



# Faculty Handbook

UNIVERSITY OF ROCHESTER

UPDATED: MAY 2018

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## **I. Introduction** [updated May 2017]

This handbook sets forth policies, procedures, and information that, by common consent, are those governing the University faculty as a whole.

Either the Office of the Provost, or the Senate Executive Committee, may initiate revisions to this handbook. Following a proposal to revise the handbook, the Provost and the Senate Executive Committee must agree on the proper Senate committee to consider the proposal. After consideration of the proposal, that committee reports its findings to the Provost and Senate Executive Committee. The proposed handbook changes are forwarded as well to the academic units of the University. The authorized governance bodies in each of the academic units will report to the Senate Executive Committee the results of any deliberations on the proposed changes. The Senate Executive Committee reports to the Senate and the Provost about the impact of the proposed changes. After completion of these steps, the Faculty Senate will vote on the proposed changes and communicate the result and the accompanying report to the Board of Trustees. The Board of Trustees will consider the Senate's report and any recommendation from the Provost, for their final action.

The Senate Executive Committee in consultation with the full Senate may approve changes that are trivial, non-substantive, or required by changes in applicable law, without use of the process described above. Board of Trustees approval is unnecessary for changes to the handbook that are trivial, non-substantive, or required by applicable law.

As text is amended, an email announcement will be sent to all faculty via the faculty listserv. Amended sections will be dated, and a cumulative summary of all changes will be included at the end of the handbook.

This handbook is not intended to replace or supersede faculty rules and regulations of the several schools and colleges or the applicable personnel policies set forth in the University's Human Resources Policies which can be found at <http://www.rochester.edu/working/hr/policies>. In the event of a conflict or inconsistency, the University's personnel policies and procedures will govern. In some circumstances (signaled by a phrase such as "schools may adopt"), the policies set forth in this handbook enable or allow colleges and schools to adopt certain policies at their discretion. In such cases, the policies and procedures of the school or college determine how the policies will be implemented.

The University's Policy on Policy-Making requires that certain policies referenced in this Manual which impact faculty in a manner distinct from or more significantly than others will be discussed before adoption with the Faculty Senate Executive Committee and, if the Executive Committee deems it appropriate, with the entire Faculty Senate.

See: <http://internal.rochester.edu/policy/documents/PolicyonPolicies.pdf>.

Although this handbook delineates many of the rules that govern the faculty of the University, underlying these rules are the fundamental convictions that shape the life of the modern university— above all, an abiding commitment to the free inquiry essential to the creation and dissemination of knowledge. As John Dewey, the first president of the American Association of University Professors said at the turn of the twentieth century, "Any attack, or even any restriction, upon academic freedom is directed against the university itself. To investigate truth; critically to verify fact; to reach conclusions by means of the best methods at command, untrammelled by external fear or favor, to communicate this truth to students; to

interpret to them its bearing on the questions they will have to face in life—this is precisely the aim and object of the university. To aim a blow at any one of these operations is to deal a vital wound to the university itself." This University is committed in word and deed to the protection of unfettered inquiry and the academic freedom of its faculty. In turn, while each faculty member has the freedom to determine how to make signal contributions to their field, each is expected to adhere to the ethical standards and evidentiary criteria for that field, and to discharge responsibly their obligations to the University as a teacher, scholar, and citizen.

The policy content of this handbook was approved by the Board of Trustees on May 18, 2018.

## **II. Organization**

### **A. Trustees** [updated May 2014]

The original New York State provisional charter was granted in January 1850 to the Trustees of the University of Rochester by the Board of Regents for and on behalf of the State Education Department. The charter commits “the superintendence of the interests of this institution” to the Board of Trustees. Those interests include educational activities, appointments, physical properties, endowment, financial matters, public relations, and the granting of degrees.

The Board of Trustees is empowered to determine its number, from time to time. The University bylaws govern the number, election and other terms relating to the members of the Board of Trustees.

There are three regular meetings of the Board each year: in the fall, in the winter, and in the week preceding Commencement. Special meetings may also be called at any time by the president or the chair of the Board or by the most senior trustee upon the written request of any three Board members.

Trustees of the University serve without remuneration.

#### **1. *The Committees of the Board*** [updated May 2014]

The Executive Committee consists of the president of the University, the chair of the Board, the chairs of the Board’s standing committees, and such other trustees as the Board may elect from time to time. In the intervals between Board meetings, the Executive Committee has general charge of the affairs of the University and may exercise all the powers of the Board in all matters, except that this power does not extend to the granting of degrees, removals from office, the election of trustees, or the amendment, alteration, or repeal of the bylaws.

The Board has standing committees on audit, facilities, investment, personnel, health affairs, academic affairs, external affairs, student affairs, financial planning, and nominations/board practices. A select committee on compliance and compensation reviews the compensation of officers and matters that might involve a trustee or other senior official in an actual or potential conflict of interest.

### **A. Central Administration**

#### **1. *President*** [updated July 1999]

The president, as chief executive officer of the University, has overall responsibility for its supervision and management. All officers of the University are accountable to the president, who is chair of the faculties of all the schools. The president is appointed by the trustees and is accountable to them. The responsibilities of the office are described in more detail in the University bylaws.

## **2. *Provost*** [updated July 1999]

The provost, the second University officer, reports to the president and serves as the president's deputy when necessary. As the chief academic officer, the provost's primary concern is with the nature and organization of the academic affairs of the University, working closely with the deans.

## **3. *Vice Presidents and Other Officers*** [updated May 2014]

The Board of Trustees shall approve the appointment of the Vice Presidents and such other officers of the University as the Board of Trustees shall determine from time to time.

For organizational charts that show the reporting structure of the administrative and academic operations of the University see <http://www.rochester.edu/aboutus/admin.pdf> and <http://www.rochester.edu/aboutus/programs.pdf>.

## **C. Schools of the University** [updated May 2014]

The University consists of six schools: which includes Arts, Sciences and Engineering; the Eastman School of Music; the School of Medicine and Dentistry; the School of Nursing; the Margaret Warner Graduate School of Education and Human Development; and the William E. Simon Graduate School of Business Administration. Deans lead the schools and their affiliated faculty. Most schools are organized in departments where much of the important work of the University is accomplished.

The University also houses several specialized research centers. Please refer to <http://www.rochester.edu/research/> for a comprehensive listing of those centers.

## **D. Graduate Studies** [updated July 1999]

The primary responsibility for graduate studies at the University of Rochester is with the faculties of the several schools, all of which offer work leading to the Ph.D. as well as in some cases (education, medicine, and music) work toward professional degrees. Work toward degrees at the master's level and professional doctoral degrees (e.g., Ed.D., M.D., D.N.P. and D.M.A.) is supervised by the faculties of the relevant schools. Responsibility for the quality and the procedure of work for the Ph.D. degree is vested in the University dean of graduate studies. Each of the departments offering graduate work has a director for graduate studies, who oversees graduate work within the department; each school has an associate dean for graduate studies with whom these directors work.

Overall policy for graduate studies is determined by the University Council on Graduate Studies, a group made up of the deans of the schools, the associate deans for graduate studies, and of individual faculty representatives from each of the departments offering work leading to the Ph.D. degree. Its chair is the University dean of graduate studies.

## **E. Faculty Senate** [updated July 2002]

"There shall be established . . . a University-wide Faculty Senate . . . to consider the state of the University . . . to make recommendations for its academic development . . . to inquire into any matter . . . that has



implications for the academic function and welfare of the University and to make recommendations concerning such matters . . . ; and to be a channel of communications between and among the various faculties and between the collective faculties and the president and the provost of the University." The above is drawn from Article 1, Establishment of a University Senate, of the charter and bylaws of the University of Rochester Faculty Senate. The Senate consists of 45 members elected by and from the faculties. Senators are elected, for three-year terms, from among the full-time members of the faculties of the University, and each holds the rank of professor, associate professor, or assistant professor. Prior to the annual election, candidates may be nominated by any group of three qualified members of the electorate (all full-time members of the faculties and all part-time members of the faculties with the rank of professor or associate professor, or equivalent rank). Election is by a preferential system. The only stipulation regarding membership across schools is that each school shall be entitled to at least one senator. The president, the provost, and the University dean of graduate studies are ex officio members of the Senate. (Full and official statements on these matters may be found in the charter and bylaws of the University of Rochester Faculty Senate.)

The Senate ordinarily meets nine times during the academic year. Meetings are from 4 to 6 p.m. by Charter regulation and on a middle Tuesday of the month by custom. Each meeting is presided over by the chair of the Executive Committee or a designated substitute. The agendas for these meetings are prepared by the Executive Committee of the Senate and distributed (along with relevant documents) to Senate membership at least one week prior to each meeting. Topics of discussion include reports from the President on the state of the University in September and January, a report from the Provost on the state of the faculty in May, occasional reports from deans on the states of the various schools, reports from the standing and ad hoc senate committees, and discussion of the University budget.

The standing committees of the Senate are the Executive Committee (the Senate's Agenda Committee), the Elections Committee, and the committees on academic affairs, research policy, faculty benefits, and budget.

A faculty committee elected concurrently with the Senate is the University Committee on Tenure and Privileges. Its role in tenure revocation is described in the section on tenure (subsection "revocation"), and it also is charged to "inform the Senate of all regulations and practices respecting tenure and privileges, in all parts of the University, as they become established or changed."

The chief function of the Senate has been to act as a forum where matters of importance to the University community can be discussed by members of all of its faculties. So that this function may have its broadest impact, full minutes of Senate meetings are distributed to all members of the electorate.

In accordance with the charter provision that all proceedings or recommendations of the Senate shall be confidential within the University, those minutes are labeled confidential.

## **F. Faculty Governance** [updated July 2002]

Faculty participation in governance promotes diversity of ideas, shared responsibility, collaboration, collegiality, and institutional excellence. Furthermore, it is the right of all faculty members to participate in governance without fear of retaliation in subsequent decisions on promotion, salary, and conditions of employment. It is the responsibility of the central administration, deans and department chairs to protect these rights.

Every academic unit (including departments) should have a set of written rules and procedures for its governance, with copies available to each faculty member. The governing faculty of each academic unit should establish the operating procedures of its academic unit governance entities including, but not limited to, procedures of agenda setting, establishment of a quorum, determination of membership and voting rights, qualification of attendance by persons other than members, appointment of a faculty secretary, distribution of minutes, and the retention/filing of minutes.

## **G. Intcessors** [updated May 2014]

In addition to the procedures that exist for handling most problems through regular school, departmental, or administrative channels, the Intcessors' Office is available to help resolve difficult problems. This office is particularly interested in identifying patterns of problems that indicate a need to change organizational structures or procedures. Helping individuals is an important way to identify areas that may need general improvement. The intercessors are trained counselors who understand the importance of confidentiality and who will normally honor requests to take no further action. If the intercessor determines, however, that there may be some threat of harm or a pattern of discriminatory or harassing behavior, they may have an independent obligation on behalf of the University to take corrective action.

The Intcessors' Office works with all the speed and confidentiality that particular circumstances allow. Intcessors act as facilitators in attempting to bring conflicts to resolution, using their impartiality and accessibility to give weight to their negotiating role and recommendations.

### **III. University Policies** [updated May 2014]

The University's *Human Resource Policies and Procedures* includes policies that apply to faculty. Please see <http://www.rochester.edu/working/hr/policies> for the content of those policies.

#### **A. Affirmative Action, Equal Employment Opportunity and Discrimination and Harassment** [updated May 2014]

##### **An Inclusive Community**

The University of Rochester envisions itself as a community that welcomes, encourages, and supports individuals who desire to contribute to and benefit from the institution's missions of teaching, research, patient care, performance, and community service. In a pluralistic culture, that community includes faculty, students, and staff who represent important differences. Members of the University's community come from different geographical areas, represent differences in ethnicities, religious beliefs, values, and points of view; they may be physically different, have different intellectual interests, or have different abilities. The University not only welcomes such differences in the members of its community but, in fulfilling its own missions and in preparing the leaders of tomorrow's world who will necessarily be operating in an equally wide-ranging environment, it actively seeks to recruit and include them in all aspects of the institution's operations.

##### **Affirmative Action and Equal Employment Opportunity Statement**

In keeping with its long-standing traditions and policies, the University of Rochester affirms its commitment to non-discrimination and equal opportunity in admissions, employment, access to and treatment in University programs and activities, in accordance with federal, state, and local laws and regulations (including but not limited to Titles VI and VII of the Civil Rights Act of 1964, as amended: Executive Order 11246, as amended by the Executive Order 11375: Revised Order No. 4: the Equal Pay Act of 1963, as amended: the Rehabilitation Act of 1973, as amended: the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended: Titles VII and VIII of the Public Health Service Act: Title IX of the Education Amendments of 1972: the Americans with Disabilities Act (ADA) of 1990, as amended, and all applicable laws and ordinances of the State of New York, the City of Rochester, or other applicable regional governance).

The success of the University of Rochester depends on an environment that fosters vigorous thought and intellectual creativity. It requires an atmosphere in which diverse ideas can be expressed and discussed. The University of Rochester seeks to provide a setting that respects the contributions of all the individuals composing its community, that encourages intellectual and personal development, and that promotes the free exchange of ideas.

To help establish and perpetuate an inclusive and open environment, all members of the University community are expected to support the University's Equal Opportunity Statement:

The University of Rochester values diversity and is committed to the equal opportunity for all persons regardless of age, color, disability, ethnicity, gender identity or expression, genetic information, marital status, military/veteran status, national origin, race, religion/creed, sex, sexual orientation or any other

status protected by law. Further, the University complies with all applicable non-discrimination laws in the administration of its policies, admissions, employment, and access to and treatment in University programs and activities.

The University maintains a policy regarding Affirmative Action, pursuant to its obligations as a federal contractor that can be found at: <http://www.rochester.edu/working/hr/policies/pdfpolicies/102.pdf>.

## **Discrimination and Harassment**

The University is committed to maintaining a workplace and academic environment free from unlawful discrimination and harassment. The University prohibits and will not engage in discrimination and harassment based on any status protected by law. Further, the University prohibits retaliation against any person who complains or opposes perceived unlawful discrimination or harassment, including those who participate in investigations or proceedings involving complaints of such discrimination or harassment. See the Policy against Discrimination and Harassment, Policy 106, found at <http://www.rochester.edu/working/hr/policies/pdfpolicies/106.pdf>.

## **B. Conflicting Personal Employment Relationships (Nepotism)**

[updated May 2014]

In general, there are only minimal limitations of employment or continued employment of any person because of a conflicting relationship with another member of the University faculty or staff. Employment is limited only when necessary to avoid conflicts of interest and provide reasonable assurance that each person can carry out the responsibilities of their position as objectively as possible. The University's policy on Conflicting Employment Relationships can be found at [www.rochester.edu/working/hr/policies/pdfpolicies/121.pdf](http://www.rochester.edu/working/hr/policies/pdfpolicies/121.pdf). Its Policy Against Harassment and Discrimination can be found at <https://www.rochester.edu/working/hr/policies/pdfpolicies/106.pdf>.

## **C. Intimate Relationships** [updated May 2018]

Freedom of thought and expression and the opportunity for all members of the University community to pursue knowledge unencumbered are the foundation of the academic enterprise. The development of intimate relationships may, in some cases, compromise the academic relationships that are fundamental to the intellectual and professional development of members of the University. The faculty member - student academic relationship is of special concern in this context given the innate power imbalance between faculty and students; however, such power imbalances also may exist among faculty members. The purpose of this policy is to protect the rights and interests of all members of the University community by avoiding the potential for real or perceived coercion, favoritism, bias, or exploitation that may be created by intimate relationships among members of the University community.

To provide clarity regarding the intentions and purposes of this policy, the following definitions are employed.

- **Student** refers to all full-time, part-time, visiting, or prospective undergraduate or graduate students, and all postgraduate trainees, research associates, residents, and fellows.
- For the purposes of this policy **Faculty** refers to tenure-track, instructional, adjunct, research, and clinical faculty members of all ranks. (Other individuals (e.g.: students, post-doctoral fellows and

other trainees) who exercise academic authority over students should see their respective handbooks for related policies.)

- **Intimate relationships** refer to non-familial sexual, dating, and/or romantic relationships. Note: unwanted advances or other inappropriate behaviors may be considered sexual harassment, which falls under HR Policy 106.
- **The exercise of academic authority** includes the following activities (on or off campus): teaching courses, (i.e., having primary or shared responsibility for the conduct of a course but not, for example, simply delivering occasional guest lectures); grading or otherwise evaluating student work; advising on formal projects such as a thesis or other research; serving as an external examiner or member of a thesis committee; participating in decisions regarding student funding or resource allocation; performing clinical supervision; and making recommendations or otherwise influencing decisions regarding admissions, employment, tenure and promotions, or the awarding of grants, fellowships, or other recognitions. Generally, it is assumed that faculty exercise academic authority over all students in their department or program. However, there are circumstances and academic structures within the University where the assumption of academic authority may not be fitting, for example, in cases of some secondary faculty appointments or informal program affiliations, or in the distributed departments and programs in the School of Medicine and Dentistry. In such cases, it is left to the department chair and cognizant dean to define appropriate domains of academic authority; however, if there is uncertainty on the part of the student or faculty member academic authority should be assumed or clarification about the existence of academic authority should be sought from / determined by the department chair and cognizant dean.

