



University of Vermont  
Larner College of Medicine

**The Robert Larner, MD College of Medicine**  
*at*  
**The University of Vermont**  
**FACULTY HANDBOOK**

**Proposed Revisions April 2024**

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## **INTRODUCTION**

The Faculty Handbook of the Robert Larner, M.D., College of Medicine at the University of Vermont (UVM) contains policies and provisions governing the appointment and employment of faculty of the Larner College of Medicine (LCOM). For policies or provisions governing employment and employment benefits not outlined in this handbook, faculty should refer to the UVM non-represented staff handbook.

<https://www.uvm.edu/human-resources/handbooks-policies>

Additional relevant governance documents include the Larner College of Medicine Standards and Guidelines for Faculty Appointment, Reappointment and Promotion (Standards and Guidelines); the Larner College of Medicine Bylaws (Bylaws); and Larner College of Medicine Department policies.

## SECTION 1            GENERAL PROVISIONS

### 1.1     **Adoption and Revision.**

The Office of the Dean of Medicine shall maintain the LCOM Faculty Handbook (Faculty Handbook). The Dean, in consultation with the Provost, the UVM Office of General Counsel, and any committee of LCOM faculty appointed by the Dean for such purpose, shall periodically, and no less than every eight years in alignment with accreditation by the Liaison Committee on Medical Education, review the Faculty Handbook and ensure that proposed revisions are undertaken by persons or bodies having jurisdiction over such matters under governance requirements.

Material amendments or revisions of the Faculty Handbook require approval by the LCOM Advisory Council, a vote of the LCOM faculty, approval by the Provost, and approval by the UVM Board of Trustees, provided that the Board of Trustees retains the right to amend this Faculty Handbook.

### 1.2     **Conformance.**

#### 1.2.1    Applicable Law.

The Faculty Handbook shall be interpreted and applied in a manner consistent with federal and Vermont law.

#### 1.2.2    Rule of Precedence.

Except as otherwise authorized through proper governance channels or as expressly noted herein, the following descending order of precedence shall apply in the event of conflicts between the Faculty Handbook provisions or LCOM policies and those of the University: the University Charter, Bylaws, board of Trustees' resolutions, and university policies, including legislation of the Faculty Senate.

All University-wide policies and procedures that apply to non-represented employees or to faculty generally (other than collective bargaining agreements) also apply to LCOM faculty unless expressly addressed in this Faculty Handbook. Faculty can refer to the non-represented staff handbook for these policies and benefits.

<https://www.uvm.edu/human-resources/handbooks-policies>

LCOM guidelines and policies and LCOM departmental policies also apply to LCOM faculty, with the Faculty Handbook taking precedence over any conflicting LCOM guidelines or policies or LCOM departmental policies.

### 1.3 Definitions.

*Academic Unit:* The recognized categories of academic units at the University are college, department, division, program, center, and institute.

*Academic Year:* The academic year is set annually through adoption of the academic calendar pursuant to governance protocols.

*Adjunct Appointment:* Appointments for non-salaried faculty whose primary affiliation is with an academic or research institution other than UVM.

*Arm's Length and Referee Letters of Support.* **Arm's length letters of support** must be from recognized scholars whose ability to provide an objective evaluation of the academic performance and reputation of the candidate is not put into question by prior associations, such as involvement in the Candidate's education; having served together on the faculty at another institution; having been a co-author, co-investigator, or collaborator in publications, patents, or other scholarly contributions; and/or being close personal or family friends. **Referee letters of support** for Candidates are based on the letter writer's personal and clinical experience with the Candidate and are not considered to be arm's length.

*Base Salary:* The salary paid by UVM to a faculty member for the appointment period of their contracted employment, exclusive of supplemental compensation, and usually determined on the basis of full-time equivalency (FTE).

*Candidate:* A faculty member who is under consideration for appointment, reappointment, promotion, or tenure.

*Chair:* The Chairperson of an academic department.

*Days:* Except as otherwise specified in this Faculty Handbook, calendar days. When a time period to which the Faculty Handbook refers would otherwise begin or expire on a weekend or University holiday, or that of an approved Medical Group, the time period begins or ends respectively on the next University business day.

*Dossier/Record:* A file containing the detailed records, reports, pertinent data, letters of support, promotion matrix tables, learner evaluations, and narratives that explain the faculty member's activities, effectiveness, and accomplishments in the areas of teaching, scholarship, and service.

*Dually Employed Faculty Member:* A faculty member who also practices medicine through a University approved Medical Group or organization

*Faculty or Faculty Member(s):* A faculty member who is appointed to the faculty of the University of Vermont as described in Section III of this Faculty Handbook.

*Fiscal Year:* The UVM fiscal year is July 1 – June 30, annually.

*FTE:* Full-time equivalent, a unit of measurement that represents the number of hours worked by a single employee in a week

*Grievance:* A formal complaint by a faculty against a supervisor, administrator or other official of UVM, that there has been a misapplication, misinterpretation, or violation of specific rules, practices, or policies of UVM or one of its subdivisions.

*Medical Group:* A formal arrangement between LCOM and a clinical enterprise that simultaneously meets the service needs of patients, families, and communities, while meeting the teaching, practice, service, and research needs of faculty and students. The UVM Health Network Medical Group is an approved and primary clinical enterprise for LCOM.

*Outside Professional Service:* Professionally related activity in which a faculty member engages, whether compensated or otherwise, externally and for a third party, such as teaching or consulting. The practice of medicine in a University-approved clinical practice venue does not constitute outside professional service.

*Primary Appointment:* All LCOM faculty members are initially appointed to a primary home (administrative) department, in alignment with their expertise, expectations, and contributions to the academic missions.

*Restricted funds:* Funds whose expenditure is restricted to a specific purpose, such as a research grant.

*RPT/APRT:* (Appointment) Reappointment/Promotion/Tenure. The criteria, policies, and procedures that guide the granting of faculty appointments, reappointments, promotions, and continuous appointments (Tenure) of LCOM faculty.

*Secondary/Tertiary Appointment:* A secondary or tertiary appointment applies to individuals who hold a primary salaried appointment at UVM, and a second or third appointment in a different unit that is without salary (0 FTE).

*Standards and Guidelines:* The LCOM Standards and Guidelines for Faculty Appointment, Reappointment and Promotion (Standards and Guidelines) were developed to create a shared sense of collaborative purpose among the faculty and provide a set of policies that are transparent, equitable, and based on clearly defined standards of excellence and achievement. Material amendments or revisions of the Standards and Guidelines require approval by the LCOM Advisory Council, a vote of the LCOM faculty, and approval by the Provost.

*Supplemental Compensation:* Payments by UVM over and above base salary.



*Teaching Academy:* The LCOM Teaching Academy sustains and supports an interdisciplinary community of educators, facilitates educator development, and promotes an academic environment that increases the value and impact of educators locally, regionally, and nationally.

*University/UVM:* The University of Vermont and State Agricultural College.

*University Holiday:* University specific holidays determined under the direction of the University President.

*Variable Salary:* The salary paid by UVM to a Tenure Pathway faculty member who does not receive compensation from an approved Medical Group, above their University base salary, for the appointment period of their contracted employment.

*Waiver Hire:* Historically known as Target of Opportunity. When an individual is hired without an open recruitment for a compelling reason that is in the best interest of UVM. For faculty positions, this is typically used for, but not necessarily limited to, non-tenure pathway positions. These are rare events and must follow the appropriate policy.

## SECTION 2 UNIVERSITY COMMUNITY PRINCIPLES

### 2.1 Mission, Key Purpose, and Goals.

The mission at The Robert Larner, M.D. College of Medicine at The University of Vermont is to educate a diverse group of dedicated physicians and biomedical scientists to serve across all the disciplines of medicine; to bring hope to patients by advancing medical knowledge through research; to integrate education and research to advance the quality and accessibility of patient care; and to engage with our communities to benefit Vermont and the world.

<https://www.med.uvm.edu/about>

The Mission and Vision of the University of Vermont Larner College of Medicine is in accord with the Mission and Vision of the University of Vermont.

<https://www.uvm.edu/mission-and-vision>

### 2.2 Statements on Value and Professionalism.

#### 2.2.1 Our Common Ground.

The University of Vermont is an educationally purposeful community seeking to prepare students to live in a diverse and changing world. We who work, live, study, teach, do research, conduct business or participate in the University of Vermont are members of this community. As members, we believe in the transforming power of education and agree to help create and foster an environment where we can discover and reach our true potential.

We aspire to be a community that values: Respect, Integrity, Innovation, Openness, Justice and Responsibility.

<https://www.uvm.edu/president/our-common-ground>

#### 2.2.2 Professionalism.

LCOM Statement on Professionalism:

*Our Larner College of Medicine community upholds the highest standards of professionalism as we follow our passion for lifelong learning and improvement. We demonstrate professionalism through integrity, accountability, compassion, altruism, and social responsibility. We honor the trust our society has placed in us as stewards of the art and science of medicine, relying cultural humility, kindness, and respect to guide our daily interactions. We expect all members of our community to embrace these principles of professionalism as we strive to conduct and support patient care, research, and education that is second to none.*

<https://www.med.uvm.edu/com/professionalism>

### **2.3 Academic Freedom and Responsibility.**

We, the faculty of The University of Vermont and State Agricultural College, in the spirit and tradition of free universities throughout the world, are agreed upon the following statement of principles on academic freedom and responsibility. We believe that incorporation of these principles into the organization of The University of Vermont and State Agricultural College will re-emphasize the importance of academic freedom to the basic health of the University, and also serve as a statement of policy on the rights and responsibilities of faculty members at this institution. It has been our intent to state these principles in terms broad enough so that they may be valid not only in these critical times when academic freedom and personal liberty are in jeopardy both at home and abroad, but also in the future insofar as the future can be foreseen.

### **2.4 Equal Employment Opportunity and Affirmative Action Policy Statement.**

UVM is committed to a policy of equal employment opportunity and to a program of affirmative action in order to fulfill that policy.

UVM will accordingly recruit, hire, train, and promote persons in all positions and ensure that all other personnel actions are administered without regard to unlawful criteria including race, color, religion, national origin, including shared ancestry or ethnic characteristics, place of birth, sex, sexual orientation, disability, age, positive HIV-related blood test results, genetic information, gender identity or expression, or status as a disabled or Vietnam era veteran, recently separated veteran, active duty wartime or campaign badge veteran, or Armed Forces service medal veteran (collectively “protected veterans”), or crime victim status, as these terms are defined under applicable law, or any other factor or characteristic protected by law, and ensure that all employment decisions are based only on valid job requirements.

*Adoption dates and further elaboration on these policies can be found:*

<https://www.uvm.edu/equal-opportunity/policies-and-procedures>

### **2.5 Equal Opportunity in Educational Programs and Activities.**

UVM is committed to a policy of equal educational opportunity. UVM, therefore, prohibits discrimination on the basis of unlawful criteria such as race, color, religion, ancestry, national or ethnic or ethnic origin, age, sex, sexual orientation, marital status, marital status, disability, positive HIV-related blood test results, status as a disabled or Vietnam era veteran, or gender identity or expression, as those terms are defined under applicable law, in admitting students to its programs and facilities and in administering its admissions policies, educational policies, scholarship and loan programs, athletic programs, and other institutionally administered programs or activities made available to students at UVM. UVM also prohibits harassment.

*Adoption dates and further elaboration on these policies can be found:*

<https://www.uvm.edu/equal-opportunity/policies-and-procedures>

## **SECTION 3                    FACULTY APPOINTMENTS, REAPPOINTMENTS, EVALUATION, PROMOTION AND TENURE**

### **3.1    Faculty Appointment Titles.**

The Faculty Handbook describes faculty members with primary, secondary, tertiary, volunteer, emeritus, and adjunct appointments.

### **3.2    Faculty Appointments.**

#### **3.2.1    Initial Appointments.**

All LCOM and LCOM department offers of initial appointment, and changes in appointment status, must be approved by the Dean and the Provost, with the exception of initial appointments as Faculty Scientist, which do not require approval by the Provost.

The initial letter of appointment, which shall be issued from the departmental Chair or Office of the Dean, must minimally establish the length and type of appointment, FTE percentage if applicable, and salary. The terms of any secondary or tertiary appointment granted at the time of initial appointment must also be set forth in writing and coordinated by the Office of the Dean.

In the case of a dually employed faculty member who also has an appointment in an approved Medical Group, the terms and conditions related to academic activities must be clearly delineated in the Medical Group appointment letter to accompany the LCOM appointment letter.

A faculty member shall be initially appointed to one of the following pathways:

- Tenure, ranked (promotable) pathway:
- Non-tenure, ranked (promotable) pathways:
  - Clinical Pathway
  - Clinical Scholar Pathway
  - Education Scholar Pathway
  - Research Scholar Pathway
- Non-tenure, single rank (non-promotable) pathway:
  - Faculty Scientist
- Non-salaried Volunteer Pathway

Faculty may change pathways with the mutual consent of the faculty member and Chair, requiring the approval of the Dean and the Provost.

All LCOM faculty members must have a primary or adjunct appointment with a specific academic department.

The department in which the faculty member's primary appointment exists will be responsible for:

- Evaluating performance and professional development of the faculty member
- Maintaining faculty appointment, status reviews, and related records
- Initiating recommendations regarding changes in appointment status
- Assuming budgetary responsibility, including any tenure commitment
- Providing adequate mentoring of the faculty member

The reviews and recommendations of secondary departments or centers are required and shall be requested by and reported to the Chair of the primary unit in advance of a decision by the primary department on a faculty member's status, including reappointment, promotion, or tenure. Such reviews and recommendations shall become a part of the faculty status documentation of the primary department.

### 3.2.2 Tenure Pathway and Tenured Appointments.

#### a. Categories of Tenure Pathway Appointments.

The Tenure Pathway is for individuals who focus on a combination of exemplary teaching, scholarly activity, administrative and clinical service that has the potential to enhance the overall reputation of the department and LCOM. Faculty members in this pathway typically devote 60 percent or more of their effort scholarly activity and teaching. The titles of faculty members on the Tenure Pathway are Assistant Professor, Associate Professor, and Professor. These are all salaried, promotable positions that lead to appointment or promotion with tenure.

