

**Faculty Senate Executive Committee**  
Friday, September 15, 2017  
2:30 p.m. – 4:30 p.m., Adelbert Hall, Room M2

2:30 p.m.	Approval of Minutes from the April 20, 2017, Executive Committee Meeting, <i>attachment</i>	Juscelino Colares
2:35 p.m.	President and Provost's Announcements	Barbara Snyder Bud Baeslack
2:45 p.m.	Chair's Announcements	Juscelino Colares
2:50 p.m.	Proposed Revisions to Human Research Protection Policy, <i>attachment</i>	Suzanne Rivera
3:00 p.m.	Proposed Revisions to SOM By-Laws, <i>attachment</i>	Jo Ann Wise
3:10 p.m.	Proposed Revisions to LAW By-Laws, <i>attachment</i>	David Carney
3:20 p.m.	MS in Regenerative Medicine and Entrepreneurship, <i>attachment</i>	Tracey Bonfield
3:30 p.m.	Nominating Committee Vote on Whether Faculty Who are Administrators May Serve as Standing Committee Chairs, <i>attachment</i>	Maureen McEney
3:45 p.m.	PCUE Update, <i>attachment</i>	Kimberly Emmons
4:00 p.m.	Discussion Regarding Civility on Campus	Barbara Snyder Juscelino Colares
4:10 p.m.	New Business	Juscelino Colares
4:15 p.m.	Approval of Faculty Senate Agenda, <i>attachment</i>	Juscelino Colares



# Faculty Senate Executive Committee

**Minutes from the April 20, 2017 Meeting**  
**2:00 p.m. – 4:00 p.m.**  
**Adelbert Hall, Room M2**

## **Committee Members in Attendance**

Barbara Snyder, President  
Bud Baeslack, Provost  
Cathleen Carlin, SOM  
Juscelino Colares, LAW, vice chair  
Kimberly Emmons, CAS  
Peter Harte, SOM, chair  
Vasudevan Ramanujam, WSOM  
Roy Ritzmann, CAS, past chair  
Ibrahim Tulunoglu, SODM  
Robert Strassfeld, LAW  
Horst von Recum, CSE  
Amy Zhang, SON

## **Others Present:**

Paul MacDonald, chair, Committee on Graduate Studies  
Maureen McEnery, chair, Nominating Committee  
Kenneth Ledford, chair, By-Laws Committee  
Paul Iversen, chair, FSCUL  
Robin Dubin, chair, FSCUE

## **Guests:**

Mendel Singer  
Jeffrey Wolcowitz, Dean of Undergraduate Studies

## **Absent:**

Gerald Mahoney, MSASS



# Faculty Senate Executive Committee

## **Call to Order**

Professor Peter Harte, chair, Faculty Senate, called the meeting to order at 2:00 p.m

## **Approval of Minutes**

The minutes of the March 7, 2017 meeting of the Faculty Senate Executive Committee were reviewed and approved. *Attachment*

## **President's Announcements**

The President had no announcements.

## **Provost's Announcements**

The Provost had no announcements.

## **Chair's Announcements**

The chair had no announcements.

## **Minor in Public Health**

Professor Mendel Singer, SOM, presented a proposal for a minor in Public Health. CWRU had a major in Public Health for a short time but there were insufficient resources to maintain it. The courses for the minor already exist. The minor will be a collaboration with six departments and one center and will consist of 15 credit hours. Several committee members indicated that their departments/schools might have relevant courses for the minor or have instructors who teach courses of interest. It was suggested that the minor be approved first and that discussions about other courses and/or instructors take place at a later time. The Executive Committee voted to include the minor in Public Health on the Faculty Senate agenda. *Attachment*

## **Minor in Bioethics and Medical Humanities**

Professors Eileen Anderson-Fye (SOM) and Insoo Hyun (SOM) presented a proposal for a minor in Bioethics and Medical Humanities. The impetus for this proposal came from current undergraduate students who were very interested in combining courses in these areas. Combining these two fields has become a national trend in undergraduate education and has been found to help students increase their test scores and achieve greater success in medical school interviews. All of the courses for the minor are currently being offered and the new minor could help increase enrollment in many of the courses. The Executive Committee voted



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to include the minor in Bioethics and Medical Humanities on the Faculty Senate agenda.  
*Attachment*

### **Postdoctoral Association and Graduate Student Council- Proposed Revisions to Faculty Handbook**

Professor Kenneth Ledford, chair of the Senate By-Laws Committee, presented proposed revisions to Chapter 2 of the Faculty Handbook and By-Law IV of the Faculty Senate By-Laws. The proposed revisions add a representative from the CWRU Post-Doctoral Association as a voting member of the Senate and change the name of the Graduate Student Senate to the Graduate Student Council (GSC) to reflect its current title. Also, since the Professional Student Association recently merged with the GSC, the language relating to the professional student senator has been removed and the GSC Vice President for Academic Affairs will be the student representing the graduate and professional student population on campus. A senator asked whether only post-doctoral fellows could serve as the representative from the Post-Doctoral Association as the language provides, or whether post-doctoral scholars could also serve in this role. Prof. Ledford said that he would seek clarification on this issue from the proponents of the revised language. The Executive Committee voted to include these proposed revisions on the Faculty Senate agenda, but to seek clarification of the fellow/scholar issue before the Senate meeting. *Attachment*

### **FSCUE: Recommendations on CSE Sages Proposal**

Professor Robin Dubin, chair of FSCUE, reported on a proposal submitted by the School of Engineering regarding first year engineering classes and advisors. The proposal has been reviewed by the FSCUE Curriculum Subcommittee and recommendations made. FSCUE reviewed and confirmed the recommendations of the Subcommittee. The CSE had proposed that first-year students planning to pursue a CSE major be required to take an engineering-designated SAGES First Seminar or University Seminar during their first year at the university. FSCUE did not support making this a requirement but did support encouraging students to do so. The CSE had also proposed that in addition to the First Seminar advisor, all incoming first-year students interested in a CSE major but not enrolled in a First Seminar taught by an engineering faculty member, also have an engineering advisor. FSCUE endorsed this recommendation. A Committee member said that the recommendation regarding a second advisor in engineering had been part of the original SAGES proposal in 2004 but never implemented. The Executive Committee voted to include these recommendations on the Faculty Senate agenda as a report and not as an item for Senate endorsement or approval.  
*Attachment*



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### **FSCUE: Advising Feedback Recommendations**

Prof. Dubin reported on FSCUE's recommendations regarding the adoption of an advising feedback system. The original request for an advising feedback system had come from USG. The feedback system would be administered once a year at the end of the spring semester, although first year students would also be asked to evaluate their SAGES advisor at the end of the First Seminar. Students would evaluate the person who has the authority to lift their registration advising holds. The results of the advisor evaluations would be available to the advisor (if the advisor has 3 or more advisees) and to those who oversee advising for the particular program. The Executive Committee voted to include the advising feedback system recommendations on the Faculty Senate agenda. *Attachment*

### **FSCUE: Recommendations on Offering Online Undergraduate Courses**

Prof. Dubin reported on FSCUE's recommendations regarding online undergraduate courses. The university's practice has been not to offer online undergraduate courses during the fall and spring semesters. There have been a number of recent requests from departments/schools regarding online offerings. The topic was discussed by the Curriculum Subcommittee and its recommendations were approved by FSCUE. In summary, the recommendations are to maintain a policy of not allowing courses to be taught completely in an online format during the regular academic year, but if offered during the regular academic year, the course could be offered only in an online format during the summer. Courses may be taught in a hybrid format with some degree of structured, in-person class interaction between students and the teaching staff throughout the semester. The Executive Committee voted to include the recommendations for online undergraduate courses on the Faculty Senate agenda. *Attachment*

### **Bias Reporting System**

Prof. Harte reported that he and Professor Juscelino Colares had discussed the issues raised by the Senate Committee on Faculty Personnel in their review of the Bias Reporting System (BRS) with Lou Stark, Vice President for Student Affairs and the presidents of USG and GSC. Issues discussed at that meeting included problems within the BRS and concerns over referrals of some complaints about faculty to administrators in OIDEO for possible disciplinary actions without faculty input. Prof. Harte reviewed recommendations made by the Personnel Committee and recommended establishing an ad hoc Committee of faculty, staff and student to discuss these issues further and make appropriate changes. The Executive Committee concurred and also considered whether the BRS should be deactivated while the ad hoc Committee discusses potential improvements. The Committee decided that the system could



## Faculty Senate Executive Committee

remain active but that all complaints received by the Office of Student Affairs involving faculty that would otherwise be referred to the OIDEO office would be handled by the ad hoc Committee until such time as changes are made to the system. *Attachment*

### **PRIME Program**

Professor Jill Korbin, CAS, presented the Post-baccalaureate Readiness Instruction for bioMedical Education Program (PRIME). The program, which is the result of several years of collaborative work between the CAS and the SOM, is designed to qualify and prepare post-baccalaureate students for admission to highly-ranked medical schools. Successful students will be awarded a non-degree post-baccalaureate certificate. Two types of students will benefit from this program: those who want to improve their undergraduate science GPA, and/or those who want to take courses that they did not take at the undergraduate level. Students will be taking undergraduate as well as graduate-level courses. It is anticipated that the program will produce revenue for both the College and the Medical School. No more than 20 students are expected to enroll in the first year of the program.

The program was reviewed by both the Senate Committee on Graduate Studies as well as the Senate Committee on Undergraduate Education. Both committees approved the program but had some concerns and suggestions. Of greatest concern to a number of faculty is the fact that the program could add more students to classes that are already overcrowded. There is also insufficient lab space on campus. Professor Cheryl Thompson, SOM, indicated that they expect only a few students to enroll who need to take the larger science classes and that undergraduate students will be given priority for these classes when registering. The program will have a dedicated advisor to work with enrolled students on class schedules and an steering/advising group to monitor the success of the program. After discussion, the Executive Committee voted to include the program on the agenda for the Faculty Senate meeting with a statement that the program be reviewed periodically to assess the impact on current undergraduate programs. *Attachment*

### **FSCUL Statement Recommending a Comprehensive External Review of the CWRU Library System**

Professor Paul Iversen, chair of the Faculty Senate Committee on University Libraries (FSCUL), presented a statement from FSCUL recommending a comprehensive external review of the CWRU Library System. The Executive Committee voted to include the statement on the Faculty Senate agenda. *Attachment*

## Faculty Senate Executive Committee

### **Library Content and Resource Review Process for New Programs and Degrees**

Prof. Iversen also presented a proposal from FSCUL for a Library Content and Resource Review Process for New Programs and Degrees. The proposal provides that when a school or the College plan to submit to the Faculty Senate for final approval a proposal for a new CWRU program or degree, the sponsor (e.g., the school or one of its departments) must include in its submission materials a “library resource assessment report” regarding the adequacy of library content and services to accommodate the academic requirements of the program or degree. The Executive Committee voted to include the proposal on the Faculty Senate agenda.

*Attachment*

### **Approval of Faculty Senate Meeting Agenda**

The Executive Committee approved the agenda for the April 27, 2017 Faculty Senate meeting.

The meeting was adjourned at 4:10 pm.

## **B. University Policy on Human Research Protection\*\***

### **A. Purpose**

The promotion of scholarship and the discovery of new knowledge through research are among the major functions of Case Western Reserve University (CWRU) as an institution of higher learning. If this research is to be meaningful and beneficial to humanity, involvement of human subjects as study participants is necessary. It is imperative that investigators in all disciplines protect the rights and welfare of human subjects.

University policy and federal regulations mandate compliance with all applicable requirements. Moreover, faculty investigators also have a moral obligation to humankind. The interests of society and the rights of individual subjects must be protected as investigators carry out the mandate to advance knowledge. Research may entail risks to human subjects. Therefore, investigators are obligated to weigh those risks in light of potential benefits to the subject and/or to society.

### **Mission**

The mission of CWRU's Human Research Protection Program (HRPP) is to protect the rights and welfare of human research subjects by ensuring that the oversight of human research is appropriate and in accordance with institutional, federal, state and local requirements, as well as the ethical principles promulgated by The Belmont Report.<sup>2</sup>

### **Scope**

The CWRU HRPP covers all human research conducted by any student, employee, trainee, or faculty member (whether paid or unpaid) of CWRU ("CWRU investigator"). It includes any human research conducted at cooperating institutions pursuant to a grant, contract, cooperative agreement, or other award to CWRU. Cooperating institutions include: University Hospitals of Cleveland (UHC), Medical Center, the MetroHealth System (MHS), the Louis Stokes Cleveland Department of Veterans Affairs Medical Center (LSCDVAMC) and the Cleveland Clinic Foundation (CCF), (CC). Reliance agreements in place allow CWRU to defer to the IRBs at these institutions for local protocol review. Hereafter, these institutions shall be referred to as "member institutions" under the CWRU HRPP.

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<sup>2</sup>~~Belmont Report (1979). The Belmont Report: Ethical principles and guidelines for the protection of human subjects of research. Retrieved February 24, 2015, from [hhs.gov/ohrp/humansubjects/guidance/belmont.html](https://www.hhs.gov/ohrp/humansubjects/guidance/belmont.html)~~

## Definitions

**Research** is defined in 45 CFR 46 as “a systematic investigation designed to develop or contribute to generalizable knowledge.” Therefore, any systematic investigation designed to generate results for the purpose of publication (e.g., dissertation, thesis, journal, book, or technical report) or public presentation (e.g. speech, poster, panel, and symposium) is considered to be research.

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<sup>2</sup> [Belmont Report \(1979\). \*The Belmont Report: Ethical principles and guidelines for the protection of human subjects of research\*. Retrieved February 24, 2015, from \[hhs.gov/ohrp/humansubjects/guidance/belmont.html\]\(https://www.fda.gov/oc/ohrt/belmont-report\)](https://www.fda.gov/oc/ohrt/belmont-report)

**Human subject** is defined in 45 CFR 46 as “a living individual about whom an investigator (whether professional or student) conducting research obtains:

- (1) Data through intervention or interaction with the individual, or
- (2) Identifiable private information.”

- **Intervention** includes both physical procedures by which data are gathered (for example, venipuncture) and manipulations of the subject or the subject’s environment that are performed for research purposes.
- **Interaction** means communication or interpersonal contact between investigator and subject.
- **Private Information** means information about behavior that occurs in a context in which an individual can reasonably expect that no observation or recording is taking place, and information an individual can reasonably expect will not be made public (for example, a medical record).
- **Identifiable Information** means information that is individually identifiable (i.e., the identity of the subject is or may readily be ascertained by the investigator or associated with the information).

**Minimal Risk** is defined in 45 CFR 46.102(f) as “the probability and magnitude of harm or discomfort anticipated in the research are not greater in and of themselves than those ordinarily encountered in daily life or during the performance of routine physical or psychological examinations or tests.”

**Responsible or Principal Investigator** is the person responsible for the conduct of a human research study at one or more sites, whether on- or off-campus. If the human research study is conducted by a team of individuals, the responsible/principal investigator is the responsible leader of the team. The responsible/principal investigator is accountable for ensuring that the team complies with all rules and regulations and engages with human subjects properly and ethically.

An **Institutional Review Board (IRB)** is a specially constituted review body established or designated by an entity to protect the rights and welfare of human subjects in biomedical or behavioral research [45§46.102(g), .107,.108,.109].

1. Conditions under ~~Which~~which Investigations Involving Human Subjects ~~May Be Pursued~~may be pursued under the CWRU HRPP

**a. Ethical Principles and Regulatory Mandates**

Human research conducted under the auspices of the CWRU HRPP must be carried out in an ethical manner and in accordance with the principles promulgated by The Belmont Report: respect for persons, beneficence, and justice. In addition, investigators must comply with all applicable federal, state and local requirements related to the protection of human subjects, including Department of Health and Human Services (DHHS) regulations (i.e., 45 CFR 46) and all relevant requirements of other regulatory and funding agencies. CWRU maintains a Federalwide Assurance (FWA) with DHHS. Research must not begin until investigators have received review and approval or verification by one of the Institutional Review Boards (IRBs) listed on the CWRU FWA. CWRU applies its ethical standards to all human research regardless of funding.

