

RUTGERS, THE STATE UNIVERSITY OF NEW JERSEY
RUTGERS BIOMEDICAL & HEALTH SCIENCES
NEW JERSEY MEDICAL SCHOOL

BYLAWS

PREAMBLE:

New Jersey Medical School (“NJMS”) is an educational unit of Rutgers, The State University of New Jersey (“The University.”) The mission of NJMS is to offer instruction in the health professions and science, to conduct related research, and to provide patient and health care and community service. These Bylaws identify basic policies, governing principles and standing rules of the School to fulfill this mission.

ARTICLE I - CONSTRUCTION AND APPLICATION

Definitions:

Faculty: Faculty refers to all persons holding an active faculty appointment at NJMS

Faculty Organization: Faculty Organization is the aggregate body that represents the faculty as a whole, and is comprised of the Faculty. All faculty are de facto members of the Faculty Organization.

Voting Member, Faculty Organization: A Faculty Organization member who is 50% or more full time equivalent at NJMS and paid by NJMS and is of full academic rank may be considered a voting member of Faculty Organization.

Faculty Council: Faculty Council is a representative body of the faculty that serves as the executive council of NJMS. It is the vehicle by which the faculty ordinarily exercises their duties and powers as dictated by the principles of shared governance.

President: Unless specified otherwise, this refers to the President of Rutgers, The State University of New Jersey.

Title A - Construction

These Bylaws are intended to be in conformity with the University’s policies and procedures and constitute the standing rules for the governance of NJMS. Nothing in these Bylaws shall be construed as an infringement upon the statutorily vested powers and authority of the Board of Governors, or of the President or the Dean when acting as the representative of the Board of Governors. Where the faculty and administration exercise authority under these Bylaws to establish policy and procedures, they shall be consistent with established policy of the Board of Governors.

These Bylaws are constructed to recognize and implement the principle of shared governance of the medical school.

Title B - Application

These Bylaws shall apply to all faculty and faculty activity within the academic and health care service components of the NJMS. All university programs of hospitals and health care facilities affiliated with NJMS as they involve academic standards and policies shall be deemed to be under the jurisdiction of these Bylaws.

ARTICLE II - ORGANIZATION

Title A - Academic Programs, Services and Formal Affiliations

In its academic programs, health care services and affiliations, NJMS shall be organized in a manner consistent with the mission set forth above, and in conformity to the following guidelines and principles:

Section 1 - Academic Programs

Recommendations by the faculty for major academic program changes, such as establishment of a department or division, shall be considered and reviewed by the Dean and the Faculty Council and are subject to approval by the President and Board of Governors upon recommendation of the Dean.

- 1.1 Review and consideration of academic programs may be initiated by the Faculty Council, by the Dean, by the Student Council, or upon petition of ten (10) faculty members.
- 1.2 A request for review or consideration of academic programs pursuant to §1.1 shall be referred to the Committee on Curriculum, Academic Programs and Policies for consideration.
- 1.3 Within sixty (60) days after referral, the Committee on Curriculum, Academic Programs and Policies shall return a written progress report to the Dean. The Dean shall then forward to the President and the Board of Governors the recommendation of the Faculty Council along with his/her recommendation.

Section 2 - Affiliated Health Care Facilities

Academic affiliations may be established by formal agreements between the New Jersey Medical School and regional hospitals or health care facilities for the purpose of educating medical students and residents. Such affiliations shall be reviewed by the Faculty Council in the same manner as an academic program.

Title B - Officers of the Administration

Section 1 - The Dean

- 1.1 The Dean is the chief academic officer of the School, and is vested with primary responsibility for implementing the mission of the School, as identified in these bylaws under the authority of the Board of the Governors, the President of the University and the Chancellor.. The Dean's duties and powers shall include the following:

1.1.1 Primary responsibility for the educational, research, healthcare and service programs, for the development of teaching and research affiliations, for administration of the School, for promoting the development and effectiveness of the School, and for maintaining accreditation with appropriate groups or agencies;

1.1.2 Development and evaluation of curricula;

1.1.3 Supervision of the members of the academic and non-academic staff of the School;

1.1.4 Make appropriate recommendations to the Chancellor and the Board of Governors on all appointments, reappointments, promotions of and conferral of tenure upon the faculty;

1.1.5 Oversight of a system of review of the effectiveness of performance of individual faculty members;

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

1.1.7 Recommendation to the Chancellor and the President of the University of appointment, reappointment and promotion of qualified individuals to serve as administrators of the School;

1.1.8 Preparation and recommendation of the annual budget request;

1.1.9 Review and approval of the expenditure of funds allocated to the School;

1.1.10 Assignment of space within the School, and appointment of a Committee on Space to advise him/her in this matter;

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

1.1.12 Reporting regularly to the Faculty Council and to the Faculty Organization and submitting reports and recommendations to the Chancellor and to the Board of Governors concerning the operation, plans and development of the School;

1.1.13 Appointment of such other advisory committees as deemed necessary;

1.1.14 Responsibility for implementing the Bylaws of the Medical School.

1.2 After consultation with the Faculty Council of the School, and with the approval of the Chancellor and the President of the University, the Dean may appoint and delegate authority and/or responsibility to such subordinate administrative officers as may be deemed necessary for effective administration. Such subordinate administrative officers shall serve at the pleasure of the Dean.

1.3 The Dean shall be appointed by the Board of Governors upon recommendation of the Chancellor from among a slate of nominees provided by a Dean's Search Committee. A simple majority of the Search Committee shall be selected by Faculty Council. The Chancellor shall appoint the remaining members. The Committee shall consult student

representatives and alumni representatives, and representatives of the community in the School's service area.

The list of faculty members for the Search Committee shall be nominated and elected by the Faculty Council of the School. The list must include individuals who are both chairperson and non-chairperson faculty from both clinical and pre-clinical departments and must include the seated President of the Faculty Organization at the time of the initial meeting commencing the Search.

- 1.4 The Dean shall serve without tenure and at the pleasure of the Chancellor. There shall be a periodic review of the school and the stewardship of the Dean at least once every five (5) years. The Provost shall appoint a committee to conduct the review and to report its findings and recommendations to the Provost who will recommend appropriate action to the Chancellor and Board of Governors. The committee shall take steps to ensure that the faculty and other appropriate constituencies have opportunity for input to the committee's review.

