The Bylaws
of
Sidney Kimmel Medical College
of
Thomas Jefferson University

Upon recommendation of the Sidney Kimmel Medical College Faculty, the Board of Trustees of the corporation enacts these Bylaws to define organization, authority and basic procedures for the conduct of the Medical College and of its faculty. Last amended November 24, 2015.

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Preamble

Sidney Kimmel Medical College is the College of Medicine of Thomas Jefferson University. Established in 1824, the Medical College is dedicated to the promotion of the health of society and the improvement of medical care through the education of physicians and biomedical scientists, the provision of exemplary health services to the community, and the expansion of knowledge and understanding of individuals and their universe through research.

As one of the oldest institutions of higher education in the nation, Sidney Kimmel Medical College has a rich tradition of emphasizing the attainment of clinical excellence in its educational programs as well as the need for the student body and faculty to commit themselves to lifelong intellectual inquiry. Its instructional programs are designed to achieve this mission but at the same time retain the flexibility to be compatible with the educational requirements of students from varying academic and socio-economic backgrounds and with a diversity of career interests.

The research interests of the institution are directed at expanding the frontiers of knowledge in the traditional biomedical disciplines and on evaluating the impact of education and medical service on the quality of care patients receive.

The College is committed to promoting and maintaining the highest standards of medical service, both to ensure excellence in the care of patients and to provide the proper environment for the education of students and residents. In the development of the environment for clinical instruction, particular care is taken to develop in each student and resident an understanding of professional ethics and the social aspect of medicine, as well as sound principles of medical practice.

The College recognizes that crucial to the success of its mission is the development of its faculty. Accordingly, special attention is given to the recruitment of superior faculty and the provision of resources essential for the highest quality teaching, patient care and research. Faculty are provided with timely and comprehensive performance evaluations to assist them in their professional growth and development and to monitor the program quality of the College.

The College is committed to conducting its business in an ethical and honest manner and in compliance with all federal, state and local government rules and regulations. It further recognizes that the government and the public have a concerned interest in the way its business is conducted and that the College’s continued excellence and success depends on establishing their trust and confidence in its services. Accordingly, the faculty are expected and required to maintain appropriate standards in the conduct of academic work including teaching, patient care and research activities consistent with the University’s Corporate Compliance Program.

The Board of Trustees of Thomas Jefferson University is the governing body of Sidney Kimmel Medical College. The Charter of the Corporation provides that all rights, powers and franchises of the Corporation shall be exercised by the Trustees. All authority herein conferred by the Board is granted, and all provisions of these Bylaws are made subject to the reserved right of the Board of Trustees to take such action as it may deem necessary in the interest of the Corporation and in the discharge of the Trustees’ ultimate responsibility for the conduct of
corporate affairs.

**Article I**

**Name of the Organization**

The name of this organization shall be Sidney Kimmel Medical College of Thomas Jefferson University.

**Article II**

**Officers of the College**

**Section 1: The Dean**

The Dean of Sidney Kimmel Medical College shall be the Chief Executive Officer of the College, President of the University’s clinical practice plan known as Jefferson University Physicians, and a member of the faculty by virtue of his/her office. Subject to the supervision of the President, the Dean shall be responsible for the management and development of the administrative affairs and the academic programs of the College. He/she shall supervise the execution of the bylaws, rules and regulations of the College and all policies of the Board of Trustees applicable to the College.

The Dean’s supervision of the conduct of the academic programs of the College shall extend to all areas of Thomas Jefferson University. He/she shall supervise the conduct of such programs in hospitals and institutions with which the College has official academic affiliation. He/she shall be the only representative of the College authorized to negotiate such affiliations on behalf of Jefferson. He/she shall be responsible for maintaining proper relationships with accrediting agencies and with professional organizations and associations, which are related to medicine and medical education.

The Dean, after consultation with the Chairpersons of the academic departments of the College, shall prepare a budget annually which, with the advice of the Vice President for Finance, the Dean shall present for consideration by the President and the Board of Trustees. The Dean shall work with the President and Vice President for Development in planning for the financial needs of the College and in seeking fiscal support from outside sources.

The Dean periodically shall review the space requirements of the College and shall present recommendations to the President regarding reassignments of space within existing facilities to provide for the proper conduct of the academic programs. The Dean shall make recommendations to the President and the Board of Trustees for the development of additional physical facilities as necessary for the proper conduct of such programs.

The Dean, after informing the Executive Council, may recommend persons to the President
and the Board of Trustees for appointment as Associate Deans, Assistant Deans, Registrar, and as Directors of supporting divisions of the College. He/she may make interim appointments to the faculty on recommendation of the Department Chairpersons and may appoint a member of the Professorial Faculty to serve as Acting Dean in his/her absence. After consultation with the President, the Dean may appoint an Acting Chairperson of an academic department, and he/she shall engage other employees of the College who are under his/her direct supervision.

The Dean shall report annually to the President on the state of the College. The report will be made available to the Trustees and the General Faculty.

The Dean shall attend meetings of the Board of Trustees. He/she shall report all actions and decisions of the Professorial Faculty and the Executive Council to the Board.

The Dean, by virtue of his/her position, shall be the Chief Academic Officer of the College and a Senior Officer of the University. With the concurrence of the President he/she shall recommend to the Board of Trustees such policies or actions as he/she may deem desirable for the proper conduct and development of the College and its programs. The Dean also shall assist in maintaining effective college relations with the Alumni.

When a vacancy occurs in the office of the Dean, the President in consultation with the Chairperson of the Board, shall designate an Acting Dean. Recommendations for appointment of a new Dean shall be made to the Board of Trustees by an ad hoc search committee appointed by the Chairperson of the Board. The committee shall consist at a minimum of three members of the Board of Trustees, one of whom shall be designated Chairperson, one member of the Executive Council, three members of the Professorial Faculty, and ex officio, the Chairperson of the Board and the President.

**Section 2: Associate and Assistant Deans**

The Board of Trustees may appoint one or more Associate and Assistant Deans on the recommendation of the Dean. They shall be members of the faculty by virtue of their office and also shall be eligible for appointment to an appropriate department of the College. They shall assist the Dean in his/her conduct of the affairs of the College and have such duties as he/she may designate.

**Section 3: Department Chairs**

Each academic department shall have a Chairperson appointed by the Board of Trustees. The Chairperson shall be the chief executive officer of that department, and he/she shall be eligible for membership on the Executive Council. Department Chairpersons shall be subject to the supervision of the Dean and responsible to him/her for the evaluation, management and development of the faculty, administrative affairs and all programs within their department and shall continue to serve as Chairpersons at the Dean’s discretion. Except for those individuals serving as Chairpersons at the time of these Bylaws, amended as of March 6, 2000, and any individual serving as Chairperson pursuant to a formal affiliation agreement with the College after July 1, 2006, all Chairpersons must be full-time employees of the University and Chairpersons of clinical departments (including Pathology) must be employed by Jefferson University Physicians.* The Chairperson’s authority as to his/her department shall include
The Chairperson must also acquaint himself/herself fully with the policies and procedures of the College and University and assume the responsibility for their enforcement by the faculty and employees in his/her department. The Chairpersons’ authority as to academic affairs shall extend to the conduct of educational and research programs and promotion of the best interests of the faculty in the department.