Any questions regarding the above definitions, as well as other aspects of this policy, should be directed to the University Intercessor or the appropriate department chair or dean.

### **The Policy**

III. C. i. Faculty are prohibited from entering into intimate relationships with undergraduate students of the University.

III. C. ii. Faculty are prohibited from entering into intimate relationships with any member of the University community over whom they exercise academic authority as defined above.

III. C. iii. Faculty are prohibited from accepting academic authority (as defined above) over any member of the University community with whom they currently share an intimate relationship, or with whom they have shared such a relationship in the past.

### **Violations**

Violations of this policy will result in disciplinary actions, which can include, but are not limited to, written warnings, loss of privileges, mandatory training or counseling, probation, suspension, demotion (including revocation of tenure), expulsion, and termination of employment. Disciplinary actions will be enforced at the appropriate administrative level ranging from department chair to the Office of the Provost.

## **Exceptions**

In cases in which a mutually consensual relationship develops, exceptions to this policy may be granted, but must be managed carefully by agreement of both parties in the relationship, the chair(s)/dean(s) of the faculty member and other party, and the University Office of Counsel. A written management plan outlining measures to insure the integrity of the academic interaction and to protect the interests of all parties must be filed with the cognizant dean and reviewed annually. The University Intercessor is available for guidance in the creation of such a plan.

## **D. Management of Academic Relationships with Immediate Family Members** [added May 2018]

Close familial relationships may exist between faculty members and other members of the University, for example when a faculty member's child, person over whom the faculty member has legal guardianship, spouse, or committed partner joins the University as a student or member of the faculty. In any such case in which the faculty member may exercise academic authority over the other party, unless there is an existing policy at the program level, a plan must be developed in consultation with the cognizant department chair(s) detailing how any conflicts of interest will be managed. The plan must be approved by the affected party, the faculty member, and the cognizant chair(s) and dean(s).

Related policies include: <https://www.rochester.edu/working/hr/policies/pdfpolicies/121.pdf> and <https://www.rochester.edu/working/hr/policies/pdfpolicies/106.pdf>. *Also refer to other handbooks as developed (graduate handbook, post-doctoral handbook, undergraduate, etc.).*

## **E. Copyright and Fair Use Policy** [updated July 1999]

The University of Rochester acknowledges and encourages the appropriate use (i.e., reproduction, distribution, performance, and display) of copyrighted works and materials for teaching, scholarship, and research purposes consistent with federal copyright law and the standards for fair use. Given both the importance of complying with federal copyright law and the difficulty of determining fair use, the University's copyright and fair use policy provides guidance on the use of the work of others as well as links to copyright and fair use resources. (Please refer to <http://www.lib.rochester.edu/copyright/> .)

## **F. Disability Accommodation** [updated May 2014]

The University of Rochester is committed to providing equal educational and employment opportunities for qualified individuals with disabilities, in accordance with state and federal laws and regulations, including the Americans with Disabilities Act (ADA) of 1990 and Section 504 of the Rehabilitation Act of 1973. Further, the University is committed to applying the strengths of its resources, talents, and ingenuity to maintain an inclusive environment for individuals with disabilities. The University's affirmative action policy for individuals with disabilities, including disabled veterans, is included in Policy 102, which can be found at <http://www.rochester.edu/working/hr/policies/pdfpolicies/102.pdf>.

## **G. Dissent and Public Order** [updated July 1999]

### **1. Standards of Conduct**

In compliance with the provisions of the law of the State of New York, the following principles, regulations, and procedures for the maintenance of public order upon University campuses or other University property are adopted by the Board of Trustees of the University of Rochester.

No member of the University community or guest shall engage in the following behavior upon University premises:

1. Obstruction or disruption of teaching or other University activities.
2. Prevention of free movement, such as pedestrian or vehicular.
3. Possession or use of firearms; explosives; dangerous, destructive, or noxious chemicals; or any dangerous or apparently dangerous weapons, other than as allowed by law and University regulation.
4. Detention, physical abuse, or conduct that threatens bodily harm or endangers the health of any person.
5. Intentional damage to or theft of University property or the property of any person when such property is located on the premises of the University.
6. Entry into living quarters, private offices, or working area of another person, without express or implied permission of that person or an authorized University official; or invasion of the privacy of records, data, or communications belonging to individuals, to the University, or to others.

### **2. Procedures for Addressing Violations**

It is the right of any member of the University community to bring appropriate charges if it is felt that their rights or these preceding standards have been violated.

If a violation of the preceding standards of conduct threatens to disrupt some activity on the University campus or other University property, the person in charge of the activity should attempt to address those persons creating or threatening to create the disturbance. The primary aim should be to re-establish appropriate conditions so that the activity may proceed. If they are able to do this reasonably quickly, disciplinary charges may not be necessary.

If the individual in charge of the activity cannot re-establish order, they should, as far as practicable, (1) request the disruptive party(ies) to desist, and (2) state the perceived violation of the standards. It is then the obligation of the parties concerned to supply their names.

Any person who fails to comply with the above obligation may be removed and barred from the University activity. If removing the person(s) from the activity in question is not sufficient to remove a clear and present danger, the appropriate University official may eject and bar the person(s) from the University campus and property.

Failure to comply with a request to desist does not in itself constitute a breach of University regulations. Ensuing University judicial proceedings will determine whether a violation in fact had occurred, and the guilt or innocence of the parties charged. No action or omission of the person in charge of the activity shall in any way limit the responsibility of an individual for their own actions of disruption or creation of disorder.

In a university, even more than in the community at large, it is appropriate that force, which is available only from outside the university, be used as little as possible in preventing disruption and disorder. Correspondingly, in a university, impediments to freedom of speech and movement and to rationality are intolerable—even those that in the community at large would be minor. Proceedings under civil law are not a bar to University judicial proceedings.

In the event that any visitor to University premises violates any of these regulations, an appropriate University official shall ask them to leave the University premises. If the visitor refuses to leave University premises promptly, the University shall, if necessary, seek the aid of and cooperate with civil authorities.

Civil charges may be filed by an appropriate University official for any misconduct, disruption, or disorder on the campus, whether by visitors or members of the University.

## **H. Distinguished Visitors** [updated July 1999]

Most of our invited speakers are distinguished in their fields. A few have a degree of national or international importance—which makes it a discourtesy if they are not welcomed to the University by the president or their designate; examples are senators, members of Congress, cabinet members, ambassadors, heads of state, presidents of colleges and universities, and scholars of extraordinary distinction. We ask that the inviters of such dignitaries contact the Office of the President when such visits are contemplated, and we ask those who schedule rooms for such persons to inform the Office.

## **I. Drugs** [updated May 2014]

The University's policy on the use of alcohol and other drugs can be found at [www.rochester.edu/working/hr/policies/pdfpolicies/171.pdf](http://www.rochester.edu/working/hr/policies/pdfpolicies/171.pdf) and its policy on drug testing can be found at [www.rochester.edu/working/hr/policies/pdfpolicies/151.pdf](http://www.rochester.edu/working/hr/policies/pdfpolicies/151.pdf).

## **J. Flag Procedures** [updated July 1999]

The University flag and the American flag are flown daily, except in inclement weather. The American flag is lowered to half-staff in accordance with protocols endorsed by Congress. The University flag is also flown at half-staff whenever the American flag is so displayed. Pursuant to protocols established and administered by the Office of the University Secretary, the University flag is also flown at half-staff at other appropriate times of collective bereavement, such as on the occasion of a funeral or memorial service for a student or a member or former member of the faculty, senior administration, or Board of Trustees. Requests for a lowering of the University flag should be made to the appropriate campus administrator:

Eastman School of Music	Office of the Director
Laboratory for Laser Energetics	Office of the Director
	Office of the Senior Vice President and Vice Provost for
Medical Center	Health Affairs
Memorial Art Gallery	Office of the Director
River Campus	Office of the Chaplain

Requests for a lowering of the University flag on all campuses and questions regarding flag policies and procedures should be directed to the office of the University secretary.



## **K. Political Activity** [updated May 2014]

Recognition of its own purposes under the Charter and compliance with federal and state laws for not-for-profit corporations require that the University remain non-partisan and independent in politics. Individual members of the University community, of course, have the right to participate in the political process so long as they do not speak or act in the name of the University. More detailed statement on the rights and obligations of faculty and staff on this subject can be found at [www.rochester.edu/working/hr/policies/pdfpolicies/112.pdf](http://www.rochester.edu/working/hr/policies/pdfpolicies/112.pdf) (on political activity) and [www.rochester.edu/working/hr/policies/pdfpolicies/109.pdf](http://www.rochester.edu/working/hr/policies/pdfpolicies/109.pdf) (on Solicitation, Canvassing and Leafleting Activity).

## **L. Religious Observance** [updated May 2014]

The University must comply with New York State Education Law Section 224-a, which includes, among other things, that students who choose not to register for classes, attend classes, or take exams on certain days because of their religious beliefs will be given an equivalent opportunity to register for classes or to make up the work requirements or exams they miss, without penalties or additional fees. The University maintains a policy consistent with New York law, regarding Religious Observance by students in connection with academic matters which can be found at <http://www.rochester.edu/registrar/policies.html#holidays>.

## **M. Safety** [updated May 2014]

It is the policy of the University of Rochester to provide an environment in which recognized hazards that could cause injury or illness to faculty, staff, students, patients, or visitors are controlled and monitored, and to protect its facilities from risk of damage from unsafe acts or conditions. The safety and well-being of all persons on University property or engaged in University activities are of primary concern. Each member of the University community, including each member of the faculty, is expected to share this concern and to participate in University efforts to encourage safety and control risk in all activities. It is each person's responsibility to be alert to actual or potential hazards and to take appropriate steps to control them.

The Office of University Risk Management and Environmental Safety provides expertise, assistance, and coordination for the University's programs in industrial hygiene (workplace safety), fire safety, pest control, and food sanitation. The office also provides training classes to help departments educate their people in these areas as well as to help them remain compliant with governmental regulations.

Research laboratories present particular concerns for safety. Faculty engaged in laboratory instruction or research are obligated to assure compliance with applicable safety protocols and regulations in their labs. The Office of Radiation Safety in the Medical Center governs the safe use of radioactive materials throughout the University. The Hazardous Waste Management Unit in the Office of University Facilities and Services handles the proper disposal of hazardous materials. Faculty should consult with the safety-related offices regarding the appropriate procedures to follow.

See the University's Policy on Safety or Personal Protective Equipment which can be found at <http://www.rochester.edu/working/hr/policies/pdfpolicies/158.pdf>.

## **N. Security** [updated May 2014]

University Public Safety ("Security") has the primary duty to respond in all medical, fire, and criminal emergencies at the University. Security staff is available to help 24 hours a day, 7 days a week. In an emergency, use any University phone to dial x13, or pick up any direct line blue light emergency phone. For non-emergencies, dial x5-3333.

Security acts to prevent criminal activity as well as to respond to it through such measures as prevention education, preventive patrols, and escorts. Members of the University community are encouraged to remain aware of their surroundings, to observe self-protective measures, and to report any potential threats to the community's well-being. Please refer to the latest edition of the publication titled *Think Safe* for additional information concerning services provided. It may be obtained by calling x5-3437.

Security serves as a liaison with public law enforcement agencies. Cooperation between those outside agencies and the University community promotes awareness of the needs of one's neighbors and fosters a sense of common purpose and protection for all. Unlawful acts or evidence thereof may be reported to the appropriate law enforcement agencies.

## **O. Smoking** [updated May 2014]

In light of the clear health hazards associated with tobacco smoke and as an institution committed to promoting the best possible health care for all, the University of Rochester has adopted a Smoke Free Institution Policy that can be found at:

<https://www.rochester.edu/working/hr/policies/pdfpolicies/170.pdf>.

## **P. Solicitation of Funds** [updated May 2014]

Faculty can play a significant role in soliciting gifts to support the University from individuals, corporations, and foundations. The Advancement staff can assist faculty in identifying potential donors, preparing proposals, and meeting with existing and prospective donors.

Advancement maintains a database, central file, and clearance system for the University. Before discussing a project or soliciting funds from an individual, corporation, or foundation, faculty members should contact the appropriate Advancement (development) office as well as their dean or director to learn the status of the prospective donor in order to avoid multiple or conflicting interactions that may be confusing for the prospect.

When a faculty member receives a commitment or an actual gift from a donor, the Advancement Office should be contacted. There are templates for different types of gifts that are helpful and should be used if possible. A gift transmittal form can be obtained from the Advancement Office. Using the transmittal form will assure that a gift or pledge is properly recorded and that funds are deposited to the appropriate account. If gifts are not properly recorded, the University's system of acknowledging gifts and providing required receipts for tax purposes does not function. The result could be that the donor is not properly thanked, and the deduction is jeopardized.

## **Q. University Letterhead** [updated July 1999]

When an individual or group uses University letterhead, or employs the phrase "University of Rochester" in a specially invented letterhead, there is the implication that the communication has the sanction of the University. Such letterheads are sometimes used inappropriately in letters or other documents to pursue a personal goal or for social or political purposes that are not the direct responsibility of the University. In these cases, such a letterhead should not be used, however worthy the cause, and in spite of the fact that University members may be part or all of the membership of a group.

Examples of appropriate use of letterhead would be a professor of chemistry writing to a professional society or to a colleague in another university about professional matters, or an official of the Glee Club writing about arrangements for a proposed tour of the club. Examples of inappropriate use would be a group of faculty writing to the mayor of Rochester protesting the city's tax proposals, or a group of students urging the president of the United States to seek the release of a political prisoner. The subject of the communication must be the authorized business of a formal component of the University (such as a department or school, or a student group sanctioned by the University). Otherwise, the group or individual should seek authorization in writing from the president or provost to use the University's name. (In the Medical Center, individuals should seek permission from the senior vice president and vice provost for health affairs.) Sponsorship, for instance, by a department or group in the University, of some cause that is not a specified part of the professional responsibilities of that department or group does not constitute such authorization, nor can anyone except the president or provost grant such authorization.

If there is any doubt about the appropriate use of University letterhead, the provost or the president should be consulted.

## **R. Information Technology Resources and the University Web**

[updated May 2014]

Use of University information technology, including, but not limited to, computers, handheld devices, University (including school and departmental) web pages, email systems and addresses, wireless connectivity, and research computing servers, is governed by the Information Technology Policy.

Access to University information is generally broadly consistent with the concept of academic freedom and the open nature of the institution. There are types of information where access must be restricted, and caution in handling and storing the information is necessary. See the IT Policy for the rules to protect legally restricted information such as Social Security Numbers, Patient Protected Health Information (HIPAA), student records (FERPA), financial accounts, credit and debit card information, and employee personnel records. The Policy also contains rules about how to protect information that is sensitive or proprietary. The IT Policy addresses the level of privacy given to personal use and information on University information technology devices and systems.

For a list of, and links to, Information Technology policies including the University Policy on IT, Acceptable Use, Email Use, Records Retention, File-Sharing and other policies see <http://www.rochester.edu/it/policy/index.html>.

## **S. Signature Authority** [added May 2014]

Faculty and employees may sign contracts in the name of the University only if they have authority to sign as set forth in the University Policy on Contracts, Signatures, and Financial Authority. A contract is defined broadly and includes any agreement or arrangement between the University and an outside entity or individual. It does not apply to internal memoranda of understanding or similar agreements that govern internal relationships between schools, divisions, or departments. Current delegations of signature authority can be found on the Office of Counsel website: <http://internal.rochester.edu/counsel/>.

## **T. Faculty Role in Senior Academic Administrator Searches and Reviews for Reappointment** [added May 2017]

Faculty input into the hiring and review for reappointment of senior academic administrators is essential for creating an environment of openness and inclusiveness at the university.

When a search for a new university president or provost is being conducted, a national search is typically undertaken. When the dean of a school leaves office, it is desirable to conduct a national search for a successor. Faculty members should be participants in a search committee for these senior administrators.

Faculty members should have a role in soliciting input from faculty members for the review for reappointment of senior administrators. Faculty committees will be created for the purpose of compiling input on the reviews for reappointment and communicating this input to the administration by a specified date. In the event that the committee does not communicate input to the administration by a date agreed upon with the committee, the Faculty Senate Executive Committee, and the administration, the review will proceed without that input. The administration may also solicit faculty input directly.

The selection of faculty members for search and reappointment review committees should be the result of collaboration between the administration and the relevant faculty governing body, either the Faculty Senate or, for decanal searches and reviews, the faculty council or similar body of a school.

