



CHARLES E. SCHMIDT
COLLEGE OF MEDICINE
Florida Atlantic University

Administrative Policies

The mission of the Charles E. Schmidt College of Medicine is to educate physicians and scientists to meet the healthcare needs of Florida, to conduct biomedical research to advance knowledge, which improves patient care, and to serve patients and communities with competence, compassion and respect.

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**Charles E. Schmidt College of Medicine
Administrative Policies**

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Charles E. Schmidt College of Medicine Administrative Policies

Introduction

The Charles E. Schmidt College of Medicine (COM) Administrative Policies should serve as a reference and guide to administrative matters for faculty and staff employees of the College. The provisions of these policies are subject to all applicable Federal and Florida laws and University Regulations. All University policies apply to College of Medicine employees unless specifically addressed in these College Administrative Policies.

The administrative policies are not a contract or a guarantee of employment.

Non-faculty Employees

In addition to these Administrative Policies, all non-faculty employees, including Administrative, Managerial and Professional (AMP), Support Staff (SP) and OPS/temporary employees, shall follow the Florida Atlantic University Personnel Policies set forth by the Department of Human Resources with the exception of any superseding policies listed herein.

The academic calendar and required hours of work may vary for staff involved with the functional support of institutions the College may affiliate with. AMP and SP employees will earn compensatory leave if required to work the day of a FAU designated holiday.

Faculty

In addition to these Administrative Policies, faculty shall follow the Florida Atlantic University Academic Affairs Faculty Handbook, Office of the Provost Memoranda and Policy and Florida Atlantic University Personnel Policies with the exception of any superseding policies listed herein.

The academic calendar and required hours of work may vary for faculty due to the College mission and function of academic and other activities required of the faculty.

Faculty Appointments, Employment and Compensation

Faculty Appointments

[Criteria for the Appointment, Promotion and Tenure of Faculty](#), [Office of the Provost Memoranda and Policy](#) and the Office of the Provost Faculty Search and Hiring Procedures shall apply.

Academic appointments are designated as tenure-earning/tenured or non-tenure earning. The ranks of Assistant Professor of Biomedical Science, Associate Professor of Biomedical Science, Professor of Biomedical Science, Assistant Professor of Integrated Medical Science, Associate Professor of Integrated Medical Science, Professor of Integrated Medical Science, Assistant Professor of Surgery, Associate Professor of Surgery and Professor of Surgery may be tenure-earning, tenured or non-tenure earning. The ranks of Research Assistant Professor of Biomedical Science, Research Associate Professor of Biomedical Science, Research Professor of Biomedical Science, Research Assistant Professor of Integrated Medical Science, Research Associate Professor of Integrated Medical Science, Research Professor of Integrated Medical Science, Research Assistant Professor of Surgery, Research Associate Professor of Surgery, Research Professor of Surgery, Instructor, Research Associate of Biomedical Science, Research Associate of Integrated Medical Science and Research Associate of Surgery are non-tenure earning. The University has no quotas for admission to rank. The same criteria shall apply for initial appointment to any rank as apply to promotion to that rank. These criteria recognize four broad areas of academic activity: instructional activity; research, scholarship and other creative activity in the relevant discipline(s); service; and clinical activity. Service shall include contributions to the effective functioning, administration and development of professional associations, research grant awarding bodies, scientific journals, department/school, college and university programs, and the University itself, as well as assigned service to the community. In each of these areas – instruction, research, scholarship and creative activity and clinical activity, there should be a clear definition of shared tasks, activities and goals of the academic unit and an assessment of an individual’s productive participation in these. The [FAU Credentialing Manual](#) describes the policies and practices of FAU for ensuring that all courses are taught by well-qualified faculty members. It includes the procedures used to review the credentials of every faculty member teaching a course.

- Assistant Professor: Appointment to the rank of Assistant Professor normally requires individuals to hold the highest earned degree appropriate to their discipline. Evidence of potential for excellence in quality teaching, scholarship, research and clinical activities (when appropriate) is required. Appointment to this rank in the tenure-track is made on the judgment that individuals are capable of reaching tenure within a maximum six-year period. Responsibilities include teaching graduate and medical students, conducting research, scholarly activities, clinical activities (when appropriate) and service to the department, college, university and the profession. Minimum qualifications are a Doctoral degree from an accredited institution.
- Associate Professor: Appointment to the rank of Associate Professor is recognition that the faculty member has reached a status in the discipline appropriate to a life-long member of the academic world. This means that the person will clearly demonstrate the commitment and ability to continue to be a scholar, contributing to the relevant field(s) of knowledge through original work and quality teaching in the best traditions of the professorate. The candidate must demonstrate a commitment to and ability in teaching and related instructional activity, as well as demonstrating the ability to contribute successfully and continuously to the scholarship of appropriate academic disciplines. Although the typical Assistant Professor will have only a modest assignment to service, appointment to Associate Professor requires that the candidate have a record of responsible and conscientious participation in some service activities. A track record of significant independent research is expected. Independent funding for research will be considered. Teaching, research, scholarly activities and clinical activities (when

appropriate) shall be rigorously evaluated. Responsibilities include teaching graduate and medical students, conducting research, scholarly activities, clinical activities (when appropriate) and service to the department, college, university and the profession. Minimum qualifications are a Doctoral degree from an accredited institution.

- Professor: Appointment to the rank of Professor is recognition of demonstrated achievement and **distinction** over the span of an individual's academic career, with evidence of longstanding leadership and substantial contributions both within and outside the university. The traditional route to Professor will be based on achievements in scholarship, independent and sustained external funding for research and creative activity in the appropriate discipline(s). Distinction may also be demonstrated in the areas of teaching and related instructional activity, or service evidenced through scholarship in these areas. While distinction must be demonstrated in at least one dimension of the faculty role, the candidate must demonstrate commitment to and competency in the others. While the decision involves the candidate's entire career, **the candidate's record shall demonstrate significant additional achievement beyond that demonstrated at the time of appointment to Associate Professor**. While demonstrated merit, not years of service, shall be the primary factor in determining the case for appointment to Professor, in general, appointment to the rank of Professor will occur no earlier than five years from the candidate's initial appointment to Associate Professor at the prior institution (although this is not required in exceptional cases). Responsibilities include teaching graduate and medical students, conducting research, scholarly activities, clinical activities (when appropriate) and service to the department, college, university and the profession. Minimum qualifications are a Doctoral degree from an accredited institution.

Faculty-level research appointments, identified by the titles of Research Assistant Professor, Research Associate Professor, or Research Professor, are intended to offer a research career pathway to individuals with experience and scholarly qualifications comparable to regular tenure-track and tenured faculty members. The Division of Research policy on [Faculty-Level Research Appointments](#) shall apply. Faculty-level research must be approved by the Vice President for Research.

- Research Assistant Professor: Appointment to the rank of Research Assistant Professor normally requires individuals to hold the highest earned degree appropriate to their discipline. Evidence of potential for excellence in scholarship and for quality teaching at the graduate level is required. Responsibilities include conducting, participating in, and/or administering research, writing research papers for publication, training personnel involved in specific research projects and programs, writing grants and seeking funding for research projects. Minimum qualifications are a Doctoral degree from an accredited institution.
- Research Associate Professor: Appointment to the rank of Research Associate Professor is recognition that the faculty member has reached a status in the discipline appropriate to a life-long member of the academic world. This means that the person will clearly demonstrate the commitment and ability to continue to be a scholar, contributing to the relevant field(s) of knowledge through original work and quality teaching at the graduate level in the best traditions of the professorate. The candidate must demonstrate commitment to and ability in teaching and related instructional activity, as well as

demonstrating the ability to contribute successfully and continuously to the scholarship of appropriate academic disciplines. Teaching activities shall be rigorously evaluated as scholarship and creative activity. Although the typical Research Assistant Professor will have only a modest assignment to service, appointment to Research Associate Professor requires that the candidate have a record of responsible and conscientious participation in some service activities. Responsibilities include conducting, participating in, and/or administering research, writing research papers for publication, training personnel involved in specific research projects and programs, writing grants and seeking funding for research projects. Minimum qualifications are a Doctoral degree from an accredited institution.

- **Research Professor:** Appointment to the rank of Research Professor is recognition of demonstrated achievement and distinction over the span of an individual's academic career in scholarship/creative activity in the appropriate discipline(s) and/or teaching and related instructional activity and/or service/administration. While distinction must be demonstrated in at least one dimension of the faculty role, the candidate must demonstrate commitment to and competency in the others. While the decision involves the candidate's entire career, the candidate's record shall demonstrate significant additional achievement beyond that demonstrated at the time of appointment to Research Associate Professor. While demonstrated merit, not years of service, shall be the primary factor in determining the case for appointment to Research Professor, in general, appointment to the rank of Research Professor will occur no earlier than five years from the candidate's initial appointment to Research Associate Professor at the prior institution (although this is not required in exceptional cases). Years in rank and sustained productivity are particularly important. Responsibilities include conducting, participating in, and/or administering research, writing research papers for publication, training personnel involved in specific research projects and programs, writing grants and seeking funding for research projects. Minimum qualifications are a Doctoral degree from an accredited institution.
- **Instructor:** The [Office of the Provost Memoranda and Policy on Qualification of Instructors](#) shall apply. Instructional personnel teaching graduate courses must hold a doctorate or appropriate terminal degree in the teaching discipline or a related discipline. Exceptions to the highest degree standard can be made in cases where the instructor possesses related work experiences in the field, professional licensure and certifications, honors and awards, continuous documented excellence in teaching, or other demonstrated competencies and achievements that contribute to effective teaching. Dates for these additional qualifications must be specified, as well as a description of the relationship between these qualifications and the expected outcomes of the course.
- **Research Associate:** Responsibilities include carrying out research projects, analyzing data, writing reports and scientific papers, and providing appropriate recommendations to address and eliminate problem areas. Minimum qualifications are a Master's degree from an accredited institution.
- **Graduate Teaching Assistants:** Graduate teaching assistants (TA's) assigned primary responsibility for teaching a course must hold a master's degree in the teaching discipline or 18 graduate semester hours in the teaching discipline. Graduate TA's without these

qualifications may not be assigned primary responsibility for teaching a course for credit or for assigning final grades, but may assist the primary instructor with course-related activities. Graduate TAs receive direct supervision by a faculty member experienced in the teaching discipline, regular in-service training, and planned and periodic evaluations.

Faculty-Level Research Appointments

Faculty-level research appointments, identified by the titles of *Research Assistant Professor*, *Research Associate Professor*, or *Research Professor*, are intended to offer a research career pathway to individuals with experience and scholarly qualifications comparable to regular tenure track and tenured faculty members. Appointees are professional researchers who are interested in and capable of independent investigation and publication, and who support the research mission of the University by assisting a department or center to achieve its research goals. Their research should complement the research programs of regular faculty members in the department or center.

Although they are not normally assigned instructional responsibilities, they may teach courses appropriate to their background when it is mutually acceptable to them and to the department and occasionally take part in upper level or graduate teaching or seminar activities. Research faculty are not eligible for tenure. These appointments are typically but not exclusively funded from sponsored projects or other non-appropriated University funds, are contingent upon the availability of funding and should be at a rate comparable to that of regular faculty of the same rank. These appointments cannot extend beyond the period of availability of supporting funds. Research faculty may serve as principal investigators or project directors on research awards and are expected to seek independent external funding.

Faculty-level research appointments must be approved by the Vice President for Research. Appointments may be for a fixed term, typically one year, but must be contingent on the availability of funds; although the appointment may be for a longer term, employment contracts funded by grants cannot extend beyond the termination date of the funding. Appointments are normally full-time. In some cases, part-time appointments can be made when it is mutually agreeable to the candidate and the department or center and when the work effort is consistent with the salary paid. For cases where an appointee's salary is paid from an outside source, he/she may be offered an unpaid appointment. University policies pertain to faculty-level research appointees, including but not limited to the University Patent Policy, Policy on Faculty Conflict of Commitment and Conflict of Interest, Policy on Integrity in Research and Procedures for Reviewing Alleged Misconduct, Policy on Employment of Relatives and the Annual Leave Policy for Contract and Grant Employees. The [Procedure for Faculty-Level Research Appointments](#) shall apply for initial faculty appointments and reappointments.

Principal Investigator Eligibility

Any individual who holds a position including, but not limited to, the ones listed below may be identified as a Principal Investigator for sponsored activities:

- Tenure track faculty
- Non-tenure track faculty, including faculty-level research appointments

- Director of a state designated University Institute or University Center
- Librarians holding faculty status equivalent to or greater than Assistant Professor

On a case-by-case basis, the Department Chair and Dean can recommend a retired faculty member as a Co-Principal Investigator for sponsored activities. Approval of the Vice President for Research is required. In addition, an individual on the list must be listed as the Principal Investigator.