*Assistant Professors on the Tenure Pathway* are initially appointed for a three-year term and may be reappointed for two additional three-year terms. Appointment to an Assistant Professor or to a higher rank requires a terminal degree and appropriate postgraduate experience.

*Associate Professor on the Tenure Pathway* may be initially appointed for a two-year term and may be reappointed for one subsequent two-year term without tenure. Initial appointment or promotion to Associate Professor with tenure may be made if the individual meets all criteria for tenure at the time of appointment/promotion and undergoes customary tenure review procedures.

*Professor on the Tenure Pathway* Appointments at or promotion to the rank of Professor comes with the award of tenure. This requires a determination,

under customary tenure review procedures, that an individual meets the standards and criteria for the award of tenure and reasonable assurance that this level of achievement will be sustained. Tenure review and award is thus a condition of an initial appointment at the rank of Professor.

b. Tenure Pathway Probationary Periods.

i. Assistant Professor.

Initial University appointments at the rank of Assistant Professor on the Tenure Pathway are made on a probationary basis. An Assistant Professor on the Tenure Pathway will be appointed for an initial three-year term and may be appointed for up to two additional three-year terms, reviews taking place in years two, five and eight. Tenure may be granted to an Assistant Professor following successful promotion and tenure review at any time, in accordance with all applicable standards and criteria as described in the Faculty Handbook and in the Standards and Guidelines. The probationary period may include full-time service to UVM at another rank or pathway with the approval of the Department Chair, the Dean, and the Provost. If a faculty member applies for promotion and tenure prior to the eighth year and should tenure not be granted, the probationary period on the Tenure Pathway shall continue under the condition that reappointment has been recommended and approved. An Assistant Professor will be informed no later than the end of the eighth year of service whether tenure will be granted. If granted promotion and tenure, the Assistant Professor's new rank will be that of a tenured Associate Professor. If reappointment, promotion, or tenure is not granted, the succeeding year (three, six, nine) shall be the terminal year of the UVM Tenure Pathway appointment.

ii. Associate Professor.

Initial University appointments at the rank of Associate Professor may be made with tenure or on a probationary basis. An Associate Professor on the Tenure Pathway will be appointed for an initial two-year term and may be reappointed for an additional two-year term. Tenure may be awarded to an Associate Professor at any time in accordance with applicable tenure standards and criteria. At the Associate Professor level, the tenure decision is decoupled from the promotion decision process. An Associate Professor will be informed by the third year of service whether tenure will be granted, tenure review taking place in year three if not before. If reappointment or tenure is not granted, the succeeding year (two or four) shall be the terminal year of the UVM Tenure Pathway appointment. If granted tenure, the Associate Professor's new title will be that of a tenured Associate Professor. An Associate Professor with tenure may continue on the path to promotion to Professor. While there are no time requirements for promotion to Professor for Associate Professors with tenure, the individual must meet all the requirements described in the Faculty Handbook and the Standards and Guidelines and undergo the customary

review process, highlighting the continued expectation setting between faculty and their Chair or designee within and beyond annual reviews.

iii. Extension of Maximum Time to Tenure Decision.

The probationary period for tenure consideration may be extended by the Provost following consultation with the Dean and the Department Chair for extraordinary extenuating circumstances. Except under reasonably unforeseeable extenuating circumstances, the faculty member must request the extension at least one year before expiration of the original probationary period. The Provost's decision on the request, which must be in writing, shall be final. The maximum allowable probationary period for an Assistant Professor shall be eleven consecutive years, and the maximum allowable probationary period for an Associate Professor shall be six consecutive years. For purposes of this provision, a "year" is an academic year.

3.2.3 Non-Tenure, Ranked (Promotable) Pathway Appointments.

Non-Tenure Pathways with differing areas of emphasis are available for faculty appointments: the Clinical Pathway, Clinical Scholar Pathway, Education Scholar Pathway, and Research Scholar Pathway. These are all salaried, promotable positions that do not lead to appointment with tenure.

a. Clinical Pathway.

The Clinical Pathway is for individuals who focus on exemplary clinical care that has the potential to enhance the overall reputation of the department and LCOM. Faculty members in this pathway typically devote 95 percent or more of their effort to patient care or administrative service. The titles of faculty members on the Clinical Pathway are Clinical Instructor, Clinical Assistant Professor, Clinical Associate Professor, and Clinical Professor.

Appointments and reappointments of faculty in this pathway are contingent upon their continued employment with the approved Medical Group. If employment in the approved Medical Group ceases or is reduced at any time during the appointment, the UVM and LCOM appointment may be terminated or reduced in FTE with commensurate effect on compensation. If the approved Medical Group provides notice of termination of employment and the dually employed faculty member ceases to actively perform duties for the Medical Group during the notice period, the UVM and LCOM appointment will be terminated effective upon the commencement of the Medical Group notice period.

- i. *Clinical Instructor on the Clinical Pathway* is initially appointed by the Chair, with the approval of the Dean and the Provost, for a two-year term

and may be reappointed for additional two-year terms at the discretion of the Chair with the approval of the Dean. Appointment requires the individual to hold a terminal clinical degree in their field and appropriate postgraduate experience. Appointment and reappointment require meeting all applicable standards and criteria as described in the Faculty Handbook and the Standards and Guidelines. An Instructor may be promoted to Assistant Professor if and when the individual meets all the requirements described in the Faculty Handbook and the Standards and Guidelines, and undergoes the customary review process.

- ii. *Clinical Assistant Professor on the Clinical Pathway* is initially appointed by the Chair, with the approval of the Dean and the Provost, for a two-year term and may be reappointed for additional two-year terms at the discretion of the Chair with the approval of the Dean. Appointment requires the individual to hold a terminal clinical degree in their field and appropriate postgraduate experience. Appointment and reappointment require meeting all applicable standards and criteria as described in the Faculty Handbook and the Standards and Guidelines. A Clinical Assistant Professor may be promoted to Clinical Associate Professor if and when the individual meets all the requirements described in the Faculty Handbook and the Standards and Guidelines, and undergoes the customary review process.
- iii. *Clinical Associate Professor on the Clinical Pathway* is initially appointed by the Chair, with the approval of the Dean and the Provost, for a four-year term and may be reappointed for additional four-year terms at the discretion of the Chair with the approval of the Dean. Appointment and reappointment require meeting the relevant standards and criteria as described in the Faculty Handbook and the Standards and Guidelines. A Clinical Associate Professor may be promoted to Clinical Professor if and when the individual meets all the requirements described in the Faculty Handbook and the Standards and Guidelines, and undergoes the customary review process.
- iv. *Clinical Professor on the Clinical Pathway* is initially appointed by the Chair, with the approval of the Dean and the Provost, for a six-year term and may be reappointed for additional six-year terms at the discretion of the Chair with the approval of the Dean. Appointment, reappointment, and promotion to the rank of Clinical Professor in all cases require a determination, under customary promotion review procedures, that an individual meets all applicable standards and criteria for promotion to the rank of Clinical Professor as described in the Faculty Handbook and the Standards and Guidelines.



b. Clinical Scholar Pathway.

The Clinical Scholar Pathway is for individuals whose effort is dedicated to direct clinical care, the education of health professionals and other individuals in the setting of clinical care, and clinical scholarship. The faculty titles are Assistant Professor, Associate Professor, and Professor.

Appointments and reappointments of faculty in this pathway are contingent upon their continued employment with the approved Medical Group. If employment in the approved Medical Group ceases or is reduced at any time during the appointment, the UVM and LCOM appointment may be terminated or reduced in FTE with commensurate effect on compensation. If the approved Medical Group provides notice of termination of employment and the dually employed faculty member ceases to actively perform duties for the Medical Group during the notice period, the UVM and LCOM appointment will be terminated effective upon the commencement of the Medical Group notice period.

- i. *Assistant Professor on the Clinical Scholar Pathway* is initially appointed by the Chair, with the approval of the Dean and the Provost, for a two-year term and may be reappointed for additional two-year terms at the discretion of the Chair with the approval of the Dean. Appointment requires the individual to hold a terminal degree in their field and appropriate postdoctoral experience. Appointment and reappointment require meeting all applicable standards and criteria as described in the Faculty Handbook and the Standards and Guidelines. An Assistant Professor may be promoted to Associate Professor if and when the individual meets all the requirements described in the Faculty Handbook and the Standards and Guidelines, and undergoes the customary review process.
- ii. *Associate Professor on the Clinical Scholar Pathway* is initially appointed by the Chair, with the approval of the Dean and the Provost, for a four-year term and may be reappointed for additional four-year terms at the discretion of the Chair with the approval of the Dean. Appointment and reappointment require meeting the relevant standards and criteria as described in the Faculty Handbook and the Standards and Guidelines. An Associate Professor may be promoted to Professor if and when the individual meets all the requirements described in the Faculty Handbook and the Standards and Guidelines, and undergoes the customary review process.
- iii. *Professor on the Clinical Scholar Pathway* is initially appointed by the Chair, with the approval of the Dean and the Provost, for a six-year term and may be reappointed for additional six-year terms at the discretion of the Chair with the approval of the Dean. Appointment, reappointment, and

promotion to the rank of Professor in all cases require a determination, under customary promotion review procedures, that an individual meets all applicable standards and criteria for promotion to the rank of Professor as described in the Faculty Handbook and the Standards and Guidelines.

c. Education Scholar Pathway.

The Education Scholar Pathway is for individuals whose predominant effort is dedicated to the education of students, health professionals, individuals in the health sciences, and in support of departmental needs. The faculty titles are Instructor, Assistant Professor, Associate Professor, and Professor.

The appointments and reappointments of faculty who hold positions in this pathway are contingent upon the need to fulfill the teaching mission of UVM and LCOM as assessed by the Chair, in consultation with the Dean, taking into account budgetary, enrollment, and programmatic considerations. If the effort of an individual is no longer needed to fulfill the teaching mission, the appointment may be terminated or reduced in FTE with commensurate effect on compensation.

- i. *Instructor on the Education Scholar Pathway* is initially appointed by the Chair, with approval of the Dean and the Provost, for a two-year term and may be reappointed for additional two-year terms at the discretion of the Chair with the approval of the Dean. Appointment requires the individual to hold a graduate degree in their field and appropriate postgraduate experience. Appointment and reappointment require meeting all applicable standards and criteria as described in the Faculty Handbook and the Standards and Guidelines, and are contingent upon the need to fulfill the teaching mission. An Instructor may be promoted to Assistant Professor if and when the individual meets all applicable standards and criteria as described in the Faculty Handbook and the Standards and Guidelines, and undergoes the customary review process.
- ii. *Assistant Professor on the Education Scholar Pathway* is initially appointed by the Chair, with the approval of the Dean and the Provost, for a two-year term and may be reappointed for additional two-year terms at the discretion of the Chair with the approval of the Dean. Appointment requires the individual to hold a terminal degree in their field and appropriate postgraduate experience. Appointment and reappointment require meeting all applicable standards and criteria as described in the Faculty Handbook and the Standards and Guidelines, and are contingent upon the need to fulfill the teaching mission. An Assistant Professor may be promoted to Associate Professor if and when the individual meets all the relevant requirements as described in the Faculty Handbook and the Standards and Guidelines, and undergoes the customary review process.

- iii. *Associate Professor on the Education Scholar Pathway* is initially appointed by the Chair, with the approval of the Dean and the Provost, for a four-year term and may be reappointed for additional four-year terms at the discretion of the Chair with the approval of the Dean. Appointment and reappointment require meeting all applicable standards and criteria as described in the Faculty Handbook and the Standards and Guidelines, and are contingent upon the need to fulfill the teaching mission. An Associate Professor may be promoted to Professor if and when the individual meets all the relevant requirements described in the Faculty Handbook and the Standards and Guidelines, and undergoes the customary review process.
- iv. *Professor on the Education Scholar Pathway* is initially appointed by the Chair, with the approval of the Dean and the Provost, for a six-year term and may be reappointed for additional six-year terms at the discretion of the Chair with the approval of the Dean. Appointment, reappointment, and promotion to the rank of Professor are contingent upon the need to fulfill the teaching mission, and in all cases requires a determination, under customary promotion review procedures, that an individual meets all applicable standards and criteria for promotion to the rank of Professor as described in the Faculty Handbook and the Standards and Guidelines.

d. Research Scholar Pathway.

The Research Scholar Pathway includes individuals whose predominant effort is dedicated to the generation and support of new knowledge. The faculty titles are Assistant Professor, Associate Professor, and Professor.

Appointments and reappointments of Research Scholar faculty are contingent upon the availability of restricted funding. Thus, if restricted funding ceases or is reduced at any time during the appointment, the appointment may be terminated or reduced in FTE with commensurate effect on compensation as recommended by the Chair and approved by the Dean.

- i. *Assistant Professor on the Research Scholar Pathway* is initially appointed by the Chair, with the approval of the Dean and the Provost, for a two-year term and may be reappointed for additional two-year terms at the discretion of the Chair with the approval of the Dean. Appointment requires the individual to hold a terminal degree in their field and appropriate postgraduate experience. Appointment and reappointment require meeting all applicable standards and criteria as described in the Faculty Handbook and the Standards and Guidelines, and are contingent upon the availability of restricted funding. An Assistant Professor may be promoted to Associate Professor if and when the individual meets all the requirements described in the Faculty Handbook and the Standards and Guidelines, and undergoes the customary review process.

- ii. *Associate Professor on the Research Scholar Pathway* is initially appointed by the Chair, with the approval of the Dean and the Provost, for a four-year term and may be reappointed for additional four-year terms at the discretion of the Chair with the approval of the Dean. Appointment and reappointment require meeting the relevant standards and criteria as described in the Faculty Handbook and the Standards and Guidelines, and are contingent upon the availability of restricted funding. An Associate Professor may be promoted to Professor if and when the individual meets all the relevant standards and criteria as described in the Faculty Handbook and the Standards and Guidelines, and undergoes the customary review process.
- iii. *Professor on the Research Scholar Pathway* is initially appointed by the Chair, with the approval of the Dean and the Provost, for a six-year term and may be reappointed for additional six-year terms at the discretion of the Chair with the approval of the Dean. Appointment, reappointment, and promotion to the rank of Professor are contingent upon the availability of restricted funding, and in all cases require a determination, under customary promotion review procedures, that an individual meets all applicable standards and criteria for promotion to the rank of Professor as described in the Faculty Handbook and the Standards and Guidelines.