### **Expedited Hires and Reappointments**

At times, events may call for an expedited hiring or reappointment process for senior academic administrators. Such cases should be carefully justified and should not be the norm. If an expedited hire or reappointment is sought, the administrator charged with the hiring should contact the Faculty Senate chair(s) as soon as possible to provide an explanation of why an expedited process is justified. The Senate chair(s) will be free to discuss the situation with the Senate Executive Committee and to provide feedback to the initiating administrator. Ideally, the administrator will leave ample time to receive feedback from the Senate chair(s).

In the case of an expedited reappointment, the review process normally will begin after the reappointment in order to provide the feedback that is the primary product of such reviews.

## IV. Faculty Policies

### A. Faculty Duties, Rank, and Tenure [updated July 1999]

Membership in the faculties of the University carries with it both rights and responsibilities. To be effective as a scholar and teacher, the faculty member must be free to pursue knowledge and to teach what they believe to be true. The faculty member who is granted this freedom should conduct research and teaching with integrity and competence. The University should cultivate academic endeavors of quality and provide the climate of freedom on which they depend.

1. The faculties of the University shall be responsible for conducting instruction and research.
2. Titles normally used for the faculty will be professor, associate professor, assistant professor, and instructor.
3. Subject to approval by the Board of Trustees, additional titles may be created.
4. Appointments to the faculty will be full time or part time.
5. Unlimited tenure (hereinafter referred to as "tenure") will be until retirement and may normally be given only to professors and associate professors.
6. Full-time appointments will be with or without tenure.
7. Part-time appointments will be without tenure and may be made at any rank.
8. Appointments for tenure-track faculty without tenure will be for a predetermined and fixed number of years and may be given at any rank. Renewable appointments of non-tenure-track faculty on term contracts should be reviewed periodically so that appointments without tenure are not continued unreasonably.
9. Tenure resides in the school, the unit of the University responsible for raising the resources to support the faculty. This, however, does not remove the possibility that tenure may be revoked and term contracts abrogated if a department within the school is closed. (See "[Procedures for Revocation of Tenure](#).")
10. Tenure may be revoked and term contracts may be abrogated by the Board of Trustees only for cause, academic cause, or bona fide financial exigency of the University (including as described in Item 9). Cause shall be restricted to physical or mental incompetence or moral conduct unbecoming the position. Academic cause shall be defined as the failure by a member of the faculty to discharge responsibly their fundamental obligations as a teacher, colleague, and member of the wider community of scholars.
11. Should there be suspicion of cause or academic cause for revocation of a faculty member's tenure, the faculty member is guaranteed a full and fair hearing by their peers, following the procedures established by the University Committee on Tenure and Privileges. Prior to a decision, all charges, testimony, and recommendations will be available in writing to the accused, the president of the University, and the trustees.
12. It is the responsibility of the faculty of each school of the University to prepare, for its own guidance, detailed regulations consistent with these principles. Such regulations, and any subsequent changes in them, must be approved and recommended to the president by the University Committee on Tenure and Privileges.

## ***1. Policy on Lengths of Appointments at Various Faculty Ranks*** [updated July 1999]

### **Faculty Appointments**

In adopting these rules governing the terms of faculty appointments, the trustees fully recognize the role that tenure plays in protecting academic freedom. The maximum periods they prescribe for non-tenured appointments are fully consistent with that role; in addition, it is in the interest of the University that maximum periods for non-tenured appointments be uniform among the various schools. Such uniformity will facilitate joint appointments, as well as simplify the administration of appointments and promotions. Finally, uniformity will provide current and potential members of the faculty with a single clear statement of University policy. Within such prescribed limits, however, these rules provide substantial flexibility for individual departments and schools and for individual appointments.

Lengths of service described below apply to full-time tenure-track faculty and are maximal and not mandatory. An individual may be recommended for promotion and tenure at any time that the chair and the dean are persuaded that it is in the University's interest to do so. There is an exception to these rules in the School of Nursing and the School of Medicine and Dentistry for those whose responsibilities include patient care or other professional service. Details are provided in the regulations of those schools.

### ***Instructors***

The first appointment as instructor shall normally be for one year, although appointment may be for two years. Reappointments, if made, are for one year or two years. Instructors will not normally be continued beyond three years without promotion. Further reappointments, if made, may not extend the total period of service beyond five years, not including time on leave. After five years, an instructor will be either promoted or not reappointed to the faculty.

### ***Assistant Professor***

Appointments at the rank of assistant professor are for periods not exceeding four years. The maximum term of service at the rank of assistant professor may not exceed seven years, not including time on non-academic leave. Typically, a review for promotion or tenure is initiated at the end of the fifth year in rank, with notification of the decision being made by the end of the sixth year (see "[Notification of Reappointment or Termination](#)"). Time on academic leave will count toward a faculty member's time in rank. A request in writing to the dean/director is required from a faculty member who wants to postpone promotion or tenure review due to a non-academic leave. Junior Leaves and Bridging Fellowships, alone or in combination with another academic leave, do not delay promotion or tenure decisions.

### ***Associate Professor***

Appointments at the rank of associate professor may be with or without tenure. Appointments at the rank of associate professor without tenure are for periods not exceeding five years. The maximum term of service at the rank of associate professor without tenure may not exceed five years, not including time on personal leave. The maximum combined service at the ranks of assistant professor and associate professor without tenure may not exceed 11 years, not including time on personal leave. Junior Leaves and Bridging Fellowships, alone or in combination with another academic leave, do not delay tenure decisions. When a tenure-track faculty member is promoted, any years remaining on the previous appointment do not add to

the duration of the new appointment. A faculty member may be promoted from associate professor without tenure to associate professor with tenure. Typically, a review for tenure is initiated by the end of the third year in rank, with notification of the decision being made by the end of the fourth year. (This assumes a five-year appointment; for shorter appointments, see "[Notification of Reappointment or Termination.](#)") Exceptions to these regulations exist in the School of Medicine and Dentistry.

### ***Professor***

There is no fixed time prior to consideration for appointment to professor, but a period of six years after tenure is awarded is common. Appointments as professor carry tenure, except that the appointment of a professor from outside the University may be for a fixed period. Service at the rank of professor without tenure may not normally exceed five years, including time on academic leave.

### **Joint and Programmatic Appointments**

Joint (secondary) and programmatic appointments with unlimited term may be made only when an individual first joins the University, or when needed to retain a valued faculty member who has been or anticipates being offered a similar position at another university. Secondary appointments do not carry tenure unless specifically agreed to by both departments in advance.

The most desirable period for a joint appointment is three years, a time selected not only to limit the paperwork involved with annual reviews, but also to give sufficient opportunity to sever gracefully an association that has not been mutually useful. Appointments for longer fixed terms may be made when circumstances warrant them.

### **Effective Date of Reappointment, Promotion, or Unlimited Tenure**

Reappointment, promotion, or granting of tenure is effective at either the expiration of the current appointment or the beginning of the next academic year following the decision, whichever comes first. Maximum terms of service specified above may be extended to bring an individual's appointment into phase with the normal academic year calendar. Notice of reappointment, promotion, or granting of tenure does not constitute a de facto change prior to the beginning of the next academic year. In particular, in the event of action to revoke an appointment, the procedures, rights, and obligations pertaining to the existing appointment would apply, not those that would pertain to a reappointment, promotion, or indefinite tenure not yet in effect. When a tenure-track faculty member is promoted, any years remaining on the previous appointment do not add to the duration of the new appointment.

### **Notification of Reappointment or Termination**

An instructor, assistant professor, associate professor, or professor on an appointment of two years or less must be notified in writing, five months before the appointment expires, whether or not they are to be reappointed. An assistant professor, associate professor, or professor without tenure whose total appointments at these ranks exceed two years must be notified in writing, not later than one year before the appointment expires, whether or not they are to be reappointed. Failure to receive notification does not entitle a faculty member to reappointment, promotion, or tenure. If they have not been notified, the dean or director of the school should be informed, and a prompt response will be provided. (If a prompt response is not obtained, the faculty member should consult with the provost or the president.) If the response is to inform the individual of termination, then the termination shall not be sooner than five months from the

sending of the response in the case of individuals on appointments of two years or less, or one year in the case of individuals whose total appointments at these ranks exceed two years.

## **2. *Process for Appointment and Reappointment*** [updated July 2002]

### **Appointment to Instructor and Assistant Professor**

These appointments are made by the dean of each school acting on the recommendation of the appropriate chair, if there is one. Prior approval by the provost is not required so long as the appointment is within previously agreed academic and financial plans.

### **Reappointment as Assistant Professor**

The first review customarily occurs in the year prior to the end of an assistant professor's term appointment. As in cases of promotion to tenure described below, teaching, scholarship, and service are assessed but usually only by internal colleagues. At this stage in a career, promise of distinction rather than achievement is expected. The department's and school's review processes are inspected by the provost to be sure all interested parties have been consulted.

### **Appointments from Outside the University**

Appointments made from outside the University to ranks that do not carry tenure do not require review by a committee. Approval of the provost and president and, depending on the length of the appointment, the Board of Trustees is required for ranks higher than assistant professor. (In the School of Medicine and Dentistry and in the School of Nursing, approval of the senior vice president and vice provost for health affairs is also required.)

Appointments made from outside the University to tenured positions require review by an ad hoc committee in precisely the same way – and need precisely the same supporting information – as promotions within the University, whether initiated before the appointment begins or after a period of service as professor without tenure.

### **Joint Appointments**

When a joint (secondary) or programmatic appointment is made, a letter from the chair or dean should become a part of the record. It should indicate precisely the conditions of the appointment, and particularly if there is an expectation of teaching or committee work. It is not expected that the letter will spell out details, such as course and committee assignments in any one year, since the letter should be valid for the entire period of the appointment. It should indicate the role of the individual in department meetings and in appointments or promotions within the department. When an appointment spans more than one school, an additional letter signed by all relevant deans should delineate the nature of the salary and research support, the distribution of any externally funded research support, the duration of the agreement, an understanding of how teaching and other responsibilities of the faculty member will be assigned, and how replacement of the faculty member's effort in the home department (if relevant) will be accomplished.



Purely courtesy appointments, with no duties of any kind, are undesirable because they imply to students and others that the professor is part of the department when such is not the case. They will not be approved unless extraordinary reasons can be provided.

Under these guidelines, the joint appointee will be providing a service to the department, and it is expected that the individual will be treated as a faculty member within the school of the department in which they have a joint appointment, and will be accorded the usual courtesies, including invitations to faculty meetings and faculty celebrations. Each school may decide whether such joint appointees should have a vote at faculty meetings, but it is recommended that they should. These specifics should be spelled out in the materials supporting the appointment.

Multiple joint appointments are generally undesirable because they dilute the significance of such appointments for all individuals, and if they are multiple, it may be difficult for the individual to be of service to such numerous departments.

### **3. *Process for Promotion*** [updated July 1999, unless otherwise noted]

#### **Criteria for Promotion**

In professional schools, specific criteria may differ. In such cases, the criteria of the professional school govern.

#### ***Promotion to Tenure***

The key promotion is to tenure; subsequent sections will relate other promotions to this one. The principal factors considered are teaching, scholarly or artistic work, and service to the department, school, and University.

The first threshold that must be crossed on the path to tenure is excellence in teaching. Each school seeks its own approach to the difficult task of evaluating teaching, with the one proviso that the evaluation be formal rather than merely anecdotal. It is very much in the interests of the untenured professor to assure that some form of documented demonstration of teaching excellence becomes part of the record.

The second threshold is scholarship or artistic work. To achieve tenure, a faculty member is expected to have made signal scholarly contributions to their chosen field; in artistic areas, they are expected to have produced creative work of distinction. Since scholars and artists work in communities marked by widely shared standards of individual achievement, the judgments about the work of a scholar or artist by those who have themselves met those standards is a critical part of the case for tenure. In most academic fields, there is an appropriate literature that is recognized as the medium of exchange, and intellectual distinction derives from contributions (in books or journals) to that literature. For tenure, published contributions to this literature are necessary, along with the testimony of expert referees that these contributions are of exceptional quality. It is virtually always required that these contributions have appeared in print or be in press. For tenure, it is not enough that intellectual distinction is promised; it has to be achieved. The expectation that the faculty member continues to play a leadership role in the future is also an important factor in achieving tenure.

Published scholarship is, in subjects like music, replaced by performance; in studio art it is replaced by the creation of works of art. The case for tenure then rests on a documented demonstration that the candidate has made a contribution of such importance that it is nationally recognized.

Passage of these two thresholds is a necessary but not sufficient basis for promotion to tenure. If the thresholds are passed, then one considers the overall excellence of the candidate, which may be heavily based on outstanding research, or heavily on fine teaching, or (most preferred) on great achievement in both of these areas.

Service is the third area of consideration; the definition of an appropriate level is difficult indeed. Unless an individual has demonstrated willingness to work for the department, it is not likely that colleagues will be prepared to recommend tenure. Similarly, the ad hoc committee of faculty will hardly wish to recommend that the University retain indefinitely somebody who has such a preoccupation with teaching and research that the many other responsibilities of faculty members are neglected.

The above comments have dealt with past performance and its documentation. But, of course, a central concern in tenure is with future expectations, and the primary use of the record of the past is to answer affirmatively the question "Is this individual likely to be an important teacher, scholar (or artist), and contributor to the University's work for the many years ahead?"

Once a department has recommended tenure, the other necessary step in the process is evaluation by an ad hoc faculty committee, whose responsibility is to weigh the numerous factors in an individual's case and provide a recommendation on whether the interests of the University are best served by the promotion.

### ***Promotion to Associate Professor without Tenure***

This rank can be used as an early promotion for particularly promising cases or as an initial appointment of candidates who have experience beyond the level of an assistant professor. In some cases, fields, or schools, the material to support tenure develops at a pace such that the criteria for tenure previously stated are not met within the five-year period preceding the initiation of the review process. In such cases and when the expectations are good that the criteria will be met within a few years, not more than five, promotion to associate professor without tenure is appropriate.

### ***Promotion to Full Professor***

This promotion may be awarded when a tenured individual has continued to grow in intellectual leadership and in teaching excellence, and has in this way become a senior authority in the country, a valuable teacher, and an important contributor to the school or University or both.

### **Documentation in Promotion**

The following does not apply to the School of Medicine and Dentistry and the School of Nursing. Please refer to the handbooks of those schools. Individual units of the University may require more detailed information. The guidelines provided by the dean or director should be followed.

A much-reduced version of the following information for a tenure case is appropriate for promotion to full professor; none is required for the promotion from instructor to assistant professor. A completed summary sheet of the contents must accompany each promotion package.

**In the following numbered items, the phrase "appropriate faculty members" refers to faculty members in the candidate's division, department, or school at rank and tenure equal to or greater than the proposed promotion. A school may adopt more restrictive definitions of "appropriate faculty members." In such cases, the school's definition should be followed.**

1. Initiation of the process leading to promotion rests with the chair of the department (or, in smaller schools, with the dean). If a faculty member believes that the department chair (or dean) has not put forward a recommendation for reappointment or promotion at an appropriate time or for the appropriate type of promotion, the faculty member may appeal to the dean (or provost, if the dean is the initial recommender).
2. There should be a statement from the candidate about their plans for the future and a current curriculum vita. The statement should cover all areas, including scholarship and teaching.
3. Before seeking outside letters, the chair (or, in smaller schools, the dean) will have discussed with the appropriate faculty members whether the chances for promotion are good. If the decision at that point is negative, there will usually be no outside letters requested. It is important that the chair communicate a negative decision quickly.
4. When promotion is sought, letters from outside reviewers should be obtained, and should be studied by appropriate faculty members. Usually, a dozen outside letters are ample; fewer letters may be acceptable in some fields. At least three of the letters should be from persons whom the chair affirms in a covering letter are not closely connected personally with the candidate, e.g., as a close colleague, co-author, personal friend, or Ph.D. supervisor.
5. The documentation should include a copy of the letter that the chair writes to the outside reviewers seeking an opinion.
6. Brief biographical material should be provided for each of the outside referents. A copy of the entry in the appropriate professional biographical book (e.g., *American Men and Women of Science*) is usually adequate. This material is helpful in judging the standing of the referent, and in indicating institutional affiliations that may overlap with the candidate.
7. The chair must seek referents in addition to those suggested by the candidate, and must provide in the covering letter a statement about which names the chair added. This requires that the chair not ask the candidate to give a total list of all available opinions. Instead, the candidate should be asked to provide the names of (for instance) five or six referents, so that these can readily be supplemented by the chair.
8. All appropriate faculty members shall discuss and vote upon the promotion. In addition, a committee of appropriate faculty members may be formed to make recommendations regarding the promotion. This committee is representative of the appropriate faculty in the candidate's department, division, or school. The appropriate faculty members shall have access to all documentation solicited on the candidate's behalf, except letters written by the appropriate faculty to the chair, dean, or director. (See Item 9 below.)
9. Each appropriate faculty member is expected to give to the chair, division head, or dean their written opinions and judgments regarding the candidate's promotion. In the case of a representative promotions committee, a report signed by all committee members may substitute for a letter from each of those committee members. These notices become a part of the case for promotion to be used by the dean and the provost. At the end of the procedure, there will be only one set of originals retained in the central University files.
10. It is assumed that the case forwarded from the department reflects the opinions of the faculty appropriate to consider the promotion, that these opinions have been frankly shared in discussion, and that any range of views is reflected in a complete set of individual faculty letters that are forwarded with the case by the department.