~~and approval or verification of exemption by one of the Institutional Review Boards (IRBs) listed on the CWRU FWA.~~

~~CWRU applies its ethical standards to all human research regardless of funding.~~

All human research must undergo review by ~~the an~~ appropriate designated IRB(s). Activities that do not meet the definition of human research (e.g., most classroom activities, quality improvement activities, non-scholarly program evaluation, and certain health surveillance activities) do not require review and approval by one of the IRBs within the CWRU HRPP. When CWRU is engaged in human research that is conducted, funded, or otherwise subject to regulations by a federal department or agency, it will apply the regulations of that agency relevant to the protection of human subjects.

**b. Informed Consent**

An investigator may involve a human subject in research only if the investigator has obtained the informed consent of the subject or the subject's legally authorized representative, unless consent is waived by an IRB per the regulatory provisions. An investigator shall seek such consent only under circumstances that provide the prospective subject or representative sufficient opportunity —to consider whether or not to participate and that minimize the possibility of undue influence.

Unless written documentation is waived by an IRB, the investigator must provide the participant with an informed consent document written in language that is understandable to the subject or his/her representative. The investigator cannot include in the consent process, either orally or in writing, any language through which the subject or his/her representative is made to waive or appear to waive any of the subject's legal rights, or which releases the investigator, the sponsor, the institution, or its agents from liability for negligence.

The basic elements of informed consent, as described in 45 CFR 46, are as follows:

- 1) 1) statement that study involves research, explanation of purposes of research and expected duration of subject's participation, description of procedures to be followed, and identification of any procedures which are experimental;
- 2) 2) description of risks or discomfort to subject;
- 3) 3) description of benefits to subject or to others;
- 4) 4) disclosure of alternative procedures, if appropriate;
- 5) 5) description of the extent to which confidentiality will be maintained;
- 6) 6) for research involving more than minimal risk, explanation as to whether compensation and medical treatments are available if injury occurs;

7) explanation of whom to contact if questions arise about the research, the subject's rights or whom to contact if research related injury occurs; and

8) statement that participation is voluntary, that refusal to participate involves no penalty or loss of benefits, and that subject may discontinue at any time.

**c. Confidentiality of Data**

Investigators are responsible for protecting the rights of research subjects by safeguarding the confidentiality of all individual data and all data that could be used to identify subjects. Should any investigator be called upon to reveal research data which would in any way endanger

confidentiality, it is his or her obligation to refuse to divulge such information as privileged communication between researcher and subject, unless compelled by law. The investigator should consult with the Office of Research Administration prior to releasing any such information.

The University, funding agencies, and regulatory bodies have the right to audit study data in order to ensure that human subjects are being protected adequately, and that the University is in compliance with approved protocols and its FWA. Those individuals who perform audits are bound by the same rules of confidentiality as the investigator.

**d. Investigator Non-compliance**

All CWRU investigators working with human subjects have a responsibility to comply with federal regulations and university policy. Human research non-compliance is defined as conducting research involving human subjects in a manner that disregards or violates federal, state or local requirements, or policies established by the applicable IRB. This can include, but is not limited to, failure to obtain IRB approval for research involving human subjects; inadequate or non-existent procedures for informed consent; failure to follow the approved version of the protocol; failure to follow recommendations made by the IRB to safeguard the rights and welfare of subjects; failure to report adverse events or request permission for proposed protocol changes to the IRB; and failure to provide required ongoing progress reports.

Per the applicable regulations, IRBs have the authority to review allegations of human research non-compliance for studies they oversee. An IRB may receive allegations in several different ways, including quality assurance auditing reports, subject complaints, internal allegations, or investigator self-reporting.

The CWRU IRB is required to report serious or continuing non-compliance to federal regulatory entities and to funding agencies or other sponsors. Additionally, CWRU is required to report serious or continuing non-compliance to federal regulatory entities when the research is federally funded and when one of CWRU's affiliated hospital IRBs is the IRB of record.

**e. Faculty Advisor Responsibility for Student Research**

A faculty member advising student research projects\* involving human subjects is responsible for assuring that the rights and welfare of the subjects of student research are adequately protected. CWRU expects that advisors will take an active part in preparing students for the role of researcher, instructing them in the ethical conduct of research and assisting in the preparation of IRB applications. After protocol approval, the advisor should meet regularly with his/her students in order to review their work and progress. While a student serves as the primary researcher for the protocol, the faculty advisor is ultimately responsible for the protection of the student's human subjects. A faculty member's electronic "signature" on the application indicates his/her acceptance of responsibility to comply with all administrative and federal regulations.

\* Simulated research activities in a classroom setting for purposes of teaching research techniques typically is not designed to develop or contribute to generalizable knowledge and therefore is not regulated as research.

## 2. 2. CWRU IRB Review

All protocols, correspondence, notifications, outcomes, and responses to stipulations pertaining to a ~~social/behavioral/educational~~CWRU research study must be submitted and received via the CWRU IRB electronic system. When CWRU relies on another IRB for approval of a protocol, the CWRU investigator is required to submit a list of the components of the research study that he/she will be responsible for, which is considered a shell protocol.. Investigators who wish to use a non-CWRU IRB to review a study protocol should contact the CWRU Research Compliance Officer for assistance with the reliance agreement process.

**Exempt Determination.** All research involving human subjects, even if exempt from federal regulation, must be submitted to the appropriate IRB. Research may be exempt from IRB review if it meets the criteria described in 45 CFR 46. Determination of exemption must be made in accordance with the policy of the applicable IRB. If a determination of exemption is made, investigators are still responsible for ethical conduct of human research in accordance with The Belmont Report.

**Expedited Review.** Expedited review is a procedure through which human research posing no more than minimal risk may be reviewed and approved without convening a meeting of the full IRB. DHHS regulations<sup>3</sup> specifically define when minimal-risk research can receive expedited review by an IRB.

**Full Review.** All research that has not received an exemption determination or an expedited review must be reviewed at a convened meeting of the IRB where a quorum of voting members is present.

**Amendments.** Changes to a study, including, but not limited to, the enrollment criteria or sample size, recruitment methods, consent form language, procedures for data collection, or study interventions require prior approval by the IRB\*. Investigators wanting to change a procedure in a study that has already been approved by an IRB must prepare a written description of the proposed change and the reason for the change. Upon review of the proposed amendment, the IRB will then reassess the balance of risks to benefits.

\*In the unusual situation where a protocol change is required to avoid an immediate apparent hazard to a subject, the investigator may make the change prior to obtaining IRB approval but must immediately inform the IRB of the occurrence.

**Adverse Events.** An adverse event is defined as any undesirable and unintended (although not necessarily unexpected) impact on the subject, as a result of a study intervention.<sup>4</sup> Investigators must report in writing to the relevant IRB all adverse events in accordance with the IRB's policies and procedures for reporting such events.

### ~~3. Conduct of Biomedical Human Research~~

~~The CWRU IRB reviews only social/behavioral/educational and other non-biomedical human research.~~

~~When CWRU investigators wish to engage in biomedical human research, including all human research subject to FDA regulations (tests of drugs, devices, and biologics, and other biomedical interventions), they must seek review and approval from the IRB at the affiliated clinical site where the study will take place. The CWRU-affiliated hospital IRBs that have agreements with CWRU to review biomedical research are:~~

- ~~• University Hospitals of Cleveland~~
- ~~• MetroHealth Hospital~~

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- ~~• The Cleveland Clinic Foundation~~
  - ~~• \*The Louis Stokes Cleveland Veterans Affairs Medical Center (LSCVAMC)~~

~~Any questions about whether a research activity is considered biomedical or otherwise subject to FDA~~

regulations should be referred to a representative from the CWRU IRB who will provide assistance.

~~\*Per Central VA policy, the Louis Stokes Cleveland Veterans Affairs Medical Center IRB cannot be~~

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<sup>3</sup> (45§46.110)

<sup>4</sup> <http://www.hhs.gov/ohrp/policy/advevntguid.html>

### 3. Studies Eligible for CWRU IRB Review

The CWRU IRB reviews social/behavioral/educational studies and biomedical research not conducted in a hospital setting. The CWRU IRB does not review biomedical research protocols that involve patients, employees, data, and/or equipment at one of the below affiliated hospitals:

- University Hospitals Cleveland Medical Center
- MetroHealth System
- The Cleveland Clinic

Per Central VA policy, the Louis Stokes Cleveland Veterans Affairs Medical Center IRB cannot be

<sup>4</sup> <http://www.hhs.gov/ohrp/policy/advevntguid.html>

the IRB of record for CWRU research. ~~Therefore, unless the CWRU PI has a VA appointment, another CWRU hospital IRB will need to be the IRB of record for CWRU for biomedical research—~~ When research conducted at the LSCVAMC—The CWRU is funded through CWRU, a CWRU IRB must be the IRB of record, and that approval must be supplemented by LSCVAMC IRB approval. Investigators planning research to take place at LSCVAMC that will be funded through CWRU, should consult with the CWRU Research Compliance Officer facilitates this process in order to determine which IRB will be the IRB of record.

Any questions about whether a research activity can be submitted to the CWRU IRB should be referred to the CWRU IRB Office.

#### 4. 4. International Research

All human research, regardless of funding, performed outside the United States must obtain appropriate institutional IRB approval according to federal regulations and the FWA. Typically, this means IRB approval from CWRU or one of its affiliate IRBs plus local approval at the study site. The university recognizes that the procedures normally followed in the foreign countries may differ from those set forth in U.S. federal regulation.

All applicable ethical standards and regulations are applied consistently to all human research, regardless of whether it is conducted domestically or in another country, including:

- Confirming the qualifications of investigators for conducting the research
- Conducting initial review, continuing review, and review of modifications to previously approved research
- Post-approval monitoring; quality assurance
- Handling of complaints, non-compliance, and unanticipated problems involving risks to subjects or others
- Consent process (when applicable)
- Ensuring all necessary approvals are met
- Coordination and communication with local IRBs

#### 5. 5. CWRU HRPP Components

##### **Institutional Official**

CWRU's Vice President for Research is designated as the Institutional Official (IO) for the CWRU HRPP. In addition to oversight of the HRPP, the Institutional Official ensures that CWRU evaluates Conflicts of Interests in research and that education on the responsible conduct of research is conducted.

The Institutional Official has the authority to take the following actions or delegate these authorities to a designee:

- Allocate resources within the HRPP budget.
- Appoint and remove CWRU IRB members and IRB chairs.
- Approve and rescind authorization agreements for CWRU IRBs.
- Suspend or terminate research approved by the CWRU IRB.

- Disapprove research approved by the CWRU IRB.

**Organizational Official**

The Associate Vice President for Research is designated as the Organizational Official. The Organizational Official is responsible for oversight of, among other things, policies, procedures, and business decisions related to how research and sponsored project administration are overseen and monitored.

The Organizational Official has the authority to take the following actions or delegate these authorities to a designee:

- Create the HRPP budget.

- Make personnel decisions.
- Determine upon which IRBs the university will rely<sup>5</sup>.
- Place limitations or conditions on an investigator's or research staff's privileges to conduct human research.
- Develop policies and procedures related to the HRPP that are binding on the university. ~~The Organizational Official has the responsibility to:~~

The Organizational Official has the responsibility to:

- Oversee the review and conduct of human research under the jurisdiction of the HRPP
- Periodically review this plan to assess whether it is providing the desired results and recommend amendments as needed.
- Establish policies and procedures designed to increase the likelihood that human research will be conducted in accordance with all applicable ethical and legal requirements.
- Institute regular, effective, educational and training programs for all individuals involved with the HRPP.
- Ensure that the research review process is independent and free of undue influence, and ensure that officials of the organization cannot approve research that has not been approved by one of the IRBs designated by the organization.

~~The organizational official can make a determination about whether CWRU will enter into an inter-institutional agreement to rely on another IRB for review and approval of research.~~

- Implement a process to receive and act on complaints and allegations regarding the HRPP.
- Implement an auditing program to monitor compliance and improve compliance in identified problem areas.
- Investigate and remediate identified systemic problem areas and, where necessary, remove individuals from involvement in the HRPP.
- Ensure that the HRPP has sufficient resources, including IRBs appropriate for the volume and types of human research to be reviewed, so that reviews are accomplished in a thorough and timely manner.
- Fulfill federally-mandated educational requirements.

**CWRU Investigators and Study Staff**

Investigators and research staff have the responsibility to:

- Understand the definition of Human Research.
- Consult the relevant IRB when there is uncertainty about whether an activity is human research.
- Not conduct human research or allow human research to be conducted without review and approval by an IRB designated in the CWRU FWA.
- Comply with institutional, federal, state and local requirements, as well as the ethical principles promulgated by The Belmont Report.
- Follow HRPP requirements.
- Follow IRB policies and procedures.
- Comply with all determinations and additional requirements of the IRB, the IRB chair, and the Organizational Official.
- Report allegations of undue influence regarding the oversight of the HRPP or concerns about the HRPP to the Organizational Official.

- Report allegations or findings of non-compliance with the requirements of the HRPP to the IRB.

### **Institutional Review Boards (IRB)**

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~~<sup>5</sup>The organizational official can make a determination about whether CWRU will enter into an inter-institutional agreement to rely on another IRB for review and approval of research.~~

The IRBs relied upon by CWRU are listed in CWRU's FWA and on the CWRU IRB website (<https://research.case.edu/Compliance/>).

Reliance on an IRB not listed in CWRU's FWA requires an Institutional Authorization Agreement for IRB review (IAA) executed by the Institutional or Organizational Official.

The CWRU IRB, as well as any IRBs relied upon by CWRU, has the authority to, for the studies they are monitoring:

- Approve, require modifications to secure approval, and disapprove human research.
- Suspend or terminate approval of human research not being conducted in accordance with an IRB's requirements or that has been associated with unexpected serious harm to subjects.
- Observe, or have a third party observe, the consent process.
- Determine whether an activity is human research.
- Determine whether additional protections are warranted for studies involving vulnerable subject populations.
- Evaluate financial interests of investigators and research staff and have the final authority to decide whether the financial interest and management plan, if any, allow the human research to be approved.

([http://www.case.edu/president/facsen/frames/handbook/conflicts\\_of\\_interest.htm](http://www.case.edu/president/facsen/frames/handbook/conflicts_of_interest.htm))([http://www.case.edu/president/facsen/frames/handbook/conflicts\\_of\\_interest.htm](http://www.case.edu/president/facsen/frames/handbook/conflicts_of_interest.htm))

IRB members and IRB staff have the responsibility to follow HRPP policies and procedures, including disclosure of outside financial interests and recusal from review of protocols with which the member or staff may have a conflict.

### **Legal Counsel**

Legal Counsel has the responsibility to:

- Provide legal advice upon request to the Institutional Official, Organizational Official, IRB, and other individuals involved with the HRPP.
- Help resolve conflicts among applicable laws.

### **Deans/Department Chairs**

Deans and Department Chairs have the responsibility to:

- Assure scientific review and oversee the conduct of human research in their department or school.
- Forward complaints and allegations regarding the HRPP to the Organizational Official.
- Affirm that each human research study proposed to be conducted in their department or school can be done responsibly by the study team using the resources described in the proposal.

### **Office of Research Administration**

The Office of Research Administration (and similar offices with delegated authority, such as the School of Medicine Office of Grants and Contracts) has the responsibility to review contracts and funding agreements for compliance with HRPP policies and procedures.

IRB members, IRB staff, and others involved in the review of human research must complete initial and continuing training on the protection of human subjects.

Investigators and research staff must complete the initial and continuing training on the protection of human subjects.

## ~~7.~~ 7. Reporting and Management of Concerns

Questions, concerns, complaints, allegations of undue influence, allegations or findings of ~~non-compliance~~noncompliance, or input regarding the HRPP may be reported orally or in writing. Employees are permitted to report concerns on an anonymous basis. Concerns may be reported to the IRB Office, the IRB Chair, the Organizational Official, Office of General Counsel, Integrity Hotline, Internal Audit Department, Deans, or Department Chairs.

