction relevant to the profession for which the
299 college qualifies its graduates. Each department is autonomous with respect to other departments
300 in a college, but subject to the dean of the college concerned.

301 The faculty of all departments share a University responsibility and provide instruction required
302 by the colleges, other than those in which they are administered, subject to the approval of the
303 appropriate deans and the Vice President for Academic Affairs and Provost.

304 The faculty of the College of Graduate Studies primarily consists of members of the faculties of
305 the other colleges who are elected by the Graduate Council upon nomination by the appropriate
306 department chairman or dean.

307 2.03c Departmental Chairs

308 Responsibility for the organization and operation of each of the various departments in the
309 colleges rests in a chairman who is elected by the Board upon nomination by the President,
310 following recommendation by a search committee appointed by the dean of the college
311 concerned and following approval of such recommendation by that dean and the Vice President
312 for Academic Affairs and Provost. A department may be organized into subdivisions as the
313 respective chairman and dean may find necessary, subject to the approval of the Vice President
314 for Academic Affairs and Provost and the President.

315 2.03d Directors/Chairs of Other Academic Units

316 The directors/chairs of other academic units of the University report to the Vice President for
317 Academic Affairs and Provost and through him/her to the President of the University.

318 2.03d.1 Executive Director of Enrollment Management

319 The Executive Director of Enrollment Management coordinates and supports student recruitment
320 strategies among the six colleges, has general responsibility for operation of the campus tour and
321 visitor center, for implementation of computerized applicant and student information systems,
322 for processing all applications for admission for determination of State residency, for
323 registration, for the creation and maintenance of student academic records, for the University
324 Bulletin, for classroom scheduling, for graduation, and for academic reporting to the State's
325 Commission on Higher Education. Recognizing the importance of academic integrity, the Office
326 of Enrollment Management provides comprehensive support to applicants, students, faculty, and
327 staff of MUSC.

328 2.03d.2 Chair of the Department of Library Science and Informatics, and
329 Director of Libraries and Learning Resource Centers

330 The Chair of the Department of Library Science and Informatics and the Director of Libraries
331 and Learning Resource Centers is charged with the academic leadership of the department as

332 well as the development of the library's programs and services and the organization and
333 maintenance of the libraries' collections, resources and facilities under such governance as may
334 be adopted by the administration and the faculty.

335 2.03d.3 Director of the Division of Laboratory Animal Resources

336 The Director of the Division of Laboratory Animal Resources is responsible for all issues
337 regarding the use of laboratory animals at MUSC. The Director reports to the Vice President for
338 Academic Affairs and Provost, who serves as the Institutional Official for laboratory animals. In
339 addition, the Director serves as Chairman of Comparative Medicine, which reports to the Dean
340 of the College of Medicine for academic issues regarding veterinary faculty and through her/him
341 to the Vice President for Academic Affairs and Provost.

342 2.03d.4 Executive Director, South Carolina Area Health Education
343 Consortium (AHEC)

344 Responsible for contracts, services, budget and oversight of the South Carolina AHEC system.
345 Represents the South Carolina AHEC system at regional, state, and national meetings. Reports to
346 the MUSC Board of Trustees through the MUSC Vice President for Academic Affairs & Provost
347 and through MUSC Vice President for Medical Affairs & Dean of the College of Medicine.

348 2.03d.5 Director, Office of Gender Equity(<http://www.musc.edu/genderequity/>)

349 Addresses concerns of sexual harassment or gender inequity within the six colleges. Coordinates
350 sexual harassment prevention efforts for the academic community. Reports to the Vice President
351 for Academic Affairs & Provost.

352 2.03d.6 Executive Director of Student Programs & Director, Office of Student
353 Diversity.

354 Supervises the activities of the Offices of Student Activities (Off-Campus Housing, Intramural
355 Sports, Student Publications), MUSC-Gives Back, the Student Government Association,
356 International Programs, and Office of Student Diversity. Promotes academic excellence, and
357 effective student life services for all students with a focus on students from underserved and
358 historically bypassed groups. Works with individual students, student groups, staff, and faculty
359 to design and implement strategies that support students' unique needs while fostering
360 community among all students. Reports to Associate Provost for Education and Student Life.

361 **2.04 University-Wide Committees**

362 In addition to such special committees as from time to time may be appointed or elected, there
363 shall be standing administrative committees. The most current list is presented in [Appendix](#)
364 [2.04](#). All of these committees have faculty representation. Additional information on these
365 committees may be obtained from the Committee Information Office located in the Office of the
366 President.

367 **3. FACULTY ORGANIZATION AND GOVERNANCE**

368 **3.01 The Faculty Body**

369 The faculty of MUSC is composed of the President, the vice presidents, the deans, the directors
370 of university programs, any officers of the University who hold academic rank, and the members
371 of the teaching, research, service and administrative staff who hold academic rank at MUSC or
372 its affiliated programs. With regard to University affairs, the voting faculty shall be those

373 individuals holding a full-time primary academic appointment at MUSC with rank from
374 Instructor and above.

375 **3.02 The Faculty Senate**

376 The Faculty Senate acts as the sole representative body for organizing and executing that
377 business of the faculty submitted to it by members of the faculty, the administration, or the
378 Senate itself. The Senate also advises the administration and the faculty in matters pertaining to
379 the faculty. The Faculty Senate is organized and governed according to the Faculty Senate
380 Constitution and By-Laws located in [Appendix 3.02](#).

381 **4. FACULTY RANKS AND STATUS**

382 **4.01 Regular Faculty Ranks**

383 The following faculty ranks, as generally described below, are employed throughout MUSC.
384 Refer to individual college/department guidelines for specific criteria regarding appointment or
385 promotion to any of these faculty ranks.

386 4.01a Assistant

387 This rank usually requires a bachelor's degree and the ability to participate in teaching, research,
388 and/or in some clinical service. This appointment does not carry faculty-voting privileges.

389 4.01b Instructor

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

393 4.01c Associate

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

396 4.01d Assistant Professor

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

402 4.01e Associate Professor

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

408 4.01f Professor

409 This is the highest academic rank at the University and usually requires an appropriate doctoral
410 degree. For appointment at or promotion to the rank of Professor, an individual normally will
411 have served at the rank of Associate Professor for at least four (4) years and will have

412 demonstrated excellence in the three areas of academic pursuit: teaching, research/scholarly
413 activity and service. In addition, the individual should have an academic reputation extending
414 beyond the University.

415 **4.02 Modifiers to Faculty Ranks**

416 Faculty members whose ranks are preceded by the modifiers visiting or adjunct, and part-time
417 faculty with clinical or research modifiers may participate in faculty governance, but have no
418 vote. Full-time faculty members whose ranks are preceded by the modifiers clinical or research
419 may participate in faculty governance and may vote regarding university affairs.

420 4.02a Visiting

421 An associated faculty member whose appointment to the faculty is for a limited time and whose
422 responsibilities are important in the regular programs of MUSC is eligible for this modified rank.
423 (10/11/2002)

424 4.02b Adjunct

425 An associated faculty member whose responsibilities are important though not extensive in the
426 regular programs of MUSC, whose appointment is annual or continuous, and whose activities do
427 not ordinarily involve direct patient contact is eligible for this modified rank.

428 4.02c Clinical

429 An associated faculty member whose responsibilities are important though usually not extensive
430 but may be full-time in the regular programs of MUSC, whose appointment is annual or
431 continuous, and whose activities for which the appointment is made ordinarily involve direct
432 patient contact is eligible for this modified rank.

433 4.02d Research

434 An associated faculty member whose responsibilities are important to the University, often are
435 full-time but may be part-time, and who has few or no job obligations other than doing research,
436 often as a member of a research team.

437 **4.03 Special Faculty Ranks**

438 Faculty holding special appointments does not have voting privileges.

439 4.03a Research Associate

440 An associated faculty member who holds an academic appointment, but is not assigned to a
441 position in the progression of faculty rank may be eligible for appointment as a Research
442 Associate.

443 **4.04 Medical University Hospital Authority (MUHA)***

444 *NOTE: For clarification of subsequent narrative, the “MUHA” is referred to when describing
445 the legal organization and/or governance of clinical care. When describing the clinical entity
446 itself, it will be called the “MUSC MEDICAL CENTER”.

447 Individuals whose primary responsibility rests in one of the components of MUHA may hold a
448 faculty appointment at a specified rank in a designated college, thereby recognizing participation
449 in its educational programs. These joint appointments are without tenure, carry no faculty

450 benefits or privileges, and shall be designated by MUHA following the faculty rank [e.g.
451 Assistant Professor of Nursing (MUHA)].

452 **4.05 South Carolina Area Health Education Consortium (SC AHEC)**

453 Faculty serving in the South Carolina Area Health Education Consortium (SC AHEC) may be
454 recognized with appointments at MUSC. Individuals involved on a full-time basis in the
455 educational programs of their respective hospital may be awarded full-time appointments. These
456 appointments are without tenure. Clinical or adjunct appointments recognize associated faculty
457 members whose responsibilities are important though not extensive in the regular programs of
458 the respective hospital.

459 **4.06 University**

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

461 4.06a Emeritus

462 Definition: Emeritus is an honorary title for a faculty member retiring from active University
463 service. This rank recognizes distinguished service to the institution. It is conferred upon a
464 faculty member when he/she retires by the Provost upon the recommendation of the Department
465 Chair and Dean of the respective College, following approval from the Board.

466 Eligibility: Emeritus status is generally reserved for regular, full-time faculty who are retiring at
467 the rank Professor or Associate Professor and such individuals are designated as Emeritus
468 Professor. An individual retiring at a lower rank may be granted the status of Emeritus at that
469 rank based on the length and quality of his/her service to the institution. An administrator
470 retiring with the rank of the Dean or above may be designated as Dean Emeritus, etc.

471 Procedure: The retiring Faculty member may initiate the process for obtaining Emeritus status,
472 through a formal request to their Department Chair. The Department Chair on behalf of the
473 retiring faculty member may also initiate this process. The Chair will make a written
474 recommendation to the Dean of the College with documentation of the faculty member's service,
475 usually his/her *curriculum vitae*. If the Dean concurs, the Dean forwards the recommendation to
476 the Provost. If the Provost concurs, the Provost seeks approval from the Board. If approved, the
477 Provost shall notify the faculty member in writing of the award of Emeritus Faculty status. If the
478 retiring faculty member is a Department Chair, the Dean initiates the request. For administrative
479 titles at the level of Dean or above, the next highest administrator initiates the recommendation.

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

- 483 • MUSC ID badge reflecting Emeritus status
- 484 • Continued Access to the University library and certain computer facilities such as email
485 and homeroom access
- 486 • Eligibility for continued membership at the Wellness Center at the regular faculty rates
- 487 • Maintenance on a mailing list to receive university related news, announcement and
488 invitations to events as appropriate.

489 Other benefits may be negotiable with the college/department. All benefits are subject to
490 administrative review and the availability of resources. (10/12/01)

491 4.06b Distinguished University Professor (10/12/01)

492 Definition: The title of Distinguished University Professor is an honorary title given to a senior
493 level Faculty member who has had a distinguished academic career in teaching, service or
494 research. It is conferred in writing by the Provost upon the recommendation of the Department
495 Chair and the Dean of the College, following approval of the Board. Upon retirement, the faculty
496 member may use the title of Distinguished University Professor Emeritus.

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

501 Procedure: Consideration of a Faculty member for the title of Distinguished University Professor
502 within the colleges will comply with the college level process for appointment and promotion. If
503 the Dean approves the request within the college, the Dean forwards the recommendation to the
504 Provost with documentation substantiating the request. If the Provost concurs, the Provost seeks
505 approval from the Board. If approved, the Provost shall notify the faculty member in writing of
506 the award of Distinguished University Professor. If the candidate is a Department Chair, the
507 Dean initiates the request with consideration by the College Appointments, Promotion, and
508 Tenure committee.

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

513 **4.07 Faculty Appointment to More than One Unit**

514 The primary appointment of a faculty member holding joint/dual appointments is confirmed by
515 the Vice President for Academic Affairs and Provost. If a faculty member resigns his primary
516 appointment or if his primary appointment is otherwise terminated, all dual and/or joint
517 appointments in other departments or colleges are terminated the date the primary appointment is
518 terminated. If a change of status is to be requested by the chair of the department in which the
519 dual or joint appointment rests, such a request is submitted as a primary faculty appointment
520 through the appropriate channels.

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

524 4.07a Joint

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

528 4.07b Dual

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

531 **5. UNIVERSITY APPOINTMENT POLICIES**

532 All University appointments and employment decisions shall be made strictly on the basis of
533 merit.

534 **5.01 Affirmative Action**

535 It is the policy of the Medical University of South Carolina that no discrimination on the basis of
536 race, creed, national origin, sex, age, disability or political affiliation will exist in any area of the
537 University. All decisions regarding recruitment, hiring, promotions, and all other terms and
538 conditions of employment are made without discrimination on the above grounds, or on other
539 factors which cannot lawfully be the basis for employment decisions.

540 The University Equal Employment Opportunity/Affirmative Action Compliance Director
541 (EEO/AA Director), appointed by the President, coordinates and monitors implementation of the
542 University's Affirmative Action Plan. Compliance with the plan is documented and periodic
543 status reports are submitted to all concerned units of the University by the EEO/AA Director.

544 **5.02 Nepotism**

545 The Medical University of South Carolina prohibits nepotism in accordance with the "[Ethics,
546 Government and Campaign Reform Act of 1991](#)", see Section 8-13-700 South Carolina Code of
547 Laws (<http://www.scstatehouse.net/code/t08c013.htm> See [Appendix 5.02](#) for the current version
548 of this policy.

549 **5.03 Employee Health Screening Policy**

550 The purpose of this policy is twofold: 1) to fulfill MUSC's commitment to preventive health
551 measures, and 2) to provide for the faculty member's safety on the job as well as for the safety of
552 those with whom the faculty member comes in contact. This is especially important in the area
553 of patient care. Health screening examinations of all new faculty members are required. Present
554 faculty members are required to participate in specific screening and annual updates for
555 tuberculosis. Present faculty members will be offered immunizations or may sign immunization
556 declinations. Any faculty member involved in an infectious disease exposure will follow normal
557 surveillance screening procedures.

558 The health screening will be provided by the MUSC Employee Health Services, at the expense
559 of MUSC. The screening will be performed prior to the faculty member reporting for duty. The
560 screening will be arranged by the Department of Human Resources Management. Once the
561 faculty member has been cleared to work by MUSC Employee Health Services, the new faculty
562 member may sign up for payroll, benefits and receive a start date for work.

563 **5.04 MUSC Employee Health Services Screening Criteria**

564 All employees should obtain past immunization records for presentation at their Employee
565 Health Services appointment. Anyone who presents at Employee Health without immunization
566 documentation will receive all necessary vaccines and screenings on arrival prior to orientation.
567 [Appendix 5.04](#) presents the most current screening criteria.

568 **5.05 Criminal Record Searches**

569 The Medical University reserves the right to conduct criminal record searches to insure the
570 suitability of its employees. [Appendix 5.05](#) includes the most current University policy.

571 **6. FACULTY APPOINTMENT, PROMOTION, AND TENURE POLICIES**

572 Each college shall develop and publish in one document all appointments, promotions, and
573 tenure guidelines or criteria, and establish a formal review of this document every three years.
574 [Appendix 6](#) presents the most current version of these documents. Each document should be
575 explicit and the process clearly defined with input from the faculty. A formal review of each
576 faculty member's professional progress shall be established and maintained on a three-year cycle.
577 Such reviews should be the basis for faculty development programs. (NOTE: Appointment,
578 Promotion, initial and post tenure review is in addition to annual performance review).

579 Each college shall establish an appropriate system for faculty appointment, promotion, and
580 tenure, selecting either (1) a two-track system: Tenure Track (which may include an up-or-out
581 rule) and Non-Tenure track or (2) the University's traditional system (one-track), or (3) other, as
582 established by individual colleges and approved by the Board of Trustees. Implementation of the
583 two-track system shall apply only to faculty appointed after Fall 1989. Academic titles will be
584 the same for both tracks. Faculty may switch between tracks once upon approval by the dean of
585 the college. A dean may appoint non-tenured faculty members for a contract period of two to
586 three years. Faculty members on the tenure track will be afforded protected time for academic
587 pursuits.

588 **6.01 College/Department Faculty Appointment, Promotion and Tenure**
589 **Committee**

590 Purpose:

591 Each College and General Faculty Unit will have an Appointments, Promotion and Tenure
592 (APT) Committee. In addition to reviewing initial appointments, this committee shall evaluate
593 faculty seeking promotion, tenure and review of tenured faculty. Colleges may choose to have a
594 subcommittee of the APT that will exclusively evaluate initial tenure and review of tenured
595 faculty. Any subcommittee must follow the guidelines for composition. The College APT
596 committee will be advisory to the Dean.

597 Composition:

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

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

604 Administrators who serve in a supervisory role to faculty members being evaluated for
605 promotion/tenure (e.g., deans, department chairs), and thus have other avenues for input into the
606 promotion/tenure process, shall be excluded from the College APT committee. Division heads
607 and program directors who have already had input into an individual's evaluation should be
608 excluded from deliberation and voting on that individual if they are on the committee.

609 The committee should consist of a minimum number of six. There shall be no maximum
610 number.

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

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

615 If there are insufficient numbers of tenured faculty available to meet the above guidelines, non-
616 tenured faculty may serve in their place, at the discretion of the Dean (10/2000)*.

617 *NOTE: For clarification, this is not meant to exclude administrative individuals who are
618 in an advisory position to an APT Committee (e.g., Associate Dean in the College of
619 Medicine).

620 **6.02 Faculty Appointment**

621 6.02a Criteria for Appointment

622 Each college, through its Appointments, Promotions, and Tenure Committee, shall develop and
623 publish a set of criteria which has been approved by the President through appropriate channels,
624 and which will be used in the appointment of new faculty members. Such criteria should reflect
625 the specific missions of the individual colleges and should be formulated to promote faculty
626 excellence within the institution as a whole.

627 6.02b Procedures for Appointment

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

631 The department chair shall consult with the departmental faculty of equal or superior rank to the
632 prospective appointee or with the departmental Appointments, Promotions, and Tenure
633 Committee before nominations are forwarded to the dean.

634 Upon approval by the dean, requests for appointment shall be forwarded to the Vice President for
635 Academic Affairs and Provost for approval. If departmental affiliation within a college is not
636 involved, the requests shall be initiated by the appropriate dean and addressed to the Vice
637 President for Academic Affairs and Provost. If collegial affiliation is not involved, the requests
638 shall be initiated by the Vice President for Academic Affairs and Provost and addressed to the
639 President. Upon such approval, recommendations for appointment shall be forwarded to the
640 President.

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

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

647 6.02c Term of Appointment

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

- 649 • A twelve (12) month appointment
- 650 • A nine (9) month appointment
- 651 • Appointment for other specified periods of time

652 Appointments are made on an annual basis: Twelve (12) month appointments usually begin July
653 1st. Appointments for time periods other than twelve (12) months span the academic year of the
654 college of primary responsibility. The initial letter of appointment and/or contract and
655 subsequent written notification of reappointment specifying the salary, rank, term of
656 appointment, and tenure status, is given by the department chairman or other responsible
657 administrative officer with the approval of the Vice President for Academic Affairs and Provost.

658 Term of Appointment for Non-Tenured Faculty:

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

664 The recommendation and rationale for faculty term of appointment changes must be written by
665 the Dean or responsible administrative officer and submitted to the Provost for approval.
666 Following approval by the Provost, written notice of the intention to change the term of
667 appointment of a non-tenured faculty member shall be given, to the extent that appropriated
668 funds are available and legislation permits, as follows:

- 669 (1) At least three [3] months prior to the expiration of the contract for faculty under his or her
670 initial faculty appointment.
- 671 (2) At least six [6] months prior to the expiration of the contract for faculty appointed under a
672 second-year contract.
- 673 (3) At least one [1] year prior to the expiration of the contract for faculty under a third [3rd]
674 year or subsequent-year contract. (10/13/00)

675 **6.03 Faculty Promotion**

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

679 6.03a Criteria for Promotion

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

685 6.03b Procedures for Promotion

686 Recommendations for promotion of a faculty member are submitted to the dean by the
687 department chairman after consultation: 1) with those faculty members of the department or

688 administrative unit who are at or above the academic level to which the faculty member is
689 seeking promotion; and/or 2) with the department or college Appointments, Promotions and
690 Tenure Committee. In the case of department chairs or deans, the next higher administrator shall
691 compile and forward the recommendations.

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

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

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

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

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

709 Promotions are ordinarily made twice a year on January 1 and July 1. (5/19/2005)

710 **6.04 Faculty Tenure**

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

717 The following full-time faculty are not eligible for tenure: (a) faculty holding limited term
718 appointments and (b) faculty holding modified ranks or special appointments as designated in
719 Sections 4.02, 4.03, 4.04, and 4.05.

720 The tenure of a faculty member who also holds an administrative position, such as dean or
721 department chair, extends only to the faculty position s/he holds conjointly with such an
722 administrative position. Full-time administrators or administrative staff holding faculty rank are
723 not tenured unless their notices of appointment or promotion specifically state that tenure is
724 carried with the faculty rank.

725 The assurance of continuation of salary shall apply to compensation based on academic rank, as
726 defined in the annual contract (Appendix P). It shall not apply to additional compensation
727 including, but not limited to, clinical practice income, consultation fees, administrative
728 supplements, and special payments (May 19th, 2011).

729 6.04a Criteria for Tenure

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

732 Each college, through its Appointments, Promotions, and Tenure Committee shall develop a set
733 of criteria to be used in the consideration of granting tenure and which shall have received the
734 approval, through appropriate channels, of the Board. Each committee shall also publish and
735 distribute these

736 criteria to its faculty. Such criteria should reflect the specific missions of the individual colleges
737 and should be formulated to promote faculty excellence within the institution as a whole.

738 **6.04b Procedures for Granting Tenure**

739 (1) The department chair or her/his designee initiates and forwards a recommendation to the
740 dean after consultation with the departmental Appointments, Promotion and Tenure
741 Committee and, where appropriate, with students, faculty outside the department, and
742 professional colleagues. After consideration, the college Appointments, Promotion and
743 Tenure Committee submits its recommendation to the dean.

744 (2) The dean reviews recommendations and forwards approved recommendations to the Vice
745 President for Academic Affairs and Provost, and through him/her to the University
746 Tenure Committee. The recommendations of the University Tenure Committee are
747 reviewed by the Vice President for Academic Affairs and Provost and approved
748 recommendations are then forwarded to the President and the Board for final action.

749 (3) If the recommendation for tenure is disapproved, the faculty member shall be notified of
750 the disapproval and the reason for it prior to the tenure deadlines.

751 (4) Tenure is ordinarily awarded once a year on January 1.

752 **6.05 Post Tenure Review**

753 Approved by Board of Trustees, December 10th, 2010

754
755 At every stage of a faculty member's career, the Division Director and/or Department Chair will
756 review the faculty member's performance through the annual review process and reviews for
757 promotion and tenure. Post-tenure review serves to evaluate a tenured faculty member's
758 professional ongoing contributions and value to the University. During these reviews, efforts
759 should be made to identify realistic long-range goals for career enhancement, evaluate the faculty
760 member's strengths and weaknesses in performance, and, through appropriate advice and action,
761 provide opportunities to correct any weaknesses to enable the faculty member to realize her/his
762 full professional development. The review should be used to ensure that all tenured faculty
763 members: (a) continue to perform at a level to achieve their long and short range career goals and
764 (b) serve the needs of the students and the institution.

765 All tenured faculty members are subject to post-tenure review. There are two mechanisms of
766 post-tenure review: a streamlined post-tenure review (described in Section 2 of this document)
767 and a full post-tenure review (described in Section 4 of this document). A streamlined post-
768 tenure review occurs every six years for those who have been evaluated as adequate or superior
769 in each of the six years. The full post-tenure review occurs either every six years if a faculty

770 member has received an inadequate evaluation during the prior six years, or is triggered if a
771 faculty member's performance is deemed to be inadequate in two consecutive years. In either
772 mechanism, the post-tenure review is reliant on the annual review.

773 **(1) Each tenured faculty member undergoes annual reviews.** The faculty member's
774 annual review is integral in determining performance. The Department Chair/Division Head will
775 use the five-point scale for annual reviews (unsatisfactory, marginal, satisfactory, very good or
776 outstanding), but for the purposes of reporting to the Provost's Office, overall performance will
777 be summarized on a three-point scale (superior, adequate, inadequate). If a faculty member is
778 rated as below satisfactory in a majority of applicable performance categories on the five-point
779 scale, they will receive an "inadequate" overall evaluation on the three-point scale. Each year,
780 the faculty member must be made aware of specific requirements to attain an adequate annual
781 review so that he or she is given the chance to meet these specific requirements.

782 **(2) If the tenured faculty member receives no ratings of inadequate, they undergo**
783 **streamlined post-tenure review every sixth year.** For a tenured faculty member who has
784 received overall ratings of adequate or superior in all annual performance evaluations in the
785 preceding six years, the Department Chair/Division Head will send a letter to the Appointment,
786 Promotions and Tenure (APT) Committee of the faculty member's college stating that the faculty
787 member satisfies the requirements of a favorable post-tenure review. A copy of this letter will be
788 sent to the faculty member under review and the College Dean, and placed in the faculty
789 member's personnel file. The faculty then starts a new six-year cycle.

790 **(3) If the faculty member receives a rating of inadequate, they undergo a full post-**
791 **tenure review.** There are two mechanisms that lead to a full post-tenure review: (i) If a faculty
792 member has received an inadequate evaluation during the six-year cycle, the faculty member is
793 subject to full post-tenure review at the end of that cycle (see (b) below), or (ii) If the faculty is
794 rated as inadequate in two consecutive years, a full post-tenure review is triggered, which starts
795 after the second year of the performance-improvement plan (see (c) below).

796 **(a) Upon the first rating of inadequate in an annual review, a Performance-**
797 **Improvement Plan (PIP) is implemented.** If a tenured faculty member is rated
798 inadequate on an annual evaluation, the Department Chair/Division Head shall meet
799 with the faculty member to outline the steps of improvement to be taken to correct the
800 deficiencies, to establish criteria for the satisfaction of those deficiencies and to
801 indicate what resources are available to support the plan, as appropriate. This
802 Performance-Improvement Plan (PIP) should be approved by the College Dean,
803 reported to the Provost, and described in the associated annual contract. The faculty
804 member will be given two years beyond the date of the contract to execute the plan
805 successfully. The goal shall be restoration of adequate performance. A written
806 summary of the meeting shall be prepared for the faculty member by the Department
807 Chair/Division Head and copied to the College Dean, the College APT committee,
808 and the Provost.

809 **(b) Upon a rating of adequate or superior in the year after a rating of inadequate on**
810 **annual review, the faculty member will undergo a full post-tenure review at the**
811 **end of the six-year period.** The Department Chair/Division Head shall send a letter
812 to the College Dean, the College APT Committee, and the Provost stating that the
813 faculty member has received an overall rating of adequate or superior on their

814 subsequent annual performance evaluation, noting that deficiencies have been
815 corrected. A copy of this letter will be sent to the faculty member under review and
816 placed in the faculty member's personnel file. The faculty member then continues
817 their cycle for post-tenure review, but at the end of the six years will be subject to a
818 full post-tenure review, as described in Section 4 of this document.