*A special exception exists for the Chairman of Pediatrics due to the nature of the formal affiliation between the College and the duPont Hospital for Children.

The Chairperson shall report annually to the Dean on the status and programs of the department within eight weeks after the close of each academic year on June 30.

When the Chairperson expects to be absent from the College more than two days he/she shall inform the Dean and designate a senior member of the department to act in his/her absence.

Except for provisions governing the search process for a new chairperson in a formal affiliation agreement with the College, when a vacancy occurs in a Department Chair, the Dean, in consultation with the President, shall appoint an acting or interim chairperson for that department. Recommendations for the appointment of a new chairperson shall be made to the Board of Trustees by an ad hoc search committee appointed by the Chairperson of the Board. The committee shall consist at a minimum of three members of the Board of Trustees, one of whom shall be designated as Chairperson, one member of the Executive council who shall serve as Vice Chairperson, three members of the Professorial Faculty and ex officio*, the Chairperson of the Board, the President, the Dean and others if deemed appropriate by the Chairperson of the Board. The search committee shall present its report and its nomination to the Board of Trustees for final action.

* All ex officio appointees provided for in these bylaws are “with-vote.”

Section 4: Division Director

Each division of an academic department established as hereinafter provided shall have a Director who shall be the administrative officer of that division. The Director of the division shall supervise and be responsible to the Department Chairperson for the personnel, the organization and the administration of that division and shall continue to serve as a Director at the Chairperson’s discretion.

When a vacancy occurs in a division directorship the Department Chairperson, after consulting with the Dean, shall present to the Executive Council a recommendation for the appointment of a successor for final action.

Section 5: The Registrar

The Registrar shall be a member of the faculty by virtue of his/her office. He/she shall be responsible to the Dean for the registration and maintenance of the academic records of all students and faculty.

The Registrar shall maintain the official record of the academic progress of all students registered in the College and University and shall coordinate all academic schedules and
exercises. He/she shall receive and process for review by the appropriate committees of the faculty all evaluation reports on student performance in all academic programs of the College and University. The Registrar shall collaborate with the Controller in the collection and deposit of all tuition fee payments so that the Controller’s Office can maintain appropriate accounts and records of such payments. The Registrar shall be responsible for the publication of the Catalog of the College. The Medical College Registrar shall also serve as the University Registrar.

The Registrar with the advice of the Dean may appoint Assistant or Associate Registrar(s) to assist in the performance of these duties and act in his/her absence or incapacity.

When a vacancy occurs in the Office of the Registrar, the Dean, with the advice of the President, shall recommend a candidate to the Board of Trustees for appointment.

Section 6: Duration of Appointment

Officers of the College as defined in this Article shall be appointed and reappointed by the Board on an annual basis and serve during that term at the discretion of the Dean.

Failure of reappointment to office or to hold that office during that year shall not ipso facto terminate tenure, nor affect any of the other rights and privileges pertaining to the appointee’s concurrent faculty appointment. Nevertheless, consistent with Article IV, Section 8, compensation may be adjusted commensurate with faculty rank and new duties and responsibilities.

Article III

Organization

The College shall be organized into departments and divisions, and the faculty shall be organized as a General Faculty, a Professorial Faculty and an Executive Council. All members of the faculty, except the officers of the College, must have appointments in a department of instruction.

Section 1: Departments

The Sidney Kimmel Medical College shall have the following departments:

- Anesthesiology
- Biochemistry and Molecular Biology
- Cancer Biology
- Dermatology and Cutaneous Biology
- Family and Community Medicine
- Emergency Medicine
- Medical Oncology
- Medicine
- Microbiology and Immunology
- Molecular Physiology and Biophysics
- Neurology
- Neurological Surgery
Neuroscience
Obstetrics and Gynecology
Ophthalmology
Oral and Maxillofacial Surgery
Orthopaedic Surgery
Otolaryngology/Head and Neck Surgery
Pathology, Anatomy and Cell Biology*
Pediatrics
Pharmacology and Experimental Therapeutics
Psychiatry and Human Behavior
Radiation Oncology
Radiology
Rehabilitation Medicine
Surgery
Urology

* Unless otherwise indicated, Pathology, Anatomy and Cell Biology shall be considered a basic science department for purposes of these Bylaws.

Departments may be created, dissolved or merged by action of the Board of Trustees upon recommendation of the Dean and the Executive Council.

Section 2: Divisions and Other Administrative Units

In any department, one or more divisions may be established to facilitate the conduct of its affairs. The establishment or termination of a division shall be recommended by the Dean after consultation with the Chairperson of the Department, and shall be subject to approval by the Executive Council.

Institutes, centers of excellence and other administrative units within the College may be established or terminated by the Dean with the advice of the Chairpersons of the involved departments and as approved by the Executive Council and President.

Section 3: General Faculty

A. Membership

The General Faculty shall consist of all persons who hold an academic appointment to the faculty of the College.

B. Function

The General Faculty is organized to provide education and research of the highest quality, and to promote close liaison among all professional personnel of the College.

The General Faculty shall receive information reports of College activities and progress and consider matters of general interest. Members shall promote the welfare of the College by carrying out their individually assigned functions and participating in institutional activities.

C. Assembly

The General Faculty shall assemble at least once each academic year at the call of the Dean,
and such meetings may be held in conjunction with meeting(s) of the Professorial Faculty. At least 10 calendar days prior notice shall be given setting forth the principal topics to be reported at the meeting. Notice may be made by mail, bulletin board postings or any other method, electronic or otherwise, which is reasonably reliable.

A special assembly of the General Faculty may be called with a minimum advance notice of three calendar days by the Dean when he/she has particular business to discuss or when he/she receives a petition signed by 50 members of the faculty setting forth the reasons for the meeting.

The Dean shall preside at all assemblies of the General Faculty or, in his/her absence, the presiding officer shall be a Department Chairperson designated by the Dean.

Section 4: Professorial Faculty

A. Membership

The Professorial Faculty includes the President of the University, the Deans and Officers of the Medical College, and all members of the faculty who hold academic rank (prefixed or unprefixed) of Professor and Associate Professor.

B. Presiding Officer

The Dean is the presiding officer of the Professorial Faculty and is designated as President thereof.

C. Function

The Professorial Faculty shall have the academic authority and responsibility for the admission and promotion of students, student affairs, the curriculum, research and academic freedom.

The Professorial Faculty shall function by virtue of its membership on College committees and by making recommendations and forwarding its minutes to the Executive Council.

By delegation, the Executive Council shall act on behalf of the Professorial Faculty and report to it by publication of the minutes of its meetings, including summaries of committee reports.

The Professorial Faculty shall have the right to recall and consider action taken by the Executive Council on those matters in which the Professorial Faculty has authority. Reversal of Executive Council action shall require the support of two-thirds of those members voting. Vote on such matters may be taken by mail ballot or any other method, electronic or otherwise, which is reasonably reliable.

D. Meetings

The Professorial Faculty shall meet at least three times during each academic year (one of which may coincide with the meeting of the General Faculty) with at least 10 calendar days advance written notice describing the business to be transacted. One meeting each year shall be designated the annual meeting.