11. Specific attention should be paid to the excellence of teaching as well as scholarly or performance excellence. For internal candidates, formal course evaluation information should be included. When the candidate comes from another setting, comparable information should be assembled as available.
12. The number of copies required differs by the type of promotion. Since promotion to associate professor without tenure relies on standing committees of up to seven members, seven sets of the readily reproducible material (curriculum vitae, letters, etc.) are needed and as many sets as possible, up to seven, of less easily reproducible material, such as books and recordings. For all promotions to tenure, four copies are needed. For promotion from tenured associate professor to professor, one complete set of material is necessary.
13. Ad hoc committees are very sensitive to the quality of the institutions of the individuals from whom opinions are sought. Sometimes there may be good reasons why few individuals from prestigious institutions are included, for instance if the subject at hand is not well studied at major institutions. If such is the case, the chair should comment explicitly upon this in the covering letter. In all cases, the chair should go to some length to assure that the roster of referents is an excellent one.
14. Chairs are urged to include in their letters of inquiry to referents a request that individual comparisons be made. This is a fairly common but not yet universal practice, and it is extremely helpful to compare the various letters to see whether they reflect a common view of the standing of the candidate. An appropriate example is: "It would be particularly helpful if you would compare X with other named individuals of comparable standing in the field."
15. When a faculty member who holds a joint appointment or affiliation in another department or unit of the University is being considered for reappointment, promotion, or tenure, the chair of the home department should officially solicit input from the head of the secondary unit. That input should be part of the case forwarded to the dean or director.
16. All promotion-related documentation, unless otherwise specified, is assumed to be obtained with the understanding that it is confidential.

### ***Promotion to Associate Professor without Tenure***

The following applies to all except the School of Medicine and Dentistry and the School of Nursing; please refer to the handbooks of those schools. In schools having departments (or their equivalent) with chairs, the process is initiated by the chair, who gathers appropriate material for consideration by tenured members of the department. The material includes a detailed description of the research, teaching, and service activities of the candidate, and letters of evaluation from scholars outside the University and (where appropriate) from inside it. The chair reports to the dean the opinion of the faculty and makes their own recommendation. (In the Margaret Warner Graduate School of Education and Human Development and the William E. Simon Graduate School of Business Administration, the dean seeks the opinion of the tenured faculty directly, but in other ways the procedure is identical.) If the dean believes the promotion is warranted, they forward the material, with a covering letter, to the provost, who puts the matter before the appropriate promotions committee.

There are three such committees: arts and humanities, social sciences, and physical and biological sciences. Each is chaired by the provost and has up to six additional faculty members serving five-year staggered terms. Members are appointed by the provost in consultation with the president from a list of names recommended by the deans based upon recommendations made by department chairs. The composition of the committees is published annually in *Currents*.

The promotion committee makes its recommendations to the president and provost, who review the recommendation and subsequently make their own recommendation (when positive) to the Board of Trustees, whose decision is final.

### ***Promotion to Associate Professor with Tenure***

The procedure is the same as is described in "[Promotion to Associate Professor without Tenure](#)" up to the point at which the dean proposes to make a positive recommendation. The dean will suggest to the provost the names of individuals who might be asked to serve on an ad hoc committee to review the matter. None of the members is from the home department, and one is usually from a different unit of the University. The committee provides a written recommendation to the president and provost, who study this response and subsequently pass their own recommendation (when positive) to the Board of Trustees for final action.

### ***Promotion to Full Professor***

The procedure for promotion of internal candidates to full professor is the same as is described in "[Promotion to Associate Professor without Tenure](#)" up to the point at which the dean proposes to make a positive recommendation. The recommendation is then reviewed by the president and provost and positive recommendations are passed to the Board of Trustees for final action.

For appointments with tenure from outside the University, the procedure is as described in "[Promotion to Associate Professor with Tenure](#)."

### ***Reappointment and Promotion for Faculty Members on Part-Time Appointment***

Documentation to substantiate a recommendation for reappointment or promotion of a person on a part-time appointment should be comparable to a person on a full-time appointment. The material should move from the department to the dean or director to the provost, who will decide if advice from a committee is necessary.

### **Postponement of Promotion or Tenure Review [updated May 2014]**

A full-time tenure track faculty member who adds a new child to the family will automatically be given a one-year postponement of the promotion or tenure review next following the child's birth or adoption. In all cases, the faculty member must be employed as a full-time tenure track faculty member of the University of Rochester at the time of the birth or adoption, and living in the same household as the child.

If the tenure-track faculty member again adds a new child to the family while employed by the University of Rochester, they will automatically be given another one-year postponement for a maximum of two one-year postponements (unless the department chair and dean agree to additional extensions). The faculty member's review will take place one year (or two years if the faculty member receives a second one-year postponement) after the time the review would have taken place in the absence of the postponement.

In all cases where the contract duration is intentionally synchronized with the tenure decision, then extending the tenure clock automatically extends the contract as well.

This policy applies to reviews for promotion or tenure only. Extension for other reviews will be determined by the dean and department chair after a discussion with the faculty member.

In order to facilitate the automatic extension(s), the faculty member should notify the department chair or dean as soon as possible.

If a full-time tenure track faculty member does not wish the automatic postponement(s) under this policy, they should notify the department chair or dean of the intent to waive the postponement as far in advance as possible under the circumstances.

A faculty member may also request a postponement of promotion or tenure review by one year if health or personal problems impose severe burdens on their progress. Requests will be considered only within one year of the occurrence of the special circumstances. The request is made through the department chair to the dean and to the provost for decision. (In the School of Medicine and Dentistry and in the School of Nursing, the request is made through the department chair to the dean and to the Senior Vice President for Health Sciences and CEO of the Medical Center for decision.) Normally no more than one one-year postponement will be granted for health or personal problems. A tenure or promotion decision should not be delayed beyond the eleventh year of an initial appointment as an assistant professor.

#### **Reconsideration / Review of Promotion Decisions** [updated May 2018]

If the review committee did not have before it, through no fault of the candidate or their sponsors, some information of substantial importance at the time the committee was developing its recommendations, the provost or senior vice president for health sciences may ask for reconsideration of the case by the same committee, whether it be a standing committee or an ad hoc committee.

Generally, there is no appeal on substantive ground of the decision of the president, the provost or senior vice president for health sciences. If a faculty member believes that there were procedural irregularities, or that there was infringement upon the academic freedom of the individual in the consideration of their case, they may initiate an appeal. It is the responsibility of the complainant to demonstrate the way the adverse decision that is the subject of the complaint was taken in response to an action protected by the principle of academic freedom. The appeal will follow the same procedures as a “[Tenure and Appointment Grievance](#)” under “[Faculty Grievance Procedures](#)” in this Handbook. On the basis of the reports produced by the Faculty Grievance Committee (defined below) and the University Committee on Tenure and Privileges, the president and provost may elect to modify their prior decision.

#### **4. *Appointment Papers*** [updated July 1999]

All newly hired faculty members are required to provide verification of authorization to work. Documents that verify eligibility include a U.S. passport, a certificate of U.S. citizenship, or a certificate of naturalization.

#### **5. *Appointment of Foreign Nationals*** [updated May 2014]

The International Services Office manages the immigration work for anyone holding an academic appointment with the University. The International Services Office must obtain work authorization from the Immigration and Naturalization Service for each foreign national *before* they can begin any appointment with the University. Typically, it takes three to four months to obtain work authorization. Hiring departments must contact the Office of Immigration Services at 275-3314 *before an offer is made*

to a foreign national. The work-authorized, non-immigrant classifications most often used at the University are H-1B (non-immigrant, temporary visitor in a specialty occupation), J-1 (nonimmigrant and exchange worker), and TN (Canadian citizen with authorization to work for a specific employer).

## **6. *Periods of Appointment*** [updated July 1999]

The academic year is typically for nine months, or September 1 through May 31, or September 15 through June 15, except in the School of Medicine and Dentistry and the Laboratory for Laser Energetics, where appointments are made for 12 months. Appointments are normally effective on July 1, and salaries are commonly paid in 12 equal monthly installments on the last day of each month. In any given year, a faculty member is therefore being paid an advance during the summer months for activities in the coming academic year.

Because a faculty member is paid only for work in the academic year, they are free to arrange with outside agencies to be paid for activities during the three summer months. Normally, when external funds are involved, a maximum of 2.5 months of support is funded at a rate of not more than 1/9 of the academic-year salary per month of summer support. The appropriate academic-year salary is that which starts in July of the summer that is worked. The rate should include the University's retirement contribution.

## **7. *Simultaneous Appointments at Other Institutions*** [updated July 1999]

It is often appropriate that a faculty member of the University of Rochester hold simultaneously an appointment at another institution. Examples would be during a summer period (for those on nine-month appointments) or an academic leave. It is quite common for faculty to visit other institutions at such times, and entirely fitting if (for instance) a "visiting professorship" or something like it is arranged to give the individual appropriate status and access to facilities at the institution that is being visited. When the individual is not being paid full time by the University of Rochester for such a period, they are free to negotiate such a title – with or without salary – with the other institution for whatever fraction of time is not paid by the University of Rochester.

By contrast, during periods in which an individual is on full-time pay from the University of Rochester and is not on leave, the simultaneous holding of a title, with or without salary, at another academic institution, or at any institution if remuneration is involved, must be with the concurrence of the department and school of the University of Rochester. In such circumstances, the individual should begin by discussing the matter with the chair (or the dean if there is no chair). In considering whether to approve an appointment at another institution when remuneration is involved, the chair should be guided by the present policy on consultation. (See "Consulting.") If the chair approves an arrangement with the professor, the professor should set down that approval in writing along with an explicit statement of their understanding of the terms of the agreement. If there is any consideration of a substantial amount of time away from the University, in association with an appointment elsewhere, the chair should discuss the matter with the dean.

The above is the basic policy on simultaneous appointments at other institutions that holds throughout the University. Specific schools and units may have additional policies. Please consult the office of the appropriate dean or vice president for details.

## 8. *Resignation* [updated July 1999]

It is customary to notify a department chair prior to May 1 of a resignation effective at the close of the academic year.

## B. Special Faculty Titles

### 1. *Visiting Faculty* [updated July 1999]

The term "visiting" appended to an academic title usually implies that the individual is a visitor from another institution who retains their status at that institution. It invariably implies a relatively transient appointment. A term of up to one year is usual. In very special cases, it could be extended for another year, and in truly extraordinary circumstances, for a third year. The title should not be used for individuals when prolonged appointments are anticipated.

The authority required for visiting appointments is precisely the same as for the related regular appointments. For instance, visiting assistant professors can be appointed on the authority of a dean (provided that the appointment is within the academic and financial plans previously agreed to by the dean and the provost), but visiting associate professors can be appointed only with the approval of the provost, senior vice president and vice provost for health affairs (Medical Center cases only), or president and the Executive Committee of the Board of Trustees.

### 2. *Part-Time Faculty* [updated July 1999]

All titles used for members of the instructional faculty may be used for persons appointed on a part-time basis, with the part-time designation following the title given (e.g., professor, PT). Part-time members of the faculty are normally compensated at an appropriate schedule in proportion to the amount of time given in service to the University. Appointments may be recommended by the department chair with appropriate faculty approval, with a review of the appointment made in the same manner as the other appointments. The duration of a part-time appointment will normally not exceed one year; in rare instances, arrangements for a longer period of time may be made when the intention is clear that the relationship with the University is a continuing one. Such appointments are renewable.

Certain University benefits apply in full to part-time faculty, such as travel and accident insurance, workers' compensation and medical insurance. Others, for example tuition benefits, are not applicable. The Office of Human Resources should be consulted about details of applicable benefits.

Part-time positions are never tenured, nor are the customary rules for maximum time in rank applicable.

### 3. *Adjunct Faculty* [updated November 2002]

The titles adjunct professor, adjunct associate professor, and adjunct assistant professor may be used to provide faculty status for professional persons whose primary place of appointment is outside the University or outside of the school in which the appointment is given. Appointments may be recommended by the departmental chair with appropriate faculty approval, with the review of the appointment made in the same manner as with other appointments. The duration of the appointment should be indicated at the



time of appointment. In rare instances, a distinguished person might be given an indefinite appointment as adjunct professor.

Adjunct faculty will often be affiliated with an institution with which the University is cooperating in some way. The activities expected of adjunct faculty on behalf of the University will be a matter of record both in the University department and in the home institution, with an indication of approval for the activity.

Normally, there will be no compensation for adjunct faculty. Any agreement regarding compensation, however, will be a matter of record. University benefits will not normally be provided.

By department action, adjunct and part-time faculty members may be permitted to attend all faculty meetings and to have full vote on matters pertaining to ongoing research and instructional programs. Attendance at and participation in departmental meetings will be at the discretion of the department, although adjunct and part-time faculty members will not normally be involved in review of matters of promotion, appointment, or allocation of departmental resources with long-term implications. Their assignments may include, when appropriate, the advising of undergraduate and graduate students. Service on doctoral committees, with approval of the appropriate associate dean for graduate studies and the University Dean of Graduate Studies, is permissible under current rules of the Graduate Council; however, only adjunct professors whose appointments are expected to continue for a sufficient period will be eligible to serve in such a role. Adjunct faculty may not serve as the primary dissertation advisor.

#### **4. *Clinical and Other Special Faculty*** [updated July 1999]

Some of the professional schools give titles to faculty members outside the tenure track who perform teaching or other functions. At the William E. Simon Graduate School of Business Administration, for example, the titles of lecturer, senior lecturer, and professorial lecturer are given to those in the teaching track. At the Schools of Medicine and Dentistry, and the School of Nursing, clinical faculty contribute to the teaching mission and the professional obligations of the schools.

Deans or, in the School of Medicine and Dentistry and the School of Nursing, the senior vice president and vice provost for health affairs, may propose special titles and the associated appointment schedules after appropriate consultation within the schools. The proposals are submitted to the University Committee on Tenure and Privileges for review and advice, and to the Board of Trustees, which must approve them.

#### **5. *Emeritus Status*** [updated July 1999]

When an individual holding the rank of assistant, associate, or full professor retires, they will be eligible for consideration for the title "emeritus professor."

The formal action for such a designation follows the usual channels for changes in title; it originates in the department and goes through the dean's office to the provost. Approval by the Executive Committee of the Board of Trustees is required.

## **6. *Other Nontenure Faculty Titles*** [updated July 1999]

### **Full-Time**

Full-time faculty are normally appointed to positions with titles named in the section on “[Faculty Appointments](#),” with promotion and tenure procedures described in the pages following that description. For exceptional cases, special titles are available for appointments outside of the tenure track. Adoption of any of these special titles by any school, and the suggested rules for these appointments, is reviewed by the University Committee on Tenure and Privileges (as described in the section on “[Faculty Senate](#)”). Titles allowed under this section include assistant professor (teaching), associate professor (teaching), and professor (teaching); assistant professor (research), associate professor (research), and professor (research); associate and senior associate; research associate and senior research associate; and scientist and senior scientist. In the School of Medicine and Dentistry, the following titles may also be used for appointments outside the tenure track: research assistant professor, research associate professor, and research professor.

### **Part-Time**

Persons who teach part time and do not hold regular academic appointments at the University of Rochester may hold any of the following titles: assistant lecturer, associate lecturer, lecturer, and senior lecturer. The title is also used in some departments and schools where it denotes a part-time position; in the Eastman School of Music, it is used for non-tenured collegiate positions.

## **C. Faculty Grievance Procedures** [updated May 2018]

All faculty who are eligible to vote in Senate elections have available to them three different grievance procedures:

The first procedure is designed for grievances relating to faculty reappointments, promotions, and tenure, the second procedure is for general grievances, and the third procedure is for those relating to discrimination. The faculty member decides which of these procedures most closely fits their concern, since only one of these procedures may be utilized for any particular grievance. The details of each procedure are given below.

Grievances related to faculty reappointments, promotions and tenure follow the procedure described in “[Tenure and Appointment Grievances](#).”

Grievances over faculty salaries, teaching loads, office space, real and potential conflicts of interest, and the like, follow the procedure described under “[General Grievances](#).”

Grievances in which a faculty member believes that they have suffered discrimination or harassment on the grounds of sex, race, age, national origin, disability, religion, sexual orientation, or gender identity are subject to the procedure outlined in the University of Rochester’s Policy Against Discrimination and Harassment ([Policy 106](#)). Any case in which a member of the University community alleges discrimination or harassment by a faculty member follows the same procedure.