Section 2 - Departmental Chairs

- 2.1 There shall be a chair for each department. The chair shall be nominated by the Dean in accordance with the procedures of this section. The chair serves at the pleasure of the Dean. The performance of the chair will be reviewed annually by the Dean. The stewardship of the chair may be reviewed at any time but at least once every five years.
- 2.2 **Duties and Powers:** Under the Dean, the departmental chair shall have general administrative responsibility for, as well as participate in, the educational, research, health care and service programs of the department. The chair's duties shall include the following:
- 2.2.1 Development and operation of departmental programs;
- 2.2.2 Supervision of the faculty and staff of the department;
- 2.2.3 Annual evaluation of all departmental faculty and review of those evaluations delegated to division, section or program heads;
- 2.2.4 Establishment of annual goals and objectives by or for individual faculty members;
- 2.2.5 Counseling concerning career development for individual faculty members; and
- 2.2.6 Continuous evaluation of the educational, research, service and, where appropriate, patient care programs, faculty and staff performance, and administrative processes of the department and make appropriate recommendations to the Dean regarding all issues of concern to the department;
- 2.2.7 Development of the budget and plan all programs of the department following formal consultation with departmental faculty members;
- 2.2.8 In formal consultation with senior, full-time faculty of the department, the chair shall recommend appointments, reappointments, promotions, changes in faculty status from non-tenure track to tenure track or conferral of tenure, faculty renewal leaves, and

dismissals. For the purpose of appointments, reappointments, promotions and dismissals formal consultation requires convening a meeting of the senior, full-time faculty with at least seven (7) working days notice. At such a meeting, standard parliamentary procedures shall be followed, but all votes will be by secret ballot. The results of this meeting and any other action(s) taken, along with the chair's recommendations, shall be reported to the Faculty Committee on Appointments and Promotions through the Dean.

2.2.9 Maintaining accreditation with appropriate groups and agencies;

2.3 **Method of Selection and Review:** The chair of a department shall be appointed by the Dean with the approval of the appropriate Provost for a term of no more than five (5) years, from a slate of nominees provided by a search committee. .

2.3.1 The Dean shall recommend a chair from a list of three (3) candidates that he/she deems acceptable. These candidates will be provided to the Dean by a Search Committee. The Search Committee shall be appointed and charged by the Dean. The Search Committee must include one faculty member from the department for which the chair shall be selected. In the case of a new department, the Dean shall appoint one individual from the specialty involved who may or may not necessarily be a faculty member. This committee ordinarily should not exceed seven (7) members; a majority shall be faculty.

2.3.2 **Evaluation and Reappointment of the Chair:** At least once every five (5) years or at any time during the term of a departmental chair, a review and evaluation of the department and of the stewardship of the chair may be initiated by the Dean. The Dean may also initiate such a review under the following circumstances: if requested by the Faculty Council, or upon petition by over 50% of the departmental faculty of full academic rank. A review of the stewardship of each chair shall, in any event, occur at least ninety (90) days prior to the expiration of the chair's term. A Committee for review shall be appointed by the Dean with the approval of the Faculty Council, and the committee will contain no member of the department concerned. The committee shall take steps to ensure that the faculty and other appropriate constituencies have opportunity for input to the review and evaluation.

At the conclusion of the review process, which ordinarily should not exceed sixty (60) days, the recommendations of the review committee are to be submitted to the Dean and through the Dean to the chair and to the members of the department. Departmental members of full academic rank, upon receipt of the report, will meet [within approximately ten (10) working days] and shall, by secret ballot, vote to accept or reject the report and forward the results and recommendations to the Dean.

The Dean may reappoint a departmental chair after formal consultation with the department, or may declare the chair vacant. However, chairs serve at the pleasure of the Dean without regard to term or review.

In the case of a vacancy, the Dean may appoint an acting (or interim) chair after formal consultation with the members of the department. The acting chair shall serve at the will and pleasure of the Dean.

Section 3 - Division Chiefs and Sectional Chiefs

The chair, following formal consultation with the faculty in the department, may establish divisions and sections within the department with the approval of the Dean, the Chancellor and the Board of Governors, and may appoint, subject to approval by the Dean and the appropriate Provost, division chiefs or section chiefs from a slate of candidates submitted by a search committee of the full time faculty of the department, appointed by the chair. A reasonable number of full time faculty will constitute the committee. In the event that the nominees are not acceptable to the chair, he/she may request a new slate. Division chiefs or section chiefs shall serve at the pleasure of the chair and their stewardship shall be reviewed and evaluated periodically, at least once every five (5) years. The findings of such review and evaluation shall be reported by the chair to the Dean.

ARTICLE III - APPOINTMENT, REAPPOINTMENT AND PROMOTION OF FACULTY

Title A - Academic Titles

Section 1 - Definitions

- 1.1** **Full Academic Rank:** Rank held by those members of the faculty of the New Jersey Medical School having the titles of Professor, Associate Professor, Assistant Professor and Instructor. Faculty may be appointed and promoted to these ranks on tenure or non-tenure tracks.
- 1.2** **Qualified Academic Rank:** Rank held by those members of the faculty of the New Jersey Medical School having the titles of Lecturer or Associate, or a title preceded by such designations as "Clinical," "Adjunct," or "Visiting."
- 1.3** **Full Time Faculty:** Those members of the faculty of the New Jersey Medical School who have agreed to abide by all rules and regulations of the School and of the University, and whose professional careers are fully dedicated to the instructional, research, health care or service missions of the School.
- 1.4** **Part Time Faculty:** Those members of the faculty of the New Jersey Medical School who have agreed to abide by all the rules and regulations of the University and whose professional careers are only partially committed to the New Jersey Medical School. They may participate in teaching, research, clinical or service programs and in general New Jersey Medical School service.
 - 1.4.1** Part time faculty participating primarily in programs involving patient care shall be designated by the titles **Clinical Professor, Clinical Associate Professor, Clinical Assistant Professor and Clinical Instructor.**
 - 1.4.2** Part time faculty who participate primarily in research and teaching shall be designated by the titles **Adjunct Professor, Adjunct Associate Professor, Adjunct Assistant Professor and Adjunct Instructor.**
 - 1.4.3** Faculty whose service is for a limited time may be appointed as visiting faculty, e.g., **Visiting Professor, Visiting Associate Professor, Visiting Assistant Professor.**
 - 1.4.4** Faculty whose service is discontinuous or intermittent may be appointed as **Lecturer.**

1.4.5 The title of **Associate** may be used when other academic titles are judged not to be appropriate.

1.5 **Emeritus Professors and Emeritus Associate Professors:** Emeritus Professors and Emeritus Associate Professors as designated in Article III, Title G, Section 2 shall be regarded as members of the NJMS faculty who, by virtue of retirement, have been relieved of teaching and administrative responsibilities.