The relevant IRB has the responsibility to investigate allegations and findings of non-compliance related to conduct of research for studies under its jurisdiction and take corrective actions as needed. The Organizational Official has the responsibility to investigate all other reports and take corrective actions as needed. In some instances, the IRB and the Organizational Official may, for different purposes, both be required to investigate the same matter, or may collaborate or share resources as necessary.

Employees who report in good faith possible compliance issues shall not be subjected to retaliation or harassment as a result of the reporting. Concerns about possible retaliation should be immediately reported to the Organizational Official or designee.

To make such reports, contact:

The Office of the Associate Vice President of Research  
Sears Library Building, 6th Floor.  
2083 Martin Luther King, Jr. Drive  
Cleveland, Ohio 44106-7230  
216-368-0143

## ~~8.~~ 8. Monitoring and Auditing

In order to monitor and assure compliance, auditors who have expertise in federal and state statutes, regulations and organizational requirements will conduct periodic not-for-cause audits.

## ~~9.~~ 9. Disciplinary Actions

The IRB and the Institutional Official may terminate or suspend IRB approval. In addition, the IRB and/or the Institutional Official and/or Organizational Official may place limitations or conditions on an investigator's or research staff's privilege to conduct human research whenever, in the opinion of the IRB and/or the Institutional Official and/or Organizational Official, such actions are required to maintain the integrity of the HRPP.

# BYLAWS

## THE FACULTY OF MEDICINE

### CASE WESTERN RESERVE UNIVERSITY

ADOPTED BY THE FACULTY OF MEDICINE, AUGUST 25, 1978  
RATIFIED BY THE FACULTY SENATE, DECEMBER 13, 1978

AMENDED BY THE FACULTY OF MEDICINE, MARCH 25, 1998  
RATIFIED BY THE FACULTY SENATE, APRIL 23, 1998

AMENDED BY THE FACULTY OF MEDICINE JUNE 25, 1999 AND JUNE 30, 2000  
RATIFIED BY THE FACULTY SENATE, NOVEMBER 6, 2000

AMENDED BY THE FACULTY OF MEDICINE, JANUARY 31, 2003  
RATIFIED BY THE FACULTY SENATE, APRIL 27, 2003

AMENDED BY THE FACULTY OF MEDICINE, APRIL 22, 2005  
RATIFIED BY THE FACULTY SENATE, FEBRUARY 27, 2006

AMENDED BY THE FACULTY OF MEDICINE, JANUARY 11, 2010  
RATIFIED BY THE FACULTY SENATE, APRIL 21, 2010

AMENDED BY THE FACULTY OF MEDICINE, AUGUST 26, 2011  
RATIFIED BY THE FACULTY SENATE, FEBRUARY 22, 2012

AMENDED BY THE FACULTY OF MEDICINE, MAY 6, 2014  
RATIFIED BY THE FACULTY SENATE, JANUARY ~~22~~21, 2016

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## ARTICLE 1 -PURPOSE

These bylaws and all amendments adopted as hereinafter provided shall henceforth constitute the rules and regulations governing the conduct and procedures of the Faculty of Medicine in the performance of its duties and in the exercise of its authorized powers, as specified by the constitution of the University Faculty of Case Western Reserve University. They are intended also to facilitate the participation of the clinical and adjunct faculty in organizing and executing the curriculum of the School of Medicine.

## ARTICLE 2 - THE FACULTY OF MEDICINE

### 2:1 Membership of the Faculty of Medicine

The Faculty of Medicine shall consist of (1) regular faculty, defined as all persons who hold full-time appointments in the School of Medicine and who have unmodified titles at the rank of professor, associate professor, assistant professor, senior instructor, instructor, and (2) special faculty, those who hold these ranks modified by the adjective clinical, adjunct, visiting, or emeritus. In addition, fifteen students, two elected from and by each of the four University Program medical school classes, two elected at-large from and by Cleveland Clinic Lerner College of Medicine ("CCLCM") students, two elected from and by M.D.-Ph.D. students, and three elected from and by medical school graduate students, shall act as non-voting student representatives. The president of the university, a vice-president of the university responsible for medical school activities, and an administrative officer from and selected by each affiliated hospital shall be members of the faculty *ex officio*. The dean of the School of Medicine shall furnish annually to the secretary of the University Faculty a list of all full-time members of the faculty. (A full-time faculty member is one who is a member of the University Faculty as defined in the Faculty Handbook of Case Western Reserve University.) The Faculty of Medicine shall create a Faculty Council to conduct such business for it as is described below.

### 2:2 Officers of the Faculty

The president of the university and, in the president's absence or by the president's designation, the dean of the School of Medicine or the dean's representative, shall be chair of the Faculty of Medicine. The chair of the Faculty Council shall serve as vice-chair of the Faculty of Medicine. The Faculty of Medicine shall have a secretary who shall be appointed by the dean. The secretary shall provide due notice of all faculty meetings and the agenda thereof to the members of the faculty and distribute to the members the minutes of each meeting. The office of the dean shall be requested to supply appropriate administrative support for these functions.

### 2:3 Authorities and Powers of the Faculty of Medicine

a. Authorities. Those authorities delegated by the University Faculty to the Faculty of Medicine for the educational, research, and scholarly activities of the School of Medicine shall reside in the Faculty of Medicine.

b. Powers Reserved. The regular faculty members of Faculty of Medicine shall make recommendations to the University Faculty concerning the establishment, discontinuance, or separation of any constituent school or college, or concerning the merging of such organizational units, and concerning any matter of import referred by the Faculty Council to the Faculty of Medicine for the determination of its recommendation.

The regular faculty members of the Faculty of Medicine shall have the power to recommend approval of amendments to these bylaws and the power and obligation to elect (1) senators to the University Faculty Senate; (2) a majority of the members of the Faculty Council; and (3) a majority of the voting members of the standing committees listed in section 2:6a.

### 2:4 Meetings of the Faculty of Medicine

a. Regular Meetings. The Faculty of Medicine shall schedule meetings at least three times each academic year. The dean of the School of Medicine shall be asked to describe the state of the medical school generally at one of the meetings. Another meeting shall have as its main business a program relating to medical education. A third meeting will have an agenda approved by the Faculty Council with at least one-half of the meeting devoted to open forum items. Meeting dates and times will be coordinated to accommodate appropriate schedules. In the event that inclement weather or other unforeseen event forces the university to close, a Faculty of Medicine meeting scheduled for that day shall be rescheduled. The Faculty Council may cancel a scheduled meeting of the faculty in the event there is no business to be conducted.

b. Special Meetings. The Faculty of Medicine shall also meet on the call of the president or the dean, or on written petition of at least 10 faculty members presented to the Faculty Council, or at the request of the Faculty Council.

### 2.5. Voting Privileges

a. A quorum of the faculty for both regular and special meetings shall consist of 100 members who are eligible to vote on the issue before the faculty as defined below (2:5c-2:5e). Proxies are not acceptable for purposes of either establishing a quorum or voting.

b. Special meetings of the faculty shall be conducted according to Robert's Rules of Order, Newly Revised. A majority of those present and voting shall be necessary to effect action.

c. Special faculty whose titles are modified by the adjectives adjunct or clinical may vote

at meetings only on matters concerning the planning and approval of the curriculum, the execution of the instructional program, the formulation of policies with regard to student affairs, appointment and promotion of special faculty; the election of members of committees dealing with such issues, and the election of their representatives to the Faculty Council.

d. Emeritus and visiting faculty members shall not be eligible to vote.

e. Prior to faculty meetings, Faculty Council will determine which faculty are eligible to vote on each issue scheduled for a vote, guided by 2:5c-2:5e above. If an issue is raised and brought to a vote *ad hoc* at a faculty meeting, the person chairing the meeting will determine who is eligible to vote based on the above criteria.

### 2:6 Committees Functions and Duties of the Faculty

~~\_\_\_\_\_ a. All powers and obligations of the Faculty of Medicine shall be delegated to the Faculty Council and exercised by it, with the exception of those powers and obligations reserved above. These delegated powers and obligations shall include but not be limited to the planning and execution of educational programs and the formulation of policies concerning curricula, student admissions, and the conduct of research. The Faculty Council shall also have the responsibility to review the requirements for the M.D. degree and to approve student standings and student promotions.~~

~~a. b. The following Standing Committees shall be charged with specific responsibilities (as described more completely in each committee's Charge as approved by the Faculty Faculty Council):~~

~~(1) The Admissions Committee shall participate in both annual decision-making regarding individual applicants and in the establishment of admissions policy and procedure.~~

~~(2) The Bylaws Committee shall consider proposed amendments to the Bylaws of the Faculty of Medicine and shall make recommendations concerning such proposed amendments to the School of Medicine Faculty Council.~~

~~(3) The Committee on Budget, Finance, and Compensation shall serve as the faculty's principal forum to the dean for the consideration of matters relating to SOM budgeting and financing. This Committee will consult with and advise the SOM administration on the formation and review of SOM policies and procedures concerning faculty compensation.~~

~~(4) The and transmittal to the University Faculty Senate with regard to the establishment or discontinuance of departments and may, at its discretion, make its own recommendation concerning the establishment, discontinuance, or merging of units larger than a single department but smaller than a constituent school or college or refer such matters to the Faculty of Medicine for its recommendation. The Faculty Council shall advise the dean with regard to the establishment, discontinuance, or merging of academic or~~

~~research units of the School of Medicine that are not required by the Faculty Handbook, at Chapter 2, Article V, Sec. A., Par. 2, c., 2, to be brought before the Faculty Senate. The Faculty Council, through the Committee on Appointments, Promotions, and Tenure, shall review and make recommendations concerning all appointments as or to the dean for consideration and transmittal to the president of the university with regard to faculty promotions to the ranks of associate professor and professor and the award, initial appointments to those ranks, and granting of tenure.~~

(5) The Committee on Medical Education serves to evaluate, review, and make recommendations concerning overall goals and policies of the School's medical education program, which includes the University and College programs.

(6) The Committee on Students shall have the responsibility of reviewing the total performance of all students and the authority for decisions on student standing and student promotions.

(7) The Lecture Committee shall serve as a selection committee for speakers where no other regular mechanism is in place.

(8) The Committee on Biomedical Research shall carry out the faculty's role in formulating policies related to the conduct of research in the School of Medicine on matters including but not restricted to the research portfolio, enabling technologies, research infrastructure, and biomedical workforce.

~~—c. The Faculty Council shall advise the president with regard to the appointment of the dean, as well as an interim or acting dean (see Section 3:6c for procedures), shall advise the dean with regard to recommendations to the president concerning the appointment of academic department chairs, as well as interim or acting chairs (for procedures see 4:3a and 4:3b), and shall advise the dean concerning appointments of directors of hospital departments and major interdepartmental academic officers.—~~

~~—~~

#### 2:7 Committees of the Faculty

~~—a. b. The majority of the voting members of each standing committee dealing with faculty responsibilities shall be elected by the regular members of the Faculty of Medicine. faculty. The number of non-voting members shall not exceed the number of voting members. The chair of the Faculty Council shall solicit recommendations for committee chair appointments from each standing committee, and then shall normally appoint one of the elected members to be the chair of each such committee, unless other provisions for appointment of chairs are made in these Bylaws, but with approval on an annual basis by the Faculty Council, the chair may appoint the dean of the School of Medicine or another faculty member to serve as chair of a standing~~

~~committee. Standing committees dealing with areas of faculty responsibility shall include the following: Admissions Committee; Bylaws Committee; Committee on Appointments, Promotions, and Tenure; Committee on Medical Education; Committee on Students; Lecture Committee; and Research Committee.~~

c. Standing Committees shall be established or discontinued only by amendment of the School of Medicine By-Laws. The two exceptions are the Standing Committee on Appointments, Promotion and Tenure, and the Standing Committee on Budget, Finance, and Compensation whose existence is mandated by the Faculty Handbook. Ad hoc committees shall not be appointed that duplicate or substantially overlap with the missions and charges of the Standing Committees. The Faculty Council shall have the authority to amend the representative composition (e.g., by number,  
~~b. The Faculty Council shall recommend the establishment, discontinuance, and representative composition (e.g., by rank, department, or institution) of~~ standing committees and the length of terms of office of the members, and shall nominate candidates for committee membership. The regular members of the Faculty of Medicine~~faculty~~ shall vote upon the nominees and shall elect the majority of voting committee members. Members~~Additional members~~ of any standing committee may be appointed by the dean in accordance with the prescribed structure of each such committee. The number of appointed voting members shall be less than the number of elected voting members. The standing committees shall be reviewed by the Faculty Council at least once every five years. Standing committees may present proposed changes to their own charge for consideration by the Faculty Council. In the event that an elected member of a standing committee of the faculty resigns during the term, the Nomination and Elections Committee~~nominating committee~~ of the Faculty Council shall appoint a replacement. The first choice should be the faculty member who received the next highest number of votes in the most recent election for this committee position. Should that individual be unwilling or unable to serve, the Nomination and Elections Committee~~nominating committee~~ shall appoint an alternate of its choosing to the committee. In either case, this appointee may stand for election to the committee for the remainder of the term of the resigning member at the next regularly scheduled faculty election.

d. The dean shall be a member of all standing committees *ex officio* and may be the chair of any such committee if so appointed by the chair of the Faculty Council with the approval of the Faculty Council. Persons holding the office of assistant, ~~or~~ associate, or vice dean may be regular members of any of these committees. Standing committees may include members holding the office of assistant, associate, or vice dean, as long as their number does not exceed 25% of the membership. The exception to this rule is the Committee on Medical Education, which may include members holding the office of assistant, associate, or vice dean, as long as their numbers do not exceed 40% of the membership. Persons holding the office of assistant,

Recommended for Approval by SOM Faculty

~~associate, or vice dean-These persons~~ may not be committee chairs, but may be executive officers of these committees. Membership rosters of all standing committees shall be published annually.

~~ed.~~ Any action taken in the name of a standing committee shall be made by majority vote. All members of a committee shall be supplied with minutes of the meetings of the committee and with copies of official recommendations of the committee.

~~fe.~~ The meetings of ~~the Faculty Council and of~~ all standing committees shall be open to all members of the faculty except for those of ~~the Steering Committee,~~ the Admissions Committee, the Committee on Students, and the Committee on Appointments, Promotions and Tenure. Chairs of other committees may declare a meeting or part of a meeting closed to faculty attendance only if confidential personnel matters are to be discussed.

~~f. Ad hoc committees of the faculty may be created by the Faculty Council at its discretion.~~

### ARTICLE 3: THE FACULTY COUNCIL

#### 3:1 Purpose and Functions of the Faculty Council

~~The~~There shall be a Faculty Council of ~~the Faculty of~~ Medicine ~~delegates, which shall meet regularly to exercise~~ all powers ~~of the Faculty of Medicine~~ not reserved to the Faculty of Medicine itself (see Article 2) to a Faculty Council. The Faculty Council shall meet regularly to exercise the:

~~The~~ powers and obligations of the Faculty Council, which shall include but not be limited to ~~the~~these following:

- a. ~~To~~ act for the Faculty of Medicine regarding the planning and execution of educational programs and the formulation of policies concerning curricula, student admissions, and the conduct of research in consultation with the appropriate standing committee of the Faculty of Medicine. It shall also have the responsibility to review the requirements for the M.D. degree and to approve student standings and student promotions;
- b. To hear reports of the ~~Standing Committees committees~~ of the faculty and of the Faculty Council and recommend action on such reports;
- c. to determine the establishment, discontinuance, and representative composition of the membership of all faculty standing committees;
- d. to elect a chair, a chair-elect, members of the Steering Committee, and the Faculty Council members of the Nominating Committee;

- e. to determine the agenda for its own meetings and the agenda for the meetings of the faculty;
- f. to classify any issue requiring a vote of the faculty so as to determine the eligibility of the adjunct/clinical and student members to vote on that issue (per 2:4biii and 2:4bv). The Faculty Council may appoint standing and *ad hoc* committees to make recommendations concerning its various functions and duties (see Article 3:6d).