These three procedures are appropriate for grievances relating to events occurring while an individual holds a faculty position. Each school makes its own determination of the ranks that confer faculty status, and the appropriate dean's office shall be consulted in cases of doubt.

References to academic freedom in this Handbook are taken from the *Statement of Principles on Academic Freedom and Tenure* adopted by the Association of American University Professors and the Association of American Colleges in 1940 as these were further interpreted by a joint committee of those associations in 1970.

1. Faculty members are entitled to full freedom in research and in the publication of results, subject to the performance of their other academic duties such as teaching, administrative service, clinical responsibilities and whatever other responsibilities are specified in their appointment agreement.
2. Faculty members are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject.
3. Faculty members are participants in civil society, members of a learned profession, and officers of an educational institution. When they speak or write as participants in civil society, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, exercise appropriate restraint, show respect for the opinions of others, and make every effort to indicate that they are not speaking for the institution.
4. Both the protection of academic freedom and the requirements of academic responsibility apply to all faculty who exercise teaching responsibilities.

At any step in these procedures an administrator may wish to consult their customary advisory body. For instance, when the dean of the School of Medicine and Dentistry is involved, they may seek advice from the school's Executive Committee.

These procedures have no bearing upon hospital privileges at Strong Memorial Hospital or any other hospital affiliated with the University. Special procedures approved by the Joint Commission for the Accreditation of Health Care Organizations exist for this purpose.

## ***1. Tenure and Appointment Grievances***

If an individual believes that they have grounds for a grievance based on a decision related to tenure, the granting of tenure, reappointments or promotions, they shall inform, in writing, the president, provost, and, in cases involving the School of Medicine and Dentistry, or the School of Nursing, the senior vice president for health sciences. Grounds for such a grievance include both procedural irregularities in the way decisions were reached as well as violations of an individual's academic freedom. The president and provost will then refer the matter to the University Committee on Tenure and Privileges for review and recommendation.

If the person presenting the grievance is a member of the University Committee on Tenure and Privileges, they shall withdraw from the committee until the case is settled. Similarly, if any member of the committee is a member of the same department as that of grievant, they shall withdraw from this committee when it convenes for this purpose until the case is settled. Other members of the committee shall withdraw from

the committee during any investigation if, in their own judgment, they are not able to participate impartially. If any member of the committee withdraws for any of these reasons, they should be temporarily replaced by a member of one of the faculties of the University who has tenure, the new and temporary member being chosen by the remaining members of the committee.

If the president, provost and the University Committee on Tenure and Privileges are unanimous that the grievance is without *prima facie* merit and should not be heard, the process may end with the University Committee on Tenure and Privileges submitting a letter to the president, provost and complainant to this effect.

If any of the president, provost or University Committee on Tenure and Privileges decides the case should be heard, the University Committee on Tenure and Privileges shall promptly appoint a Faculty Grievance Committee of five members of the faculty from a list, nominated by the president or provost (in consultation with the senior vice president for health sciences for cases involving the School of Medicine and Dentistry or the School of Nursing), of 15 members with tenure from the faculties of the University of Rochester. This list shall have appropriate representation from the same school as the faculty member presenting the grievance, and shall have a majority from that school unless the president finds it unreasonable. The University Committee on Tenure and Privileges shall apply the same principle in selecting the Faculty Grievance Committee. The Faculty Grievance Committee may, at its discretion, add to the committee not more than two members of the faculties of other institutions from a panel of six such persons nominated by the president or provost (in consultation with the senior vice president for health sciences for cases involving the School of Medicine and Dentistry, or the School of Nursing).

It is the duty of the Faculty Grievance Committee to investigate, hold hearings, make recommendations, and report upon any case presented to it. In particular, this committee and the University Committee on Tenure and Privileges shall have access to all documents in the case that are in the possession of the University. The votes of the Faculty Grievance Committee on matters of substance shall be by secret ballot.

The person with the grievance shall have the opportunity to speak directly to the Faculty Grievance Committee, to produce witnesses on their behalf, and to be accompanied by an advisor of their own choosing who may act as counsel. The provost or president may choose to present materials regarding the complainant's work at the University to the Faculty Grievance Committee which would otherwise be confidential, such as internal and external reference letters. The report of the Faculty Grievance Committee shall consist of a summary of its findings and recommendations for the disposition of the case. Their report and a full verbatim record of the hearing shall be presented to the University Committee on Tenure and Privileges.

After completion of their review, the University Committee on Tenure and Privileges will provide the complainant a full verbatim record of the Faculty Grievance Committee hearing, a copy of the Faculty Grievance Committee's report, and a copy of the comments and recommendations of the University Committee on Tenure and Privileges. In grievances involving promotion to tenure, confidential letters submitted by outside reviewers will not be shared with the complainant. The complainant will be expected to keep contents of the verbatim record confidential.

University Committee on Tenure and Privileges shall also submit the report to the dean or director of the appropriate school and to the president, provost, and, in cases involving the School of Medicine or the School of Nursing, the senior vice president for health sciences, with its comments and any

recommendations it may have. The report of the Faculty Grievance Committee and the comments of the University Committee on Tenure and Privileges shall be major factors in the final decision of the administration, and, in cases involving tenure, the Board of Trustees.

The deliberations and recommendations of the University Committee on Tenure and Privileges and of the Faculty Grievance Committee shall be held confidential by their members. All relevant material resulting from these deliberations shall be placed at the disposal of the president and provost, the senior vice president for health sciences (for cases involving the School of Medicine and Dentistry or the School of Nursing), and the appropriate dean or director at their request by the chair of the University Committee on Tenure and Privileges. If, however, the person bringing the grievance shall request it, the University Committee on Tenure and Privileges shall report the recommendations of the Faculty Grievance Committee and of the University Committee to the faculty of the appropriate school, without comment beyond certifying the correctness of the procedure.

Once the final decision has been reached by the president, the provost and the senior vice president for health sciences (for cases involving the School of Medicine and Dentistry or the School of Nursing) and, in cases involving tenure, approved by the Board of Trustees, a letter stating the outcome and broadly explaining the rationale for the decision shall be prepared by the president and provided to the complainant and the University Committee on Tenure and Privileges.

## ***2. General Grievance Procedure***

The procedures described below leave intact an important tenet of the University: the trustees and the central administration have delegated to the schools the responsibility for making academic decisions in their own areas of expertise. In such academic areas, which include the standing of a faculty member in their field as reflected in salary or related matters, the responsibility for the substance of decisions rests with the school itself, and with the dean as the primary representative of that school. Appeals from the decision of the dean to the level of the provost may be made only in cases where the appellant believes that improper procedures have been applied or that bias or prejudice have entered the procedures. It is not in the nature of the University for the provost or president to substitute their academic judgment for the academic judgment of a dean.

General grievance procedures are intended for disputes involving salaries, teaching loads, office space, real and potential conflicts of interest, and the like. It shall not be used, however, for cases in which a faculty member seriously believes their tenure to be violated, for cases involving promotion or reappointments, or for cases in which discrimination is the source of the complaint.

Any member of the faculty who believes that they have a general grievance that does not involve the infringement of academic freedom is not only entitled but is encouraged to go to their department chair (or program director, when applicable and appropriate throughout this policy) and to have a formal hearing of the grievance. They shall first make certain that the department chair has all the evidence that the faculty member wishes, including any written documents, testimonial, or relevant information whatsoever.

The chair may be able to respond at the end of the meeting. In the likely case that new information or arguments emerge at the meeting, the chair may take the grievance under advisement. There is no rule on how long the chair may take to study the whole matter, but the expectation is that it will be a matter of

only a few days unless the hearing opens up some major new area that requires much longer to investigate. At the end of this time, the chair shall report the decision to the faculty member in writing.

If this decision is not satisfactory to the faculty member, they have the right to appeal to the dean. The same procedure shall be followed there. If new information is to be introduced by the complainant, the department chair must have an opportunity to study that and may ask to repeat the original hearing process. It is best if the department chair can accompany the faculty member in the hearing by the dean, but that is not required.

The dean is expected to respond in writing to the complainant within a few days. However, the complexity of the complaint, a need to independently gather information from others, including the department chair if they have not been present during the hearing may delay the decision.

In cases where the grievance crosses department or school boundaries, the complainant should consult the provost who will decide which chair(s) and/or dean(s) should be involved in these hearing processes.

If the faculty member is still unsatisfied, they may inform the provost or the senior vice president for health sciences. The complainant may elect for a hearing solely by the provost. The best interests of the faculty member are usually served in such a hearing if the dean and the department chair can be present, but the faculty member has the right to have this hearing alone if they wish. If new information has become available, the department chair and dean must have an opportunity to study it. If there is substantial new information, the hearing with the chair shall be held again, effectively restarting the process.

After consultation with the provost, any member of the faculty who believes that they have a general grievance that does involve the infringement of academic freedom may request the involvement of a Faculty Grievance Committee. The provost will then refer the case to the University Committee on Tenure and Privileges unless, in consultation with the University Counsel, the provost determines that the grievance should be referred to one of the other two processes described in this document. If so, the provost will inform the complainant of this determination and the procedures for those types of grievance will be followed instead.

If the person presenting the grievance is a member of the University Committee on Tenure and Privileges, they shall withdraw from the committee until the case is settled. Similarly, if any member of the committee is a member of the same department as that of the grievant, they shall withdraw from this committee when it convenes for this purpose until the case is settled. Other members of the committee shall withdraw from the committee during any investigation if, in their own judgment, they are not able to participate impartially. If any member of the committee withdraws for any of these reasons, they should be temporarily replaced by a member of one of the faculties of the University who has tenure, the new and temporary member being chosen by the remaining members of the committee.

If the provost and the University Committee on Tenure and Privileges are unanimous that the grievance is without *prima facie* merit or if the grievance does not relate to academic freedom and therefore should not be heard, the process may end with the University Committee on Tenure and Privileges submitting a letter to the provost and complainant to this effect.

For each grievance that either the University Committee on Tenure and Privileges or the provost determine involves questions of academic freedom, the University Committee on Tenure and Privileges shall

promptly appoint a the Faculty Grievance Committee which consists of five members selected from a list of 15 tenured faculty members of the University of Rochester nominated by the president or provost (in consultation with the senior vice president health sciences for cases involving the School of Medicine and Dentistry or the School of Nursing). In cases involving non-tenure-track faculty members in the School of Medicine and Dentistry or the School of Nursing, the Faculty Grievance Committee will be appointed from a list that includes full- or part-time senior faculty members familiar with their work contexts. This list shall have appropriate representation from the same school as the faculty member presenting the grievance and shall have a majority from that school unless the president or provost finds it unreasonable. The University Committee on Tenure and Privileges shall apply the same principle in selecting the Faculty Grievance Committee. The Faculty Grievance Committee may, at its discretion, add not more than two faculty members from other institutions, selected from a list of six such persons nominated by the president or provost (in consultation with the senior vice president for health sciences for cases involving the School of Medicine and Dentistry, or the School of Nursing).

It is the duty of the Faculty Grievance Committee to investigate, hold hearings, make recommendations, and report upon any case presented to it. The complainant shall have the opportunity to speak directly to the Faculty Grievance Committee, to produce witnesses on their behalf, and to be accompanied by an advisor of their own choosing who may act as counsel. It is the responsibility of the complainant to demonstrate the way the adverse decision that is the subject of the complaint was taken in response to an action protected by the principle of academic freedom. The involved department chair(s) and deans(s) will also have an opportunity to speak at the Faculty Grievance Committee hearing. The provost or president may choose to present materials regarding the complainant's work at the University to the Faculty Grievance Committee which would otherwise be confidential. A verbatim record of the hearing shall be made available to the complainant and the involved department chair(s) and dean(s).

The votes of the Faculty Grievance Committee on matters of substance shall be by secret ballot.

The Faculty Grievance Committee's report shall consist of a summary of findings, comments on the case, and the Faculty Grievance Committee's recommendations for the disposition of the case. The deliberations and recommendations of the Faculty Grievance Committee shall be held confidential by its members. The report shall be presented to the University Committee on Tenure and Privileges which in turn shall submit the report to the provost, and, in cases involving the School of Medicine or the School of Nursing, to the senior vice president for health sciences. The complainant and involved department chair(s) and dean(s) shall also be entitled to receive a copy of the Committee's report and comments of the University Committee on Tenure and Privileges. All relevant material resulting from these deliberations shall be placed at the disposal of the provost or senior vice president for health sciences (for cases involving the School of Medicine and Dentistry or the School of Nursing) by the chair of the University Committee on Tenure and Privileges. The report of the Faculty Grievance Committee and comments of the University Committee on Tenure and Privileges shall be major factors in the final decision of the provost and/or the senior vice president for health sciences.

#### **D. Procedures for Revocation of Tenure** [updated July 1999]

1. Tenure may be revoked and term contracts may be abrogated by the Board of Trustees only for cause, academic cause, or bona fide financial exigency of the University.
2. Cause shall be restricted to physical or mental incompetence or moral conduct unbecoming the position. Academic cause shall be defined as the failure by a member of the faculty to discharge

responsibly their fundamental obligations as a teacher, colleague, and member of the wider community of scholars.

3. Representations made concerning a person with tenure possibly leading to their removal for cause or academic cause, and representations made concerning a person without tenure possibly leading to their removal for cause prior to the end of the period for which they are appointed, must be presented to the University Committee on Tenure and Privileges, and may be initiated by the president, the provost, the senior vice president and vice provost for health affairs, the dean or director of the appropriate school, or the appropriate department chair or division head. The committee may itself make such representations on the grounds of cause or academic cause concerning persons with or without tenure.
4. In any case in which the person whose qualifications as a faculty member are in question is a member of the University Committee on Tenure and Privileges, they shall withdraw from the committee until the case is concluded. Similarly, if any member of the committee is a member of the same department as that of the person under question, they shall withdraw from this committee when it convenes for this purpose until the case is concluded. Other members of the committee shall withdraw from the committee during any investigation if, in their own judgment, they are not able to participate impartially. If any member of the committee withdraws for any of the reasons, they shall be temporarily replaced by a member of one of the faculties of the University who has unlimited tenure, the new and temporary member being chosen by the remaining members of the committee.
5. For each case concerning revocation of tenure, the University Committee on Tenure and Privileges shall promptly appoint a special committee of five members of the faculty from a list, nominated by the president or the provost (in consultation with the senior vice president and vice provost for health affairs in cases involving the School of Medicine and Dentistry or the School of Nursing) of 15 members with unlimited tenure from the faculties of the University of Rochester. This list shall have appropriate representation from the same school as the faculty member against whom charges have been preferred, and shall have a majority from that school unless the president finds it unreasonable. The University Committee on Tenure and Privileges shall apply the same principle in selecting the special committee. The committee may, at its discretion, add to this special committee not more than two members of the faculties of other institutions from a panel of six such persons nominated by the president or the provost (in consultation with the senior vice president and vice provost for health affairs in cases involving the School of Medicine and Dentistry or the School of Nursing).
6. It is the duty of this special committee to investigate, hold hearings, make recommendations, and report upon any case presented to it. In particular, this committee and the University Committee on Tenure and Privileges shall have access to all documents in the case that are in the possession of the University. The votes of the special committee on matters of substance shall be by secret ballot. The person under investigation shall be fully informed, in writing, before the hearing of the charges against them and shall have the opportunity to respond, to be heard in their own defense, to produce witnesses on their behalf, and to be accompanied by an advisor of their own choosing who may act as counsel. If there are charges of incompetence, the testimony may include that of teachers and other scholars either from the University or other institutions. A full stenographic record of the hearings shall be made available to them. They shall be entitled to receive a copy of the special committee's report and of the comments and recommendations of the University Committee on Tenure and Privileges.
7. The report of the special committee shall consist of a summary of its findings and recommendations for the disposition of the case. It shall be presented to the University Committee on Tenure and Privileges, which in turn will submit the report to the dean or director of the appropriate school, the senior vice president and vice provost for health affairs (for cases in the



School of Medicine and Dentistry and the School of Nursing only) and to the provost, with its comments, which may include recommendations concerning the conditions under which the unlimited tenure of the faculty member is to be terminated. The report of the special committee and the comments of the University Committee on Tenure and Privileges shall be major factors in the final decision of the administration and the Board of Trustees.