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

Section 2 – Approved Titles

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

Section 3 - Determination of Academic Title

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

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

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

Title B - General Provisions

Section 1 - Appointments

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

Section 2 - Effective Dates of Appointments

Academic appointments shall be based on the academic year which shall commence on July 1 of each calendar year and extend through June 30 of the following year.

Continuing appointments shall take effect on July 1. Initial appointments may take effect on any specified date. If the date is other than July 1, an anniversary date shall be specified for the purpose of determining years of service. The anniversary date shall be July 1 of the current academic year or July 1 of the following academic year, whichever is closer to the effective date of the appointment.

Section 3 - Initiation of Appointments

All appointments to the faculty shall be initiated by a proposal from a departmental chair as provided in Article II, Title B, § 2.2.8 of these Bylaws.

Section 4 - Terms and Conditions of Appointments

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

Section 5 - Years of Service

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

Title C - Requirements for Full Academic Rank and Qualified Academic Rank; Guidelines and Qualifications for Appointment or Promotion of Faculty

Section 1 – Eligibility for Full Academic Rank

1.1 Full time faculty as defined in Article III, Title A, §1.3 of these Bylaws and subject to the provisions and guidelines governing academic appointments set forth in these Bylaws, are eligible for and ordinarily should receive appointment to full academic rank. All shall participate in teaching, research, patient care and general service activities in proportion to the need and their abilities and shall demonstrate ability to carry responsibilities at a level of proficiency appropriate to their rank.

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

1.3 Faculty at affiliated institutions of the New Jersey Medical School, or at another school of the University, and who qualify as full time under Article III, Title A, §1.3, may be appointed to full academic rank.

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

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

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

1.4 Under special circumstances and following the review process described below, a few part time faculty may be appointed to positions of full academic rank. Such appointments may be considered for individuals who do not qualify as full time faculty as specified in Article III, Title A, §1.3 of these Bylaws, but whose professional service contributions to the University are particularly meritorious and whose professional careers are otherwise heavily committed to the New Jersey Medical School participating in teaching, research and service activities in proportion to the need and their abilities at a level of proficiency appropriate to their rank. Appointments and promotions under this section shall be made only by the Board of Governors after reviewing the recommendations of the Chair, the Committee on Appointments and Promotions and the Faculty Council of the School, the Dean and the Chancellor. Appointments must be approved by a two-thirds (2/3) majority of those present at such a meeting of the Faculty Council of the School.

Section 2 - Procedures and Criteria for Appointments and Promotions to Full Academic Rank

2.1 The Faculty Council, in cooperation with the Dean, shall develop and maintain rules of procedure and clearly defined criteria for appointments or promotions to each full academic rank. There shall be separate sets of criteria for appointment and promotion for faculty whose efforts are focused on (1) clinical activity, on (2) research, and on (3) education, administration or service. In establishing such criteria, the Faculty Council shall take into consideration those faculty who have significant responsibilities in more than one mission-related area. These rules shall also specify a mechanism for requesting a promotion without the recommendation of the departmental chair. These criteria and procedures shall be in writing; the Dean shall assure that all faculty are informed of these criteria and procedures.

Section 3 - Process of Appointment

3.1 Initial Appointment

- 3.1.1 Upon the positive recommendations of the departmental chair, the Dean, and the Chancellor, appointments of Instructors shall be made by the President, or his or her designee, after advice from the University Promotions Review Committee.
 - 3.1.2 Upon the positive recommendations of the departmental chair, the Dean, and the Chancellor, appointments of Assistant Professors on the tenure track or to the tenure track from a non-tenure track shall be considered by the University Promotions Review Committee. Assistant Professors may be appointed on or to the tenure track only by the Board of Governors after reviewing the recommendations of the Chair, the Dean, the Chancellor, the President and the University Promotion Review Committee
 - 3.1.3 Upon the positive recommendations of the departmental chair, the Dean, and the Chancellor, appointments of Assistant Professors on or to the non-tenure track shall be made by the President, or his or her designee, after advice from the University Promotions Review Committee.
 - 3.1.4 Upon the positive recommendations of the departmental chair, the Dean, the Chancellor, and the President, appointments of Associate Professor and Professors on the tenure track, or to the tenure track from a non-tenure track, or with tenure shall be considered by the University Promotions Review Committee. Associate Professors and Professors may be appointed on or to the tenure track or with tenure only by the Board of Governors after reviewing the recommendations of the chair, the Faculty Committee on Appointments and Promotion, the Faculty Council, the Dean, the Chancellor, the President and the University Promotion Review Committee.
 - 3.1.5 Upon the positive recommendations of the departmental chair, the Faculty Committee on Appointments and Promotions, the Faculty Council, the Dean and the Chancellor, appointments of Associate Professors and Professors on the non-tenure track or to the non-tenure track shall be made by the President, or his or her designee, after advice from the University Promotions Review Committee
- #### 3.2 Reappointment

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

Section 4 - Term of Appointment to Full Academic Rank

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

Section 5 - Notice of Non-Reappointment

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

- (a) four months prior to the expiration of a one-year appointment;
- (b) six months prior to the expiration of a two-year appointment; and

- (c) twelve months prior to the expiration of an appointment longer than two years as computed from the anniversary date.