On a case-by-case basis, the Department Chair and Dean can recommend an individual who holds one of the positions listed below as a Principal Investigator for sponsored activities if one of the individuals listed above is also named as a Co-Principal Investigator on that project:

- Instructors
- Emeritus faculty

Approval of the Vice President for Research is required when an individual in one of the positions on the latter list will serve as a Principal Investigator.

Please note that matters of National Security, Export Control, or Immigration Status may affect approval of such requests and that some Agencies do not permit Co-Investigators.

In some cases, a sponsoring agency may have restrictions for who may serve as a Principal Investigator on a particular project or program that are more stringent than Florida Atlantic University policy. In these cases, the sponsor's requirements will take precedence over institutional policy for that particular project. In the case where a sponsor may require, allow, or expect an individual to serve as a Principal Investigator who, under normal Florida Atlantic University policy would otherwise not be eligible, the individual will have a tenure track faculty member (or Research Faculty) serve as a Co-Principal Investigator for internal purposes and assume responsibility for compliance with sponsor and institutional requirements. Fellowships or other training awards are examples where sponsor and institutional requirements may conflict. Individuals allowed to serve as Principal Investigators on sponsored activities are expected to comply with the Florida Atlantic University statement on the roles and responsibilities of individuals engaged in sponsored activities. Graduate students and post docs may apply for fellowship funds with prior approval of the Department Chair and the Dean, if allowable by the sponsor, and oversight is provided by an individual recognized by the sponsor and designated by the Chair and Dean or designee.

Administrative Faculty Appointments

Faculty members who are assigned to academic administrative positions are appointed by and serve at the pleasure of the Dean and may be removed or assigned to other duties at any time during the term of the appointment. The salary rate and term of appointment may be adjusted by the Dean. At the conclusion of the administrative assignment, the faculty member will resume the responsibilities, appointment status and salary held at the time prior to the administrative assignment (unless there has been a change of assignment during the term of the appointment period) at the same or similar faculty rank.

- Executive Vice Dean(s)
- Vice Deans
- Senior Associate Deans
- Associate Deans
- Assistant Deans
- Senior Academic Advisor to the Dean
- Department Chairs
- Directors

Faculty Appointment Status Modifiers

Faculty appointments which include the appointment status modifiers listed below are non-voting faculty members, not eligible for tenure or regular status.

- **Adjunct:** A part-time or temporary paid appointment extended to individuals who perform temporary teaching or research functions without a terminal degree.
- **Affiliate:** Appointment and Promotion Guidelines for Clinical Affiliate and Affiliate Faculty shall apply.
- **Emeritus:** An honorary title conferred upon a retired faculty member in recognition of distinguished service to the College. Reference: [Policy on Emeritus Scholar/Scientist/Engineer/Research Professor](#)
- **Honorary/Honoris Causa:** This is an honorary title awarded to an individual having achieved distinction and honor in his/her field. The selection of recipients for honorary degrees is coordinated by the Office of the President. Any honorary faculty titles referenced in an appointment letter or otherwise identified with faculty, including but not limited to, those of Fellow or Senior Fellow, are not considered part of a tenured appointment and may be revised or eliminated based on operational and developmental considerations of the College at the pleasure and discretion of the Dean.
- **Joint:** A faculty member may be offered a compensated joint appointment in more than one department/college. They maintain one primary appointment with one primary supervisor who consults with the secondary supervisor in regard to such issues as assignment, evaluation, promotion and tenure, salary, etc. These appointments are made to promote interdisciplinary or inter-professional teaching and research. Termination of the primary appointment shall automatically terminate the joint appointment.
- **Joint Tenure-Track Faculty Appointments:** [Guidelines for Joint Tenure-Track Faculty Appointments between an Academic Unit and a Pillar Center or Institute](#) shall apply. These guidelines are only for joint tenure-track faculty appointments defined as employment that is offered by an academic unit and a pillar center or institute. A joint appointment here is differentiated from an assignment that is made in two units or a joint appointment between two academic colleges or two academic units.
- **Provisional:** An appointment of a faculty member who is not fully qualified for an academic rank but who expects to acquire such qualification in a short period of time.

- **Secondary:** A secondary appointment may be extended by a department to a person who meets the unit's professional qualifications, but whose primary assignment is in another unit at FAU outside the department. Secondary appointments do not include compensation and will only be extended to individuals who have the potential to substantially enhance the departments' scholarly, educational or research mission. Termination of the primary appointment shall automatically terminate the secondary appointment.
- **Visiting:** An appointment extended when the faculty member or the position is not expected to be available for more than a limited time period. Visiting appointments that are not expected to extend beyond one year may be exempt from the PeopleAdmin recruitment process as outlined in Office of the Provost Faculty Search and Hiring Procedures). Visiting appointments may be renewed for an additional term at the discretion of the Dean.

Assignments

Annual written assignments are made by the appropriate Department Chair with the approval of the Dean. Except for an assignment made at the beginning of an employee's employment, the department chair shall notify the employee prior to making the final written assignment. The assignment shall be communicated to employees no later than six weeks in advance of its starting date if practicable. If the faculty member believes their assignment is arbitrary or unreasonable, then the faculty member may appeal to and be heard by the Dean, Vice Provost for Academic Affairs, or his/her designee.

Evaluation of Faculty Performance

Faculty shall be evaluated based on the guidelines and professional standards as set forth by the [Florida Atlantic University Academic Affairs Faculty Handbook 2016](#) and performance evaluation criteria:

- **EXCEEDS EXPECTATIONS**
Faculty member carries out all aspects of their Assignment of Responsibilities (AOR) and also provides tangible evidence of an outstanding performance in the top 10 percentile range. Examples for:
 - Teaching: University level Teacher of the Year Award, or a College level award from students
 - Research:
 - Multiple research grants including NIH RO1 funding or NSF funding
 - Corresponding or first author of a paper in a journal with an impact factor above 12
 - Authorship, including corresponding authorship, of multiple papers in peer reviewed journals whose summed impact factors exceed 15
 - Primary author of a textbook
 - Clinical Care (when appropriate)
 - Local award for clinical excellence
 - National award for clinical excellence

- College-level award from students
 - Service:
 - Chair of college-level or university-level committee that involves major administrative responsibilities
 - Membership of multiple committees at college or university level of which at least one requires a major time commitment (i.e., Medical Admissions Committee)
 - Administration
 - Administrative service in department, college or university
- MEETS EXPECTATIONS
Faculty member carried out in a satisfactory and timely fashion all assignments listed in their AOR in a particular area. It is possible that unforeseen events affect the ability of the faculty member to carry out some parts of the AOR; the Chair has discretion to take this into account.
 - FAILS TO MEET EXPECTATIONS
Did not carry out one or more assignments, except in cases where there is an acceptable explanation, i.e., cancelled assignment, ill health.

Evaluation File

Evaluations and materials in a faculty member's personnel files upon which evaluations are based will be considered in recommendations and final decision on tenure, renewal of appointments, promotions and salary, as well as other personnel decisions. All materials used in the evaluation process (other than evaluations for promotion and tenure) should be contained in the faculty member's evaluation file located in the office of the faculty member's department. The contents of the faculty evaluation file will be kept confidential and should not be disclosed except to the affected faculty member and those persons whose duties require access to the file in accordance with the University's rules and procedures. The evaluation file for the faculty member should be made available for examination, upon reasonable advance notice, during the regular business hours of the office where the file is kept. Written materials used in the annual evaluative process should be contained in this file. Upon request, a faculty member may paginate with successive whole numbers the materials in the file, and may attach a concise statement in response to any item therein but may not alter the original document.

Compensation

Salary increases may be awarded by the Florida Legislature, the Florida Atlantic University Board of Trustees, or the Dean of the College in accordance with their respective guidelines. The faculty of each department will develop their own guidelines for annual evaluation, subject to the Dean or designee's approval, a portion of which will detail the allocation of salary increases based on merit.

Class Meetings and Instructional Duties

Faculty shall follow the [Office of the Provost Memoranda and Policy: Class Meetings Policy](#). Faculty may not cancel classes; in the event that extraordinary circumstances require a faculty member to miss a scheduled class or instructional duties, the department chair should be notified and arrangements must be made to make up for the lost class time.

Office Hours

Faculty members are required to post office hours during which time they will be available for consultation with students as noted in the [Office of the Provost Memoranda and Policy: Office Hours Policy](#). Faculty-student interaction outside of the classroom is an extremely important part of the instructional assignment. Faculty need to designate a portion of their office hours specifically for students to discuss class performance. Office hours may also be used by students for academic advising, academic course and program selection and career counseling. Faculty members shall post a schedule of their office hours in a conspicuous place by their office and include this schedule in their course syllabi. In establishing the office hour schedule, faculty will carefully consider students' ability to come at the scheduled times. Faculty are expected to be in their office and available during these hours.

In exceptional circumstances, alternative work arrangements including telecommuting, in which some or all of the work is performed at an off-campus work site such as the home or in office space near home, may be established for a faculty member. As noted in the [Alternate Work Arrangements Policy](#), arrangements may be authorized only when it is in the best interest of the university to do so. Deans, Directors, Chairpersons or their designee have the authority to establish such an arrangement in cooperation with Human Resources. The Provost or the appropriate Vice President must approve the final arrangements.

Recusal from Academic Evaluation of Students by Faculty

Faculty members and residents or fellows with academic assessment/evaluation responsibilities for students are precluded from evaluating any students who are also their patients, because of dual-relationship and conflict of interest issues. The conflict created by this dual role could affect both the quality of medical care and the content of such evaluations in the following way:

- A student-patient might be less likely to report a sensitive medical issue (e.g., drug abuse) to his/her physician if that physician will be providing an evaluation or grade for the student; and
- A faculty member's evaluation or grade (which could include some subjective elements) could potentially be, despite the evaluator's commitment to neutrality, positively or negatively affected as a result of the therapeutic relationship.

In instances of pre-existing doctor-patient/student relationships, the physician must discuss with the student the potential for a dual relationship and inform the student that he/she will recuse him - or herself from any situation in which a formal evaluation is required.

In emergent situations or other instances in which an appropriate referral is not available, a student can seek the care of any faculty member or resident. In this circumstance as well, the

physician must discuss with the student the potential for a dual relationship and recuse him or herself from any situation in which a formal evaluation is required.

At the beginning of each course or clerkship, the Office for Medical Education provides students and clinical faculty with small group assignments as a routine part of the scheduling process. The Office will notify the students and faculty that they should report any potential conflict of interest with each other that might necessitate a change in small group assignments. The type of conflict will generally not be disclosed, in the interest of privacy. The course administrator(s) will be instructed to facilitate such requests without inquiring as to the nature of the conflict of interest.

Regarding the psychiatry clerkship, information about potential teacher/physician dual relationship will be provided to the medical students on the first day. Students are told that if they have seen a clinician at the facility as a patient, they should notify the curriculum coordinator who will modify the schedule to avoid activities with the clinician in question, without alerting the site director as to the purpose of the schedule change.

Self-Insurance Program

Section 768.28, Florida Statutes provides that faculty members performing assigned duties within the course and scope of their FAU employment or function, will be personally immune from tort liability and that the FAU Board of Trustees will be exclusively responsible for any negligent act or omission that may occur within the course and scope of FAU employment or function. The FAU Board of Trustees is protected for its professional and general liability through the FAU College of Medicine Self-Insurance Program (“FAU SIP”), created by the Florida Board of Governors pursuant to Section 1004.24, Florida Statutes. Any questions which a faculty member may have regarding these matters should be addressed to Lynette M. Belforti, Associate Director, FAU SIP, at (352) 273-7006. While providing services pursuant to a University appointment, should a patient suffer an injury as a consequence of a faculty member’s acts, the acts of any FAU provider, or the acts of an FAU student or resident under the supervision of a faculty member, the faculty member must report the incident to the FAU SIP by calling (352) 273-7006. The faculty member should also report the incident to their private insurance carrier (if they have one).

Please note that any practice of medicine outside the College of Medicine Faculty Practice Plan or a faculty member’s University appointment is not a part of their assigned function at FAU and is not covered through the FAU SIP. Therefore, faculty agree that under their appointment, they will not represent to any party that their personal practice of medicine is in any way related to FAU, or that they are an agent of FAU or its Board of Trustees for any clinical or contracting purposes, except as described above.

Restrictive Covenants

The University recognizes that a faculty physician appointment to the faculty of the Charles E. Schmidt College of Medicine involves both academic and clinical responsibilities, and that these responsibilities are interlinked and performed at affiliated hospitals and clinics. Furthermore, the University recognizes that medical clinical practice competition by a faculty physician within

one (1) year of the cessation of employment by the faculty physician (whether by resignation, retirement, or the expiration, non-renewal or other termination of employment) with the University and within a twenty-five (25) mile radius of a situs of the faculty physician's clinical teaching assignment within the two years preceding the cessation of employment with the University, would adversely impact the legitimate business interests of the University.