### 3:2 Membership of the Faculty Council

a. Voting Members. Voting members of the Faculty Council shall include one representative of each academic department (When more than one autonomous department exists within a single academic discipline, as per section 4:3 below, a representative of each such department shall be elected to the Faculty Council.) and of each division with departmental status. (All references hereafter to academic departments include divisions with departmental status.) These representatives shall be referred to as department representatives. Other voting members shall include two representatives from the special faculty whose titles are modified by the adjective adjunct or clinical, one representative from each affiliated institution and 10 representatives of the regular faculty elected at large. All these representatives shall be members of the faculty.

b. Non-voting Members. Non-voting members of the Faculty Council shall be the president of the university, a vice-president of the university responsible for medical school activities, the dean of the School of Medicine, the associate dean for medical education of the School of Medicine, the chair of the Committee on Medical Education, and student members who shall include not more than two undergraduate medical students, one M.D.-Ph.D. student, and one Ph.D. graduate student. The student members shall be chosen by their respective groups. In addition, if a senator to the university Faculty Senate is not included in the Faculty Council as a voting member, the chair of the Faculty Council shall appoint one of the School of Medicine senators to be an *ad hoc* member of the Faculty Council. The chair of the Faculty Council may invite other persons to attend designated meetings. Faculty Council meetings shall be open to the faculty. Faculty members may at any time request hearings before Faculty Council, but a request by a faculty member for a hearing before the Faculty Council must be made to the chair prior to the meeting of the Faculty Council.

### 3:3 Election of the Members of the Faculty Council

(For more details concerning elections, see Article 3:6b, paragraph 3.)

- a. Shall be held no later than April 30 of each year, with newly elected members beginning their terms of office on the following July 1.

b. Upon notification by the dean, the full-time faculty members of each academic department of the School of Medicine shall elect as a department representative to the Faculty Council one of their full-time members who holds a primary appointment in that department. The election shall be held by democratic process. Complaints concerning the occurrence of undemocratic selections of representatives shall be brought to the attention of the chair of the Faculty Council.

c. Upon notification by the dean, full-time faculty based at each affiliated institution shall choose, by a method of their own design, one of their members who has a primary base at that institution and who has not been elected a department representative to be a representative to the Faculty Council.

d. The at-large representatives shall be nominated by a nominating committee (see Article 3:6b) and shall be elected by the full-time members of the faculty. The dean shall be requested to supply the nominating committee with a list of the preclinical and clinical science departments and rosters of the full-time faculty members with primary appointments in each department. Five at-large representatives shall be from preclinical departments and five shall be from clinical science departments. There shall be at least two nominees for each of these positions. Those nominees who are not elected shall serve as alternates in the order of votes received (see 3:4). In each three-year cycle beginning with the adoption of these amendments, one preclinical and one clinical at-large representative shall be elected the first year, and two preclinical and two clinical at-large representatives shall be elected in each of the second and third years. Upon adoption of these amendments, the at-large representatives who are then serving may complete their terms of office.

e. The Nominating Committee (see Article 3:6b) shall nominate at least four members of the special faculty whose titles are modified by the adjective adjunct or clinical as candidates for representative to the Faculty Council. Two of these nominees shall be elected by the special faculty whose titles are modified by the adjective adjunct or clinical. The remaining nominees will serve as alternates in the order of votes received.

### 3:4 Terms of Office of Faculty Council Representatives

Representatives shall serve for a period of three years. Representatives may not serve consecutive terms but may be reelected after an absence of one year. A department representative who is unable for any reason to complete a term of office shall be replaced by a full-time faculty member from the same academic department, elected by democratic process within that department. The new member shall complete the term of the former member and shall be eligible for reelection if the remaining term so completed has been less than two years. A departmental member on leave of absence shall be replaced during that leave by a faculty

member from the same academic department, elected by democratic process within that department. Upon return from leave, the returned faculty member shall complete the original term of office. An at-large representative who is unable for any reason to complete a term of office shall be replaced by an alternate (per 3:3d) who shall serve during the remainder of the term or during the leave of the representative, as outlined for department representatives. A representative of the special faculty who is unable for any reason to complete a term shall be replaced by an alternate (see Article 3:3e) who shall serve during the remaining term or during the leave of the representative. A representative of an affiliated institution who is unable for any reason to complete a term shall be replaced by a full-time faculty member with a primary base at the same institution. That individual shall be chosen by the same mechanism as the original representative, and shall serve for the remaining term or during the leave of the original member, as outlined above for department representatives.

Members who have three absences from Faculty Council meetings in one year must resign from the Faculty Council unless their absences were excused by the chair of the Faculty Council. A warning letter will be sent to the Faculty Council member after two absences, with a copy to the department chair. Selection of replacements for members who resign is discussed in the preceding paragraph.

### 3:5 Officers of the Faculty Council

Each year the Faculty Council shall elect a chair-elect from the members who have at least two years of their terms remaining. The chair-elect shall serve as vice-chair of the Faculty Council during the first year following election and succeed to the chair the following year. The chair of the Faculty Council (or the vice-chair of the Faculty Council in the absence of the chair) shall preside over the Faculty Council and shall be vice-chair of the Faculty of Medicine. Following completion of this term of office, the immediate past chair of the Faculty Council shall serve one additional year as a member of the Faculty Council and as a member of its Steering Committee. For procedures to be followed in the election of the officers and committees of the Faculty Council, see article 3:6b. The dean shall be requested to provide administrative support to these officers.

### 3:6 Committees of the Faculty Council

a. Steering Committee. The Steering Committee shall consist of eight members: the chair of the Faculty Council, the vice-chair of the Faculty Council, the immediate past chair of the Faculty Council, and five other Faculty Council members who shall be elected by the Faculty Council for one-year terms. These members may be reelected successively to the Steering Committee for the duration of their terms as members of the Faculty Council. The chair of the

Faculty Council (or the vice-chair of the Faculty Council in the absence of the chair) shall serve as chair of the Steering Committee. The Steering Committee shall set the agenda for meetings of the Faculty Council. The Steering Committee shall be empowered to act for the Faculty Council between meetings. The Steering Committee shall report all actions and recommendations to the Faculty Council. The Steering Committee shall act for the Faculty Council and faculty in reviewing actions of the Committee on Appointments, Promotions and Tenure in order to ensure equity, adherence to published guidelines, and proper procedure. The Steering Committee shall consult with the dean on such matters as the dean brings before it. The Steering Committee shall advise the president concerning the appointment of an interim or acting dean of the School of Medicine.

b. Nomination and Elections Committee. This committee shall consist of eleven members: the dean, the chair of the Faculty Council, the vice-chair of the Faculty Council, four other Faculty Council members, two each from the preclinical and clinical sciences, and four full-time faculty members who are not members of the Faculty Council, two each from the preclinical and clinical sciences. The four Faculty Council members of the Nomination and Elections Committee shall be elected at large by the Faculty Council and shall serve for the duration of their terms as Faculty Council members. The four non-members of the Faculty Council shall be elected by ballot by the Faculty of Medicine and shall serve three-year terms. The chair will be elected from the members of the committee annually.

The Nomination and Elections Committee shall nominate (1) candidates for the chair-elect of the Faculty Council, (2) candidates for the Steering Committee, and (3) candidates for the standing committees of the Faculty Council. Ballots listing the nominees and leaving space for write-in candidates shall be sent to all members of the Faculty Council. The election of the chair-elect and the members of the Steering Committee, the Faculty Council members of the Nomination and Elections Committee and the members of other standing committees of the Faculty Council will be carried out at the ~~June~~ May meeting of the Faculty Council. Additional nominations for all these offices shall be invited from the floor. The consent of the nominee must be obtained in order for a write-in or floor nomination to be valid. Faculty Council members who cannot attend the ~~June~~ May meeting may vote by mail (noting that wherever mail voting or distribution is mentioned in these Bylaws, voting or distribution by email or other method well-calculated to reach voters shall be considered satisfactory). Candidates for chair-elect will also be candidates for the Steering Committee and will be so listed on mail ballots. Faculty Council members shall vote for one nominee for chair-elect and for six members of the Steering Committee. The five persons with the highest number of votes, excluding the person elected to the office of chair-elect, shall be elected to serve on the Steering Committee. Both mail ballots and ballots collected at the Faculty Council meeting shall be counted, whether or not a quorum is present at the meeting. If the total number of ballots received does not equal or exceed 50% of

the members of Faculty Council, ballots may be solicited from absentee members. If either the Steering Committee or the Nomination and Elections Committee perceives a significant deficit in the representation of faculty constituencies within its membership following the annual election, either committee may ask the chair of Faculty Council to appoint a single ad hoc voting member to serve on the respective committee for the remainder of the year. In the case of the Steering Committee, the appointee should be a current member of the Faculty Council. In the case of the Nomination and Elections Committee, the appointee should be a regular member of the Faculty of Medicine.

In addition, the Nomination and Elections Committee shall nominate (1) candidates for the at-large representatives to the Faculty Council, (2) candidates for the representatives of the special faculty whose titles are modified by the adjective adjunct or clinical to the Faculty Council, (3) candidates for standing committees of the Faculty of Medicine, and (4) candidates for senator to the University Faculty Senate. In the case of at-large representatives, senators, or members of the Committee on Appointments, Promotions, and Tenure, the number of nominees shall be at least twice the number of positions to be filled. Electees shall be chosen by mail ballot. Ballots listing candidates for Faculty Council, senators, and standing committees of the faculty shall be mailed to all full-time members of the faculty. Ballots listing candidates for the representatives of the special faculty on the Faculty Council shall be mailed to all special faculty whose titles are modified by the adjective adjunct or clinical. Ballots listing candidates for committees dealing with the planning and approval of the curriculum, the execution of the instructional program, and the formulation of policies with regard to student affairs shall be mailed to all members of the faculty. Elections shall be conducted as far in advance of the completion of the terms of sitting members as is practicable. Elections may be conducted through the campus and first class mail or by email or other electronic means. All ballots shall provide space for write-in candidates. At least two weeks shall be allowed between the distribution of all ballots and the close of the election and determination of election results. Distribution of the ballots and the determination and publication of the election results shall be the responsibility of the Nomination and Elections Committee. After each election, the Committee will count the votes and publish all the vote totals. Any irregularities or issues in the conduct of the elections shall be investigated and resolved by the Committee. The Nominations and Elections Committee shall report its investigation and resolution to the Faculty Council and the Faculty of the School of Medicine. The dean shall be requested to supply administrative support for the elections.

c. Special Committee to Nominate Candidates for the Search Advisory Committee to the President on the Selection of the Dean of the School of Medicine. This special nominating committee shall be formed when needed and shall consist of the chair of Faculty Council, three other members of the Steering Committee of the Faculty Council, three elected members of the

Nominating Committee, and four academic department chairs (two Basic Science, two Clinical) of the School of Medicine. The chair of the Faculty Council shall serve as chair of this special nominating committee, and the other ten members shall be elected by their respective groups. The majority of the nominees for the Search Advisory Committee selected by this special nominating committee shall be full-time members of the Faculty of Medicine. The president is requested to consider these nominees when appointing members of the Search Advisory Committee.

In the early stages of the search for the dean of the School of Medicine, the chair of the Faculty Council shall solicit recommendations, opinions, and advice regarding selection of the dean from members of the Faculty of Medicine by mail and submit these views directly to the Search Advisory Committee. When a final list of candidates for the position of dean has been selected, the Search Advisory Committee is requested to solicit the views and advice of the Steering Committee of the Faculty Council on the ranking of the candidates.

d. Other Committees of the Faculty Council. The Faculty Council may create other standing and *ad hoc* committees of the Faculty Council to carry out specific functions and duties assigned to it. These committees may include members who are not Faculty Council members.

### 3:7 Meetings of the Faculty Council

a. The Faculty Council shall meet at least once every two months from September through June of each academic year. Special meetings may be called by a majority vote of the Steering Committee, by a written petition of 10 members of the faculty addressed to the chair of the Faculty Council, or by the dean.

b. The agenda for each meeting shall be prepared by the Steering Committee, posted electronically, and sent electronically to all faculty members at least one week in advance of regular meetings and at least two days in advance of special meetings

c. Minutes of the meetings shall be kept and shall be distributed in a timely fashion to Faculty Council members, to the dean, to all department chairs, and to each member of the Faculty of Medicine. Approved minutes shall be posted electronically and sent electronically to all faculty members. The dean is requested to provide administrative support for this purpose.

d. The meetings shall be conducted according to Robert's Rules of Order, Newly Revised. A quorum of the Faculty Council shall consist of 50% of the voting members. Elected members may not designate alternates for council meetings or vote by proxy in council meetings. Faculty Council members may vote *in absentia* by mail in the election of officers and standing committees of the Faculty Council (see article 3:6b).

### 3:8 Annual Report of the Faculty Council

Each year the chair of the Faculty Council shall submit to the faculty a report on the activities of the Faculty Council.

#### ARTICLE 4 – DEPARTMENTS

##### 4:1 Organization of the Faculty into Departments

The Faculty of Medicine may be organized into departments representing each academic discipline as specified in the Constitution of the University Faculty, Article VII, Sec. B. Divisions with the status of a department may be established. Each member of the faculty shall normally have an appointment in a department or in a division having the status of a department.

##### 4:2 Function of Departments

Each department shall provide a central administration for its academic disciplines. Each department shall be responsible for the teaching in its discipline in the School of Medicine, through the core academic program's committee structure and the other units of the undergraduate medical curriculum and in the affiliated hospitals. This responsibility shall be exercised by the academic department chairs in conformity with the curricular policies, organization, and components that are specified by the faculty and the dean. Each department may assume responsibility for teaching in its discipline in the other schools of the health sciences and in the undergraduate and graduate curricula of the university as determined by need and negotiation. Where appropriate, each department shall plan and implement graduate programs leading to such graduate degrees as are authorized by the university and shall be responsible for the content of the curricula in its discipline in the several programs specified above. Each department shall plan and execute programs of research and of professional activity and shall train medical students, undergraduate students, and graduate students in its disciplines. Each department shall maintain and staff the facilities which lie within its jurisdiction and shall enlist the cooperation of other departments or of affiliated teaching institutions where this shall be necessary for the execution of its mission. Each department shall elect one representative to the Faculty Council.

a. Each department or, at the request of the hospital affiliate's Associate Dean or Executive Dean and with the consent of the Dean of the School of Medicine, each affiliated hospital, shall establish a Department or Affiliated Hospital Committee on Appointments, Promotions, and Tenure (or Appointments and Promotions only, if appropriate) (all hereinafter "DCAPT"s) for the purpose of making recommendations concerning appointments and promotions and if appropriate awards of tenure. The department chair or affiliated hospital associate dean or executive dean shall nominate faculty annually for service on the DCAPT for the SOM Dean's approval. The department chair shall also nominate a faculty member holding a

primary appointment in the department (or the affiliated hospital, if appropriate), preferably at the rank of tenured Associate Professor or Professor, to serve as the DCAPT committee chair.

b. DCAPTs may comprise all the faculty members holding full-time primary appointment in the department, except as provided in paragraph 4.2(c), and may also include faculty holding secondary appointments in the department but holding primary appointments outside the department or school in any of the university's constituent faculties. Alternatively, department chairs may nominate a committee of at least three faculty members from among the primary full-time faculty (and other faculty) to serve as the committee.

c. Department chairs themselves shall not be members of their respective department's DCAPTs. Instead, they shall serve as the initiator for the appointment, promotion, and tenure of candidates, attending DCAPT meetings for the purpose of presenting candidates for the committee's consideration, entering into discussion with the committee and answering its questions, and otherwise being excused from the room. Department chairs shall not be present for DCAPT voting. Should a faculty member take advantage of the self-initiation process, the DCAPT chair shall invite the department chair as well as an advocate, selected by the candidate from among the CWRU faculty, to the meeting at which the self-initiated promotion or tenure award is discussed to provide the department chair and advocate with the opportunity to offer his or her perspectives. The advocate and department chair shall present separately and neither shall be present for the vote.

d. The paragraph above, however, shall not restrict department chairs from serving on an affiliated hospital's committee concerned with appointments, promotions, or tenure. Where department chairs serve on such committees, they may serve as the as described above and they may remain present during the discussion and voting, but in no case shall a department chair (or other committee member) cast a vote regarding the appointment, promotion, or tenure of a candidate whom she or he initiated for appointment, promotion, or tenure.