E. Committees of the Professorial Faculty

1. Advisory committee
As needed and as charged by the Dean, this committee may receive comments, suggestions, opinions and problems from faculty members. The committee will discuss such matters and bring its advice and recommendations to the Professorial Faculty. Those matters, which are not resolved, will be channeled in the best possible manner for disposition, i.e., to other committees, to the administration, or to open discussion at full meetings of the Professorial Faculty. Meetings of this Advisory Committee will be held as needed.

a. Membership
   (1) Four members from basic science departments.
   (2) Two members from clinical departments, volunteer.
   (3) Two members from clinical departments, full time
   (4) One member from an affiliated hospital, full time or volunteer.
   (5) The elected representatives of the Professorial Faculty to the Executive Council.
   (6) Each individual will serve a two-year term, and no person may be reelected until two years have intervened following the end of the term.

b. Officers
   There will be a Chairperson, Chairperson-Elect, Secretary and Secretary-Elect.
   (1) Officers will serve for one year. The Chairperson-Elect will serve on the Committee for a total of three years. The first year as Chairperson-elect, the second year as Chairperson and the third year as a regular member. The Secretary-elect will become Secretary.
   (2) Chairperson. This position will be rotated annually among:
    a) a basic science department
    b) a member of a clinical department, full time;
    c) a member of a clinical department, volunteer.
   (3) Secretary. This position will alternate between basic science full time and clinical full time.

2. Agenda Committee
   This committee will be selected by the Professorial Faculty Advisory Committee from among its members and will consist of the Chairperson of that committee and one person from basic science and one from a clinical department. The Agenda Committee will assist the Dean to prepare the agenda for Professorial Faculty Meetings.

F. Professorial Faculty Representation
   The Professorial Faculty will have representation on the Executive Council and the Committee on Committees, as follows:

1. Executive Council
   Two members of the Professorial Faculty (one from basic science, one clinical) will be elected to the Executive Council as full voting members. Each will serve for a term of two years, and may not be reelected until two years have intervened following the end of the term. Representatives of the Professorial Faculty to the Executive Council shall be voting members of the Professorial Faculty Advisory Committee, and two alternates for these positions shall be elected from among the members of the Professorial Faculty Advisory Committee.
2. Committee on Committees

Two members of the Professorial Faculty (one from basic science, one clinical) will be elected to the Committee on Committees as full voting members. Each will serve a two-year term, and may not be reelected until two years have intervened following the end of the term.

G. Election Procedures

1. The Secretary of the Professorial Faculty Advisory Committee is responsible for carrying out the election procedure.

2. The Nominating Committee appointed by the Committee on Committees will prepare slates for each position to be filled. These positions include members of the Advisory Committee, officers of the Advisory Committee, members of the Executive Council and members of the Committee on Committees. These slates of nominees will be mailed to all members of the Professorial Faculty at least 45 calendar days before the annual meeting of the Professorial Faculty.

3. Additional nominations may be made by petition signed by 10 members of the Professorial Faculty. They must be submitted no less than 25 days before the meeting to the Nominating Committee.

4. Mail ballot. A ballot containing the names of all nominees will be mailed to each member of the Professorial Faculty at least 20 days before the annual meeting. The completed ballot must be received by the secretary of the Advisory committee at least five days before the meeting.

5. The votes will be counted by tellers, appointed by the secretary of the Advisory committee, three days before the meeting.

6. In the event of a tie, a run-off election will be held at the annual meeting.

7. Those individuals who have the largest number of votes are elected.

Special meetings of the Professorial Faculty may be called by the Dean with a minimum advance notice of three business days when he/she has particular business to discuss or when he/she receives a petition signed by 50 members of the Professorial Faculty setting fourth the reasons for the meeting. Until such meeting has been held, the Dean shall not submit to the Board of Trustees any matter, which is to be considered by the Professorial Faculty.

The quorum required by the Professorial Faculty in order to act will be 50 members present or such other number as set by the Committee on Committees. Reversal of an action of the Executive Council shall require the affirmative vote of two-thirds of the members voting by mail ballot or any method electronic or otherwise deemed reasonably reliable.*

*As referred to throughout these Bylaws, in the event of voting by mail ballot or any other method deemed reliable, the minimum number of responses deemed adequate for a valid vote shall be at least 25% of the total number of eligible voters.

The Dean shall preside at all meetings of the Professorial Faculty or, in his/her absence, the Department Chairperson designated by the Dean.

Section 5: Executive Council
A. Membership

The Executive Council shall consist of the Dean as Chairperson and the President, ex officio, the Chairpersons of the Departments listed in Section 1 and two elected representatives from the Professorial Faculty.

Other appropriate individuals may be invited by the Dean to attend meetings of the Executive Council.

At the first meeting of the college year, the Council shall elect one of its members to serve as secretary.

B. Function

The Executive Council has primary authority and responsibility for the academic affairs of the Medical College including Bylaws and Rules of the College, faculty affairs such as appointments, promotions, and welfare, College related tenure issues and all other academic matters not specifically delegated to the Professorial Faculty.

The Executive Council is delegated by the Professorial Faculty to act on its behalf as to any matter in which the Professorial Faculty has academic authority and responsibility.

The Executive Council shall receive reports from the committees of the College and from the Professorial Faculty and take appropriate action. Committee Chairpersons and appropriate Associate and Assistant Deans and other guests may be invited to present the reports of their respective committees in person.

The Executive Council may consider any other matters brought to its attention by the Officers of the College or its own members.

The Executive Council shall establish College policies and prescribe changes in policy in all matters not specifically delegated to the Officers or to the Professorial Faculty.

The Executive Council shall report to the Professorial Faculty by prompt distribution of its minutes, which shall include summaries of committee reports. If the Board of Trustees has not yet acted upon the matter, action of the Executive Council on matters within the jurisdiction of the Professorial Faculty may be considered and recalled at the next regular meeting of the Professorial Faculty or at a special meeting called for that purpose as provided in Section 4C of this Article.

All actions of the Executive Council are subject to review by the Board of Trustees.

C. Meetings

The Executive Council shall meet at least 10 times each year, unless it acts to eliminate a meeting. Special meetings shall be called as requested by the Dean, the President or the Board of Trustees or upon request signed by three members of the Executive Council.

The Dean or, in his/her absence, the Department Chairperson designated by him/her, shall reside at meetings of the Executive Council.
Section 6: Committees of the College

A. Standing and ad Hoc Committees

Standing Committees shall be appointed by the Committee on Committees. Members on such committees shall be appointed and serve for two-year terms or until their successors are appointed. Sub-committees may be instituted and membership appointed by the various committees subject to review by the Executive Council. The Dean shall be an ex officio member of all committees of which he/she is not an appointed member. He/she may designate one or more representatives to attend meetings on his/her behalf and to exercise any vote to which the Dean may be entitled.

The Standing Committees on Faculty Affairs, Faculty Appointments, Bylaws and Rules and Committee on Committees shall report to the Executive Council through the Dean. The Standing Judicial Board shall report to the Dean.

The other Standing Committees shall report to the Professorial Faculty through the Executive Council.

Ad hoc committees consisting of any faculty members may be appointed by the Dean and shall report as he/she directs.