That adverse impact may include, without limitation: (i) harm to the University's College of Medicine teaching programs at its affiliated hospitals and clinics; (ii) impairment of (a) the operation and quality of the College's affiliations, and (b) the advancement of the College's clinical, educational, service and research missions; (iii) erosion of the patient and referral populations, economic base and goodwill necessary to support the mission of the College of Medicine within its target geographic location and market; and (iv) interference with the University's myriad other "legitimate business interests," as that term has been defined pursuant to Section 542.335, Florida Statutes.

Accordingly, the College of Medicine is authorized, where justified by these concerns, to include as a condition of appointment to a faculty teaching position requiring clinical practice, a restrictive covenant (with appropriate accompanying provisions) in the faculty contract and/or letter of appointment, as generally described in [FAU Regulation 9.002 Restrictive Covenants](#) . Such restrictive covenant shall not apply to part-time or affiliate clinical faculty in the College of Medicine or to faculty hired prior to November 16, 2016, the effective date of the regulation.

Faculty Practice Plan

The COM provides educationally oriented professional practice settings and opportunities through which faculty members provide professional services, including medical care and treatment to patients, including patients at independent hospitals, other institutions and various clinical sites as an integral part of their academic activities and employment as faculty members. Such faculty practice activities are designed to assure professional and clinical practice opportunities and experiences that are essential in the training of students, residents and other postgraduate health professionals and that will enhance skills and knowledge of faculty members who must teach and train medical students, residents and other health professional students. Participation in such faculty practice activities by members of the faculty of the College of Medicine is vital to the educational mission, the maintenance of skills in the treatment and diagnosis of diseases, and the maintenance of patient management skills, clinical expertise and medical judgment. Such participation is a necessary and essential part of their employment as faculty members.

Faculty practice income shall include all payments resulting from the clinical or professional services rendered by COM faculty. Honoraria, royalties, non-clinical consultation fees, or other income derived from outside employment approved by the Dean of the College are not considered to be faculty practice income as described herein. In accordance with University [Regulation 9.001, Faculty Practice Plan](#), faculty members employed by the Florida Atlantic University College of Medicine who engage in the practice of medicine must do so exclusively through the College of Medicine and its Faculty Practice Plan, unless otherwise specifically approved in writing by the Dean of the College. Each clinical faculty member of the COM will

complete an Assignment of Income from Services form which assigns to Florida Atlantic University all faculty practice income generated by or on behalf of him or her.

Student Handbook

Faculty are required to follow all [College of Medicine Student Handbook](#) policies and guidelines. Please note that this document is periodically revised.

Travel

An approved Travel Authorization Request (TAR) is required for University employees traveling on official University business, prior to the time of departure. This establishes authorization of the absence and provides documentation in the event of an accident and/or subsequent workmen's compensation claim and encumbers funds for the travel.

A [Complimentary TAR](#) is required for travel when expenses are not reimbursed by the University. This also provides authorization of the absence and documentation in the event of an accident or workmen's compensation claim.

International travel for official University business requires specific approval by the Dean and Provost prior to the commencement of the travel. International travel requests should be prepared well in advance to allow time for processing. [FAU Safety and Security Policies on International Study and Travel](#) shall apply. If any sponsored, endorsed or funded by FAU or any FAU program, department or college, travel will occur in a location where there is a U.S. State Department travel warning, the employee will be required to sign a waiver (Release of Liability, Waiver of Claims, Express Assumption of Risks, and Hold Harmless Agreement) acknowledging that the travel is voluntary and that they are aware of the safety and security concerns associated with their travel plans.

University travel guidelines may be referenced on:

http://www.fau.edu/controller/travel/travel_p_p.php

All travel must have a Travel Estimate Form (accessed via http://med.fau.edu/faculty_staff/ under [the Forms section](#)), prepared in advance of the travel for supervisory and budget approval.

Travel Policy Quick Facts:

- Check program for meals included (Must be deducted from per diem)
- Check departure and arrival times for per diem adjustments
- Travelers must use a State of Florida approved contractor (currently Avis) for rental cars

Travelers using an FAU Pcard, must follow the University guidelines at the following link:

http://www.fau.edu/controller/travel/pdfs/Checklist_for_pCards.pdf

Oral Proficiency

Florida Statue 1012.93 requires that all faculty members in each state university, other than those who teach courses that are conducted primarily in a foreign language, be proficient in the oral

use of English, as determined by a satisfactory grade on the “Test of Spoken English” of the Educational Testing Service or a similar test.

If a supervisor has reason to believe that faculty member involved in classroom instruction, other than in courses conducted primarily in a foreign language, is deficient in English oral language skills, the supervisor shall make provisions for the faculty member to be tested in accordance with appropriate procedures and examinations for testing such skills. No reference to an alleged deficiency shall appear in the annual evaluation or in the personnel file of a faculty member who achieves a satisfactory examination score determining proficiency in oral English. (English as a Foreign Language (TOEFL): 173 computer based, 500 paper based; or the International English Language Testing System (IELTS): 6.0 band score).

Faculty who score below a minimum score on an examination established for determining proficiency in oral English shall be assigned appropriate non-classroom duties for the period of oral English language instruction provided by the University unless during the period of instruction the faculty member is found, on the basis of an examination specified above, to be no longer deficient in oral English language skills. In that instance, the faculty member will again be eligible to assignment to classroom instructional duties and shall not be disadvantaged by the fact of having been determined to be deficient in oral English language skills.

It is the responsibility of each faculty member who is found to be deficient in oral English language skills by virtue of scoring below the satisfactory score on an examination established for determining such proficiency to take appropriate actions to correct these deficiencies. To assist the faculty member in this endeavor, the University shall provide appropriate oral English language instruction without cost to such faculty members for a period consistent with their length of appointment and not to exceed two consecutive semesters. The time the faculty member spends in such instruction shall not be considered part of the individual assignment or time worked, nor shall the faculty member be disadvantaged by the fact of participation in such instruction.

If the University determines, that one or more administrations of a test to determine proficiency in oral English language skills is necessary, in accordance with this section, the University shall pay the expenses for two administrations of the test. The faculty member shall pay for additional testing that may be necessary.

Grievance Procedure

[Florida Atlantic University Regulation 5.009 “Grievance Procedure”](#) shall apply to all employees of the College.

Promotion and Tenure

Promotion and tenure shall follow Florida Atlantic University criteria and guidelines. Academic Affairs provides

- [Principles for Creating Criteria for Promotion & Tenure](#)
- [Guidelines for Appointment, Promotion and Tenure of Faculty](#)

- [Tenure and Promotion Materials Memo for 2017-18](#)
- [Implementation Guidance for Appointment and Promotion of Non-Tenure-Track Faculty](#)
- [Non-Tenure-Track Portfolio Guidelines for 2017-18](#)

A description of the College Promotion and Tenure Committee's structure and responsibilities is outlined in the [Bylaws of the Charles E. Schmidt College of Medicine](#).

[College of Medicine Promotion and Tenure Processes](#) are consistent with the goals of the College and the regulations of Florida Atlantic University.

Tenure upon Appointment processes are outlined in the [College of Medicine Faculty Handbook](#).

Peer Review of Teaching

All College faculty are reviewed and serve as reviewers annually, provided that they both 1) have an appointment in an academic department and 2) teach medical students for more than six hours per year in a lecture or small group format. In general, a team of three faculty members conduct the review and the ratings and comments are collated and a summary is provided to the faculty member and his/her chair. During the first two years of the program (2013-2014 and 2014-2015), all reviews are formative and will be used only to provide feedback to faculty. Starting in 2015-2016, reviews will be summative and will be included in the faculty member's evaluation for that year.

Mentoring of Faculty

Tenure-Earning Faculty

A description of Mentoring of Faculty is outlined in the [College of Medicine Faculty Handbook](#)

Ethical Matters

The College acknowledges a concern for values and ethics that are important to the whole educational experience. The College shall adhere to the University Values and Ethical Conduct as noted in the [Florida Atlantic University Academic Affairs Faculty Handbook](#).

Code of Conduct for Faculty and Staff

Members of the College shall adhere to the University Values, Academic Freedom and Responsibility and Ethical Conduct of the University Community as noted in the [Florida Atlantic University Academic Affairs Faculty Handbook](#).

All University personnel regulations and policies shall apply to all employees.

It is the intent of the Code* to build community, to protect academic freedom, to help preserve the highest standards of scholarship and teaching, to create a supportive environment and to

advance the vision and mission of the College of Medicine. The Code underscores the principle of respect for academic colleagues, for individual disciplines and for the College. Academic colleagues include all College faculty and staff.

Although no set of rules or professional code can either guarantee or take the place of an individual's personal integrity, a written code of ethics may serve as a reminder of the variety of obligations and responsibilities assumed by all members of the College community.

Obligations and Responsibilities to Academic Colleagues

- To strive to work together in an atmosphere of mutual respect and fairness, taking into account the diversity of our community.
- To respect and defend free inquiry.
- To show courtesy and respect for the professional opinions and aspirations of others in all interactions and communications.
- To strive to be objective and unbiased during professional judgment of colleagues.
- To encourage and promote the professional development and activities of colleagues.
- To be responsible for our own behavior, fully accountable for our actions, and to conduct ourselves with integrity, dignity, and restraint.
- To represent ourselves honestly in all interactions, intellectual activities, communications and correspondence.
- To engage in intellectual exchanges without personalizing differences of opinions.
- To value dissent and to acknowledge the right of others to express differing opinions.
- To be cognizant of the power differences that may exist in our interactions with academic colleagues and particularly considerate to those who occupy positions of lesser power.

Faculty and staff will conscientiously maintain the highest standards of professional conduct and will act in a manner that will contribute positively to the overall vision and mission of the College.

**Adapted from the University of Wisconsin Milwaukee Sheldon B. Lubar School of Business Code of Conduct for Faculty and Staff with slight modifications and approved by College and University administration on March 15, 2007.*

FAU Regulation 5.010 Anti-Discrimination and Anti-Harassment Regulation

Florida Atlantic University shall comply with applicable federal, state and local discrimination/harassment laws to provide an educational, employment, and business environment free of all forms of discrimination or harassment. Unlawful discrimination or harassment based upon an individual's race, color, religion, sex, national origin, age, disability, veteran status, marital status, sexual orientation, gender identity or expression or other protected status is prohibited. This policy applies to all FAU students, applicants for employment, faculty, and staff (hereinafter collectively referred to as "University Community Members"), as well as third parties providing services to FAU. [Regulation 5.010 Anti-Discrimination and Anti-](#)

[Harassment](#) establishes procedures for a University Community Member to file a complaint of alleged discrimination, harassment or retaliation.

Discriminatory conduct in the form of sexual misconduct/sexual harassment is also prohibited, and procedures for processing and investigating claims of sexual misconduct/sexual harassment by a University employee will be processed in accordance with current University policy on prohibited sexual conduct.

The Office of Equity, Inclusion and Compliance (“EIC”) shall administer this Regulation. Inquiries regarding the procedures contained in this Regulation should be forwarded to EIC.

Process for Members of the College of Medicine to Resolve and/or Report Allegations of Faculty or Staff Misconduct

**Please note that there are separate processes for Faculty and Staff.* Refer to the *Process for Faculty to Resolve and/or Report Allegations of Faculty or Staff Misconduct Flowchart* (Exhibit A) and the *Process for Staff to Resolve and/or Report Allegations of Faculty or Staff Misconduct Flowchart* (Exhibit B).

Allegations involving discrimination or harassment of a protected class must be reported to the Office of Office of Equity, Inclusion and Compliance in accordance with [Regulation 5.010 Anti-Discrimination and Anti-Harassment](#) as referenced above. Any supervisory employee who receives a report, observes and/or learns of an alleged violation of this Regulation has an absolute and unqualified duty to immediately report the conduct to the EIC Director.

Allegations involving an unresolved dispute regarding the terms and conditions of employment may be resolved by informal resolution between the faculty or staff member and his/her supervisor. If the issue cannot be satisfactorily resolved by informal resolution, the employee may file a grievance in accordance with [Regulation 5.009 Grievance Procedure](#). Job-related problems should be resolved, whenever possible, before the filing of a grievance. All grievances shall be filed with the Department of Human Resources on a Florida Atlantic University Request for Grievance form, within seven days following the act or omission giving rise to the grievance, or the date on which the grievant knew or reasonably should have known of such act or omission if that date is later, unless an extension is granted in writing by the Assistant Vice President for Human Resources or designee for the purposes of facilitating informal resolution.