Section 6 - Process of Promotion

The process for promotion shall be the same as for initial appointment to each rank, except that there shall be a process for self-nomination as provided for in Title C, Section 2.1. A positive recommendation by the Faculty Committee on Appointments and Promotions shall require consideration by the Board of Governors or by the Provost, depending on the tenure, tenure track or non-tenure track status, regardless of negative recommendations of the chair, the Dean, and/or the Chancellor.

Section 7 - Distinguished Professors

7.1 Privileges

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

7.2 Designation of Distinguished Professors

Upon the positive recommendations of the departmental chair, the Faculty Committee on Appointments and Promotions, the Faculty Council, the Dean and the Chancellor, designations of Distinguished Professors shall be considered by the Board of Governors. Designations of Distinguished Professors shall be made by the Board of Governors.

Title D - Requirements for Qualified Academic Rank

Section 1 - Eligibility for Qualified Academic Rank

1.1 Part time faculty as defined in Article III, Title A, §1.4, and subject to the provisions and guidelines governing academic appointments set forth in Article III, are eligible for appointment to positions of qualified academic rank. The amount of time devoted to the School shall be determined by the departmental chair in consultation with the Dean. Their service may be paid or voluntary.

1.2 Full time faculty, as defined in Article III, Title A, §1.3, whose academic qualifications or role do not qualify them for appointment to full academic rank may be appointed on an exceptional basis to qualified academic rank.

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

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

The Faculty Council shall develop and maintain rules of procedure and clearly defined criteria for appointment and promotion to each qualified academic rank with salary and for appointment and promotion to each qualified rank without salary.

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

Section 3 - Process of Appointment

3.1 Initial Appointment

3.1.1 Upon the positive recommendations of the departmental chair, the Dean and the Chancellor, appointments to qualified academic rank of instructors shall be made by the President, or his or her designee, after advice from the University Promotions Review Committee.

3.1.2 Upon the positive recommendations of the departmental chair, the Faculty Council, the Dean, and the Chancellor, appointments to qualified academic rank of assistant professors shall be made by the President, or his or her designee, after advice from the University Promotions Review Committee.

3.1.3 Upon the positive recommendations of the Faculty Committee on Appointments and Promotions, the Faculty Council, the departmental chair, the Dean, and the Chancellor, appointments to qualified academic rank of associate professors and professors shall be made by the President, or his or her designee, after advice from the University Promotions Review Committee.

3.2 Reappointment

The process for reappointment shall be the same as for initial appointment, except that in no case shall action be taken by the Faculty Committee on Appointments and Promotions.

Section 4 - Maximum Duration of Appointments

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

Section 5 - Process of Promotion

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

Title E - Academic Freedom and Academic Responsibility

It is the policy of the New Jersey Medical School to foster and maintain full freedom of discussion, inquiry, teaching and research. It is the responsibility of the faculty of the School to foster and maintain high standards of professional conduct and public morals consistent with the great and honored profession of which they are members and with the high public esteem in which it is the right of the New Jersey Medical School to be held. Every member of the faculty of the New Jersey Medical School is entitled in the classroom to discuss relevant subjects freely. In research and publication he/she is entitled to discuss freely those subjects with which he/she is competent to deal, to pursue inquiry thereunto, and to present and endeavor to maintain the opinions and conclusions relevant thereunto. While free to express those ideas which seem to him/her justified by the facts, he/she is expected to maintain standards of sound scholarship and competent teaching. Every member of the faculty of the New Jersey Medical School is obliged by his/her position and the standards of his/her profession to work for the betterment of the University, the School and the academic community and the communities where the School facilities are located.

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

Title F - Tenured Appointment

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

Section 1- Definition of Tenure

Tenure is continuous academic employment until retirement as long as the duties of the position are performed effectively, absent financial exigency or cause. Only the full academic ranks of Associate Professor or Professor may carry tenure except for those Assistant Professors granted tenure on or prior to adoption of these Bylaws, as amended in 2003. Tenured appointments shall continue until terminated in accordance with the rules set forth in these Bylaws.

Section 2 – Eligibility and Criteria

Tenure may be granted when merited upon or at any time following appointment or promotion to the rank of associate professor or professor. Tenure shall be conferred when a candidate has demonstrated independence and focus in research and scholarship as outlined in the Guidelines and Procedures for Appointment or Promotion to the NJMS Faculty. The research and/or instruction should be of high caliber. In research, the candidate should have a national reputation in his/her field of excellence, attested to by authorities in his/her specialty area. In the area of instruction, the candidate should have attained a significant reputation in his/her field of excellence. Indicators used to assess quality in instruction, research and service are outlined in the Guidelines and Procedures for Appointment or Promotion to the NJMS Faculty. This is a prestigious status which reflects substantial accomplishment and is given upon demonstration of achievement that can be fairly judged on a national rather than intramural basis. It implies a high level of continuous performance and recognition as being among the best in the field. The faculty member's accomplishments shall represent important contributions to the mission and reputation of the department, the School and the University such that they are deserving of employment as faculty members until retirement subject to the conditions set forth in Article III, Title F, Section 1 of these Bylaws.

Section 3 - Award of Tenure

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

The process for the award of tenure shall be as follows: Upon the positive recommendations of the departmental chair, the Dean and the Chancellor, awards of tenure shall be considered by Board of Governors. Proposals to award tenure shall be reviewed by the Faculty Committee on Appointments

and Promotions. There shall be a process of self-nomination as provided for in Article III, Title C, Section 2.1 of these Bylaws. A positive recommendation by the Faculty Committee on Appointments and Promotions and the Faculty Council shall require consideration by the Board of Governors regardless of negative recommendations of the chair, the Dean and/or the Chancellor. Associate Professors and Professors may be awarded tenure only by the Board of Governors after considering the recommendations of the chair of the department, the Faculty Committee on Appointments and Promotions, the Faculty Council, the Dean and the Chancellor.

Section 4 - The Obligation of The University

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

Section 5 - The Obligation of the Faculty

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

Section 6 - Academic Tenure in Combination with Administrative Appointment

- 6.1 Academic tenure may be given to any eligible person concurrent with an administrative appointment, but such tenure shall apply only to the academic rank and not to the administrative position. Such administrative position is terminable at will.
- 6.2 Any person holding a tenured appointment who is given an administrative appointment shall continue to hold such tenured appointment in his/her position of academic rank.