8. The deliberations and recommendations of the University Committee on Tenure and Privileges and of the special committee shall be held confidential by their members. All relevant material resulting from these deliberations shall be placed at the disposal of the president, provost, the senior vice president and vice provost for health affairs (for cases in the School of Medicine and Dentistry and the School of Nursing only), and the appropriate dean or director at their request by the chair of the University Committee on Tenure and Privileges. If, however, the person whose fitness has been investigated shall request it, the University Committee on Tenure and Privileges shall report the recommendations of its special committee and of the University Committee to the faculty of the appropriate school, without comment beyond certifying the correctness of procedure.
9. In the event of a bona fide financial exigency of the University, the release, by reason of this exigency, of any person with or without tenure prior to the normal expiration of their appointment shall not be carried out by the Board of Trustees prior to consultation with the University Committee on Tenure and Privileges.
10. Discussion of further amendment of these regulations may be initiated at any time by members of the faculties of the University, deans and directors of the schools, the senior vice president and vice provost for health affairs (for cases in the School of Medicine and Dentistry and the School of Nursing only), the president, the provost, or the Board of Trustees. Any specific written agreement concerning tenure between the Board of Trustees and the individual member of the faculties of the University that is in existence at the date of the adoption of these regulations shall remain in force until the stated time of expiration of such agreement. In the case of all new appointments or reappointments after the date of adoption, these regulations shall apply.

## **E. Leaves**

### **1. *Principles Applicable to All Leaves*** [updated July 1999]

Any absence of a faculty member from the campus that involves any interference with their normal instructional, advising, or other duties requires a discussion between the faculty member and the departmental chair about arrangements for such absence. In concert with the dean, the individual requesting the leave has the responsibility for assuring that classes are taught, that students are advised, and that other academic responsibilities are properly managed. (Where the individual is also a department chair, please read "dean" where "chair" appears below. In all cases in the School of Medicine and Dentistry and School of Nursing, please read "senior vice president and vice provost for health affairs" where "dean" appears.)

The faculty member should be sure that the chair knows where they will be, and if possible how they can be reached by telephone or electronic mail, primarily for consultation about the University's work. If any remuneration (beyond that allowed in the usual consulting policy) is provided, the faculty member should tell the chair and dean the details.

In any review by the department chair, dean, or provost of these arrangements, the primary factors considered will be the purpose of the leave and the likelihood that it will strengthen the individual, the department, the school, and the University.

Faculty with nine-month appointments are expected (in the absence of a written variance from their chair or dean) to work throughout the academic year, defined for this purpose as September 1 through May 31 or, in the case of the Simon School, September 15 through June 15. One implication is that periods such as spring break, the break between semesters, or from commencement to the end of May are not vacations. Arrangements to leave during those times have to be made as described under "[Leaves](#)." Faculty who are not employed by the University during the summer are free to arrange remuneration and appointments elsewhere at this time, but they may be called on for such matters as graduate examinations.

## **2. *Leaves of One Week or Less*** [updated July 1999]

When the absence from the campus is for one week or less, arrangements should be made by agreement between the faculty member and the department chair. The department office should have a statement of the arrangements made. No arrangements with the dean and no leave forms are required.

## **3. *Leaves of More Than One Week but Less Than One Month*** [updated July 1999]

To the extent that it affects teaching or similar obligations, any absence longer than one week requires that the department chair submit the purpose of the leave and the arrangements to the dean for approval well in advance of the beginning of the absence. A letter about the arrangements should be placed on file in the college office, but no leave form is required.

## **4. *Leaves of More Than One Month*** [updated July 1999]

These leaves are frequently described as "academic leaves," although it is not implied that briefer leaves are nonacademic. The University's program of academic leave is designed to enhance the scholarship of the faculty member and their value to the University. Leaves are granted on the basis of a well-thought-out plan of research or other scholarly activities that promise to contribute to the development of the faculty member and to make them a more valuable teacher and scholar. The University does not follow a formula plan of sabbatical leaves, but it attempts to provide at least as much freedom for faculty to enlarge and enhance their scholarly excellence by leaves.

An academic leave allows for a concentrated and sustained scholarly effort, which is necessary for the successful pursuit of some types of new knowledge. A leave also enables the faculty member to spend time with a group of scholars different from their usual colleagues, thereby providing the stimulus for new ideas. Academic leaves also permit members of the faculty to serve for short terms in important governmental roles. These positions also provide insights into new avenues of research for the faculty member. Academic leaves are available for tenure-track faculty members only.

A statement of University leave policy, approved by the trustees, set forth the following guidelines for individual leave requests.

1. Each application for leave must be accompanied by a written proposal describing the research and study activities to be followed during the absence. The department chair (dean in schools without

departments) will review the proposal and, if they approve, forward it to the dean together with a letter giving their reasons for support. The dean will add their own analysis and recommendation and submit them to the provost in a timely fashion, preferably very early in the semester preceding the semester during which the leave is to begin.

2. The purpose of academic leave is to encourage and support the scholarly development of faculty, thereby improving the educational programs of the University. Consequently, academic leaves accompanied by any University support will be awarded only to associate and full professors, except in certain circumstances. (See “[Junior Faculty Leaves](#).”)
3. The absence of individual faculty members from campus interferes with the educational program of students and deprives colleagues of important intellectual stimulation. Consequently, priority will be given to those requests where past leaves are least recent or where disruption of instruction is minimal.
4. The purpose of University support of a leave is to increase the value of the individual to the University. Leaves of absence with pay constitute a significant investment on the part of the University in the future career of the individual faculty member. Such leaves are granted on the understanding that the faculty member has an obligation to return to their position at the University for a period of time at least equivalent to the length of the leave. This obligation will be made explicit in the notification that leave is approved. If an individual accepts appointment at another institution after a leave is granted, the University’s financial contribution (including benefits) to the leave will be terminated. An individual who does not return to the University after a paid leave must reimburse the University for the cost incurred to finance the leave.
5. One of the purposes of a leave of absence is to provide the stimulation of a different intellectual environment; another is to permit the individual to become disentangled from committee and other obligations. Consequently, leaves ordinarily should be taken in absentia. In the (rare) cases where part of leave is taken in residence, the individual should remove themselves from all administrative and advisory responsibilities.
6. The faculty member returning from leave has the responsibility of reporting on the work accomplished during their leave and the final financial support arrangements. In addition, any publications resulting from the leave should be reported by the individual to the chair and the dean.
7. With rare exceptions, University funds may be used to support leaves with pay at no more than full salary for one semester or half salary for the academic year. The University’s contribution will be reduced whenever salary is provided from other sources, to limit the total salary for the year to no more than a normal year’s salary.
8. If the salary of a faculty member on leave without pay from the University is paid by a third party, the cost of benefits as well as salary should be borne by the sponsoring agency. When that is not possible, the University may continue its contribution for health benefits and life insurance. The University makes a retirement contribution for only that portion of salary actually paid by the University during the leave.

Not all academic leaves involve support from the University, and faculty members applying for leave are expected to seek outside support as necessary. Scholarly societies, government agencies, and private foundations are also sources of funds for leaves. In some instances, leaves may be granted for service at another institution or with a government agency. Fall semester leaves are granted for the period July 1 to January 15; spring semester leaves are granted for the period January 16 to June 30. The compensation for a one-semester leave is the same whether the leave is taken in the fall or spring. Academic year leaves are granted for the period July 1 to June 30. Leaves, even those without pay from the University, are normally granted for a maximum of one year. In rare cases, a second consecutive year of leave without

pay may be granted. No faculty position can be guaranteed if a person chooses to extend a leave beyond two years.

Replacements are not hired for all persons on leave. The courses normally offered by the faculty member on leave may not be offered while they are away, or the course may be taught by another faculty member, either as an extra load or as a substitute for a course with smaller enrollment.

## **5. *Junior Faculty Leaves*** [updated July 1999]

Untenured faculty members are eligible to apply through their department chairs or comparable officer for Junior Leaves. The principles outlined above are applicable. Awards are made at the discretion of the dean or director, subject to approval by the provost.

Leaves may be granted either between the first and second appointments as assistant professor or between the second appointment as assistant professor and promotion to untenured associate professor. In all cases, the leaves provide salary support. If outside funding is available, it should be used. A Junior Leave, alone or in combination with another academic leave, does not delay the time for a promotion and tenure decision. As with all academic leaves, Junior Leaves are available for tenure-track faculty only.

## **6. *Personal Leaves*** [updated May 2014]

Faculty also may be granted personal leaves for such matters as family illness or other urgent matters that would preclude the performance of the person's responsibilities at the University. The procedure for recommending personal leaves is the same as for academic leaves. In determining whether or not leaves should be granted, consideration will be given to the needs of the department or school as well as to the reason for requesting the leave. Personal leaves may fall within the terms of the Family and Medical Leave Act of 1993. See <http://www.rochester.edu/working/hr/policies> for the University's policies regarding absences with and without pay.

If requested by the faculty member, a personal leave that lasts a semester or more stops the tenure and promotion clock for a faculty member without tenure. This request must be made within one year of the time of the leave, or sooner if a tenure decision would normally be made within that period. For leaves relating to childbirth, adoption and childcare, see "[Parental Leave](#)."

## **7. *Part-Time Leaves*** [updated July 2002]

Individual schools may decide to grant part-time leaves to individual faculty members. Part-time leaves may extend for longer periods of time than traditional leaves only in unusual circumstances. In all part-time leaves, care must be taken to avoid conflicts of interest (as described in "[Conflict of Interest](#).") For faculty on leave at less than full salary, the University's contribution toward retirement will be based only on that portion of salary paid by the University.

As with any paid leave, the dean will approve only those part-time leaves that will benefit the individual, the department, the school, and the University. Further, the faculty member must indicate in writing the duration of the leave and the date of return to full-time employment. Any patentable intellectual property created during the part-time leave is subject to the same terms of intellectual property ownership that apply

to full-time faculty members, and to those on academic leave, unless some alternative agreement is reached in advance with the dean and documented in writing.

For non-tenured faculty on personal (not academic) part-time leave, an adjustment will be made to the promotion and tenure clock in an amount that is proportional to the reduction in effort. For example, a one-year half-time personal leave increases the time remaining on the promotion and tenure clock by one-half year. The effect on the tenure clock must be specified in a written leave agreement.

## **8. *Bridging Fellowships*** [updated July 1999]

Bridging Fellowships are arrangements whereby a faculty member spends a period, usually a semester, in a department other than their own. The other department is often in another school, but is always in the University of Rochester. The distinctive feature of Bridging Fellowships is that they are for study in an area that is peripheral to the fellow's central professional concern, and they permit the acquisition of knowledge and methods in a different field. These fellowships are thus distinct from academic leaves, and holding a Bridging Fellowship does not affect subsequent consideration for such leaves.

The dean's or director's office of each school generally solicits applications once a year. Completed applications require the approval of the applicant's chair before being submitted to the dean for final approval. For an untenured faculty member, a Bridging Fellowship does not delay a tenure decision even when combined with a one-semester leave.

## **F. Policies on External Activities Relating to Research and Scholarship (Consulting and Conflict of Interest) and Other Conflicts of Interest** [updated May 2016]

Consulting and other external activities by the University faculty help fulfill the University's obligation to serve the greater community and help to keep the members of the faculty in touch with practical applications of their scholarly work. Relationships developed through those activities are encouraged. At times, however, it can become difficult to separate an individual's responsibilities to the University from those pursued for personal financial gain. As a result, situations of real or perceived conflict of interest or commitment can develop. It is crucial that faculty members avoid situations that convert the University's resources to private gain.

The rules concerning conflict of interest rely on disclosure and subsequent resolution of real or perceived conflicts. In all cases in the School of Medicine and Dentistry and the School of Nursing, please read "senior vice president for health sciences" where "dean" appears. Specific conflict situations that may arise related to research and scholarly activity are discussed in more detail below.

### **Consulting**

When faculty enter into consulting agreements, their activities are considered to be a private relationship between the faculty member and the outside entity. The nature and terms of the arrangement are made directly between the faculty member and the organization concerned. Because the individual's primary responsibility is to the University, however, the University places certain limitations on consulting activities.

Because individual school practices may be more restrictive, individuals are urged to consult with their department head, director, or dean for policies specific to their area. In addition, faculty of the School of Medicine and Dentistry are subject to the policies of the current Medical School Faculty Compensation Plan and should consult those requirements in addition to this policy.

### **Limitations on Consulting**

Regardless of whether the consulting opportunity is with the public or private sector, the basic tenet of the University's policy on consulting is that consulting must enhance, not reduce, the individual's service to the University. **External consulting activity by the faculty member should not exceed one day per week on average during the faculty member's primary annual appointment period.**

Faculty may not use the University's scientific and office equipment, supplies, or space for their consulting activities; the sole exception to this prohibition is incidental use of office space or equipment, so long as it does not constitute significant use of University resources.

The University encourages faculty to participate and provide consultant services to not-for-profit organizations. However, the rules for involvement with these organizations are the same as those for for-profit organizations. An individual's contribution of time should generally not come at the expense of the University unless the person is participating as an official representative of the University.

When presented with the opportunity to consult, a faculty member should discuss with their department chair the effect of the opportunity on their teaching, research, and administrative responsibilities. The faculty member should apprise the chair of the expected effects on their teaching, research, patient care (if applicable), and administrative schedule; availability for students and departmental activities; and the expected gains to the department and to the individual. Chairs may contact their dean if they are uncertain about comparable treatment of faculty in different departments.

The individual should report their consulting activities, including the number of days (away from the University) during academic semesters, as part of the annual report of activities to their chair.

A faculty member who wants to consult in conjunction with a University-supported leave must explain to their department chair, in writing, the non-financial details of the proposed activity and how those activities will enhance their University role and University-supported leave. Any consulting activity undertaken shall not exceed the time limitations set forth above, except as agreed to by the department chair and Provost in connection with an academic leave partially supported by an external source. (Please see the discussion of "[Part-Time Leaves](#).")

Activities of a faculty member in a business organization in which the person holds substantial equity holdings or line management responsibilities that are not directly reimbursed are also subject to the time limitations set forth above.

Further, faculty are prohibited from entering into consulting arrangements or other agreements with outside entities that are inconsistent with the University Policy on Intellectual Property and Technology Transfer. For example, faculty may not assign ownership of inventions created with significant use of University resources to third parties. Agreements that contain provisions pertaining to ownership of intellectual property, confidentiality, publication rights, that prohibit or restrict engaging in competing or

related activities, and/or that require indemnification by or other imposition of liability on the faculty member are of particular concern.

The Office of Counsel is available to review agreements with outside entities for faculty, and to advise them about any changes that would be necessary to ensure the agreements are not inconsistent with University policies; faculty are strongly encouraged to submit proposed agreements with outside entities to the Office of Counsel for such review. In those limited situations where a company imposes strict confidentiality requirements on the terms of the agreement, faculty are encouraged to consult the Office of Counsel to determine whether potentially inconsistent portions can be shared without compromising such confidentiality.

### **Faculty Conflicts of Interest**

The Faculty Policy on Conflict of Commitment and Interest in Research and related policies require the University to avoid or manage situations where the financial relationship of a faculty or staff member with an external organization may call into question the credibility and objectivity of research and findings of the affected individual. The Policy also restricts the use of University resources in personal consulting situations. While the University recognizes the importance of collaborative efforts with industry, financial interests can result in situations where an independent observer might reasonably question whether the individual's professional objectivity is affected by considerations of individual financial gain. Implementation of these policies also fulfills federal grant requirements for reporting and management of financial interests related to research.

*Link to Faculty Policy on Conflict of Commitment and Interest:*

[https://www.rochester.edu/orpa/assets/pdf/compl\\_COIPolicyFaculty.pdf](https://www.rochester.edu/orpa/assets/pdf/compl_COIPolicyFaculty.pdf)

*Link to URMC Guidelines for Managing Faculty Financial COIs in Clinical Trials:*

[https://www.rochester.edu/orpa/assets/pdf/compl\\_FinCOIClinlTrials.pdf](https://www.rochester.edu/orpa/assets/pdf/compl_FinCOIClinlTrials.pdf)

*Link to URMC Reporting of Outside Financial Interests*

<https://coi.urmc-sh.rochester.edu/public/home.aspx>

*Link to AS&E Reporting of Outside Financial Interests*

<https://www.rochester.edu/asei/>

*Link to ESM Reporting of Outside Financial Interests*

<https://www.rochester.edu/esmi/>

*Link to Reporting Form for COIs Related to Research Activities (non-URMC, AS&E, ESM):*

[https://www.rochester.edu/orpa/assets/pdf/compl\\_COI\\_Rptg\\_Form.pdf](https://www.rochester.edu/orpa/assets/pdf/compl_COI_Rptg_Form.pdf)

The Guidelines on Research Integrity and Conflict of Interest: Graduate Students and Postdoctoral Fellows summarizes policies concerning relationships of graduate students and post-doctoral fellows with industry and other entities external to the University, to assure the primary commitment of the graduate students and fellows to their educational priorities and protect the interests of the University. It covers conflicts of interests, conflicts of commitment, ownership of intellectual property, use of externally-owned data and data sets, openness and publication of student research, and student rights to be free from conflicts of interest involving faculty advisors, program directors or thesis committee members.