e. Department chairs have wide discretion to nominate faculty for service on the DCAPT, but the following principles should be observed. If at all possible, at least two-thirds of the committee should be composed of tenured faculty in the department at the rank of associate professor or professor. The DCAPT's membership should include both tenured and non-tenured faculty; each committee, with the exception of the Cleveland Clinic Lerner College of Medicine Committee (CCLCM), shall include at least three tenured faculty members, so tenure votes are not determined by only one or two voters. Preference shall be given to tenured faculty holding primary appointment in the department. Tenured faculty holding secondary appointment in the department ("tenured secondary faculty") may be appointed to the committee 1) in addition to all tenured faculty holding primary appointment in the department ("tenured primary faculty") in order to reach the minimum of three or 2) to exceed it, but in this case the number of tenured

secondary faculty may not exceed the number of tenured primary faculty on the committee. Women and minority faculty should be represented if at all possible; adjunct and/or clinical faculty may be nominated for committee membership at the chair's discretion to vote on promotion of special faculty.

f. Department or affiliated hospital CAPTs shall review faculty holding or proposed for holding primary appointment in the department/affiliated hospital in order to make recommendations concerning 1) appointment, promotion, and/or award of tenure; 2) third and sixth year pretenure reviews for tenure track faculty; 3) concerning readiness for promotion for each full-time assistant and associate professor in the non-tenure track no later than six years after appointment or promotion to that rank and at least every six years thereafter; and 4) other actions as appropriate. Copies of reviews under 2) and 3) above shall be provided to the individual faculty member reviewed; copies of all reviews shall be provided to the dean's office.

g. DCAPT recommendations shall be made by the DCAPT chair (unless he or she is the candidate) after a vote by the DCAPT. The DCAPT chair shall convene a meeting for the purpose of voting, for which notification shall be made sufficiently in advance to allow those unable to attend to vote by written absentee vote. All members of the committee may participate in discussion of all recommendations for appointment, promotion, and tenure. On recommendations involving promotion, only faculty of rank equal to or superior to that being considered shall be eligible to vote. On recommendations involving tenure, only faculty with tenure shall vote. Recommendations shall require a majority (more than half) of those eligible to vote. In order for a recommendation to be made, at least three eligible committee members must cast a vote.

h. Affirmative recommendations for faculty appointments and all other recommendations from a DCAPT shall be communicated to the department chair by the DCAPT chair in a letter which records the numerical vote and reflects the deliberations of the DCAPT, pro and con. Before transmission, this letter shall be made available for inspection by the faculty members who participated in the vote. If a faculty member believes the letter to express inadequately the committee's deliberations, he or she may send independently to the DCAPT chair a statement of such opinion, which shall be appended to the committee's letter for higher reviews. The department chair shall forward the DCAPT recommendation letter to the dean and is expected to add his or her recommendation, which may or may not be the same as the DCAPT's recommendation, in a separate letter to the dean.

i. DCAPT meetings shall be conducted in confidence. All votes shall be conducted by written secret ballot and shall be tabulated by the committee secretary. Candidates shall not be present at committee meetings (or portions thereof) at which their candidacy is discussed and/or

voted upon. Committee deliberations and votes are confidential and must not be discussed outside the committee with anyone, including the candidates.

j. Recommendations concerning appointment, promotion, and tenure shall be governed by the then-current Qualifications and Standards for Appointment, Promotion, and the Award of Tenure for Faculty Members in The School Of Medicine, Case Western Reserve University (Appendix I of the these Bylaws) and the relevant sections of the Faculty Handbook. Committee discussions shall be confined to matters relevant under the Standards and Qualifications. Specifically prohibited from discussion are such matters as gender, race, minority status, disability status, veterans status, and sexual orientation or marital/partner status.

#### 4:3 Academic Department Chairs

a. Each academic department shall have an academic chair appointed by the president of the university on recommendation of the dean. In order to select candidates, the dean will appoint a search committee in consultation with Faculty Council, which shall normally be multi-departmental in composition, to provide a slate of candidates from which the selection will normally be made. The search committee shall include representation from the full-time faculty of the department in question. The department faculty representation shall consist of at least one full-time faculty member elected by the full-time faculty of that department. The search committee shall identify its membership to the academic department and indicate its ready availability, particularly that of the elected full-time departmental representative member(s) of the search committee, to receive suggestions, views and advice from interested individual department members or from the entire academic department throughout the search process. Verbal and/or written suggestions, views, and advice directed to any member of the search committee should be transmitted promptly to the whole search committee, unless specified otherwise by the departmental member offering such suggestions, views and advice.

All department chairs shall be selected in strict accordance with the university policy governing affirmative action.

The president will appoint acting or interim department chairs after receiving the recommendations of the dean. Before making recommendations, the dean shall seek the advice of a committee consisting of the Steering Committee of the Faculty Council and the Faculty Council representative from the department for which an acting or interim chair is to be appointed. When a member of the Steering Committee or the Faculty Council representative is a candidate for acting or interim department chair, the chair of the Faculty Council shall designate an alternate member from the department to serve on the advisory committee. The advisory committee shall identify expeditiously its membership to the academic department and indicate its ready availability, particularly that of the representative from the department, to receive

suggestions, views and advice from interested individual department members or from the entire academic department. Verbal and/or written suggestions, views and advice directed to any member of the advisory committee should be transmitted promptly to the whole advisory committee, unless specified otherwise by the departmental member offering such suggestions, views and advice. This process shall take place as expeditiously as possible before the advisory committee makes its recommendations to the dean.

b. Each department chair or head of a division with departmental status or an appropriate designee shall meet annually with each full-time faculty member to review performance and to set future goals. The department chair or the appropriate designee shall then provide a written summary of each evaluation to the faculty member, with a copy provided to the dean. For departments that choose to use the Faculty Activity Summary Form (FASF), any changes to that form must be approved by Faculty Council prior to their incorporation into the document.

c. The chair of an academic department may reside at the School of Medicine or at any one of its affiliated institutions.

d. Any individual service of an established academic department in an affiliated teaching institution may petition the Faculty of Medicine for independent status as a separate academic department, autonomously representing the academic discipline. The chair of each such independently established academic department shall be selected in accordance with section 4:3a and appointed by the president on recommendation of the dean. The dean is requested to seek the advice of the Steering Committee and elected departmental member(s), as outlined in article 4:3a, before making recommendations to the president.

e. All chairs of academic departments and all directors of individual services of affiliated institutions within a single discipline should meet regularly to coordinate their university-related functions.

f. At least once a year, the Department Chair will call a meeting of their faculty for the purpose of identifying and defining issues pertinent to the mission of the Department.

#### 4:4 Establishment and Discontinuance of Academic Departments

Petitions to establish or discontinue academic departments shall be presented to the Faculty Council. Such petitions shall include the rationale for the change. Recommendations of the Faculty Council for establishment or discontinuance shall be referred to the University Faculty Senate, upon approval of the dean.

#### 4:5 Review of Academic Departments

Periodic review of each department by persons external to the department is important for evaluation of the functioning of that department by the faculty and the dean. A committee appointed by the dean shall review each academic department at intervals no greater than 10 years. The review committee shall include at least one outside consultant. The dean shall transmit the review committee's report and recommendations to the chair of the Faculty Council. Departmental faculty shall be provided with an executive summary.

#### 4:6 The Department of Biomedical Engineering

The Department of Biomedical Engineering is currently unique among the departments. Created by action of the Board of Trustees in 1968, it is a single department jointly based in the School of Medicine and the School of Engineering. The department chair will designate each faculty member, at the time of initial appointment, as being principally based in the School of Medicine or the School of Engineering. The principal designation will determine which School's pretenure period and which School's process and qualifications and standards for appointment, promotion, and award of tenure shall govern the appointment. In other respects, faculty in the department shall enjoy the rights and privileges and duties and responsibilities of faculty in both Schools.

### ARTICLE 5 – FACULTY APPOINTMENTS, PROMOTION, AND GRANTING OF TENURE

#### 5.1: Classification of Appointments

An appointment shall be classified as initial, renewal, or continuing (for appointments with tenure or for appointments past the first year of several year terms).

An appointment shall be classified as full-time or part time. Eligibility for appointment or reappointment to the full-time faculty is subject to approval by the dean and requires that (1) 50% or more time be devoted to approved academic activities and (2) the academic activities must be conducted at an approved site. If 50% or more of compensation is paid through the university, the full-time faculty member is eligible for fringe benefits.

An appointment shall be classified by academic title and whether the appointment is (a) with tenure, (b) without tenure but leading to tenure consideration (tenure-track), (c) without tenure and not leading to tenure consideration (non-tenure track); or (d) special, which will include the prefix adjunct, clinical, visiting, or emeritus. If the appointment leads to consideration for tenure, the appointment letter shall specify clearly the academic year in which this consideration will become mandatory. With regard to special faculty appointments, adjunct appointments usually refer to part-time faculty members devoting their time to research and/or teaching in the basic science departments. Clinical appointments usually refer to faculty members

devoting their time to patient care and teaching. Visiting faculty appointments are issued for specified terms of one year or less than one year and can be full- or part-time. Special faculty are not eligible for tenure.

The dean of the School of Medicine and the provost of the university must approve available tenured or tenure track slots. The School of Medicine is exempt from the Faculty Handbook ruling that the majority of the members of each constituent faculty must be tenured or on the tenure track (Chapter 2, Article I, Sec. D, p. 15), as approved by the University Faculty Senate and the provost (January, 2004).

If the appointment applies to more than one constituent faculty, or department, or to an administrative office as well as an academic unit, the appointment may be identified either (1) as a primary-secondary appointment or (2) as a joint appointment. For a primary-secondary appointment arrangement, one constituent faculty or department shall be identified as the primary appointment and the other as secondary. Responsibility for the initiation of consideration of re-appointment, promotion, award of tenure, or termination shall rest with the primary unit. Faculty with joint appointments have full rights as a faculty member in both constituent faculties or departments. The notice of appointment shall be issued jointly by the two constituent faculties or departments. Consideration of appointment, reappointment, promotion, and/or tenure for joint appointment arrangements shall be as described in the Faculty Handbook sections pertaining to such appointments.

### 5.2: Terms of Appointment

Appointments with tenure shall be of unlimited duration until retirement, subject only to termination for just cause (see below). Tenure-track appointments shall normally be made for a term of one to five years and may be renewed until the end of the pre-tenure period. Non-tenure track appointments are renewable and shall normally be made for a term of one to five years. Special appointments shall be made for terms of one year or less.

### 5.3: Academic Freedom

Academic freedom is a right of all members of the Faculty of Medicine, and applies to university activities, including teaching and research. Specifically, each faculty member may consider in his or her classes any topic relevant to the subject matter of the course as defined by the appropriate educational unit. Each faculty member is entitled to full freedom of scholarly investigation and publication of his or her findings.

### 5.4 Tenure

The basic purpose of tenure is to provide the assurance of academic freedom throughout the university. Another important purpose of tenure is to attract and retain outstanding faculty through continued commitment of the university to these faculty members. Tenured faculty members are protected explicitly against dismissal or disciplinary action because their views are unpopular or contrary to the views of others. Non-tenure-eligible colleagues shall derive protection by general extension of these principles of academic freedom.

When awarded, academic tenure rests at the constituent faculty level.

The award of academic tenure to a faculty member is a career commitment that grants that faculty member the right to retain his or her appointment without term until retirement. The appointment of a tenured faculty member may be terminated only for just cause. In the event that a tenured faculty member's school, department or other unit of the university in which the faculty member's appointment rests is closed or reduced in size, the university shall make all reasonable attempts to provide a tenured faculty member with an appointment of unlimited duration until retirement.

Examples of just cause for the termination of any faculty member (tenured, tenure track, non-tenure eligible, or special) include (a) grave misconduct or serious neglect of academic or professional responsibilities as defined through a fair hearing; (b) educational considerations as determined by a majority vote of the entire constituent faculty of the affected individual which lead to the closing of the academic unit of the university or a part thereof in which the faculty member has a primary appointment; and (c) financial exigent circumstances that force the university to reduce the size of a constituent faculty in which the faculty member has a primary appointment.

A tenured faculty member may be terminated for financial exigent circumstances only after all faculty members who are not tenured in that constituent faculty have been terminated in the order determined by the dean of the School of Medicine in consultation with the department chairs, the Faculty Council and other faculty members.

#### 5.5: The Pretenure Period

The pretenure period in the School of Medicine is nine years. Each faculty member whose appointment leads to tenure consideration shall be considered for tenure no later than in the ninth year after the date of initial appointment at the rank of assistant professor or higher.

A faculty member in the tenure track may request extensions to the pretenure period. The extensions may be (1) requested by exceptionally worthy candidates in the event of unusual constraints in the university, or part or parts thereof, which would prevent tenure award at the end of the normal period; or (2) requested for the purpose of compensating special earlier

circumstances disadvantageous to a candidate's tenure consideration (such as serious illness, family emergency, maternity, or extraordinary teaching or administrative assignments); or (3) upon written request by the faculty member within one year after each live birth or after each adoption, an extension of up to one year shall be granted by the provost to any faculty member who will be the primary care giving parent. Extensions should be requested as soon after the occurrence of the relevant circumstances as practicable, ordinarily not later than one year prior to the normally scheduled expiration of the pretenure period. Extensions requested under (1) or (2) above require request by the faculty member, review and a recommendation by the department's committee on appointments, promotions, and tenure, the department chair, and the dean, and approval by the provost. Pretenure extensions may not be used to defer tenure consideration of a faculty member more than three years beyond the normal pretenure period except for extensions made under (3) above.

For faculty members whose tenure consideration has not produced tenure award during the pretenure period, further appointment is normally restricted to one year. In exceptional cases, individuals who failed to receive tenure may be appointed in the non-tenure eligible track on recommendation of the department Committee on Appointments, Promotions, and Tenure, the department chair, the Committee on Appointments, Promotions and Tenure of the School of Medicine, the dean of the School of Medicine, and the approval of the provost. Such appointments are contingent upon full financial support from non-university sources.

The number, nature, and duration of pretenure period extensions made to an individual faculty member's pretenure period shall not be considered by the CAPT when reviewing that faculty member for award of tenure or promotion.

#### 5.6: Qualifications for Appointments, Promotions and Granting of Tenure

Qualifications and standards for faculty appointments, reappointments, promotions, and granting of tenure shall be generally as stated in the Faculty Handbook of Case Western Reserve University. Specific qualifications and standards applying to the School of Medicine shall be determined by the Faculty of Medicine and appended to these bylaws. These qualifications and standards shall be reviewed every five years by the Faculty Council. The dean shall make the text of the current qualifications and standards available to all junior and newly appointed faculty members.

#### 5.7: Tenure Guarantee

Award of tenure for faculty based in the School of Medicine should be accompanied by a base salary guaranteed by the School of Medicine that will be equal for faculty in the school's

basic science and clinical science departments. The amount of the guarantee and its financial support are currently under discussion.

#### 5.8: Rolling Appointments for Non-Tenure Track Professors

Upon nomination by the department chair and with the consent of the dean, faculty members at the rank of professor in the non-tenure track with primary appointments in either a clinical or basic science department will be eligible to receive a rolling appointment contract of up to five years in duration accompanied by a salary guarantee for the period of appointment, equal in amount (but not duration) to that guaranteed to tenured professors. A rolling three-year appointment, for example, is a multiple-year appointment that differs from a multiple-three-year fixed term appointment in that, pending satisfactory performance and financial circumstances as determined by the chair and the dean, the appointment is renewed each year for the following three years. Financial support for rolling contracts is to be provided by the School of Medicine with the understanding that, prior to making the rolling commitment, the school would have the opportunity to enlist support from the appropriate hospital, clinical practice plan, or other appropriate entity to underwrite the guarantee.