[Regulation 5.012 Employee Standards and Disciplinary Procedures](#) provides the Standards of Conduct required for all employees. The recommended starting point for resolution of allegations involving an alleged breach of Standards of Conduct (other than unlawful discrimination or harassment of a protected class) and the College of Medicine Code of Conduct for Faculty and Staff is informal one-on-one resolution between colleagues (faculty-to-faculty; faculty-to-staff; or staff-to-staff). First, carefully examine the circumstances of the incident which occurred. Discuss the event with someone else who witnessed it, or with another colleague or individual whose judgment you trust. Often, concerns can be resolved informally or through consultation.

Ideally, concerns should be addressed within the College of Medicine and through informal one-on-one resolution. When the issue cannot be resolved informally, faculty and staff are advised to

consult with the individuals below *in sequential order*. This order is recommended so as to preserve communication within units and/or departments and facilitate timely resolution. In cases where there are perceived conflicts of interest, however, there are mechanisms for assistance outside of the College to ensure faculty and staff are supported and advised appropriately. In all cases, faculty and staff retain the right to report concerns directly to the Vice Provost for Academic Affairs or Employee Relations, as applicable, if a matter is not promptly or satisfactorily addressed within the College. The Vice Provost for Academic Affairs serves as the ombudsperson for the College of Medicine faculty (who are not part of the United Faculty of Florida and not subject to the Collective Bargaining Agreement).

Faculty reporting an alleged breach of Standards of Conduct by another *faculty* member (other than unlawful discrimination or harassment of a protected class):

- Consultation with the department chair of the faculty member (unless the concern involves a department chair, in which case the report may be made to the Associate Dean for Faculty Affairs or the Dean); then
- Consultation with the Associate Dean for Faculty Affairs; then
- Consultation with the Dean of the College of Medicine; if not promptly or satisfactorily resolved, then
- Consultation with the Vice Provost for Academic Affairs: The Vice Provost for Academic Affairs will liaise with the Dean, as appropriate, before taking action.

Faculty reporting an alleged breach of Standards of Conduct by a *staff* member (other than unlawful discrimination or harassment of a protected class):

- Consultation with the staff member's immediate supervisor and higher level supervisor/faculty/or department chair; then
- Consultation with the Dean of the College of Medicine; if not promptly or satisfactorily resolved, then
- Consultation with Employee Relations.

Staff reporting an alleged breach of Standards of Conduct by a *faculty* member (other than unlawful discrimination or harassment of a protected class):

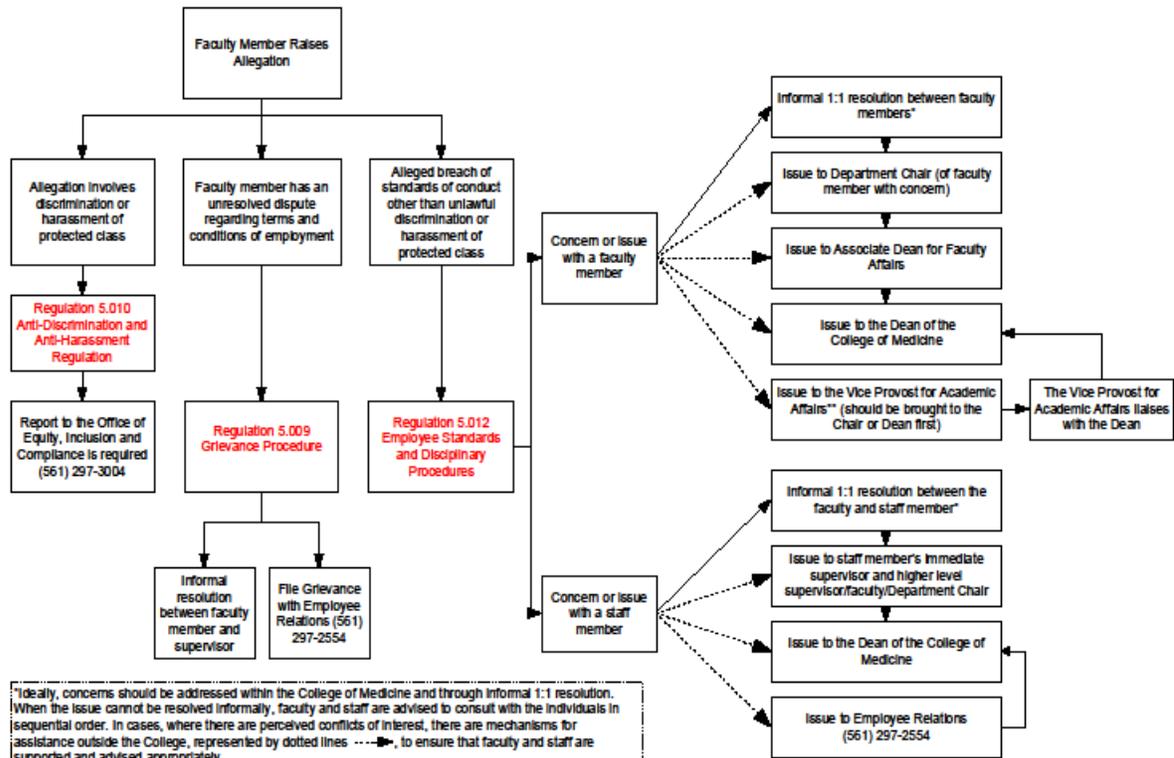
- Consultation with the department chair of the faculty member; then
- Consultation with the Dean of the College of Medicine; if not promptly or satisfactorily resolved, then
- Consultation with Employee Relations or the Vice Provost for Academic Affairs. (n.b. In some cases, the Dean may advise immediate consultation with Employee Relations or the Vice Provost for Academic Affairs.)

Staff reporting an alleged breach of Standards of Conduct by another *staff* member (other than unlawful discrimination or harassment of a protected class):

- Consultation with the staff member's immediate supervisor and higher level supervisor/faculty/or department chair; then
- Consultation with the Dean of the College of Medicine; if not promptly or satisfactorily resolved, then
- Consultation with Employee Relations. (n.b. In some cases, the Dean may advise immediate consultation with Employee Relations.)

Exhibit A

Process for Faculty to Resolve and/or Report Allegations of Faculty or Staff Misconduct



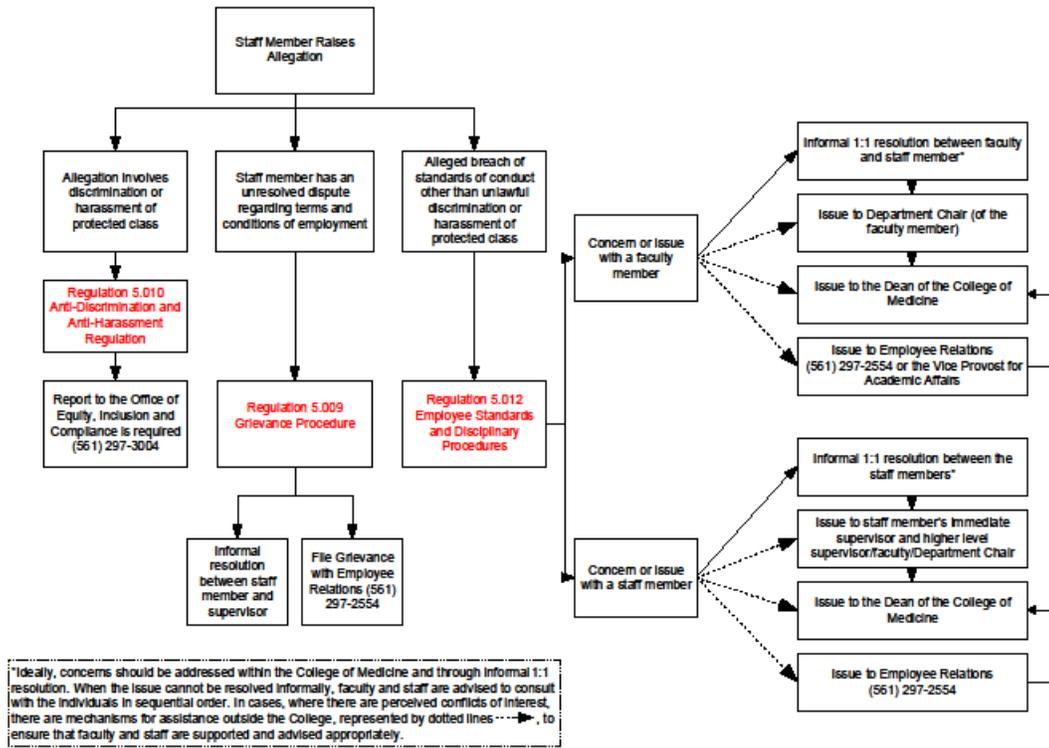
Ideally, concerns should be addressed within the College of Medicine and through Informal 1:1 resolution. When the issue cannot be resolved informally, faculty and staff are advised to consult with the individuals in sequential order. In cases, where there are perceived conflicts of interest, there are mechanisms for assistance outside the College, represented by dotted lines -.->, to ensure that faculty and staff are supported and advised appropriately.

**The Vice Provost for Academic Affairs serves as the ombuds person for the College of Medicine faculty (who are not part of the United Faculty of Florida and not subject to the Collective Bargaining Agreement).

Disclaimer: This chart is a reference tool only and may not be construed to supersede or otherwise affect the applicability of University policies or regulations, or the College of Medicine Administrative Policies. 01/04/2017

Exhibit B

Process for Staff to Resolve and/or Report Allegations of Faculty or Staff Misconduct



Disclaimer: This chart is a reference tool only and may not be construed to supersede or otherwise affect the applicability of University policies or regulations, or the College of Medicine Administrative Policies.

01/04/2017

Supervision of Academic Work by Relatives

The College shall adhere to the [Provost's Memorandum on Supervision of Academic Work by Relatives](#). No faculty member may assign a grade to a relative or evaluate in any way a relative who is a student in the College. In addition, no faculty member may:

1. Supervise a relative as a part of a Directed Independent Study or other form of individualized instruction.
2. Serve as a member of a relative's honor's thesis, master's thesis, or doctoral dissertation supervisory or examining committee.
3. Participate in an individual or committee decision (i.e., nomination or conferral of awards, recommendation for fellowships or university positions, complaint about a course) involving a relative where there might exist a conflict of interest.

In situations where a student is planning to take a course from a relative, the faculty member is required to disclose this to his or her immediate supervisor (Chair, Director, or Dean). The supervisor must approve the enrollment and a written plan assuring fair evaluation and grading (i.e., grading by a disinterested party). The supervisor may also suggest other course options for the student in regard to fulfilling degree requirements.

A *relative* for the purposes of this policy is anyone related to an employee in the following ways, and includes those within these categories who are referred to as adopted, step-, grand-, half-, in-law or great-:

- parent
- child
- sibling
- uncle or aunt
- first cousin
- nephew or niece
- spouse

Persons who intend to marry or with whom the employee intends to form a household, and any other person having the same legal residence as the faculty member, are included in the definition of *relative*. In addition, the faculty members should consult with their immediate supervisors in cases where there has been a past relationship with the student or a member of the student's family, where there might be a perceived conflict of interest.

It will be considered misconduct, subject to disciplinary action, for a faculty member to evaluate or supervise any enrolled student in the situations identified above, unless management plan has been approved by the Dean. Violations of this policy may be considered misconduct and the employee may be subject to disciplinary action up to and including termination.

Consensual Relations

The College is committed to maintaining learning and work environments as free as possible from conflicts of interest, exploitation and favoritism. This policy seeks to ensure that each member of the College community is treated with dignity and without regard to any factors that

are not relevant to that person's work. As such, the College shall strictly adhere to the [University Policy on Consensual Relations](#):

The purpose of this policy is to set forth expectations for University community members regarding amorous or sexual relationships and to ensure that such relationships do not result in actual or perceived impropriety.

Statement of Policy:

- A. General Considerations. Florida Atlantic University is committed to providing and maintaining a working and learning environment that is fulfilling and equitable for all members of the University community including students, faculty and staff. Implicit in the University's commitment is that all community members conduct themselves in an ethical manner in their interactions and relationships with each other. To accomplish the University's goals, relationships between students, faculty and staff must be based on integrity, respect and trust. Any amorous or sexual relationships between University community members that call these principles into question interfere with the University's academic mission.

- B. Amorous or Sexual Relationships between Individuals of Unequal Power: Amorous or sexual relationships between individuals of unequal power (e.g., between a supervisor and an employee, faculty member and student, or staff member and student) where the person of real or perceived greater power directly supervises or has the ability to impact either the employment or education of the other, have the potential of resulting in, or causing the appearance of, the following:
 1. A conflict of interest (see [FAU Regulation 5.011 University Ethics](#)); (Chapter 112, Florida Statutes).
 2. An abuse of power or trust.
 3. The perception of favoritism, bias or unfair treatment.
 4. The perception or allegations that the relationship was the result of coercion or exploitation.
 5. Allegations of sexual harassment either during the relationship or after it ceases (see [FAU Regulation 5.010 Anti-Discrimination and Anti-Harassment](#)).
 6. Other allegations of inappropriate conduct.