819 **(c) Upon the second rating of inadequate in an annual review, a full post-tenure**
820 **review is triggered.** If the Department Chair/Division Head finds that the tenured
821 faculty member fails to make substantial progress toward meeting the performance
822 goals that had been set in the performance-improvement plan and receives a second
823 inadequate evaluation on the subsequent annual evaluation, the faculty member
824 begins year 2 of the performance-improvement plan. Two consecutive inadequate
825 evaluations is also the trigger for a full post-tenure review to be conducted at the end
826 of year 2 of the performance-improvement plan, which is described in Section 4 of
827 this document. If, however, the performance of the faculty has improved significantly
828 at the end of year 2 of the performance-improvement plan, the Department
829 Chair/Division Head may recommend that the full post-tenure review not occur until
830 the end of the six-year period.

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

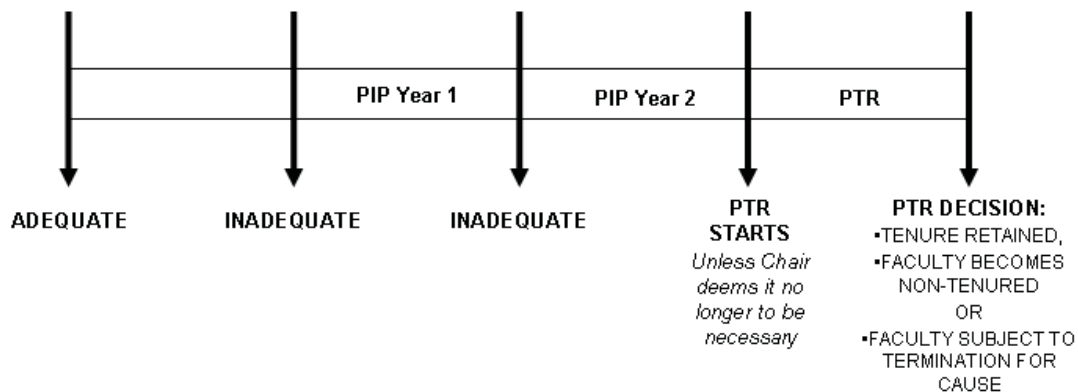


Figure 1: The full post-tenure process as triggered by two consecutive inadequate evaluations. PIP=performance improvement plan; PTR=full post-tenure review.

833
834 **(4) Full Post-Tenure Review:** The full post-tenure review is initiated by the Department
835 Chair/Division Head or supervising administrator. The Department Chair/Division Head submits
836 a letter to the College APT Committee detailing the deficiencies of the faculty member under
837 review with corroborating documentation. The Department Chair/Division Head must also notify
838 the College Dean and the Provost. A copy of the letter will also be sent to the faculty member
839 under review and placed in the faculty member's personnel file.

840 The charge of the College APT Committee is to recommend for or against the removal of
841 tenure. The College APT Committee will review the faculty member's performance based upon
842 written standards and criteria that are developed by the individual College APT Committees. The
843 criteria should reflect the specific missions of the individual Colleges and the University. Each

844 College APT Committee shall publish and distribute these criteria to its faculty. The basic
845 standard for appraisal shall be whether the faculty member under review discharges the duties
846 appropriately associated with her or his position as documented by annual faculty contracts and
847 the initial offer letter for the position, if applicable. The review must also be flexible enough to
848 acknowledge different expectations in different disciplines and changing expectations at different
849 stages of faculty careers. In reviewing a faculty member's performance, the College APT
850 Committee will recognize not only the diverse talents, activities and accomplishments of faculty
851 within that College, but also that individual faculty are expected, in consultation with their
852 Department Chair/Division Head, to focus their efforts in selected areas of endeavor. The
853 College APT Committee will also verify that an adequate environment was provided by the
854 Department Chair/Division Head to support the faculty member in performance of these
855 directives. The College APT Committee must include a tenured MUSC faculty member from
856 outside of the College to review the faculty member's performance. The Department
857 Chair/Division Head may suggest outside reviewers to the APT Committee.

858 (a) For its deliberations, the College APT Committee will utilize the following:

859 (i) A full report on the faculty member will be prepared by the Department
860 Chair/Division Head, consisting of copies of the previous six years' annual performance
861 evaluations conducted by the Department Chair/Division Head using the
862 college/department/division specific faculty performance evaluation forms, and when applicable,
863 written summaries that document deficiencies and plan(s) of remediation, plus the Chair's letter
864 outlining efforts to remedy the deficiencies, supplemented by any other documents and
865 information that the Department Chair/Division Head wishes to submit.

866 (ii) The faculty member under review shall be given the opportunity to appear
867 before the committee and/or submit any documents that he or she wishes to be considered.
868 During the time in which the post-tenure review process is being conducted, the faculty member
869 can submit new materials relevant to the consideration as they become available. Examples of
870 types of documents that a faculty member may wish to submit include: evaluations of teaching
871 performance, documentation related to service and clinical practice, evidence of research or
872 scholarship and any other material regarding activities pertinent to the college's mission.

873 (iii) The College APT Committee may request the submission of further
874 documentation in addition to that provided by the Department Chair/Division Head.

875 (b) After completing their review, the College APT Committee shall submit a written
876 report to the Department Chair/Division Head. The report, which shall be a permanent part of the
877 faculty member's personnel file, will contain:

878 (i) An appraisal of the faculty member's performance and progress, including the
879 perceived strengths and weaknesses.

880 (ii) An analysis of the faculty member's potential for further professional
881 development. If applicable, opportunities for development should be identified (*e.g.*,
882 encouragement of research initiatives, potential mentorships in teaching and research, or
883 appropriate professional development courses that could be taken).

884 (c) The College APT Committee shall forward the report to the College Dean with a
885 clear recommendation for retention of tenure when the faculty member, in the Committee's
886 judgment, is rated superior or adequate. A rating of inadequate by the College APT Committee

887 shall be forwarded to the College Dean with a recommendation pertaining to tenure. The College
888 Dean reviews the recommendation and if he or she determines the removal of tenure is
889 warranted, forwards the recommendation to the Vice President for Academic Affairs and Provost
890 for review and action by the University Tenure Committee. The College Dean shall provide to
891 the faculty member, Department Chair/Division Head and College APT Committee memoranda
892 indicating her/his action.

893 (d) If the University APT Committee, after a full hearing of the case, supports the
894 recommendation for removal of tenure, this recommendation will be forwarded to the Vice
895 President for Academic Affairs and Provost. The faculty member then has the option to file a
896 Grievance and Appeal Procedure, as described in the Faculty Handbook (Section 8.01). The
897 Provost will make the final determination and, if necessary, make a recommendation to the
898 Board of Trustees for action.

899 If the Provost's decision and, if used, the Grievance and Appeal Procedure, results
900 in the decision to remove the faculty member's tenure, there are two possible outcomes: the
901 faculty will continue as a non-tenured faculty or the faculty member will be subject to
902 termination for cause under Section 7.01a (1) of the Faculty Handbook. In the event of
903 termination for cause, the process of full post-tenure review will have fulfilled Section 7.01a(5)
904 of the Faculty Handbook.

905

906 (5) **Policies:** The following policies are applicable to post-tenure review:

907 (a) The full post-tenure review process, as described in Section 4 of this policy, must
908 be concluded within 12 months. Responsibility for adhering to this timetable rests with the
909 Provost's office.

910 (b) The outcomes of all evaluations shall be confidential; that is, confined to the
911 appropriate college or university persons or bodies and faculty member being evaluated, and
912 shall be released only with the written consent of the faculty member.

913 (c) In accordance with the review process mandated by the Faculty Handbook, the
914 above policy and standards and criteria developed to carry out this policy should be evaluated
915 biannually with respect to the effectiveness in supporting faculty development and redressing
916 problems of faculty performance.

917 **7. FACULTY SEPARATION**

918 **7.01 Termination of Tenured Faculty**

919 7.01a Criteria for Termination of Tenured Faculty

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

922 1) Neglect or refusal to perform the duties and responsibilities of the academic rank to which
923 the faculty member is appointed, or performance below the standards generally accepted for
924 the rank.

925 2) Conduct seriously prejudicial to the Medical University of South Carolina through infraction
926 of the law, moral turpitude, or infraction of commonly accepted standards of behavior in
927 academic and professional communities.

- 928 3) Inability to perform the usual duties because of physical or mental incapacities.
929 Terminations for medical reasons must be based upon clear and convincing medical
930 evidence.
- 931 4) Documented evidence of financial exigencies or need for curtailment or discontinuance of
932 programs, departments, colleges or positions. The administration shall seek appropriate
933 faculty input in arriving at such decisions and shall observe every effort to make suitable
934 reassignments of displaced personnel. In such decisions, appropriate weight will be given to
935 seniority of service. The place of any faculty member so released shall not be filled within a
936 period of two years, unless the released faculty member has been offered reappointment and
937 has declined or failed to respond within a specific and reasonable period of time.
- 938 5) In instances involving termination for cause, the faculty member has the right to appeal
939 through the Faculty Grievance and Appeal Procedure (Section 8.01).

940 7.01b Procedures for Termination of Tenured Faculty

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

- 949 1) For termination pertaining to quality of work, please refer to Section 6.05 Post Tenure
950 Review.

951 This procedure serves as the initial stage of the Faculty Grievance and Appeal Procedure.
952 Referral to the Vice President for Academic Affairs will actuate the Grievance Procedure.

- 953 2) For termination pertaining to prejudicial conduct and for precedence for rectifying the
954 situation, the appropriate dean shall meet with the faculty member to discuss the nature of the
955 conduct. The President may suspend the faculty member until the consequences of due
956 process have been accomplished. A written summary of the meeting shall be provided to the
957 faculty member who must abide by its terms. Failure of the dean to reach accord with the
958 faculty member, or failure of the faculty member to meet the terms of the summary, shall
959 result in the matter being referred to the Vice President for Academic Affairs and Provost.

960 This procedure serves as the initial stage of the Faculty Grievance and Appeal Procedure.
961 Referral to the Vice President for Academic Affairs will actuate the Grievance Procedure.

- 962 3) For termination pertaining to incapacity, the department chair shall meet with the faculty
963 member to document the nature and extent of the incapacity and forward a copy of the
964 documentation to the dean, who shall refer the matter through appropriate channels to the
965 Vice President for Academic Affairs and Provost.

966 This procedure serves as the initial stage of the Faculty Grievance and Appeal Procedure.
967 Referral to the Vice President for Academic Affairs will actuate the Grievance Procedure.

- 968 4) For termination pertaining to documented evidence for abolition or discontinuance of
 969 positions or programs, the President of the University through the Vice President for
 970 Academic Affairs and Provost notifies the dean of the college concerned of such exigencies.
 971 Written notice of termination, through appropriate channels, is given to the faculty
 972 member(s) involved by the respective dean. Such notice is given at least twelve months in
 973 advance of the termination, to the extent that appropriated funds are available and legislation
 974 permits. Prior to the written termination notice, the dean and the Vice President for
 975 Academic Affairs and Provost will have made reasonable efforts to place the faculty
 976 member(s) in any existing faculty vacancies within the University, consistent with the faculty
 977 member's qualifications and area of expertise. The faculty member(s) shall have a right to a
 978 hearing under the Faculty Grievance and Appeal Procedure.
- 979 5) Until a final decision concerning termination of tenure has been reached, the appropriate
 980 dean and the Vice President for Academic Affairs and Provost, upon approval by the
 981 President, may suspend or assign the faculty member to other duties. Before suspending a
 982 faculty member, the dean shall consult with the Appointments, Promotions and Tenure
 983 Committee of his/her college. A faculty member who has been suspended will suffer no loss
 984 of salary unless his/her appointment is duly terminated, in which event the Vice President for
 985 Academic Affairs and Provost, subject to the approval of the President and the Board, will
 986 determine the date of termination. In determining the date, the Vice President for Academic
 987 Affairs and Provost may take into account the length and quality of service of the faculty
 988 member.

989 **7.02 Non-reappointment, Termination and Dismissal of Non-Tenured Faculty**
 990 **Members**

991 7.02a Non-reappointment and Termination of Non-Tenured Faculty

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

996 State legislation (S.C. Code of Laws, as amended, [Section 8-17-380](http://www.scstatehouse.net/code/t08c017.htm))
 997 (<http://www.scstatehouse.net/code/t08c017.htm>) provides that non-renewal of employment
 998 contracts at the end of the contract term is not grievable by the mechanism outlined in the Code.
 999 When a decision of non-renewal of contract is reached, no reason for non-renewal need be given,
 1000 but it is usually more professional and humane for the chair to discuss the reasons leading to the
 1001 decision with the faculty member affected.

1002 When a decision not to renew an appointment has first been reached, the faculty member
 1003 involved will be informed of that decision by the department chair making the decision; the
 1004 faculty member may be advised upon request of the reasons which contributed to that decision.
 1005 The faculty member may request reconsideration by the deciding individual. If the faculty
 1006 member so requests, the reasons given in explanation of the non-renewal will be confirmed in
 1007 writing.

1008 Written notice of the intention not to renew the appointment of a non-tenured faculty member
 1009 shall be given, to the extent that appropriated funds are available and legislation permits, as
 1010 follows:

- 1011 1) At least three (3) months prior to the expiration of the most recent contract for faculty with
1012 the Medical University if the initial contract was for a one (1) year term.
- 1013 2) At least six (6) months prior to the expiration of the most recent contract for faculty
1014 appointed under a second-year contract with the department. Previous service to the
1015 University to other departments or capacities is calculated for notice purposes).
- 1016 3) At least one (1) year prior to the expiration of the most recent contract for faculty under a
1017 third (3rd) year or subsequent-year contract with the department.

1018 7.02b Dismissal For Cause Before the End of a Specific Contract Period for Non-Tenured
1019 Faculty

1020 Cause or grounds for dismissal of a non-tenured faculty member before the end of a specific
1021 contract period are the same as those set forth for revocation of tenure (see section 7.01a, Criteria
1022 for Termination of Tenured Faculty).

1023 **7.03 Resignation**

1024 Under ordinary circumstances, a faculty member is expected to fulfill his or her contractual
1025 obligations to the University. Letters of resignation requesting release from those contractual
1026 obligations prior to the end of a contract period may be accepted by the appropriate department
1027 chair or administrator if such actions are mutually acceptable. In the event the resignation is not
1028 accepted by the University, the faculty member shall complete his or her contractual service for
1029 the year in question. Faculty members who plan to leave University employment at the end of a
1030 contract period shall give sufficient notice and clear all financial and other obligations.

1031 **7.04 Retirement**

1032 Information regarding eligibility and procedures for retirement are contained in Section 13.04.

1033 **8. FACULTY GRIEVANCE AND APPEAL**

1034 The right to grieve and appeal by any member of the faculty is recognized by the administration
1035 and the Board. Presentation of grievances is made through the following procedures established
1036 by and for the faculty and approved by the administration and the Board of Trustees. (sections
1037 8.01-8.10, effective October 3, 2008)

1038 **8.01 Faculty Grievance and Appeal Procedure**

1039 In any community of free people, even under the best of circumstances, complaints will be
1040 generated from time to time by individuals or groups who feel that a condition exists that is
1041 detrimental to their professional careers or personal well-being.

1042 A community of academicians operates on the premise that a complaint brought by one or more
1043 of its members against another or against the institution itself is best resolved when the parties
1044 involved are encouraged to seek a just and equitable solution.

1045 When individual efforts fail to produce a satisfactory resolution of a complaint, it behooves the
1046 greater academic community to intercede so that an equitable solution is obtained with dispatch.

1047 Therefore, a grievance and appeal procedure is established to handle complaints that cannot be
1048 resolved in an informal way at the department or college level and which are not covered by
1049 other procedures.

1050 Participation in a grievance procedure in any capacity, including as a griever, within the scope of
1051 such grievance proceeding is considered by the University to be within the scope of duties of a
1052 faculty member. The faculty member shall be afforded the same protection for such participation
1053 as for any other faculty duties subject to the provisions of the liability insurance policies
1054 purchased to cover liability of faculty members.

1055 The granting or the failure to grant tenured status to teaching and research faculty, professional
1056 librarians, academic administrators and all other persons holding faculty appointments or
1057 nonrenewal of employment contracts at the end of the contract term shall not be subject for
1058 consideration by this grievance procedure (Section 8-17-380, S.C. Code of Laws 1976). Section
1059 8.11 governs resolution of faculty appointment contract disputes.

1060 **8.02 Initial Stage and Grievance Procedure**

1061 A complaint concerning any condition that is felt to be detrimental to the complainant's
1062 professional development or personal well-being shall first be directed as described below:

- 1063 1) Complaints against a member of the complainant's department shall be explained to the
1064 departmental chair. When the complaint is against the chair, it is lodged with the dean of the
1065 college.
- 1066 2) Complaints against a member or chairman in the complainant's college, but not a member of
1067 the complainant's department, shall be lodged with the dean of the college.
- 1068 3) Complaints against a member of another college shall be lodged with the dean(s) of the
1069 college(s) involved.
- 1070 4) Complaints against any administrator shall be lodged with the next higher level of
1071 administration.

1072 The person with whom the complaint is lodged shall attempt to mediate an amicable solution
1073 through his/her good offices, or to suggest another person who might more effectively mediate
1074 an amicable solution.

1075 **8.03 Grievance Procedure**

- 1076 1) In the event that the complaint is not resolved within a reasonable period of time, the
1077 complainant may submit a written request for a hearing. The proper avenue for such a request
1078 is through established channels of authority to the Vice President for Academic Affairs and
1079 Provost. Once initiated, a grievance or appeal must be afforded full due process regardless of
1080 changes in employment status.
- 1081 2) The grievance or appeal shall be referred by the Vice President for Academic Affairs and
1082 Provost to a Standing University Faculty Hearing Committee consisting of three (3) faculty
1083 members recommended by the Faculty Senate, three (3) faculty members recommended by
1084 the Deans' Council, and one (1) faculty member selected by the Vice President for Academic
1085 Affairs and Provost. The Committee may elect a chair, or may request that the Vice President
1086 for Academic Affairs and Provost designate one of the seven individuals to be chair.
1087 Preferably, committee members will be selected from a pool of individuals representing each
1088 College and the Library System, who have received training in mediation. Faculty Senate and
1089 Deans' Council may nominate individuals to receive mediation training and to serve in the
1090 pool of potential Hearing Committee Members. This pool (referred to as the Standing

1091 University Faculty Hearing Committee) will be comprised of two members from each
1092 college and the Library System nominated by the Faculty Senate, and up to two members
1093 from each college and the Library System nominated by the Deans' Council. Standing
1094 University Faculty Hearing Committee members shall serve terms of up to three years,
1095 staggered such that there will be some continuity of membership from year to year.

1096 3) The grievance or appeal shall be in writing and shall specify the condition(s) felt to be
1097 detrimental to the individual's professional development or personal well-being and the
1098 manner in which it/they may affect the complainant adversely. The statement shall specify
1099 the reason(s) why such a condition is/are felt to be the responsibility of a person or persons
1100 named in the grievance or appeal, and it shall suggest the changes in conditions that would
1101 satisfy the complainant.

1102 4) Upon receipt of a grievance or appeal, and in no case longer than thirty (30) days after the
1103 receipt thereof, the Vice President for Academic Affairs and Provost will convene a seven
1104 member Hearing Committee at full strength from individuals selected from the Standing
1105 University Faculty Hearing Committee pool.

1106 **8.04 Action by the Hearing Committee**

1107 1) When a grievance or appeal is referred to the Faculty Hearing Committee, the chair of the
1108 Committee shall distribute true copies of all pertinent materials to the parties involved who
1109 have not already received them and to the members of the Committee within one week of the
1110 referral.

1111 The Committee shall refuse to hear a grievance or appeal if it determines that:

1112 a) The parties have made inadequate effort to resolve the dispute by discussion and
1113 agreement or have not utilized other reasonably available avenues for relief within the
1114 division, department, college(s);

1115 b) The dispute is patently frivolous or plainly without merit;

1116 c) The relief sought is beyond the power of the University to grant;

1117 d) The grievance is insufficiently related to the concerns of the academic community;

1118 e) The dispute is within the jurisdiction of another committee or unit of the University.

1119 2) Within twenty-one (21) days of the distribution of the materials pertinent to the grievance or
1120 appeal, the Committee shall meet and decide whether to hear the case. If the Committee
1121 decides to hear the case, it shall immediately notify the principals and shall commence
1122 hearings within another seven (7) days. As it deems appropriate, the Committee may call any
1123 witnesses and examine any documents in addition to those presented by the parties to the
1124 grievance or appeal. The Committee shall prepare and keep a transcript of its proceedings.

1125 3) After hearing the parties to the grievance or appeal and the witnesses, the Committee shall
1126 deliberate in secret. It shall then determine to: (a) recommend an appropriate action or (b)
1127 dismiss the grievance. The chair shall send, in writing, the Committee's recommendation(s)
1128 to the parties. It shall then declare the hearing concluded.

1129 4) The chair also shall send the Committee's recommendation(s) and rationale for it/them to the
1130 Vice President for Academic Affairs and Provost of the University for consideration and

1131 recommendation by that officer. This report shall be submitted within ten (10) days after the
1132 conclusion of the hearing.

1133 5) In reaching the written recommendations to the Vice President for Academic Affairs and
1134 Provost, the Committee shall consider only the evidence presented at the hearing and such
1135 written and oral arguments as the Committee, in its discretion, may allow.

1136 6) Under unusual and compelling circumstances, the Committee, with the concurrence of the
1137 Vice President for Academic Affairs and Provost, may extend any deadlines upon written
1138 notification to the parties to the grievance or appeal.

1139 **8.05 Action by the Administration of the University**

1140 Within thirty (30) days of the receipt of the Faculty Hearing Committee recommendations and
1141 rationale, the Vice President for Academic Affairs and Provost of the University, who is
1142 ordinarily appointed by the President to act on her/his behalf, shall review the record and notify
1143 the parties to the grievance or appeal and the chair of the Faculty Hearing Committee of his/her
1144 recommendation in the case. In the event that the Vice President for Academic Affairs and
1145 Provost has been a participant in the hearing of the aggrieved faculty member or for other valid
1146 reasons, the Vice President for Academic Affairs and Provost may disqualify herself/himself and
1147 request the President to appoint another designee for said review.

1148 If the Vice President for Academic Affairs and Provost concurs in the recommendation of the
1149 Committee that is favorable to the faculty member, no further action in the matter may be taken.
1150 If the Vice President for Academic Affairs and Provost either declines to accept a Committee
1151 recommendation that is favorable to the faculty member, or concurs in a Committee
1152 recommendation that is unfavorable to the faculty member, the faculty member may appeal to
1153 the Board for review. The appeal shall be submitted in writing to the Secretary of the Board
1154 within ten (10) days following the decision of the Vice President for Academic Affairs and
1155 Provost who ordinarily acts as the designee of the President. It shall state the decision
1156 complained of and the redress desired.

1157 **8.06 Action by the Board**

1158 The appeal shall be placed on the next regular Agenda of the Board for the consideration of the
1159 Board.

1160 The Board in its sole discretion may grant a review, but if granted the Board shall not be required
1161 to conduct an additional hearing or hear arguments of the faculty member or counsel but may
1162 review the record of the proceedings. The Board, at its discretion, may elect to hear arguments,
1163 oral or written, by both of the principals or their representatives and may consult with the hearing
1164 Committee.

1165 Any action taken by the Board shall be final.

1166 **8.07 Definition of Rights and Challenges in a Grievance Procedure**

1167 1) Challenge of Committee Members:

1168 a) Upon the request of a party to a grievance, a member of the Committee may be removed
1169 from considering a case if deemed biased or in conflict of interest. If a member of the
1170 Committee refuses to remove herself/himself when challenged for such cause, the

1171 challenging party may appeal to the entire Committee which shall make a final
1172 determination of the challenge. A Committee member may disqualify herself/himself.

1173 b) If s/he so desires, each party shall have, in addition, a challenge without stated cause. A
1174 member so challenged shall not consider the case.

1175 2) To Present Witnesses and Supporting Materials:

1176 Each party involved in a grievance or appeal may:

1177 a) submit any written materials in support of his/her position;

1178 b) present witnesses at hearings.

1179 3) To Have an Advisor During the Hearing:

1180 a) Each party to a grievance or appeal may be accompanied in the hearing by a non-
1181 participating advisor of his/her choice and may consult with the advisor throughout the
1182 hearing.

1183 b) If any party chooses to have participating legal counsel present, written notification must
1184 be presented to the chair of the Committee at least five (5) days before the hearing. The
1185 chair shall then promptly notify the other parties. The Hearing Committee conducts an
1186 internal administrative review, rather than a legal proceeding. Legal counsel may advise,
1187 but may not participate in the hearing. The Committee chair, in consultation with
1188 University General Counsel, may remove any advisor from the hearing should said
1189 advisor persist in attempts to participate in the hearing [rather than to render advice to
1190 any participant(s)].

1191 4) To Have an Observer Attend Hearings:

1192 At the request of any party to a grievance or appeal, or at the request of the Committee
1193 hearing the case, a representative of a responsible professional or educational association
1194 shall be permitted to attend hearings as an observer. The chair will determine the
1195 qualifications and responsibility of the association.

1196 **8.08 Access to Records of Hearings:**

1197 1) A written record shall be made of the proceedings during hearings.

1198 2) Each party to a grievance or appeal shall have access to all records of the hearing and, should
1199 s/he request it, shall be furnished, upon payment of reasonable charges for transcription or
1200 reproduction, a record of the proceedings. (A copy of the official record of the proceedings,
1201 in whatever form it is made, shall satisfy this requirement.)

1202 **8.09 To Receive Expeditious Consideration:**

1203 1) The parties to any grievance or appeal have the right to expeditious consideration at all stages
1204 of these procedures.

1205 2) The Hearing Committee is expected to formulate its written recommendation(s) and to
1206 communicate it/them to the parties to the grievance or appeal within ten (10) days of the
1207 conclusion of the hearing.

1208 **8.10 Annual Report of the Chair of the Hearing Committee.**

1209 Each July the chair of the Hearing Committee shall make a summary of formal grievance and
1210 appeal activities and statistics on cases in progress and those settled during the preceding year.
1211 S/he shall send this report to the Chair of the Faculty Senate, to the Chair of the Deans' Council,
1212 and to the President of MUSC.

1213 **8.11 Faculty Appointment Contract Dispute Resolution**
1214 **(effective February 13, 2009)**

1215 The Faculty Appointment Contract (FAC) clarifies an individual's activities and responsibilities
1216 for the upcoming academic year and links the listed activities to compensation. These contracts
1217 are offered in good faith between the faculty member and the chair. They serve as a platform for
1218 discussing and resolving issues that could be misinterpreted between a faculty member and the
1219 chair. To assure collegial working relationships, the primary responsibility for resolving any
1220 dispute concerning the FAC lies with the faculty member and the department chair / division
1221 chief. However, some issues in a proposed FAC occasionally cannot be resolved at the
1222 department level.

1223 The FAC signing period begins in early June. By June 20, the Associate Provost for Integrated
1224 Planning and Assessment will send to each college a notice asking if there are any members of
1225 the full- or part-time faculty contesting their draft contracts. Any faculty member unwilling to
1226 sign his/her draft FAC will be contacted by the Associate Provost for Integrated Planning and
1227 Assessment to determine whether the faculty member wants a formal review and adjudication of
1228 the draft contract. If the faculty member requests a review, the current FAC will be extended
1229 with appointment rights continued until July 31, by the Vice President for Academic Affairs and
1230 Provost or her/his designee. This should provide sufficient time for a review panel to gather facts
1231 and hear from those involved as needed to clarify issues in dispute.