#### 5.9: Consideration of Recommendations for Appointments, Promotions and Granting of Tenure

##### a. Full-Time Faculty

The dean shall submit recommendations for appointments and promotions to the ranks of associate professor and professor and the granting of tenure concerning full-time faculty with primary appointments based in the departments of the School of Medicine (including those faculty in the Department of Biomedical Engineering with appointments principally based in the School of Medicine) given him or her by the department chairs or other persons as designated by the dean or initiated by other means as outlined in the Faculty Handbook of Case Western Reserve University, Chapter 3.I.1, to the Committee on Appointments, Promotions and Tenure of the School of Medicine. This committee shall consider the documented evidence relating to each candidate and, following the qualifications and standards set forth in Exhibit I to these Bylaws, shall report its affirmative and negative recommendations to the Steering Committee of the Faculty Council. Each recommendation shall also be reported promptly to the academic chair of the candidate's department. The candidate shall be informed by the academic chair of the committee's recommendation. The academic chair or other nominator may appeal a negative recommendation by notifying the chair of the Committee on Appointments, Promotions, and Tenure of the School of Medicine. Appeals may be made in writing or in person. Written documentation of the appeal and the response of the Committee on Appointments, Promotions, and Tenure must be appended to the candidate's file. In the event that the appeal to the

Committee on Appointments, Promotions and Tenure is not successful, the academic chair or other nominator or the affected faculty member may bring to the attention of the Steering Committee of the Faculty Council, through a detailed, written submission, any alleged errors in procedure or non-adherence to the current published guidelines for appointments, promotions and tenure. The Steering Committee of The Faculty Council may investigate the allegations to the extent that it deems appropriate, may review all other candidates' files as it deems necessary, and may request the appearance of persons with knowledge of current and prior procedures and policies of the CAPT. A written report of the results of any investigation by the Steering Committee shall be appended to the candidate's file. All files will be forwarded to the dean after the Committee on Appointments, Promotions and Tenure, and, if applicable, the Steering Committee of the Faculty Council have discharged their responsibilities as specified above. The dean shall transmit the file, with added comments if desired, to the president of the university; for informational purposes, the dean will also provide the Dean of the Case School of Engineering with complete copies of the files of candidates in the Department of Biomedical Engineering with appointments principally based in the School of Medicine.

b. Special Faculty Appointments and Promotions

Special faculty appointments and promotions modified by the prefix adjunct, clinical, or visiting shall be recommended by the department chair and may be granted by the dean. For these clinical and adjunct appointments and promotions at the ranks of assistant professor, associate professor, and professor, the dean shall, prior to reaching a decision, also consider the recommendation of the department's committee on appointments, promotions, and tenure. The dean shall also consider letters of reference concerning the appointment and promotion of faculty to the ranks of clinical and adjunct associate professor and clinical and adjunct professor. For all ranks of clinical and adjunct faculty appointments and promotions in the division of general medical sciences, the dean shall, prior to reaching a decision, also consider the recommendation of the division's committee on appointments, promotions, and tenure. This paragraph will govern special faculty appointments and promotions for faculty in the department of biomedical engineering with appointments principally based in the School of Medicine. The dean shall inform the Dean of Case School of Engineering of any such appointments and promotions.

c. Secondary Appointments and Promotions

Secondary appointments at all ranks shall be recommended by the chair of the secondary department, require the concurrence of the primary department chair, and may be made at the discretion of the dean. Secondary appointment promotions shall be recommended by the secondary department chair and may be made at the discretion of the dean. For secondary appointments and promotions in the division of general medical sciences, the dean shall, prior to reaching a decision, also consider the recommendation of the divisions committee on

appointments, promotions, and tenure. This paragraph will govern secondary appointments in the department of biomedical engineering principally based in the School of Medicine and promotions of faculty holding such secondary appointments. The dean shall inform the Dean of Case School of Engineering of any such appointments and promotions.

5.10: The Committee on Appointments Promotions and Tenure

a. The Committee on Appointments, Promotions and Tenure shall be a standing committee of the faculty and shall consist of twenty-four full-time faculty members. Eighteen members shall be elected by the full-time faculty and six members shall be appointed by the dean. A representative Dean from faculty affairs shall also be a member of this committee, ex officio and without vote. Department chairs are not eligible to serve on this committee. Ten of the committee members shall have the rank of tenured professor; ten shall be professors in the non-tenure track; and four shall be tenured associate professors. The elected committee members shall include nine faculty members with primary appointment in clinical science departments and nine with primary appointment in basic science departments; the appointed members shall include four from clinical science departments and two from basic science departments. In each election all reasonable effort will be taken to have the number of nominees be at least twice the number of positions to be filled. Members will be elected or appointed for three-year terms. These terms shall be staggered for the full-time faculty members. Committee members may serve only two consecutive three-year terms but subsequently may be reelected or reappointed after an absence of one year. The quorum for conducting the business of the Committee on Appointments, Promotion and Tenure shall be twelve members present for discussion of which eight must have voting privileges. On recommendations for appointment as or promotion to associate professor, all committee members are eligible to vote; on recommendations for appointment as or promotion to professor, faculty committee members who are tenured professors and non-tenure track professors are eligible to vote; on recommendations to award tenure, tenured committee members are eligible to vote. Committee members may be present for discussion but are not eligible to vote regarding candidates for primary appointment, promotion, or award of tenure in the committee member's own department of primary appointment. The committee will be led by two co-chairs, each of whom shall serve a one-year term, appointed by the chair of Faculty Council in consultation with the dean of the School of Medicine. The co-chairs may be selected from either the elected or appointed members of the committee. The chair of Faculty Council, in consultation with the dean of the School of Medicine, each year shall also appoint two co-chairs elect, to serve the following year as the committee's co-chairs. At each committee meeting, at least one of the co-chairs must be in attendance.

b. The standards for appointment, promotion, and granting of tenure determined by the faculty shall be considered by the committee when evaluating candidates under review.

c. The CAPT shall review and make recommendations concerning all appointments as or promotions to the ranks of associate professor or professor and the award of tenure.

#### 5.11 Sabbatical and Special Sabbatical Leaves

The purpose of and conditions for sabbatical leaves are discussed in the Faculty Handbook, Chapter 3, II A. The conditions are based on the premise that the faculty member requesting a sabbatical leave is tenured. A sabbatical leave may be requested by a faculty member and, based upon all factors including the specific study proposal and subsequent recommendations by the department chair, the Faculty Council Steering Committee, and the dean, may be granted by the president. In cases of tenure track and non-tenure track or special faculty, special sabbatical leaves may be recommended as well, at the discretion of the dean. However, such leaves may not necessarily incur the obligation of university or School of Medicine financial support. For faculty with tenure track, non-tenure-track and special appointments, the provost shall specify whether the leave period is to be counted as part of the pretenure or pre-promotion period, as the case may be.

#### ARTICLE 6 - AMENDMENT OF THE BYLAWS

An amendment of the bylaws may be proposed by majority vote of the Faculty Council, by the dean, or by written petition of 20 or more faculty members. The amendment must be accompanied by a rationale for the proposed change. All proposed~~Proposed~~ amendments shall~~will~~ be submitted to the Chair and secretary of the Faculty Council, who shall forward all proposed amendments to the Standing Committee on Bylaws. The Bylaws Committee shall review each proposed amendment and report its recommendation to Faculty Council. All proposed amendments and~~ordinarily~~ will be considered and voted on by the Faculty Council within the same academic year if submitted prior to April 1 of that year. ~~All~~The proposed amendments, their rationale, and the recommendations of the Faculty Council will then be sent by mail to full-time members of the faculty and may be discussed at a regularly scheduled meeting of the faculty held at least four weeks after the mailing. During discussion of proposed amendments at a faculty meeting, non-substantive changes in the proposed amendments may be made by majority vote. The vote on any proposed amendment shall be by mail ballot of the full-time faculty. Approval shall require an affirmative vote by a majority of those faculty members returning ballots. At least three weeks shall be allowed between the mailing of ballots

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and the determination of election results. The Faculty Council shall review the bylaws at least once every five years and shall propose amendments as desired to the faculty.

# **BYLAWS**

## **THE FACULTY OF MEDICINE**

### **CASE WESTERN RESERVE UNIVERSITY**

ADOPTED BY THE FACULTY OF MEDICINE, AUGUST 25, 1978  
RATIFIED BY THE FACULTY SENATE, DECEMBER 13, 1978

AMENDED BY THE FACULTY OF MEDICINE, MARCH 25, 1998  
RATIFIED BY THE FACULTY SENATE, APRIL 23, 1998

AMENDED BY THE FACULTY OF MEDICINE JUNE 25, 1999 AND JUNE 30, 2000  
RATIFIED BY THE FACULTY SENATE, NOVEMBER 6, 2000

AMENDED BY THE FACULTY OF MEDICINE, JANUARY 31, 2003  
RATIFIED BY THE FACULTY SENATE, APRIL 27, 2003

AMENDED BY THE FACULTY OF MEDICINE, APRIL 22, 2005  
RATIFIED BY THE FACULTY SENATE, FEBRUARY 27, 2006

AMENDED BY THE FACULTY OF MEDICINE, JANUARY 11, 2010  
RATIFIED BY THE FACULTY SENATE, APRIL 21, 2010

AMENDED BY THE FACULTY OF MEDICINE, AUGUST 26, 2011  
RATIFIED BY THE FACULTY SENATE, FEBRUARY 22, 2012

AMENDED BY THE FACULTY OF MEDICINE, MAY 6, 2014  
RATIFIED BY THE FACULTY SENATE, JANUARY 21, 2016

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## ARTICLE 1 -PURPOSE

These bylaws and all amendments adopted as hereinafter provided shall henceforth constitute the rules and regulations governing the conduct and procedures of the Faculty of Medicine in the performance of its duties and in the exercise of its authorized powers, as specified by the constitution of the University Faculty of Case Western Reserve University. They are intended also to facilitate the participation of the clinical and adjunct faculty in organizing and executing the curriculum of the School of Medicine.

## ARTICLE 2 - THE FACULTY OF MEDICINE

### 2:1 Membership of the Faculty of Medicine

The Faculty of Medicine shall consist of (1) regular faculty, defined as all persons who hold full-time appointments in the School of Medicine and who have unmodified titles at the rank of professor, associate professor, assistant professor, senior instructor, instructor, and (2) special faculty, those who hold these ranks modified by the adjective clinical, adjunct, visiting, or emeritus. In addition, fifteen students, two elected from and by each of the four University Program medical school classes, two elected at-large from and by Cleveland Clinic Lerner College of Medicine ("CCLCM") students, two elected from and by M.D.-Ph.D. students, and three elected from and by medical school graduate students, shall act as non-voting student representatives. The president of the university, a vice-president of the university responsible for medical school activities, and an administrative officer from and selected by each affiliated hospital shall be members of the faculty *ex officio*. The dean of the School of Medicine shall furnish annually to the secretary of the University Faculty a list of all full-time members of the faculty. (A full-time faculty member is one who is a member of the University Faculty as defined in the Faculty Handbook of Case Western Reserve University.) The Faculty of Medicine shall create a Faculty Council to conduct such business for it as is described below.

### 2:2 Officers of the Faculty

The president of the university and, in the president's absence or by the president's designation, the dean of the School of Medicine or the dean's representative, shall be chair of the Faculty of Medicine. The chair of the Faculty Council shall serve as vice-chair of the Faculty of Medicine. The Faculty of Medicine shall have a secretary who shall be appointed by the dean. The secretary shall provide due notice of all faculty meetings and the agenda thereof to the members of the faculty and distribute to the members the minutes of each meeting. The office of the dean shall be requested to supply appropriate administrative support for these functions.

### 2:3 Authorities and Powers of the Faculty of Medicine

a. Authorities. Those authorities delegated by the University Faculty to the Faculty of Medicine for the educational, research, and scholarly activities of the School of Medicine shall reside in the Faculty of Medicine.

b. Powers Reserved. The regular faculty members of Faculty of Medicine shall make recommendations to the University Faculty concerning the establishment, discontinuance, or separation of any constituent school or college, or concerning the merging of such organizational units, and concerning any matter of import referred by the Faculty Council to the Faculty of Medicine for the determination of its recommendation.

The regular faculty members of the Faculty of Medicine shall have the power to recommend approval of amendments to these bylaws and the power and obligation to elect (1) senators to the University Faculty Senate; (2) a majority of the members of the Faculty Council; and (3) a majority of the voting members of the standing committees listed in section 2:6a.

### 2:4 Meetings of the Faculty of Medicine

a. Regular Meetings. The Faculty of Medicine shall schedule meetings at least three times each academic year. The dean of the School of Medicine shall be asked to describe the state of the medical school generally at one of the meetings. Another meeting shall have as its main business a program relating to medical education. A third meeting will have an agenda approved by the Faculty Council with at least one-half of the meeting devoted to open forum items. Meeting dates and times will be coordinated to accommodate appropriate schedules. In the event that inclement weather or other unforeseen event forces the university to close, a Faculty of Medicine meeting scheduled for that day shall be rescheduled. The Faculty Council may cancel a scheduled meeting of the faculty in the event there is no business to be conducted.

b. Special Meetings. The Faculty of Medicine shall also meet on the call of the president or the dean, or on written petition of at least 10 faculty members presented to the Faculty Council, or at the request of the Faculty Council.

### 2.5. Voting Privileges

a. A quorum of the faculty for both regular and special meetings shall consist of 100 members who are eligible to vote on the issue before the faculty as defined below (2:5c-2:5e). Proxies are not acceptable for purposes of either establishing a quorum or voting.

b. Special meetings of the faculty shall be conducted according to Robert's Rules of Order, Newly Revised. A majority of those present and voting shall be necessary to effect action.

c. Special faculty whose titles are modified by the adjectives adjunct or clinical may vote at meetings only on matters concerning the planning and approval of the curriculum, the

execution of the instructional program, the formulation of policies with regard to student affairs, appointment and promotion of special faculty; the election of members of committees dealing with such issues, and the election of their representatives to the Faculty Council.

d. Emeritus and visiting faculty members shall not be eligible to vote.

e. Prior to faculty meetings, Faculty Council will determine which faculty are eligible to vote on each issue scheduled for a vote, guided by 2:5c-2:5e above. If an issue is raised and brought to a vote *ad hoc* at a faculty meeting, the person chairing the meeting will determine who is eligible to vote based on the above criteria.

#### 2:6 Committees of the Faculty of Medicine

a. The following Standing Committees shall be charged with specific responsibilities (as described more completely in each committee's Charge as approved by the Faculty Council):

(1) The Admissions Committee shall participate in both annual decision-making regarding individual applicants and in the establishment of admissions policy and procedure.

(2) The Bylaws Committee shall consider proposed amendments to the Bylaws of the Faculty of Medicine and make recommendations concerning such proposed amendments to the School of Medicine Faculty Council.

(3) The Committee on Budget, Finance, and Compensation shall serve as the faculty's principal forum for the consideration of matters relating to SOM budgeting and financing. This Committee will consult with and advise the SOM administration on the formation and review of SOM policies and procedures concerning faculty compensation.

(4) The Committee on Appointments, Promotions, and Tenure shall review and make recommendations concerning all appointments as or promotions to the ranks of associate professor or professor and the award of tenure.

(5) The Committee on Medical Education serves to evaluate, review, and make recommendations concerning overall goals and policies of the School's medical education program, which includes the University and College programs.

(6) The Committee on Students shall have the responsibility of reviewing the total performance of all students and the authority for decisions on student standing and student promotions.

(7) The Lecture Committee shall serve as a selection committee for speakers where no other regular mechanism is in place.