PROCEDURES:

- A. Prohibited Amorous or Sexual Relationships. Faculty members, administrators and staff in any type of supervisory or oversight capacity are prohibited from engaging in an amorous, dating or sexual relationship with a student or employee whom he/she instructs, evaluates, supervises, or advises, or over whom he/she is in a position to exercise authority such that it would impact their educational or work performance.

B. Required Disclosure of Amorous or Sexual Relationships.

1. Faculty members, administrators and staff in any type of supervisory or oversight capacity, who as of the date of the adoption of this policy, are currently involved in an amorous, dating or sexual relationship where there is direct authority relationship between the individuals must immediately disclose the existence of their relationship to their immediate supervisor (i.e., Chair, Director, Dean, Vice President) or, if necessary, the next higher level supervisor not involved in the relationship.
2. Faculty members, administrators and staff in any type of supervisory or oversight capacity who are involved in an amorous, dating or sexual relationship where no direct authority exists, but as a result of reassignment or restructuring of a department or unit are placed in a direct authority relationship with the person with whom they have a relationship covered by this policy, must disclose the existence of such relationship to their immediate supervisor (i.e., Chair, Director, Dean, Vice President) or, if necessary, the next higher level supervisor not involved in the relationship.

C. The University's Management of Potential or Actual Conflicts of Interest resulting from an Amorous or Sexual Relationship.

1. The University will manage any potential conflicts of interest created by amorous or sexual relationships where direct authority or the ability to impact the performance of the other individual exists. The University will take these efforts to ensure the integrity of the work and educational environment and may explore the following options:
 - (a) Removing the faculty member, administrator or staff who are in any type of supervisory or oversight authority over the individual with whom they involved in an amorous or sexual relationship from any evaluative decision concerning the other individual;
 - (b) By moving an advisor from his/her involvement as advisor or committee member with an advisee;
 - (c) Relocation of an employee to another supervisory area; or
 - (d) Other action that the appropriate administrators believe resolves the actual or perceived conflict of interest.
2. The University, in managing actual or perceived conflicts of interest, resulting from amorous or sexual relationships may require time or more decisive efforts to effectively address conflicts of interest that arise from two individuals' involvement in an amorous, dating or sexual relationship where a direct authority relationship exists between the individuals. In such cases, the following may occur:
 - (a) In the case of two employees (including student employees), one or both of the employees may be placed on administrative leave, with or without pay, until a suitable option becomes available to address the actual or perceived conflict of interest.

- (b) If there is no reasonable option available to address the actual or perceived conflict of interest, one or both employees may be required to separate his/her employment from the University.

D. Violations of this Policy. Any member of the University community who violates this policy is subject to discipline by the applicable supervisory authority.

Therefore, if an amorous relationship develops within the College, the employee shall report the situation to the relevant supervisor, Chair or Dean who will act to help determine the best means of resolving such actual or potential conflicts and shall maintain the confidentiality of the information reported to the fullest extent possible and appropriate to the circumstances. If the employee does so and follows the means indicated, there shall be no sanctions.

Violations of this policy will be considered misconduct and the employee will be subject to disciplinary action up to and including termination.

Personal Relationships

The basic criteria for appointment, tenure, promotion, salary or other conditions of employment of faculty shall be appropriate qualifications and performance. Since appointments are based on individual merit, close personal relationships, whether through family, marriage or other basis, shall constitute neither an advantage nor a deterrent to appointment or advancement in the College, provided the individual meets and fulfills the appropriate College standards. When factors of a personal nature might influence an evaluator in a review of performance, promotion, salary or other terms of employment, the evaluator shall withdraw from that review.

Employment of Relatives

The College shall adhere to the [University Employment of Relatives Policy](#). This policy of the University affirms equal opportunity and a commitment to diversity. In association with this policy, special considerations exist when employers evaluate applications from relatives of employees of the University.

This policy is designed to ensure that the College employs the most qualified, specialized, and technically competent individuals for faculty, administrative, and staff positions. The College does not necessarily consider family relationship a disqualifying factor, but bases employment on the comparative qualifications of the applicant.

The basic criteria for the selection of employees shall be appropriate qualifications to perform the job. The College's primary concern is that faculty or staff members are the best candidates with respect to the requisite qualifications for employment. The College has a parallel concern, however, in the avoidance of a conflict of interest or the appearance of such conflict, where an employee's professional decisions or actions pertaining to the performance of his or her job could be influenced by considerations arising from a relationship with another employee.

A *relative* for purposes of this policy is anyone related to an employee in the following ways,

and includes those within these categories who are referred to as adopted, step-, grand-, half-, in-law, or great-:

- parent
- child
- sibling
- uncle or aunt
- first cousin
- nephew or niece
- spouse

Persons who intend to marry or with whom the employee intends to form a household and any other person having the same legal residence as the employee are included in this definition of *relative*.

Conflict of Interest for purposes of this policy includes, but is not limited to, participation by the relative in making recommendations or decisions specifically affecting the appointment, retention, tenure, work assignments, evaluation, promotion, demotion, or salary of the related person. Employment for purposes of this policy and to ensure there is no perception of a conflict of interest, includes appointments to regular positions in any pay plan, temporary or casual employment, or paid student positions such as student assistants, graduate assistants, or research assistants.

Relatives seeking appointment at the College must follow established appointment application policies and procedures. Every employee or prospective employee has the obligation to fully disclose information about a relative employed at the College to the person responsible for recruitment, early in the recruitment process. Each employee has a responsibility to keep his/her supervisor informed of changes relevant to this policy, such as becoming a relative of another employee through marriage or new supervisory conflicts created by changes in organizational structure. Employment of relatives in a single area/department or in job-related area/department is permitted, provided that such employment will not involve a conflict of interest, actual or potential. If a conflict exists, the prospective supervisor of the person seeking appointment is responsible for developing a plan to manage the conflict (i.e., an alternate supervisor), in consultation with the prospective employee and the related person. The plan must assure that related persons do not have direct or indirect administrative decision-making authority over each other or make decisions which affect each other's terms or conditions of employment. The plan may specify responsibilities for general supervision, assignment, assessment of performance, salary, annual evaluation, promotion, tenure, retention or dismissal, career growth, discipline, dealing with issues/concerns from other employees, faculty and students, and handling confidential information.

Prior to the employment of relatives, the prospective supervisor shall submit the related person's application and the conflict of interest management plan for review and action to the Dean. Additional documentation and review by a conflict of interest committee may be required for employees or faculty members who are the subject of a conflict of interest management plan. The Dean will then forward to through the appropriate University channels.

If the prospective employee is appointed to the position, a copy of the approved conflict of interest management plan will be included in the personnel file of both employees. With respect

to employment of relatives within the same academic department or comparable institutional subdivision of employment, where no direct supervisory relationship is involved, a conflict of interest management memorandum is not required, however, neither relative shall be permitted, either individually or as a member of a faculty or as a member of a committee, to participate in the evaluation of the other related person. Evaluation of a relative for the purposes of assignment, annual evaluation, awards, promotion and tenure, salary increases, discipline and similar processes is not permitted. Violations of this policy will be considered misconduct on the part of the faculty member and will be subject to disciplinary action up to and including termination.

Social Media Policy

The administration of the College of Medicine (recognizes that social media websites and applications, including but not limited to Facebook, Instagram, Snapchat, Tumblr, Twitter, Pinterest, LinkedIn and YouTube are an important and timely means of communication. However, faculty, staff, employees, residents, fellows, volunteers, and students should be aware that posting certain information may be illegal or unprofessional. Violation of existing statutes and administrative regulations may expose the offender to criminal and civil liability, and the punishment for violations may include fines and imprisonment. Offenders also may be subject to adverse employment actions, disciplinary sanctions and/or academic actions that may include, but not be limited to, a verbal or written reprimand, probation, suspension or dismissal from employment, school and/or resident training. All faculty, staff, employees, residents, fellows, volunteers and students in the College are also subject to University policies and/or regulations on social media, (i.e. <http://www.fau.edu/student/marketing/social-media.php>) as well as all other applicable University policies and regulations.

The following actions are strictly forbidden:

- Any violation of University Office of Information Technology and/or College of Medicine IT policies.
- In your professional role as a caregiver, you may not disclose the personal health information of other individuals. Removal of an individual's name does not necessarily constitute proper de-identification of protected health information. Inclusion of data such as age, gender, race, diagnosis, date of evaluation, or type of treatment or the use of a highly specific medical photograph (such as a before/after photograph of a patient having surgery or a photograph of a patient from a medical outreach trip) may still allow the reader to recognize the identity of a specific individual, and therefore is prohibited.
- You may not disclose private (protected) academic information of another student or trainee. Such information might include, but is not limited to: course or clerkship grades, narrative evaluations, examination scores, or adverse academic actions.
- For students, sharing PBL/IQ information within a class is acceptable, but sharing material between classes or outside Florida Atlantic University is not. Many of our cases have been generously provided to us by other medical schools with the stipulation that they would be used only by our students. In addition, it would defeat the purpose of problem-based learning if the learning objectives, study materials, etc. were available to students encountering cases for the first time. Therefore, the use of Facebook or other social media sites by students for any PBL or IQ materials is strictly prohibited. All postings for PBL and IQ are limited to established practices and tools set by course directors, the Office of Medical Education and College of Medicine IT.

- In posting information on social media sites, you may not present yourself as an official representative or spokesperson for FAU or its College of Medicine, unless authorized to do so by the President or Dean of the College of Medicine, respectively.
- You may not represent yourself as another person, real or fictitious, or otherwise attempt to obscure your identity as a means to circumvent the provisions of this policy.
- You must respect limited personal use permissions, when applicable, and may not utilize websites and/or applications in a manner that interferes with your official work and/or academic commitments. That is, do not consume university, hospital or clinic technology resources with personal use when others need access for patient or business-related matters. Moreover, do not delay completion of assigned clinical responsibilities in order to engage in social media activities.

In addition to the absolute prohibitions listed above, the actions listed below are strongly discouraged. Violations of these suggested guidelines may be considered unprofessional behavior and may be the basis for employment and/or academic disciplinary action.

Specifically, students who fail to adhere to the standards of professionalism regarding social media will be subject to the Policy on Academic, Professional and Behavioral Requirements and Standards Governing the Florida Atlantic University College of Medicine and/or other applicable University policies and regulations. Those students may be referred to the Senior Associate Dean for Student Affairs and Admissions, and a Professionalism Incident Report (or other appropriate academic disciplinary action) may be made and presented to the Medical Student Promotions and Professional Standards Committee.

Residents and fellows who fail to adhere to the standards of professionalism regarding social media will be subject to the Graduate Medical Education Policy & Procedure Policy Statement “Disciplinary, Appeal and Dismissal Process”. Residents and fellows may be referred to the residency program director or the Designated Institutional Official for sanctions, depending on the severity of the action. Engaging in the following activities (or similar conduct) by faculty, staff, employees, residents, fellows, students, and volunteers in the College may result in employment and/or academic disciplinary action:

- Display of vulgar language
- Display of language or photographs that imply disrespect for any individual or group because of age, race, gender, ethnicity, sexual orientation or other legally protected status.
- Presentation of personal photographs or photographs of others that may reasonably be interpreted as condoning irresponsible use of alcohol, substance abuse, or sexual promiscuity.
- Posting of potentially inflammatory or unflattering material on another individual’s website or “tagging” another individual in an inflammatory or unflattering demeanor using a blog, social media or other web service.
- Fraternalization between faculty (including affiliate faculty), staff, employees, residents, fellows, students, and volunteers in an inappropriate manner of a personal nature, in violation of the Florida Atlantic University policy and/or College policy on Consensual Relations.

When using social media websites/applications, faculty (including affiliate faculty), staff,

employees, residents, fellows,) and students are strongly encouraged to use a personal e-mail address, rather than their fau.edu address, as their primary means of identification (see [Acceptable Use of Technology Resources](#)). Individuals also should make every effort to present themselves in a mature, responsible, and professional manner. Discourse should be civil and respectful.

Please be aware that no privatization measure is perfect and that undesignated persons may still gain access to your social media sites. A site such as YouTube, of course, is completely open to the public. Future employers (residency or fellowship program directors, department chairs, or private practice partners) often review these social media sites when considering potential candidates for employment.

Finally, although once-posted information can be removed from the original social media site, exported information cannot be recovered. Any digital exposure can “live on” beyond its removal from the original website or social media service and continue to circulate in other venues. Therefore, think carefully before you post any information which may negatively impact your standing with the University or future employers. Always be respectful, and professional in your actions.

Employee Ethical Obligations and Conflict of Interest

All employees should be aware of their obligations and responsibilities as public employees of Florida Atlantic University. No employee shall have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature which is in substantial conflict with the full and competent performance of the employee’s duties.