Special committees shall be created as determined, and for the purpose defined, by the Executive Council, which shall direct the Committee on Committees to appoint their members.

When appropriate, a representative of the general public may be appointed to any committee as an additional member with a vote.

B. Committee on Committees

1. Membership

The committee shall be composed of the Dean, two members of the Professorial Faculty elected at large by the Professorial Faculty, and three Departmental Chairpersons, each elected by and from one of the following peer group clusters:

- a. Biochemistry and Molecular Biology; Cancer Biology; Microbiology and Immunology; Molecular Physiology and Biophysics; Neuroscience; Pathology, Anatomy and Cell Biology; Pharmacology and Experimental Therapeutics.
- b. Family and Community Medicine; Medicine; Obstetrics and Gynecology; Pediatrics; Psychiatry and Human Behavior; Surgery; Emergency Medicine.
- c. Anesthesiology; Medical Oncology; Dermatology and Cutaneous Biology; Neurology; Neurological Surgery; Ophthalmology; Oral and Maxillofacial Surgery; Orthopaedic Surgery; Otolaryngology/Head and Neck Surgery; Radiology; Radiation Oncology; Rehabilitation Medicine; Urology.

Elected Department Chairpersons shall serve for three years and may not succeed themselves. The member of this group senior in service on the committee shall serve as Chairperson.

One member shall be elected each college year by the following procedure: The Secretary of the Executive Council will distribute to appropriate Department Chairpersons a mail ballot listing...
the names of those eligible for election. Unless a candidate receives a majority vote, a second ballot will be distributed containing the names of two candidates who received the largest number of votes. A majority of the votes cast will elect.

Members elected by the Professorial Faculty (one from basic science, one clinical) will be elected to the Committee on Committees as full voting members. Each will serve a two-year term, and may not be reelected until two years have intervened following the end of the term.

2. Responsibilities
The Committee on Committees shall appoint the members and designate the Chairpersons of all Standing and Special Committees of the faculty and may by its action change the quorum and procedure requirements otherwise required by the most recent edition of Robert's Rules of Order which shall otherwise govern. It shall report its appointments to the annual meeting of the Professorial Faculty, but the Committee’s appointments shall not be subject to change.

C. Committee on Faculty Affairs
1. Membership
The committee shall be composed of at least seven members of the Professorial Faculty.

2. Responsibility
The committee shall make recommendations on all matters concerning faculty welfare, faculty awards, sabbatical leave and all grievances except where dismissal with cause or compliance violations are at issue. The Committee shall also receive proposals from the Volunteer Faculty Association and similar faculty groups that may be transmitted to the Executive Council with the committee’s recommendation for consideration. The committee shall report its findings to the Dean for final action and to the Executive Council if a policy change is appropriate.

D. Committee on Faculty Appointments and Promotions
1. Membership
The committee shall be composed of the Dean’s representative, ex officio, and at least five full Professors.

2. Responsibility
The committee shall make recommendations on all appointments and promotions involving academic rank and dissociations except those associated with disciplinary procedures.

E. Committee on Student Affairs
1. Membership
The committee shall be composed of at least 11 members of the General Faculty, representatives from the Dean’s Office and three undergraduate medical students.

2. Responsibility
The committee shall make policy recommendations concerning student welfare, health, counseling, awards, discipline, grievances, scholarships and loans. It shall also consider reports of student abuse if the matter has not been adequately addressed at the department level. The committee also shall be the liaison body between Sidney Kimmel Medical College and the
Student Council and other recognized student organizations.

F. Committee on Admissions

1. Membership
The committee shall be composed of at least 15 members of the General Faculty, three undergraduate medical students and a representative of the Dean’s Office.

2. Responsibility
The committee shall be responsible for the selection of students and shall have power to act in all matters pertaining to admissions in accordance with general policies adopted by the Professorial Faculty. The committee has the overall responsibility of ensuring that the integrity of the admissions process is maintained. The Professorial Faculty may modify existing policies from time to time. However, new regulations affecting admissions shall not become effective until the next college year, and the committee’s actions on specific admissions may not be reversed by another faculty body.

Members of the committee shall have access to all applications for admissions and other data regarding applicants. They may interview applicants and otherwise assist the Dean in the survey of applications, but all correspondence, including notification of acceptance or rejection, shall be conducted through the Dean’s Office.

G. Committee on Bylaws and Rules

1. Membership
The committee shall be composed of at least five members of the Professorial Faculty, including two representatives from the basic science departments.

2. Responsibility
The committee shall keep the Bylaws and Rules of the Faculty conformed as to changes, deletions and additions; consider proposed changes in the Bylaws and Rules; and make recommendations to the Executive Council on such proposals.

H. Committee on Curriculum

1. Membership
The committee shall be composed of at least eight members of the General Faculty, three of whom are selected from the basic science departments and five from the clinical departments; representatives from the Dean’s Office and three undergraduate medical students.

2. Responsibility
The committee shall be responsible for the undergraduate curriculum. The committee, in cooperation with the Department Chairpersons, will approve programs and evaluate their effectiveness, both intra and extramurally. It may recommend changes in the rules for the conduct of examinations and, in consultation with the Registrar, shall arrange schedules for all final examinations.

I. Committee on Student Promotion

1. Membership
The committee shall be composed of at least 12 members of the Professorial Faculty, six
from the basic sciences, and six from the clinical sciences and representatives from the Dean’s Office.

2. Responsibility
   The committee shall review and recommend evaluation procedures, requirements and general policies for satisfactory scholarship. The committee shall apply such policies as the Professorial Faculty and the Executive Council may adopt from time to time. The committee’s decisions with respect to particular students may not be reversed by another faculty body.

J. Committee on Research
1. Membership
   The committee shall be composed of at least five members of the General Faculty and a representative of the Dean’s Office.

2. Responsibility
   The Research Committee shall make recommendations regarding the formulating of research policy and shall encourage the development of research capability of the Medical College. It shall advise regarding rules and regulations for the administration of research programs in the College. It shall support distribution of information about sources of research funds and make recommendations to the Dean concerning accumulation and disbursement of the research fund of the College and the establishment of support facilities to enhance the research capability of the College. It shall advise the Dean relative to the selection of faculty for limited funding opportunities. The Chair of the Research Committee will chair the Inquiry Committee in instances of alleged scientific misconduct, and members of the Inquiry Committee will be drawn from the Research Committee in addition to the ex-officio members.

K. Institutional Animal Care and Use Committee
1. Membership
   This is a University committee by federal requirement whose membership shall be nominated by the College Committee on Committees to the University President for Appointment. The Committee shall be composed of at least five members of the General Faculty of the College, a representative of the Dean’s Office, two graduate students and additional members as necessary to comply with federal and local regulations.

2. Responsibility
   The committee shall be responsible for the establishment and evaluation of the animal care program with regard to the maintenance of acceptable standards for the care, use and treatment of animals in research and education in compliance with pertinent laws. It shall review, approve and monitor all research programs involving the use of animals. It shall make recommendations concerning animal quarters and animal support facilities.