1232 The review panel will be established by the Dean and be composed of faculty peers. The panel
1233 will have at least three senior faculty members, excluding department chairs or division chiefs,
1234 and may include faculty member(s) from another college. Panels are convened to review the
1235 issues and to render an opinion to the disputants, the Dean, and to Vice President for Academic
1236 Affairs & Provost. Each review panel member will sign a confidentiality agreement in order to
1237 encourage the free sharing of opinions and facts. Panel members may recuse themselves for
1238 perceived conflict of interest. The Vice President for Academic Affairs & Provost makes the
1239 final MUSC decision regarding the FAC being offered.

1240 Both the faculty member and the chair or division chief shall have the opportunity to meet with
1241 the panel. The panel determines when to close fact-finding and hearing phases of the review and
1242 to begin deliberation. Following adequate deliberation on the issues, the panel shall submit a
1243 written recommendation to the disputants, the Dean, and the Vice President for Academic
1244 Affairs and Provost. The Dean may mediate and resolve the dispute; however, if necessary,
1245 upon receipt of the Dean's comments on the Panel Report prior to July 31st, the Vice President
1246 for Academic Affairs and Provost will provide the final written decision on the contested issue to
1247 all parties. If a resolution has not been achieved by July 31st, the Vice President for Academic
1248 Affairs and Provost, or designee, can grant an additional extension to facilitate the resolution.

1249 The general grievance policy in sections 8.01-8.10 covers complaints that cannot be resolved in
1250 an informal way at the department or college level and which are not covered by other

1251 procedures. For FAC disputes, this policy recognizes: 1) the importance of timely resolution,
1252 and 2) faculty desire for peer review at the college level. The flow chart in [Appendix 8.11](#)
1253 outlines this policy.

1254 **9. FACULTY DUTIES AND RESPONSIBILITIES**

1255 It is the duty of the faculty to create an environment that is conducive both to the education of
1256 skilled professionals and to the scholarly pursuits of the faculty. The University provides an
1257 environment for intellectual development, reasonable working space, and an appropriate amount
1258 of time for scholarly growth and achievement.

1259 Subject to the approval of the Board, the faculty of each college has jurisdiction over all matters
1260 pertaining to the curriculum. The faculty has the responsibility for prescribing the curriculum,
1261 determining academic standards and teaching and examining accordingly. It has the
1262 responsibility for determining the entrance requirements, determining requirements for
1263 promotion and dismissal of students, determining the requirements for the graduation of students,
1264 recommending candidates for degrees and certificates, and enacting rules and regulations for the
1265 overall guidance of student programs.

1266 The faculty shall serve an advisory function on the appointment, promotion or dismissal of
1267 faculty and administrators, on the distribution of funds and facilities for education, research and
1268 service; and on the acquisition of external support for research and other scholarly activities.

1269 **9.01 Academic Freedom**

1270 A member of the faculty is free to teach and to discuss in classes any aspect of a topic pertinent
1271 to the understanding of the subject matter of the course which is being taught; to act and to speak
1272 as a private citizen without institutional censorship or discipline. A member of the faculty is free
1273 to carry on research and publish the results.

1274 **9.02 Faculty Evaluation**

1275 The State of South Carolina requires that all state universities and colleges evaluate faculty
1276 performance. In order to comply with this requirement, MUSC has developed a faculty
1277 evaluation procedure which has been approved by the Division of Human Resources of the State
1278 Budget and Control Board. Each college of the University has an approved Performance
1279 Appraisal form (faculty evaluation). See [Appendix 6.05a](#) for copies of these forms. The form is
1280 completed annually for each member, and is kept in a permanent file under the purview of the
1281 dean or director. The faculty member has a right to full disclosure of the Performance Appraisal.

1282 The faculty member is required to sign the appraisal, indicating s/he has read the evaluation
1283 form, but has the right to make written comments concerning agreement or disagreement with
1284 the evaluation.

1285 **9.03 Faculty Salary Increases**

1286 Salary increases for faculty members will be distributed as merit based increases.

1287 When funds are designated for faculty salary increases, the amount and the procedure for
1288 allocation of these funds will be communicated to the faculty.

1289 All funds will be distributed as merit increases, based on the approved Faculty Performance
1290 Evaluation Form, which is mentioned in section 9.02 of the University Faculty Handbook.

1291 Should the faculty member disagree with her or his supervisor's evaluation, s/he should make
1292 written comments on the Performance Evaluation Form before signing it.

1293 Detail of faculty merit salary distribution based on annual evaluation:

1294 The college/department identifies merit salary monies to be distributed to faculty. Within each
1295 college/department as a result of the annual evaluation process, each faculty member is rated in
1296 overall performance as follows: unacceptable, marginal, satisfactory, very good, outstanding.

1297 These rating categories are each assigned a weighting factor (0-Unacceptable, 0.5-Marginal, 1.0-
1298 Satisfactory, 1.5- Very Good, 2.0- Outstanding). The ratings would be summed for all faculty.

1299 The identified merit salary monies to be distributed would be divided by this sum resulting in the
1300 dollar amount value of one unit of merit salary money. Each faculty member would receive as a
1301 merit increase the dollar amount value of one unit multiplied by the weighting factor of the
1302 overall rating of their evaluation.

1303 ****NOTE:** Adjustments for equity increases are excluded from the formula******.

1304 ****NOTE:** Following is an Example of the formula computation:

1305 A department uses the above weighting factors as follows: 0- Unacceptable, 0.5- Marginal, 1.0-
1306 Satisfactory, 1.5- Very Good, 2.0- Outstanding.

1307 The department consists of 10 Faculty who have the following ratings on their Faculty
1308 Performance Evaluation Form: one Marginal (0.5), seven Satisfactory (1.0), one Very Good
1309 (1.5), and one Outstanding (2.0). The sum of the weighting factor for the ten faculty members is
1310 11 (0.5 + 7.0 + 1.5 + 2.0). The department had a total of \$11,000 available for merit increases.
1311 One unit of merit salary is calculated to be \$1000 (\$11,000/11). The faculty member rated
1312 Marginal receives a \$500 increase, the faculty members rated Satisfactory receive a \$1000
1313 increase, the faculty member rated Very Good receives a \$1500 increase and the faculty member
1314 rated Outstanding receives a \$2000 increase. The total increase for the faculty is \$11,000.

1315 **9.04 Distribution of Faculty Activity**

1316 The assignment of a faculty member's division of responsibilities between academic activities is
1317 initially specified in the letter of offer and initial contract. Review and, eventually, reevaluation
1318 of division of obligations is carried out as part of the annual evaluation, at which time the faculty
1319 member and supervisor mutually agree upon any changes in the balance of instruction/teaching,
1320 scholarly activity, administrative responsibilities, community services, and, when applicable,
1321 clinical services, in keeping with the mission of the Medical University. The faculty member and
1322 the supervisor sign the Performance Appraisal Form, on which the percent effort for various
1323 assignments/responsibilities is outlined in writing. Should an agreement not be reached, either
1324 Faculty or Chair will proceed under policies detailed in Section 8 of the Faculty Handbook.

1325 **9.05 Faculty Record Review**

1326 Faculty members shall possess the right upon written request to their department chair and/or
1327 dean, to review their personnel file and may make additional submissions or explanations of
1328 alleged errors or omissions. Such additions shall become a part of the permanent file. Nothing
1329 herein shall grant the faculty member a right to purge or remove anything in their personnel file
1330 without prior written consent of their direct supervisor and the dean of the college.

1331 **9.06 Outside Activities**

1332 Members of the faculty are expected to devote all of their normal working time to the Medical
1333 University.

1334 A faculty member may engage in outside activities, whether for compensation or not, on a
1335 limited basis, provided that such activities are in keeping with his/her professional practice
1336 agreement, competency, and development, and do not interfere with the performance of his/her
1337 assigned duties. Activities such as preparation and presentation of research results, presentation
1338 to professional groups, peer review activities, and service as members of professional or
1339 community societies are normally not considered outside activities, i.e., they are within the scope
1340 of work.

1341 Consultant work, part-time teaching at other institutions or other temporary undertakings are
1342 allowable provided such activities have the prior written approval of the appropriate department
1343 chair and confirmation by the dean of primary appointment and the Vice President for Academic
1344 Affairs and Provost. In no instance are facilities, equipment, secretarial personnel, or supplies
1345 furnished by the Medical University to be used in the course of outside employment or activities.
1346 Employment of faculty by other state agencies or institutions must be accomplished through the
1347 procedures established by the state; remuneration is limited by law. Approval of such activity is
1348 the same as outlined above.

1349 **9.07 Political Activities**

1350 Faculty members of the Medical University may undertake civic duties and participate in
1351 community political activities and, as a general rule, hold municipal or local political offices
1352 without interference from the Medical University. However, great care should be exercised in
1353 active political campaigning in state and federal elections. Campaigning for a major state or
1354 federal government office requires a leave of absence authorized by the President of the Medical
1355 University. Any faculty member elected to major state or federal government office either must
1356 obtain a leave of absence authorized by the President or resign from the faculty.

1357 **9.08 Conflict of Interest**

1358 The faculty of the Medical University of South Carolina engages in a wide variety of external
1359 activities with public and private organizations. The Medical University endorses and subscribes
1360 to the principles of the joint statement of the American Council on Education and the American
1361 Association of University Professors, "On Preventing Conflicts of Interest in Government-
1362 Sponsored Research at Universities." With the acceptance of a full-time appointment to the
1363 faculty of the Medical University of South Carolina, the faculty makes a commitment to MUSC
1364 that such employment is full-time in the most inclusive sense. Outside obligations, financial
1365 interests, and activities in other areas are not to conflict with their commitment to the Medical
1366 University of South Carolina.

1367 All faculty and administrative staff shall disclose any conflict of interests using the MUSC web
1368 based disclosure mechanism, see <https://www.carc.musc.edu/coi>. Such disclosure is made on an
1369 annual basis as defined by the MUSC/MUHA conflict of interest policy. Whenever a new
1370 conflict of interest arises or when a significant change occurs concerning an existing disclosure,
1371 a new disclosure form must be completed and submitted for review either in advance of the
1372 anticipated change in situation or within 30 days of the event

1373 Infraction of the letter or spirit of this policy constitutes a serious offense, which shall be
1374 responded to with appropriate action ranging from private reprimands to termination at the
1375 discretion Vice President for Academic Affairs and Provost.

1376 The following policy, approved by the Board of Trustees on Feb. 13, 2009, governs employee
1377 financial conflicts of interest within MUSC, MUHA, and our affiliates. Various parts of the
1378 institution may have their own sub-policies, consistent with this general policy, but specific to
1379 their specific areas of activity. Clinical, research, and research start-up policies and charters
1380 appear in [Appendix 9.08](#).

1381 Medical University of South Carolina and Medical University Hospital Authority:
1382 Conflict of Interest Policy

1383 Persons covered by this policy:

1384 This policy applies to all Trustees, Officers, Faculty, Administrators, and Staff, including
1385 all full-time, part-time, temporary, and contract Employees of Medical University of South
1386 Carolina (“MUSC”) and Medical University Hospital Authority (“MUHA”). Affiliates (entities
1387 which derive their not for profit status from MUSC, such as University Medical Associates, the
1388 MUSC Foundation, and the MUSC Foundation for Research Development) shall as a condition
1389 of continued business with MUSC and MUHA adopt a policy substantially similar to this Policy,
1390 adapted to accommodate those affiliate employees who are not public employees.

1391 Preamble

- 1392 1) Enhancing the public good through improved health initiatives and superior economic
1393 development is the foundation of many government policies. MUSC, as a contemporary,
1394 public research university, has a responsibility to actively participate and promote these
1395 initiatives even if conflicts of interest are more likely and many times unavoidable. Conflicts
1396 of interest, therefore, may arise from ordinary and appropriate activities as a part of assigned
1397 employment duties so the existence of a conflict should not imply wrongdoing. When
1398 conflicts of interest do arise, however, they must be recognized and disclosed, then
1399 eliminated or appropriately managed. The Board of Trustees for MUSC and MUHA has a
1400 duty to govern those State entities in a manner such that conflicts are appropriately reviewed
1401 and acted on to maintain public confidence in the integrity of our institutions.
- 1402 2) This policy provides a framework for recognizing and managing employee conflicts of
1403 interest, and should minimize even the appearance of conflicts of interest. The primary goal
1404 of this policy is to prevent an employee's activities from adversely influencing MUSC or
1405 MUHA operations.
- 1406 3) Particular departments and activities of MUSC or MUHA may have specific conflict of
1407 interest policies. It is intended, however, that this policy will apply to the entire MUSC
1408 enterprise, providing a framework for those specific additional policies to operate under, such
1409 that those specific policies will not supersede this policy unless approved by the Board of
1410 Trustees.
- 1411 4) This policy references South Carolina Code (S.C. Code § 8-13-10 *et seq.*) (the “Ethics
1412 Law”), which makes it unlawful for public officials, public members, and public employees
1413 to use their position to obtain an economic interest or to have a financial interest in most any
1414 contract or purchase connected with MUSC/MUHA, unless certain exceptions apply. This
1415 policy is implemented in addition to all requirements of the Ethics Law and does not
1416 supersede it. The South Carolina Ethics Law is at www.scstatehouse.net/code/t08c013.htm.

1417 5) As MUSC conducts research funded by the Public Health Service and other federal agencies,
1418 it is required by federal law to maintain an appropriate written, enforced policy on conflict of
1419 interest that complies with 42 CFR Part 50 Subpart F – “Responsibility of Applicants for
1420 Promoting Objectivity in Research for which Public Health Service Funding is Sought”
1421 (http://grants.nih.gov/grants/compliance/42_CFR_50_Subpart_F.htm) as well as all other
1422 relevant policies of federal funding and oversight agencies.

1423 A. Statement of general policy

- 1424 1) MUSC/MUHA policy is that its employees conduct the affairs of MUSC/MUHA in
1425 accordance with the highest legal, ethical and moral standards.
- 1426 2) MUSC/MUHA policy is that employees of MUSC/MUHA shall disclose perceived and real
1427 conflicts of interest.
- 1428 3) MUSC/MUHA policy is that employees shall not use their position to secure personal
1429 financial benefits or economic interest for themselves, any member of their immediate
1430 family, any individuals or entity with whom the employee has a business relationship that
1431 renders an employee economic benefit. A perceived and/or real conflict of interest arises
1432 whenever the employee has the opportunity to influence University or Authority operations
1433 or business decisions in ways that could result in a personal financial benefit or economic
1434 gain to the employee, a member of an employee's immediate family, or individuals or entities
1435 with whom the employee has a business relationship which renders the employee economic
1436 benefit. Although certain specific examples of conflicts of interest are provided in this policy,
1437 they are meant only as illustrations, and supervisors and employees are expected to use good
1438 judgment to identify possible conflicts of interest that may adversely influence
1439 MUSC/MUHA operations, and to avoid or manage them as appropriate.
- 1440 4) This policy is not intended to prohibit approved and appropriately managed economic
1441 development activities related to MUSC/MUHA generated intellectual property, including
1442 MUSC/MUHA employee involvement with startup companies, Small Business
1443 Administration (SBIR/STTR) funded research and Centers of Economic Excellence
1444 Activities. However, any such activities by MUSC/MUHA employees that make use of
1445 University or Authority property, facilities, equipment or other resources for personal benefit
1446 shall be approved as required herein, of benefit to MUSC/MUHA, and for fair value.
- 1447 5) Nothing in this policy shall be construed to permit, even with disclosure, any activity that is
1448 prohibited by law.

1449 B. Definitions

- 1450 1) *Conflicts of interest* occur when an employee or immediate family member receives personal
1451 financial benefit or an economic interest from the employee's position in a manner that may
1452 inappropriately influence the employee's judgment, compromise the employee's ability to
1453 carry out MUSC/MUHA responsibilities or, be a detriment to MUSC/MUHA integrity.
- 1454 2) *Immediate family* includes the employee's parents, spouse, siblings, children, stepchildren,
1455 and grandchildren.
- 1456 3) *Manage and managing* means an affirmative action by the University or the Authority to
1457 establish parameters or conditions that minimize or eliminate the risk of the perceived or real
1458 conflict of interest.
- 1459 4) *Personal financial benefit or economic benefit* is defined as anything of monetary value,
1460 including salary, commissions, fees, honoraria, gifts of more than nominal value, equity
1461 interests, interests in real or personal property, dividends, royalty, rent, capital gains,

1462 intellectual property rights, loans, and forgiveness of debt. "Personal financial benefit" does
1463 not include:

- 1464 a) compensation or payments received from MUSC/MUHA or any of its affiliates or the
1465 Ralph H. Johnson Department of Veterans Affairs Medical Center;
 - 1466 b) payments for participation in seminars, lectures or other educational activities as long as
1467 not acting in the employee's official capacity, or reasonable expenses for the same
1468 activities even if acting in official capacity;
 - 1469 c) payments for participation in seminars, lectures or other educational activities, and
1470 reasonable expenses for the same activities as long as acting within the context of an
1471 individual's Faculty Appointment Contract;
 - 1472 d) any financial interest arising solely by means of investment in a mutual, pension, or other
1473 institutional investment fund over the management and investments of which the
1474 employee or an associated immediate family member does not exercise control; and
 - 1475 e) investments in publicly traded entities as long as employee owns less than a five percent
1476 and/or less than \$10,000 stake in said entity.
- 1477 5) *University* means Medical University of South Carolina.
1478 6) *Authority* means the Medical University Hospital Authority.
1479 7) *MUSC or MUHA responsibilities* are defined as the responsibilities of an employee to
1480 perform MUSC or MUHA activities as defined by management or contract.

1481 C. Policy provisions

- 1482 1. An employee shall disclose any situation in which the employee has, or may have, a real or
1483 potential conflict of interest as defined herein. These conflicts of interest must be reported
1484 annually to the appropriate Office of Compliance. Modifications to existing disclosures or a
1485 new activity will require submittal of an additional disclosure in a timely manner. An
1486 authorized group of employees shall review the disclosure and recommend to the appropriate
1487 Vice President a suitable action plan to eliminate or manage the conflict of interest so as to
1488 ensure that MUSC or MUHA business is not improperly influenced or adversely affected. In
1489 the event that there is no reasonable way to manage a conflict of interest, then the employee
1490 may be prohibited from participating in related MUSC/MUHA affairs until such a time as the
1491 conflict is eliminated. In other words, employees and Officers of MUSC/MUHA have a duty
1492 to immediately disclose, manage or eliminate any real or potential conflicts of interest that
1493 are not in the best interests of the University or Authority.
 - 1494 a. An employee shall disclose conflicts of interest in writing on an approved paper or
1495 digital Conflicts of Interest Disclosure Form, including a statement describing the
1496 nature and extent of the conflict, to their supervisor and to the appropriate
1497 Compliance Office. This disclosure must be completed annually, on a form
1498 designated for such purposes. A new disclosure form must be completed whenever a
1499 new conflict of interest arises or when a significant change occurs concerning an
1500 existing disclosure. See the following Web site for this disclosure form: Annual
1501 Conflict of Interest Disclosure < <https://www.carc.musc.edu/coi> >.
 - 1502 b. If a supervisor becomes aware of a conflict of interest that an employee has not
1503 disclosed, the supervisor shall discuss the situation with the employee, require that a
1504 written disclosure be made as provided in this policy, and inform the Office of
1505 Compliance to anticipate the receipt of a new Disclosure Form.

- 1506 c. All conflicts of interest shall be reported to the MUSC or MUHA Office of
1507 Compliance. The Board of Trustees or its designee will retain authority to take such
1508 action as it deems appropriate regardless of any action or inaction by an Officer of
1509 MUSC and/or MUHA.
- 1510 2. The following are examples of conflicts of interest requiring disclosure. These examples are
1511 illustrations only and are not meant to be exclusive.
- 1512 a. Employee or immediate family member has a financial interest in a business entity
1513 with which the University or Authority does or proposes to do business, and the
1514 employee is in a decision-making role or otherwise is in a position to influence the
1515 University's or Authority's business decisions regarding the business entity. Business
1516 entity examples for which an employee disclosure is required:
- 1517 i. finance or accounting services
 - 1518 ii. equipment services
 - 1519 iii. marketing services
 - 1520 iv. construction services
 - 1521 v. consulting
 - 1522 vi. counseling
 - 1523 vii. catering
 - 1524 viii. computer supplies
 - 1525 ix. programming
 - 1526 x. architectural services
 - 1527 xi. legal services
 - 1528 xii. grant preparation
 - 1529 xiii. temporary personnel services
 - 1530 xiv. office or laboratory supplies
 - 1531 xv. painting services
 - 1532 xvi. lawn and grounds services
- 1533 b. Employee holds or assumes an executive, officer or director position in a for-profit or
1534 not-for-profit business or entity engaged in commercial, educational, or research
1535 activities similar to those in which the University or Authority engages.
- 1536 c. Employee participates in consultation activities for a for-profit or not-forprofit
1537 business or entity engaged in commercial, educational or research activities similar to
1538 those of the University or Authority.
- 1539 d. Employee holds or assumes an executive, officer or director position in a for-profit or
1540 not-for-profit business or entity that does business with the University or Authority.
- 1541 3. The activities listed below are prohibited unless sanctioned by an Officer of the University or
1542 Authority. Sanctioned activities are those activities documented within an individual's
1543 Faculty Appointment Contract, contained within an employee's job description or
1544 expectations, appropriately authorized agreements, Memoranda of Understanding, or
1545 otherwise approved by the employee's Vice President.
- 1546 a. Significant use of University or Authority property, facilities, equipment or other
1547 resources in any manner other than as part of the employee's responsibilities, that
1548 results in personal financial benefit or economic interest to an employee, a member of
1549 an employee's immediate family or business with which the employee has a business
1550 relationship.

- 1551 b. Using significant University or Authority property, facilities, equipment or other
1552 resources in any manner to support an entity not associated with the University or
1553 Authority unless special permission is provided in writing by an authorized Officer of
1554 MUSC or MUHA.
- 1555 c. Using University or Authority stationery, letterhead, logo, or trademark in connection
1556 with outside activities, other than activities having a legitimate relationship to the
1557 performance of University or Authority business.
- 1558 d. Using University or Authority facilities, resources, or the employee's position at the
1559 University for the purpose of advocating, endorsing, or marketing the sale of any
1560 goods or services, other than as part of the employee's responsibilities, without the
1561 prior approval in writing by an authorized Officer of MUSC or MUHA.
- 1562 e. Using the University or Authority name, trademark or trade name for personal
1563 business or economic gain to the employee, a member of the employee's immediate
1564 family or a business with which the employee has a business relationship.
- 1565 f. Using any University or Authority intellectual property data or information that is not
1566 in the public domain for personal financial benefit or economic gain to the employee
1567 or a member of the employee's immediate family, or a business which the employee
1568 has a business relationship.
- 1569 g. Using any University or Authority employee for any outside activity during normal
1570 work time for which he or she is receiving compensation from the University or
1571 Authority (not applicable when employees are on a paid or unpaid leave).
- 1572 h. Participating in the selection or awarding of a contract between the University or
1573 Authority and any entity with which an employee is dually employed, is seeking
1574 employment or has been offered employment.
- 1575 i. Other activities may be prohibited if there is no reasonable way to manage an
1576 associated conflict of interest.

1577 D. Employee responsibilities

- 1578 1) Employees shall not engage in the prohibited activities listed above unless sanctioned in
1579 advance or in any other activity that has been prohibited following a completed review of an
1580 employee's conflict of interest disclosure.
- 1581 2) Employees shall disclose a real or perceived conflict of interest as described above:
- 1582 a) As soon as the employee knows of the conflict, and then annually thereafter for as long as
1583 the conflict continues to exist;
- 1584 b) In writing on the approved Conflict of Interest Disclosure Form;
- 1585 c) To the appropriate MUSC or MUHA Office of Compliance;
- 1586 3) Employees shall avoid any involvement with all related University or Authority activities and
1587 decisions until such time as the conflict of interest has been evaluated and the disclosed
1588 activity been approved.
- 1589 4) If there is any question whatsoever about an activity representing a conflict of interest, then
1590 the employee should consult with an MUSC or MUHA Office of Compliance or an MUSC
1591 or MUHA Office of Legal Counsel for direction.

1592 E. MUSC/MUHA responsibilities

- 1593 1. Supervisors shall ensure that all new employees are informed of this policy.
- 1594 2. Supervisors and administrators of MUSC and MUHA shall ensure that all current employees
1595 are reminded of this policy on a periodic basis.

- 1596 3. The University and Authority shall develop a peer process to evaluate conflict of interest
1597 disclosures, and to review the conduct of approved Management Plans.
1598 4. In the event that a reported conflict of interest is approved, the corresponding Office of
1599 Compliance shall ensure there is an appropriate Management Plan in place to monitor and
1600 manage the situation so that resources are used in an appropriate manner and that there is no
1601 improper influence on University or Authority decisions.
1602 5. The Offices of Compliance shall ensure that Conflicts of Interest Disclosure forms are
1603 retained for future reference. Upon an employee's transfer from the unit or termination from
1604 the University or Authority, associated Conflict of Interest Forms shall be retained by the
1605 Offices of Compliance for a minimum of three years.
1606 6. Supervisors shall establish and maintain a work environment that encourages employees to
1607 ask questions about real or potential conflicts of interest.
1608 7. If supervisors have any question whatsoever about an external activity representing a conflict
1609 of interest, they should consult with an Office of Compliance or an Office of Legal Counsel.

1610 F. Sanctions for violation

- 1611 1) Violations of University or Authority policies, including the failure to avoid a prohibited
1612 activity or disclose a conflict of interest in a timely manner, will be dealt with in accordance
1613 with applicable policies and procedures that may include disciplinary actions up to and
1614 including termination of employment.
1615 2) The Board of Trustees, as the ultimate governing body, or its designee retains authority to
1616 make a final determination of any matter covered by this Policy.

1617 G. South Carolina state law

- 1618 1. The South Carolina Ethics Government Accountability and Campaign Reform Act (herein
1619 the "Ethics Law") S.C. Code § 8-13-100, among other things, makes it unlawful for a public
1620 official, public member or public employee to knowingly use his official office, membership
1621 or employment to obtain economic interest for himself, a member of his immediate family,
1622 an individual with whom he is associated* or a business with whom he is associated**. This
1623 policy is implemented in addition to any requirements of the Ethics Law. Certain persons
1624 associated with the Authority or University are required to make filings with the South
1625 Carolina Ethics Commission and completion of the form attached to this policy will not
1626 satisfy that requirement.
- 1627 • Defined in the Act as: "Individual with whom he is associated" means an individual
1628 with whom the person or a member of his immediate family mutually has an interest
1629 in any business of which the person or a member of his immediate family is a
1630 director, officer, owner, employee, compensated agent, or holder of stock worth one
1631 hundred thousand dollars or more at fair market value and which constitutes five
1632 percent or more of the total outstanding stock of any class.
 - 1633 • Defined in the Act as: "Business with which he is associated" means a business of
1634 which the person or a member of his immediate family is a director, an officer,
1635 owner, employee, a compensated agent, or holder of stock worth one hundred
1636 thousand dollars or more at fair market value and which constitutes five percent or
1637 more of the total outstanding stock of any class.