*Link to Guidelines on Research Integrity and Conflict of Interest: Graduate Students and Postdoctoral Fellows:*

[http://www.rochester.edu/orpa/\\_assets/pdf/compl\\_COI\\_Guidelines\\_GradStudentsPostdocs.pdf](http://www.rochester.edu/orpa/_assets/pdf/compl_COI_Guidelines_GradStudentsPostdocs.pdf)

The URMC Compliance Program Policy Manual, which also applies to the health care affiliates, sets forth the code of conduct and ethical behavior expected from all employees of URMC and its health care affiliates, to assist in assuring that all services are provided in compliance with all applicable state and federal laws, and consistent with the highest standards of business and professional ethics. To this end, personnel should avoid all potential conflicts of interest to ensure that they act with total objectivity in carrying out their duties for the institution for which they work.

*Link to URMC Compliance Program Policy Manual re: Conflicts of Interest:*

<https://www.urmc.rochester.edu/MediaLibraries/URMCMedia/compliance-office/plans-policies/compliance-program/documents/mcPolicyManual.pdf>

The URMC Policy and Guidelines on Interactions between URMC and the Pharmaceutical, Biotech, Medical Device, and Hospital Equipment and Supplies Industries requires that all URMC faculty, staff, post-graduate trainees, and students consciously and actively divorce clinical care decisions from any perceived or actual benefits expected from any company. It is unacceptable for patient care decisions to be influenced by the possibility of personal financial gain. Any conflicts that do arise must be addressed appropriately. This policy also applies to the University's health care affiliates.

<http://intranet.urmc-sh.rochester.edu/policy/industryinteractions/>

The University-wide Conflict of Interest Committee advises the deans and Provost on Conflict of Interest matters. The Provost serves as convener and chair of the Committee, which consists of, among others:

- at least five full-time faculty members;
- the deans of research of the School of Medicine & Dentistry and Arts, Sciences, & Engineering; the Director of the Office of Research and Project Administration (ORPA);
- the Director of University Ventures;
- the Director of the Office of Human Subjects Protection;
- the Chair of the URMC Conflict of Interest Advisory Group;
- attorneys from the Office of University Counsel and General Counsel (Medical Center).

This is a high profile committee, asked to deliberate policies, practices, and conflict management plans that promote the University's professionalism and reputation while supporting the interests of faculty and their mission.

## **Confidentiality**

To the extent permitted by law, all disclosure forms, conflict management plans, and related information will be confidential. However, such information will be made available to an agency funding research of the faculty member upon written request if permitted or otherwise required by law.



## **Other Conflicts of Interest**

The University's Code of Conduct for Business Activities sets standards of ethical conduct expected of all faculty and staff members. Included within the Code of Conduct are guidelines and procedures for ensuring that faculty and staff members are not involved in University transactions if the individual or their immediate family member is an officer, director, employee, or owner of the organization (non-profit or for-profit) with which the University will do business or could personally profit from the transaction, or where the other entity is in competition with the University and the University position may give the individual access to proprietary information that could benefit the other organization. The Code of Conduct also prohibits use of University resources for other than University activities and businesses, except in a purely incidental way. <http://www.rochester.edu/working/codeofconduct/>

In addition, University Personnel [Policy 113](#) discusses general conflict situations applicable to University faculty and staff. Policies of the University relating to purchasing of goods and services and helpful hints and guidelines can be found on the website of the University Purchasing Services Office: <https://www.urmc.rochester.edu/purchasing/index.cfm>.

The Strong Memorial Hospital Code of Business Ethics requires that faculty members disclose any ownership, employment, equity interest, stock options, or consulting relationships that they or members of their immediate families have with companies that are involved with products they use for patient care, research, or publication. Further, patients have the right to full disclosure about the existence of business relationships that may influence the patient's care and treatment plan. All clinical decisions should be made based on the patient's needs and not on financial interests of the hospital, its practitioners, or its staff. <http://intranet.urmc-sh.rochester.edu/policy/smhpolices/SECTION01/1-7.PDF>

## **G. Intellectual Property and Technology Transfer** [updated May 2014]

The University seeks to encourage intellectual creativity and invention and to facilitate the transfer of the useful products of those efforts to their industrial and commercial applications. The University's URVentures Office (URV) is charged with administering agreements to achieve these goals. All University employees should be in touch with URV about inventions, discoveries, creations, or authored works that may be protected legally. URV will assist inventors in assessing the commercialization of their products. Ownership of a discovery will vest in the University if it results from the significant use of University resources or arises from an externally sponsored research project. See the University's Policy on Intellectual Property and Technology Transfer at <http://www.rochester.edu/ventures/for-ur-innovators/for-inventors-university-policy-on-intellectual-property-and-technology-transfer>.

## **H. Policy on Misconduct in Scholarship and Research** [updated July 1999]

The academic system demands that those engaged in research, whether faculty, staff, or student, be dedicated to the highest ethical standards. Misconduct in scholarship and research by any member of the University community threatens the University as well as the individual.

This policy outlines the steps to be taken in response to an allegation of misconduct in scholarship and research. It describes a process for an objective examination of the facts, protection of individual rights, and integration with other relevant review procedures, all under the general supervision of the provost as the senior academic administrator.

The procedures outlined are guidelines only and may be adjusted as needed to accommodate special circumstances (e.g., allegations that originate outside of the University) and to comply with the reporting and other requirements of external sponsors, particularly as they relate to the timing of reporting possible misconduct. When externally sponsored research is involved, the director of the Office of Research and Project Administration (ORPA) shall be consulted regarding compliance with the requirements of the external sponsor(s).

For the purposes of this policy, "misconduct" is defined as a known, intentional misrepresentation of data, of research procedures, or of data analysis; and plagiarism and other serious improprieties in proposing, conducting, or reporting the results of research. Federal regulations have also included within the definition of misconduct material failure to comply with federal requirements for protection of researchers, human subjects, or the public; failure to ensure the welfare of laboratory animals; or failure to meet other material legal requirements governing research. All of the above definitions are covered by this policy.

### ***1. Initial Reporting and Inquiry***

1. Allegations of misconduct should be made in writing to the immediate supervisor of the person whose actions are questioned. These allegations shall then be provided to the department chair or other appropriate academic administrator (such as the director of the laboratory or project director), and that person shall notify the appropriate dean.
2. The dean, in turn, will inform the provost (and senior vice president and vice provost for health affairs for cases involving the School of Medicine and Dentistry or the School of Nursing), who will determine whether the allegations merit further scrutiny. If so, the provost will request that the dean complete an initial inquiry within 60 days, unless the provost grants an extension on evidence that circumstances warrant a longer period. The dean may designate an individual or an ad hoc committee to conduct the inquiry.
3. During this period, the identities of all parties involved will be kept confidential to the maximum extent consistent with an effective inquiry. The person whose conduct is being questioned will be given the opportunity to comment on all of the allegations that have been made. The dean will determine from the initial inquiry whether the allegations warrant a formal investigation.

### ***2. Investigation***

1. If the dean, with the concurrence of the provost (and senior vice president and vice provost for health affairs in cases involving the School of Medicine and Dentistry and School of Nursing), determines that a formal investigation is warranted, it will begin within 30 days after the initial inquiry is concluded. The dean will notify the person being investigated and the director of ORPA that a formal investigation is being initiated. If the research is externally supported, the director of ORPA will inform the sponsoring agency about the investigation and the review process to be applied. This is done to assure the sponsor that an objective investigation is being conducted by appropriate members of the University community.
2. The dean will appoint a fact-finding committee, of not less than three members of the faculty, who are unaffected by the inquiry, including one member of the Research Policy Committee. The committee will be given a specific charge, access to relevant documents, a right to interview

principals, and a target date by which to deliver a report to the dean. Generally, an investigation should be completed within 120 days after its initiation.

3. The person(s) whose conduct is being investigated will be given notice in writing of all allegations and a meaningful opportunity to respond to them in writing and in person before the committee. This shall include access to the relevant documents (and other evidence) and a reasonable period of time to prepare an appropriate response. An individual being investigated may appear before the committee with the assistance of a representative from the University community.
4. Upon conclusion of its investigation, the committee will file a report with the dean stating whether or not it has found, based on clear preponderance of the evidence, that misconduct was committed and the basis for this finding. The dean, in consultation with the provost, will determine further action to be taken.

### **3. *Further Action***

1. A copy of the committee's report and supporting documents will be provided to the individuals whose conduct was examined.
2. If an external sponsor has been notified that an investigation was pending, the director of ORPA will inform the sponsor of the results, describing the policies and procedures under which the investigation was conducted, and include a summary of the views of the individuals, if any, found to have engaged in misconduct.
3. If the committee finds that there was misconduct, the dean will:
  - a. Direct the department chair or laboratory director to notify the editors of publications to which abstracts and papers relevant to the misconduct have been submitted and request that the work be withdrawn prior to publication, or, if the work has already been published, that an appropriate retraction or correction be published. The persons engaged in the misconduct will generally be responsible for preparing and presenting the appropriate retractions or corrections.
  - b. After consultation with the provost (and senior vice president and vice provost for health affairs in cases involving the School of Medicine and Dentistry and the School of Nursing), recommend appropriate disciplinary action, which may include termination. If termination is recommended, established procedures (e.g., tenure revocation procedures described above for tenured faculty, privileges revocation procedures in the bylaws of the Medical Staff for medical staff) will be followed.
4. If the process described in this policy produces no finding of research misconduct, the parties who conducted the initial inquiry or formal investigation will undertake reasonable efforts to restore the academic reputation of the individuals whose conduct was questioned. Reasonable efforts will also be taken to protect the standing of the individuals who raised the questions regarding possible misconduct, unless the inquiry or investigation reveals that those individuals acted in bad faith, in which case appropriate disciplinary actions may be instituted against them.
5. Complete records of all relevant documentation on cases treated under the provisions of this policy shall be preserved in the office of the provost.

## **I. Confidentiality of Faculty Records** [updated July 1999]

"Personnel records" are defined as the files relating to an individual faculty member that may be maintained in the department, the school, and by the central administration.

Faculty members may review their own personnel records in the presence of an appropriate officer, i.e., the chair in the case of departmental files, the dean in the case of school files, and the provost in the case of the central files. Such a review must be requested in writing, along with a statement about the reason for the request; the written statement will become a part of the file.

Material that has been obtained with the understanding that it is confidential will be removed from the file for the purpose of the inspection. When a University official receives a request for review of material, they should examine the file carefully to determine the material that is confidential according to this criterion. When confidential material is removed, an index should be placed in the file that will specify its character, e.g., "Five letters of recommendation from outside reviewers, six letters of recommendation from tenured colleagues, and an evaluation by the dean."

Review of the personnel records may be extended to former faculty members, providing the request is made within one year of the effective date of termination. The review is subject to the same provisions affecting current faculty members.

For information sought by those outside the University, the University considers personal information provided by the individual faculty member to have been entrusted on a confidential basis, and it is respected as such. Normally, the University's telephone directory provides home addresses and telephone numbers unless requested otherwise by the individual. The following constitute official information and will be made available to any inquirer: an individual's name, department, title, office location, telephone extension, and dates of appointment to, and (if appropriate) retirement or resignation from, the University. The same is true of awards, honors, and other distinctions that have been publicly announced. On rare occasions, inquiries for additional information about areas of special knowledge and particular publications are requested confidentially (for instance, by those who are considering nominating the individual for national awards). Appropriate information may be released in such unusual circumstances, but only by the dean of the individual's school, the senior vice president and vice provost for health affairs (School of Medicine and Dentistry and School of Nursing cases only), the provost, or the president, who will take responsibility for confirming the credentials of the inquirer.

The Office of Public Relations solicits whatever information the faculty elects to make available to general inquiry. Such information, which may go beyond that referred to in the preceding, is available to appropriate inquirers in addition to the items described above.

Within the University, the personnel files of a faculty member may be inspected by their chair and dean and by the president, provost, and senior vice president and vice provost for health affairs or their immediate designates. Such inspections will be solely for the purpose of determining appropriate administrative actions, such as salary increases and promotions. In addition, selected material may be inspected by appropriately designated groups, e.g., the tenured faculty of the department, and an ad hoc committee may examine letters of recommendation and other material germane to their evaluation of a candidate for promotion to tenure.

The provost's office attempts to keep, at a minimum, reasonably updated *curricula vitae* for all faculty. The policy is for the provost's office to request updated *vitae* every three years, and faculty are urged to comply. Voluntary annual updates are appreciated.

## **J. Research** [updated July 1999]

The University has defined the policies, governing all sponsored research and training projects, that are to be reflected in all proposals for grants and contracts whether they are sponsored by government agencies, foundations, or industry. These policies cover such matters as the use of animals and human subjects, control of equipment, disposal of hazardous wastes, control of funds, intellectual property rights, proposal review and endorsement procedures, accounting procedures, publication of results, technology transfer, and facilities and administrative resources allocated to research programs. Details on these policies and procedures can be found in the *Manual for Research and Sponsored Activities*. The Office for Research and Project Administration (ORPA) is charged with the oversight, coordination, and interpretation of these policies and procedures, and is the office that assists faculty in obtaining and administering sponsored research and training funds. ORPA is designated the authorized institutional office for reviewing, approving, and executing all proposals and agreements for extramurally- supported activities by governmental, foundation, and commercial sponsors. Additional information about research administration and the services offered by ORPA may be found at their web site at <http://www.rochester.edu/orpa/>. Fiscal records, ledgers, and expenditure reports are processed and maintained by the Sponsored Programs Accounting office of the University's Finance Office. Sponsored Programs Accounting provides each principal investigator or program director with a monthly ledger of the financial status of their sponsored program.

## **K. Retirement** [updated July 1999]

For faculty appointed prior to 1/1/96, retirement may occur as early as age 55 for those with 10 or more years of service. The 10-year service requirement may be met by cumulative employment at the University or another higher educational institution.

For faculty appointed 1/1/96 and thereafter, retirement may occur as early as age 60 for those with 10 or more years of service. The ten-year service requirement may be met by cumulative employment at the University or another higher educational institution. (For faculty appointed 1/1/96 and thereafter, the 10-year service requirement must include continuous employment at the University for the immediate five years prior to retirement.)

When faculty members retire, their former department or school at the University will often try to accommodate, as far as resources will permit, their needs as retirees. With the department's support, every effort will be made to accommodate requests from retired faculty members for continued office or laboratory space.

In addition, retired faculty are eligible for a University identification card, which is needed for library privileges, banking services, and discounted parking privileges. The services of the University Health Services are available on a fee-for-service basis. American Express Corporate Cards, available to current employees only, must be surrendered at retirement. Faculty contemplating retirement should contact the Benefits Office of Human Resources regarding their eligibility for continuation of benefits during retirement.

## **L. Early Retirement and the Faculty Senior Associates Program**

[updated May 2014]

The Faculty Senior Associates Program enables an individual to leave the full-time faculty in advance of the normal retirement age. The program is based on the termination of the tenure contract rather than on retirement itself; therefore, the program is available only to full-time, tenured faculty members. A description of the program may be obtained from the office of the senior vice president for financial affairs and planning and is available on the Internet by linking to: <http://www.rochester.edu/adminfinance> and clicking on the Faculty Senior Associates Program heading.

### **1. Eligibility**

Full-time, tenured faculty members with at least ten years of service and who have attained age 62 are eligible to apply for participation in the program. Participation must be approved by the provost upon the recommendation of the dean or director of the individual's college or school.

### **2. Initial Payment**

The initial payment under the Faculty Senior Associates Program is dependent on several factors: final salary immediately before entering the program, median salary of the relevant faculty cohort group, age, length of service, and primary Social Security benefit. The initial payment is calculated using the formula provided in the document describing the program.

### **3. Annual Changes in Payment**

Beyond the initial year, the Faculty Senior Associates payment is adjusted each fiscal year by the increase, if any, in the median salary of continuing faculty in the rank of the participant's college or school and discipline group where applicable. The adjustment is made to the total payment, and any deductions for Social Security are subtracted from the adjusted total payment.

### **4. Social Security Benefit**

The Faculty Senior Associates payment is reduced at age 65 by the amount of the full primary Social Security benefit the participant is entitled to receive at age 65 and is not adjusted for subsequent cost-of-living increases instituted by the Social Security Administration. The reduction begins the first day of the month following the month in which the individual turns 65.

If an individual draws Social Security early (before age 65), the full primary Social Security benefit that would have been received at age 65 is still the amount used in the calculation of the reduction. Similarly, if an individual earns more than the maximum permitted by Social Security without adjustment, the unadjusted primary Social Security benefit will be used in the calculation of the reduction.

### **5. Payment Process and Taxability of Payment**

Checks are processed through the University payroll system and may be automatically deposited in the same manner as University payroll checks. Payments received under the Faculty Senior Associates

Program are subject to federal and state withholding requirements. FICA tax is applicable due to the amendment in 1984 of the Social Security Act, and is deducted from the payment.

## **6. *Termination***

Payments cease at the end of the month in which the participant reaches age 70. If a participant dies before the age of 70, the payments cease upon death.