Title G - Emeritus Faculty

Section 1 - Privileges

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

Section 2 - Designation of Emeritus Faculty

Upon the positive recommendation of the departmental chair, the Dean and the Chancellor and following usual appointment procedures, designations of Emeritus Faculty shall be considered by the Board of Governors. Designations of Emeritus Faculty shall be made only by the Board of Governors after reviewing the recommendations of the chair, the Faculty Committee on Appointments and Promotions, the Faculty Council, the Dean and the Chancellor. Such recommendations should be based upon significant contributions in teaching, research, clinical or administrative services.

ARTICLE IV - THE FACULTY OF THE NEW JERSEY MEDICAL SCHOOL

Section 1 - Duties and Powers of the Faculty

Under the Dean, the Chancellor and the Board of Governors, the Faculty of the NJMS shall have the following duties and powers:

- 1.1 Determining requirements for admission as are deemed necessary for entrance into its several curricula, development of criteria and procedures for selection of students; and, via a committee of the faculty, recommendation of students for admission;
- 1.2 Design, approval, evaluation, revision, and oversight of the curriculum and overall educational program;
- 1.3 Establishment and promulgation of the academic calendar;
- 1.4 Formulating the policies and procedures for the instructional, research and service programs of the School;
- 1.5 Formulating guidelines and procedures for appointment and promotion of faculty in accordance with these Bylaws and The University Policies and procedures;
- 1.6 Recommending all appointments and promotions of the faculty in accordance with these Bylaws and The University policies and procedures;
- 1.7 Encouraging research work of faculty members and advanced students;
- 1.8 Establishing standards for attendance, conduct of examinations, grading, academic standing, and honors in courses;
- 1.9 Establishing requirements for degrees;
- 1.10 Recommending through the Dean to the President and the Board of Governors those candidates who have fulfilled the requirements for those degrees which, by law, the New Jersey Medical School is qualified to confer;
- 1.11 Adopting regulations and procedures under which the faculty operates;
- 1.12 Making recommendations to the Board of Governors of amendments to the University policies and procedures and these NJMS Bylaws through the Dean and the Chancellor;
- 1.13 For the purpose of voting at departmental meetings, faculty holding appointments in more than one department may vote in both departments on all matters. However, faculty may vote for tenure, appointments and promotions only in their primary department.

Section 2- Faculty Organization

All members of the Faculty are members of the Faculty Organization. Those who are 50% or more FTE at NJMS and paid by NJMS and are of full academic rank are Voting Members of Faculty

Organization. Only Voting Members may vote on issues that are brought before the entire faculty, may vote for officers of Faculty Organization, may serve on Faculty Council as elected representatives of the Faculty, may serve on a University-wide faculty Senate as representatives of NJMS, and may serve as officers of Faculty Organization, or as members of its or Faculty Council's committees.

Section 2.1 - Officers of the Faculty Organization

- 2.1a The officers of the Faculty Organization are its President, President-Elect, Past President, Vice President-Clinical Sciences, and Vice President-Basic Sciences.
- 2.1b Only voting members of the Faculty Organization of full academic rank and who do not hold titles as Chairs or as Deans shall be eligible to be officers of the Faculty Organization.
- 2.1c All of the Faculty Organization officers shall be voting members of Faculty Council.
- 2.1d The terms of all officers shall be one year, commencing on September 15th.
- 2.1e President of the Faculty Organization: The President shall be nominated and elected by the faculty for a term of one year as President-Elect, and upon completion of his/her term of President-Elect, shall automatically ascend to the role of President. The duties of the President shall include:

 - 2.5.e1 Calling and presiding over all Faculty Organization meetings which are to be scheduled at least four times during the academic year;
 - 2.1e2 Preparing and circulating the agenda for all meetings of the Faculty Organization, and to include on the agenda appropriate items submitted in advance by the faculty at large;
 - 2.1e3 Participating in the Committee on Committees which approves the chair and members of all faculty standing committees.
- 2.1f President-Elect of the Faculty: The President Elect shall be nominated and elected by the faculty. Upon completion of the year as President-Elect, he/she shall automatically assume the role of President of the Faculty. The President-Elect shall have the powers of the President of the Faculty in the absence of the President. The President-Elect shall also function as Secretary and Treasurer of the Faculty.

 - 2.1f1 The President-Elect shall serve on the Committee on Committees.
 - 2.1f2 Other duties shall be assigned by the President
- 2.1g Past President of the Faculty: Upon completion of the year's term as Faculty President, the Faculty President shall automatically become the Past President. The major role of the Past President is to insure continuity of the efforts of the leadership of the Faculty Organization.

 - 2.1g.1 In the absence of the President and the President-Elect, the Past President shall have the powers of the President of the Faculty Organization.
 - 2.1g.2 The Past President shall serve on the Committee on Committees.

2.1h Vice Presidents of the Faculty Organization:

There shall be two Vice-Presidents of the Faculty Organization, the Vice-President-Clinical Sciences and the Vice-President-Basic Sciences, nominated and elected by the Faculty. Their duties shall be assigned by the President.

2.1ha The Vice-Presidents shall serve on the Committee on Committees.

2.1i Meetings: The faculty shall meet at least four (4) times a year. Upon presentation to the President of the Faculty Organization of the names of twenty (20) members of the faculty of full academic rank calling for a special meeting, said meeting must be called by the President of the Faculty Organization within two (2) weeks.

2.1j Quorum: A quorum of a meeting of the faculty shall consist of forty (40) members present at a meeting which has been duly called, providing that notice has been sent to the faculty, in writing, at least ten (10) days in advance of the meeting.

Section 3 - Faculty Council

The faculty shall exercise the aforementioned duties and powers through the Faculty Council. However, the faculty reserves to itself the right to accept or reject Faculty Council decisions. In order to vote on a motion to reverse a Faculty Council decision, a special meeting of the Faculty Organization must be held. Formal announcement of such meeting must be sent in writing to the faculty and the Dean at least three (3) weeks in advance of the meeting indicating the Faculty Council decision to be discussed and voted upon. A quorum of at least sixty (60) full academic rank faculty must be present at this meeting, and a two-thirds vote required to overturn the Faculty Council decision.