1638 Office responsible for this policy

1639 University and Authority Compliance Offices.

1640 Policy Review

1641 This Policy establishes a set of conditions that may have an unanticipated impact on existing
1642 MUSC, MUHA, and affiliate policies and procedures. Given the breadth of this policy, it seems
1643 reasonable that not only may some unforeseen consequences surface but that State or federal
1644 compliance regulations may require some alterations to this Policy. A periodic review of this
1645 Policy by the Vice President for Academic Affairs and Provost, acting on behalf of the Vice
1646 Presidents, seems most appropriate. If proposed change(s) is(are) considered necessary and
1647 appropriate, a Vice President may ask the Board of Trustees to modify this Policy by approving
1648 the change(s).

1649
1650 For specific policies related to Research Conflict of Interest and the Charter please refer to
1651 [Appendix 9.08a and b](#). The MUSC Faculty Start-up Ventures policies and guidelines are in
1652 [Appendix 9.08c](#). The Charter of the MUSC Administrative and Clinical Conflict of Interest
1653 Committee can be found in [Appendix 9.08b](#).

1654 **9.09 University Compliance Plan**

1655 The Faculty is subject to the University Compliance Plan, the most current version of which is
1656 included in [Appendix 9.09](#).

1657 **9.10 Expert Medical Testimony**

1658 The Medical University of South Carolina neither encourages nor discourages faculty
1659 participation as witnesses in legal proceedings. All such requests or directives to serve as a
1660 witness because of professional training or position should be immediately reported to and
1661 receive the prior approval of the department chair or next higher administrator. Department
1662 chairs should file an annual report on all such witness activity with their respective deans.

1663 It is expected that time and resources spent as a witness or consultant in legal matters be
1664 considered patient care-related and that all remuneration as set by the Medical University of
1665 South Carolina should be reimbursed to the medical practice plan.

1666 **9.11 Evaluation of Department Chairs and/or Unit Directors**

1667 A process for the annual review by the faculty for performance of chairs and/or other unit
1668 directors has been approved by the Provost. Each May, deans of all colleges send out
1669 questionnaires to full-time faculty (inclusion of part-time faculty should be addressed in the
1670 future). See [Appendix 9.11](#) for a copy of the department chair evaluation form. Completed forms
1671 are sent anonymously to the Office of the Associate Provost for Institutional Research and
1672 Assessment where results are collated, tabulated, summarized, etc., and given to deans of the
1673 respective colleges. The Provost informs the Chair of the Faculty Senate in August that the
1674 process has been completed and deans have reviewed the data which is archived in event future
1675 reexamination becomes necessary.

1676 **9.12 Alcohol and Drug Abuse**

1677 The MUSC policy on Alcohol and Drug Abuse complies with the Federal Drug-Free Workplace
1678 Act and formalizes the procedure for dealing with an impaired employee.

1679 See [Appendix 9.12](#) for the most current policy.

1680 **9.13 Infectious Diseases**

1681 The Medical University of South Carolina follows the Center for Disease Control (CDC) and
1682 Occupational Safety and Health Act (OSHA) guidelines on prevention of transmission of blood-
1683 borne infectious diseases (HIV, hepatitis, syphilis, etc.) with universal precautions in use. For
1684 university-wide policies and procedures, contact the Associate Provost for Research; for those
1685 pertaining to the MUSC Medical Center, contact the Chair of the Infection Control Committee.

1686 **9.14 Sexual Harassment Policy and Procedures for MUSC Faculty**

1687 MUSC prohibits any form of sexual harassment. The offender shall be subject to disciplinary
1688 action, up to and including dismissal. This policy is in keeping with federal and state guidelines.
1689 Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct, or
1690 written, pictorial or electronic material of a sexual nature constitute sexual harassment when:

- 1691 (1) Submission to such conduct is made explicitly or implicitly a term or condition of
1692 employment or advancement; or a condition of instruction; or participation in any
1693 other University activity (*quid pro quo*); or
- 1694 (2) Submission to or rejection of such conduct by an individual is used as the basis
1695 for employment decisions affecting such individuals; or used as a basis for
1696 evaluation in making academic or personnel decisions; or
- 1697 (3) Such conduct has the purpose of effect of unreasonably interfering with an
1698 individual's performance or creating an intimidating, hostile, or offensive working
1699 environment.

1700 In determining whether the alleged conduct constitutes sexual harassment, consideration shall be
1701 given to facts and circumstances, including the context in which the alleged incidents occurred.
1702 (8/14/98)

1703 See [Appendix 9.14](#) for policy and procedures guiding a complaint evaluation for sexual
1704 harassment.

1705 **9.15 Use of the University Name or Seal or Logos**

1706 The name of this institution, the Medical University of South Carolina, and/or any imprint or
1707 reproduction of its seal and approved logos shall not be used to support or promote, through any
1708 means, a meeting, conference, activity or product which has not received the prior written
1709 approval of the Board of Trustees or its designees.

1710 **9.16 MUSC Computer Use Policy**

1711 The University recognizes its legal and social obligations to respect the privacy of the authorized
1712 users of its computing and network resources. However, users must recognize that the
1713 confidentiality of their electronic communications cannot be guaranteed by the University.
1714 Moreover, the University reserves the right to audit or monitor any uses of its computing and
1715 network resources when necessary to ensure compliance with University policy, and with
1716 federal, state and local law.

1717 The University network provides its authorized users with access to many classes of privileged
1718 information. Users must maintain the confidentiality and integrity of the information they access,
1719 and must not use privileged information for any purpose not explicitly authorized.

1720 The University's computing and network resources exist to support the University's missions of
1721 teaching, research, patient care and public service. Incidental personal use of these resources by
1722 authorized users is permitted only to the extent that such use is lawful and ethical, does not
1723 conflict with the University's missions, does not interfere with other authorized users, and does
1724 not cause additional expense to the University. (10/12/01)

1725 See [Appendix 9.16](#) for current computer use related operating policies.

1726 **9.17 Sequestration of Documents/Records for Audits/Investigations Carried Out** 1727 **by the Medical University of South Carolina**

1728 On occasion, sequestration of a faculty member's documents/records is necessary to address
1729 allegations generated within or external to the Medical University. Several things should be kept
1730 in mind: 1) the presumption of innocence of the respondent until proven otherwise; 2)
1731 sequestration will invariably disrupt the activities of the respondent and, often others at MUSC
1732 with both internal and external effects. Appropriate planning must be carried out and adequate
1733 personnel must be provided to carry out the sequestration in a manner that minimizes disruption
1734 while protecting the interests of MUSC and the rights of the respondent. (12/13/02)

1735 See [Appendix 9.17a](#) MUSC Research Data Ownership & Record Retention and [Appendix 9.17b](#)
1736 Sequestration of Documents which govern this process.

1737 **9.18 Disaster Preparedness**

1738 The faculty are expected to be active participants in the University Disaster Preparedness Plan;
1739 [Appendix 9.18](#) contains a link to the MUSC Disaster Toolbox which provides the latest
1740 guidelines for dealing with disaster. [Appendix 9.18a](#) provides information related to Disaster
1741 Preparedness – Research Continuity.

1742 **9.19 Copyright Protections**

1743 The Faculty is subject to the University copyright policies. See [Appendix 9.19](#) for the most
1744 current versions.

1745 **10. FACULTY RESEARCH ACTIVITIES**

1746 **10.01 Research and Sponsored Programs**

1747 The Office of Research and Sponsored Programs assists investigators and/or leaders of other
1748 sponsored programs in filing timely and complete grant or other support proposals, coordinating
1749 regulatory reviews, filing progress reports as required, and identifying potential sources of
1750 funding. It maintains liaison with federal, state, and other major research support agencies,
1751 assures compliance with MUSC, state, federal, and other agencies' policies and procedures,
1752 reviews proposals and provides administrative approval.

1753 Faculty members are encouraged to consult the office at any time for information or advice on
1754 program development, application preparation, and grants and contracts management. Those
1755 who are ready to make application for funds should contact the Research Office early in the
1756 process to be sure there is sufficient time to complete the required administrative review before
1757 the submission deadline.

1758 A directory of Resources for Researchers at the Medical University of South Carolina is
1759 available on request through the Research Office or the office of the Associate Provost for

1760 Research. Directory of Research Support, which includes abstracts of research being conducted,
1761 is also available on request. In addition, updated research support data on past and ongoing
1762 grants, cooperative agreements, contracts and other mechanisms of extramural funding are
1763 available through the office of the Associate Provost for Research.

1764 The financial management of awards is provided by the office of Grants Accounting.

1765 **10.02 Responsible Conduct of Research**

1766 The MUSC Responsible Conduct of Research policy is a key element of the overall University
1767 Compliance policies (see MUSC Webpage: research.musc.edu/compliance/home.htm as well as
1768 [Appendix 10.02](#)) and must be signed by all faculty, staff, and students of the University using
1769 research resources or facilities, or receiving research funds administered by the University, and
1770 those engaged in oversight of research facilities or funds. It was approved by the University
1771 Board of Trustees and is presented in its entirety below.

1772 Section I. Introduction

1773 The MUSC is committed to the highest standards of professional conduct; therefore all members
1774 of the University community are expected to adhere to the highest ethical standards of
1775 professional conduct and integrity. The values we hold among ourselves to be essential to
1776 responsible professional behavior include: honesty, trustworthiness, respect and fairness in
1777 dealing with other people, a sense of responsibility toward others and loyalty toward the ethical
1778 principles espoused by the institution. It is important that these values and the tradition of ethical
1779 behavior be consistently demonstrated and carefully maintained.

1780 Section II. Definitions

1781 Members of the University Community or “Members” mean faculty, staff, fellows, residents and
1782 students or any individual employed by the University using University research resources or
1783 facilities, or receiving research funds administered by the University, and those engaged in
1784 oversight of research facilities or funds.

1785 Section III. Responsibilities

1786 **Fairness:** Members of the University community have the obligation to respect, and to be fair to
1787 other members, students and persons they supervise, and to foster their intellectual and
1788 professional growth. Members must not engage in, nor permit, harassment and illegal
1789 discrimination. Members must not abuse the authority they have been given and care must be
1790 taken to ensure that any personal relationships do not result in situations that might interfere with
1791 objective judgment.

1792 **Professional Conduct:** Work place and educational experiences must impart ethical standards of
1793 professional conduct through instruction and example. Members of the University community
1794 are expected to conscientiously fulfill their obligations toward students, advisees, colleagues and
1795 perform their duties as part of the University community. Members must support intellectual
1796 freedom.

1797 **Compliance:** Members of the University community are expected to understand and comply
1798 with laws and regulations related to their duties. Members are responsible for adherence to
1799 University policies and procedures and are expected to comply with State and Federal laws. The
1800 University has the obligation to provide the opportunities necessary to assure awareness.

1801 Members are expected to see that those who report to them are informed about, understand and
1802 comply with regulations such as those for health and safety in the workplace, including the
1803 procedures to assure the ethical treatment of human subjects and animals and the use of
1804 hazardous materials. Members also have an obligation to report any noncompliance of
1805 regulations that are observed.

1806 **Authorship:** In an academic environment we continually seek after knowledge and
1807 understanding and must transmit our findings faithfully. Members of the University community
1808 who create scholarly products or works of art must guarantee the originality of their work and
1809 provide credit for the ideas of others upon which their work is built. All authors on a published
1810 work are responsible for the accuracy and fairness of the presented information. It is expected
1811 that members of the University community consider individuals for inclusion as authors on work
1812 submitted for publication if they have contributed substantially intellectually to the work. Special
1813 care must be taken to clarify authorship with entry level professional persons such as graduate
1814 students, postdoctoral fellows and trainees, preferably before the work is begun. It is
1815 inappropriate for members to include individuals as authors if they contributed only peripherally
1816 to the work.

1817 **Peer Review:** Any material received by members of the University community to review for
1818 funding or publication is confidential and the ideas contained therein must not be used in any
1819 other manner by the reviewer unless specifically permitted.

1820 **Data Collection and Management:** Falsification, fabrication and unacknowledged
1821 appropriation of the data of others by members of the University community are unethical and
1822 prohibited. At the outset of any research project all participants are expected to discuss and agree
1823 upon data management and access and retention procedures including procedures for having
1824 participants join or leave the project. Privacy of collected data and rights to intellectual property
1825 must be protected. Student rights to data are expected to be clearly specified. All documentation
1826 necessary to reconstruct investigations is expected to be available and data are to be recorded in a
1827 timely and consistent manner.

1828 **Fiscal Responsibilities:** Members of the University community must not accept money or gifts
1829 for research on behalf of the University or as part of their University activities except as
1830 prescribed by University policy. All funds provided for research must be spent in ways
1831 consistent with the funding documents and in compliance with the guidelines on allowable costs.
1832 Members in charge of budgets have an obligation to monitor records of expenditures for
1833 compliance with University policies and procedures and to allow these records to be viewed by
1834 appropriate parties. Departmental files are the property of the University.

1835 The University has the obligation to provide up-to-date records of financial transactions.
1836 (04/12/02)

1837 **10.03 Misconduct in Scientific Research**

1838 The principles that govern scientific research long have been established and applied in the
1839 discovery of new knowledge. The faculties and administrators at academic medical centers and
1840 teaching hospitals have a central and critical responsibility to maintain these high ethical
1841 standards. Validity and accuracy in the collection and reporting of data are intrinsically essential
1842 to the scientific process. Dishonesty in these endeavors is contrary to the very nature of
1843 research; that is, the pursuit of truth.

1844 “Research misconduct means fabrication, falsification, or plagiarism in proposing, performing,
1845 or reviewing research, or in reporting research results.” Honest error or differences of opinion
1846 are not included in this definition. [42 CFR § 93.103]. A finding of misconduct “requires that-
1847 (a) There be a significant departure from accepted practices of the relevant research community;
1848 and (b) The misconduct be committed intentionally, knowingly, or recklessly; and (c) The
1849 allegation be proven by a preponderance of the evidence.” [42 CFR § 93.104].

1850 Primary responsibility for the integrity of all scientific research rests with the individual
1851 researcher. The researcher accepts this responsibility with the understanding that the
1852 commission of misconduct in the research process is a major breach of contract between the
1853 researcher and the institution.

1854 Pursuant to the Final Rule notice of 42 CFR Parts 50 and 93 Public Health Service Policies on
1855 Research Misconduct in the May 17, 2005 Federal Register effective June 16, 2005, MUSC, as
1856 the awardee or applicant "institution," has complied with the necessary assurance to the
1857 Department of Health and Human Services (HHS) that there are both policies and procedures in
1858 place, and other institutional responsibilities are consonant with 42 CFR Subpart C, § 93.300-319
1859 of the Federal Register's Rules and Regulations.

1860 MUSC Policies and Procedures for Responding to Allegations of Research Misconduct may be
1861 accessed at <http://research.musc.edu/ori/ric/home.htm>. Both the inquiry and the investigative
1862 phases, as well as administrative actions in the event of a finding of misconduct are included.
1863 Information at this Office of Research Integrity website supercedes the Faculty Handbook in the
1864 event of a discrepancy. (8/12/2005)

1865

1866 **10.04 Intellectual Property: Policies and Procedures**

1867 (Passed, Adopted by Board of Trustees May 15, 2008)

1868 [Intellectual Property Policy 10.04-10.18 in the 2007 edition of the Faculty Handbook applies to
1869 faculty/staff who have intellectual property, conceived or first reduced to practice any invention
1870 or trade secret, prior to May 15, 2008]

1871 10.04.1 Purpose

1872 The purpose of this document is to delineate the policy and procedures pertaining to intellectual
1873 property created by employees, students, and visitors of the Medical University of South
1874 Carolina (“MUSC”).

1875 10.04.2 Objective

1876 The objective of this policy is to further MUSC’s mission by (i) providing for the necessary
1877 protections, incentives, and vehicles to encourage the discovery and development of new
1878 knowledge for the public good; (ii) fostering of research links and collaboration with industry
1879 and other academic institutions; and (iii) enabling advancement of economic development in
1880 South Carolina and beyond.

1881 10.04.3 Applicability

1882 10.04.3.1 Employees (including faculty and staff) and Students (including trainees):

1883 This Policy applies as a condition of appointment or employment by MUSC to every employee,
1884 and as a condition of enrollment by every student, who during the period of their appointment,
1885 employment, or enrollment by MUSC shall:

1886 (a) Conceive or first reduce to practice, actually or constructively, any invention or trade
1887 secret;

1888 (b) Prepare a copyrightable work;

1889 (c) Contribute substantially to the existence of any tangible result of research; or (d)
1890 Otherwise create an item of intellectual property.

1891 10.04.3.2 Visitors:

1892 This Policy applies as a condition of use of University Resources (as defined below) to all
1893 persons who are not covered under Section 3.1 above, who through their use of University
1894 Resources shall:

1895 (a) Conceive or first reduce to practice, actually or constructively, any invention or trade
1896 secret;

1897 (b) Prepare a copyrightable work;

1898 (c) Contribute substantially to the existence of any tangible result of research; or

1899 (d) Otherwise create an item of intellectual property.

1900 Such persons are called “Visitors” herein. MUSC personnel allowing Visitor access to
1901 University Resources shall ensure that the Visitor has been notified of this Policy and obtained
1902 written consent from the Visitor, using approved forms (VISITORS consent on IP Policy -
1903 <http://frd.musc.edu/forms.html>), to be bound by this Policy.

1904 10.04.4 Definitions

1905 10.04.4.1 “Intellectual Property” as used herein is broadly defined to include inventions,
1906 discoveries, know-how, show-how, processes, unique materials, tangible results of research,
1907 copyrightable works, original data, and other creative or artistic works which have potential
1908 commercial value. Intellectual property includes that which is protectable by statute or
1909 legislation, such as patents, copyrights, trademarks, service marks, trade secrets, mask works,
1910 and plant variety protection certificates. It also includes the physical embodiments of intellectual
1911 effort including, for example, models, machines, devices, designs, apparatus, instrumentation,
1912 circuits, computer programs and visualizations, biological materials, chemicals, other
1913 compositions of matter, plants, and records of research.

1914 10.04.4.1.1 “Copyright” shall mean copyrightable works as defined under the laws of the United
1915 States of America, including 17 U.S.C. 101 et seq. A computer program (defined in 17 U.S.C.
1916 101 as: “...a set of statements or instructions to be used directly or indirectly in a computer in
1917 order to bring about a certain result”) when licensed solely as a copyrightable work shall have
1918 the resulting Net Proceeds distributed as a “Copyright”.

1919 10.04.4.1.2 “Patent and Other Intellectual Property (excluding Copyright)” shall mean (a) a
1920 patentable invention as defined under the laws of the United States of America including 35
1921 U.S.C. 101 and (b) all other forms of Intellectual Property, excepting for Copyrights. This
1922 definition (of 4.1.2) includes patentable processes which can be implemented in a computer

1923 (often called “business method patents”) and methods and algorithms capable of being
1924 implemented using a computer and protectable as a trade secret. In instances where patentable
1925 processes and/or trade secrets, and copyrightable works which fix in a tangible medium a
1926 specific instance of the patentable process and/or trade secret (i.e. a computer program) are
1927 licensed out together, the resulting total Net Proceeds shall be distributed as “Patent and Other
1928 Intellectual Property (excluding Copyright)” and not distributed as a “Copyright”

1929 10.04.4.2 “Traditional Academic Copyrightable Works” are a subset of copyrightable works
1930 created independently and at the creator’s initiative for traditional academic purposes. Examples
1931 include manuscripts for scholarly journals, class notes, books, theses and dissertations,
1932 educational software (also known as courseware or lessonware), videos, digital video disks
1933 (dvds) containing audio, video, and/or interactive simulations as well as non-interactive
1934 demonstrations, compact disks containing audio, video and/or interactive simulations, as well as
1935 non-interactive demonstrations, articles, non-fiction, fiction, poems, musical works, dramatic
1936 works including any accompanying music, pantomimes and choreographic works, pictorial,
1937 graphic and sculptural works, or other works of artistic imagination that are not created as a) an
1938 institutional initiative or b) with University Resources. Specifically excluded from this definition
1939 are software works.

1940 10.04.4.3 "Creator" means an individual or group of individuals who create, conceive, reduce to
1941 practice, author, or otherwise make a substantive intellectual contribution to the creation of,
1942 Intellectual Property. "Creator" includes the definition of "inventor" used in U.S. patent law and
1943 the definition of "author" used in the U.S. Copyright Act. Creators may be faculty, staff, and
1944 other persons employed by MUSC whether full- or part-time; visiting faculty and researchers;
1945 and any other persons, including students, who create or discover applicable intellectual property
1946 using University resources.

1947 10.04.4.4 “University Resources” means the material use of facilities, supplies, materials, or
1948 other resources of MUSC, with the exception of its Library collections.

1949 10.04.4.5 "Net Proceeds" means the net amount received by MUSC or its designee in each fiscal
1950 year from the sale, licensing or other disposition of any Intellectual Property, initially owned,
1951 pursuant to this policy, in whole or in part by MUSC, after deduction of all costs reasonably
1952 attributable to the protection and distribution of such Intellectual Property, including a fifteen
1953 (15) percent 15% deduction from gross income for administration expenses of the technology
1954 transfer office (TTO), which shall be used to further the objectives and purpose of this Policy,
1955 and any reasonable expense of patent or copyright prosecution, maintenance, interference
1956 proceedings, litigation, marketing or other dissemination and licensing.

1957 10.04.4.6 “Employees” means full-time and part-time faculty (of all ranks and status as outlined
1958 in the MUSC faculty handbook) and all levels of full-time and part-time staff.

1959 10.04.4.7 “Students” means full-time and part-time students of all levels including those in
1960 training, such as post doctoral fellows and residents.

1961 10.04.4.8 “Visitors” means all persons other than those covered in 4.6 and 4.7 including visiting
1962 professors, adjunct professors, teachers, researchers and volunteers.

1963 10.04.5 Disclosure Requirements

1964 10.04.5.1 Intellectual Property is required to be disclosed, pursuant to this Policy, by the Creator
1965 to the MUSC Office of the Associate Provost for Research or its Designee, using approved forms
1966 (<http://frd.musc.edu/forms.html>). All disclosures are confidential. Ownership of such disclosure
1967 shall be determined pursuant to the applicable provisions of this policy.

1968 10.04.5.2 Disclosure should be made in a timely manner upon the Creator’s recognition that
1969 Intellectual Property may have been created. Disclosure should be made prior to public
1970 presentations or publications, or other dissemination of the Intellectual Property to third parties
1971 whether public or confidential.

1972 10.04.6 Ownership

1973 10.04.6.1 Employees (including faculty) and Staff: MUSC shall be entitled to claim ownership of
1974 Intellectual Property which is made in the field in which the employee or staff Creator is engaged
1975 by MUSC or made with the use of University Resources. The employee or staff Creator shall
1976 share in any proceeds derived there from in accordance with this policy and subject to any
1977 preexisting commitments to outside sponsoring agencies.

1978 10.04.6.2 Students (including trainees): Intellectual Property created by student Creators shall be
1979 owned by the student Creator unless the Intellectual Property is created, conceived or reduced to
1980 practice (a) during the course of research conducted at MUSC; (b) through the use of University
1981 Resources; (c) in conjunction with one or more persons who are otherwise obligated to assign
1982 their rights in such Intellectual Property to MUSC under this policy; or (d) under terms of an
1983 MUSC contract with a third party which provide for other disposition of the Intellectual
1984 Property. For Intellectual Property of categories (a) through (d), MUSC shall be entitled to claim
1985 ownership, and the student Creator shall share in any proceeds derived there from in accordance
1986 with this policy and subject to any preexisting commitments to outside sponsoring agencies.

1987 10.04.6.3 Visitors: MUSC shall be entitled to claim ownership of Intellectual Property created by
1988 Visitors through the use of University Resources. The Visitor shall share in any proceeds derived
1989 there from in accordance with this policy and subject to any preexisting commitments to outside
1990 sponsoring agencies.

1991 **10.04.6.4 Copyright**

1992 10.04.6.4.1 Copyrightable works that MUSC is entitled to claim ownership to under this policy
1993 shall be treated as works for hire.

1994 10.04.6.4.2 Unless subject to any of the exceptions specified in Section 6.4.3, Creators shall
1995 retain all rights to Traditional Academic Copyrightable Works and are free to submit such for
1996 publication and execute assignment documents in their own name.

1997 10.04.6.4.3 MUSC shall own Traditional Academic Copyrightable Works as follows:

1998 (a) Works created pursuant to the terms of an MUSC agreement with an external party;

1999 (b) Works created as a specific requirement of employment or as an assigned university duty that
2000 may be specified, for example, in a written job description or an employment agreement;

2001 (c) Works specifically commissioned by MUSC; and

2002 (d) Works that are also patentable.

2003 Nothing contained herein shall be interpreted to grant ownership to MUSC of Traditional
2004 Academic Works that are manuscripts for submission to scholarly journals, including electronic
2005 submissions which contain multimedia interactive components.

2006 **10.04.6.5 Agreements Impacting University Ownership**

2007 10.04.6.5.1 Sponsored Research Agreements: Ownership and disposition of Intellectual Property
2008 may be governed in whole or in part by sponsored research agreements, which may supersede
2009 certain provisions of this Policy. Prior to the execution of any sponsored research agreement
2010 which would conflict with this Policy, the Associate Provost for Research or its designee must
2011 approve the agreement in question.

2012 10.04.6.5.2 Consulting: Employees engaged in external consulting work or business are
2013 responsible for ensuring that agreements emanating from such work are not in conflict with
2014 university policy or with MUSC’s contractual commitments. Such employees should make their
2015 university obligations known to others with whom they make such agreements and should
2016 provide the parties to such agreements a statement of applicable university policies regarding
2017 ownership of intellectual property and related rights.

2018 10.04.7 Commercialization of Intellectual Property

2019 **10.04.7.1 Commercialization**

2020 10.04.7.1.1 In making commercialization decisions for its Intellectual Property, MUSC, or its
2021 designee, shall have full discretion, subject to the purpose, objectives, and requirements of this
2022 policy. MUSC shall designate an internal office, or a retained third party entity such as a not-for-
2023 profit foundation, whose sole purpose is too solely benefit MUSC, hereafter referred to as the
2024 Technology Transfer Office (“TTO”) for the administration and commercialization of
2025 Intellectual Property.

2026 10.04.7.1.2 The TTO shall keep the Creator reasonably informed of its commercialization
2027 efforts; provided, however, if the Creator has an interest in an entity which desires to license or
2028 otherwise make commercial use of the Intellectual Property, the Creator shall not be privy to
2029 financial or other confidential information concerning the offers of competing parties. In this
2030 event, the supervisor of the conflicted Creator shall be informed of the commercialization efforts
2031 in lieu of the conflicted Creator.

2032 **10.04.7.2 Timetable**

2033 10.04.7.2.1 Complete Submission: Upon submission of an Intellectual Property Disclosure, the
2034 TTO shall notify the Creator within thirty (30) days if the Intellectual Property Disclosure is
2035 deemed complete. If it is not deemed complete, the Intellectual Property Disclosure shall be
2036 returned to the Creator with a request for the additional information needed.

2037 10.04.7.2.2 Ownership: Within nine (9) months of a Complete Submission, the TTO shall inform
2038 the Creators if MUSC is exercising its right to claim ownership of the intellectual property.

2039 10.04.7.2.3 The TTO shall be reasonably diligent in making efforts to commercialize the
2040 Intellectual Property to which it has claimed ownership.