L. Institutional Review Board
1. Membership
   The committee shall be composed of at least five members of the General Faculty, a representative from the Dean’s Office and additional members as necessary to comply with federal and local regulations.
2. Responsibility

The Institutional Review Board shall review, approve, disapprove and monitor all research programs involving human subjects. It shall assure that research on human subjects complies with all regulations designated to protect humans in research. The committee’s decision with respect to any application may not be reversed by another faculty body.

M. Committee on Academic Protocol

1. Membership

The committee shall be composed of at least five members of the General Faculty. The Chairperson will be the Marshal of the College.

2. Responsibility

The committee shall make recommendations concerning opening exercises, commencement, awarding of honorary degrees, special events, portraits, lectureships, Class Day and regalia.

N. Committee on Alumni and Public Affairs

1. Membership

The committee shall be composed of at least five members of the General Faculty and three undergraduate medical students.

2. Responsibility

The committee shall seek to maintain relations with the Alumni Association of the College and with other organizations that promote the welfare and progress of the College.

O. Committee on Departmental Review

1. Membership

The committee shall be composed of at least five full Professors including two Department Chairpersons.

2. Responsibility

The departments to be reviewed shall be discussed annually with the Dean by the Committee on Departmental Review. The committee shall evaluate each department within five years after appointment of a new Chairperson and periodically thereafter, but no less frequently than every eight years; determine any weaknesses that may exist in order to strengthen the effectiveness of the Department Chairperson; and assimilate data from within and without the institution that will assess the progress and accomplishments of the department. The committee shall discuss its findings with the Chairperson of the Department and then report to the Dean.

P. Committee on Affiliations

1. Membership

The committee shall be composed of at least five members of the Professorial Faculty, one representative from the Dean’s Office and three medical students.

2. Responsibility

The committee shall be responsible for all affiliations. It shall review all affiliations and make recommendations to the Dean. The committee shall assist the Dean in negotiations for the establishment of affiliations and provide a continuous review of all aspects of existing affiliations.
Q. The Judicial Board
1. Membership
   a. The Dean or the Dean’s delegate
   b. Two faculty members and two alternates
   c. Two students and two alternates
2. Responsibility
   All matters involving alleged violations of the Student Code of Professional Conduct shall be
   referred initially to the Dean for disposition. He may refer such matters either to the Student
   Professional Code Committee for its consideration and recommendations or to the Judicial Board
   for its review and/or recommendations. The Judicial Board shall operate in accordance with the
   procedures contained in the Student Handbook of Sidney Kimmel Medical College entitled
   “Student Rights, Freedoms and Responsibilities.”

R. Nominating Committee for the Professorial Faculty
1. Membership
   The Committee on Committees each year will appoint a Nominating Committee for the
   Professorial Faculty. It will consist of five members, none of whom is a member of the
   Committee on Committees. Members of the Nominating Committee will not be on any slates,
   which the Nominating Committee prepares.
2. Responsibility
   The Nominating Committee will prepare slates for election to the Advisory Committee of the
   Professorial Faculty, to the Executive Council and to the Committee on Committees. The persons
   nominated for each position must be drawn from among members of the Professorial Faculty.
   Additional nominations and the election procedure shall take place as described in Art. II, Sec. 4.
   Whenever it is stipulated that the incumbent must be a member of a particular group, nominations
   will be made from that group only.

S. Committee on Professionalism
1. Membership
   a. Two members of the General Faculty
   b. Two faculty members appointed by (but not members of) the Faculty Professional Code Committee
   c. Two students
   d. Two students appointed by (but not members of) the Student Professional Code Committee
2. Responsibility
   The committee shall operate in accordance with the procedures contained in the SKMC Honor Code.

T. Committee on Tenure
1. Membership
   The Committee on Tenure is a University Committee whose membership shall consist of the
Deans of the Colleges of the University and seven (7) tenured faculty members from among the Colleges of the University who hold the rank of Professor as specified in the Tenure Policy. The Committee on Committees shall recommend the Medical College representatives to the Committee on Tenure.

2. Responsibility
The Committee shall evaluate requests for Tenure and conduct post tenure reviews pursuant to the Tenure Policy. The committee’s recommendations shall be forwarded to the President and the Board of Trustees who shall decide tenure.

U. Committee on Continuing Education
1. Membership
The Committee shall be composed of at least eight (8) members of the General Clinical Faculty and at least one (1) representative of the Dean’s Office. Members should have a particular commitment to CME both within their department and with the Medical College.

2. Responsibility
The Committee shall be responsible for overseeing the CME mission of the Medical College, establishing policies and procedures for the conduct of all CME activities bearing the sponsorship of the Medical College, assuring compliance of the Medical College with the provisions of accreditation by the Accreditation Council for CME, participating in the planning, review, and monitoring of all CME activities bearing the sponsorship of the Medical College, and authorizing the use of institutional imprimatur for CME programs.

Article IV
Faculty and Staff

Section 1: Membership
Membership of the Faculty of Sidney Kimmel Medical College shall include scientists and physicians holding appointments in a department of the College. The Officers of the College shall be members of the Faculty by virtue of their office.

Section 2: Faculty Tracks
A. Tenure Track
Faculty members in a tenure track shall be eligible for tenure if they are promoted to the rank of Associate Professor. Application for tenure must thereafter be made by the faculty member with approval of the Department Chairperson to the Committee on Tenure. The Committee on Tenure shall consider requests for tenure in accordance with the Tenure Policy. Recommendation of the Committee on Tenure shall be submitted to the President, who will forward his/her recommendation to the Board of Trustees for final approval. Placement in a tenure track is not a guarantee that tenure will be awarded with promotion to Associate Professor or Professor rank. Tenured faculty will receive periodic post-tenure review in accordance with the Tenure Policy.

Recommendation for appointment to a tenure track shall be made by the Department Chairperson to the Dean and, if the Dean approves, shall be indicated to the individual at the time
of his/her application for a faculty appointment. Recommendation for a faculty member’s rank within the tenure track shall be made by the Committee on Faculty Appointments and Promotions.

B. Non-Tenure Track

Recommendation for appointment to a non-tenure track shall be made by the Department Chairperson to the Dean of the College and shall be indicated to the individual at the time of his/her application for a faculty appointment. Faculty members in a non-tenure track will not receive tenure regardless of faculty rank. Recommendation for a faculty member’s rank within a non-tenure track shall be made by the Committee on Faculty Appointments and Promotions.

C. Transfer Between Tracks

Transfer can occur between tenure and non-tenure tracks in either direction with the approval of the Department Chairperson. However, a faculty member transferring from a tenure track to a non-tenure track may not transfer back to the tenure track. Change in a faculty member’s track is equivalent to a change in appointment and shall require fulfillment of the requirements of an initial faculty appointment.

Section 3: Faculty Rank
A. There shall be four academic ranks of the Faculty in all departments of the College:

1. Professor
2. Associate Professor
3. Assistant Professor
4. Instructor

Section 4: Academic Titles

A. Faculty titles

A faculty member’s title shall refer to his/her faculty rank and to the department(s) to which he/she is appointed. Titles may also refer to a division of a department in which a member holds appointment or to an individual’s area of special competence.

B. Special Titles

Special Titles shall be given only to those Officers of the College who are members of the faculty by virtue of their office as provided in Article II, e.g., Dean, Associate Dean, etc.