#### 3.2.4 Non-Tenure, Single Rank (Non-Promotable) Appointments.

##### a. Faculty Scientist.

Appointments are made to secure the professional expertise of an individual in support of research projects directed by one or more faculty members. While Faculty Scientists have a modicum of independence in pursuing their research, in general, they are expected to contribute to the intellectual pursuits of an LCOM faculty member's research program or support the needs of a core facility or research center. They may supervise other researchers.

Individuals are required to have completed doctoral training and postdoctoral fellowship, or graduate training with extensive experience, and demonstrate a high degree of technical expertise, research skills, and associated productivity.

Initial appointments as Faculty Scientist require the recommendation of the department Chair and approval by the Senior Associate Dean for Research and the Dean. No further approval shall be required. Appointments may be on a full-time or part-time basis with the approval of the Senior Associate Dean for Research. Appointment to the rank of Faculty Scientist shall be for a three-year term and may be reappointed for additional three-year terms at the discretion of the Chair with approval of the Dean.

Appointments and reappointments follow the customary process, and are contingent upon the availability of restricted funding. Thus, if restricted funding ceases or is reduced at any time during the appointment, the appointment may be terminated or reduced in FTE with commensurate effect on compensation as recommended by the Chair and approved by the Dean.

The Faculty Scientist appointment is part of a professional research pathway, not an academic pathway that would lead to a possible faculty appointment. However, if a Faculty Scientist, after three or more years in rank, develops a substantial, independent research program that is funded, or develops an academic dossier documenting significant dedication to the generation and support of new knowledge, they may be considered for appointment as an Assistant Professor on the Research Scholar Pathway.

b. Clinical Practice Physician.

The Clinical Practice Physician was historically considered a waiver hire of a physician currently in practice in the clinical service catchment area. From the date of the most recent Faculty Handbook revision, Clinical Practice Physician will no longer be a viable recruitment option.

Faculty holding a Clinical Practice Physician appointment prior to this date will have the option to maintain their appointment as approved at the time of hire, or change their faculty pathway as deemed appropriate by the Chair with approval from the Dean. Such transitions will be documented as waiver hires and follow the customary process as outlined on the LCOM Office for Faculty website

Those faculty who hold Clinical Practice Physician appointments are for terms of up to five years, depending on individual circumstances, and are renewable following a standardized reappointment process. The appointments shall terminate automatically, without further action by any person, upon termination of the physician's employment with the approved Medical Group. If the approved Medical Group provides notice of termination of employment and the dually employed faculty member ceases to actively perform duties for the Medical Group during the notice period, the University and LCOM appointment will be terminated effective upon the commencement of the Medical Group notice period.

3.2.5 Non-Salaried Volunteer Pathway Appointments.

Faculty who contribute substantially to the educational programs of LCOM without pay may be appointed on the Volunteer Pathway. This may include Educators, Researchers, and Clinicians. Their effort is dedicated to the education

of learners in the settings of clinical care and research, and involvement in program, department, LCOM or UVM governance and administration.

Voluntary faculty, upon approved application to LCOM, will be assigned a title of (Clinical/Education) Instructor, (Clinical/Education/Research) Assistant Professor, (Clinical/Education/Research) Associate Professor, or (Clinical/Education/Research) Professor on the Volunteer Pathway. The title assigned will mirror the most recent academic title held by the faculty member. If the proposed faculty member does not have a current academic appointment, the Candidate's experience will guide the Department Chair in such assignment.

Faculty on the Volunteer Pathway are not employees of UVM and are not eligible for UVM benefits or benefits under this Faculty Handbook, except as explicitly noted.

a. Volunteer Clinical Pathway.

The faculty titles are Clinical Instructor, Clinical Assistant Professor, Clinical Associate Professor, and Clinical Professor.

- i. *Clinical Instructor on the Volunteer Pathway* is initially appointed by the Chair, with the approval of the Dean, for a three-year term and may be reappointed for additional three-year terms at the discretion of the Chair with the approval of the Dean. For those in postgraduate training, the appointment will be for the normal duration of the training program. Individuals who are not in a postgraduate training program must hold a graduate degree in their field and appropriate postgraduate experience. Appointment and reappointment require meeting all applicable standards and criteria as described in the Faculty Handbook and the Standards and Guidelines. A Clinical Instructor may be promoted to Clinical Assistant Professor if and when the individual meets all applicable standards and criteria as described in the Faculty Handbook and the Standards and Guidelines, and undergoes the customary review process.
- ii. *Clinical Assistant Professor on the Volunteer Pathway* is initially appointed by the Chair, with the approval of the Dean, for a three-year term and may be reappointed for additional three-year terms at the discretion of the Chair with the approval of the Dean. Appointment requires the individual to hold a terminal degree in their field and appropriate postgraduate experience. Appointment and reappointment require meeting all applicable standards and criteria as described in the Faculty Handbook and the Standards and Guidelines. A Clinical Assistant Professor on the Volunteer Pathway may be promoted to Clinical Associate Professor if and when the individual meets all the relevant requirements as described in the Faculty Handbook and the Standards and Guidelines, and undergoes the customary review process.

- iii. *Clinical Associate Professor on the Volunteer Pathway* is initially appointed by the Chair, with the approval of the Dean, for a three-year term and may be reappointed for additional three-year terms at the discretion of the Chair with the approval of the Dean. Appointment and reappointment require meeting all applicable standards and criteria as described in the Faculty Handbook and the Standards and Guidelines. A Clinical Associate Professor may be promoted to Clinical Professor if and when the individual meets all the relevant requirements described in the Faculty Handbook and the Standards and Guidelines, and undergoes the customary review process.
- iv. *Clinical Professor on the Volunteer Pathway* is initially appointed by the Chair, with the approval of the Dean, for a three-year term and may be reappointed for additional three-year terms at the discretion of the Chair with the approval of the Dean. Appointment, reappointment, and promotion to the rank of Clinical Professor in all cases require a determination, under customary promotion review procedures, that an individual meets all applicable standards and criteria for promotion to the rank of Clinical Professor as described in the Faculty Handbook and the Standards and Guidelines.

b. Volunteer Education Pathway.

The faculty titles are Education Instructor, Educator Assistant Professor, Educator Associate Professor, and Educator Professor.

- i. *Education Instructor on the Volunteer Pathway* is initially appointed by the Chair, with approval of the Dean, for a three-year term and may be reappointed for additional three-year terms at the discretion of the Chair with the approval of the Dean. Appointment requires that the individual hold a graduate degree in their field and appropriate postgraduate experience. Appointment and reappointment require meeting all applicable standards and criteria as described in the Faculty Handbook and the Standards and Guidelines. An Education Instructor may be promoted to Educator Assistant Professor if and when the individual meets all applicable standards and criteria as described in the Faculty Handbook and the Standards and Guidelines, and undergoes the customary review process.
- ii. *Educator Assistant Professor on the Volunteer Pathway* is initially appointed by the Chair, with the approval of the Dean, for a three-year term and may be reappointed for additional three-year terms at the discretion of the Chair with the approval of the Dean. Appointment requires the individual to hold a terminal degree in their field and appropriate postgraduate experience. Appointment and reappointment

require meeting all applicable standards and criteria as described in the Faculty Handbook and the Standards and Guidelines. An Educator Assistant Professor may be promoted to Educator Associate Professor if and when the individual meets all the relevant requirements as described in the Faculty Handbook and the Standards and Guidelines, and undergoes the customary review process.

- iii. *Educator Associate Professor on the Volunteer Pathway* is initially appointed by the Chair, with the approval of the Dean, for a three-year term and may be reappointed for additional three-year terms at the discretion of the Chair with the approval of the Dean. Appointment and reappointment require meeting the relevant standards as described in the Faculty Handbook and the Standards and Guidelines. An Educator Associate Professor may be promoted to Educator Professor if and when the individual meets all the relevant requirements described in the Faculty Handbook and the Standards and Guidelines, and undergoes the customary review process.
- iv. *Educator Professor on the Volunteer Pathway* is initially appointed by the Chair, with the approval of the Dean, for a three-year term and may be reappointed for additional three-year terms at the discretion of the Chair with the approval of the Dean. Appointment, reappointment, and promotion to the rank of Educator Professor in all cases require a determination, under customary promotion review procedures, that an individual meets all applicable standards and criteria for promotion to the rank of Educator Professor as described in the Faculty Handbook and the Standards and Guidelines.

c. Volunteer Research Pathway.

The faculty titles are Research Assistant Professor, Research Associate Professor, and Research Professor.

- i. *Research Assistant Professor on the Volunteer Pathway* is initially appointed by the Chair, with the approval of the Dean, for a three-year term and may be reappointed for additional three-year terms at the discretion of the Chair with the approval of the Dean. Appointment requires the individual to hold a terminal degree in their field and appropriate postgraduate experience. Appointment and reappointment require meeting all applicable standards and criteria as described in the Faculty Handbook and the Standards and Guidelines. A Research Assistant Professor may be promoted to Research Associate Professor if and when the individual meets all the requirements described in the Faculty Handbook and the Standards and Guidelines, and undergoes the customary review process.



- ii. *Research Associate Professor on the Volunteer Pathway* is initially appointed by the Chair, with the approval of the Dean, for a three-year term and may be reappointed for additional three-year terms at the discretion of the Chair with the approval of the Dean. Appointment and reappointment require meeting the relevant standards and criteria as described in the Faculty Handbook and the Standards and Guidelines. A Research Associate Professor may be promoted to Research Professor if and when the individual meets all the relevant standards and criteria as described in the Faculty Handbook and the Standards and Guidelines, and undergoes the customary review process.
- iii. *Research Professor on the Volunteer Pathway* is initially appointed by the Chair, with the approval of the Dean, for a three-year term and may be reappointed for additional three-year terms at the discretion of the Chair with the approval of the Dean. Appointment, reappointment, and promotion to the rank of Research Professor in all cases require a determination, under customary promotion review procedures, that an individual meets all applicable standards and criteria for promotion to the rank of Research Professor as described in the Faculty Handbook and the Standards and Guidelines.

### 3.2.6 Adjunct Appointments.

The titles of Adjunct Instructor, Adjunct Assistant Professor, Adjunct Associate Professor, and Adjunct Professor are reserved for non-salaried faculty whose primary academic appointment is with an academic or research institution other than UVM. Adjunct appointments may be made upon recommendation by the Chair, the Dean, and the Provost for periods of up to three years and may be renewed.

### 3.2.7 Visiting Appointments.

The titles of Visiting Lecturer, Visiting Assistant Professor, Visiting Associate Professor, and Visiting Professor are reserved for an unsalaried temporary appointment of faculty from other institutions. See the University Policy on Visiting Scholars/Scientists for additional information.

## 3.3 Faculty Annual Performance Reviews.

Chairs shall annually review the performance of all salaried faculty holding appointments in their departments. Non-salaried faculty shall undergo annual reviews at their primary institution. Annual reviews focus primarily on the performance of the faculty member during the year in which they occur, but may also take into account cumulative

performance. Faculty reappointment or promotion and the process they entail should be discussed if applicable. Performance shall be evaluated in view of the duties assigned and based on all applicable standards and criteria as described in the Faculty Handbook and these Standards and Guidelines.

It is on the basis of such annual discussions that faculty assignments and adjustments in the variable salary component may be made. Chairs may delegate this responsibility to unit and division chiefs or designees where appropriate.

### 3.3.1 Annual Performance Review Process.

The annual performance review process for faculty shall include a meeting between the LCOM Chair, or their designee such as the division or section chief, and the faculty member. The Chair shall finalize the results of the performance review in writing, using the approved LCOM Annual Review Form, and place a copy in the faculty member's academic status file with a copy provided to the faculty member. A faculty member has the right to rebut any written performance evaluation and must do so within 90 days from receipt of their letter. Written rebuttals shall be placed in the file with the evaluation.

### 3.3.2 Timing of Reviews for Salaried Faculty.

In alignment with the annual UVM salary determination process, including the customary onset date of new fiscal year salaries as of July 1, all full-time salaried faculty will be reviewed by March 1.

## 3.4 **Standards and Criteria for Reappointment, Promotion, and Tenure Decisions.**

In considering faculty members for reappointment, promotion, and tenure, each Candidate will be judged with respect to the proposed rank, status, and duties with consideration of their record of performance in teaching, scholarly activity, and service as defined in the Faculty Handbook and the Standards and Guidelines. The following subsections provide general standards and criteria by means of which decisions on reappointment, promotion, and tenure shall be made; the Standards and Guidelines further outline criteria for these decisions.

Although the Candidate bears responsibility for demonstrating their professional achievements, Chairs have a responsibility to contribute to the professional development of faculty by regularly communicating departmental, LCOM, and UVM performance standards and expectations, and by assisting faculty in reviewing their progress toward assigned goals.

In evaluating a Candidate's qualifications within the areas of performance under review, reasonable flexibility shall be exercised balancing heavier assignments and responsibilities in one area against lighter assignments and responsibilities in another. Each Candidate is expected to be engaged in a program of work that is sound and productive, and that can be expected to continue to develop and progress throughout their professional career.

For Tenure Pathway faculty, the UVM process to produce the promotion dossier requires that the expectations of performance be consistent with those of the University, LCOM, and the department. The expectations, including the faculty's tenure timeline, must be made clear at time of hire and annually thereafter.

In all instances, excellent intellectual attainment and a high level of professionalism and citizenship, in accordance with the criteria set forth below, are crucial qualifications for reappointment, promotion, and tenure. In addition, UVM recognizes that teaching and scholarship are related, and it is thus essential to foster an environment that promotes scholarship and teaching, as well as the service activities and clinical care that enhances these activities.