## **7. *Benefits***

Benefits coverage for participants between the age of 62 and 70 is the same as for active, full-time faculty members except for income maintenance programs such as long-term disability, sick pay benefits, and retirement contributions, which do not pertain. Questions about benefits coverage should be directed to the human resources benefits office. As with the benefits provided to all active faculty, staff, and retirees, benefits provided to participants are subject to the right of the University to amend or terminate its benefits plan.

## **8. *Changes to Program***

It is the University's policy not to discontinue offering the program to new entrants or make substantial changes in the terms offered to new entrants without written notification to full-time faculty at least one year in advance of the effective date of the change. Any person already participating in the program or who enrolls in it prior to the effective date of such a change would continue under the terms of the existing program.

## V. Student-Related Policies

### A. Academic Honesty [updated May 2014]

As members of an academic community, students and faculty assume certain responsibilities. One of those responsibilities is to engage in honest communication. Academic dishonesty is a serious violation of the trust upon which an academic community depends.

Each school maintains its own policies and procedures regarding violations of Academic Honesty, including prohibitions against plagiarism. The procedures for handling suspected infractions are detailed in publications of the following schools:

- Arts, Sciences, and Engineering (undergraduates):  
<http://www.rochester.edu/college/CCAS/AdviserHandbook/AcadHonesty.html>
- Arts, Sciences, and Engineering (graduate students):  
[https://www.rochester.edu/GradBulletin/PDFbulletin/Grad\\_Bulletin14-16.pdf](https://www.rochester.edu/GradBulletin/PDFbulletin/Grad_Bulletin14-16.pdf)
- Eastman School of Music:  
<http://www.esm.rochester.edu/registrar/policy/03-00/>
- School of Medicine and Dentistry:  
<https://www.urmc.rochester.edu/MediaLibraries/URMCMedia/education/md/documents/student-handbook.pdf#page=99&zoom=auto,34,624>
- School of Nursing:  
<http://www.son.rochester.edu/student-resources/academic-honesty.html>
- Simon Graduate School of Business:  
<http://www.simon.rochester.edu/registrar/registrar/download.aspx?id=11286>
- Warner Graduate School of Education:  
<https://www.warner.rochester.edu/students/matriculated/policies>

### B. Confidentiality of Student Files [updated May 2014]

The University of Rochester complies fully with the provisions of the Family Educational Rights and Privacy Act (FERPA). Under FERPA, students have, with certain limited exceptions, the right to inspect and review their educational records and to request the amendment of their records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights.

FERPA further requires, again with certain limited exceptions, that the student's consent must be obtained before disclosing any personally identifiable information in the student's education records. One such exception is disclosing to parents of dependent students. Another exception is disclosure to school officials with legitimate educational interests, on a "need-to-know" basis, as determined by the administrator



responsible for the file. Additional information concerning the confidentiality of student records may be found in the FERPA notification published in the student bulletins and course schedules.

The University's policy regarding student records can be found at:  
<http://www.rochester.edu/registrar/policies.html#ferpa#ferpa>

## **VI. Faculty Benefits** [updated May 2014]

The University of Rochester's benefits program comprises several plans that work together to provide faculty members and their families financial protection today and the opportunity to plan for their financial security in the future.

Some of the benefits for which faculty may be eligible are briefly described in this section. Please refer to the [Human Resources website](#) for a complete statement of benefits and policies. These benefits and policies may be amended at any time and from time to time without prior notice.

The following benefits relate to full-time faculty of any track at the assistant professor level and above. For other individuals, the Benefits Division of the Office of Human Resources should be consulted.

**A. Health Care Plans** [updated May 2014]: <http://www.rochester.edu/benefits/health>

**B. Dental Assistance Plan** [updated May 2014]: <http://www.rochester.edu/benefits/dental>

**C. Short-Term Disability** [updated May 2014]: <http://www.rochester.edu/leave>

The University's policies on short-term disability apply to all employees. Because the purpose of the temporary disability benefits plan is to maintain University salary, benefits are paid from it only for persons drawing a University salary. Many faculty members are on an academic year schedule and are paid for the duties performed during the nine-month period beginning either September 1 or September 15. Payment for academic year duties is spread over a 12-month period beginning with the July 1 preceding the academic year and ending with the June 30 following the academic year. Because faculty members on academic year schedules are not required to perform any duties in July and August preceding the academic year, or in June following the end of the academic year, inability to perform duties because of medical disability in those summer months results in no loss of income as long as the faculty member returns to performance of their duties beginning September 1. Consequently, no temporary disability benefits are paid for such periods of disability.

Short-term disability leave is available to mothers expecting to give birth. This leave will run for the length of time the physician certifies for disability. Typically, birth mothers receive a leave of six weeks for a natural birth and eight weeks for a caesarian section. This leave runs concurrently with any leave benefits described in section J and K.

**D. Long-Term Disability for Full-Time Faculty** [updated May 2014]:

<http://www.rochester.edu/leave>

**E. Workers' Compensation** [updated May 2014]:

<http://www.rochester.edu/working/hr/policies/pdfpolicies/271.pdf>

## **F. Drugs and Alcohol** [updated May 2014]

The University maintains a policy in compliance with the Drug-Free Workplace Act that can be found at: <http://www.rochester.edu/working/hr/policies/pdfpolicies/171.pdf>. The University also complies with the Drug Free Schools and Communities Act.

## **G. Smoking** [updated May 2014]:

<http://www.rochester.edu/working/hr/policies/pdfpolicies/170.pdf>

## **H. Employee Assistance Program** [updated May 2014]

The mission of Strong EAP is to enhance employees' job performance and satisfaction by providing professional, confidential, work-site based guidance at no cost to employees and their families when personal or work related problems have become difficult to manage. Strong EAP provides confidential and immediate help with marital and relationship issues; family problems, drug and alcohol addictions; stress; and financial concerns; and many other issues that can impact you or your family member's ability to cope effectively at home or at work. For more information, see: <http://www.urmc.rochester.edu/eap>

## **I. Family Care** [updated May 2014]

Childcare services are available to faculty at a negotiated rate at a nearby facility. In addition, the University's Family Care Program offers referrals for childcare in day-care centers, family day-care homes, and UR students for occasional babysitting. See <http://www.rochester.edu/working/hr/familycare/>. The University does not recommend or guarantee the services of any provider.

## **J. Family Medical Leave for Faculty** [updated May 2014]:

<http://www.rochester.edu/leave>

Under the Family Medical Leave Act (FMLA), the University will grant eligible employees up to 12 weeks of family and/or medical leave without pay during a qualifying 12-month period for one or more of the following reasons:

- a. The birth or care of a newborn child.
- b. Placement of a child for adoption or foster care and care for the newly placed child.
- c. To care for a spouse, domestic partner, child, or parent with a serious health condition.
- d. The employee's own "serious health condition."

Additional information on Family Medical Leave, including eligibility requirements, can be found at the link above.

## **K. Faculty Parental Leave Policy** [updated May 2014]

In addition to the benefits available to faculty in Sections C and J, the University of Rochester offers a faculty parental leave benefit to eligible primary caregivers. In order to assist and support new parent relationships and to assist faculty members with balancing work and family matters, the University

provides a period of paid time off for activities related to the care, bonding, and well-being of the faculty member's newborn or adopted child aged 18 or younger.

### **Benefit**

Immediately following the birth or adoption of a child aged 18 or younger, eligible members of the faculty will be provided up to two consecutive weeks of paid parental leave if serving as the primary caregiver. In the case of adoption, the eligible faculty member may instead elect to take part or all of the two week paid parental leave for bonding time in advance of bringing the child home when a country or state requires it for the adoption.

This paid leave will run concurrently with other leave for which members of the faculty may be eligible, including paid short-term disability leave following the birth of a child and unpaid Family Medical Leave, and does not result in double payment for the same time period.

### **Eligibility**

All full-time and part-time benefits-eligible faculty members can request paid leave as long as the faculty member is the primary caregiver for the child. If both parents work for the University, only one parent can be designated as a primary caregiver.

### **Definitions**

“Parent” means the primary caregiver who also is a biological parent, same sex spousal equivalent parent, or an adoptive or a foster parent.

“Primary caregiver” is someone who has primary responsibility for the care of a child immediately following the birth or adoption or coming of the child into the custody, care and control of the primary caregiver for the first time.

“Concurrently” means that this benefit runs at the same time as other types of leave for which a faculty member may be eligible (i.e., is not “in addition to” those leaves).

Example 1: An eligible faculty member who is on short-term disability for at least two weeks following the birth of her child receives paid disability leave under short term disability (<http://www.rochester.edu/leave>) and New York State disability law for the period of time the physician certifies for disability. This paid parental leave will run concurrently with two weeks of paid short-term disability (i.e., the faculty member will be paid once for the two week period, not twice).

Example 2: An eligible full-time faculty member who is adopting and primary caregiver also meets the criteria for approval for unpaid Family Medical Leave of up to 12 weeks following the birth or adoption of a child. Although FML is unpaid, under this policy the faculty member will receive two weeks of those 12 weeks with pay.

### **Modified Duties for New Parents**

New parent faculty members eligible for the Parental Leave benefit described above may be eligible for a modification of their regularly assigned duties during the “semester of birth or adoption.”

Any modification of duties will depend upon the ability of the department and school to accommodate this arrangement without serious effects on the academic or clinical program. The modification will not result in an adjustment of salary and benefits, with the possible exception of those faculty at the Medical Center whose salary is dependent on clinical or other services rendered. These faculty may experience a temporary reduction in salary commensurate with their reduced effort.

A faculty member intending to request a modification of their duties should discuss those plans with the department chair and dean as far in advance of their intended return to work as possible. Any modification of duties must accommodate the reasonable needs of the department and school and be approved well in advance of the start of the semester by the department chair and dean.

For Medical Center faculty not on traditional academic semesters, the period of modified duties should roughly mirror the period of time corresponding to a traditional academic semester (approximately 16 weeks) so that Medical Center faculty members will have the same period of modified assignment as other faculty.

### **Impact of Modified Duties on Tenure Review**

For full time tenure-track faculty, see IV.A.3. Postponement of Promotion or Tenure Review for provisions regarding postponement of promotion or tenure review for the addition of a new child.

SMD faculty with full-time academic appointments who add a new child (or children) to the family may be entitled to an extension of their current appointment term; please see the SMD Regulations of the Faculty for more specifics about eligibility and application of this policy.

### **Part-Time Appointments in the Year Following Birth or Adoption**

New parent faculty members may request an assignment of duties that would enable them to work part-time at a commensurate reduced salary for a period of up to one year (i.e. 365 day period of time) following the birth or adoption of a child, where the child is living in the same household as the faculty member. Proposals to work part-time must be approved by the department chair and dean. Any faculty member intending to request a part-time appointment should make such request to the department chair and dean as far in advance as possible.

Faculty members with general questions on the Faculty Parental Leave Policy should contact the Provost's Office. Questions on leaves of absence, including short term disability, long term disability or the Family Medical Leave Act should be directed to the Human Resources Office of Leave Administration.

## **L. Unpaid Personal Leaves of Absence** [added May 2014]

The University of Rochester provides two types of Leaves of Absence for faculty members. A Short-Term Leave of Absence may be granted by departments for up to 30 work days' unpaid leave (not to exceed six weeks) in a calendar year for reasons such as family illness or urgent personal business. Short-Term Leaves of Absence need only be approved by the faculty member's department head. There is no need for a form to be sent to Human Resources.

The University Leave of Absence is available to faculty members who have completed at least two years of service to the University. This leave is granted for a period of up to 12 months for personal reasons such as (1) education, dependent or elder care, or community service, (2) as a reasonable accommodation for a qualified individual with a disability who is unable to return to work at the expiration of short-term disability and who is ineligible for short-term disability, and (3) other exceptional circumstances mutually agreed between the University and the employee. University Leave of Absence is granted when it is mutually beneficial to the staff member and the department and, therefore, is not granted automatically.

More information on Short-Term and University Leaves of Absence can be found at <http://www.rochester.edu/leave> under the section “Leave of Absence.”

Requests for personal leave under this Policy should be made on the same schedule as requests for academic leaves, i.e., no later than the beginning of the semester preceding the semester in which the leave is requested. The periods are as follows:

Full year – 1 July through 30 June

Fall Term – 1 July through 15 January

Spring Term – 16 January through 30 June

## **M. Group Life Insurance** [updated May 2014]

See <http://www.rochester.edu/benefits/life> on Group Life Insurance coverage for employees.

## **N. Travel-Accident Insurance Plan** [updated May 2014]

While traveling on University business, faculty members are also covered by travel-accident insurance, with its own schedule of additional benefits. Travel-accident insurance is paid for entirely by the University; coverage begins immediately upon appointment.

See: <http://www.rochester.edu/working/hr/policies/pdfpolicies/263.pdf>

## **O. Tuition Benefits for Full-Time Faculty** [updated May 2014]

Tuition benefits are available to faculty members and dependent children. Eligibility for tuition waivers or tuition reimbursement varies and depends on length of service, as well as other factors. See <http://www.rochester.edu/working/hr/benefits/tuition/> for a description of Tuition benefit policies for employees and dependent children. Contact the Benefits Office of Human Resources for additional information.

## **P. Retirement Program/Tax-Deferred Investment Options**

[updated May 2014]

The University maintains a policy regarding Retirement Programs that can be found at: <http://www.rochester.edu/benefits/retirement>. Social Security generally pays benefits in retirement and in the case of disability. For more information, faculty should consult: [www.ssa.gov](http://www.ssa.gov).

## **Q. Unemployment Insurance** [updated May 2014]

The University maintains a policy regarding Unemployment Insurance that can be found at: <http://www.rochester.edu/working/hr/policies/pdfpolicies/273.pdf>.

## **R. Flexible Spending Accounts** [updated May 2014]

The University maintains a policy regarding Flexible Spending Accounts that can be found at: <http://www.rochester.edu/benefits/fsa>.

## **S. Vacation** [updated July 1999]

Faculty members do not accrue vacation except in the School of Medicine and Dentistry and the Laboratory for Laser Energetics, where appointments are made on a 12-month basis.

## **VII. Cumulative Summary of Changes**

### **May 2018**

1. Section III.C. Intimate Relationships and section III.D. Management of Academic Relationships with Immediate Family Members: The revisions: 1) clarify and add key definitions of student, relationships, and academic authority as well as where to obtain clarification on these definitions; 2) presume the existence of academic authority whenever the people involved are members of the same department or department-like unit; 3) emphasize the possibility that disciplinary action could be taken if the policy is violated; 4) elaborate on how a management plan may be created, allowing for exceptions to these prohibitions under certain conditions. A section on the management of academic relationships with immediate family members has also been added.
2. Section IV.A.3. Reconsideration / Review of Promotion Decisions and Section IV.A.3.C. Faculty Grievance Procedures: The Handbook section relating to grievances has been expanded to include decisions relating to the reappointment and promotion of any faculty member eligible to vote in Senate elections, whether tenure-track or not. Grounds for the appeal of tenure, reappointment and promotion decisions have been expanded beyond procedural irregularities to include violations of academic freedom. The section relating to general grievances has also been expanded to include violations of academic freedom. All these grievances will be investigated by a Faculty Grievance Committee consisting of five or more members appointed from a list of fifteen faculty nominated by the president and provost. An explanation of the outcome of the process will be communicated back to the complainants, the respondents, and the University Committee on Tenure and Privileges by the appropriate authority.

### **April 2018**

1. Gender-inclusive language: Pronouns throughout the entire Faculty Handbook were amended to be more gender-inclusive.

### **May 2017**

1. Section III.C. Intimate Relationships: The Intimate Relationships with Students Policy prohibits intimate relationships between faculty and others at the University when faculty exercise “academic authority” over those individuals. The primary changes to the existing policy clarify what constitutes “academic authority” over an individual. The policy also contains a process to approve exceptions to allow a relationship between faculty and graduate students so long as an acceptable plan is in place to manage any potential influence the faculty member might have over the student’s academic performance. Minor changes to the existing policy are proposed to add more detail to the procedures to approve an exception. Finally, related policies that apply to all University employees (Neptism and Consensual Romantic Relationships among Employees and the University’s Discrimination and Harassment Policy) were also added as cross-references.
2. Section III.S. Faculty Role in Senior Academic Administrator Searches and Reviews for Reappointment Policy: New policy as initiated by the Faculty Senate. The language largely confirms current practice of involving faculty on search committees for a new president, provost or dean and current practice of involving faculty in the solicitation of feedback from their peers in reappointment reviews of the president, provost or a



dean. Detailed procedures for search and reappointment review committees but will be maintained outside the Faculty Handbook.

**May 2016**

1. Section IV.F. Policies on External Activities Relating to Research and Scholarship (Consulting and Conflict of Interest) and Other Conflicts of Interest: Revision on the entire section to bring in line with existing regulations from the Office of Research and Project Administration.

For a changes to the Faculty Handbook prior to May 2016, please contact the Office of the Provost.