(8) The Committee on Biomedical Research shall carry out the faculty's role in formulating policies related to the conduct of research in the School of Medicine on matters including but not restricted to the research portfolio, enabling technologies, research infrastructure, and biomedical workforce.

b. The majority of the voting members of each standing committee dealing with faculty responsibilities shall be elected by the regular members of the Faculty of Medicine. The number of non-voting members shall not exceed the number of voting members. The chair of the Faculty Council shall solicit recommendations for committee chair appointments from each standing committee, and then shall normally appoint one of the elected members to be the chair of each such committee, unless other provisions for appointment of chairs are made in these Bylaws.

c. Standing Committees shall be established or discontinued only by amendment of the School of Medicine By-Laws. The two exceptions are the Standing Committee on Appointments, Promotion and Tenure, and the Standing Committee on Budget, Finance, and Compensation whose existence is mandated by the Faculty Handbook. *Ad hoc* committees shall not be appointed that duplicate or substantially overlap with the missions and charges of the Standing Committees. The Faculty Council shall have the authority to amend the representative composition (e.g., by number, rank, department, or institution) of standing committees and the length of terms of office of the members, and shall nominate candidates for committee membership. The regular members of the Faculty of Medicine shall vote upon the nominees and shall elect the majority of voting committee members. Members of any standing committee may be appointed by the dean in accordance with the prescribed structure of each such committee. The number of appointed voting members shall be less than the number of elected voting members. The standing committees shall be reviewed by the Faculty Council at least once every five years. Standing committees may present proposed changes to their own charge for consideration by the Faculty Council. In the event that an elected member of a standing committee of the faculty resigns during the term, the Nomination and Elections Committee of the Faculty Council shall appoint a replacement. The first choice should be the faculty member who received the next highest number of votes in the most recent election for this committee position. Should that individual be unwilling or unable to serve, the Nomination and Elections Committee shall appoint an alternate of its choosing to the committee. In either case, this appointee may stand for election to the committee for the remainder of the term of the resigning member at the next regularly scheduled faculty election.

d. The dean shall be a member of all standing committees *ex officio* and may be the chair of any such committee if so appointed by the chair of the Faculty Council with the approval of the Faculty Council. Persons holding the office of assistant, associate, or vice dean may be regular members of any of these committees. Standing committees may include members holding the office of assistant, associate, or vice dean, as long as their number does not exceed 25% of the membership. The exception to this rule is the Committee on Medical Education, which may include members holding the office of assistant, associate, or vice dean, as long as

their numbers do not exceed 40% of the membership. Persons holding the office of assistant, associate, or vice dean may not be committee chairs, but may be executive officers of these committees. Membership rosters of all standing committees shall be published annually.

e. Any action taken in the name of a standing committee shall be made by majority vote. All members of a committee shall be supplied with minutes of the meetings of the committee and with copies of official recommendations of the committee.

f. The meetings of all standing committees shall be open to all members of the faculty except for those of the Admissions Committee, the Committee on Students, and the Committee on Appointments, Promotions and Tenure. Chairs of other committees may declare a meeting or part of a meeting closed to faculty attendance only if confidential personnel matters are to be discussed.

### ARTICLE 3: THE FACULTY COUNCIL

#### 3:1 Purpose and Functions of the Faculty Council

The Faculty of Medicine delegates all powers not reserved to the Faculty of Medicine itself (see Article 2) to a Faculty Council. The Faculty Council shall meet regularly to exercise the powers and obligations of the Faculty Council, which shall include but not be limited to the following:

- a. To act for the Faculty of Medicine regarding the planning and execution of educational programs and the formulation of policies concerning curricula, student admissions, and the conduct of research in consultation with the appropriate standing committee of the Faculty of Medicine. It shall also have the responsibility to review the requirements for the M.D. degree and to approve student standings and student promotions;
- b. To hear reports of the Standing Committees of the faculty and of the Faculty Council and recommend action on such reports;
- c. to determine the establishment, discontinuance, and representative composition of the membership of all faculty standing committees;
- d. to elect a chair, a chair-elect, members of the Steering Committee, and the Faculty Council members of the Nominating Committee;
- e. to determine the agenda for its own meetings and the agenda for the meetings of the faculty;
- f. to classify any issue requiring a vote of the faculty so as to determine the eligibility of the adjunct/clinical and student members to vote on that issue (per 2:4biii and

2:4bv). The Faculty Council may appoint standing and *ad hoc* committees to make recommendations concerning its various functions and duties (see Article 3:6d).

### 3:2 Membership of the Faculty Council

a. Voting Members. Voting members of the Faculty Council shall include one representative of each academic department (When more than one autonomous department exists within a single academic discipline, as per section 4:3 below, a representative of each such department shall be elected to the Faculty Council.) and of each division with departmental status. (All references hereafter to academic departments include divisions with departmental status.) These representatives shall be referred to as department representatives. Other voting members shall include two representatives from the special faculty whose titles are modified by the adjective adjunct or clinical, one representative from each affiliated institution and 10 representatives of the regular faculty elected at large. All these representatives shall be members of the faculty.

b. Non-voting Members. Non-voting members of the Faculty Council shall be the president of the university, a vice-president of the university responsible for medical school activities, the dean of the School of Medicine, the associate dean for medical education of the School of Medicine, the chair of the Committee on Medical Education, and student members who shall include not more than two undergraduate medical students, one M.D.-Ph.D. student, and one Ph.D. graduate student. The student members shall be chosen by their respective groups. In addition, if a senator to the university Faculty Senate is not included in the Faculty Council as a voting member, the chair of the Faculty Council shall appoint one of the School of Medicine senators to be an *ad hoc* member of the Faculty Council. The chair of the Faculty Council may invite other persons to attend designated meetings. Faculty Council meetings shall be open to the faculty. Faculty members may at any time request hearings before Faculty Council, but a request by a faculty member for a hearing before the Faculty Council must be made to the chair prior to the meeting of the Faculty Council.

### 3:3 Election of the Members of the Faculty Council

(For more details concerning elections, see Article 3:6b, paragraph 3.)

a. Shall be held no later than April 30 of each year, with newly elected members beginning their terms of office on the following July 1.

b. Upon notification by the dean, the full-time faculty members of each academic department of the School of Medicine shall elect as a department representative to the Faculty Council one of their full-time members who holds a primary appointment in that department. The election shall be held by democratic process. Complaints concerning the occurrence of

undemocratic selections of representatives shall be brought to the attention of the chair of the Faculty Council.

c. Upon notification by the dean, full-time faculty based at each affiliated institution shall choose, by a method of their own design, one of their members who has a primary base at that institution and who has not been elected a department representative to be a representative to the Faculty Council.

d. The at-large representatives shall be nominated by a nominating committee (see Article 3:6b) and shall be elected by the full-time members of the faculty. The dean shall be requested to supply the nominating committee with a list of the preclinical and clinical science departments and rosters of the full-time faculty members with primary appointments in each department. Five at-large representatives shall be from preclinical departments and five shall be from clinical science departments. There shall be at least two nominees for each of these positions. Those nominees who are not elected shall serve as alternates in the order of votes received (see 3:4). In each three-year cycle beginning with the adoption of these amendments, one preclinical and one clinical at-large representative shall be elected the first year, and two preclinical and two clinical at-large representatives shall be elected in each of the second and third years. Upon adoption of these amendments, the at-large representatives who are then serving may complete their terms of office.

e. The Nominating Committee (see Article 3:6b) shall nominate at least four members of the special faculty whose titles are modified by the adjective adjunct or clinical as candidates for representative to the Faculty Council. Two of these nominees shall be elected by the special faculty whose titles are modified by the adjective adjunct or clinical. The remaining nominees will serve as alternates in the order of votes received.

### 3:4 Terms of Office of Faculty Council Representatives

Representatives shall serve for a period of three years. Representatives may not serve consecutive terms but may be reelected after an absence of one year. A department representative who is unable for any reason to complete a term of office shall be replaced by a full-time faculty member from the same academic department, elected by democratic process within that department. The new member shall complete the term of the former member and shall be eligible for reelection if the remaining term so completed has been less than two years. A departmental member on leave of absence shall be replaced during that leave by a faculty member from the same academic department, elected by democratic process within that department. Upon return from leave, the returned faculty member shall complete the original term of office. An at-large representative who is unable for any reason to complete a term of office shall be replaced by an alternate (per 3:3d) who shall serve during the remainder of the

term or during the leave of the representative, as outlined for department representatives. A representative of the special faculty who is unable for any reason to complete a term shall be replaced by an alternate (see Article 3:3e) who shall serve during the remaining term or during the leave of the representative. A representative of an affiliated institution who is unable for any reason to complete a term shall be replaced by a full-time faculty member with a primary base at the same institution. That individual shall be chosen by the same mechanism as the original representative, and shall serve for the remaining term or during the leave of the original member, as outlined above for department representatives.

Members who have three absences from Faculty Council meetings in one year must resign from the Faculty Council unless their absences were excused by the chair of the Faculty Council. A warning letter will be sent to the Faculty Council member after two absences, with a copy to the department chair. Selection of replacements for members who resign is discussed in the preceding paragraph.

### 3:5 Officers of the Faculty Council

Each year the Faculty Council shall elect a chair-elect from the members who have at least two years of their terms remaining. The chair-elect shall serve as vice-chair of the Faculty Council during the first year following election and succeed to the chair the following year. The chair of the Faculty Council (or the vice-chair of the Faculty Council in the absence of the chair) shall preside over the Faculty Council and shall be vice-chair of the Faculty of Medicine. Following completion of this term of office, the immediate past chair of the Faculty Council shall serve one additional year as a member of the Faculty Council and as a member of its Steering Committee. For procedures to be followed in the election of the officers and committees of the Faculty Council, see article 3:6b. The dean shall be requested to provide administrative support to these officers.

### 3:6 Committees of the Faculty Council

a. Steering Committee. The Steering Committee shall consist of eight members: the chair of the Faculty Council, the vice-chair of the Faculty Council, the immediate past chair of the Faculty Council, and five other Faculty Council members who shall be elected by the Faculty Council for one-year terms. These members may be reelected successively to the Steering Committee for the duration of their terms as members of the Faculty Council. The chair of the Faculty Council (or the vice-chair of the Faculty Council in the absence of the chair) shall serve as chair of the Steering Committee. The Steering Committee shall set the agenda for meetings of the Faculty Council. The Steering Committee shall be empowered to act for the Faculty Council between meetings. The Steering Committee shall report all actions and recommendations to the

Faculty Council. The Steering Committee shall act for the Faculty Council and faculty in reviewing actions of the Committee on Appointments, Promotions and Tenure in order to ensure equity, adherence to published guidelines, and proper procedure. The Steering Committee shall consult with the dean on such matters as the dean brings before it. The Steering Committee shall advise the president concerning the appointment of an interim or acting dean of the School of Medicine.

b. Nomination and Elections Committee. This committee shall consist of eleven members: the dean, the chair of the Faculty Council, the vice-chair of the Faculty Council, four other Faculty Council members, two each from the preclinical and clinical sciences, and four full-time faculty members who are not members of the Faculty Council, two each from the preclinical and clinical sciences. The four Faculty Council members of the Nomination and Elections Committee shall be elected at large by the Faculty Council and shall serve for the duration of their terms as Faculty Council members. The four non-members of the Faculty Council shall be elected by ballot by the Faculty of Medicine and shall serve three-year terms. The chair will be elected from the members of the committee annually.

The Nomination and Elections Committee shall nominate (1) candidates for the chair-elect of the Faculty Council, (2) candidates for the Steering Committee, and (3) candidates for the standing committees of the Faculty Council. Ballots listing the nominees and leaving space for write-in candidates shall be sent to all members of the Faculty Council. The election of the chair-elect and the members of the Steering Committee, the Faculty Council members of the Nomination and Elections Committee and the members of other standing committees of the Faculty Council will be carried out at the May meeting of the Faculty Council. Additional nominations for all these offices shall be invited from the floor. The consent of the nominee must be obtained in order for a write-in or floor nomination to be valid. Faculty Council members who cannot attend the May meeting may vote by mail (noting that wherever mail voting or distribution is mentioned in these Bylaws, voting or distribution by email or other method well-calculated to reach voters shall be considered satisfactory). Candidates for chair-elect will also be candidates for the Steering Committee and will be so listed on mail ballots. Faculty Council members shall vote for one nominee for chair-elect and for six members of the Steering Committee. The five persons with the highest number of votes, excluding the person elected to the office of chair-elect, shall be elected to serve on the Steering Committee. Both mail ballots and ballots collected at the Faculty Council meeting shall be counted, whether or not a quorum is present at the meeting. If the total number of ballots received does not equal or exceed 50% of the members of Faculty Council, ballots may be solicited from absentee members. If either the Steering Committee or the Nomination and Elections Committee perceives a significant deficit in the representation of faculty constituencies within its membership following the annual election, either committee may ask the chair of Faculty Council to appoint a single ad hoc voting member

to serve on the respective committee for the remainder of the year. In the case of the Steering Committee, the appointee should be a current member of the Faculty Council. In the case of the Nomination and Elections Committee, the appointee should be a regular member of the Faculty of Medicine.

In addition, the Nomination and Elections Committee shall nominate (1) candidates for the at-large representatives to the Faculty Council, (2) candidates for the representatives of the special faculty whose titles are modified by the adjective adjunct or clinical to the Faculty Council, (3) candidates for standing committees of the Faculty of Medicine, and (4) candidates for senator to the University Faculty Senate. In the case of at-large representatives, senators, or members of the Committee on Appointments, Promotions, and Tenure, the number of nominees shall be at least twice the number of positions to be filled. Electees shall be chosen by mail ballot. Ballots listing candidates for Faculty Council, senators, and standing committees of the faculty shall be mailed to all full-time members of the faculty. Ballots listing candidates for the representatives of the special faculty on the Faculty Council shall be mailed to all special faculty whose titles are modified by the adjective adjunct or clinical. Ballots listing candidates for committees dealing with the planning and approval of the curriculum, the execution of the instructional program, and the formulation of policies with regard to student affairs shall be mailed to all members of the faculty. Elections shall be conducted as far in advance of the completion of the terms of sitting members as is practicable. Elections may be conducted through the campus and first class mail or by email or other electronic means. All ballots shall provide space for write-in candidates. At least two weeks shall be allowed between the distribution of all ballots and the close of the election and determination of election results. Distribution of the ballots and the determination and publication of the election results shall be the responsibility of the Nomination and Elections Committee. After each election, the Committee will count the votes and publish all the vote totals. Any irregularities or issues in the conduct of the elections shall be investigated and resolved by the Committee. The Nominations and Elections Committee shall report its investigation and resolution to the Faculty Council and the Faculty of the School of Medicine. The dean shall be requested to supply administrative support for the elections.

c. Special Committee to Nominate Candidates for the Search Advisory Committee to the President on the Selection of the Dean of the School of Medicine. This special nominating committee shall be formed when needed and shall consist of the chair of Faculty Council, three other members of the Steering Committee of the Faculty Council, three elected members of the Nominating Committee, and four academic department chairs (two Basic Science, two Clinical) of the School of Medicine. The chair of the Faculty Council shall serve as chair of this special nominating committee, and the other ten members shall be elected by their respective groups. The majority of the nominees for the Search Advisory Committee selected by this special

nominating committee shall be full-time members of the Faculty of Medicine. The president is requested to consider these nominees when appointing members of the Search Advisory Committee.

In the early stages of the search for the dean of the School of Medicine, the chair of the Faculty Council shall solicit recommendations, opinions, and advice regarding selection of the dean from members of the Faculty of Medicine by mail and submit these views directly to the Search Advisory Committee. When a final list of candidates for the position of dean has been selected, the Search Advisory Committee is requested to solicit the views and advice of the Steering Committee of the Faculty Council on the ranking of the candidates.

d. Other Committees of the Faculty Council. The Faculty Council may create other standing and *ad hoc* committees of the Faculty Council to carry out specific functions and duties assigned to it. These committees may include members who are not Faculty Council members.

### 3:7 Meetings of the Faculty Council

a. The Faculty Council shall meet at least once every two months from September through June of each academic year. Special meetings may be called by a majority vote of the Steering Committee, by a written petition of 10 members of the faculty addressed to the chair of the Faculty Council, or by the dean.

b. The agenda for each meeting shall be prepared by the Steering Committee, posted electronically, and sent electronically to all faculty members at least one week in advance of regular meetings and at least two days in advance of special meetings

c. Minutes of the meetings shall be kept and shall be distributed in a timely fashion to Faculty Council members, to the dean, to all department chairs, and to each member of the Faculty of Medicine. Approved minutes shall be posted electronically and sent electronically to all faculty members. The dean is requested to provide administrative support for this purpose.

d. The meetings shall be conducted according to Robert's Rules of Order, Newly Revised. A quorum of the Faculty Council shall consist of 50% of the voting members. Elected members may not designate alternates for council meetings or vote by proxy in council meetings. Faculty Council members may vote *in absentia* by mail in the election of officers and standing committees of the Faculty Council (see article 3:6b).