#### 3.4.1 Teaching.

When assigned duties include teaching, effective performance is an essential criterion for initial appointment, reappointment, promotion, and tenure. Five categories of teaching are recognized for assignment and evaluation:

1. Direct teaching
2. Mentoring and Advising
3. Curriculum development and dissemination
4. Educational leadership and administration
5. Learner assessment

The primary qualities of an effective teacher are:

- Intellectual competence, integrity, and independence
- A willingness and capacity to develop in the field, consider suggestions, and cooperate in teaching activities
- A spirit of scholarly inquiry that leads to the strengthening of course content and presentation in light of developments in the discipline
- A scholarly interest in pedagogy, working with students, and the ability to stimulate students' intellectual interest and enthusiasm
- A capacity to awaken in students an awareness of the relationship of the subject to other fields of knowledge
- Interest and skill in the general guidance and academic advising of students
- Seeks and learns from feedback as well as through engagement in continuing education

All educational activities must be evaluated regularly and the results of such evaluation must be analyzed and considered in reappointment, promotion, and tenure decisions. It is incumbent on the Candidate to organize and present evidence of a scholarly approach to education.

While no single set of satisfactory measures can be prescribed, significant evidence for the evaluation of educational activity can be derived from a combination of the following:

- Opinions of knowledgeable members of the faculty, based on:
  - Examination of course materials
  - Team-teaching experiences
  - Class visitations
  - Attendance at educational activities delivered by the Candidate
  - Results of the Candidate's teaching in courses prerequisite to those of other members of the faculty
- Student opinions, appropriately documented and interpreted; for example, through the use of student survey instruments and/or by seeking student evaluations after course completion or graduation
- Development by the Candidate of new and effective techniques of instruction, instructional materials, textbooks, courses, and curricula, particularly when evidenced by use by peers within UVM, deposition into peer-reviewed curriculum repositories, and/or adoption by other universities
- Publications in respected journals by the Candidate in one or more of the five categories of pedagogy described above
- Adoption of pedagogy by other external organizations or institutions
- Recognitions such as membership in the LCOM Teaching Academy or awards for distinguished teaching
- Significant quantity of teaching and other educational activities

### 3.4.2 Research and Scholarship.

When assigned duties include research, evidence must be documented that the Candidate is continuously and effectively engaged in scholarly activity of high quality and significance as customarily expected in the field. Documentation of productivity and the quality of research or scholarly work must be submitted, such as peer reviewed research publications, grant funding, national/international presentations, academy memberships, and service on editorial boards and competitive funding review committees. When published work involving joint authorship (or otherwise the product of joint effort or a part of a research team) is considered, the role of the Candidate in the joint effort must be clearly established.

In cases involving tenure or promotion to Associate Professor or Professor, the quality and significance of the work must be evaluated by an appropriate department committee. In addition, the department must solicit evaluations from acknowledged scholars or practitioners at other institutions who are independent of the faculty member being evaluated.

A record of continuing support by competitive grants and contracts in the discipline is an important indication of recognized research competence and productivity.

Textbooks, reports, and similar products connected with teaching or public service may be considered creative work as far as they present new ideas or incorporate the Candidate's scholarly research. Service as editor of a professional journal or service as an officer of a professional organization may be considered as recognition of scholarly achievement and national reputation in one's discipline.

### 3.4.3 Service.

Service by all members of the faculty is an essential part of the UVM mission. Recognition shall be given to faculty who participate effectively, imaginatively, and collegially in faculty governance and the formulation of departmental, LCOM, and UVM policies and processes. Similarly, contributions to student welfare through service on student-faculty committees or as advisor to student organizations will be recognized.

Faculty may engage in service by developing and administering clinical services and programs that are necessary for and contribute to clinical research and teaching. Faculty may also engage in service through effective participation in activities on the community, state, or national professional level, such as through service on accreditation teams, as contributors to the promotion of improved health care through equity and inclusion, as officers of a professional organization, or as professional consultants.

Demonstrated distinction in service responsibilities characteristic of the discipline are important criterion for appointment, reappointment, promotion, and tenure. Examples include clinical practice, graduate medical education, continuing medical education, and service pertaining to the improvement of those activities.

All of the Candidate's professional service activities should be reviewed for evidence of achievement, leadership in the field, and development or utilization of new approaches and techniques for the solution of professional problems. Evidence must be provided of the quality of the service rendered, including evaluations by persons or agencies served.

### **3.5 Procedures for Reappointment, Promotion, and Tenure Decisions.**

Department Chairs, or their designee, must annually review the performance of faculty members in their departments and may recommend reappointment, promotion, or tenure to the Dean. Chairs shall consult with the Chair(s) and Director(s) of departments and centers where joint appointments are held. Consideration for promotion and tenure shall be initiated upon the request of the individual faculty member, except in cases where such consideration is otherwise mandated.

First reappointments are reviewed at the LCOM level, including the Associate Dean for Faculty and/or the Faculty Standards Committee, and the Dean. Subsequent reappointment, all promotion, and all tenure decisions are reviewed at both LCOM and UVM levels. All reviews are in accordance with the procedures set forth in the Faculty Handbook and further described in the Standards and Guidelines.

#### **3.5.1 Letters of Support: Arm's Length Letters and Referee Letters.**

In cases where promotion or tenure is proposed, other than on the Clinical Pathway, the department must solicit arm's length letters of support for the Candidate attesting to the quality and significance of the Candidate's work. Such input must come from people whose ability to provide an objective evaluation of the performance and reputation of the Candidate is not affected by prior associations, such as involvement in the Candidate's education, serving together at another institution, serving as a co-author or co-investigator or collaborator in publications, patents, or other scholarly contributions, or being close personal or family friends.

For promotion on the Clinical Pathway, the department must solicit referee letters of support attesting to the quality and significance of the Candidate's work. These evaluations of clinical and administrative excellence are based on the letter writer's personal experience with the Candidate and are not considered to be arm's length.

The number and type of letters varies with rank and pathway as outlined in the LCOM Standards and Guidelines. The selection of possible letter writers is a joint responsibility of the Candidate and the Chair, or their designee. The requesting of arm's length and referee letters is the responsibility of the Chair or their designee.

#### **3.5.2 Responsibilities for Submission and Review of Faculty Candidates.**

##### **a. The Faculty Member.**

In assembling their dossier for promotion or tenure, the Candidate is responsible for preparing a self-evaluation or personal statement and the

curriculum vitae, addressing their work in the performance areas of education, scholarship, and service.

b. The Department Chair.

The Chair is responsible for reviewing the faculty dossier for comprehensiveness and to prepare the Chair's Statement. The Chair must seek the input from the departmental reappointment, promotion, tenure (RPT) or respective committee relative to the Candidate's work in the performance areas evaluated. In addition, the Chair will solicit performance assessment input from the Chair of any department, center, or other academic unit in which the faculty member holds a secondary appointment.

In cases where promotion or tenure is proposed, other than on the Clinical Pathway, the department must solicit arm's length letters of support for the Candidate attesting to the quality and significance of the Candidate's work. Such input must come from people whose ability to provide an objective evaluation of the performance and reputation of the Candidate is not affected by prior associations

For promotion on the Clinical Pathway, the department must solicit referee letters of support attesting to the quality and significance of the Candidate's work. These evaluations of clinical and administrative excellence are based on the letter writer's personal or clinical experience with the Candidate and are not considered to be arm's length.

The number and type of letters varies with rank and pathway. The selection of possible arm's length and referee letter writers is the joint responsibility of the Candidate and the Chair or their designee. The requesting of arm's length and referee letters is the responsibility of the Chair or their designee.

Following consultation, the Chair shall make a written determination on the proposed faculty action under consideration, known as the Chair's Statement, which shall contain:

- An assessment of the Candidate's record, to include a narrative evaluation of the candidate's teaching and advising; scholarship, /research, and creative work; and service
- A summary of prior annual evaluations and reappointment, promotion, and tenure reviews as applicable
- A measure of the Candidate's performance against departmental and LCOM guidelines
- A description of the balance of assignments for the Candidate's effort, relative to teaching, research, and service (including patient care where applicable) that warrant identification and consideration in assessing the faculty member's academic contributions

- A summary of the feedback received, both favorable and unfavorable, from RPT or appropriate departmental committee
- A summary of comments from the Chair or equivalent administrator for any secondary appointments regarding the Candidate's record in the areas of teaching/advising, scholarship/research, and service
- An advisory and anonymous numerical tally of the voting faculty RPT committee
- A written explanation of the rationale for the Chair's decision

The Chair's Statement will be transmitted to the Candidate for a written response within seven days of its issuance. The Candidate may elect to withdraw their request for RPT action within fifteen days of issuance of the Chair's Statement, with any such request to be communicated to the Chair in writing with a copy to the Dean.

c. LCOM Faculty Standards Committee and Associate Dean for Faculty.

For reappointments, promotions, and tenure decisions, the Faculty Standards Committee (FSC) shall review the Candidate's dossier, assessing the Candidate's record and preparing a written recommendation to the Dean on the proposed faculty action, including its anonymous numerical advisory vote. Reappointment reviews of non-tenured faculty and promotions of non-salaried (Volunteer Pathway) may be completed by the FSC or the Associate Dean for Faculty.

d. The Dean.

In the case of both favorable and unfavorable recommendations by the LCOM Faculty Standards Committee (FSC), the Dean shall review the Candidate's dossier unless they elect to withdraw their candidacy, in which case no further review shall occur. Following review of the assessment and recommendation, the Dean shall issue a Dean's Statement, a written assessment and decision regarding the faculty action under review, and the rationale for the decision, to be included in the dossier.

For all reviews going forward for UVM level review, a copy of the FSC assessment and Dean's Statement will be transmitted to the faculty member, who may elect to add a written response to the dossier within seven (7) days of its issuance absent extenuating circumstances that prevent timely response. Except in cases where the Dean's decision is the final UVM action, a faculty member may elect to withdraw their request within fifteen (15) days from issuance of the Dean's assessment, with any such request to be communicated to the Dean in writing, with a copy to the Chair. With the exception of a faculty member withdrawing their request, all decisions, positive or negative, are forwarded to the Provost for review.



- e. The Provost and The Professional Standards Committee.

In the case of both favorable and unfavorable recommendations for actions that require UVM level review, the Dean will forward the Candidate's dossier to the Provost. The Professional Standards Committee (PSC) of the Faculty Senate shall also review the Candidate. The PSC will assess the Candidate's record and transmit a written recommendation, including its advisory and numerical vote, to the Provost. The Provost may seek further consultation with the Chair and/or the Dean about the Candidate, but is under no obligation to do so. The Provost shall issue a written determination, including an explanation of the rationale for the decision, following review of the PSC assessment and recommendation. The Provost's decision shall constitute the final action of UVM. In tenure cases, if the Provost's decision is favorable, tenure shall become effective at the start of the subsequent academic year.

- f. Clarification of the Record.

The Chair, FSC, Dean, PSC or Provost may make a request for further information pertaining to the record as submitted.

### 3.5.3 Timeline for Renewal and Non-Renewal of Appointment.

Note that these notice periods do not apply to the terminations of appointment. See Section V.

- a. Tenure Pathway Faculty.

The Provost will establish a schedule for reappointment, promotion, and tenure (RPT) action steps, except for the first reappointment of Tenure Pathway Assistant Professors, in which case the authority to set the schedule rests with the Dean.

Notice of non-reappointment shall be provided to Tenure Pathway Assistant Professors and Associate Professors in writing by the Dean, based upon consecutive years of uninterrupted service as a Tenure Pathway faculty member:

- For faculty appointed at the rank of Assistant Professor: by June 30 one year prior to the expiration of the current appointment term.
- For faculty appointed at the rank of Associate Professor: no later than December 15 of the second academic year of the 3-year appointment.

Non-renewal of an appointment does not carry with it an implication of incompetence or misconduct on the part of the Candidate. In addition to the

right of UVM not to reappoint any non-tenured faculty member for individual performance reasons, such decisions may be based on reasonably derived administrative, programmatic, or financial reasons.

Once having served as Tenure Pathway faculty member for the probationary period specified in this Faculty Handbook, an individual who has not been awarded tenure shall not again be eligible for a Tenure Pathway appointment. A person who leaves the Tenure Pathway and is appointed to one of the other non-tenure pathways or appointments is only eligible to return to the Tenure Pathway under unusual circumstances with approval from the Chair, the Dean, and the Provost.

b. Non-Tenure Pathway Faculty.

Reappointment reviews shall occur at the LCOM level with final approval by the Dean prior to the expiration of the appointment according to the notice periods established by LCOM and outlined below.

- Faculty with initial appointments for one-year and two-year terms will receive a notice of renewal or non-renewal at least six (6) months before the expiration of their appointment.
- Following two or more consecutive years of service, faculty will receive notice of renewal or non-renewal at least twelve (12) months before the expiration of the appointment.

Non-renewal of an appointment does not carry with it any implication of incompetence or misconduct on the part of the faculty member. A decision not to reappoint a salaried non-tenure pathway faculty member may be made for individual performance reasons as well as reasonably derived administrative, programmatic, or financial reasons.

In a year in which a salaried non-tenure pathway faculty member applies for promotion, a formal review using customary procedures must take place at the department, LCOM, and UVM level. During the academic year a promotion is under review, reappointment review will concurrently occur at the department and LCOM level. If a negative reappointment decision is made, the promotion process will terminate.

Faculty shall be evaluated for reappointment and promotion on the basis of criteria documented in the Standards and Guidelines.

c. Non-Salaried Faculty.

No prior notification of non-reappointment shall be required for faculty on the Volunteer Pathway, nor Adjunct or Visiting appointments.

## SECTION 4                    GENERAL CONDITIONS OF EMPLOYMENT

### 4.1     Faculty Assignments.

#### 4.1.1   Faculty Availability for Assignments.

Faculty holding twelve-month appointments must be engaged in, and available for, work assignments throughout the calendar year except for official UVM holidays and scheduled Paid Time Off (PTO). Faculty who also hold Medical Group appointments are not exempt from responsibilities to the Medical Group on UVM holidays and must abide by the PTO policies and protocols of the Medical Group. Faculty holding twelve-month appointments are customarily appointed on a schedule commensurate with the UVM fiscal year.

#### 4.1.2   Faculty Assignments.

Chairs, or their designees such as division chiefs, are responsible for the scheduling and assignment of all faculty holding appointments in their units, subject to review by the Dean. Such assignments shall be made by the Chair, in consultation with the Chair or Director of any secondary appointment unit, following consultation with the faculty. A copy of the record of individual faculty assignments will be maintained in the faculty member's academic status file. The assignments of faculty who have Medical Group appointments must be coordinated with Medical Group assignments by the department Chair, or designee.