Outside Activities

On an annual basis and prior to beginning any outside employment or professional activities, all employees, including OPS/temporary employees, who engage in any outside employment or professional activities must submit and sign a [Report of Outside Employment or Professional Activity for FAU Employees](#) form. If the outside employment/activity involves an entity or agency doing business with or proposing to do business with the University at the time this form is completed, the employee must also attach a [Report of Specified Interest](#) form. Additional information may be accessed via http://www.fau.edu/hr/files/Outside_Activity_Form_Explanation.pdf. This reporting is a continuing requirement of the State of Florida. An employee’s failure to report outside activities, and/or follow any conditions imposed pursuant to the University’s approval of such activities, is grounds for disciplinary action.

All chairs must provide a signed copy of the Department Attestation Form for Outside Employment or Professional Activity when submitting the Report of Outside Employment or Professional Activity for FAU Employees form on behalf of faculty members to the Dean for signature.

Industry Relations Policy

The Charles E. Schmidt College of Medicine (COM) at Florida Atlantic University (FAU) recognizes the possibility of conflict of interest or apparent conflict of interest in interactions with corporations, representatives of corporations and other individuals supported by medically-related industries. At the same time COM recognizes that several medically-related industries provide appropriate and legitimate support for educational and patient care activities. This policy serves to describe an acceptable learning environment where faculty, students and residents are shielded from industry bias. This policy incorporates standards of practice comparable to those adopted by medical schools nationwide.

The COM assures the public that it is aware of the risks involving conflict of interest, and takes conflict of interest seriously. Medical students and residents should not be exposed to interactions that may create a conflict or the appearance of a conflict of interest. Faculty interacting with students and residents are expected to model appropriate interactions and to prevent inappropriate exposure of students and residents to representatives of medically-related industries.

Accordingly the COM at FAU follows the following policy concerning interactions with industry, and adheres to the guidelines below. Additionally two university wide policies pertaining to conflict of interest must also be followed, in addition to other applicable university regulations and policies:

[General Conflict of Interest Policy](#)

[Research Conflict of Interest Policy](#)

Full-time COM faculty are subject to this policy at all times. This policy applies to affiliate and part-time faculty when they are acting on behalf of the University within the scope of their appointment (teaching, supervising trainees, etc.) When not acting in their role as an FAU faculty member, affiliate and part-time faculty are not subject to this policy. The COM recognizes that its affiliated hospitals and clinical sites have their own specific policies regarding corporations and vendors, and will actively support and enforce these policies as well, to the extent they are consistent with University policy.

The Vice Dean for Medical Education is responsible for student education on acceptable interactions with industry, so that students can make appropriate choices should a potential conflict arise. The Vice Dean for Graduate Medical Education is responsible for resident education on acceptable interactions with industry, so that residents can make similar appropriate choices. The appropriate Department Chair is responsible for assuring compliance with this policy.

Definitions:

- Industry - Includes, but is not limited to, pharmaceutical, device, equipment, biotechnology, service, software, supplies, biomedical investment, and for-profit educational companies, and foundations sponsored by companies such as drug and device companies.
- Faculty - Includes the full-time, part-time and affiliate faculty of the COM.
- PHI -Protected Health Information as defined by the HIPAA Privacy Rule: any health

related information that can be used to identify an individual.

- Consulting - Any relationship where a University employee is retained by an industry business entity to provide professional advice or services outside of his/her University employment.

Gifts and Materials from Industry

Students and residents of the COM may not accept gifts or meals provided by Industry under any circumstances. Students and residents will be educated regarding the potential for gifts and meals to bias objective professional judgment and clinical decision-making, and will be expected to refuse any offers for such items.

Items from Industry that may be perceived as marketing materials, such as pens, notepads and other items, with company or product logos may not be accepted under any circumstances. Gifts in the form of entertainment or recreational activities/items, cash, or cash equivalents (such as gift certificates), and items for personal benefit may not be accepted at any time, regardless of value.

Faculty in a direct supervisory role of residents or students should assure that the learning environment is free from industry influence, including free of meals and gifts as noted above. Part-time and affiliate faculty should make every attempt to schedule industry-sponsored activities or meals during a time when students and residents are scheduled in other locations. If meals are scheduled at a time when students and residents are in the office, they should not be offered the opportunity to participate or offered any gifts. For the privacy of patients, all on-site meals must be scheduled in advance and held in non-patient care areas where PHI is not seen or overheard.

Pharmaceutical Samples

Pharmaceutical samples can benefit patient care by allowing patients to try a new medication for effectiveness and tolerance prior to incurring a cost, and by expediting access. With these benefits comes the responsibility for managing the medications to ensure security of medication inventory, prevent dispensing of expired medications, and recording of all dispensed medications in the respective patient records. Students and residents may not be involved in the receipt, storage or dispensing of pharmaceutical samples.

COM faculty, residents, and medical students may not accept remuneration of any kind for either receiving or dispensing sample medications.

Industry Representative Visits

Industry representatives are required to schedule an appointment to meet with any COM faculty and must limit their interaction to that physician. Students and residents may participate in discussions with industry representatives where questions are asked; however the Attending Physician must be present and use this as an opportunity to

discuss the potential for bias and to look at additional information sources as well. On their initial visit to any COM affiliated site, Industry representatives are to be notified of Industry Relations and Conflict of Interest policies. Industry representatives are not allowed access to patients or PHI unless authorized by the treating physician and patient for involvement in patient care in accordance with appropriate patient consent or in accordance with an IRB/Privacy Board approved research authorization or waiver.

Educational materials, products or product information that may be useful to patients may be directly accepted by the physician and designated clinic staff, but not by students or residents. Industry representatives are not permitted to place educational materials in patient care areas or waiting areas. Any educational sessions presented by Industry representatives are to be held away from patient care areas so that PHI is not viewed or heard.

Professional Meetings and Presentations

Attendance by COM faculty, residents and students at conferences or meetings where objective scientific and/or educational activities are the primary focus of the conference or meeting ("Professional Meetings") is encouraged. Direct payment or reimbursement by Industry of travel, or other expenses associated with attendance at Professional Meetings, to faculty, residents or students is not permitted.

Participation by faculty as speakers at Professional Meetings is encouraged. Such participation enhances the national reputation of the COM, Florida Atlantic University, and of the individual faculty member. The COM recognizes that faculty spend time and effort apart from their regular University duties in preparing for such engagements, and that compensation based on the faculty member's expertise, experience, regional/national/international reputation, and specialty by the sponsor or organizers of the Professional Meeting for the faculty member's time, expertise and the expenses of attendance may be offered, according to ACCME policies.

Faculty participation as speakers or content experts at Professional Meetings where Compensation/honoraria is offered shall normally be conducted as an outside activity. Affiliate faculty may do this on their own time and on their own behalf, and should not utilize or refer to their COM faculty title during the presentation. Part-time and full-time faculty members may also participate in the Professional Meeting as an outside activity on their own time without the use of their COM title; however they must disclose the activity via the outside activity reporting guidelines (Reporting Outside Activities Database), discuss the forum with their Department Chair and obtain approval from their Chair. Approval will not be unreasonably withheld, but will be dependent upon whether the faculty member is meeting his or her departmental assignments/expectations. The faculty member may also need to submit a request for annual leave if the participation will take place during University business hours (Monday-Friday 8am-5pm) or during periods when scheduled for on-call duties, as discussed with the Department Chair.

Any honorarium or other payments may be made directly to the faculty member and should be fair and reasonable compensation. The actual costs of travel, lodging and

other reasonable expenses of attending the event may also be paid or reimbursed by the sponsor or organizer of the meeting but should not be paid directly to the faculty member by Industry.

Faculty participating as speakers at Professional Meetings for which continuing professional education (CPE) credit is offered will be subject to the CPE policies and procedures of the ACCME accredited CME provider. Honorarium and payment or reimbursement of expenses for lecturing at CPE events should be paid by the ACCME accredited CME provider to the faculty member but should not be paid directly to the faculty member by Industry.

Occasionally, faculty members will be invited to lecture at conferences sponsored by nationally recognized professional organizations (e.g. AAMC). In these situations, the professional organization will be the credentialing body for the event and will also require faculty to follow its CPE policies and procedures.

The COM recognizes that its faculty may be sought after as speakers to present information relevant to a company's products to the medical and health care provider community. Affiliate or part-time faculty may spend time and effort apart from their regular assigned University duties in preparing for such presentations, and compensation by the company for the faculty member's time may be offered.

Faculty participation as speakers on behalf of industry products must be conducted as an outside activity. Any paid faculty member must disclose the activity via the outside activity reporting guidelines (Reporting Outside Activities Database) and obtain approval from their Department Chair. Approval will not be unreasonably withheld, but will be dependent upon whether the faculty member is meeting his or her departmental assignments and obligations. The faculty member must also submit a request for annual leave if the participation will take place during University business hours (8am-5pm, Monday-Friday) or during periods when scheduled for on call duties. Faculty members are prohibited from using or referring to their COM titles when giving such presentations, and may not involve students or residents in these activities.

Payment to faculty members must be reasonable and fair compensation for the work performed based on the faculty member's expertise, experience, regional/national/international reputation, and specialty. The gathering where the information is presented must be primarily dedicated to informing healthcare professionals about a product or treatment, providing scientific information, and promoting educational discourse on the topic presented. The venue must be conducive to informational communication and meals (a) are modest as judged by local standards; (b) are not part of an entertainment or recreational event; and (c) are provided in a manner conducive to informational communication. In addition, inclusion of a healthcare professional's spouse or other guest in a meal accompanying an informational presentation made by or on behalf of Industry is not appropriate.

Presentation materials on drug products must follow pharmaceutical guidelines and present information on the FDA-approved use of the drug product and may not promote the "off-label" use of a drug product. Faculty members may not participate in product promotional activities when acting on behalf of FAU or using their FAU affiliation.

Consulting Relationships with Industry

The COM expects that its faculty will be sought after as consultants to Industry and agrees that such relationships can lead to medical innovation, better medical and surgical products, and can ultimately promote better patient care. Affiliate faculty and part-time paid faculty may enter into these arrangements. However, such consulting relationships must not:

- compromise professional ethics;
- utilize an individual's title as a member of the COM faculty;
- have elements that may be construed by the government as an illegal kickback, resulting in criminal charges;
- be used as a vehicle for direct payment to faculty aimed at convincing them to use a company's products; or
- interfere with university duties, including supervision of medical students and residents.

Accordingly, consulting relationships with Industry are permitted for affiliate faculty and part-time paid faculty under the following conditions:

- for paid part-time faculty the relationship must be disclosed via the outside activity reporting guidelines (Reporting Outside Activities Database); and approved by the Department Chair; and
- paid part-time faculty must submit a request for annual leave if the participation will take place during University business hours (Monday – Friday 8am-5pm) or during periods when scheduled for on-call duties;
- the relationship must be based on a written agreement which documents the specific, legitimate tasks and deliverables; and
- payment amount must reflect reasonable and fair compensation and be commensurate with the tasks performed, considering the faculty member's specialty, expertise and regional/national/international reputation.

A copy of the final, fully executed contract must be submitted to the Department Chair for the department file.

On occasion, a company will ask for a release letter from Florida Atlantic University indicating that the University has authorized the faculty member to engage in the outside activity in question. The faculty member may provide the approved outside activity form in response to this request at the discretion of the Department Chair.

Faculty Benefits

The Benefits Office in the [Department of Human Resources](#) is responsible for the administration of all University benefit programs available to faculty.

Holidays

The University holiday schedule is set by the University President and published by University Human Resources. The following holidays are typically observed by the University:

New Year's Day	Veteran's Day
Martin Luther King Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Independence Day	Christmas Day
Labor Day	

All offices in which functions can be discontinued temporarily are closed on University holidays. When a holiday falls on Saturday, the preceding Friday will be observed as a holiday; when a holiday falls on a Sunday, the following Monday is observed as the holiday.

Leave Programs

Absenteeism, annual leave, sick leave, the sick leave pool, compulsory leave, leave of absence without pay, military leave and parental leave are governed by the [Florida Atlantic University Academic Affairs Faculty Handbook](#), [Office of the Provost Memoranda and Policy](#) and [Florida Atlantic University Personnel Policies](#) with the exception of the superseding policies listed herein.

Annual Leave

Full-time faculty holding 12-month appointments earn annual leave at the rate of 6.77 hours bi-weekly. Part-time faculty with 12-month appointments earn annual leave at a rate directly proportionate to the percent of time employed. OPS and affiliate faculty do not earn annual leave.

	<u>Accrual per Pay Period</u>	<u>Year End Maximum</u>	<u>Maximum Payout</u>
Faculty	6.77 hours	352 hours*	176 hours (22 days)

*Year-end maximum hour carry over for faculty per FAU Personnel Policies.