3.1 The Faculty Council shall be responsible for developing policies pertaining to all academic matters which come under the jurisdiction of the faculty as described in, and subject to, the provisions of Article IV, Section 2 of these Bylaws.

3.2 The Faculty Council shall be composed of the Dean, the President, the Past President, the President-Elect and the two Vice Presidents of the Faculty Organization; and the chair or acting chair of all academic departments of the NJMS. In addition, a number of members of the faculty equal to the number of departmental chairs shall serve on the Faculty Council. The at-large membership shall be elected according to Article VII, Title A, Section 2, and are eligible for re-election. Two representatives of the volunteer faculty shall be elected to the Faculty Council by the at-large members. Four students, one from each year, shall be elected to the Faculty Council by each individual class, and one house officer shall be elected by membership of the house officers' organization. Student and house officer members may participate in discussions and balloting on all issues except faculty appointments and promotions. All Chairs of the faculty standing committees shall be ex officio, non-voting members (in the event the chairs are not current members of the Faculty Council).

3.3 The Dean or in his/her absence, the President or the Past President of the Faculty Organization, shall serve as presiding officer of the Faculty Council. The presiding officer of the Faculty Council shall vote only in the case of a tie vote; each member of the Faculty Council, with the exception of the non-voting ex officio members, has voting privileges.

- 3.4 Proxies on individual motions may be deposited with the President-Elect of the Faculty Organization, prior to the meeting at which the vote will be taken, if the member had been present during the meeting at which the specific motion was discussed.
- 3.5 A quorum of the Faculty Council is fifty percent of the voting membership plus one (1). Members of the Faculty Council may designate substitutes, who must be voting faculty members, who shall have the right to vote.
- 3.6 The Faculty Council will establish its own rules of procedure, conduct of meetings and methods of voting.
- 3.7 The Faculty Council shall ordinarily meet at least once a month and on call of the Dean.
- 3.8 The Faculty Council may, upon request or upon its own initiative, express faculty concerns directly to the Dean. If so requested by the Faculty Council, the Dean shall take these concerns forward to the Provost, the Chancellor and the Board of Governors.

Section 4 - Committees

- 4.1 The Committees of the Faculty and their chairs shall be appointed annually by the Faculty Council with the exception of the Committee on Admissions (see Article III, §5.6.2).
- 4.2 The chairs of the committees shall be nominated by the Committee on Committees (the Dean, the Vice-Dean and the Faculty Organization officers), and shall ordinarily be members of the Faculty Council. No Faculty Council member may serve as chair for more than one major committee. The Faculty Council may appoint faculty who are not members of the Faculty Council as chairs of committees upon recommendation of the Committee on Committees.
- 4.3 The faculty members of committees shall be selected by the Committee on Committees in consultation with the chair of the respective committee. Their appointments shall be subject to approval by the Faculty Council. All committees shall consist of a minimum of five (5) faculty members, including the chair. A majority of the faculty members of any committee must be drawn from outside the Faculty Council. Ordinarily, there shall be representation of both clinical and pre-clinical faculties on all committees. Should it be necessary to change the membership of a committee, the chair of the committee will nominate the new member through the Committee on Committees for appointment and approval by Faculty Council.

Committees will also include non-faculty members where it is deemed appropriate by the Faculty Council or upon recommendation of the chair of the committee or otherwise noted in the Bylaws. Student representatives shall be chosen by the Student Council. Housestaff and community representatives shall be chosen by the Dean.

- 4.4 The various committees shall regulate their own internal affairs, consistent with the policies and procedures of the University and School bylaws, and with the rules and regulations of the School. They shall be empowered to form sub- or ad hoc committees as needed for special purposes. The chair of these sub- or ad hoc committees shall, under ordinary circumstances, be a member of the parent committee. Other members of the sub- or ad hoc committees shall

be drawn from the faculty. The Vice Dean, Associate Deans (and/or Assistant Deans) shall be members, ex-officio and non-voting, of the appropriate committees, except as indicated below.

Officers of the Faculty Organization shall be ex officio members of all committees of the faculty without vote.

- 4.5 All reports of committees shall be submitted through the Dean to the Faculty Council for appropriate action.

All reports must be received by the Faculty Council members at least one (1) week prior to the meeting at which they are to be voted upon. This requirement may be waived by a vote of three-quarters (3/4) of the Faculty Council members present, a quorum being met.

- 4.6 The Committees of the Faculty, in addition to its Faculty Council and Committee on Committees, shall be as follows:

Faculty Committee on Appointments and Promotions (FCAP)
Committee on Admissions
Committee on Faculty Affairs
Committee on Student Affairs
Committee on Curriculum, Academic Programs and Policies
Committee on Bylaws
Committee on Continuing Education
Committee on Institutional Planning and Development
Committee on Graduate Medical Education
Faculty Investigator Committee

Ad hoc committees of the Faculty Council may be appointed by the Dean with the approval of the Faculty Council.

- 4.6.1 **Faculty Committee on Appointments and Promotions:** This committee has the responsibility to recommend to the Faculty Council policies governing appointments, promotions and tenure. This committee also has the responsibility to recommend to the Faculty Council all appointments and promotions of faculty, qualified and unqualified, tenured and non-tenured.

The chair will call and preside over the committee and will be a non-voting member. In the event of the absence of the chair, the chair shall delegate an acting chair from the membership of the committee who shall retain his/her vote. The composition and membership of this committee shall be determined by the Faculty Council. The Associate (Assistant) Dean for Administration or Academic Affairs shall be present at the invitation of the committee.

- 4.6.2 **Committee on Admissions:** This committee's chair and membership are appointed by the Dean upon recommendation of the administrative officer responsible for admissions.

The duties of this committee are to review and vote upon applications of students to the NJMS. The policies for admission to the NJMS are to be developed by the Admissions Committee and approved by the Faculty Council. The Admissions Committee shall determine its own operating procedures.