A Chair may modify assignments previously made as may be necessary or in the best interest of the department prior to or during an appointment period, provided that any such modification and the reasons for it must be communicated to the faculty as early as reasonably possible. Revisions to the assignments of faculty who have Medical Group appointments must be coordinated with Medical Group assignments by the department Chair, or designee.

Given the diverse nature of faculty work and the specific needs of academic units, the particulars and weighting of individual faculty assignments will vary between and within departments and academic units. In making assignments, the Chair will consider the allocation of the faculty member's time to teaching, research, patient care, service, and other relevant factors such as the requirements of externally funded contracts and grants and the nature of the academic program, which may require flexibility in assignments to maintain program quality. Chairs will also consider fiscal commitments and the overall needs and mission of LCOM and UVM. In all cases, the Chair shall communicate assignments in writing to the faculty member and place them in the faculty member's record. Distribution of effort will consider the competing demands upon a faculty member, such as responsibilities in the areas of research, teaching, and service.

Faculty, Chairs, and Deans have a responsibility to ensure that a demonstrable relationship exists between an assignment and the effort expended. In assessing this relationship, all professional activities, assignments, and salary distribution information are to be considered, whether or not externally sponsored, including supplemental compensation and outside professional service. Federally sponsored research is subject to specific effort reporting rules and conflict of interest disclosure mandates.

In addition, an appointment may be made on a temporary basis for administrative reasons, including filling a special academic program need, meeting unexpected enrollment pressures, or replacing a faculty member who becomes unavailable due to illness or other unanticipated circumstance. A temporary appointment does not carry with it any expectation of reappointment beyond the appointment period, and no notice of non-reappointment is required.

## **4.2 Faculty Compensation.**

### **4.2.1 University Base Salary.**

For each salaried faculty member, the Chair shall annually make University salary recommendations to the Dean. The Dean shall approve or revise the Chair's recommendation and record the distribution and amount from each source to be applied in payment of the salary. Any changes in University salary compensation must be made in consultation with the Chair of any department in which a secondary appointment is held.

Salary awards will be based upon factors specifically identified by the Provost in consultation with the Dean, such as performance and market equity. Performance includes the quality of the contribution to the mission of LCOM and the relative success of meeting goals and expectations set the previous year by the Chair in discussion with the faculty member. A salary award cannot be changed by the Chair or the Dean during the year for which it has been set without demonstrably appropriate extenuating circumstances.

Salary will be paid pursuant to the UVM payroll schedule, with deductions as required by law or as elected by a faculty member under University benefits plans.

- a. **Tenure Pathway Faculty Who Do Not Receive Compensation from an Approved Medical Group.**

LCOM will compensate these faculty with a professorial salary comprised of fixed and variable components. This includes Tenure Pathway faculty in clinical departments who do not belong to an approved Medical Group. The fixed component is secured by the department. The variable component will

comprise up to 25% of the professorial salary, and is to be adjusted annually up or down depending upon the faculty member's productivity. The Standards and Guidelines will include general criteria by which this productivity is measured. Individual departments will elaborate the standards applicable to their academic unit and department Chairs or their designees will set annual faculty expectations in the context of those standards.

For faculty members hired before July 1, 2012, their professorial salary will be secured as fixed salary by the department. For faculty hired after July 1, 2012, their salary will be 75% base and 25% variable at hire, and the total starting professorial salary will not be decreased during the term of their initial salary contract.

Any salary increases will be applied to the variable component until that component comprises 25% of the professorial salary. Any decreases in salary will come from the variable component. Once total salary is distributed as 75% fixed and 25% variable, further raises will be allocated between fixed and variable components such that a 75:25 distribution is maintained.

Any changes in compensation must be made in consultation with the department Chair or center director in which a secondary appointment is held.

b. Tenure Pathway Faculty Who Receive Compensation from an Approved Medical Group.

For Tenure Pathway dually employed faculty, a UVM base salary is set by the department Chair with approval of the Dean, and there is no variable component to the base. The base salary may be adjusted periodically by the Chair with approval by the Dean, based upon performance and/or to maintain alignment with the marketplace, provided that the base salary of the tenured faculty member may only be reduced upon mutual agreement of the faculty member and UVM commensurate with a reduction in FTE. Performance includes the quality of the contribution to the missions of LCOM and the relative success of meeting goals and expectations set the previous year by the Chair in discussion with the faculty member.

These faculty members may also receive salary from an approved Medical Group. This salary is determined annually, based on performance, and must be consistent with the compensation plan of the Medical Group. LCOM annual salary letters shall have appended to them the annual salary determination from the Medical Group, even when they have different start dates. In addition, those faculty may also have their University base provisionally increased to accommodate grant funding, with a concomitant reduction in their clinical income so that total compensation remains the same. If grant funding no longer supports the level of effort, the UVM base salary will revert

back to the previous levels, plus any incremental increases approved during the annual budget process.

- c. Non-Tenure Pathway Salaried Faculty Who Do Not Receive Compensation from an Approved Medical Group.

For these faculty members, a UVM base salary is set by the department Chair with approval of the Dean, and there is no variable component to the base. The base salary may be adjusted periodically by the Chair with approval by the Dean, based upon performance and/or to maintain alignment with the marketplace. Performance includes the quality of the contribution to the missions of LCOM and the relative success of meeting goals and expectations set the previous year by the Chair in discussion with the faculty member.

- d. Non-Tenure Pathway Salaried Faculty Who Receive Compensation from an Approved Medical Group.

For these faculty members, a UVM base salary is set by the department Chair with approval of the Dean, and there is no variable component to the base. The base salary may be adjusted periodically by the Chair with approval by the Dean, based upon performance and/or to maintain alignment with the marketplace. Performance includes the quality of the contribution to the missions of LCOM and the relative success of meeting goals and expectations set the previous year by the Chair in discussion with the faculty member.

These faculty members may also receive salary from an approved Medical Group. This salary is determined annually, based on performance, and must be consistent with the compensation plan of the Medical Group. LCOM annual salary letters shall have appended to them the annual salary determination from the Medical Group, even when they have different start dates. In addition, those faculty may also have their University base provisionally increased to accommodate grant funding, with a concomitant reduction in their clinical income so that total compensation remains the same. If grant funding no longer supports the level of effort, the UVM base salary will revert back to their previous levels, plus any incremental increases approved during the annual budget process.

#### 4.2.2 Supplemental Compensation.

The base salary of a full-time faculty member is intended to provide full remuneration for all professional activities performed for, and in the name of, LCOM and UVM. There will, however, be instances in which, for programmatic or administrative reasons, opportunities and incentives are available for faculty to engage professionally in UVM activities in addition to their regular assignments.

Assignments that will result in supplemental compensation to a faculty member require submission of completed documentation to the Provost, to include advance written approval by the Chair, the Dean, and the budget officer of the unit proposing payment.

In the case of faculty receiving compensation funded by a grant or contract, advance approval from a grant or contract sponsor and/or the UVM Controller's Office may also be required. Such supplemental compensation and work must in all instances comply with federal cost accounting principles, research sponsor requirements, and guidelines relative to effort reporting. When considering approval of proposed supplemental assignments and compensation, Chairs and Deans must determine that the proposed activities will not significantly interfere with the regular assignments of the faculty member.

Total time spent on compensable activities outside of primary employment, whether via supplemental compensation or outside professional service, shall not exceed the equivalent of one day per week. Regardless of total time spent, all faculty must adhere to the UVM Conflict of Interest policies.

Note: Compensation received by faculty engaged in clinical practice through an approved Medical Group is not considered to be supplemental compensation under this provision.

### **4.3 Faculty Commitments.**

#### **4.3.1 Outside Professional Service.**

In keeping with the land-grant tradition, UVM recognizes teaching, research, and service as central to its mission. Outside professional service can enrich the academic programs and benefit a variety of agencies and organizations, both public and private. UVM and LCOM acknowledge the value of faculty engaging in professionally related activities that render service and at the same time contribute to their competence as professionals. In making decisions to undertake such service, however, faculty must foremost consider the requirements of their UVM and LCOM responsibilities and regular assignments.

Faculty who engage in outside professional service, whether or not compensated, shall make a written report of the activities to their department Chair no less than annually, updating the report as circumstances change. The amount of compensation, if any, received for the service need not be reported to the Chair (although disclosure may be required by UVM conflict of interest policies.) The total time devoted to outside professional service shall not exceed the equivalent of one day per week.

Total time spent on compensable activities outside of primary employment, whether via supplemental compensation or outside professional service, shall not exceed the equivalent of one day per week. Regardless of total time spent, all faculty must adhere to UVM conflict of interest policies.

A faculty member engaged in outside professional service must avoid conflicts of interest with assigned responsibilities, and comply strictly with UVM and sponsoring agency standards and procedures governing such conflicts. In addition, a faculty member must comply with policies regarding use of the UVM name, trade and service marks, letterhead, and other indicia of institutional affiliation and, when engaged in outside professional service, may not make more than incidental use of the UVM facilities, supplies, equipment, or services. Any proposed method of reimbursement to the UVM for use of facilities, supplies, equipment, or services must be approved in advance and in writing by the Dean and the Provost.

#### 4.3.2 Clinical Service.

Only faculty with UVM appointments are eligible for employment by an approved Medical Group unless explicitly approved by the Dean prior to an offer of employment.

A salaried faculty member who is a practicing physician must have a concurrent approved Medical Group appointment, with any exceptions requested by the Chair requiring approval in advance by the Dean and the Provost. Such faculty will receive salary from both UVM and the approved Medical Group.

Termination of the approved Medical Group appointment also terminates the LCOM faculty appointment for non-tenured faculty, except as recommended by the Chair and approved in advance by the Dean and the Provost. The department may retain the faculty member for certain academic responsibilities, subject to approval by the Dean. Termination of an approved Medical Group appointment of a tenured faculty member does not terminate their LCOM faculty appointment, but leaves that faculty member with only their UVM tenured base salary.

#### 4.3.3 Conflict of Interest.

All faculty must adhere fully to UVM conflict of interest policies.  
<https://www.uvm.edu/policies>



#### 4.3.4 Public Office.

Recognizing that public service is an act of good citizenship, UVM wishes to facilitate such service where feasible and appropriate. A faculty member who wishes to seek or hold public office, which for purposes of this provision means elective or appointive political, administrative, or judicial office, should at the earliest possible date formally notify the department Chair, the Dean, and the Provost of their intentions so that necessary coverage and the terms of any associated leave may be arranged reasonably in advance.

##### a. Full-time public office.

A faculty member must negotiate the terms of leave with the Provost, who will consult with the Chair and Dean, regarding any proposed public service that will require a full-time commitment. Periods of leave for full-time service shall be unpaid and generally will commence at the time that the faculty member assumes office. As part of the leave request, the faculty member must inform the Provost of the anticipated date of return to full-time faculty status, and there is no guarantee of reinstatement at a time earlier than agreed when the leave is approved. Leaves generally will not be granted for more than one term in office. Absent advance written approval by the Provost following consultation with the Dean and Chair, a faculty member who does not return to UVM and resume regular assignments in accordance with the approved leave schedule will be deemed to have resigned their appointment.

##### b. Part-time public service.

Faculty who hold public service appointments that are part-time in nature but involve substantial responsibilities, such as in the state legislature, must negotiate a partial leave of absence at an appropriately reduced FTE and commensurate salary for the term or period of active service.

#### 4.3.5 Political Campaigns.

Campaigns for political office, and participation in such activities, must be conducted in a manner consistent with all applicable institutional policies, including those relating to conflicts of interest, political activities, tax exempt organization restrictions, and use of the UVM name, symbols, letterhead, and other proprietary indicia of association.

#### 4.3.6 Teacher's Oath.

State law requires that faculty members, except for persons who are not U.S. citizens, take the following oath:

*I do solemnly swear or affirm that I will support the Constitution of the United States and of the State of Vermont and the laws of the United States and the State of Vermont.*

This Oath is incorporated into the UVM offer letter; thus, the signed offer letter serves as the required signed statement to be filed with Human Resources.

#### **4.4 Faculty Benefits.**

Faculty benefits are in accord with University policy (<http://www.uvm.edu/hrs/?Page=info/benefits/plans/ofcbenefits.html>).

The following University benefits are in addition to those posted at the above web site.

##### **4.4.1 Vacations.**

Faculty members on 12-month appointment of .75 FTE or greater are allocated twenty-two working days each fiscal year (prorated with reference to FTE), which may be accumulated to a maximum of forty-four working days. Vacation schedules are subject to the advance approval of the Chair. Faculty who hold Medical Group appointments are not exempt from responsibilities to the Medical Group on University holidays and must also abide by the vacation policies and protocols of the Medical Group.

Faculty whose salaries are derived from research grants or from funds other than the General Fund must use all vacation accumulated before the end of the externally funded appointment period unless the grant or funds terms and conditions otherwise permit.

Faculty should consult with the Human Resources Services office for information regarding periods during which vacation leave is not accumulated.

##### **4.4.2 Leaves of Absence.**

###### **a. Generally.**

An absence from regular duties for a period of more than two weeks is considered a leave that must be approved as described below. Any absence from regular University duties for a period of less than two weeks is considered an “absence.” The terms of an absence must be arranged by the faculty member with the Chair and Dean, in advance except in an emergency, and a plan for coverage of assignments must be approved by the Chair and Dean.

- i. Required notice of intent to return.  
A faculty member on an approved leave must advise the appropriate Dean by February 1 during a leave in progress of their intentions with respect to return for the upcoming academic year. Absent advance written approval by the Provost following consultation with the Dean and Chair, failure to provide timely notice of intent to return or to secure the requisite approval of a leave extension shall automatically constitute a resignation of the faculty appointment as of the date on which the approved leave ends.
- ii. Sponsorship during leave of absence.  
Faculty on leave of absence *ordinarily may not concurrently hold* a grant administered by the University. If, during the leave, a faculty member will be receiving compensation from a non-University source, the sponsor is expected to carry both salary and benefits unless an exception is approved in advance and in writing by the Provost. In addition, during the leave a faculty member is ineligible to receive supplemental compensation unless an exception is approved in advance and in writing by the Provost.
- iii. Effect on probationary period.  
An approved leave of absence is not considered an interruption of service for purposes of calculating applicable probationary periods. Faculty who wish to seek an extension of the probationary period must follow the procedures set forth.

b. Medical Leave and Long-Term Disability Insurance.