2041 **10.04.7.3 Disposition of Intellectual Property**

2042 10.04.7.3.1 After evaluation of the Intellectual Property and review of applicable contractual
2043 commitments, the TTO may (a) commercialize the Intellectual Property through licensing or

2044 other transfer of rights, (b) release it to the sponsor of the research under which it was made (if
 2045 contractually obligated to do so), (c) release it to the Creator if permitted by law, or (d) take such
 2046 other actions as are determined to be in the interest of MUSC and the public. Licensing or other
 2047 transfer of Intellectual Property rights to entities which the Creator has an interest in is not
 2048 prohibited by any provisions of this policy. Commercialization by the TTO or its designee may
 2049 or may not involve statutory protection of the intellectual property rights, such as filing for patent
 2050 protection, registering a copyright or securing plant variety certification.

2051 10.04.7.3.2 The TTO may create a policy, with the approval of the Associate Provost for
 2052 Research, to allow for the rapid and streamlined disposition of certain copyrightable works under
 2053 “open source”, “creative commons” or “copy left” agreements.

2054 10.04.7.3.3 Should the TTO abandon commercialization of university-owned Intellectual
 2055 Property, ownership may be assigned to the Creator as allowed by law subject to the rights of
 2056 sponsors and to the retention of a license to practice the Intellectual Property rights for the
 2057 internal purposes of MUSC, its affiliated entities, and not-for-profit research collaborators. The
 2058 minimum terms of such license shall grant MUSC, its affiliated entities, and it’s not-for-profit
 2059 research collaborators, the right to use the Intellectual Property in their internally administered
 2060 programs of teaching, research, and public service on a perpetual, royalty-free, non-exclusive
 2061 basis. In such event MUSC may require the repayment of its out of pocket patent prosecution
 2062 and maintenance expenses from any profits made due to commercialization by the Creator. In
 2063 such an event the Creator may if they desire avail themselves of Section 9.4.

2064 **10.04.7.4 Distribution of Net Proceeds:**

2065 Net Proceeds shall be distributed quarterly unless the recovery of costs reasonably attributable to
 2066 the protection and distribution of such Intellectual Property necessitates a delay of up to six (6)
 2067 months in order to receive and process third party invoices for such protection (i.e. patent
 2068 prosecution invoices). Net Proceeds shall be distributed pursuant to the following schedule:

2069 **Patent and Other Intellectual Property (excluding Copyright)**

2070 Net Proceeds University or Inventor’s Royalty

Royalty (\$)	Inventor(s)	Lab(s)	Department(s)	University	College(s)
First \$50,000	40	30	10	15	0
\$50,000 - \$100,000	30	30	10	20	5
> \$100,000	25	30	10	25	5

2071 5% at each range is designated as the Angel Fund.

2072 **Copyright**

2073 Net Proceeds University or Inventor’s Royalty

Royalty (\$)	Inventor(s)	Lab(s)	Department(s)	University	College(s)
First \$50,000	60	15	10	15	0
\$50,000 - \$100,000	50	15	10	20	5
> \$100,000	40	15	10	30	5

2074 If there is no laboratory or laboratories, then the lab share shall be distributed proportionally
2075 among the Department(s), University and School(s)/College(s).

2076 10.04.7.4.1 If Net Proceeds are attributable to more than one item of Intellectual Property (e.g.
2077 more than one patent), the Net Proceeds shall be first apportioned equally amongst each item
2078 prior to application of the distribution schedule, unless otherwise agreed to by the pertinent
2079 Creators or if no agreement, as directed by the Associate Provost for Research, who shall be
2080 under no obligation to attempt to discern an apportionment other than equal.

2081 10.04.7.4.2 If Net Proceeds are attributable to more than one Creator, distribution of Net
2082 Proceeds (the apportioned share if more than one item of Intellectual Property) pursuant to the
2083 schedule shall be made using an equal distribution for each Creator absent a written agreement to
2084 the contrary signed by all the Creators.

2085 10.04.7.4.3 Payment of the Creator's Share shall not end due to the Creator's death, disability, or
2086 termination of employment or other association with MUSC. In the event of death, payment of
2087 the Creator's share shall be made to the Creator's estate.

2088 10.04.7.4.4 In the event that a Creator changes departments within MUSC, future distribution of
2089 the department share and funds previously earned by the former department shall remain in the
2090 originating department. If a department ceases to exist, their shares shall accrue to the University
2091 Royalty Income Account until and unless the inventor, author, or contributor joins a new
2092 University department.

2093 10.04.7.4.5 In the event that a Creator, or in the case of a student-Creator, when their mentor,
2094 leaves the employment of MUSC or terminates research operations then 50% of any remaining
2095 balance of laboratory shares and future laboratory shares from net proceeds resulting from
2096 patents, licensing or copyrightable works shall be redistributed to the Angel Fund and the
2097 remaining 50% will be distributed proportionally among the Department, University and
2098 School/College according to the table in 7.4 with the stipulation that these funds be solely used
2099 to support further growth of intellectual property and technology transfer initiatives at MUSC.

2100 10.04.7.4.6 Students and Visitors: For Student or Visitor Creators, the lab, department, and
2101 school/college shares shall be payable to the Laboratory, Department, and School/College of the
2102 Student's mentor or the Laboratory, Department, and School/College of the Visitor's sponsor.

2103 10.04.7.4.7 In the event that equity is received from the commercialization of Intellectual
2104 Property, equity shall not be considered Net Proceeds until the equity can be freely tradable or
2105 liquidated. MUSC and/or its TTO shall not be responsible or liable for any valuation fluctuations
2106 of equity.

2107 10.04.7.4.8 Creators are responsible for any tax consequences associated with their receipt of Net
2108 Proceeds.

2109 10.04.7.4.9 In the event the TTO is a third party not-for-profit entity, MUSC can cause the TTO
2110 to make payments on MUSC's behalf pursuant to the schedule.

2111 10.04.7.4.10 Angel Fund: The proceeds designated for the Angel Fund shall be paid to the
2112 MUSC TTO with its own budget line and be used to further the development of emerging MUSC
2113 owned Intellectual Property as approved by the TTO Board of Directors and the Associate
2114 Provost for Research. The Intellectual Property Committee shall be periodically informed by the
2115 TTO regarding the use of these funds.

2116 10.04.8 Faculty Cooperation

2117 The Creator is obligated to cooperate and assist, at no expense to the Creator, in the
2118 commercialization efforts of the TTO. The Creator shall execute appropriate documentation for
2119 the protection of the Intellectual Property and assignment of ownership documents as required to
2120 effectuate this policy. Potential conflicts of interest that a Creator has with respect to Intellectual
2121 Property and its disposition under this policy shall be disclosed by the Creator pursuant to
2122 appropriate MUSC policy.

2123 10.04.9 Intellectual Property Committee

2124 **10.04.9.1 Membership:**

2125 The Intellectual Property Committee (“IPC”) shall be a standing committee and consist of seven
2126 (7) to eleven (11) members appointed by the Associate Provost for Research. Members shall be
2127 chosen from the various colleges and departments of MUSC which generate disclosures of
2128 Intellectual Property. One member shall be designated by the Associate Provost for Research as
2129 the Chair. A student shall also be appointed to the committee by the Associate Provost for
2130 Research.

2131 **10.04.9.2 Duties:**

2132 The IPC shall:

2133 (a) Provide advice to the Associate Provost for Research and the TTO regarding
2134 implementation of this policy, and undertake a periodic review of the policy making
2135 recommendations for any revisions, if needed;

2136 (b) Encourage compliance with this policy through education of potential Creators of
2137 Intellectual Property, and through periodic meetings with those persons and entities
2138 responsible for implementation of this policy.

2139 **10.04.9.3 Meetings:**

2140 The IPC shall meet at least quarterly and at such other times as requested by the Associate
2141 Provost for Research, the TTO, the Chair, or by at least 1/3 of the committee members.

2142 **10.04.9.4 Dispute Resolution Procedures**

2143 10.04.9.4.1 A Creator or MUSC administration can request the IPC mediate a dispute
2144 arising under this policy.

2145 10.04.9.4.2 If a mediated resolution amongst the parties is not obtained, the Committee
2146 can make a recommendation to the Associate Provost for Research for a resolution of the
2147 dispute.

2148 10.04.9.4.3 Mediation of a dispute under this policy shall not be required and shall not be
2149 considered to be part of any required administrative remedies available to an employee of
2150 MUSC.

2151

2152

2153 **11. FACULTY DEVELOPMENT**

2154 **11.01 Sabbatical Leave**

2155 A faculty member holding the rank of Professor or Associate Professor who has rendered six or
2156 more years of satisfactory service to MUSC may be granted sabbatical leave in order to study or
2157 undertake further training. Sabbatical leave is for the primary purpose of enhancing the value of
2158 the professional status of the faculty member in further service to the Medical University. The
2159 period for sabbatical leave may be for up to one year. Salary support during this period will be at
2160 the rate of one month for each year of service to MUSC, up to a maximum of twelve months
2161 salary.

2162 A sabbatical leave may be granted by the Board upon recommendation by the President,
2163 following approval by the Department Chair, the Dean of the College concerned, and the Vice
2164 President for Academic Affairs and Provost, and with the understanding that the faculty member
2165 will return to active service MUSC when such leave has ended.

2166 During sabbatical leave, annual leave accrual is prorated according to the percentage of the
2167 MUSC salary paid to the faculty member (i.e., a faculty member receiving half-pay from the
2168 University while on sabbatical leave would accrue one-half of full annual leave entitlement.
2169 Upon return, it is incumbent upon a faculty member receiving partial pay while on sabbatical to
2170 request that his/her department submit a leave correction form (MISCO 21) to ensure that the full
2171 annual leave entitlement is reinstated.

2172 In accord with the state Sick Leave Act, faculty members will not accrue sick leave while on
2173 sabbatical leave.

2174 Benefits may continue during a sabbatical leave, but the faculty member MUST contact the
2175 Benefits Section of the Department of Human Resources Management for advice on what action
2176 is required to maintain current benefits. To prevent loss of benefits, it is essential that the faculty
2177 member contact Human Resources Management at least 60 days prior to beginning sabbatical
2178 leave.

2179 **11.02 Upward Faculty Mobility Toward Advanced Degrees**

2180 A full-time faculty member (9 to 12 months), who has no terminal degree in the area of her/his
2181 respective appointment may pursue such a degree if it is available at the Medical University of
2182 South Carolina or elsewhere, and provided s/he receives prior approval, in writing, from the dean
2183 of the college in which s/he holds his/her primary appointment. This policy, presented in
2184 [Appendix 11.02](#), establishes the process for achieving an orderly and evaluated educational
2185 experience.

2186 **11.03 Faculty Desiring to Obtain a Degree in Addition to Terminal Degree Already**
2187 **Held**

2188 A faculty member holding a terminal degree in the area of his/her original appointment who
2189 wishes to obtain an additional degree offered at MUSC will be subject to the same policy, rules,
2190 regulations and requirements as a faculty member who seeks a terminal degree. Further, since
2191 such a program of study is not to be construed as a faculty member's service to MUSC, a

2192 proportionate reduction in salary may be necessary to meet his/her responsibility, unless
2193 otherwise approved by the dean of the college of his/her primary appointment.

2194 **11.04 Travel**

2195 MUSC, as an agency of the State of South Carolina, is subject to the travel guidelines set by the
2196 State Budget and Control Board. [Appendix 11.04](#) contains a link to the latest version.

2197 **11.05 Tuition Assistance**

2198 MUSC provides tuition and mandatory fees assistance to permanent employees (classified,
2199 faculty, and other unclassified employees) for up to four credit hours a semester as authorized by
2200 [Section 59-111-15](#) of the 1976 South Carolina Code of Laws, as Amended. Tuition and
2201 mandatory fees assistance will be provided by reimbursement of tuition cost after course
2202 completion, subject to availability of employing department funds. Permanent employees who
2203 are employed at least 30 hours per week are eligible to apply for tuition and mandatory fees
2204 assistance regardless of race, color, religion, sex, age, national origin, disability or veteran status.
2205 The tuition assistance program is only for MUSC employees to enroll in a credit-bearing course
2206 at MUSC or any other state institution (not including continuing education) on a space-available
2207 basis and with approvals of the course director or department chairperson. See [Appendix 11.05](#)
2208 for a link to eligibility and procedures to participate in the tuition and mandatory fees assistance
2209 program.

2210 **12. FACULTY LEAVE**

2211 **12.01 Leave with Pay**

2212 12.01a Attendance in Court

2213 When a faculty member is a voluntary witness in litigation as an individual, and not in an official
2214 capacity, the time taken from work shall be charged as annual leave or leave-without-pay, as
2215 appropriate.

2216 When, in obedience to a subpoena or other legal direction by proper authority a faculty member
2217 appears to testify, serve as a witness, or serve on a jury for the Federal Government, the State of
2218 South Carolina or one of its political subdivisions, the faculty member shall be granted leave-
2219 with-pay for the necessary period of time which shall be recorded as Administrative Leave.

2220 12.01b Death in Family

2221 Administrative leave (with pay) may be authorized by the department for a death in the family.
2222 This leave, which shall not exceed three consecutive working days, may be granted in the case of
2223 death of the following relatives of the faculty member or spouse:

2224 Husband or wife

2225 Child

2226 Grandchild

2227 Great Grandchild

2228 Sister or Brother

2229 Mother or Father

2230 Grandmother or Grandfather

2231 Great Grandmother or Great Grandfather

2232 12.01c Voting

2233 Each faculty member who is eligible to vote in a South Carolina primary or general election will
2234 be authorized up to two hours leave for voting. If possible, voting should be done before or after
2235 work.

2236 12.01d Annual Leave

2237 Full-time faculty on a twelve-month contract are entitled to one calendar month (22 working
2238 days) of annual leave each fiscal year (July 1 - June 30). Leave time shall accrue from the date
2239 of employment at the rate of 22 days per fiscal year; however, the maximum amount of unused
2240 leave that may be carried over into a new fiscal year is 45 days.

2241 Part-time faculty with a twelve-month contract will accrue proportionate annual leave benefits
2242 based on the percentage of time worked. As with full-time faculty, the maximum amount of
2243 unused leave that part-time faculty may carry over into a new fiscal year is 45 days.

2244 Faculty with nine-month contracts are entitled to accrue and use annual leave during the period
2245 of their contract. The amount of accrual will be 75% (16.5 days) of the amount accrued by full-
2246 time twelve-month faculty. As with other faculty, 45 days is the maximum amount of unused
2247 leave that faculty with nine-month contracts may carry over into a new fiscal year.

2248 As far as possible, leave shall be scheduled in accordance with the preference of the faculty
2249 member. However, leave shall be approved by the appropriate supervisor/administrator to assure
2250 efficient operation. Recognizing the nature of academic responsibility and the high priority of
2251 class scheduling, faculty may be granted leave before it is earned.

2252 Twelve-month faculty (full & part-time) who leave the employment of MUSC who have unused
2253 annual leave are entitled to a lump-sum payment for such leave not to exceed 45 days, to be
2254 calculated as follows:

2255 Hourly rate multiplied by number of hours of leave due*.
2256

2257 *NOTE: Substitute number of working days per month for part-time faculty, as fraction of 22
2258 working days.

2259 12.01e Military Leave

2260 In accordance with State Law, a faculty member is entitled to a maximum of 15 work days of
2261 paid leave in any one calendar or fiscal year for active duty training with the South Carolina
2262 National Guard or one of the Reserve units of the Armed Forces of the United States. These 15
2263 days need not be consecutive and may be used intermittently throughout the year. Insofar as
2264 possible, such training should be arranged to be of least interference with regular academic,
2265 research or clinical commitments.

2266 In the event a faculty member is called upon to serve during an emergency ordered by the
2267 Governor or the Armed Forces concerned, s/he shall be entitled to an additional leave of absence
2268 with pay not to exceed 30 working days.

2269 A faculty member is normally entitled to leave-without-pay during an extended period for up to
2270 five years for active military duty. After such leave, the faculty member may return to active
2271 employment with MUSC in a comparable position to the one held at the time such leave was
2272 granted, provided:

2273 (1) Separation from the military service was under honorable conditions.

2274 (2) Physical and mental capacities remain adequate for the position.

2275 (3) Such application for re-employment is made within 90 days after release from the
2276 military service.

2277 12.01f Assault by Patient

2278 Covered employees who are temporarily disabled as a result of an assault by a patient or client
2279 are entitled to the use of administrative leave with pay during the period of disability.

2280 12.01g Donating Blood

2281 Administrative leave for blood donation is limited to four (4) hours. A department head may
2282 require documentation of the donation.

2283 12.01h Official Holidays

2284 Listed below are the holidays observed by the State of South Carolina.

2285 New Year's Day (January 1)

2286 Martin Luther King, Jr. Day (Third Monday in January)

2287 President's Day (Third Monday in February)

2288 Confederate Memorial Day (May 10)

2289 National Memorial Day (Last Monday in May)

2290 Independence Day (July 4)

2291 Labor Day (1st Monday in September)

2292 Veterans Day (November 11)

2293 Thanksgiving Day (4th Thursday in November)

2294 Day after Thanksgiving (4th Friday in November)

2295 Christmas Day (December 25)

2296 Day after Christmas (December 26)

2297 Any additional day(s) officially granted by the Governor and/or Legislature

2298 In the year of a General Election, the first Tuesday following the first Monday in

2299 November is also a State legal holiday.

2300 If conditions preclude taking the holiday at the prescribed time, compensatory time must be
2301 taken within one year; there is no provision for payment for earned but unused holidays.

2302 **12.02 Sick Leave**

2303 Sick leave is authorized by State law and is applicable to all full- and part-time faculty who work
2304 at least 50% of the time (including nine-month faculty). The law defines faculty members on
2305 twelve-month appointments as permanent full-time employees and those on nine-month
2306 appointments as permanent part-time employees. The overall benefits are the same for both
2307 groups of faculty except that twelve-month faculty may accumulate 1 1/4 days of sick leave per
2308 month for a total of 15 days per year, whereas nine-month faculty may accumulate 1 1/4 days of
2309 sick leave per month for a total of 11 1/4 days per academic year. Further, twelve-month faculty
2310 may accumulate sick leave credit to a maximum of 195 days; nine-month faculty may
2311 accumulate sick leave credit to a maximum of 146 1/4 days.

2312 See [Appendix 12.02](#) for the most current MUSC sick leave policy.

2313 [12.02a Family and Medical Leave](#)

2314 A faculty member who has worked for the State for 12 months or more and has worked at least
2315 1250 hours during the preceding 12 months, may be eligible for Family and Medical Leave. See
2316 [Appendix 12.02a](#) for current policy.

2317 [12.02b Leave Donation](#)

2318 Excess leave may be donated to the MUSC Leave Transfer Pool in accordance with the MUSC
2319 Leave Transfer Program. See [Appendix 12.02b](#) for current policy including the most recent
2320 approved Leave Donation form.

2321 **12.03 Extended Leave without Pay**

2322 Extended leaves of absence without pay may be granted by the President, through regular
2323 administrative channels, under circumstances wherein the best interests of MUSC would be
2324 served through granting such leave. Authorization may be considered in such cases as:

- 2325 (1) Absence for advanced academic training, research, or other experience which
2326 leads to increased competence and promotes the interests of the Medical
2327 University as well as those of the faculty member, and
- 2328 (2) Absences due to prolonged illness or for personal reasons when such absences
2329 extend beyond available annual leave or sick leave. Normally, the total period of
2330 absence will not exceed six months. However, under exceptional circumstances,
2331 the President may extend this period to one year.

2332 The granting of leave-without-pay is a matter of administrative discretion. The administrative
2333 channels for request for leave-without-pay shall be the same as for other faculty actions.

2334 Although sick leave or annual leave does not accrue during periods of leave-without-pay, the
2335 accumulated total is not forfeited.

2336 A member of the faculty who has acquired tenure shall retain tenure during any period of leave;
2337 however, time served on leave-without-pay may not be counted toward acquiring a sabbatical
2338 leave.

2339 A member of the faculty at MUSC Medical University has an obligation to give a written notice
2340 at least six months before the stated expiration date of the leave.

2341 **13. FACULTY BENEFITS**

2342 Faculty members who resign, retire, or for other reasons terminate their employment with MUSC
2343 must contact the Department of Human Resources Management Service Center concerning the
2344 action they need to take with regard to the following: a) Retirement, b) State Health and Dental
2345 Insurance, c) State Optional Life Insurance, d) Tax Sheltered Annuities, and e) Deferred
2346 Compensation Plans.

2347 Faculty employed by MUSC-affiliated institutions or organizations, such as VA Medical Center
2348 or University Medical Associates, should refer to their human resources management policies for
2349 eligible benefits.

2350 **13.01 State Insurance Program**

2351 All permanent faculty members employed by MUSC at least 50% of the time, or 20 hours per
2352 week, will be eligible to participate in the University's benefits program. Please see [MUSC](#)
2353 [Department of Human Resources](#) for specific information.

2354 Current human resource management policies govern available insurance coverage, enrollment,
2355 changes in coverage, and terminations of coverage

2356 **13.02 Liability Insurance**

2357 Pursuant to State law, faculty members and other employees are insured for all activities within
2358 the scope of their duties for MUSC. This State mandated insurance coverage is provided through
2359 the South Carolina Insurance Reserve Fund. Specific information regarding coverage may be
2360 obtained for the Office of University Risk Management.

2361 If an event occurs which may expose a health provider or the institution to a claim or legal
2362 action, notify the [University Risk Management](#) immediately. They will, in turn notify
2363 appropriate persons in the affected areas and hospitals.

2364 **13.03 Additional Benefits**

2365 Without excluding other employee benefits provided, faculty benefits include travel assistance,
2366 retirement, tax-deferred compensation plans, workers' compensation, unemployment
2367 compensation, direct deposit, and membership eligibility in the South Carolina State Employees
2368 Association. See [Appendix 13.03](#) for description of these benefits.

2369

Appendices

2370

2371 As of July 1, 2010, all links are up-to-date and working. To ensure that you are accessing the
2372 most current information, please contact your department's administrative office or MUSC
2373 Human Resources (<http://academicdepartments.musc.edu/musc/hr.htm>). Contact the Faculty
2374 Senate to report any broken hyperlinks.

2375 **Appendix A: Board Approved Faculty Senate Handbook Revisions**

2376

2377 **Appendix P: Universal Faculty Contract, 2009-2010**

2378 Can be accessed at: <https://www.musc.edu/fac/>

2379 **Faculty Annual Contract PDF file removed from appendix – this link has annual contract**
2380 **and additional information.**

Appendix 1: Abbreviations Used Throughout Handbook

APT	Appointment, Promotion and Tenure Committee
Board	MUSC Board of Trustees
EEO/AA	Equal Employment Opportunity/Affirmative Action
FMLA	Family and Medical Leave Act
FOIA	Freedom of Information Act
FRD	South Carolina Foundation for Research Development, Inc.
HHS	United States Department of Health Human Services
IRB	Institutional Review Board
MUHA	Medical University Hospital Authority
MUSC	Medical University of South Carolina
TERI	Teacher and Employee Retiree Incentive Program
UMA	University Medical Associates

2381 **Appendix 2.03 Academic Organization Chart**

2382 <http://www2.edserv.musc.edu/president/chart.htm>

2383 **Appendix 2.04 Current University Standing Committees**

2384

2385		<u>University Chartered Committees</u>
2386	<u>Office of the President</u>	
2387	Commencement Committee	
2388		
2389	<u>VPAA - University-Wide Committees (Chartered)</u>	
2390	Chartered committees that specifically require Faculty Senate representation are marked with an	
2391	asterisk.	
2392		
2393	*Faculty Hearing Committee	
2394	*University Humanities Committee	
2395	Institutional Biosafety Committee (IBC)	
2396	Institutional Review Board I, II, and III (IRB)	
2397	*Faculty Library Committee	
2398	Diversity Advisory Council	
2399	Conflict of Interest Committee	
2400	Education Infrastructure Committee	
2401	Research Integrity Committee	
2402	*University Tenure Committee	
2403	University Research Council (URC)	
2404	*Deans' Council	
2405	International Affairs Committee	
2406	Institutional Compliance and HIPAA Council	
2407	Institutional Animal Care and Use Committee	
2408		
2409	<u>VP for Information Technology and CIO</u>	
2410	Information Management Council (IMC)	
2411	University Education Infrastructure Committee (UEIC)	
2412	University Research Council (URC)	
2413	Finance and Administration Information Council (FAIC)	
2414	Information Security and IT Compliance Committee (ISICC)	
2415		
2416	<u>VP for Development</u>	
2417	Foundation for Research Development	
2418	<u>VP for Finance and Administration</u>	
2419	University Safety Committee	
2420	Radiation Control Council	
2421	Other committees offering MUSC Faculty Service opportunities	
2422	Academic/Research Space Backfill Subcommittee	
2423	Apple Tree Society Steering Committee	
2424	Association of Retired Faculty Steering Committee	
2425	Continuing Medical Education Advisory Committee	

- 2426 Council of Associate Deans for Research
- 2427 Health Services Research/Academic Generalist Fellowship Committee
- 2428 HIPAA Research Subcommittee
- 2429 Interprofessional Education Working Group
- 2430 Institute of Human Values in Health Care (IHVHC):
- 2431 The Thomas Pitts Lectureship in Medical Ethics Planning Committee
- 2432 IHVHC Committee on Conferences and Workshops
- 2433 IHVHC Committee on the Research Ethics Scholars Program
- 2434 SACS Steering Committee:
- 2435 SACS Accreditation (Governance) Committee
- 2436 SACS Federal Requirements Subcommittee
- 2437 Simulation Oversight Committee
- 2438 Student Research Day Committee
- 2439 Teaching Excellence Awards
- 2440 University Compliance Council
- 2441 University Continuing Education Committee
- 2442 University Honor Council
- 2443 Women Scholars Initiative

2444 **Appendix 3.02 Constitution of the Faculty Senate of the Medical University of South**
 2445 **Carolina**

2446 This Constitution defines the composition of the Faculty Senate, its role in the academic
 2447 affairs of the University, and the basic principles of self-governance of the faculty of the
 2448 Medical University of South Carolina. The original constitution was authorized by the
 2449 Bylaws of the Board of Trustees of the Medical University of South Carolina, Section 6,
 2450 Article b, in August 1976. The Board approved the revised Constitution in February 2006 and
 2451 amendments 1 and 2 in February 2007.

2452 [http://academicdepartments.musc.edu/faculty_senate/pdfs/Constitution%20and%20Byla](http://academicdepartments.musc.edu/faculty_senate/pdfs/Constitution%20and%20Bylaws_v3_approved.pdf)
 2453 [ws_v3_approved.pdf](http://academicdepartments.musc.edu/faculty_senate/pdfs/Constitution%20and%20Bylaws_v3_approved.pdf)

2454

2455 **Appendix 5.02 University Nepotism Policy HR pol 7 (Reviewed 9/18/09)**

2456 University HR

2457 <http://www.musc.edu/hrm2/policies/policy07.html>

2458 Hospital HR

2459 <http://mcintranet.musc.edu/hr/documents/POLICY7-NEPOTISM.pdf>

2460 **Appendix 5.04 MUSC Employee Health Screening Criteria HR pol 1 (Reviewed**
 2461 **4/1/09)**

2462 <http://www.musc.edu/hrm2/policies/policy01.html>

2463 <http://mcintranet.musc.edu/hr/documents/POLICY1-EMPLOYEEHEALTH.pdf>

2464 **Appendix 5.05 University Criminal Records Search Policy HR pol 26 (Reviewed**
 2465 **4/9/09)**

2466 <http://mcintranet.musc.edu/hr/documents/POLICY26-CRIMINALRECORDSEARCH.pdf>

2467

2468 **Appendix 6 Faculty Appointment, Promotion, & Tenure Policies for each College**

2469 **Appendix 6a COLLEGE OF MEDICINE**

2470 Appointment, Promotion and Tenure Information

2471 General Guidelines, Criteria, and Supporting Documents

2472 <http://academicdepartments.musc.edu/com/faculty/apt/musc/index.html>

2473 **Appendix 6b. COLLEGE OF PHARMACY**

2474 Promotion and Tenure Guidelines

2475 These guidelines serve as an extension of the general University guidelines, as set forth in the
2476 Faculty Handbook, concerning promotion and the award of tenure. Promotions and tenure are
2477 recognition of achievements and of promise that the individual is capable of assuming additional
2478 responsibilities. The policy of the College of Pharmacy is to make promotions and to grant
2479 tenure solely on the basis of merit. To this end, the College of Pharmacy has established specific
2480 criteria for promotion and for granting tenure.