4.6.3 Committee on Faculty Affairs: This committee shall review and recommend policies governing faculty affairs other than appointments, promotions and tenure. It shall make such recommendations it deems necessary and send them to the Faculty Council. It shall serve as an appeal committee for promotions of faculty denied by the Faculty Committee on Appointments and Promotions. It shall review all requests for Faculty Renewal and recommend to the Dean approval or disapproval of such a leave. It shall further consider all academic matters which may be brought before it by a faculty member. It shall be empowered to appoint ad hoc committees to hear grievances brought by any member of the faculty and shall make appropriate recommendations for resolving these grievances. This committee shall also review and make appropriate recommendations on all academic matters involving faculty, except in those instances cited below.

The recommendations and supporting evidence of ad hoc grievance committees shall be delivered to the Committee on Faculty Affairs. These recommendations shall be reviewed by the Committee on Faculty Affairs. The committee shall make recommendations to the Dean who will render a final decision.

Exceptions to the above are the following:

If a grievance involves any matter grievable under any applicable collectively negotiated agreement, it shall not be grievable before the Faculty Affairs Committee.

If a grievance involves an issue covered in any contract between the faculty and the University, then the grievance shall be handled by procedures of the contract. All other faculty matters will be handled by the Faculty Affairs Committee of the NJMS.

4.6.4 Committee on Student Affairs: This committee shall initiate and make recommendations as to policy involving student affairs. It shall consider academic grievances involving any student and shall make appropriate recommendations. It shall act on student promotions and make appropriate recommendations to the Faculty Council.

The Committee shall be responsible for formulating regulations and recommendations regarding grades, absences, promotion and graduation. The committee shall formulate policies governing disbursement of loans, awards and scholarships. There shall be three student members, one for second, third and fourth years, chosen by the Student Council. The committee shall forward its recommendations to the Dean and to the Faculty Council.

4.6.5 Committee on Curriculum, Academic Programs and Policies: This committee shall be the central integrated body of faculty, students and administrators charged with design, evaluation, revision, approval and oversight of the curriculum and overall educational program. It shall make recommendations to the Dean and to the Faculty Council regarding implementation of these programs. The Dean or his/her designee, the Senior Associate Dean for Education, in concert with the Committee, will have responsibility for the overall leadership, management and implementation of the curriculum.

4.6.6 Committee on Bylaws: This committee shall be responsible for a continuing review of the Bylaws of the New Jersey Medical School. It shall be responsible for receiving proposals for amendments, conducting hearings through Faculty Organization on such amendments and recommending to the faculty approval or disapproval of amendments. At the end of every two years of operation of these Bylaws, the committee shall submit to the Faculty Council through the Dean, a report on the operation of said Bylaws. This report should

include recommendations for change if any should be necessary (refer to Article VIII, Title A for further details).

- 4.6.7 Committee on Continuing Education:** This committee shall be responsible for reviewing and recommending policies and program objectives in School activities relating to continuing education for physicians and shall send its recommendations to the Dean and to the Faculty Council.
- 4.6.8 Committee on Institutional Planning and Development:** This committee is responsible for long-term program review and recommendations regarding the goals and overall direction of the Medical School. They shall make recommendations concerning institutional design and utilization of facilities as these factors relate to the mission of the NJMS including, but not limited to, buildings, affiliations, and the educational, clinical and research programs. Recommendations of this committee shall be referred to the Dean and to the Faculty Council. Committee membership must include the Senior Associate Dean for Education, the Chair of the Committee on Curriculum, Academic Programs and Policies, the Associate Dean for Clinical Affairs, the UPA President, a CIR representative, the Senior Associate Dean for Research, a representative of the Funded Investigators Group, and a representative of the Graduate Student Organization, plus six (6) faculty members of which at least two (2) must be from clinical and at least two (2) from the basic science departments.
- 4.6.9 Committee on Graduate Medical Education:** Members of the Graduate Medical Education Committee (GMEC) are nominated by the Committee on Committees. They are approved and appointed by the Faculty Council. The Committee ordinarily meets monthly and reports to Faculty Council. Minutes are kept and are available for review in the GME Office and the Dean's Office. The GMEC provides a forum in which its members, in concert with the Dean of NJMS, via the Dean's representative (Associate Dean for GME), meet to make recommendations concerning all aspects of the NJMS GME programs. The GME program directors from the core residency programs are responsible (1) for communicating with their specialty program directors and (2) for ensuring compliance with the ACGME's institutional and program requirements. The GMEC is responsible for recommending policies concerning regionalization, affiliations and house officer programs. The GMEC shall be comprised of one (1) voting member from each of the core (NJMS) residency programs (Medicine, Neurology, Obstetrics-Gynecology, Pediatrics, Psychiatry, and Surgery). In addition, one (1) (voting member) will represent the NJMS medicine fellowship programs at NJMS/UH, and one (1) other member will represent all of the surgical specialty residencies and surgical fellowships; two (2) peer-selected house staff officers will be selected by the NJMS Resident's Council. An additional six (6) committee members will be physicians on staff-of affiliate institutions (no more than one (1) from any specialty), as recommended by the Chair of the GMEC. The voting membership shall also include one (1) physician/administrator from each of the major affiliate hospitals. The Associate Dean for Graduate Medical Education is ex officio. The GMEC Chair does not have a separate vote if he/she is also a program director or chair. The Dean of the Medical School as the Presiding Officer of the Faculty Council, is an integral part of the GME Committee. He/she will be informed of the GMEC activities via the monthly reports of the GMEC to Faculty Council.
- 4.6.10 Faculty Investigator Committee** The goal of this committee is to enhance the research enterprise. Its function is to facilitate dissemination of research-related information to the faculty. It will suggest procedures to improve communication between investigators and

administration. It shall make recommendations to the Dean and to the Faculty Council regarding implementation of research programs.

ARTICLE V - LEAVES OF ABSENCE

Title A - Faculty Renewal Program

Section 1 - Policy and Purpose

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

Section 2 - Eligibility

Full-time full-title faculty who have completed at least six consecutive years of service within RBHS, or its successor, shall be eligible to be granted leave under this program. Consecutive years of service shall be computed as provided in Article III Title B, Section 5 of these Bylaws, and service in the individual schools prior to the formation of RBHS shall be counted. An individual granted leave under this program shall be ineligible for an additional leave under this program until an additional six consecutive years of service have been accumulated.