A medical leave will be granted upon submission to the Human Resources office of adequate medical evidence of an accident or illness that renders the faculty member temporarily incapable of performing assigned duties. Eligibility for paid medical leave and long-term disability insurance is determined under applicable benefits plans and with reference to a faculty member's appointment period length and FTE. Faculty who have held a University appointment for one year or more may be granted up to six months' medical leave at the salary and benefits rate in effect at the time the leave is requested. Faculty who have held a University appointment for less than one year may be granted up to one month's medical leave at the salary and benefits rate in effect at the time the leave is requested, and may request an additional period of unpaid medically based leave. Information regarding long-term disability benefits may be obtained from the Human Resources office. A qualifying faculty member who is on medical leave for five or more consecutive University business days must submit a physician's statement indicating the reason for the absence. The University may also request from a faculty member submission of evidence of medical fitness to return to work following a period of medical leave.

c. Child-Bearing and Parental Leave.

A child-bearing leave shall be considered a medical leave, *i.e.*, a temporary disability associated with pregnancy or childbirth based upon medical determination that the faculty member is incapable of performing their duties. Medical leave necessitated by complications of pregnancy or childbirth is also covered by the general University medical leave policy. In addition, at the faculty member's election, available medical leave may be taken to cover a period of confinement for delivery and recovery. For faculty entitled to paid medical leave, salary and customary University contributions to benefits will continue for the duration of such leave. A medically unrelated decision to seek a leave of absence prior to childbirth or not to return to duties subsequent to childbirth does not qualify as medical disability or entitle a faculty member to medical leave. All or a portion of an absence due to childbearing may be covered by the Family Medical Leave/Vermont Parental and Family Leave Acts. Faculty may use up to six weeks of allotted or accrued paid leave and up to six weeks unpaid leave, or up to twelve weeks of unpaid leave, for qualifying purposes. During such leave, customary University contributions to benefits will continue. Except as otherwise required by law, parental leave is available as an unpaid leave of absence for which advance approval must be obtained from the Provost, who will consult with the appropriate Dean. Faculty are strongly encouraged to consult the Human Resources office for information regarding eligibility for childbearing or parental leave and its associated terms and conditions.

d. Family Medical Leave.

The federal Family Medical Leave Act entitles qualified employees up to twelve weeks of unpaid leave annually for the birth or adoption of a child, to care for a spouse or immediate family member with a serious health condition, or if an employee is unable to work because of a serious health condition. Faculty should consult the Human Resources office for information regarding eligibility for Family Medical Leave and its associated terms and conditions. Faculty entitled to paid vacation or medical leave may invoke such leave options together with their entitlements under this federal law so as to remain on paid leave status, retain full benefits, or extend their periods of leave beyond the time available under Family Medical Leave Act provisions.

NOTE: The Act limits leaves available to spouses employed by the same employer to a combined total of twelve work weeks during any twelve - month period if leave is taken for childbirth, adoption, or child foster care.

e. Military Leave.

Faculty will be granted leaves of absence for the purpose of military service in the United States armed forces in a manner consistent with the requirements of

the Uniformed Services Employment and Reemployment Rights Act of 1994 and other pertinent legislation, including provisions relating to reinstatement.

f. Leave without Pay.

A faculty member who wishes to go on leave of absence without pay must apply in writing to the Chair for a full or partial unpaid leave of absence. If such a leave is recommended to the Provost by the Chair and Dean, a decision on the application will be made by the Provost following consultation with the Dean. The Dean will notify the faculty member in writing of the Provost's decision. Notification of an approved leave will include the period of leave authorized and any associated conditions.

i. Unpaid Leave of Absence without Benefits.

A faculty member whose approved leave is fifteen days or more may opt to continue the medical and dental insurance benefits for which they were eligible immediately prior to leave commencement at their own sole expense. A faculty member whose approved leave is fourteen days or less will continue to receive University contributions to the cost of such medical and dental insurance benefits provided that they maintain the otherwise required faculty contributions. A faculty member on a leave of absence does not accumulate paid vacation or medical leave, service credit toward completion of probation, sabbatical or professional development leave eligibility, or seniority. In the case of a faculty member granted a leave of absence that involves salary or other compensation from a non-University source, the sponsoring agency shall carry both salary and fringe benefits unless the Provost approves an exception in writing and in advance.

ii. Unpaid Leave of Absence with Partial Benefits.

The Provost may approve an unpaid leave of absence with partial benefits on a case-by-case basis if the purpose of the leave is to pursue a clearly articulated scholarly, creative, or professional agenda that will enhance the mission of the University and the request has the written support of the faculty member's Chair and Dean, provided that the final decision rests with the Provost. If the request is approved, the University will continue its contributions over the length of the leave of absence for medical, dental, and long-term disability insurance coverage at the same rate that was in effect prior to the start of the leave, except that long-term disability insurance cannot be extended for more than one year.

The faculty member will also continue to make contributions at the same rate as applied prior to the start of the leave. During such a leave of absence, the University will not contribute to the faculty member's retirement plan, paid vacation and medical leave will not accumulate, and

tuition remission will not be available except for the faculty member's dependent children.

#### 4.4.3 Sabbatical Leaves.

The objectives of the sabbatical leave program are to enhance the research and educational environment of the University and to promote the professional development of the faculty member by affording opportunities for sustained periods of concentrated research and study free from regular on-campus obligations. An award of sabbatical leave is based upon the expectation that the faculty member will utilize the leave to engage in activity that will add to knowledge in the academic field, enhance teaching effectiveness, broaden fields of competency, or generate other professional experience valuable to the University and the faculty member. Appropriate means of achieving these objectives include sponsored or non-sponsored research, formal or informal study, or creative activity relevant to the faculty member's customary University responsibilities. The University and the faculty member share responsibility for ensuring the effective use of a sabbatical to achieve these objectives.

##### a. Eligibility.

Sabbatical leaves may be granted to Officers of Instruction or Research at the rank of Associate or full Professor. A faculty member is first eligible for a sabbatical leave following completion of six years of University service at not less than .75 FTE, provided that the faculty member must have a contractual guarantee of not less than .75 FTE appointment for at least one academic year following return from the sabbatical. For purposes of this provision, twelve semesters for academic-year appointees and twelve half-years for twelve-month appointees constitutes the required six years of completed service, which may be accumulated non-consecutively over a period of up to ten years. Time accumulated toward a sabbatical leave at another institution may be counted if approved by the Provost in writing at the time of the initial University appointment.

After the first sabbatical, faculty are eligible for either (a) a half-sabbatical leave after an additional three years of service; or (b) a full sabbatical leave after additional six years of service, calculated as just stated. Time spent in other types of approved leave shall not be counted toward accumulated service.

##### b. Application process.

To apply for a sabbatical, a faculty member must complete forms available from the Office of the Provost. If a faculty member has previously taken a University sabbatical, the application must include a copy of the application

filed for the most recent sabbatical leave and the written report describing the results of such leave. Faculty submit sabbatical applications through their Chairs and Deans. To ensure timely review and depending on the dates of the proposed leave, the application must reach the Provost by February 15 or October 1 of the year prior to the commencement of the proposed sabbatical leave in accordance with timelines outlined in the Sabbatical Process. (<http://www.uvm.edu/~facsrcs/?Page=Sabbaticalpage.html>.)

The Dean shall seek the advice of the LCOM Faculty Standards Committee in making recommendations on sabbatical leave applications. The Provost shall seek the advice of the Professional Standards Committee in making decisions on sabbatical leave applications.

c. Deferral of Leave.

A faculty member may request deferral of an approved sabbatical leave for up to two years, subject to the prior written approval of the Chair, Dean, and Provost. If the faculty member is engaged in regular University assignments during the deferral period, the Provost shall determine at the time a request for deferral is granted whether the time period over which the deferral runs will be counted as service accrued for a subsequent sabbatical leave. If, for administrative reasons, a Chair or Dean requests that a faculty member defer an approved sabbatical leave, the time period over which the deferral runs will be counted as service accrued for a subsequent sabbatical leave.

d. Duration and Compensation.

The salary provisions set forth in this subsection shall be calculated with reference to the base salary rate established for the faculty member. A full sabbatical leave for faculty on academic year appointments will be for one semester at full salary or for two consecutive semesters at 77.3 percent salary. A half-sabbatical leave for academic-year appointees will be for one semester at 77.3 percent salary. A full sabbatical leave for 12-month appointees will be for six months at full salary or for a year at 77.3 percent salary. A half-sabbatical leave for 12-month appointees will be for six months at 77.3 percent salary. A full sabbatical may be split into two non-consecutive periods, if requested at the time of application, or during the sabbatical with the written approval of the Provost following consultation with the Dean and Chair. The University will continue its customary contributions toward benefits premiums and retirement plans during the leave, assuming the faculty member otherwise meets eligibility requirements for participation in the programs.

e. Restrictions during sabbatical leave.

A faculty member on sabbatical leave shall not engage in other employment during the leave except in cases, as determined in advance by the Provost, when such employment will increase professional competence or otherwise serve the objectives of the sabbatical program. Approval to engage in compensated employment during the sabbatical period is ordinarily sought during the sabbatical application process. University employment during a sabbatical is strongly discouraged and, if approved, is subject to supplemental compensation restrictions. Outside professional service during a sabbatical is also strongly discouraged and remains subject to the conditions and restrictions set forth in this Handbook.

f. Return to Faculty Appointment.

During the sabbatical leave, a faculty member must be reasonably available to the Chair to discuss assignments upon return to the University. Absent advance written approval by the Provost following consultation with the Dean and Chair, failure to return to regular University assignments as scheduled will automatically be deemed a resignation of the faculty appointment. Within sixty days following completion of the sabbatical leave, the faculty member shall submit to the Chair and Dean, with a copy to the Provost, a written report detailing sabbatical activities and accomplishments. The Chair and the Dean shall submit a memo accompanying the report indicating whether the faculty member met the goals specified in their approved sabbatical applications, is making progress towards meeting the goals specified in their approved sabbatical, or if they did not meet those goals. The content of the report and the Dean and Chair's review shall be taken into consideration when reviewing future sabbatical applications.

A faculty member must complete at least one academic year of University service holding not less than .75 FTE appointment status following completion of the sabbatical. If the faculty member fails to do so, the University may seek restitution for salary and the value of benefits paid during the sabbatical.

#### 4.4.4 Retirement.

In the absence of extenuating circumstances, a faculty member should advise the Chair of their intent to retire reasonably in advance of the effective date of retirement, customarily during fall semester for a retirement planned for the following academic year. Conditions of eligibility for retirement programs are found in plan descriptions available from the Human Resources office.



#### 4.4.5 Emerita/Emeritus Status.

##### a. Generally.

The bestowal of emerita/emergitus status is an honor awarded in the discretion of the Provost to a faculty member who has achieved a career of professional accomplishment and provided distinguished service to the University, the community, and his or her professional discipline. To be eligible for nomination, a faculty member must be eligible for retirement from UVM. A faculty member can determine their eligibility for retirement through communication with the UVM Human Resources office. Once the faculty determines they are eligible for UVM retirement, they can move to the next step of emeriti status nomination. Emerita/emergitus status may also be awarded posthumously.

##### b. Procedure.

Nominations of faculty for emeriti status are made by or through the office of the appropriate Dean during the semester preceding retirement. The Dean will forward these nominations to the Provost, accompanied by their recommendation on the nomination and a succinct statement summarizing the meritorious service rendered by the faculty member and a copy of the current curriculum vitae. The Provost will notify the Dean in writing of the decision on the nomination.

##### c. Titles.

For tenured faculty, the emeriti title will be a recitation of the type of academic appointment, followed by the academic discipline, and Emerita/Emeritus (*e.g.*, Professor of [academic discipline] Emerita/Emeritus). For non-tenured faculty, the title will normally be a recitation of the type of appointment, and Emerita/Emeritus (*e.g.*, “Professor Emerita/Emeritus”).

##### d. Recognition.

Emeriti will be recognized ceremonially at the time of retirement through acknowledgement in the University Commencement program and the award of a certificate of emerita/emergitus status. Thereafter, emeriti shall be listed by name and title in University catalogues.

e. Privileges.

Emeriti will be issued, upon their request, a University Identification card, which will give access to the following:

- A UVM parking permit, issued under the same procedures and policies as apply to active University employees. Should an emeritus faculty member be re-employed by the University, they will be subject to the same parking rates, policies, and procedures as apply to active employees.
- Library borrowing privileges as provided to active faculty.
- Discounts at the University store and access to tickets for UVM events insofar as provided to active employees.
- Use of the UVM e-mail system, subject to the UVM computer and email use policies.
- UVM Athletic facility access under any rates schedule applicable to retirees.

NOTE: All privileges described in this subsection are for the sole use of emeriti faculty and do not extend, unless otherwise expressly stated in program descriptions, to a spouse/civil union partner or dependents.

f. Post-Retirement Appointments.

Emeriti faculty may apply for University faculty appointments on a part or full-time basis following retirement. In the case of such an appointment, the title to be held will be Emeritus Faculty. On appointment, the provisions of this Faculty Handbook shall apply to the terms and conditions of the appointment made and supersede the provisions of this section on emeriti until the faculty member resumes non-active emeritus/emerita status. Before applying for a post-retirement appointment, the faculty member should consult the Human Resources office for information regarding the effect of the resumption of University employment upon eligibility for post-retirement benefits. Eligibility for post-retirement benefits other than award of emeritus status is determined in accordance with applicable University policies, plans, and programs.

## **SECTION 5 FACULTY APPOINTMENT TERMINATIONS**

Faculty appointments terminate through resignation, retirement, or under the circumstances set forth below, which address situations where a faculty appointment may terminate during an appointment term and, in the case of tenured faculty, tenure may terminate.