2481 **PART I - TENURE-TRACK**

2482 **I. PROMOTION**

2483 Promotion is an acknowledgment of excellent performance in two of the three areas of teaching,
2484 research/scholarship, and service (including service to the University and College and Clinical
2485 practice, if applicable). One of the two areas of excellence **MUST** be that which is given
2486 prominence based on activity reports and job description. Competence in the remaining area
2487 must be shown. In all cases teaching effectiveness and general service to the College or
2488 University must be demonstrated.

2489 **II. TENURE**

2490 Tenure is granted as a result of demonstrated competence and a strong commitment to serve the
2491 College of Pharmacy. Faculty requesting tenure will be evaluated according to the rules for
2492 promotion. Since tenure is basically a lifetime commitment by the College of Pharmacy, a higher
2493 level of attainment in the areas specified above and the promise of long-term contributions to the
2494 Medical University of South Carolina will be expected. Tenure-track faculty members who have
2495 not attained tenure must receive a formal review at least every three years (Appendix I). Tenured
2496 faculty will be reviewed in accordance with the MUSC Faculty Handbook.

2497 **III. CRITERIA, RATIONALE, AND METHODS FOR MEASUREMENT OF**
2498 **PERFORMANCE**

- 2499 A. Time requirements
2500 Current Rank Minimum Service (years)
2501 Assistant Professor 3
2502 Associate Professor 4

- 2503 **Appendix 6c. COLLEGE OF NURSING**
- 2504 Appointment, Promotion and Tenure Guidelines
- 2505 <http://academicdepartments.musc.edu/nursing/intranet/Documents/FacultyHandbook/SectionVI.pdf>
- 2506
- 2507 **Appendix 6d. COLLEGE OF DENTAL MEDICINE**
- 2508 Guidelines for Appointments, Promotion, and Tenure
- 2509 <http://academicdepartments.musc.edu/dentistry/pdfs/Guidelines%202007.pdf>
- 2510 **Appendix 6e. COLLEGE OF HEALTH PROFESSIONS**
- 2511 Promotion and Tenure Guidelines
- 2512 http://academicdepartments.musc.edu/chp/chpnet/faculty_assembly/index.htm
- 2513 **Appendix 6f. COLLEGE OF GRADUATE STUDIES**
- 2514 Faculty members of the Graduate School are from various colleges; therefore tenure issues are
- 2515 handled by the various colleges to which the faculty members belong.
- 2516 **Appendix 6g. DEPARTMENT OF LIBRARY SCIENCE AND INFORMATICS**
- 2517 **(DLSI)**
- 2518 [MUSC Department of Library Science and Informatics \(DLSI\) Policy, Procedure, and Criteria](#)
- 2519 [for Appointment, Promotion, and Tenure](#)
- 2520 <http://www.library.musc.edu/page.php?id=1643>
- 2521

2522 Appendix 6.05 **Faculty Performance Evaluation**

2523 Forms for each College

2524 **College of Medicine**

2525 MEDICAL UNIVERSITY OF SOUTH CAROLINA
2526 FACULTY PERFORMANCE EVALUATION

2527 Faculty Member _____ For Period of _____ Department _____

GOALS OF FACULTY MEMBER

ADDITIONAL GOALS SET FORTH BY CHAIR

I. Teaching Activity

I.

II. Research/Scholarly Activity

II.

III. Patient Care

III.

IV. Institutional Activity

IV.

V. Professional Growth

V.

VI. Other

VI.

2528

2529

FACULTY PERFORMANCE EVALUATION

Medical University of South Carolina

Faculty Name:

		Rating Scale															
Evaluation of Mutually Agreed Upon Goals		Faculty Evaluation						Chairman's Evaluation									
		Not Applicable	Unacceptable	Marginal	Satisfactory	Very Good	Outstanding	Not Applicable	Unacceptable	Marginal	Satisfactory	Very Good	Outstanding				
I.																	
II.																	
III.																	
IV.																	
V.																	
VI.																	

Faculty Members Comments:

Evaluator Comments:

Faculty Member _____ Date _____

Evaluator _____ Date _____

Dean _____ Date _____

2010-2011 Faculty Performance Specification

Faculty Member: _____

Date: / / _____

Teaching Workload Assignment

Contact

Hours

% Teaching = Contact Hours

Office Hours (# semesters x 2)

Course Work

FALL SEMESTER

Course #:

Credits:

Contact

Hrs:

SPRING SEMESTER

Course #:

Credits:

Contact

Hrs:

SUMMER SEMESTER

Course #:

Credits:

Contact

Hrs:

Course Overload: # students Fall + # Spr + # Sum = x 0.5 =

Off-site supervision of graduate students in preceptored practicum:

FALL: # students + SPRING: # students + SUMMER: # students = students x 2 =

Coordinator

Course (BSN clinical, 6 CH; DNP/MSN clinical, 2 CH; DNP/MSN online course 40+ students, 6 CH)

Clinical placement

FALL: # students + SPRING: # students + SUMMER: # students = students x 0.25 =

Students

Honors course: # students FALL: + SPRING + SUMMER: = students x 2 =

MEDICAL UNIVERSITY OF SOUTH CAROLINA
College of Nursing

Independent study: # students **FALL:** + **SPRING** + **SUMMER:** = students x 2 =

Mentored teaching: # students **FALL:** + **SPRING** + **SUMMER:** = students x 2 =

Mentored research: # students **FALL:** + **SPRING** + **SUMMER:** = students x 2 =

Dissertation/project committee

Chair: # students **FALL:** + **SPRING** + **SUMMER:** = students x 2 (PhD) or 1 (DNP) =

Member: # students **FALL:** + **SPRING** + **SUMMER:** = students x 0.5 =

Other

TOTAL CONTACT HOURS FOR TEACHING

Contact Hours by Percentage Effort

% effort	5	10	15	20	25	30	35	40	45	50	55	60	65	70	75	80	85	90
Hrs/wk	2	4	6	8	10	12	14	16	18	20	22	24	26	28	30	32	34	36
Total/yr	6	12	18	24	30	36	42	48	54	60	66	72	78	84	90	96	102	108

Workload Assignment Continued

% Practice; Practice Site or Activity

%	Funded: <input type="checkbox"/> Yes <input type="checkbox"/> No
%	Funded: <input type="checkbox"/> Yes <input type="checkbox"/> No
%	Funded: <input type="checkbox"/> Yes <input type="checkbox"/> No

% Grants & Projects

%	Funded: <input type="checkbox"/> Yes <input type="checkbox"/> No
%	Funded: <input type="checkbox"/> Yes <input type="checkbox"/> No
%	Funded: <input type="checkbox"/> Yes <input type="checkbox"/> No
%	Funded: <input type="checkbox"/> Yes <input type="checkbox"/> No
%	Funded: <input type="checkbox"/> Yes <input type="checkbox"/> No
%	Funded: <input type="checkbox"/> Yes <input type="checkbox"/> No
%	Funded: <input type="checkbox"/> Yes <input type="checkbox"/> No
%	Funded: <input type="checkbox"/> Yes <input type="checkbox"/> No

% Administration

% Program/activity:	
% Program/activity:	
% Program/activity:	

% Professional growth

Activities:

% Scholarship

Manuscripts to be submitted for publication in a peer reviewed journal
Grant applications to be submitted:
Other:

% Service

University committees:
College committees:
College task forces:
Professional boards/committees:
Community boards/committees:

PERCENT EFFORT PAGE 2

PERCENT TEACHING EFFORT PAGE 1

PERCENT EFFORT TOTAL

Comments/Faculty development priorities:

Faculty

Date

Department chair

Date

Dean

Dat

Medical University of South Carolina
 College of Health Professions
FACULTY PERFORMANCE EVALUATION YEAR END SUMMARY AND RECOMMENDATIONS
 2001-2002

Original to Dean's Faculty File; Copies to faculty member and Department Chair ATTACHMENT D1

Name _____ Department _____ Current Rank/Tenure Status _____

	Rating Scale													
	Faculty Evaluation							Chair Evaluation						
	Not Applicable	Unacceptable	Marginal	Satisfactory	Very Good	Outstanding		Unacceptable	Marginal	Satisfactory	Very Good	Outstanding		
Evaluation of Mutually Agreed Upon Goals														
Teaching														
Scholarship/Research														
Service/Faculty Development														
Professional Practice														
Administration														

<p>Summary Evaluation and Recommendations: (To be completed and signed by Chair [and Program Director, as applicable])</p> <p>Promotion and Tenure Recommendations: (Include timeline and recommendations for advancement in rank)</p> <p>Overall Evaluation: (Circle) Outstanding Very Good Satisfactory Marginal Unacceptable</p> <p>Faculty Comments:</p>	
<p>_____</p> <p>Faculty Member</p>	<p>_____</p> <p>Program Director (as applicable) Date</p>
<p>_____</p> <p>Chair</p>	<p>_____</p> <p>Date</p>
<p>Dean's Review: Comments: _____ Concur with Evaluation</p>	
<p>_____</p> <p>Dean</p>	<p>_____</p> <p>Date</p>

College of Pharmacy
 Faculty Performance Evaluation
 Medical University of South Carolina
 (as applicable in each college)

Evaluation of Performance Categories	Rating Scale											
	Faculty Evaluation						Chairman's Evaluation					
	Not Applicable	Unacceptable	Marginal	Satisfactory	Very Good	Outstanding	Not Applicable	Unacceptable	Marginal	Satisfactory	Very good	Outstanding
F/Y 2005/2006												
I. Teaching Activity												
II. Research/Scholarly Activity												
III. Patient Care												
IV. Institutional Activity												
V. Professional Growth												
VI. Other												

Faculty Member's Comment:

Evaluator's Comment:

Overall Evaluation: _ Unacceptable _ Marginal _ Satisfactory _ Very Good _ Outstanding

____ Date _____ Evaluator _____ Date _____ Dean Member _____ Faculty Member _____
 i-Unacceptable 1- Unacceptable Date FACULTY PERFORMANCE EVALUATION

Medical University of South Carolina

2-Marginal

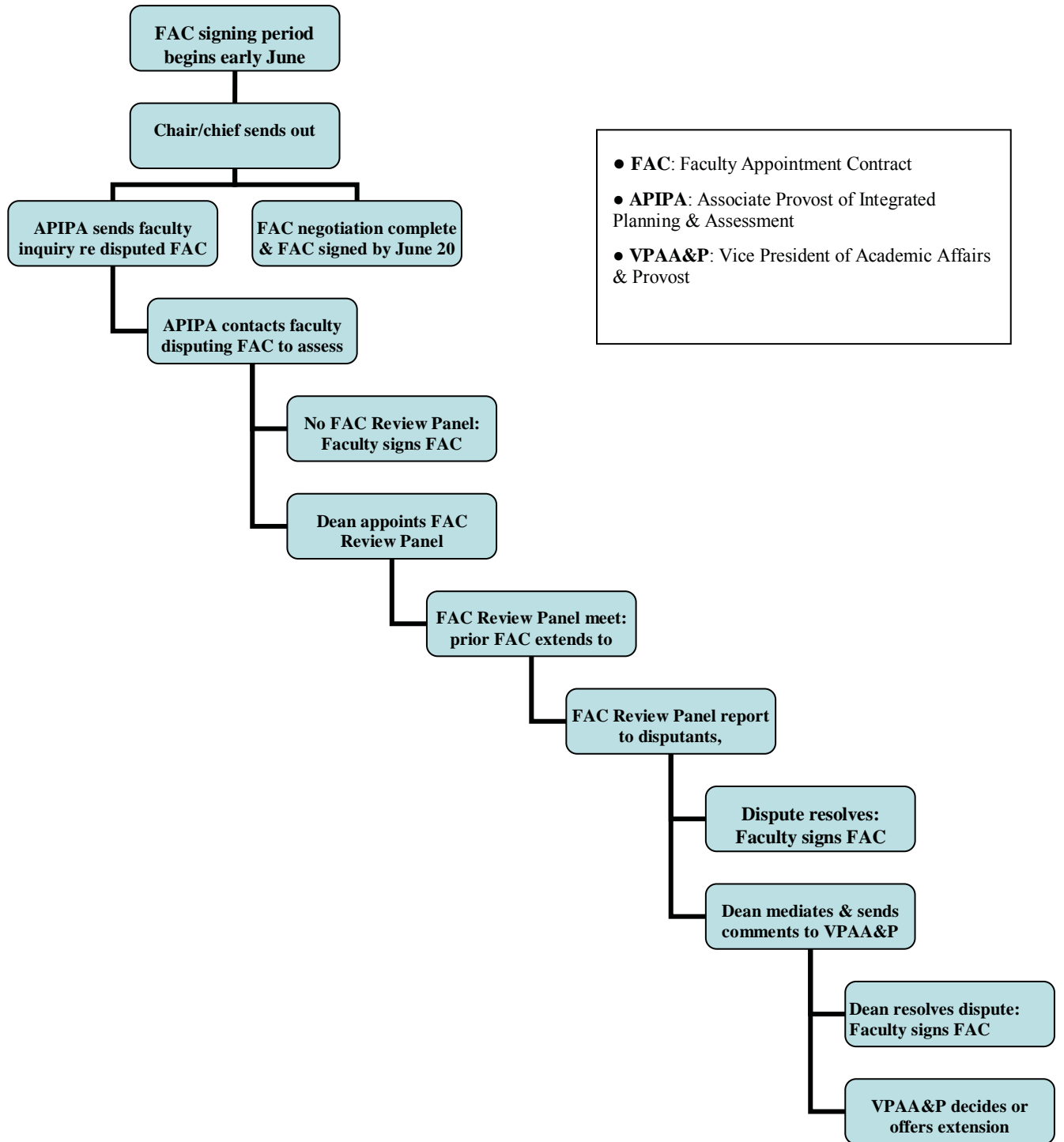
Briefly describe the performance objectives to be accomplished next evaluation period:

1. _____
2. _____
3. _____

I have read and ___ agree, ___ do not agree with this evaluation:

Faculty Member _____ Date _____ Chairman _____ Date _____ Dean _____ Date _____

1 **Appendix 8.11 Faculty Appointment Contract Dispute Resolution**



2
3

4 **Appendix 9.08 Conflict of Interest Policies & Charters**

5 Approved by the Provost, March 3, 2011

6 **Appendix 9.08a Research Conflict of Interest Policy**

7 Introduction

8 An important goal of the Medical University of South Carolina is to make scientific discoveries
9 that will benefit the sick and the suffering. For many years the faculty and staff have worked
10 hard to achieve this goal. In 1980, the United States Congress explicitly sanctioned and
11 facilitated this process with the passage of legislation designed to stimulate the
12 commercialization of inventions by permitting academic institutions and scientists to benefit
13 financially if their federally sponsored research led to commercial products. Moreover, during
14 the past decade the rate of growth of biomedical research has outpaced federal funding,
15 compelling universities and hospitals to develop alternative sources of revenue to support the
16 expenses associated with their educational, research and clinical missions.

17 Effective interaction between universities conducting research and industry is essential to ensure
18 the rapid application of scientific discoveries to the needs of the nation and to maintain the
19 international competitiveness of domestic industry. Nonetheless, prudent stewardship of public
20 funds includes protecting sponsored research from being compromised by the conflicting
21 financial interests of any investigator responsible for the design, conduct, or reporting of
22 sponsored research.

23 These guidelines define general University policy and procedures regarding conflicts of interest
24 in relationship to sponsored projects involving research, education, and university service. Their
25 purpose is to protect the credibility and integrity of the University's faculty and staff so that
26 public trust and confidence in the University's sponsored activities is ensured.

27 In accordance with Federal regulations as prescribed by 42 CFR Part 50 Subpart F; the
28 University has a responsibility to manage, reduce, or eliminate any conflicts of interest that may
29 be presented by a financial interest of any investigator. Thus, the University requires that
30 investigators disclose any significant financial interest that would reasonably appear to be
31 affected by sponsored research.

32 **Definitions**

- 33 (1) A Conflict of Interest in science refers to situations in which financial or other personal
34 considerations may compromise, or have the appearance of compromising, an
35 investigator's professional judgment in conducting or reporting research. For purposes of
36 this policy, a conflict of interest exists when the University, through procedures described
37 herein, reasonably determines that a significant financial interest could directly and
38 significantly affect the design, conduct, or reporting of sponsored projects.
- 39 (2) Investigator means the principal investigator/project director, co-principal investigator,
40 and any other person who is responsible for the design, conduct, or reporting of research,
41 educational, or service activities funded, or proposed for funding, by an external sponsor.
42 In this context, the term "investigator" includes the investigator's spouse and dependent
43 children.

- 44 (3) An associated entity of an Investigator means any trust, organization, or enterprise other
45 than the University or any affiliated hospital over which the Investigator alone or together
46 with his/her family exercises a controlling interest.
- 47 (4) A business means any corporation, partnership, sole proprietorship, firm, franchise,
48 association, organization, holding company, joint stock company, receivership, business
49 or real estate trust, or any other legal entity organized for profit or charitable purposes,
50 but excluding the University, any affiliated hospital, any private medical practice, or any
51 other entity controlled by, controlling, or under common control with the University or an
52 affiliated hospital.
- 53 (5) Clinical research means any research or procedure involving human subjects in vivo or
54 the use of patient samples for the development of diagnostic tests. It includes early
55 clinical studies, evaluative research and clinical trials. It does not include an
56 Investigator's participation in the design of a clinical study for which he is subsequently
57 neither a participant nor an author.
- 58 (6) Significant Financial Interest means anything of monetary value, including, but not
59 limited to:
- 60 • salary or other payments for services (e.g., consulting fees or honoraria)
 - 61 • equity interests (e.g., stocks, stock options or other ownership interests)
 - 62 • intellectual property rights (e.g., patents, copyrights and royalties from such rights).

63 The term does not include:

- 64 • Salary, royalties, or other remuneration from the University;
- 65 • Income from seminars, lectures, or teaching engagements sponsored by public or
66 nonprofit entities;
- 67 • Income from service on advisory committees or review panels for public or nonprofit
68 entities; or
- 69 • An equity interest that, when aggregated for the Investigator and the Investigator's spouse
70 and dependent children, meets both of the following tests: does not exceed \$10,000 in
71 value as determined through reference to public prices or other reasonable measures of
72 fair market value, and does not represent more than a five percent ownership interest in
73 any single entity; or
- 74 • Salary, royalties or other payments that, when aggregated for the Investigator and the
75 Investigator's spouse and dependent children over the next twelve months, are not
76 expected to exceed \$10,000.

77 Guidelines

- 78 (1) Each Investigator is required to disclose the following Significant Financial Interests:
- 79 (a) Any Significant Financial Interest of the Investigator that would reasonably appear to
80 be affected by the research or educational activities funded, or proposed for funding, by
81 an external sponsor; or
 - 82 (b) Any Significant Financial Interest of the Investigator in an entity whose financial
83 interest would reasonably appear to be affected by the research or educational activities
84 funded, or proposed for funding, by an external sponsor.
- 85 (2) Each Investigator who has Significant Financial Interest requiring disclosure shall complete a
86 Significant Financial Interest Disclosure Form. The completed Disclosure Form must be
87 submitted with the proposal and Proposal Data Sheet ("The Blue Sheet") to the Office of

88 Research Administration. The Disclosure Form may be submitted in a sealed envelope
89 marked confidential.

90 (3) As required by Federal regulations, all Significant Financial Interests must be disclosed
91 annually and updated as appropriate. Whenever a new conflict of interest arises or when a
92 significant change occurs concerning an existing disclosure, a new disclosure form must be
93 completed and submitted for review either in advance of the anticipated change in situation
94 or within 14 days of the event.

95 (4) The Director of the Office of Research Administration, or official designee, shall conduct an
96 initial review of all financial disclosures. If the initial determination is made that there may
97 be a potential for conflict of interest covered by this policy, then the Disclosure Form will be
98 referred to the University Conflict of Interest Review Committee (CIRC). Committee
99 members are appointed by the Vice President for Academic Affairs and Provost. The CIRC
100 shall contain, at a minimum, five faculty members representing a cross section of academic
101 disciplines and a research administrator. A conflict of interest exists when the CIRC
102 reasonably determines that a Significant Financial Interest could directly and significantly
103 affect the design, conduct, or reporting of the proposed sponsored project. The Committee
104 shall then determine what conditions or restrictions, if any, should be imposed by the
105 institution to manage conflicts of interest arising from disclosed Significant Financial
106 Interests.

107 (5) Prior to consideration by the CIRC, the Investigator, in cooperation with his/her Department
108 Chair shall develop and present to the CIRC a Conflict of Interest Resolution Plan that details
109 proposed steps that will be taken to manage, reduce, or eliminate any conflict of interest
110 presented by a Significant Financial Interest. At a minimum the Resolution Plan shall address
111 such issues as:

112 (a) Public disclosure of significant financial interests;

113 (b) Review of research protocol by independent reviewers;

114 (c) Monitoring of research by independent reviewers.

115 When the CIRC deems it appropriate, the CIRC shall review and approve the Resolution
116 plan, add conditions or restrictions, including the following:

117 (a) Modifications of the research plan;

118 (b) Disqualification from participation in all or a portion of the research funded;

119 (c) Divestiture of significant financial interests; or

120 (d) Severance of relationships that create conflicts of interests.

121 If the CIRC determines that imposing the above referenced conditions or restrictions would
122 be either ineffective or inequitable, and that the potential negative impact that may arise from
123 a significant financial interest are outweighed by interests of scientific progress, technology
124 transfer, or the public health and welfare, the CIRC may recommend that, to the extent
125 permitted by Federal regulations, the research go forward without imposing such conditions
126 or restrictions. In these cases, the Vice President for Academic Affairs and Provost shall
127 make the final decision regarding resolution. Public Health Service (PHS) policy does not
128 permit such an action.

- 129 (6) The approved Resolution Plan shall be incorporated into a Memorandum of Understanding
130 between the Medical University of South Carolina and the faculty member that details the
131 conditions or restrictions imposed upon the Investigator in the conduct of the project or in the
132 relationship with the Business Enterprise or Entity. The Memorandum of Understanding shall
133 be signed by the Investigator and the Vice President for Academic Affairs and Provost.
134 Conflicts of interests will be satisfactorily managed, reduced, or eliminated in accordance
135 with these Guidelines and all required reports regarding the conflict of interest submitted to
136 the sponsor prior to expenditure of any funds under an award. The PHS requires the
137 University to make similar reports to the PHS Awarding Component on subsequently
138 identified conflicts found by the University (but not the nature of the interest or other details)
139 and assures that the Interest has been managed, reduced, or eliminated within sixty (60) days
140 of identification. NSF only requires the University to report conflicts which cannot be
141 satisfactorily managed, reduced, or eliminated.
- 142 (7) Records of investigator financial disclosures and of actions taken to manage conflicts of
143 interest shall be retained by the Office of Research Administration. Records of all financial
144 disclosures and all actions taken by the Research Conflict of Interest Committee will be
145 maintained for at least three years from the date of submission of the final expenditures
146 report (s) for the applicable project (s) or, where applicable, from other dates specified in
147 State law, 45 CFR 50 Subpart F or by other federal funding or oversight agencies.
- 148 (8) Whenever an Investigator has violated this policy or the terms of the Memorandum of
149 Understanding, the CIRC shall recommend sanctions, which may include disciplinary action
150 ranging from a public letter of reprimand to dismissal and termination of employment. If the
151 violation results in a collateral proceeding under University policies regarding misconduct in
152 science, then the CIRC shall defer a decision on sanctions until the misconduct in science
153 process is completed. The CIRC's recommendations on sanctions shall be presented to the
154 Investigator's appropriate University official who, in consultation with the Vice President for
155 Academic Affairs and Provost, shall enforce any disciplinary action. If the research activity
156 was funded by a PHS awarding component, the University will promptly notify the PHS
157 awarding component of the corrective action taken or to be taken. After consideration of the
158 situation and as necessary, the PHS Awarding Component will take appropriate action. These
159 actions may include referring the matter back to the University for further action, which may
160 include directions to the University on how to maintain appropriate objectivity in the funded
161 project.
- 162 (9) Collaborators/sub-recipients/subcontractors from other academic or not-for-profit
163 institutions must either comply with this policy or provide a certification from their
164 institutions that they are in compliance with Federal policies regarding investigator
165 significant financial interest disclosure and that their portion of the project is in compliance
166 with institutional policies. Subcontractors from commercial firms need not make a
167 certification, except when the prime award is from the Public Health Service. The PHS
168 requires a certification from any subcontractor, including commercial firms, stating that it is
169 in compliance with Federal policies regarding investigator significant financial interest
170 disclosure and that its portion of the project is in compliance with company policies.

171 **Appendix 9.08b Charter of the MUSC Research Conflict of Interest Committee**

172 **BACKGROUND/HISTORY:**

173 In furtherance of the mission of the Medical University of South Carolina, and in compliance
174 with Federal Regulations, a University goal is to advance scientific discoveries that benefit
175 humanity. In 1980, the United States Congress explicitly sanctioned and facilitated by
176 legislation, the commercialization of inventions by permitting academic institutions and
177 scientists to benefit financially if their federally sponsored research leads to commercial
178 products. In addition, interaction between research universities and industry enhances the rapid
179 application of scientific discoveries to the needs of society and maintains international
180 competitiveness of domestic industries.

181 In 1995, the Board of Trustees of the Medical University of South Carolina approved policies
182 and procedures regarding Conflicts of Interest in relationship to “sponsored projects, research
183 education and University service”. The purpose of this Committee is to protect the credibility
184 and integrity of the University’s faculty and staff so that public trust and confidence in their
185 actions are without interest in personal gains, financial or otherwise. A standing University
186 Conflict of Interest Review Committee was created to assess actual and perceived conflicts of
187 interest. Policies and procedures regarding conflict of interest are provided in the Medical
188 University of South Carolina and Medical University Hospital Authority Policies and Procedures
189 and are referenced in the MUSC Faculty Handbook.

190 The Medical University of South Carolina, as a State agency, is governed by the Federal and
191 State Ethics acts which prohibit MUSC from acquiring an equity and or ownership in private
192 ventures and further restricts how state/public funds are expended. The governing board of the
193 University remains sensitive in their oversight of all potentially conflicting situations to insure
194 that MUSC is in compliance with all state and federal laws.

195 As the Medical University of South Carolina conducts research funded by the Public Health
196 Service, it is required by federal law to maintain an appropriate written, enforced policy on
197 conflict of interest that complies with 42 CFR Part 50 Subpart F – “Responsibility of Applicants
198 for Promoting Objectivity in Research for which Public Health Service Funding is Sought”.
199 http://grants.nih.gov/grants/compliance/42_CFR_50_Subpart_F.htm

200 Financial conflicts of interest are disclosed on an annual basis. Whenever a new conflict of
201 interest arises or when a significant change occurs concerning an existing disclosure, a new
202 disclosure form must be completed and submitted for review either in advance or the anticipated
203 change in situation or within 30 days of the event.