Faculty may continue to accrue annual leave in excess of the year end maximum during a calendar year. Faculty with accrued annual leave in excess of the year end maximum as of December 31 shall have any excess converted to sick leave on an hour-for-hour basis in the first pay period of January of each year. Faculty annual leave may not be paid out at the termination of the employment in excess of 22 days.

Faculty are expected to use annual leave when appropriate as noted in the [Florida Atlantic University Academic Affairs Faculty Handbook](#). Faculty may need to travel or take leave time for any number of personal or professional reasons. It is the responsibility of faculty members to submit annual leave requests through their Workday account in advance of the absence taking place to ensure and to document coverage of their regularly assigned duties. If professional travel is associated with the requested absence, travel (spend authorization) requests must also be submitted through Workday. All requests must be approved by the Department Chair or their designee through Workday. When leave is related to other employment or professional activity, a [Report of Outside Employment or Professional Activity for FAU Employees](#) form must be on file. If the outside employment or professional activity involves an entity or agency doing business with or proposing to do business with the University at the time the form is completed, the [Report of Specified Interest](#) form must also be on file.

Cashing Out Annual Leave

Annual leave may not be paid out at the termination of the employment in excess of 22 days. Once the maximum payout has been paid, no further payouts may occur regardless if reemployed. No faculty member who has been terminated for cause, been separated due to job abandonment, or who has resigned in lieu of termination is entitled to the annual leave payout unless authorized by the President or designee. Upon re-employment by the University within thirty (30) days or upon rehire by the University within one year following layoff, all unpaid annual leave shall be restored and any annual leave paid at the time of separation shall be fully or partially restored upon repayment.

Faculty who accrue annual leave as a result of being appointed to a position that is funded by a grant may be cashed out for unused annual leave hours earned from that appointment when the funding source ends or the appointment funded by that funding source ends, provided there are sufficient funds in the funding source to cover the payment. When there are insufficient funds from the funding source to cash out the unused leave hours (up to 22 days), the University is not required to cash out the balance.

Sick Leave

Full-time faculty earn four hours of sick leave during each biweekly pay period, without limitation as to the total number of hours that may be accrued as noted in the [Florida Atlantic University Academic Affairs Faculty Handbook](#). A [Leave Request](#) must be completed whenever any employee plans to use leave time. Employees may use accrued sick leave for the following purposes:

1. The employee's personal illness, injury, exposure to a contagious disease; a disability where the employee is unable to perform assigned duties; or appointments with health care providers.
2. The illness, injury, appointments with health care providers, or death of a member of the employee's immediate family. "Immediate family" means the spouse, and the grandparents, parents, brothers, sisters, children, and grandchildren of both the employee and the spouse, and dependents living in the household.

Faculty, who will require a continuous use of sick leave for more than 40 hours, must send medical documentation to a confidential fax machine in the Office of Human Resources (561-297-4220), designated for medical documentation. The certification from the health care provider needs to state the medical reasons necessitating the absence from work and an estimate of the length of time the faculty member will be unable to work. Human Resources will be copied on the leave approval so that the faculty member can be provided with information on Family Medical Leave Act (FMLA) entitlements (http://www.fau.edu/hr/EmpRelations/FMLA_0909.php) as required by law. An FMLA form must be completed for absences of more than one week. All medical documentation is retained in a confidential folder in the Office of Human Resources.

Faculty Leave of Absence without Pay

Upon the request of the employee, the President or his/her representative may grant leave without pay for a limited time; unless it is determined that granting such leave would be inconsistent with the best interest of the College/University. The request must be submitted to the Chair and requires support of the Chair and the Dean and approval from the Office of the Provost. If a faculty member is taking a leave of absence without pay, the Benefits Office must be contacted to arrange for payment of insurance premiums.

Sabbatical Leave

Sabbaticals are made available for full-time faculty members with the rank of Associate Professor of Biomedical Science, Professor of Biomedical Science, Associate Professor of Clinical Biomedical Science, or Professor of Clinical Biomedical Science who have completed at least six years of full-time service. Visiting faculty and administrative positions at the level of Chair and above are excluded. A faculty member who is compensated, in part, through a contract or grant may receive a sabbatical only if the contract or granting source specifically allows a sabbatical in the grant agreement.

Sabbaticals are granted to increase an employee's value to the College through further professional development, not as a reward for service. Each Department will develop award criteria subject to approval by the Dean. Application requests will be reviewed by the appropriate Department Promotion, Appointment and Tenure Committee and Department Chair. The Chair will evaluate application requests and submit a letter of endorsement or non-endorsement to the Dean. The Dean will review the application requests and make a final decision. ([Sabbatical application for 2017-2018](#))

Faculty must coordinate with the Sponsored Programs Office, and other compliance offices such as Research Integrity and Environmental Health and Safety, to insure that all sponsor and FAU compliance related matters have been addressed prior to the sabbatical.

Terms of Sabbatical Program

1. While on sabbatical, the employee's salary shall be one half-pay for up to one (1) calendar year or full-pay for six (6) months.

2. The employee must return to the university for at least one (1) calendar year following participation in the program unless otherwise agreed to in writing by the Dean. Salary received during the sabbatical will be returned to the University if the employee fails to remain employed for the full calendar year.
3. The employee must, within sixty (60) days upon completion of the sabbatical, provide a concise written report of the employee's accomplishments during the sabbatical to the Dean. This report shall include information regarding the activities undertaken during the sabbatical, the results accomplished during the sabbatical as they affect the employee and the university, and research or other scholarly work produced or expected to be produced as a result of the sabbatical.
4. Employees shall not normally be eligible for a second sabbatical until six (6) years of continuous service are completed following the first.
5. Contributions normally made to retirement and Social Security programs shall be continued on a basis proportional to the salary received. Contributions normally made to employee insurance programs and any other employee benefit programs shall be continued during the sabbatical.
6. Eligible employees shall continue to accrue annual and sick leave on a full-time basis during the sabbatical.
7. While on leave, an employee shall be permitted to receive funds for travel and living expenses, and other sabbatical-related expenses, from sources other than the university such as fellowships, grants-in-aid, and contracts and grants, to assist in accomplishing the purposes of the sabbatical. Receipt of funds for such purposes shall not result in reduction of the employee's university salary. Grants for such financial assistance from other sources may, but need not, be administered through the university. If financial assistance is received in the form of salary, the university salary shall normally be reduced by the amount necessary to bring the total income of the sabbatical period to a level comparable to 125% of the employee's current year salary rate. Employment unrelated to the purpose of the sabbatical leave must not create a conflict of interest in accordance with [FAU Guidelines on Conflict of Interest, Conflict of Commitment and Outside Activities, Including Financial Interests](#).
8. If plans include providing technical information to persons who are not United States citizens, an employee must consult with the Office of General Counsel prior to departure. The provision of technical knowledge outside the United States is considered an export and is regulated by the U.S. Commerce Department or the State Department, depending upon the type of knowledge being exported. Those agencies require a license before the knowledge may be communicated.

Faculty Non-reappointment, Notice of Separation and Termination for Cause

No appointment shall create any right, interest, or expectancy in any other appointment beyond its specific terms. Tenure status guarantees annual reappointment until voluntary resignation, retirement, layoff or removal for just cause. Any employee on any type of appointment or term

may be terminated immediately for just cause. Just cause is defined as incompetence or misconduct and includes, but is not be limited to, the following:

1. neglect of duty or responsibilities, including unauthorized absence, which impairs teaching, research or other normal and expected services to the College;
2. failure to perform the terms of employment;
3. willful violation of the rules, policies or regulations of the College, Florida Board of Governors and/or the University or College;
4. failure to discharge assigned duties effectively because of incompetence;
5. conduct, professional or personal, involving moral turpitude;
6. violation of the ethics of the academic profession;
7. actions which impair, interfere with or obstruct, or aid, abet or incite the impairment, interference with or obstruction of the orderly conduct, processes and functions of the University or College;

A faculty member who is absent without authorized leave for five or more consecutive days shall be considered to have abandoned the position and voluntarily resigned from the College.

A faculty member's activities that fall outside the scope of employment shall constitute misconduct only if such activities adversely affect the legitimate interests of the University. The President or the President's designee may immediately place a faculty member on leave with pay pending investigation. The leave pending investigation shall commence immediately upon the President or the President's designee providing the faculty member with a written notice of the reasons. The leave shall be with pay, with no reduction of accrued leave. If, as a result of the investigation, the faculty member is to be suspended or terminated, written notices shall be given to the faculty member. An employee shall be given written notice of termination or suspension prior to the effective date, unless it is determined that the actions adversely affect the functioning of the University or jeopardize the safety or welfare of the faculty member, colleagues or students. All College employees may utilize the University Grievance Regulation when applicable.

Unless otherwise stated in the employment offer letter, all non-tenured employees on an open-ended appointment may be terminated without cause for any reason upon receiving at least six months advance written notice from the Dean or designee. Employees in the following categories, however, are not entitled to advance notice prior to separation from employment:

- Employees who are on "soft money", i.e., contracts and grants, sponsored research funds, auxiliary funds, and grants and donation trust funds.
- Employees who hold acting, temporary or part-time appointments.
- Employees who are appointed for one academic year or less.
- Employees who are appointed to a visiting appointment, or who are issued an employment offer letter that states, in substance, that their employment will cease on the date indicated.
- Employees on a fixed term of employment with an end date specified.
- Employees with an offer letter which states the following language or similar: *Your employment under this offer will cease on the date indicated. No further cessation of employment is required.*

Terms and Conditions after Notice of Separation

- The employee's current rate of pay shall remain unchanged through the end of the current period or the advance notice period, whichever is longer. The employee shall not receive any pay increases during the advance notice period.
- The College's right to reassign the employee to other duties and responsibilities remains in effect during the advance notice period. The College's right to terminate the employee for just cause remains in effect during the advance notice period.
- The College may offer an employee a letter of reappointment of a duration necessary to fulfill any advance notice requirement in this policy.
- The employee will no longer be eligible for tenure or promotion.

Layoff and Furlough

The College shall adhere to all University Regulations and Human Resources Policies regarding Layoff and Furlough.

Phased Retirement (Faculty Only)

Eligibility

- Employees who have been employed at least six (6) years of creditable service (not including leaves of absence), and are eligible to retire according to his/her state retirement program rules, may participate in the Phased Retirement Program.
- Such eligibility shall expire on the employee's 70th birthday. Employees who decide to participate must provide written notice to the University of such decision prior to the expiration of their eligibility, or thereafter forfeit such eligibility. Employees who choose to participate must retire with an effective date not later than 180 days, nor less than ninety (90) days, after they submit such written notice, except that when the end of the 180 day period falls within the semester, the period may be extended to no later than the beginning of the subsequent term (semester or summer, as appropriate).
- Employees not eligible to participate in the Phased Retirement Program include those who have received notice of non-reappointment, layoff, or termination, and those who participate in the State's Deferred Retirement Option Program (DROP).

Program Provisions

- All participants must retire and thereby relinquish all rights to tenure/permanent status. Participants' retirement benefits shall be determined as provided under Florida Statutes and the rules of the Division of Retirement.
- Participants shall, upon retirement, receive payment for any unused annual leave (up to 22 days) and sick leave to which they are entitled.
- Re-employment

- Prior to re-employment, participants in the Phased Retirement Program must remain off the University payroll for a period as required by the Florida Division of Retirement. Participants must comply with the re-employment limitations that apply to the second through twelfth month of retirement, pursuant to the provisions of either the Florida Retirement System (which include ORP).
- Participants shall be offered re-employment, in writing, by the University under a temporary assignment.
- Compensation during the period of re-employment shall be at a salary proportional to the participant's salary prior to retirement, including an amount comparable to the pre-retirement employer contribution for health and life insurance and an allowance for any taxes associated with this amount. The assignment shall be scheduled within one semester unless the participant and the University agree otherwise.
- Participants shall notify the University in writing regarding acceptance or rejection of an offer of re-employment not later than 30 days after the employee's receipt of the written re-employment offer. Failure to notify the University regarding re-employment may result in the employee's forfeiting re-employment for that academic year.
- Leave for Illness/Injury
 - Each participant shall be credited with five days of leave with pay at the beginning of each full-time semester appointment. For less than full-time appointments, the leave shall be credited on a pro-rata basis with the assigned FTE. This leave is to be used in increments of not less than four hours (1/2 day) when the participant is unable to perform assigned duties as a result of illness or injury of the participant or a member of the participant's immediate family. Immediate family shall include the participant's spouse, mother, father, brother, sister, natural, adopted or step child, or other relative living in the participant's household.
 - Such leave may be accumulated; however, upon termination of the post-retirement re-employment period, the participant shall not be reimbursed for unused leave.
- Personal Non-Medical Leave
 - Each participant who was on a twelve month appointment upon entering the Phased Retirement Program and whose assignment during the period of re-employment is the same as that during the twelve month appointment shall be credited with five days of leave with pay at the beginning of each full-time semester appointment. This leave is to be used in the increments of less not less than four hours (1/2 day) for personal reasons unrelated to illness or injury. Except in the case of emergency, the employee shall provide at least two days' notice of the intended leave. Approval of the dates on which the employee wishes to take such leave shall be at the discretion of the supervisor and shall be subject to the consideration of departmental and organizational scheduling.
 - Such leave shall not be accumulated, nor shall the participant be reimbursed for unused leave upon termination of the post-retirement period.
- Re-employment Period
 - The period of re-employment obligation shall extend over five consecutive academic years, beginning with the academic year next following the date of retirement. No further notice of cessation of employment is required.