### **5.1 Financial Exigency.**

#### **5.1.1 Financial Exigency Policy.**

A condition of financial exigency shall be declared by the Board of Trustees at such time as UVM faces an imminent financial crisis that threatens the survival of the institution as a whole and that cannot be alleviated by less drastic measures. Such declaration and any associated action may be taken only in accordance with these provisions and in a manner consistent with the principles set forth in Regulation 4(c) of the American Association of University Professors' (AAUP) Recommended Institutional Regulations on Academic Freedom and Tenure.

#### **5.1.2 Preconditions to Declaration.**

UVM is required to take necessary and appropriate steps to address an imminent or actual financial crisis prior to declaration of a condition of financial exigency. Such steps shall include development by the President of a plan designed to remedy actual or projected budgetary deficits through reduction in operating expenses, increase in revenues, or both. The President will develop such plan in consultation with the Financial Policy and Curricular Affairs Committees of the Faculty Senate. The President will subsequently present the plan to the Faculty Senate prior to its implementation.

If, in the judgment of the President, implementation of the plan fails to avert or remedy a financial crisis, the President will so inform the Financial Policy and Curricular Affairs Committees of the Faculty Senate and, following consultation with such Committees, will also report on the matter to the Faculty Senate. After such report, the President may recommend to the Board of Trustees that it declare a condition of financial exigency. The Board shall take action on such recommendation at a regular or specially scheduled meeting of the full Board.

#### **5.1.3 Plan.**

As soon as feasible following a declaration of financial exigency by the Board of Trustees, all Deans shall, in consultation with Chairs, program heads, and the Faculty Standards and Curriculum Committees of their colleges or schools, devise plans designed to address the programmatic and administrative implications of the

declaration. Each plan will include an articulation of criteria and statements of rationale upon which basis (1) academic units have been targeted for elimination and/or (2) faculty appointments have been identified for termination. Plans may include factors such as academic policy considerations; personnel policy considerations, such as seniority and/or length of professional service and affirmative action requirements; and administrative policy considerations, such as balanced and reasonable allocation of human, physical and budgetary resources. Prior to the finalization and implementation of plans, the Deans shall consult with the Provost as necessary, appropriate, and desirable.

#### 5.1.4 Academic Unit Elimination for Reasons of Financial Exigency.

Deans shall incorporate into the plans recommended actions with respect to the elimination of academic units. Such initiatives shall conform to the requirements of the Protocol and Procedures for Review of Proposals to Initiate, Alter, or Terminate an Academic Unit, Curriculum, Research or Service Endeavor, maintained by the Office of the Provost in consultation with the Faculty Senate.

## 5.2 Termination Due to Financial Exigency.

A condition of financial exigency may require the termination of faculty appointments. Terminations can occur due to the elimination of an academic unit, or through the selection of individuals from within such units. In all such cases, the following standards and procedures shall apply.

Before recommending the involuntary termination of a faculty appointment, a Dean must explore and articulate in a plan all feasible alternatives, such as voluntary faculty retirements, reductions in full-time equivalency, leaves of absence, and intra-institutional reassignments including opportunities for retraining. In the event that there are no feasible alternatives to faculty terminations, appointments shall be terminated in accordance with the following standards and procedures:

### 5.2.1 Priority.

Except for compelling and bona fide reasons of academic policy, appointment terminations will be made within academic units in conformance with the following order of priority: non-tenure pathway faculty; non-tenured tenure pathway faculty in reverse order of seniority or credited professional service; tenured faculty in reverse order of rank and, within each rank, in reverse order of seniority or credited professional service (hereafter, the Priority Schedule).

### 5.2.2 Procedure.

In considering whether to terminate a faculty appointment, a Dean shall consult with the LCOM Faculty Standards Committee. If, following such consultation, the Dean decides to terminate the faculty appointment, they shall provide written notice to the faculty member. Such notice will include the criteria and the rationale upon which the individual termination decision is based; the effective date of termination; and rights of appeal, severance, and reinstatement, as described below.

### 5.2.3 Rights of Appeal.

#### a. Appeal to the Provost.

Within forty-five (45) days of the date of an adverse decision by the Dean following issuance of a notice of termination, the faculty member may file a written appeal with the Provost, stating with particularity the basis of the appeal. The faculty member may not appeal the issue of whether there exists a condition of financial exigency. In considering the appeal, the Provost shall obtain a written recommendation from the UVM Curricular Affairs Committee and issue a written decision within forty-five (45) days of the date of receipt of the appeal.

#### b. Appeal to the President.

Within twenty-five (25) days of the date of an adverse decision by the Provost, the faculty member may file a written appeal with the President, stating with particularity the basis of the appeal. The faculty member may not appeal the issue of whether there exists a condition of financial exigency. The President will issue a written decision within forty-five (45) days of receipt of the appeal.

### 5.2.4 Severance Rights.

Faculty whose appointments are terminated for reason of financial exigency shall be provided notice, or salary and benefits in lieu of such notice, in accordance with the following schedule:

- a. For tenured faculty, and probationary tenure pathway faculty with more than eighteen (18) months' service, a minimum of twelve (12) months' notice or equivalent salary and benefits in lieu of notice is required.
- b. For tenure pathway faculty in the first year of probationary service, and non-tenure pathway faculty during the term of annually renewable appointments, a minimum of three (3) months' notice or equivalent salary and benefits in lieu of notice is required if notice is given after March 1.

- c. For tenure pathway faculty in the second year of probationary service, or non-tenure pathway faculty during a renewable appointment term in excess of one year, a minimum of six (6) months' notice or equivalent salary and benefits in lieu of notice is required if notice is given by December 15, or salary and benefits equivalent to twelve (12) months' notice if notice is given after December 15.

Compensation payable under this provision shall be made on the customary payroll schedule. Faculty who are reinstated or re-employed under the provisions below shall forfeit any right to continuing severance payments as of the start date of such reinstatement or re-employment.

#### 5.2.5 Additional Rights.

UVM shall provide outplacement assistance to persons whose tenured appointments were terminated for reasons of financial exigency.

#### 5.2.6 Reinstatement.

##### a. Preferential Reinstatement.

Prior to the effective date of termination and for a period of three years following the effective date of termination, faculty whose tenured appointments were terminated for reason of financial exigency shall be offered reinstatement if a comparable position for which they are qualified becomes available.

Before recruitment may be otherwise initiated relative to any position for which faculty terminated for financial exigency may be eligible for reinstatement, eligible persons will receive written notification of the vacancy through the Office of the Provost or its designee in writing and sent by certified mail to the last address of record (hereafter, Requisite Notice). The qualifications of any applicant for the position will be evaluated by the hiring department, the Dean, and the Provost. If, in their judgment, there is more than one qualified applicant whose appointment terminated due to financial exigency, the appointment offer will be made in accordance with the Priority Schedule.

##### b. Exercise of Rights.

It is the responsibility of faculty having rights under this provision to ensure that the department from which their tenured appointment was terminated and the Office of the Provost have a current mailing address at which they may be

contacted if a position becomes available. Notice of position vacancy shall be made by Requisite Notice.

Any position offered must be accepted in writing and in the manner specified in the offer within thirty (30) days of the date of mailing of notice of position vacancy. Failure to accept a position offered constitutes a waiver of any further preferential rights to reinstatement or re-employment.

c. Status Retention.

A faculty member reinstated under this provision shall be appointed at no less than the salary, rank, and appointment status associated with the tenured appointment from which termination occurred, as of the effective date of such termination, along with all other rights and privileges available to similarly situated faculty whose appointments were not terminated.

5.2.7 Re-employment.

Except for compelling and bona fide reasons of academic policy or for reasons relating to University affirmative action requirements, for a period of three years following the effective date of termination persons whose tenured appointments were terminated for reasons of financial exigency will be eligible for a right of first refusal relative to positions for which they are qualified that become available in academic departments other than the one from which their tenured appointments terminated. Notification shall be made in accordance with the Requisite Notice.

Application for such positions shall be made pursuant to recruitment procedures otherwise in effect. The qualifications of any applicant who has priority under this provision will be evaluated by the hiring department, the Dean, and the Provost. If, in their judgment, there is more than one qualified applicant whose tenured appointment was terminated for reasons of financial exigency and in the absence of compelling reasons to the contrary, the offer will be made in accordance with the Priority Schedule. Positions becoming available shall be offered at a salary, rank, and appointment status appropriate to the position, together with all associated rights and privileges of such employment.

5.2.8 Cessation of Condition of Financial Exigency.

It is the responsibility of the University President to monitor closely the financial status of UVM during a period of financial exigency. Through the Faculty Senate Financial Policy Committee, or as the Faculty Senate President otherwise requests, the President shall periodically report on the matter to the Faculty Senate. At such time as the President, after consulting with the Financial Policy Committee and advising the Faculty Senate, determines that the condition of

financial exigency no longer exists, the President shall recommend to the Board of Trustees at a regular or specially scheduled meeting of the full Board that a declaration of cessation of the state of financial exigency be made.

### **5.3 Termination Due to Academic Reorganization.**

#### 5.3.1 Policy.

UVM may terminate a faculty member's appointment due to academic reorganization or the elimination of an academic unit or other bona fide academic or programmatic reasons that do not follow a declaration of financial exigency.

#### 5.3.2 Plan.

Prior to termination of a faculty appointment for academic reorganization, the plan must be reviewed by the Faculty Senate Curricular Affairs Committee and its recommendation shall be made to the Provost. In the event of faculty appointment terminations, the standards and procedures set forth below shall apply.

#### 5.3.3 Alternatives to Involuntary Termination.

Before a recommendation to terminate tenure is made because of academic reorganization, a reasonable effort must be made to relocate a faculty member whose position is to be eliminated into another unit of UVM in which it is mutually agreed that the faculty member can make a substantive contribution. A reasonable effort must also be made to consider other possible options, including an early retirement arrangement, re-training including financial support for such training, and reductions in percent of effort from full-time to part-time employment.

The Dean shall be guided by the Priority Schedule in determining faculty eligibility for alternatives to involuntary termination.

#### 5.3.4 Termination Procedure

In considering whether to terminate a faculty appointment and in evaluating alternatives to involuntary termination, the Dean, working with the respective department chair, shall consult with the LCOM Faculty Standards Committee and obtain a written recommendation from such Committee. If, following this consultation, a decision is made to terminate a faculty appointment, the Dean shall provide written notice to the faculty member. The notice will include a



description of the basis of the termination decision; the effective date of termination; and rights of appeal, severance, reinstatement, and re-employment.

### 5.3.5 Rights of Appeal.

#### a. Appeal to the Provost.

Within forty-five (45) days of the date of notice of termination by the Dean, the faculty member may file a written appeal with the Provost, stating the basis of the appeal. A faculty member may not appeal the decision to terminate an academic unit. In considering the appeal, the Provost shall consult with the UVM Curricular Affairs Committee and obtain a written recommendation from the Committee. The Provost will issue a written decision within forty-five (45) days of receipt of the appeal.

#### b. Appeal to the President.

Within twenty-five (25) days of the date of an adverse decision by the Provost, the faculty member may file a written appeal with the President, stating the basis of the appeal. The faculty member may not appeal the decision to terminate an academic unit. The President will issue a written decision within forty-five (45) days of receipt of the appeal.

### 5.3.6 Severance Rights.

Faculty whose appointments are terminated under this provision shall be given notice, or salary and benefits in lieu of such notice, as follows:

- a. For tenured faculty, and probationary tenure pathway faculty with more than eighteen (18) months' service, a minimum of twelve (12) months' notice or equivalent salary and benefits in lieu of notice is required.
- b. For tenure pathway faculty in the first year of probationary service and non-tenure pathway faculty during the term of annually renewable appointments, a minimum of three (3) months' notice or equivalent salary and benefits in lieu of notice is required if notice is given after March 1.
- c. For tenure pathway faculty in the second year of probationary service and non-tenure pathway faculty during a renewable appointment term in excess of one year, a minimum of six (6) months' notice or equivalent salary and benefits in lieu of notice is required if notice is given by December 15, or salary and benefits equivalent to twelve (12) months' notice if notice is given after December 15.

Compensation payable under this provision shall be paid on the customary payroll schedule. Faculty who are reinstated, re-employed, or awarded a paid leave of absence by UVM shall forfeit any right to continuing severance payments as of the date of the commencement of reinstatement or re-employment or the paid leave.

#### 5.3.7 Additional Rights.

UVM shall provide outplacement assistance to persons whose tenured appointments were terminated under this provision.

#### 5.3.8 Leaves of Absence and Re-Training.

Faculty eligible for re-assignment within an academic unit or to a new academic unit in lieu of termination, or reinstatement or re-employment under this provision, may be eligible for a paid leave of absence and/or payment of tuition or professional development expenses under the following conditions and circumstances:

- a. A faculty member re-assigned within an academic unit or appointed to a new academic unit may apply for a paid leave of absence for the purpose of facilitating re-training or professional development reasonably necessary for the new appointment. Application for such leave shall be made to the Provost, who will act on the request in consultation with the hiring department Chair and the appropriate Dean. In conjunction with a leave approved under this paragraph, application may also be made for payment of tuition associated with re-training or professional development. The Provost will consider the request in consultation with the Chair of the hiring department and the corresponding Dean.
- b. Persons reinstated or re-employed under this provision may apply to the Provost for payment of tuition or professional development expenses relative to work reasonably necessary to the assumption of the reassignment or new appointment.

#### 5.3.9 Reinstatement.

##### a. Preferential Reinstatement.

Prior to the effective date of termination and for a period of three (3) years following the effective date, faculty whose tenured appointment was terminated under this provision shall be offered reinstatement before

recruitment may be otherwise initiated relative to any comparable available position for which they are qualified.

Before recruitment may be otherwise initiated relative to any position for which faculty terminated under this provision may be eligible for reinstatement, eligible persons shall receive written notification of the vacancy through the Office of the Provost or its designee in writing and sent by certified mail to the last address of record (hereafter, Requisite Notice). The qualifications of any applicant for the position will be evaluated by the hiring department, the Dean, and the Provost. If, in their judgment, there is more than one qualified applicant whose appointment was terminated for bona fide academic reasons, the appointment offer will be made based on the Priority Schedule.

b. Exercise of Rights.