C. Prefixed Titles

1. Distinguished Professor
   The term “Distinguished” may be prefixed to the academic title of Professor of those faculty members nominated on the basis of extraordinary achievement or international recognition as scholars who have significantly advanced medical and/or scientific knowledge in their fields. Such titles will be granted by the Board of Trustees at the recommendation of the Administration.

2. Clinical
   The term “Clinical” may be prefixed to the academic titles of those faculty members who have professional or education assignments at Jefferson or an affiliated institution and whose predominant activity is patient care.
3. Research
The term “Research” may be prefixed to the academic titles of faculty members whose predominant activity at Jefferson or an affiliated institution is the conduct of research. Research appointments will occur only in the non-tenure track.

4. Adjunct
The term “Adjunct” may be prefixed to the academic titles of those faculty members who provide particular expertise (knowledge and/or services) to the college program but whose participation is limited in terms of responsibility for administration, teaching or research. This prefix may also be used for individuals whose major academic affiliation is with another institution.

Appointment of an adjunct faculty member shall be for a term of one year, renewable for three years and thereafter upon the review of the Committee on Faculty Appointments and Promotions.

5. Visiting
The term “Visiting” shall be prefixed to the academic title of those faculty members who possess special skills or knowledge, hold a permanent appointment on the faculty of another institution and are temporarily participating in the educational program of the College. Appointments of visiting members shall be for a term of one year or less, renewable only upon review by the Committee on Faculty Appointments and Promotions.

6. Emeritus
The term “Emeritus” may be added to follow the academic title of those faculty members who have retired after completing a period of distinguished service, and who are recommended for this title by the Committee on Faculty Appointments and Promotions and approved by the Executive Council and the Board of Trustees.

7. Honorary
The term “Honorary” shall be prefixed to the titles of all members of the faculty who have retired, except those called Emeritus.

Section 5: Staff Titles
Members of the staff shall be limited to persons who possess special skills or knowledge and participate in the academic programs of the College, but do not have faculty appointments.

A. Lecturer
This title shall be applied to persons with special skill or knowledge who assist in the instruction of medical or graduate students involving their own area of competence.

B. Research Associate
This title shall be applied to persons with an advanced degree or exceptional experience who participate in research.

C. Research Assistant
This title shall be applied to skilled laboratory personnel.
D. Graduate Research Assistant

This title shall be applied to graduate students who perform research in the College.

E. Graduate Teaching Assistant

This title shall be applied to graduate students who perform research and assist in the teaching programs of the College.

Section 6: Faculty Appointments

Faculty appointment to the College is a privilege, not a right. It is conferred by the Dean as approved by the Board of Trustees. Unless otherwise designated herein, all appointments are for a one-year period which shall continue until the appointment is terminated at the discretion of the Dean. Recommendations for appointment to the Faculty shall be made to the Dean by the Chairperson of the interested department in accordance with procedures established by the Dean’s Office. In the referral to the Dean, the Chairperson of the primary department shall indicate his/her recommendation as to whether the appointment is to a tenure track or a non-tenure track position. The Dean shall transmit the nomination to the Committee on Faculty Appointments and Promotions with his/her recommendation. If approved by the Committee on Faculty Appointments and Promotions, the nomination shall be forwarded to the Executive Council. Individual terms of appointment may differ from those set forth in these Bylaws if appropriately modified by contract.

Faculty appointments to the rank of Instructor may be made by the Executive Council without the approval of the Board of Trustees.

Faculty appointments to the rank of Assistant Professor, Associate Professor and Professor, after approval by the Executive Council, may be made only after approval by the Board of Trustees.

Upon appointment to the College, the contract shall indicate “Tenure Track” or “Non-Tenure Track.”

Members of the faculty engaged in teaching or research in more than one department may hold a joint appointment. Nominations for joint appointments must have the written approval of both Chairpersons of the departments involved. Dual appointments may be made, but one appointment shall be designated as primary. The limitations of term of a faculty appointment as designated in Section 7 and the privilege of faculty tenure shall apply only with respect to the individual’s primary appointment.

Preexisting or new appointments of Jefferson faculty to the faculty at other academic institutions shall be permitted only if adjunct in nature and approved by the Dean.

Termination of the employment of a full-time clinical faculty member with Jefferson University Physicians will be considered a termination of faculty appointment necessitating reapplication.

All faculty appointments occasioned by the establishment of an academic affiliation shall end with the termination of the affiliation if the appointment would otherwise still be in force.
Reappointment is required to reinstate the appointment.

Section 7: Term of Faculty Appointments

A. Tenure Track

Appointments to a tenure track shall be made at the ranks of Instructor, Assistant Professor, Associate Professor and Professor. Tenure shall only be available to full-time faculty employees of the University. All appointments are subject to the provisions of Sections 10 and 11.

1. Instructor

Instructors in a tenure track shall be appointed for terms of one year. An Instructor’s contract may, upon the recommendation of the Department Chairperson, be renewed annually for two additional one-year terms. An Instructor in the tenure track in the first year of service shall be entitled to three months advance notice of non-renewal of appointment; those who have served for more than one year shall be entitled to six months advance notice of non-renewal of appointment. If at the end of three years in this rank, the Instructor is not promoted to Assistant Professor, a transfer to a non-tenure track as provided in Article IV, Section 2C may occur if requested and approved by the Chairperson.

2. Assistant Professor

Assistant Professors in a tenure track shall be appointed for terms of two years. Such two-year contracts may be issued on the recommendation of the Department Chairperson for a total period not to exceed eight years in the tenure track at this rank. In accordance with Tenure Policy, this eight-year period may be extended for up to two, one-year terms for a total of ten years with approval of the Department Chair. An Assistant Professor shall be entitled to six months notice of non-renewal of appointment. If not already promoted, the review during the final year in the rank of Assistant Professor shall result in either promotion to the rank of Associate Professor, six months notification of non-renewal of appointment or transfer to a non-tenure track as provided in Article IV, Section 2C if requested and approved by the Chairperson. For administrative uniformity, the years in rank shall be measured from July 1 following the date of appointment to this rank for those appointed at other times.

3. Associate Professor

Non-tenured Associate Professors and Professors in the tenure track shall be initially appointed at this rank for a three-year term unless special circumstances as approved by the Dean require a longer period of initial appointment. After the first three years in rank, new contracts may be issued for periods of three to six years, if tenure has not been obtained. For non-tenured Associate Professors, this total period in the tenure track at the rank of Associate Professor shall not exceed ten years. In accordance with the tenure policy, this period may be extended for up to two, one-year periods with approval of the Chairperson for a total of twelve years. If not already promoted, the review during the final year in the rank of Associate Professor shall result in either promotion to the rank of Professor, twelve months notification of non-renewal of appointment or transfer to a non-tenure track as provided in Article IV, Section 2C if requested and approved by the Chairperson. For administrative uniformity, the years in rank shall be measured from July 1 following the date of appointment to this rank for those appointed at other times.
An Associate Professor or Professor without tenure shall be entitled to one year advance notice of non-renewal of appointment. Associate Professors and Professors in a tenure track may be appointed with tenure. The process for such an appointment is outlined in the Tenure Policy and must include a rigorous independent external as well as internal review.