- The period of re-employment obligation shall not be shortened by the University with the exception of termination for just cause. During the period of re-employment, participants are to be treated, based on status at point of retirement, as tenured employees or non-tenure-earning employees with five or more years of continuous service, as appropriate.
- **Declining Re-employment.** A participant may decline an offer of re-employment during any academic year. Such a decision shall not extend the period of re-employment beyond the period described (in Personal Non-Medical Leave above: such leave shall not be accumulated, nor shall the participant be reimbursed for unused leave upon termination of the post-retirement period). At the conclusion of the re-employment period, the University may, at its option, continue to re-employ participants in this program on a year-to-year basis.
- **Salary Increases.** Participants shall receive all increases guaranteed to all employees in established positions, in an amount proportional to their part-time appointment, and shall be eligible for salary increases on the same basis as other employees.
- **Preservation of Rights.** Participants shall retain all rights, privileges, and benefits of employment, as provided in laws, rules, and University policies, subject to the conditions contained in this policy.
- **Contracts and Grants.** Nothing shall prevent the employer or the participant, consistent with law and rule, from supplementing the participant's employment with contracts and grants.
- The decision to participate in the Phased Retirement Program is irrevocable after the required approval document has been executed by all parties.

Other Policies

Accreditation

Accreditation will be maintained in accordance with the Liaison Committee for Medical Education (LCME), Accreditation Council for Graduate Medical Education (ACGME) and the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) requirements. Florida Atlantic University is accredited by SACSCOC to award associate, bachelor, masters, specialist and doctoral degrees. Contact the Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097 or call 404-679-4500 for questions about the accreditation of Florida Atlantic University. Normal inquiries about the institution, such as admission requirements, financial aid, educational programs, etc., should be addressed directly to the institution and not to the Commission's Office.

Compact between Teachers and Learners of Medicine

The College has adopted the following AAMC *Compact between Teachers and Learners of Medicine*. Incidents which violate appropriate teacher-learner relationships can be reported to the OSA or the University Ombuds (ombudsman@fau.edu, (561) 297-369, <http://www.fau.edu/ombuds/>), and will be treated as confidentially as possible and dealt with accordingly by the Dean or designee.

Compact between Teachers and Learners of Medicine

Preparation for a career in medicine demands the acquisition of a large fund of knowledge and a host of special skills. It also demands the strengthening of those virtues that undergird the doctor/patient relationship and that sustain the profession of medicine as a moral enterprise. This Compact serves both as a pledge and as a reminder to teachers and learners that their conduct in fulfilling their mutual obligations is the medium through which the profession inculcates its ethical values.

Guiding Principles

Duty Medical educators have a duty, not only to convey the knowledge and skills required for delivering the profession's contemporary standard of care, but also to inculcate the values and attitudes required for preserving the medical profession's social contract across generations.

Integrity The learning environments conducive to conveying professional values must be suffused with integrity. Students learn enduring lessons of professionalism by observing and emulating role models who epitomize authentic professional values and attitudes.

Respect Fundamental to the ethic of medicine is respect for every individual. Mutual respect between learners, as novice members of the medical profession, and their teachers, as experienced and esteemed professionals, is essential for nurturing that ethic. Given the inherently hierarchical nature of the teacher/learner relationship, teachers have a special obligation to ensure that students and residents are always treated respectfully.

Dress Code for Faculty and Staff

As representatives of the College, administrative staff and faculty members ***who have contact with medical students, patients and the public*** are expected to dress in a manner consistent with a professional atmosphere and the Professional Dress Guidelines in the [College of Medicine Student Handbook](#). There are important visitors to the College on a daily basis whose impressions will be formed, in part, by the appearance of those who represent the institution. In addition to these basic guidelines, operational needs may require appropriate dress, taking into consideration the safety and business function of the area. The dress code is enforced by the Department Chairs and/or the appropriate supervisor.

Professional Attire

- Women:
 - Medium length skirts/dresses
 - Slits should be modest and in good taste
 - Denim dresses and skirts are permissible
 - Tailored slacks
 - Open-toe shoes are acceptable as long as they are appropriate for the workplace
- Men
 - Tailored slacks with belt and dress shirt with collar. A necktie is strongly encouraged.

Prohibited Items

- Tight, sheer or revealing clothing
- Tank tops or spaghetti strap tops without another shirt, sweater or jackets worn over it

- Midriff tops or off-the shoulder blouses, sweaters or dresses
- Shirts or tops with plunging necklines
- Jeans
- Shorts
- Exercise or workout clothing, including sweatpants, spandex or leggings
- Clothing with commercial logos, slogans or other art or designs that might be offensive to others
- Flip-flops, thong sandals or beach shoes
- Any attire that could be perceived as sexually provocative to a reasonable person

Exceptions

- Jeans and athletic shoes may be worn on certain days for moving or doing “dirty work”
- IT and mailroom employees are excluded from the professional attire requirement and may dress in casual dress clothing.

Scrubs

- Scrubs may be worn ONLY in laboratory or surgical settings, consistent with the medical student dress code policy.

Laboratory Attire

- Guidelines for laboratory attire require consideration for personal safety. All Federal and Florida laws and University safety regulations shall be followed.
- Open shoes are prohibited during laboratory activities.
- Bracelets that “dangle” and long sleeves with loose ends are not recommended.

Immigration

The College shall adhere to all University Policies on immigration including the [Sponsorship for Lawful Permanent Residence "Green Cards"](#) and [Sponsorship of Foreign Personnel for Non-Immigrant Visas](#).

Intellectual Property

The College shall adhere to the [Intellectual Property Policy](#).

Posthumous Degrees

The College shall adhere to the Provost’s guidelines and procedures for the awarding of posthumous degrees.

Regulations and Policies

The College shall strictly adhere to all [Florida Atlantic University Regulations and Policies](#).

Religious Accommodation

Florida Law requires that the University provide reasonable accommodations with regard to class attendance, examinations, and work assignments to students who request such consideration in order to observe their religious practices and beliefs. The [Religious Accommodation Policy](#) appears in the Academic Policies section of the University Catalog.

Research

The College shall follow adhere to the [Research Policies and Procedures](#) set forth by the Division of Research.

Research Resource and Space Policy

This policy is designed to support the goals of efficient utilization of research and research-related space at the Charles E. Schmidt College of Medicine (COM) at Florida Atlantic University (FAU).

Research is a dynamic function of the COM that is fostered by maximizing the efficient use of research space and resources. Research resources and space should be distributed to optimize collaboration, growth and quality of the COM research enterprise. The most effective distribution of resources at the COM will therefore be maintained by periodic review of the utilization of research resources and space. This research resources and space policy outlined herein is designed to provide a transparent, equitable and uniform allocation of research resources and space to ensure COM research success. This policy will be periodically reviewed and updated to assure that research resource allocations are aligned with the strategic goals of the COM.

Research resources, including space within COM, are the domain of the COM, Dean or his/her designee and constitutes a valuable but limited resource. Research resources including space allocations are not permanent and are open to review at any time. Research space is assigned with respect to the changing programmatic needs and priorities of the COM. Space allocations may therefore change as the programmatic needs and priorities of the COM change. Space considered under-utilized by the COM may be re-purposed to better align with the strategic goals of the COM.

Research space at COM is one of the key non-intellectual assets of the COM and therefore its efficient use must be monitored and quantitatively assessed to ensure its maximal impact on the research productivity of the COM. Quantitative measures, as approximated in the research resource and space utilization evaluation process described below are used to ensure optimal impact of the space utilization evaluation process. Allocation priority for research space will be given to faculty that meet or exceed the benchmarks set for in the space utilization evaluation process. Grant support, including indirect costs (IDC), is a critical funding component to support the research mission. As such, every effort should be made to use space effectively with a view toward the university's negotiated F&A rate.

Research resources and facilities in addition to space will be allocated using the same utilization process. These resources and facilities include research-related common core equipment and other research-related resources of the COM that are supported by the COM.

Any formula developed for research resource and space utilization evaluation process must take into account the changing needs of the College and its investigators. Some investigators with an R01, for example, may not need a full lab module. The goal is to assign/allocate space in a manner that optimizes the both the quality and quantity of research conducted at the COM. The policy must allow for expansion/growth.

An example of formula-based benchmarks that will be used to guide assignments includes:

- 2 R01s=1-2 lab modules, depending on the scope of the work and needs of the research
- 1 R01=1 lab module, depending on the scope of the work and needs of research
- 1 R15= .5 lab module, depending on the scope of the work and needs of research

The Dean's Office will seek combined input and resource-space request justifications from faculty, the Department Chair and the COM Research Committee in determining how space will be allocated. Recommendations by these parties are advisory to the Dean or designee who will make final allocations based on these combined recommendations.

Appeals of these decisions must be made directly to the Dean.

A number of factors will determine how research resources and space is allocated, i.e. Long-term history of grant funding including total overhead paid over a number of years combined with current grant funding, types of grant funding, specialized needs for space and commitments made to investigators by the Dean will all be considered.

Allocation and management of COM research space is ultimately the responsibility of the Dean.

A researcher may petition the Dean for incremental, redesigned or renovated research space. Space changes may be requested at the time of annual review, faculty recruitment, or as part of the normal planning process.

The Dean will encourage the ongoing analysis of research resource and space allocations. Additional and/or revised metrics for the allocation of research resource and space allocation may be developed by the Dean at any time.

Schmidt Foundation Funds for Shared Research Equipment

The Schmidt Foundation Funds for the purchase of shared scientific equipment remains a highly valuable resource for the Charles E. Schmidt College of Medicine (COM). The Dean and Research Committee will invite applications for shared equipment. The goal is to identify and acquire scientific equipment that could clearly benefit multiple College of Medicine faculty in the conduct of funded research and aid in the acquisition of new external funding for COM research. Equipment purchased using these funds should address long term strategic goals for the college as well as short-term research needs. To submit a recommendation, fill out the COM

Common Equipment Application Form in full and attach a vendor quote. Requests should be routed first to Debbie Bradley who will route the application for review by the Research Committee. The Research Committee will make recommendations to the Dean and or designee. Successful applications must clearly justify the value of the proposed equipment to current funded research of multiple faculty members and the potential for increasing future funding for research within the COM.

Committees

The standing committees are designated in the Faculty Bylaws:

Faculty Committees

- Faculty Assembly
- Faculty Assembly Executive Committee (FAX Committee)
- College Promotion and Tenure Committee (College P&T)
- Biomedical Science Promotion and Tenure Committee (BMS P&T)
- Integrated Medical Science Promotion and Tenure Committee (IMS P&T)
 - Committee on Appointments and Promotion of Affiliate Faculty (CAP)
- COM Curriculum Committee (COMCC)
 - M1M2 Subcommittee
 - M3M4 Subcommittee
 - Learning Resources Subcommittee
 - Curriculum Integration and Program Evaluation Subcommittee (CIPEC)
- COM Admissions Committee
- COM Graduate Programs Committee
- Research Committee
- Scholarship Committee
- Medical Student Promotions and Professional Standards Committee (MSPPSC)

College Administrative Committees

The administration appoints committees upon which faculty or staff members may be asked to serve:

- Deans and Chairs Committee
- Executive Leadership Committee
- Senior Leadership Committee
- Administrative Leadership Staff Committee
- Graduate Medical Education Committee (GMEC)
- Graduate Medical Education Consortium BOD
- Graduate Medical Education Human Resources (GME HR)
- Hospital Leadership Committee
- Search and Screening Committees
- Space and Resource Utilization Committee

February 28, 2007 - Adopted
June 1, 2009 - Revised
September 30, 2010 - Revised
January 19, 2011 - Revised
June 12, 2012 - Revised
May 10, 2013 - Revised
July 10, 2014 - Revised
November 2, 2016 (Social Media Policy) - Revised
December 2, 2016 (Restrictive Covenants Policy and Outside Activities) - Revised
January 4, 2017 (Code of Conduct and Reporting) - Revised
May 25, 2017 (Introduction) - Revised
May 25, 2017 (Faculty Appointments) - Revised
May 25, 2017 (Class Meetings and Instructional Duties) - Revised
May 25, 2017 (Faculty Benefits) - Revised
May 25, 2017 (Phased Retirement) - Revised