It is the responsibility of faculty having rights under this provision to ensure that the academic department from which their tenured appointments were terminated and the Office of the Provost have a current mailing address at which they may be contacted in the event that a position becomes available. Notice of position vacancy shall be made by Requisite Notice.

Any position offered must be accepted in writing and in the manner specified in the offer within thirty days of the date of mailing of the notice of position vacancy. Failure to accept a position offered constitutes a waiver of any further preferential rights to reinstatement or re-employment.

c. Status Retention.

A faculty member reinstated under this provision shall be appointed at no less than the salary, rank, and appointment status associated with the tenured appointment from which termination occurred, as of the effective date of such termination, along with all other rights and privileges available to similarly situated faculty whose appointments were not terminated.

5.3.10 Re-employment.

Except for compelling and bona fide reasons of academic policy or for reasons relating to University affirmative action requirements, for a period of three (3) years following the effective date of termination, faculty whose tenured appointment was terminated under this provision will be eligible for a right of first refusal relative to positions for which they are qualified that become available in academic departments other than the one from which their tenured appointment terminated. Notification shall be made in accordance with the Requisite Notice.

Application for such positions shall be made pursuant to recruitment procedures otherwise in effect. The qualifications of any applicant for who has priority under this provision will be evaluated by the hiring Department, the appropriate Dean, and the Provost. If, in their judgment, there is more than one qualified applicant whose tenured appointment was terminated under this provision and in the absence of compelling reasons, the offer will be made in accordance with the Priority Schedule. Positions becoming available shall be offered at a salary, rank, and appointment status appropriate to the position, together with all associated rights and privileges of such employment.

## **5.4 Termination for Cause.**

### **5.4.1 Policy.**

Unless otherwise noted in this Handbook, termination of a tenured appointment, or termination of a full-time non-tenured faculty appointment, may be effectuated by UVM for “just cause,” as defined by the law governing state employees under the Vermont State Employees Labor Relations Act.

<https://legislature.vermont.gov/statutes/fullchapter/03/027>  
[https://vlrb.vermont.gov/sites/vlrb/files/documents/Just\\_Cause.pdf](https://vlrb.vermont.gov/sites/vlrb/files/documents/Just_Cause.pdf)

### **5.4.2 Procedures.**

Note: All “days” referenced in this are business days. All actions for which this section provides should occur within the specified time periods in the absence of extenuating circumstances.

- a. A written charge, accompanied by a summary of preliminary supporting evidence, may be brought either to or by the Dean. Within fifteen (15) days’ notice to the Dean of faculty conduct that may constitute grounds for termination for cause, the Dean shall provide the faculty member with prompt written notice of the charges and an opportunity to respond in a meeting and in writing. The Dean, following consultation with the department Chair, may place the faculty member on paid administrative leave pending final action on the charges.
- b. Within fifteen (15) days following consideration of the charges and the faculty member’s response, the Dean shall, with written notice to the faculty member, either (a) notify the Provost of the charges and the Dean’s intent to dismiss the charges for reasons stated, or (b) transmit the charges and the faculty member’s response to the Provost with a recommendation that the charges proceed.

If the Dean intends to dismiss the charges, the Provost may accept the Dean's decision and the matter concludes through the Provost's written notice of dismissal of the charges to the faculty member and Dean within twenty (20) days' receipt of the Dean's notice of intent to dismiss. Alternatively, the Provost may decide against the Dean's proposed dismissal of the charges and determine that the charges must proceed. In this case, or if the Dean recommends that the charges proceed, the Provost shall notify the faculty member and the Dean in writing within twenty (20) days' receipt of the Dean's notice of intent that the charges will advance.

- c. The Provost shall appoint a committee of three (3) faculty members promptly elected by the Executive Council of the Faculty Senate, whose function is to conduct a hearing and advise the Provost by means of a written report whether a preponderance of evidence supports just cause. The Committee will conclude its work, including issuance of its report, within forty-five (45) days of its appointment in the absence of extenuating circumstances. The Committee hearing shall be conducted in a fair and expeditious manner under procedures to be adopted by the Provost in consultation with the Faculty Senate, developed with due regard for the principles set forth in the AAUP Statement of Procedural Standards in Faculty Dismissal Proceedings.

<https://www.aaup.org/report/statement-procedural-standards-faculty-dismissal-proceedings>

- d. Within twenty (20) days following its hearing, the faculty Committee shall issue a report summarizing its findings on the charges and recommending action. The report, along with a transcript of the hearing, shall be transmitted promptly to the faculty member and the Provost. Within thirty (30) days' receipt of the Committee's report and recommendation, the Provost shall make a final decision on the matter in a written report to be issued to the faculty member, with a copy to the chair of the faculty Committee, the Dean, and the department Chair. The faculty member may file a notice of appeal, accompanied by a written explanation of the basis for the appeal, to the President, with a copy to the Provost and the Dean, within ten (10) days of the Provost's decision. If no appeal is filed within this time frame and an extension is not granted by the President upon request of the faculty member for reasonable cause, the decision of the Provost shall be the final action of UVM. If a timely appeal is filed, the Provost shall transmit the record to the President.
- e. If the faculty member appeals within the required time frame, the President shall review the charges and the record and shall render a written decision containing a statement of rationale within thirty (30) days' receipt of the appeal. A copy of this decision will be sent to the faculty member, the Provost, the chair of the faculty Committee, the Dean, and the department Chair.

- f. A tenured faculty member terminated under this provision for reasons not involving moral fitness will continue to receive their salary from UVM for one year from the date of notice of termination, provided that acceptance of this amount releases UVM, its officials, and its employees from all claims by the faculty member relating to the dismissal.

## **5.5 Termination of Volunteer Pathway Faculty.**

Faculty on the Volunteer Pathway serve at will and their appointment may be terminated without notice by the Chair, following consultation with the Dean. Volunteer faculty members are not employees of UVM, and therefore do not have just cause or grievance rights.

## **SECTION 6                      GRIEVANCE PROCEDURE**

LCOM and UVM are committed to a fair and equitable treatment of all employees, and to establishing and maintaining a workplace atmosphere where all are encouraged to seek solutions to workplace concerns through free and informal communications with appropriate levels of leadership. Faculty are therefore encouraged, though not required, to discuss concerns with their supervisor directly and informally prior to initiating a grievance under this policy.

### **6.1      Reason for the Policy.**

This policy and associated procedures are designed to enhance working conditions for all faculty and to provide an internal mechanism to resolve disputes efficiently and effectively at the lowest possible organizational level.

### **6.2      Application of the Policy.**

This policy applies to all LCOM faculty members who have completed their probationary period. It does not apply to faculty who are retired, volunteer faculty, adjunct faculty, or visiting faculty.

### **6.3      Grievances.**

Faculty members may file a formal complaint, or grievance, against a supervisor, administrator or other official of LCOM or UVM, to report a misapplication, misinterpretation or violation of specific rules, practices, or policies.

The good faith filing of or participation in the grievance policy will not result in any negative reflection on the individual filing a grievance or any individual participating in the process, nor will it affect future employment, compensation, or work assignments. Any faculty member who brings forward a dispute or is called as a witness in a dispute will not experience loss of pay for the time spent in any hearing held during a regular work schedule. Faculty have the right to use and participate in these procedures free from threats or acts of retaliation, interference, coercion, restraint, discrimination, or reprisal. Retaliation against a person who files a grievance in good faith, or who cooperates or otherwise participates in investigation of agreements, or who participates in a dispute resolution process, is a violation of this policy and is strictly prohibited.

Any such violations will be subject to appropriate and appropriate administrative action.  
<https://www.uvm.edu/sites/default/files/UVM-Policies/policies/whistleblower.pdf>

## **6.4 Non-Grievable Matters.**

Matters expressly excluded from the definition of a grievable matter, and therefore not subject to resolution through the grievance process, include, but are not limited to the following:

- Pathway rank and salary decisions at time of hire. These matters are governed by practices and procedures established by the department and LCOM.
- The measurement and assessment of work activity, such as an annual performance evaluation.
- Discipline below the level of written reprimand, including verbal warnings and memorandums of understanding.
- Termination during a probationary period.
- The contents of UVM or LCOM policies, procedures, and rules that a faculty member had the opportunity for input or is allowed to vote on during their adoption.
- The methods, means, and personnel by which work activities are to be carried out, unless the faculty proposes to show that their health or safety is endangered as a result of UVM's failure to follow state or federal regulations.
- Termination of a restricted-fund position due to cessation of funding or need for educational programs, as described in the Handbook, Section 4: Conditions of Employment.
- Termination due to financial exigency, bona fide academic reasons, or termination for cause, which shall follow the procedures set forth in the Handbook, Section 5: Faculty Appointment Termination.

## **6.5 Grievance Process.**

UVM provides a formal multi-step process by which a grievance is considered once it is submitted within the deadlines established. At all steps of the process, the parties will work together to find meeting times as soon as practicable, with due consideration for operational needs.

### **6.5.1 Step One: Immediate Supervisor**

A grievance must be presented by the Grievant in writing to the faculty member's immediate supervisor, within thirty (30) days following the time when the



Grievant knew or could reasonably have been aware of the existence of the situation which is the basis for the grievance. The grievance must state:

- The nature of the grievance(s), including relevant facts and the provision(s) of any rule, policy, or procedure alleged to have been violated.
- The date(s) of any alleged violations.
- A clear statement of the remedy(ies) sought.

Within five (5) days of the receipt of a grievance, the Grievant's supervisor shall arrange and hold a discussion about the grievance with the Grievant and shall submit a written response to the Grievant within ten (10) days of the date of the discussion, regardless of whether the grievance is resolved during the discussion.

#### 6.5.2 Step Two: Department Chair/Dean.

If the grievance is not resolved at Step One, then within ten (10) days of receipt of the supervisor's written response, the Grievant may present the grievance in writing to the department Chair, the Dean, or their designee.

The grievance presented shall contain all of the same information that was in the Step One grievance, along with all other documents and evidence in the record from Step One. No new evidence may be submitted or considered. The department Chair, the Dean, or their designee shall hold a meeting with the Grievant and the Senior Associate Dean for Finance and Administration. The Grievant and the Chair/Dean/designee are each permitted to have other witnesses or interested parties attend the meeting. The Chair/Dean/designee shall forward a written response to the Grievant within ten (10) days of the Step Two meeting, regardless of whether the grievance is resolved during the meeting.

#### 6.5.3 Step Three: Provost.

If the grievance is not resolved at Step Two, then within ten (10) days of the receipt of the Chair/Dean written response, the Grievant may present the grievance in writing to the Provost or their designee. The grievance presented shall contain all of the same information, documents, and other evidence in the record from Steps One and Two. No new evidence may be submitted or considered. The Provost or their designee shall hold a meeting with the Grievant, the Labor and Employee Relations representative, and the Step Two Chair/Dean/designee. The Provost shall forward a written response to the Grievant within fourteen (14) days of the Step Three meeting, regardless of whether the grievance is resolved during the meeting.

#### 6.5.4 Step Four: Vermont Labor Relations Board.

If the grievance is not resolved at Step Three, then within thirty (30) days of the receipt of the Step Three written response, the Grievant may file the grievance with the Vermont Labor Relations Board (VLRB). At this stage, the VLRB will process the matter in accordance with the State Employees Labor Relations Act and its own rules and regulations. Each party shall bear the expense of preparing and presenting its own case. Both the Grievant and UVM shall retain whatever rights they may have under applicable laws, rules, and regulations relating to the VLRB process, including any rights to appeal.

### 6.6 Discrimination Claims – Optional Affirmative Action and Equal Opportunity Involvement.

If the grievance involves allegations of discriminated on the basis of any protected class, as specified in the [Equal Employment Opportunity/Affirmative Action Policy Statement](#), the grievance shall be processed in the same manner as any other grievance, except that the Grievant, LCOM, and UVM shall have the option of forwarding such grievance to the Office of Equal Opportunity (OEO) after it has initially been filed.

If a grievance is forwarded to OEO, the processing of the grievance under the terms of this policy shall be suspended pending the completion of the OEO investigation, or until OEO determines that an investigation is not warranted. If the OEO determines that an investigation is warranted, it will complete the investigation and distribute its findings in accordance with the terms of the [Procedural Guidelines for Handling and Resolving Discrimination Complaints](#).

<https://www.uvm.edu/sites/default/files/UVM-Policies/policies/discrimcomplaints.pdf>

Once the OEO process is complete, the grievance process will resume at the point in which it was suspended. The Grievant, LCOM, and UVM retain their rights to present evidence or argument in support of or in opposition to the grievance presented. Any employment action that has been imposed at the time the matter is referred to OEO shall remain in effect until the conclusion of the grievance process.

<https://www.uvm.edu/equal-opportunity>

### 6.7 Termination Claims.

In grievances involving termination (except those specifically excluded from the scope of this policy described above), the grievance procedure shall start with Step Three of the grievance process. In such a case, the initial grievance must be filed within thirty (30) days of the effective termination date.

If a Grievant mistakenly files a termination complaint at Steps One or Two, the person who received the complaint shall immediately forward the grievance to the departmental Chair, the Dean, or their designee. UVM will consider the grievance filed as of the date on which the Grievant mistakenly filed it with the Step One or Step Two supervisor.

#### **6.8 Effect of Deadlines.**

Except as provided under extensions of time, failure of the Grievant to comply with the time limitations set forth in this policy at any of the Steps shall preclude any further processing of the grievance. Failure of LCOM or UVM to answer a grievance within the time limitations set forth in this policy shall allow the grievance to be processed automatically to the next step.

#### **6.9 Extensions of Time.**

Notwithstanding the timeframes required by Steps One through Four, all time limits may be extended by mutual agreement in writing (which may include email), and shall not be unreasonably denied. Grievant's requests for extension of a deadline shall be made to the person hearing the grievance at each step (i.e., to the department Chair or the Dean if the request pertains to a Step Two deadline).

#### **6.10 Interim Periods.**

An employee pursuing a grievance shall, during the pendency of the grievance, continue to observe all assignments, rules, or directives of the department, LCOM, and UVM until the outcome of the grievance has been duly determined. The filing or pendency of a grievance shall not prevent the department, LCOM, or UVM from taking the action that precipitated the grievance.