B. Non-Tenure Tracks

Faculty appointed to a non-tenure track will include all faculty employed by the University who have not been appointed to the tenure track. Such faculty with prefixed titles (except Distinguished) will be on a Non-Tenure Track.*

*Faculty with prefixed titles already tenured by Sidney Kimmel Medical College as of June 30, 1987, shall retain their tenure.

Appointments to the Non-Tenure Tracks may be made at the ranks of Instructor, Assistant Professor, Associate Professor and Professor. All appointments to a non-tenure track are made for one to six years and are reviewed annually. Minimal and maximal times in rank for non-tenure track faculty are outlined in the Guidelines for Appointment and Promotion. Such appointments are subject to the provisions of Sections 10 and 11.

An employed faculty member on a non-tenure track who has served for less than one year shall be entitled to three months advance notice of a non-renewal of appointment; Instructors and Assistant Professors in a non-tenure track who have served for more than one year shall be entitled to six months advance notice of non-renewal of appointment. Associate Professors and Professors in a non-tenure track who have served for more than one year shall be entitled to one year advance notice of non-renewal of appointment.

C. Retired Faculty

Honorary Faculty and Faculty Emeritus hold their titles for life, subject only to Sections 10A and D.

Section 8: Faculty Tenure

Tenure is an assurance of continuous faculty employment, subject to the provisions of Sections 10A, B and D and Section 11 and the Tenure Policy. Compensation for tenured faculty shall be commensurate with the academic, educational, research or clinical service contributions of the faculty member.

Section 9: Promotions

Members of the Faculty shall be eligible for promotion after a minimum period of time in rank as specified in the Guidelines for Appointment and Promotion. Recommendation for promotion of faculty members shall be made by the Department Chairperson to the Dean. The Dean shall transmit the nomination with his/her recommendations to the Committee on Faculty Appointments and Promotions. Nominations for promotion must be submitted to the Committee before March 1 of each academic year to become effective on July 1. The committee will forward the nominations to the Executive Council with its recommendations.

Promotion to the ranks of Assistant Professor, Associate Professor and Professor must be
approved by both the Executive Council and the Board of Trustees.

Section 10: Termination of Appointment

Any faculty appointment may be terminated in one of the following ways:

A. Resignation

Faculty members shall inform their Department Chairperson in writing of their intention to resign at least three months in advance of the proposed severance date. A copy of this letter shall be sent to the Dean. Failure to provide this notice period shall result in forfeiture of any clinical overtime or bonus due the faculty member and shall not be a waiver of other contractual rights the college may have.

B. Retirement

Retirement shall be in accordance with the Rules and Policies of the University.

C. Non-Reappointment/Non-Renewal of Contract (See Article IV, Section 7).

D. Dismissal for Cause*

1. Causes for Dismissal

Causes for dismissal shall include, but not be limited to, conduct involving moral turpitude, dishonesty, academic incompetence, gross negligence, lack of integrity, personal misconduct, insubordination, violation of College or University policy and other acts or omissions substantially prejudicial to the College or University.

* A dismissal or other disciplinary action taken against any faculty member that has been instituted or recommended by any other College or University Committee in which the faculty member had a right to a hearing, including an appeal, shall be exhaustive and final, and the provisions provided in this section shall not apply.

However, in determining whether to prefer charges and in the adjudication of them, due regard shall be given to the College’s policy in support of the principle of responsible academic freedom as generally understood in the academic community.

2. Dismissal Procedures

Members of the faculty (tenured or non-tenured) may be dismissed for adequate cause at any time during a contract term. However, failure to renew an appointment/contract shall not constitute a dismissal for cause.

If a dismissal action is to be instituted, the following procedure will be implemented:

a. Notice

The faculty member charged with cause for dismissal shall be notified by the Dean, in writing, of the charges made against him/her. This statement of charges shall specify the alleged grounds for dismissal in reasonable detail.

b. Fair Hearings

All faculty members against whom dismissal charges have been preferred shall be granted a fair hearing before a Hearing Committee described in Article IV, Section 10, D, 2, c in the course of which they shall be entitled to the following:
1. At least 15 business days advance written notification of the specific charges and of the initial hearing date. If necessary, hearings may be continued at the discretion of the Chairperson of the Hearing Committee.

2. Production of the documentary evidence to be used against them and the names of adverse witnesses to be called.

3. A right to be heard by a hearing committee.

4. A right to legal or academic counsel or other representative of their own choice to serve in an advisory capacity only. Such individuals may be present, but may not participate in any way in the actual hearing.

5. A right to call witnesses on their own behalf.

6. A right to confront and question any witnesses against them.

7. A decision predicated upon documentary and testimonial evidence.

The Medical College shall, at least five business days prior to the hearing be entitled to the production of documentary evidence to be used by the faculty member and the names of anticipated witnesses.

c. Hearing Committee

The matter shall be heard by a special three-member Ad Hoc Committee appointed by the Committee on Committees from the General Faculty. The Chairperson shall be elected among three members. If any member of the Committee disqualifies himself/herself or is disqualified, another member of the General Faculty will be selected as a substitute by the Committee on Committees.

d. Hearing

A hearing shall be scheduled and held as promptly as practicable. Minutes of the hearing shall be prepared by a member of the committee, but no verbatim transcript is required. The hearing need not be conducted in accordance with strict judicial rules. Evidence may be admitted and considered based on its probative value to the committee. The Chairperson of the committee shall make all rulings with respect to procedure and presentation and admission of evidence. A member of the Dean’s Office shall represent and advocate the position of the Medical College.

e. Report of Hearing and Final Decision

A report of the hearing, with the findings and recommendations of the ad hoc committee, will be sent to the Dean and the faculty member within 10 business days after completion of the hearing process. The Dean shall, within five business days thereafter either affirm, reverse or modify the ad hoc committee’s decision and shall forward such to the faculty member. Reversal of the ad hoc committee’s decision by the Dean must be with the concurrence of the President.

f. Appeal

If the faculty member wishes to appeal the decision of the ad hoc committee and Dean, he/she must do so in writing to the President within five business days after receipt of the decision. The President shall, within 10 business days thereafter, either affirm, reverse or refer the matter back to the Dean for further recommendation and consideration.
The decision of the President shall be final and binding.

3. Suspension and Disposition
   A faculty member charged with cause for dismissal shall be suspended from duty without pay* during the course of the hearing or pending the outcome of deliberations. Lost salary, including reasonable interest, shall be reimbursed to the faculty member in the event the faculty member prevails.

* Benefits afforded the faculty member which existed prior to the dismissal shall nonetheless continue during the fair hearing process at the College’s expense.

If a faculty member is dismissed for cause, the Dean shall determine when the termination shall be effective.

4. Distribution of Dismissal Policies
   The Bylaws shall be made available to every member of the faculty of Sidney Kimmel Medical College at the time of his/her appointment.

E. Termination and/or Suspension of Hospital Privileges
   If a faculty member’s admitting privileges at any acute care institution with which the College has an affiliation are either involuntarily lost, terminated or suspended, or if such privileges are voluntarily surrendered or curtailed during any inquiry or investigation of the faculty member, then the faculty member’s Medical College appointment shall automatically, without right of fair hearing and appeal, be terminated. The faculty member may thereafter seek reinstatement through recommendation of the appropriate college department chairperson with the concurrence of the Dean.