204 **CLASSIFICATION/TERMS OF APPOINTMENT:**

205 This is an enterprise wide standing committee. The Charter will be reviewed annually by the
206 Vice President for Academic Affairs and Provost for continued need and for revisions, as
207 appropriate.

208 **FORMAL CHARGES:**

209 The MUSC Research Conflict of Interest Committee shall establish and maintain oversight of
210 any actual or perceived conflicts arising directly or indirectly from research, albeit sponsored
211 research, non-sponsored research, start-up ventures, or other activities that require research
212 objectivity under circumstances that could be influenced by personal financial gain. Questions of
213 a financial conflict of interest, whether perceived or actual, should be referred to this Committee.
214 Specific charges for the committee are to:

- 215 • Conduct an assessment of all Financial Interest Disclosure Forms related to research activities
216 as well as other potential sources of COI disclosure, e.g., Proposal Data Sheets, Outside
217 Professional Activity Related to Faculty Start-up Venture and applications for IRB approval.
- 218 • Report to the Office of the Vice President for Academic Affairs and Provost and the Associate
219 Provost for Research the nature of the conflict of interest reported and the action taken by the
220 Committee.
- 221 • Approve or disapprove plans to manage apparent or real conflict of interest situations, where
222 appropriate, and recommend any corrective measures to assure that the approved management
223 plan is followed.
- 224 • Provide minutes of Committee meetings as well as a summative annual report of the
225 Committee’s activities to the Vice President for Academic Affairs and Provost and the Associate
226 Provost for Research.

227 **REPORTING CHANNELS/PROCEDURES:**

228 The Committee shall report to the Vice President for Academic Affairs and Provost and will
229 copy reports of the Committee’s final deliberations to the Associate Provost for Research and the
230 University Compliance Officer.

231 Violations of University or Authority policies, including the failure to avoid a prohibited activity
232 or disclose a conflict of interest in a timely manner, will be dealt with in accordance with
233 applicable policies and procedures that may include disciplinary actions up to and including
234 termination of employment.

235 If an investigator has failed to comply with the MUSC conflict of interest policy and this has
236 potentially biased the design, conduct or reporting of the PHS-funded research, the Director of
237 ORSP will promptly notify the Awarding Agency of the corrective action implemented.

238 **MEMBERSHIP:**

239 Because of the focus on faculty research, the MUSC Research Conflict of Interest Committee
240 shall be composed of faculty and research support staff. The voting members of the Committee
241 shall be composed of a minimum of five individuals who hold faculty appointments and who
242 represent a reasonable cross section of the academic disciplines that are involved in investigative
243 endeavors. Faculty shall be appointed by the Vice President for Academic Affairs and Provost to
244 serve a staggered three-year term.

245 In addition, the Committee shall have the following non-voting members who shall serve in an
246 *ex officio* capacity: Director, Office of Research and Sponsored Programs; MUSC General
247 Counsel; Executive Director, MUSC Foundation for Research Development; Director, Office of
248 Research Integrity; Director, University Compliance; Director, University Risk Management..
249 Guests may be invited by the chair to attend Committee meetings, as appropriate.

250 All committee members must agree and complete statements indicating that all information and
251 deliberations are confidential.

252 **OFFICERS:**

253 A chair shall be appointed by the Vice President for Academic Affairs and Provost and will serve
254 a two-year term. Upon the recommendation of the Committee chair, a vice chair may also be

255 appointed by the Vice President for Academic Affairs and Provost for an undeclared term and
256 with the authority to conduct any necessary business during the chair's absence.

257 **SUBCOMMITTEES:**

258 An Executive Committee may be formed to facilitate processing and initial evaluation of
259 disclosures and to determine if full committee review is necessary as defined in the policies and
260 procedures document "MUSC Research Conflict of Interest Committee Disclosure Review
261 Procedures". There may be ad-hoc, task-oriented subcommittees appointed as needed by the
262 chair.

263 **FREQUENCY OF MEETINGS:**

264 The Committee shall meet monthly. Additional meetings may be called, or regularly scheduled
265 meetings may be canceled, by the chair or two-thirds of the voting members of the Committee.
266 Cancellation of a scheduled meeting should involve the lack of urgent or sufficient items of
267 business, or if too many members will be unable to attend.

268 **NOTICE OF MEETINGS:**

269 An annual schedule of Committee meetings shall be determined at the beginning of each
270 academic year. Notification of Meetings shall be in compliance with South Carolina State Law.

271 **MEETING AGENDA AND SUPPORT MATERIAL:**

272 A formal meeting agenda and appropriate supportive materials shall be available for each
273 Committee member.

274 **COMMITTEE MINUTES:**

275 Summary minutes of each meeting shall be prepared in draft form and approved by the
276 Committee chair. Because of the need to resolve particular issues in a timely manner, it is
277 important that the draft minutes containing all actions or rulings be forwarded to the Vice
278 President for Academic Affairs and Provost with copies to the Associate Provost for Research
279 within 2 weeks of the meeting.

280 **COMMITTEE AND SUBCOMMITTEE REPORTS:**

281 The Committee chair shall make all needed written reports, recommendations, or inquiries on
282 behalf of the Committee to the Vice President for Academic Affairs and Provost. Formal rulings
283 of the Committee will be reflected in the Committee's annual report. Records of all financial
284 disclosures and all actions taken by the Research Conflict of Interest Committee will be
285 maintained for at least three years from the date of submission of the final expenditures report (s)
286 for the applicable project (s) or, where applicable, from other dates specified in South Carolina
287 State law, 45 CFR 50 Subpart F or by other federal funding or oversight agencies.

288 **STAFF SUPPORT:**

289 Staff assistance to the Committee and its chair shall be provided by the Office of the Vice
290 President for Academic Affairs and Provost.

291 **MEETING QUORUM:**

292 A simple majority of the voting Committee membership will constitute the necessary quorum for
293 conducting official Committee business.

294 **AMENDMENT TO THIS CHARTER:**

295 Should any amendment to this charter be required, the Vice President for Academic Affairs and
296 Provost shall work with the committee chair to derive an amendment suitable to all parties. The
297 amended charter shall be completed, signed, and issued with all possible haste. When the
298 initiative for such amendment comes from the Committee, a written request from the chair to the
299 Vice President for Academic Affairs and Provost shall be provided.

300 **Appendix 9.08c MUSC Faculty Start-Up Ventures: Policies and Guidelines**

301 **I. INTRODUCTION**

302 This document establishes guidelines for faculty involvement in Faculty
303 Start-up ventures and/or companies that involve intellectual property developed by faculty or
304 staff employed by or working at the Medical University of South Carolina (MUSC), University
305 Medical Associates (UMA), and Medical University Hospital Authority (MUHA). Questions
306 regarding this policy should be directed to the Office of the Associate Provost for Research.

307 Faculty Start-up Ventures refer to new companies established from intellectual property licensed
308 from the Foundation of Research Development and the Medical University of South Carolina.
309 These guidelines may also be applicable to newly recruited faculty that developed start-up
310 ventures in their previous employment.

311 MUSC recognizes that the translation of discoveries made in research laboratories into
312 applications can have significant benefits for society and is an important component of the
313 overall mission of the academic community, as well as the strategic economic plan of the State
314 of South Carolina. Research from our nation's universities is a major source of discoveries,
315 patents and intellectual property essential for the country's continuing economic development.
316 Federal and state entities encourage and promote academic and industry relationships through
317 laws such as the federal Bayh–Dole Act and the Life Sciences Act of South Carolina.

318 The relationships between universities and industry have substantially increased over the last
319 several years and this will likely facilitate the translation of biomedical discoveries into broader
320 benefit for society. Such relationships may introduce risk and potential for conflicts of interest
321 and conflict of commitment. MUSC will manage these issues in an equitable manner with the
322 goal of empowering the development process in accordance with all federal and state guidelines
323 and the MUSC/MUHA Conflict of Interest Policy.

324 Faculty members considering involvement with Faculty Start-up Venture must review this
325 document and discuss any involvement with the Director of the Foundation for Research
326 Development and the Associate Provost for Research to facilitate the process. In addition,
327 discussions with the Chair of the MUSC's Research Conflict of Interest Committee
328 (http://academicdepartments.musc.edu/provost/committees/conflict_int.htm) may be worthwhile.

329 **II. PROCESS**

330 Faculty involvement with Faculty Start-up Ventures must be reviewed and approved by the
331 Department Chair, Division Director and College Dean for the faculty member and the Associate
332 Provost for Research. In addition, the MUSC Research Conflict of Interest Committee will
333 review any such involvement to assure compliance with MUSC/MUHA Conflict of Interest
334 Policy. The process involves completion of the following documents.

335 **REQUEST FOR APPROVAL OF OUTSIDE PROFESSIONAL ACTIVITY RELATED**
336 **TO FACULTY START-UP VENTURE**

337 <http://academicdepartments.musc.edu/frd/documents/Faculty%20Start%20Up%20Venture%20Approval.doc>

338 **MUSC FINANCIAL INTEREST DISCLOSURE FORM**

339 [http://research.musc.edu/orsp/Financial%20Interest%20Disclosure%20\(Research\).doc](http://research.musc.edu/orsp/Financial%20Interest%20Disclosure%20(Research).doc)

340 Completed documents are submitted to the Office of the Associate Provost for Research along
341 with a cover letter from the faculty member providing background on the Faculty Start-up
342 Venture including management structure, the faculty member's anticipated involvement in the
343 Faculty Start-up Venture and the relationship of this involvement to their function as a MUSC
344 faculty member.

345 The submitted material is reviewed by the Associate Provost for Research. Following this initial
346 review the submitted material will be distributed to the Department Chair and College Dean for
347 review and signature and then forwarded to the MUSC Research Conflict of Interest Review
348 Committee.

349 **III. DEFINITIONS**

- 350 • **Conflicts of interest** occur when an employee or immediate family member receives
351 personal financial benefit or an economic interest from the employee's position in a
352 manner that may inappropriately influence the employee's judgment, compromise the
353 employee's ability to carry out MUSC/MUHA responsibilities or, be a detriment to
354 MUSC/MUHA integrity.
- 355 • An **individual** conflict of interest in science refers to situations in which financial or other
356 considerations may compromise, or have the appearance of compromising, judgment of a
357 faculty member or investigator in the design, conduct, analysis or reporting of research.
- 358 • An **institutional** conflict of interest may arise when the institution, a department, college
359 or other subunit or affiliated entity, or any of its senior management or trustees, has an
360 external relationship or interest in a company that itself has a financial interest in a
361 research project, and/or is involved with significant commercial transactions with the
362 institution. The potential institutional conflict of interest (real or perceived) may relate to
363 various aspects of the review or conduct of university research as well as financial and/or
364 resource allocation considerations.
- 365 • A conflict of **commitment** arises when a faculty member or investigator undertakes
366 external commitments, i.e., consulting or outside business start-up activities, or outside
367 research activities, which may unduly influence the scope of the member's primary
368 obligations to the University, and/or give the appearance that University resources are
369 being expended for outside non-sanctioned purposes. Such external commitments
370 require approval of the Division Director, if appropriate, Departmental Chair and Dean of
371 the College holding the primary appointment of the faculty member. A general guideline
372 is that such external commitment should not exceed one day per week. Such external
373 commitment and activities should not involve the facilities or resources of the university
374 as defined by the MUSC/MUHA Conflict of Interest Policy and do not void the
375 university's right to any intellectual property developed under the aegis of these external
376 activities as defined in **INTELLECTUAL PROPERTY: POLICIES AND PROCEDURES**
377 (<http://frd.musc.edu/assets/files/pdf/FY09%20IP%20Policy.pdf>). All such activities must be in
378 accordance with the rules and policies of the State of South Carolina and the Federal

379 Government and the MUSC/MUHA Conflict of Interest Policy. Such external
380 commitment should be defined in the annual MUSC Faculty Appointment Contract.

381 **IV. DISCLOSURE**

- 382 • Central to any policy regarding Faculty Start-up Ventures is the proper disclosure by
383 individuals involved in such endeavors, which allows the University to effectively
384 manage any perceived or real conflicts of interest.
- 385 • All faculty and administrative staff shall disclose any conflict of interests using the
386 MUSC web-based disclosure mechanism. Such disclosure is made on an annual basis as
387 defined by the MUSC/MUHA Conflict of Interest Policy.
- 388 • Whenever a new conflict of interest arises or when a significant change occurs
389 concerning an existing disclosure, a new disclosure form must be completed and
390 submitted for review either in advance of the anticipated change in situation or within 30
391 days of the event.
- 392 • Individuals must disclose intellectual property developed at MUSC to the MUSC
393 Foundation for Research Development using the appropriate “Record of Invention”
394 form as stated in the MUSC policy on intellectual property,
- 395 • Faculty involved in activities associated with a Faculty Start-up Venture must complete
396 the form REQUEST FOR APPROVAL OF OUTSIDE PROFESSIONAL ACTIVITY
397 RELATED TO FACULTY START-UP VENTURE and a FINANCIAL INTEREST
398 DISCLOSURE FORM that includes disclosure of any significant financial interest that
399 might constitute a real or perceived conflict of interest relative to the Faculty Start-up
400 Venture and its operations.
- 401
- 402 • The Public Health Service and the Office of Health and Human Services define a
403 significant financial interest as involving financial ties valued at 5% or greater equity, or
404 \$10,000 or greater (<http://grants2.nih.gov/grants/guide/notice-files/not95-179.html>).
405 However, faculty involved with Faculty Start-up Ventures must disclose all financial ties,
406 including rights to receive future financial benefits, federal grants and other financial
407 support to avoid any misinterpretations whenever Faculty Start-up Ventures are being
408 considered.
- 409 • Faculty will also disclose any conflict of interest by checking the “Conflict of Interest –
410 Faculty Start-up” block on the electronic Proposal Data Sheet for sponsored research. A
411 research proposal may be submitted prior to having any conflict of interest approved by
412 the MUSC Research Conflict of Interest Review Committee, but this must be approved
413 prior to beginning the research activity
- 414 • Involvement of a faculty member and his/her role in start-up ventures must be disclosed
415 in publications and oral presentations, to sponsors, and to colleagues in joint proposals.
- 416 • Failure to fully disclose any issue encompassed by this policy statement may compromise
417 the objectives of the venture based on intellectual property development and will result in
418 review and appropriate disciplinary action as defined in the MUSC/MUHA Conflict of
419 Interest Policy.

420 **V. FACULTY AND TRAINEE INVOLVEMENT**

- 421 • Faculty may serve on the Board of Directors or Scientific Advisory Board of the Faculty
422 Start-up Venture provided it is understood that the faculty member does not represent

423 MUSC while serving in such a capacity and that the activities should not have any
424 conflict of financial interest with regard to either party.

425 • Faculty members should not hold a management position in the Faculty Start-Up
426 Venture. It is realized that there may be a period of early development for the start-up
427 venture or a unique corporate operational structure that necessitates such a management
428 structure. However, any operational structure in which faculty hold a management
429 position in the Faculty Start-up Venture must be approved on an individual basis by the
430 Office of the Associate Provost for Research and the MUSC Research Conflict of Interest
431 Committee.

432 • Faculty may receive compensation to consult for the faculty start-up venture provided
433 that their role has been fully disclosed and approved through completion of the form:
434 [REQUEST FOR APPROVAL OF OUTSIDE PROFESSIONAL ACTIVITY RELATED](#)
435 [TO FACULTY START-UP VENTURE.](#)

436 • As a public, educational institution, MUSC engages its students and post-doctoral
437 trainees in research-related activities as part of their educational and training experience.
438 Guidelines for any involvement of student and post-doctoral trainees in research related
439 to Faculty Start-up Ventures are provided at
440 www.musc.edu/grad/students/forms/conflict/index.html?from=student).

441 • The Faculty member or members of their laboratory may not receive funds for research
442 activities from the Faculty Start-up Venture if the faculty member or their immediate
443 family hold or have a right to receive equity in the company. This requirement may be
444 waived by the Associate Provost for Research for PHASE 1 Small Business
445 Technology Transfer (STTR) or other federal or state awarded funds on a case by case
446 basis.

447 • Many federal and state agencies have initiatives that support the research development of
448 small businesses (www.sba.gov/SBIR/) through Small Business Innovation Research
449 (SBIR) or STTR grants. Such funding opportunities often present complex conflict of
450 interest issues for faculty. General Guidelines for faculty involved with such federal
451 granting mechanism are as follows:

452 - The Principal Investigator and any subcontracted investigators should be
453 different individuals.

454 - In general, the Principal Investigator should not hold a management position
455 in the Faculty Start-up Venture.

456 - A clear distinction must be defined between the work done in a Faculty Start-
457 up Venture and that work done as a member of the MUSC faculty. All work
458 done using campus resources (personnel, material, facilities) must comply
459 with MUSC policy.

460 - The Principal Investigator for the campus portion of any research award or
461 subcontract associated with a Faculty Start-up Venture must submit the entire
462 proposal to the Office of Research and Sponsored Programs for appropriate
463 review before submission of the proposal.

464 VI. GENERAL GUIDELINES FOR INTERACTION OF UNIVERSITY WITH 465 FACULTY START-UP VENTURES

466 • Any research activities related to Faculty Start-Up Ventures on University premises
467 requires the approval of the Associate Provost for Research.

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- All appropriate constituencies will be made aware of involvement with the Faculty Start-up Venture and all research findings are open to publication in scientific journals.
 - If a Faculty Start-up Venture initiates a contract with the University for support of further research related to development of the intellectual property, the Venture will assume the full cost of research personnel and resources associated with this agreement including Facilities & Administrative costs at the current rate with federal agencies. In compliance with the State Ethics Laws, University resources may not be expended for the Venture's gain, nor may the use of one's University position be used for personal financial gain.
 - A confidential disclosure agreement may be required or strongly advised when working with an outside organization and these agreements must be reviewed and approved by the university's Legal Counsel.
 - It is recognized that there may be a need for committed space during early stages of development of intellectual property and Faculty Start-up Ventures involving NIH, NSF or other federal funding agencies. Recognizing this need in order to successfully compete for external federal funding, requests for limited licensing of MUSC space for this purpose may be considered by the office of the Associate Provost for Research for federal PHASE 1 STTR awards. Such licensing of space for this purpose will be on a time-limited basis with the objective of sustaining such initiatives at early stages of development until dedicated incubator space is identified.

487 This process involves submission of the form **REQUEST TO LICENSE MUSC**
488 **SPACE AND/OR PHYSICAL ASSETS**" to the Associate Provost for Research.

489 <http://frd.musc.edu/assets/files/pdf/Request%20to%20License%20MUSC%20Space.pdf>

490 The submitted material will initially be reviewed by the Associate Provost for Research.
491 Following this initial review, the submitted material will be distributed to the Department
492 Chair and College Dean for review and signature and then forwarded to the MUSC
493 Research Conflict of Interest Review Committee. Approved requests will then be
494 implemented through submission of the completed STTR Space License Agreement to
495 the Office of the Associate Provost.

496 <http://frd.musc.edu/assets/files/pdf/STTR%20SPACE%20License%20Agreement.pdf>

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- Rights to intellectual property resulting from a company's use of space and interaction with MUSC personnel will be governed by a separate agreement between the company and the MUSC Foundation for Research Development.
 - Any involvement by the Faculty Start-up Venture and any related intellectual property developed by individual faculty involving clinical trials must be communicated in related IRB protocols and in the informed consent documents, as appropriate. Similar information must be communicated to any collaborators, co-investigators at MUSC and multi-site participants for such studies. When clinical trials involving university technology that has been licensed to a Faculty Start-up Venture involving MUSC faculty, or their immediate family, who hold equity or a right to receive equity, MUSC will contract for an outside IRB and/or independent clinical monitors to have the research conducted at MUSC with any associated expenses paid for by the company. In such cases where there is a significant level of potential or real conflict that cannot be resolved or managed, MUSC will turn over management of the conflict of interest to an outside

511 professional management firm with associated expenses paid for by the Faculty Start-up
512 Venture.

- 513 • MUSC, as a public agency, must be reimbursed for administrative expenses related to
514 Faculty Start-Up ventures or outside consulting activities. Assuming outside activities do
515 not interfere with University obligations and reasonably constitute “incidental use of state
516 property”, they may be completed in the faculty member’s office. A clear distinction
517 must be defined between the work done in a Start-up Venture and that work done as a
518 member of the MUSC faculty. All work done using campus resources (personnel,
519 material, facilities) must comply with the MUSC/MUHA Conflict of Interest Policy.
520

521 **Appendix 9.08d Charter of the MUSC Administrative and Clinical Conflict of Interest**
522 **Committee**

523 Policy Approved by Provost 3/31/2010

524 **BACKGROUND/HISTORY:**

525 In furtherance of the mission of the Medical University of South Carolina, and in compliance
526 with Federal Regulations, a University goal is to advance and apply academic and scientific
527 discoveries that benefit humanity.

528 In 1980 through legislation the United States Congress explicitly sanctioned and facilitated
529 the commercialization of inventions by permitting academic institutions and scientists to benefit
530 financially if their federally sponsored research leads to commercial products. In addition,
531 interaction between research universities and industry enhances the rapid application of scientific
532 discoveries to the needs of society and maintains international competitiveness of domestic
533 industries.

534 In 1995 the Board of Trustees of the Medical University of South Carolina approved policies
535 and procedures regarding Conflicts of Interest in relationship to “sponsored projects, research
536 education and University service”.

537 In 2009 the Board of Trustees of the Medical University of South Carolina approved further
538 policies and procedures regarding Conflicts of Interest in relationship to all aspects of the
539 academic, clinical, administrative, and research responsibilities of all University employees,
540 officers and Board members.

541 The purpose of this Administrative and Clinical Conflict of Interest Committee is to protect
542 the credibility and integrity of the University enterprise’s faculty and staff so that public trust and
543 confidence in their actions are without interest in personal gains, financial or otherwise. In
544 addition to the existing University Research Conflict of Interest Committee, this second
545 Committee is hereby charged to review actual and perceived conflicts of interest disclosed
546 among the academic, clinical, administrative and research responsibilities of all enterprise
547 employees. Policies and procedures regarding conflict of interest are provided in the Medical
548 University of South Carolina and Medical University Hospital Authority Policies and Procedures
549 and are referenced in the MUSC Faculty Handbook. Additional written policies exist in the
550 College of Medicine and the MUSC clinical faculty practice plan, and University Medical
551 Associates; these are designed to provide interpretive guidance to University employees.

552 The Medical University of South Carolina, as a State agency, is governed by Federal and
553 State Ethics acts, which prohibit MUSC from acquiring an equity and or ownership in private
554 ventures and further restricts how state/public funds are expended. The governing board of the
555 University remains sensitive in their oversight of all potentially conflicting situations to insure
556 that MUSC is in compliance with all state and federal laws.

557 Because the Medical University of South Carolina conducts research funded by the Public
558 Health Service, it is required by federal law to maintain an appropriate written, enforced policy
559 on conflict of interest that complies with 42 CFR Part 50 Subpart F – “Responsibility of
560 Applicants for Promoting Objectivity in Research for which Public Health Service Funding is
561 Sought”.

562 http://grants.nih.gov/grants/compliance/42_CFR_50_Subpart_F.htm

563 Since 2009, financial conflicts of interest are to be disclosed annually in an on-line
564 questionnaire and updated as appropriate. Whenever a new conflict of interest arises or when a
565 significant change occurs concerning an existing disclosure, a new on-line disclosure must be
566 entered and submitted for review, either in advance of the anticipated change in situation, or
567 within 30 days of the event.

568 **CLASSIFICATION/:**

569 This is an MUSC enterprise-wide standing committee.

570 **FORMAL CHARGES:**

571 The MUSC Administrative & Clinical Conflict of Interest Committee shall establish and
572 maintain oversight of any actual or perceived conflicts arising directly or indirectly from
573 administrative, clinical and professional academic activities as well as other potential sources of
574 COI. These activities, with or without the conduct of research in any form, may provide
575 perceived or actual obstacles to an employee's objectivity under circumstances that could be
576 influenced by personal financial gain. Questions of financial conflicts of interest, whether
577 perceived or actual, should be referred to this Committee. Specific charges for the committee are
578 to:

- 579 • Conduct a review of the annual on-line Faculty Conflict of Interest disclosures related to
580 administrative, clinical and professional academic activities as well as other potential
581 sources of COI. These disclosures will include full listings of professional activities
582 conducted outside the scope of university assigned duties.
- 583 • Report to the Office of the Vice President for Academic Affairs and Provost, with copies
584 to the Associate Provost for Research, on the nature of the conflicts of interest reported
585 and the actions taken by the Committee.
- 586 • Approve or disapprove plans to manage apparent or real conflict of interest situations,
587 where appropriate, and recommend any corrective measures to assure that the approved
588 management plan is followed.
- 589 • Provide minutes of Committee meetings as well as a summative annual report of the
590 Committee's activities to the Vice President for Academic Affairs and Provost, with
591 copies to the Associate Provost for Research.

592 **REPORTING CHANNELS/PROCEDURES:**

593 The Committee shall report to the Vice President for Academic Affairs and Provost; and it
594 will copy reports of the Committee's final deliberations both to the Associate Provost for
595 Research and to the University Compliance Officer.

596 Violations of Board of Trustee policies, including the failure to avoid a prohibited activity or
597 the failure to disclose a conflict of interest in a timely manner, will be dealt with in accordance
598 with applicable policies and procedures that may include disciplinary actions up to and including
599 termination of employment.

600 If an employee or faculty member has failed to comply with the MUSC Conflict of interest
601 policy, and if this has potentially biased the design, conduct or reporting of PHS-funded
602 research, the Director of the Office of Research and Sponsored Programs will promptly notify
603 the Awarding Agency in accordance with 42 CFR Part 50 Subpart F – "Responsibility of

604 Applicants for Promoting Objectivity in Research for which Public Health Service Funding is
605 Sought”.

606 **MEMBERSHIP:**

607 Because of the focus on employee activities, the MUSC Administrative and Clinical Conflict
608 of Interest Committee shall be composed of faculty and University support staff. The voting
609 members of the Committee shall be composed of a minimum of five individuals who hold
610 faculty appointments and who represent a reasonable cross section of the academic disciplines.
611 Faculty shall be appointed by the Vice President for Academic Affairs and Provost to serve
612 staggered three-year terms.

613 In addition, the Committee shall have the following non-voting members or their designee
614 who shall serve in an *ex officio* capacity: MUSC General Counsel, MUH General Counsel,
615 Director of University Compliance, Director of University Risk Management and other
616 administrative representatives from the university and its colleges. Guests may be invited by the
617 chair to attend Committee meetings, as appropriate.

618 Some members of this committee also participate in the existing Research Conflict of Interest
619 Committee. Because conflicts of interest, whether perceived or actual, may exist across multiple
620 areas of activity and responsibility, regular communications between the two committees is
621 strongly encouraged.

622 All committee members and invited guests must agree that all information and deliberations
623 are confidential.

624 **OFFICERS:**

625 A chair shall be appointed by the Vice President for Academic Affairs and Provost and will
626 serve a two-year term. Upon the recommendation of the Committee chair, a vice chair may also
627 be appointed by the Vice President for Academic Affairs and Provost for an undeclared term and
628 with the authority to conduct any necessary business during the chair’s absence.