Section 3 - Approval

Leave under this program may be granted only by the Provost upon considering the recommendations of the departmental chair, the Committee on Faculty Affairs and the Dean. Faculty Renewal Leaves shall be reported annually to the Board of Governors.

Title B - Other Leaves

Upon the recommendations of the departmental chair and the Dean, the Provost may approve other leaves of absence by members of the professional staff at full or reduced salary, or may grant such leave without salary for acceptance of assignments of limited duration with other universities and colleges, public service agencies, or as a delegate, expert, consultant or similar function for other appropriate purposes consistent with the needs and interests of the University and School.

Salaried leaves under this Title B shall be reported annually to the Board of Governors.

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

ARTICLE VI - TERMINATION OF SERVICE

Title A - Terminations at Will

Section 1 - Appointments to Qualified Academic Rank

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

Title B - Automatic Terminations

Section 1 - Term Appointments

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

Title C - Termination for Cause

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

ARTICLE VII – FACULTY ORGANIZATION ELECTIONS

Title A - Methods of Elections

Section 1

A meeting of the Faculty Organization will be held annually during the month of May for the purpose of selecting up to three (3) nominees for each office from the floor. Nominating petitions signed by at least twenty (20) voting members of the Faculty Organization will also be accepted at such meeting or within one (1) week thereafter. Access to electronic ballots, containing the names of the nominees for each office shall be sent to the voting members of the faculty organization by secure means within two weeks. Every member of the faculty of full academic rank may vote for the candidates for each office. The election will be conducted by the Officers of the Faculty Organization. At least two (2) weeks must be allowed for return of ballots.

Section 2

At-Large Faculty Council Members: These elections are held by the Faculty Organization annually during the month of May. To be eligible, a faculty member must hold full academic rank above Instructor. Each department shall nominate for election one (1) member other than the departmental chair. Also, nominating petitions signed by twenty (20) voting members of the Faculty Organization will be accepted. Such nomination does not exclude simultaneous nomination for Officers of the Faculty.

Section 3

The appropriate number of individuals in each group, clinical or basic science, receiving the largest number of votes shall serve.

Section 4

Assumption of Office: All elected individuals shall take office on September 15.

Section 5

Vacancies: In the event that the President of the Faculty Organization resigns or otherwise becomes unable to serve, the President-Elect shall assume the office of the President until the next election and installation of officers. If the President-Elect resigns or becomes unable to serve, the Past-President shall serve as Acting President-Elect and a new election to fill the role of President-Elect will be held within 30 days until the next election. The new President-Elect shall be elected by a majority of the At-Large Faculty Council members present and voting.

Title B - Term of At-Large Faculty Members of the Faculty Council

The At-Large Faculty members of the Faculty Council shall be elected for two-(2) year terms. There shall be an equal number of clinical and basic science faculty members. One-half (1/2) will be elected each year.

Title C - Student Representatives of the Faculty Council

The student representatives on the Faculty Council will be elected by each class, first year class voting in September, and the other three classes in May.

Title D – Recall

Any member elected by the faculty to office, or appointed by the Faculty Council to any committee chairpersonship, may be recalled by the faculty. A petition for recall signed by thirty (30) faculty members must be submitted to the President of the Faculty Organization. Not later than two (2) weeks thereafter, the President of the Faculty Organization must call a meeting of the faculty to discuss the recall petition. Recall will be by a majority of the ballots cast in a mailed ballot.

ARTICLE VIII - AMENDMENTS TO THE NJMS BYLAWS

These Bylaws may be amended in the following manner:

Title A - Amendments Initiated by the Faculty

A proposal for the amendment signed by twenty (20) voting members of the faculty organization must be submitted in writing to the Chair of the Bylaws Committee. The Chair of the Bylaws Committee shall mail this proposal to the faculty with the date(s) of an open hearing on the measure by the Bylaws Committee. Within one (1) month after all interested parties in the School have been provided an opportunity to testify at a hearing, the Bylaws Committee shall summarize the testimony and submit it along with the Committee's recommendations to the President of the Faculty Organization and the Faculty Council. Any amendments initiated by the Faculty Council (Article IV, §5.6.7) shall be processed in the same manner, starting with an open hearing. The proposed amendment must be passed by a two-thirds (2/3) vote of at least sixty (60) voting

members of the faculty organization by an electronic ballot, and shall then be proposed to the Board of Governors through the Dean and the President.

Title B - Amendments Initiated by the Board of Governors

Amendments to these Bylaws may be initiated and adopted by the Board of Governors, provided, however, that no such amendment shall be adopted unless sixty (60) days written notice thereof and a copy of the proposed amendment has been provided to the faculty of each educational unit and an opportunity granted by the Faculties to present their views to the Board of Governors within a sixty (60) day period; provided, however, that no such amendment shall adversely affect any contract then existing between the University of Medicine and Dentistry of New Jersey and the faculty, or any rights of the faculty under law.

Approved by the UMDNJ Board of Trustees January 1981
Amended by the NJMS Faculty Organization June 1987, May 1988
Approved by the UMDNJ Board of Trustees July 1988
Amended by the NJMS Faculty Organization September 1990
Approved by the UMDNJ Board of Trustees November 1990
Amended by the NJMS Faculty Organization October 1993
Approved by the UMDNJ Board of Trustees April 1994
Amended by the NJMS Faculty Organization November 1994
Approved by the UMDNJ Board of Trustees March 1995
Amended by the NJMS Faculty Organization June 1995
Approved by the UMDNJ Board of Trustees September 1995
Amended by the NJMS Faculty Organization June 2003
Approved by the UMDNJ Board of Trustees December 2003
Amended by the NJMS Faculty Organization February 2005
Approved by the UMDNJ Board of Trustees March 2005
Amended by the NJMS Faculty Organization April 2009
Amended by the NJMS Faculty Organization January 2011
Approved by the UMDNJ Board of Trustees March 2, 2011
Amended by the NJMS Faculty Organization May 2013
Approved by the UMDNJ Board of Trustees June 18, 2013

5/13/09 mp
1/25/11 dbj
5/16/13 mp