Section 11: Corporate Compliance Program
   Sidney Kimmel Medical College (SKMC) expects its faculty to comply fully and in a timely manner with the polices and procedures relating to compliance at the University, along with the University’s Codes of Conduct and all state and federal laws, rules and regulations governing practice and conduct at SKMC and the University (collectively referred to as the “TJU Corporate Compliance Program”). Any faculty member who is employed by the University and/or Jefferson University Physicians who by action or inaction fails to comply with any part of the TJU Corporate Compliance Program may be subject to discipline in accordance with this Section.

A. Reporting Obligations
   All faculty members are expected and required to report any known or alleged violations of the TJU Corporate Compliance Program to the Office of University Counsel, Corporate Compliance Administration as soon as practicable.

B. Inquires and Investigation
   The Corporate Compliance Officer (or his/her delegate) shall conduct an inquiry into any alleged violations of or instances of non-compliance with the TJU Corporate Compliance Program. This inquiry shall include document review, interviews and other investigative techniques as appropriate. The Corporate Compliance Officer, in cooperation with University
Counsel, shall determine the validity and veracity of the alleged violations.

C. Infractions/Violations

Violations under this Section include, but are not limited to the following:

1. Willfully or negligently engaging in any conduct which violates any state or federal laws, rules or regulations, the University’s Codes of Conduct or any University compliance policies and procedures.

2. Failure to file in a timely manner any form or report which is required or deemed necessary to carry out the obligations to which the University has imposed upon it by any governmental agency or which is reasonably required for the efficient administration of the Corporate Compliance Program.

3. Willfully or negligently providing false or incorrect information to any government agency or any management, officers or officials of the University or College.

4. Failure to report behavior by a University employee that a reasonable person should know is criminal.

5. Failure to report another employee’s violations of any duties or obligations under the Corporate Compliance Program.

6. Failure to take action as prescribed under the TJU Corporate Compliance Program or comply with any duties or requirements set forth therein.

7. Direct or indirect retaliation against an employee who reports a violation of the Corporate Compliance Program or who participates in a violation investigation.

D. Disciplinary Procedure

In the event that the Office of University Counsel, Corporate Compliance Administration determines that a violation of the Corporate Compliance Program has occurred, it will report any adverse findings to the Dean of the Medical College. The Dean of the Medical College will review and evaluate the findings presented by the Compliance Officer (or his/her delegate) and recommend the appropriate disciplinary action to be imposed at his/her sole discretion.

1. Disciplinary Actions

Possible disciplinary actions include, but will not be limited to, any or all of the following depending on the nature and seriousness of the violation:* 

* In determining the appropriate disciplinary action to be taken, the Dean may consider, among other matters, the nature of the violation, whether the violation was either willful, negligent or isolated and/or whether the faculty member reported the violation.

   a. Formal admonition or reprimand from the appropriate department chairperson and/or senior officer;

   b. Suspension of privileges to apply for external funds and/or seek IRB approval;

   c. Termination of a sponsored activity;

   d. Summary suspension without pay until the matter is resolved to the satisfaction of the
Dean (a suspension lasting longer than 30 days shall be considered a termination);

e. Termination of appointment; (The Fair Hearing and Appeals Procedures stated in Article IV, Section 10, D shall apply in the event dismissal or termination is recommended.)

f. Enforcement action mandated by a granting agency; or

g. Any other actions or remedies as the Dean may deem appropriate.

E. Right to Appeal

Notwithstanding any provision to the contrary disciplinary action other than termination or dismissal taken pursuant to this section may only be grieved and appealed to the President in writing within five business days subsequent to the action being taken. The President shall thereafter receive a report from the Dean and/or Compliance Officer and consider the matter. The President may thereafter either affirm, reverse or refer the matter back to the Dean for further consideration. The decision of the President shall be final.

Article V

General Provisions

Section 1: Research Policy

It is the policy of the college to encourage scientific investigation by its faculty. This includes the endorsement and support of acceptable proposals for contracts, gifts or grants.

Sponsored and non-sponsored research must be integrated with regular educational and service functions of the College.

Regulations governing sponsored as well as non-sponsored research and the acceptance of gifts, contracts and grants for research may be established in the Rules of the College.

Section 2: Patent Policy

Investigations involving patients carried out by or under the direction of the faculty involving expenses derived from College funds or funds under the control of the College or University belong to the College or University.

Regulations governing patents shall be established in the Rules of the College and University.

Section 3: Institutional Review Board (IRB)

All faculty members are either required to utilize the University’s IRB or another IRB with which the University has a reciprocal agreement for any research protocols involving human subjects undertaken by the faculty member. All faculty members are obligated to know the rules and regulations governing IRB submission and application procedures.

The University’s policies and procedures governing the IRB shall be generally available.

Section 4: Use of the Jefferson Name

The College and University have applied for and obtained federal trademark registrations of the various names, slogans, design and logo types of “Jefferson” of which the public is familiar. Unauthorized use of the University’s and College’s name and logo type is prohibited. All faculty
members are obligated to know the rules and guidelines governing use of the Jefferson name. The policies and application procedures governing the trademark use shall be generally available.

Section 5: Academic Freedom Policy

Freedom of responsible professional inquiry, teaching, research and publication shall be encouraged and maintained in the College.

Faculty members have the same freedoms as other citizens but should be mindful that accuracy, forthrightness and dignity befit their role as teachers and individuals of learning. They shall observe those standards of conduct, which a university has a right to expect from its members.

Section 6: Sabbatical Leave

Eligible faculty members may be granted sabbatical leaves of absence of up to 12 months to enable them to pursue programs of education, teaching and research or to accept special assignments with foundations, government or other institutions of higher learning.

Policies governing sabbatical leaves shall be provided in the rules of the College.

Section 7: Rules of Procedure

Except as provided in these Bylaws, or modified by the Committee on Committees, the procedure at meetings of the General Faculty, Professorial Faculty and Executive Council and all other committees shall be in accordance with the parliamentary procedure contained in the most recent revision of Robert’s Rules of Order.

Section 8: College Year

The College year shall begin on July 1 and end on June 30.

The College is committed to promoting and maintaining the highest standards of medical service both to ensure excellence in medical education and in research. In recent years the increasing costs associated with litigation and judicial review have diverted College resources away from its primary mission. Therefore, while any matter pertaining to these Bylaws or the appointment, reappointment, disciplinary action, etc. of any faculty member may be submitted for judicial review, it is understood that the prevailing party shall be entitled to reasonable costs and attorney fees associated with the dispute.

Article VI

Amendment

Amendments of these Bylaws may be proposed in writing by the Professorial Faculty, the Executive Council, the President, the Dean or by any Department Chairperson on behalf of his/her faculty to the Committee on Bylaws and Rules for consideration. Recommendations for amendment of the Bylaws shall be made and circulated by the committee at least seven days before the next meeting of the Executive Council. Approval shall require a favorable vote of two-thirds of the members of the Council.

All amendments of these Bylaws shall be subject to approval by the Board of Trustees and
shall become effective only upon such approval.