629 **SUBCOMMITTEES:**

630 An Executive Committee may be formed to facilitate processing and initial evaluation of
631 disclosures and to determine if full committee review is necessary as defined in the University’s
632 policies and procedures. There may be task-oriented subcommittees appointed as needed by the
633 chair.

634 **FREQUENCY OF MEETINGS:**

635 The Committee shall meet at least quarterly. Additional meetings may be called, or regularly
636 scheduled meetings may be canceled by the chair or two-thirds of the voting members of the
637 Committee. Cancellation of a scheduled meeting should involve the lack of urgent or sufficient
638 items of business, or if too many members will be unable to attend.

639 **NOTICE OF MEETINGS:**

640 An annual schedule of Committee meetings shall be determined at the beginning of each
641 academic year. Notification of Meetings shall be in compliance with South Carolina State Law.

642 **MEETING AGENDA AND SUPPORT MATERIAL:**

643 A formal meeting agenda and appropriate supportive materials shall be available for each
644 Committee member.

645 **COMMITTEE MINUTES:**

646 Summary minutes of each meeting shall be prepared in draft form and approved by the
647 Committee chair. Because of the need to resolve particular issues in a timely manner, it is
648 important that the draft minutes containing all actions or rulings be forwarded to the Vice
649 President for Academic Affairs and Provost, with copies to the Associate Provost for Research,
650 within 2 weeks of the meeting.

651 **COMMITTEE AND SUBCOMMITTEE REPORTS:**

652 The Committee chair shall make all needed written reports, recommendations, or inquiries on
653 behalf of the Committee to the Vice President for Academic Affairs and Provost. Formal rulings
654 of the Committee will be reflected in the Committee's annual report. Records of all financial
655 disclosures and all actions taken by the Administrative & Clinical Conflict of Interest Committee
656 will be maintained for at least three years from the date of submission of the final expenditures
657 report (s) for the applicable project (s) or, where applicable, from other dates specified in South
658 Carolina State law, 45 CFR 50 Subpart F or by other federal funding or oversight agencies.

659 **STAFF SUPPORT:**

660 Staff assistance to the Committee and the Committee Chair shall be provided by the Office of
661 the Vice President for Academic Affairs and Provost.

662 **MEETING QUORUM:**

663 A simple majority of the voting Committee membership will constitute the necessary quorum
664 for conducting official Committee business.

665 **AMENDMENT TO THIS CHARTER:**

666 Should any amendment to this charter be required, the Vice President for Academic Affairs
667 and Provost shall work with the committee chair to derive an amendment suitable to all parties.
668 The amended charter shall be completed, signed, and issued with all possible haste. When the
669 initiative for such amendment comes from the Committee, a written request from the chair to the
670 Vice President for Academic Affairs and Provost shall be provided.

671 **Professional relationships**

672 Covered persons include employees, members of the medical staff, members of the house staff,
673 other members of the workforce, students, and trainees. This policy covers financial
674 relationships affecting our mission in education.

675 <https://www.musc.edu/medcenter/policy/Med/A114.pdf>

676 **Appendix 9.09 University Compliance Plan**

677 http://academicdepartments.musc.edu/uco/uc_plan.htm

678 **Appendix 9.11 Department Chair, Dean and Provost Evaluation Form**

679 **[Evaluation forms for Provost, Deans, Department Chairs are included.]**

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Department Chair Evaluation

700

Academic Year 2008-2009

701

702 **Chair:[Name]**

703 Rate your Chair's performance on each of the following activities using the scale below:

704 1=Unacceptable 2=Poor 3=Adequate 4=Good 5=Excellent 6= Don't Know

A. Leadership / Communication Skills:

- 1. Acts promptly and decisively. 1 2 3 4 5 6
- 2. Is accessible. 1 2 3 4 5 6
- 3. Communicates clearly. 1 2 3 4 5 6
- 4. Is respectful of the ownership of individual faculty member's ideas and work. 1 2 3 4 5 6
- 5. My chair addressed my concerns regarding the budget situation. 1 2 3 4 5 6
- 6. My chair has explained actions taken to address the budget situation. 1 2 3 4 5 6

B. Planning and Goal-Setting:

- 7. Shows sound judgment in making decisions. 1 2 3 4 5 6
- 8. Builds linkages between the department and outside individuals, groups, and organizations. 1 2 3 4 5 6
- 9. Involves faculty in planning and decision making, including budget and appointments. 1 2 3 4 5 6
- 10. Leads with vision in developing plans for achieving department goals. 1 2 3 4 5 6

C. Division of work and evaluation of performance:

- 11. Distributes department tasks fairly and realistically among faculty. 1 2 3 4 5 6
- 12. Assumes an appropriate share of the department workload. 1 2 3 4 5 6
- 13. Gives clear and consistent messages to faculty about expectations for performance. 1 2 3 4 5 6

D. Strengthening and supporting departmental missions:

- Teaching:** 1 2 3 4 5 6
- 14. Stimulates quality and innovative teaching. 1 2 3 4 5 6
- 15. Appreciates and rewards faculty for teaching. 1 2 3 4 5 6
- 16. Allocates appropriate resources, including time, to teaching. 1 2 3 4 5 6

Research:

- | | | | | | | |
|---|---|---|---|---|---|---|
| 17. Stimulates research and scholarly activity within the department. | 1 | 2 | 3 | 4 | 5 | 6 |
| 18. Appreciates and rewards faculty research activity. | 1 | 2 | 3 | 4 | 5 | 6 |
| 19. Allocates appropriate resources, including time, to research. | 1 | 2 | 3 | 4 | 5 | 6 |

Clinical Service (if applicable):

- | | | | | | | |
|---|---|---|---|---|---|---|
| 20. Appreciates and rewards faculty for clinical service. | 1 | 2 | 3 | 4 | 5 | 6 |
| 21. Allocates appropriate resources for clinical service. | 1 | 2 | 3 | 4 | 5 | 6 |
| 22. Protects faculty from excess demands of clinical service. | 1 | 2 | 3 | 4 | 5 | 6 |

E. Support of Faculty Interaction and Inclusiveness:

- | | | | | | | |
|--|---|---|---|---|---|---|
| 23. Applies policy consistently and without personal bias, including salary matters. | 1 | 2 | 3 | 4 | 5 | 6 |
| 24. Effectively promotes cooperation among faculty. | 1 | 2 | 3 | 4 | 5 | 6 |
| 25. Treats, faculty, staff, and students with dignity and respect. | 1 | 2 | 3 | 4 | 5 | 6 |
| 26. Promotes and supports diversity. | 1 | 2 | 3 | 4 | 5 | 6 |
| 27. Maintains faculty morale by preventing or resolving conflicts. | 1 | 2 | 3 | 4 | 5 | 6 |

F. Faculty Development

- | | | | | | | |
|---|---|---|---|---|---|---|
| 28. Serves as a role model and mentor to faculty. | 1 | 2 | 3 | 4 | 5 | 6 |
| 29. Facilitates the professional development of each faculty member. | 1 | 2 | 3 | 4 | 5 | 6 |
| 30. Allocates resources to support faculty enrichment. | 1 | 2 | 3 | 4 | 5 | 6 |
| 31. Assigns work taking into account individual professional goals of faculty. | 1 | 2 | 3 | 4 | 5 | 6 |
| 32. Fosters interprofessional collaboration among faculty, staff, and students. | 1 | 2 | 3 | 4 | 5 | 6 |

G. Management of Budget and Resources

- | | | | | | | |
|--|---|---|---|---|---|---|
| 33. Manages the department budget effectively and fairly. | 1 | 2 | 3 | 4 | 5 | 6 |
| 34. Involves faculty in discussions of budget and resources. | 1 | 2 | 3 | 4 | 5 | 6 |
| 35. Provides adequate departmental clerical and staff support. | 1 | 2 | 3 | 4 | 5 | 6 |

H. Global Assessment:

- | | | | | | | |
|--|---|---|---|---|---|---|
| 36. Overall performance of this chair. | 1 | 2 | 3 | 4 | 5 | 6 |
|--|---|---|---|---|---|---|
1. What are the strengths of this administrator?
 2. What are the areas needing improvement for this administrator?
 3. What specific recommendations do you have to improve the performance of this administrator?
 4. What suggestions do you have for your chair to address your concerns about the budget crisis?

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Library Director Evaluation
Academic Year 2008-2009

[Name]

Rate this library director's performance on each of the following activities using the scale below:

1=Unacceptable 2=Poor 3=Adequate 4=Good 5=Excellent 6= Don't Know

A. Leadership / Communication Skills:

- | | | | | | | |
|--|---|---|---|---|---|---|
| 1. Acts promptly and decisively. | 1 | 2 | 3 | 4 | 5 | 6 |
| 2. Is accessible. | 1 | 2 | 3 | 4 | 5 | 6 |
| 3. Communicates clearly. | 1 | 2 | 3 | 4 | 5 | 6 |
| 4. Is respectful of the ownership of individual faculty member's ideas and work. | 1 | 2 | 3 | 4 | 5 | 6 |
| 5. Addressed my concerns regarding the budget situation. | 1 | 2 | 3 | 4 | 5 | 6 |
| 6. Explained actions taken to address the budget situation. | 1 | 2 | 3 | 4 | 5 | 6 |

B. Planning and Goal-Setting:

- | | | | | | | |
|--|---|---|---|---|---|---|
| 7. Shows sound judgment in making decisions. | 1 | 2 | 3 | 4 | 5 | 6 |
| 8. Builds linkages between the library and outside individuals, groups, and organizations. | 1 | 2 | 3 | 4 | 5 | 6 |
| 9. Involves faculty in planning and decision making, including budget and appointments. | 1 | 2 | 3 | 4 | 5 | 6 |
| 10. Leads with vision in developing plans for achieving department goals. | 1 | 2 | 3 | 4 | 5 | 6 |

C. Division of work and evaluation of performance:

- | | | | | | | |
|--|---|---|---|---|---|---|
| 11. Distributes department tasks fairly and realistically among faculty. | 1 | 2 | 3 | 4 | 5 | 6 |
| 12. Assumes an appropriate share of the department workload. | 1 | 2 | 3 | 4 | 5 | 6 |
| 13. Gives clear and consistent messages to faculty about expectations for performance. | 1 | 2 | 3 | 4 | 5 | 6 |

D. Library Program:

- | | | | | | | |
|---|---|---|---|---|---|---|
| 14. Reflects the mission of the institution. | 1 | 2 | 3 | 4 | 5 | 6 |
| 15. Proactively responds to the changing educational, research, and clinical environment. | 1 | 2 | 3 | 4 | 5 | 6 |
| 16. Effectively participates in decision-making at the university level. | 1 | 2 | 3 | 4 | 5 | 6 |
| 17. Positions library for the future. | | | | | | |

E. Service and Innovation:

- | | | | | | | |
|---|---|---|---|---|---|---|
| 17. Stimulates and fosters an atmosphere of service and innovation. | 1 | 2 | 3 | 4 | 5 | 6 |
| 18. Appreciates and rewards faculty for service and innovation. | 1 | 2 | 3 | 4 | 5 | 6 |

19. Allocates appropriate resources, including time and people to service and innovation.	1	2	3	4	5	6
F. Professionalism:						
23. Encourages participation and contribution to the profession.	1	2	3	4	5	6
24. Participates and contributes on regional and national level in profession.	1	2	3	4	5	6
G. Support of Faculty Interaction and Inclusiveness:						
28. Applies policy consistently and without personal bias, including salary matters.	1	2	3	4	5	6
29. Effectively promotes cooperation among faculty	1	2	3	4	5	6
30. Treats, faculty, staff, and students with dignity and respect.	1	2	3	4	5	6
31. Promotes and supports diversity.	1	2	3	4	5	6
32. Maintains faculty morale by preventing or resolving conflicts.	1	2	3	4	5	6
H. Faculty Development						
26. Serves as a role model and mentor to faculty.	1	2	3	4	5	6
27. Facilitates the professional development of each faculty member.	1	2	3	4	5	6
28. Allocates resources to support faculty enrichment.	1	2	3	4	5	6
29. Assigns work taking into account individual professional goals of faculty.	1	2	3	4	5	6
30. Fosters interprofessional collaboration among faculty, staff, and students.	1	2	3	4	5	6
I. Management of Budget and Resources						
33. Manages the department budget effectively and fairly.	1	2	3	4	5	6
34. Involves faculty in discussions of budget and resources.	1	2	3	4	5	6
35. Provides adequate departmental clerical and staff support.	1	2	3	4	5	6
J. Global Assessment:						
36. Overall performance of library director.	1	2	3	4	5	6
5. What are the strengths of this administrator?						
6. What are the areas needing improvement for this administrator?						
7. What specific recommendations do you have to improve the performance of this administrator?						
8. What suggestions do you have for this administrator to address your concerns about the budget crisis?						

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712

713 **Appendix 9.12 Drug free workplace policy HR 47**

714 <http://www.musc.edu/hrm2/policies/policy47.html>

715 **Appendix 9.14 Sexual Harassment Policy**

716 <http://www.musc.edu/genderequity/policy/policystatement.shtml>

717 **Appendix 9.16 Computer Use Policy**

718 <http://www.musc.edu/infoservices/cup.html>

719 Additional Resource: Medical Center Policy on Confidentiality of Patient Information
720 and Medical Record Security (C27) (Revised 8/30/00)

721 http://www.musc.edu/infoservices/lanvision/Regulations_Policies_Guidelines/MUSC_ConfidentialityofPatientInfoPolicy.PDF

723 **Appendix 9.17a MUSC Research Data Ownership & Record Retention (RDO&RR)**

724 <http://academicdepartments.musc.edu/uco/documents/RecordRetentionPolicy.pdf>

725 **Appendix 9.17b Sequestration of Documents**

726 (1) Original Documents and Records. The documents/records to be sequestered will
727 include the original items (or copies if originals cannot be located) that may be
728 relevant to the allegations. [See RDO&RR, Section 3.1, Definition of Research
729 Record]

730 (2) Sequestration of the Records from the Respondent. The administrative official
731 (respondent's most immediate supervisor without conflict of interest) should
732 simultaneously notify the respondent that an inquiry is being initiated, and initiate
733 sequestration so that the respondent can assist with location and identification of
734 the documents/records. At this time, a letter should be given to the respondent
735 stating a) the purpose of the sequestration and b) the rights of the respondent
736 under this and other MUSC policies. If not available, all reasonable efforts
737 should be made to contact the respondent. If this does not prove possible,
738 sequestration may begin in the respondent's absence. The administrative official
739 should obtain the assistance of the respondent's supervisor and institutional legal
740 counsel in this process, as necessary.

741 The respondent should not be notified in advance of sequestration of the
742 documents/records in order to prevent questions being raised later regarding
743 missing items and to prevent accusations against the respondent of tampering with
744 or fabricating data or materials after the notification. In addition to securing
745 documents/records under the control of the respondent, the administrative officer
746 may need to sequester items from other individuals, such as collaborators or
747 complainants. [See RDO&RR, Sections 6.1 & 6.3]

748 (3) Inventory of the Records. A dated receipt should be signed by the sequestering
749 official and the person from whom documents/records are collected, and a copy of
750 the receipt should be given to the latter. If it is not possible to prepare a complete
751 inventory list at the time of sequestration, one should be prepared as soon as

752 possible with a copy given to the person from whom the documents/records were
753 collected. The inventory should contain sufficient information so that individual
754 records can be identified by that individual for the purpose of obtaining copies as
755 needed.

756 (4) Security and Chain of Custody. The administrative official will lock the
757 documents/records in a secure place. At his/her request, the person from whom
758 items are collected must be provided with a copy of any item sequestered. Where
759 feasible, that person will have access to his/her original documents/records under
760 the direct and continuous supervision of an institutional official unless it is
761 determined that such access may compromise any subsequent anticipated court
762 proceeding. This will ensure that a proper chain of custody is maintained and that
763 the originals are kept. (12/13/02)

764 **Appendix 9.18 University Disaster Preparedness Policy**

765 <https://www.musc.edu/medcenter/disasterToolbox>

766 **Appendix 9.18a Disaster Preparedness – Research Continuity**

767 <http://research.musc.edu/DPRC.html>

768 **Appendix 9.19 Copyright Protection**

769 <http://www.library.musc.edu/page.php?id=1315>

770 **Appendix 10.02 Responsible Conduct of Research**

771 <http://research.musc.edu/ori/ric/home.htm>

772 **Appendix 11.02 Upward Faculty Mobility Toward Advanced Degrees**

773 **PURPOSE:** This policy is intended for the primary purpose of enhancing the value of the
774 professional status of the faculty member in further service to MUSC. The University, therefore,
775 upon prior approval of the dean of the college in which s/he holds primary appointment, offers
776 the faculty member who does not possess a terminal degree in her/his field an opportunity to
777 pursue a planned program for upward mobility toward an advanced degree.

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

780 **Academic Requirements:**

- 781 1) In any course of study pursued toward a degree, the faculty member shall meet the same
782 requirements for the degree, as published in the University Bulletin, as any other student.
- 783 2) The student/faculty member will be required to meet the regularly scheduled class times in
784 courses in which s/he is enrolled.
 - 785 a) Student laboratory assignments that can be accomplished outside of the faculty member's
786 normal working time may be made an exception, if approved IN ADVANCE by the
787 deans and department chairs concerned.
 - 788 b) If his/her duties and responsibilities as a faculty member conflict with his/her student
789 class hours, his/her faculty responsibilities shall take precedence. This is to be
790 determined by the deans involved.
- 791 3) The faculty member seeking an MUSC degree will be required to demonstrate his/her
792 academic progress to a committee of qualified evaluators at least once each year by means of
793 either a written and/or oral examination. The results of the evaluation will be submitted by

794 this committee to the dean of the college in which the degree is being pursued and to the
795 department chair, if appropriate. This dean shall file a copy of the report with the Vice
796 President for Academic Affairs and Provost.
797 4) Failure to perform in a satisfactory manner at any time shall be reported to the Vice President
798 for Academic Affairs and Provost by the dean involved.
799 5) No deviation from the approved plan of study will be permitted without a written request
800 from the department chairs, the recommendation of the deans, and the approval of the Vice
801 President for Academic Affairs and Provost. Such approval for an amended study plan shall
802 be filed in the student/faculty member's record in the office of the University Registrar.

803 **Financial Considerations and Requirements as a Faculty Member:**

- 804 1) The faculty member who has been admitted as a student to a degree program in at the
805 Medical University or elsewhere must abide by the following if s/he is to receive financial
806 considerations by the University:
807 a) promotion as a faculty member may be denied during the period of time the degree
808 program is in progress.
809 b) faculty salary increases other than "across the board" raises may be denied.
810 c) obtaining of the degree in no way obligates MUSC to alter his/her initial faculty
811 appointment, to promote him/her, or to significantly adjust his/her salary, although any or
812 all of these may be a result.
813 d) s/he shall agree, in writing, to continue his/her employment to MUSC for a period of not
814 less than one year after receiving the degree.
815 2) The faculty member who agrees to the above financial terms may pursue his/her approved
816 plan of study at the yearly average rate of 15% of his/her normal work time, with no
817 reduction in salary.
818 3) If an accelerated plan of study is requested by the faculty member and is approved by the
819 chair, deans, and the Vice President for Academic Affairs and Provost, the faculty member
820 must voluntarily reduce both her/his teaching responsibilities and her/his salary
821 proportionately.
822 4) If the approved plan of study includes extensive bench research or clinical rotations during
823 normal faculty working time, a proportionate salary reduction shall be required. If this is
824 determined at the time the program is initially approved, the amount of salary reduction will
825 be determined at that time.

826 **Financial Requirements as a Student:**

- 827 1) While pursuing his/her approved plan of study, the student/faculty member will officially
828 register for each course taken and pay the appropriate tuition and fees as set by the college in
829 which s/he is enrolled. In the year in which the degree is to be conferred, the student/faculty
830 member shall pay, in addition to the required tuition, the full fees required of all students.
831 2) If an accelerated plan, as described in Section 3 under "Financial Considerations and
832 Requirements as a Faculty Member," is in effect, the student/faculty member must pay the
833 appropriate tuition each semester.

834 **Procedure for Faculty Member:**

- 835 1) The faculty member shall submit (a) to the chair of his/her department and the dean of the
836 college in which s/he holds primary faculty appointment, and if applicable (b) to the dean of
837 the college in which s/he proposes to pursue the advanced degree, a complete outline of the
838 proposed curriculum, semester by semester. S/he shall also indicate all courses to be taken,
839 the proposed research and/or clinical experience required, and the degree which is to be
840 sought.
841 2) If the faculty member's proposal is disapproved at any step in the Administrative Procedure
842 stated below, s/he will be so notified; this action shall be considered final.
843 3) If the faculty member's proposal is approved, the Vice President for Academic Affairs and
844 Provost will notify him/her in writing and s/he may then proceed to apply for admission

845 through the regularly prescribed admissions policy of the college in which s/he is seeking
846 admission.

- 847 4) The application for admission shall have attached to it the following:
848 a) outline of plan of study
849 b) letter of approval from the Vice President for Academic Affairs and Provost to pursue the
850 degree as outlined
851 c) required application fee.

852 **Administrative Procedure:**

- 853 1) Upon receipt of a request with attachment thereto of a complete outline of proposed study as
854 stated under "Procedure for Faculty Member" above, to pursue admission to a s pecific
855 advanced degree program within a college of the Medical University, the dean(s) of the
856 college(s) concerned in conjunction with the appropriate department chairs either approve or
857 disapprove the request. If more than one dean is concerned (i.e., if the dean of the college of
858 proposed study is different from the dean of the college in which the faculty member holds
859 primary appointment), approval to apply for admission must be by both. Either one
860 disapproving, the request shall be denied.
- 861 2) If the request is approved, the dean of the college in which the faculty member holds primary
862 appointment shall write a letter to the Vice President for Academic Affairs and Provost, with
863 a copy to the dean of the college to whom the faculty member will submit his/her application,
864 stating willingness for the faculty member to apply for admission as a student. The letter
865 should include: (a) how all of the individual's duties, teaching responsibilities, and other
866 commitments to his/her department would be met; (b) what financial considerations would
867 apply as described in section (2) under "Financial Considerations and Requirements as a
868 Faculty Member," and (c) indication of approval of the plan of study.
- 869 3) In like manner, if the request is approved, the dean of the college of proposed student
870 enrollment shall notify the Vice President for Academic Affairs and Provost in writing of: (a)
871 procedures for evaluation of the faculty member's progress as a student in accordance with
872 his/her approved plan of study; and (b) the names of the faculty members assigned to
873 evaluate the faculty/student's progress. Such progress will be evaluated in accordance with
874 Sections (3) and (4) under "Academic Requirements."
- 875 4) The faculty member shall then be notified in writing by the Vice President for Academic
876 Affairs and Provost that her/his plan of study has been approved and that s/he may apply for
877 admission through the regular admissions process of the college in which the advanced
878 degree is to be sought.

879 Any time the above procedures or processes are not adhered to, the faculty member, if admitted
880 to a course of study, may be removed from the college in which s/he is enrolled or may be
881 required to reimburse MUSC for any financial losses suffered either as a result of being a student
882 and/or a faculty member.
883

884 **Appendix 11.04 University Travel Guidelines, Policies and Procedures**

885 **MEDICAL UNIVERSITY OF SOUTH CAROLINA’S AND STATE BUDGET AND**
886 **CONTROL BOARD’S REGULATIONS FOR REIMBURSEMENT FOR TRAVEL AND**
887 **SUBSISTENCE EXPENSES**

888 Introduction

889 The Medical University of South Carolina (MUSC), as an agency of the State of South Carolina,
890 is subject to the [travel guidelines set by the State Budget and Control Board](#).

891 [<http://www.state.sc.us/dio/OIOinternaltravelguidelines.pdf>] (Revision date 12/8/2005)

892 This manual is based on State as well as Medical University policies and procedures for travel.
893 The guidelines provided herein shall be adhered to by all employees who travel on Medical
894 University business. In cases where an individual’s travel itinerary may conflict with guidelines
895 herein, it is requested that the Travel Office be notified in advance so to avoid any delays in
896 reimbursement upon return from the trip.

897 MUSC Policies regarding travel reimbursement can be found at this URL:

898 <http://academicdepartments.musc.edu/vpfa/policies/index.htm>

899 To see the policies specific to Travel use the pull down menu under Chapters and select 7 –
900 Travel.

901

MUSC.edu | MUSC A to Z | MUSC Health

Finance & Administration

POLICIES

Quick Clicks: Select a Department/Service Search: MUSC

F & A Home
 For Faculty, Staff & Students
 For Visitors
 For F & A Staff

Quick Clicks

- > For Vendors
- > Human Resources
- > Policies & Procedures
- > Forms Library

Finance & Administration > FAPolicies

Finance and Administration Policies

The drop-down menu below contains policies and procedures for many of the departments within Finance and Administration. These policies and procedures are designed to assist our customers with university business processes. Some departments in Finance and Administration do not have policies and procedures available on-line.

If you have a question or you can't find the policy you need, please contact us or call us at 792-5050

Chapters: 7- Travel

Keyword search:

Policy	Title
7-1.0	General Information
7-2.0	Travel Authorization
7-3.0	Registration
7-4.0	Meal Allowances
7-5.0	Lodging
7-6.0	Air Transportation
7-7.0	Private Vehicles
7-8.0	Vehicle Rental
7-9.0	Gratuities and Portage
7-10.0	Telephone Calls
7-11.0	Foreign Travel
7-12.0	Dependents Accompanying Employee
7-13.0	Travel for Disabled Employees

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904 **Appendix 11.05 Faculty Tuition Assistance Policy**
905 University HR: Link to Tuition Assistance Request Form found within policy
906 <http://www.musc.edu/hrm2/policies/policy17.html>
907 Hospital HR
908 <http://www.musc.edu/hr/documents/POLICY17-TUITIONASSISTANCE.pdf>

909 **Appendix 12.02 Paid Time Off (PTO) Policy HR18**
910 University HR
911 <http://www.musc.edu/hrm2/policies/Policy18.pdf>
912 Hospital HR
913 <http://www.musc.edu/hr/documents/POLICY18-PTO.pdf>

914 **Appendix 12.02a University Family and Medical Leave Policy/ form HR 30**
915 <http://www.musc.edu/hr/documents/POLICY30-FMLA.pdf>

916 **Appendix 12.02b PTO Donation Policy HR 19**
917 <http://www.musc.edu/hr/documents/POLICY19-PTODONATION.pdf>

918 **Appendix 13.03 Additional Faculty Employment Benefits**

919 For additional information related to these benefits, contact [MUSC Human Resources](http://academicdepartments.musc.edu/vpfa/hrm/index.htm)
920 [Management Service Center](http://academicdepartments.musc.edu/vpfa/hrm/index.htm) [<http://academicdepartments.musc.edu/vpfa/hrm/index.htm>]

921 To find a list of benefits go to: Employee Benefits
922 <http://academicdepartments.musc.edu/vpfa/hrm/benefits/>

923 For an overview of Benefits:<http://academicdepartments.musc.edu/vpfa/hrm/benefits/index.htm>

924 For Insurance Guidelines:
925 <http://academicdepartments.musc.edu/vpfa/hrm/benefits/guidelines.htm>

926 The comparison between UMA and MUSC Benefits is location at the following link:
927 <http://academicdepartments.musc.edu/vpfa/hrm/benefits/faculty%20benefits>

928 Additional Employee Benefits:
929 <http://academicdepartments.musc.edu/vpfa/hrm/benefits/otherbenefit.htm>