### 3:8 Annual Report of the Faculty Council

Each year the chair of the Faculty Council shall submit to the faculty a report on the activities of the Faculty Council.

## ARTICLE 4 – DEPARTMENTS

### 4:1 Organization of the Faculty into Departments

The Faculty of Medicine may be organized into departments representing each academic discipline as specified in the Constitution of the University Faculty, Article VII, Sec. B. Divisions with the status of a department may be established. Each member of the faculty shall normally have an appointment in a department or in a division having the status of a department.

### 4:2 Function of Departments

Each department shall provide a central administration for its academic disciplines. Each department shall be responsible for the teaching in its discipline in the School of Medicine, through the core academic program's committee structure and the other units of the undergraduate medical curriculum and in the affiliated hospitals. This responsibility shall be exercised by the academic department chairs in conformity with the curricular policies, organization, and components that are specified by the faculty and the dean. Each department may assume responsibility for teaching in its discipline in the other schools of the health sciences and in the undergraduate and graduate curricula of the university as determined by need and negotiation. Where appropriate, each department shall plan and implement graduate programs leading to such graduate degrees as are authorized by the university and shall be responsible for the content of the curricula in its discipline in the several programs specified above. Each department shall plan and execute programs of research and of professional activity and shall train medical students, undergraduate students, and graduate students in its disciplines. Each department shall maintain and staff the facilities which lie within its jurisdiction and shall enlist the cooperation of other departments or of affiliated teaching institutions where this shall be necessary for the execution of its mission. Each department shall elect one representative to the Faculty Council.

a. Each department or, at the request of the hospital affiliate's Associate Dean or Executive Dean and with the consent of the Dean of the School of Medicine, each affiliated hospital, shall establish a Department or Affiliated Hospital Committee on Appointments, Promotions, and Tenure (or Appointments and Promotions only, if appropriate) (all hereinafter "DCAPT"s) for the purpose of making recommendations concerning appointments and promotions and if appropriate awards of tenure. The department chair or affiliated hospital associate dean or executive dean shall nominate faculty annually for service on the DCAPT for the SOM Dean's approval. The department chair shall also nominate a faculty member holding a primary appointment in the department (or the affiliated hospital, if appropriate), preferably at the rank of tenured Associate Professor or Professor, to serve as the DCAPT committee chair.

b. DCAPTs may comprise all the faculty members holding full-time primary appointment in the department, except as provided in paragraph 4.2(c), and may also include faculty holding secondary appointments in the department but holding primary appointments outside the department or school in any of the university's constituent faculties. Alternatively, department chairs may nominate a committee of at least three faculty members from among the primary full-time faculty (and other faculty) to serve as the committee.

c. Department chairs themselves shall not be members of their respective department's DCAPTs. Instead, they shall serve as the initiator for the appointment, promotion, and tenure of candidates, attending DCAPT meetings for the purpose of presenting candidates for the committee's consideration, entering into discussion with the committee and answering its questions, and otherwise being excused from the room. Department chairs shall not be present for DCAPT voting. Should a faculty member take advantage of the self-initiation process, the DCAPT chair shall invite the department chair as well as an advocate, selected by the candidate from among the CWRU faculty, to the meeting at which the self-initiated promotion or tenure award is discussed to provide the department chair and advocate with the opportunity to offer his or her perspectives. The advocate and department chair shall present separately and neither shall be present for the vote.

d. The paragraph above, however, shall not restrict department chairs from serving on an affiliated hospital's committee concerned with appointments, promotions, or tenure. Where department chairs serve on such committees, they may serve as the as described above and they may remain present during the discussion and voting, but in no case shall a department chair (or other committee member) cast a vote regarding the appointment, promotion, or tenure of a candidate whom she or he initiated for appointment, promotion, or tenure.

e. Department chairs have wide discretion to nominate faculty for service on the DCAPT, but the following principles should be observed. If at all possible, at least two-thirds of the committee should be composed of tenured faculty in the department at the rank of associate professor or professor. The DCAPT's membership should include both tenured and non-tenured faculty; each committee, with the exception of the Cleveland Clinic Lerner College of Medicine Committee (CCLCM), shall include at least three tenured faculty members, so tenure votes are not determined by only one or two voters. Preference shall be given to tenured faculty holding primary appointment in the department. Tenured faculty holding secondary appointment in the department ("tenured secondary faculty") may be appointed to the committee 1) in addition to all tenured faculty holding primary appointment in the department ("tenured primary faculty") in order to reach the minimum of three or 2) to exceed it, but in this case the number of tenured secondary faculty may not exceed the number of tenured primary faculty on the committee. Women and minority faculty should be represented if at all possible; adjunct and/or clinical

faculty may be nominated for committee membership at the chair's discretion to vote on promotion of special faculty.

f. Department or affiliated hospital CAPTs shall review faculty holding or proposed for holding primary appointment in the department/affiliated hospital in order to make recommendations concerning 1) appointment, promotion, and/or award of tenure; 2) third and sixth year pretenure reviews for tenure track faculty; 3) concerning readiness for promotion for each full-time assistant and associate professor in the non-tenure track no later than six years after appointment or promotion to that rank and at least every six years thereafter; and 4) other actions as appropriate. Copies of reviews under 2) and 3) above shall be provided to the individual faculty member reviewed; copies of all reviews shall be provided to the dean's office.

g. DCAPT recommendations shall be made by the DCAPT chair (unless he or she is the candidate) after a vote by the DCAPT. The DCAPT chair shall convene a meeting for the purpose of voting, for which notification shall be made sufficiently in advance to allow those unable to attend to vote by written absentee vote. All members of the committee may participate in discussion of all recommendations for appointment, promotion, and tenure. On recommendations involving promotion, only faculty of rank equal to or superior to that being considered shall be eligible to vote. On recommendations involving tenure, only faculty with tenure shall vote. Recommendations shall require a majority (more than half) of those eligible to vote. In order for a recommendation to be made, at least three eligible committee members must cast a vote.

h. Affirmative recommendations for faculty appointments and all other recommendations from a DCAPT shall be communicated to the department chair by the DCAPT chair in a letter which records the numerical vote and reflects the deliberations of the DCAPT, pro and con. Before transmission, this letter shall be made available for inspection by the faculty members who participated in the vote. If a faculty member believes the letter to express inadequately the committee's deliberations, he or she may send independently to the DCAPT chair a statement of such opinion, which shall be appended to the committee's letter for higher reviews. The department chair shall forward the DCAPT recommendation letter to the dean and is expected to add his or her recommendation, which may or may not be the same as the DCAPT's recommendation, in a separate letter to the dean.

i. DCAPT meetings shall be conducted in confidence. All votes shall be conducted by written secret ballot and shall be tabulated by the committee secretary. Candidates shall not be present at committee meetings (or portions thereof) at which their candidacy is discussed and/or voted upon. Committee deliberations and votes are confidential and must not be discussed outside the committee with anyone, including the candidates.

j. Recommendations concerning appointment, promotion, and tenure shall be governed by the then-current Qualifications and Standards for Appointment, Promotion, and the Award of Tenure for Faculty Members in The School Of Medicine, Case Western Reserve University (Appendix I of the these Bylaws) and the relevant sections of the Faculty Handbook. Committee discussions shall be confined to matters relevant under the Standards and Qualifications. Specifically prohibited from discussion are such matters as gender, race, minority status, disability status, veterans status, and sexual orientation or marital/partner status.

#### 4:3 Academic Department Chairs

a. Each academic department shall have an academic chair appointed by the president of the university on recommendation of the dean. In order to select candidates, the dean will appoint a search committee in consultation with Faculty Council, which shall normally be multi-departmental in composition, to provide a slate of candidates from which the selection will normally be made. The search committee shall include representation from the full-time faculty of the department in question. The department faculty representation shall consist of at least one full-time faculty member elected by the full-time faculty of that department. The search committee shall identify its membership to the academic department and indicate its ready availability, particularly that of the elected full-time departmental representative member(s) of the search committee, to receive suggestions, views and advice from interested individual department members or from the entire academic department throughout the search process. Verbal and/or written suggestions, views, and advice directed to any member of the search committee should be transmitted promptly to the whole search committee, unless specified otherwise by the departmental member offering such suggestions, views and advice.

All department chairs shall be selected in strict accordance with the university policy governing affirmative action.

The president will appoint acting or interim department chairs after receiving the recommendations of the dean. Before making recommendations, the dean shall seek the advice of a committee consisting of the Steering Committee of the Faculty Council and the Faculty Council representative from the department for which an acting or interim chair is to be appointed. When a member of the Steering Committee or the Faculty Council representative is a candidate for acting or interim department chair, the chair of the Faculty Council shall designate an alternate member from the department to serve on the advisory committee. The advisory committee shall identify expeditiously its membership to the academic department and indicate its ready availability, particularly that of the representative from the department, to receive suggestions, views and advice from interested individual department members or from the entire academic department. Verbal and/or written suggestions, views and advice directed to any

member of the advisory committee should be transmitted promptly to the whole advisory committee, unless specified otherwise by the departmental member offering such suggestions, views and advice. This process shall take place as expeditiously as possible before the advisory committee makes its recommendations to the dean.

b. Each department chair or head of a division with departmental status or an appropriate designee shall meet annually with each full-time faculty member to review performance and to set future goals. The department chair or the appropriate designee shall then provide a written summary of each evaluation to the faculty member, with a copy provided to the dean. For departments that choose to use the Faculty Activity Summary Form (FASF), any changes to that form must be approved by Faculty Council prior to their incorporation into the document.

c. The chair of an academic department may reside at the School of Medicine or at any one of its affiliated institutions.

d. Any individual service of an established academic department in an affiliated teaching institution may petition the Faculty of Medicine for independent status as a separate academic department, autonomously representing the academic discipline. The chair of each such independently established academic department shall be selected in accordance with section 4:3a and appointed by the president on recommendation of the dean. The dean is requested to seek the advice of the Steering Committee and elected departmental member(s), as outlined in article 4:3a, before making recommendations to the president.

e. All chairs of academic departments and all directors of individual services of affiliated institutions within a single discipline should meet regularly to coordinate their university-related functions.

f. At least once a year, the Department Chair will call a meeting of their faculty for the purpose of identifying and defining issues pertinent to the mission of the Department.

#### 4:4 Establishment and Discontinuance of Academic Departments

Petitions to establish or discontinue academic departments shall be presented to the Faculty Council. Such petitions shall include the rationale for the change. Recommendations of the Faculty Council for establishment or discontinuance shall be referred to the University Faculty Senate, upon approval of the dean.

#### 4:5 Review of Academic Departments

Periodic review of each department by persons external to the department is important for evaluation of the functioning of that department by the faculty and the dean. A committee appointed by the dean shall review each academic department at intervals no greater than 10

years. The review committee shall include at least one outside consultant. The dean shall transmit the review committee's report and recommendations to the chair of the Faculty Council. Departmental faculty shall be provided with an executive summary.

#### 4:6 The Department of Biomedical Engineering

The Department of Biomedical Engineering is currently unique among the departments. Created by action of the Board of Trustees in 1968, it is a single department jointly based in the School of Medicine and the School of Engineering. The department chair will designate each faculty member, at the time of initial appointment, as being principally based in the School of Medicine or the School of Engineering. The principal designation will determine which School's pretenure period and which School's process and qualifications and standards for appointment, promotion, and award of tenure shall govern the appointment. In other respects, faculty in the department shall enjoy the rights and privileges and duties and responsibilities of faculty in both Schools.

### ARTICLE 5 – FACULTY APPOINTMENTS, PROMOTION, AND GRANTING OF TENURE

#### 5.1: Classification of Appointments

An appointment shall be classified as initial, renewal, or continuing (for appointments with tenure or for appointments past the first year of several year terms).

An appointment shall be classified as full-time or part time. Eligibility for appointment or reappointment to the full-time faculty is subject to approval by the dean and requires that (1) 50% or more time be devoted to approved academic activities and (2) the academic activities must be conducted at an approved site. If 50% or more of compensation is paid through the university, the full-time faculty member is eligible for fringe benefits.

An appointment shall be classified by academic title and whether the appointment is (a) with tenure, (b) without tenure but leading to tenure consideration (tenure-track), (c) without tenure and not leading to tenure consideration (non-tenure track); or (d) special, which will include the prefix adjunct, clinical, visiting, or emeritus. If the appointment leads to consideration for tenure, the appointment letter shall specify clearly the academic year in which this consideration will become mandatory. With regard to special faculty appointments, adjunct appointments usually refer to part-time faculty members devoting their time to research and/or teaching in the basic science departments. Clinical appointments usually refer to faculty members devoting their time to patient care and teaching. Visiting faculty appointments are issued for specified terms of one year or less than one year and can be full- or part-time. Special faculty are not eligible for tenure.

The dean of the School of Medicine and the provost of the university must approve available tenured or tenure track slots. The School of Medicine is exempt from the Faculty Handbook ruling that the majority of the members of each constituent faculty must be tenured or on the tenure track (Chapter 2, Article I, Sec. D, p. 15), as approved by the University Faculty Senate and the provost (January, 2004).

If the appointment applies to more than one constituent faculty, or department, or to an administrative office as well as an academic unit, the appointment may be identified either (1) as a primary-secondary appointment or (2) as a joint appointment. For a primary-secondary appointment arrangement, one constituent faculty or department shall be identified as the primary appointment and the other as secondary. Responsibility for the initiation of consideration of re-appointment, promotion, award of tenure, or termination shall rest with the primary unit. Faculty with joint appointments have full rights as a faculty member in both constituent faculties or departments. The notice of appointment shall be issued jointly by the two constituent faculties or departments. Consideration of appointment, reappointment, promotion, and/or tenure for joint appointment arrangements shall be as described in the Faculty Handbook sections pertaining to such appointments.

#### 5.2: Terms of Appointment

Appointments with tenure shall be of unlimited duration until retirement, subject only to termination for just cause (see below). Tenure-track appointments shall normally be made for a term of one to five years and may be renewed until the end of the pre-tenure period. Non-tenure track appointments are renewable and shall normally be made for a term of one to five years. Special appointments shall be made for terms of one year or less.

#### 5.3: Academic Freedom

Academic freedom is a right of all members of the Faculty of Medicine, and applies to university activities, including teaching and research. Specifically, each faculty member may consider in his or her classes any topic relevant to the subject matter of the course as defined by the appropriate educational unit. Each faculty member is entitled to full freedom of scholarly investigation and publication of his or her findings.

#### 5.4 Tenure

The basic purpose of tenure is to provide the assurance of academic freedom throughout the university. Another important purpose of tenure is to attract and retain outstanding faculty through continued commitment of the university to these faculty members. Tenured faculty members are protected explicitly against dismissal or disciplinary action because their views are

unpopular or contrary to the views of others. Non-tenure-eligible colleagues shall derive protection by general extension of these principles of academic freedom.

When awarded, academic tenure rests at the constituent faculty level.

The award of academic tenure to a faculty member is a career commitment that grants that faculty member the right to retain his or her appointment without term until retirement. The appointment of a tenured faculty member may be terminated only for just cause. In the event that a tenured faculty member's school, department or other unit of the university in which the faculty member's appointment rests is closed or reduced in size, the university shall make all reasonable attempts to provide a tenured faculty member with an appointment of unlimited duration until retirement.

Examples of just cause for the termination of any faculty member (tenured, tenure track, non-tenure eligible, or special) include (a) grave misconduct or serious neglect of academic or professional responsibilities as defined through a fair hearing; (b) educational considerations as determined by a majority vote of the entire constituent faculty of the affected individual which lead to the closing of the academic unit of the university or a part thereof in which the faculty member has a primary appointment; and (c) financial exigent circumstances that force the university to reduce the size of a constituent faculty in which the faculty member has a primary appointment.

A tenured faculty member may be terminated for financial exigent circumstances only after all faculty members who are not tenured in that constituent faculty have been terminated in the order determined by the dean of the School of Medicine in consultation with the department chairs, the Faculty Council and other faculty members.

#### 5.5: The Pretenure Period

The pretenure period in the School of Medicine is nine years. Each faculty member whose appointment leads to tenure consideration shall be considered for tenure no later than in the ninth year after the date of initial appointment at the rank of assistant professor or higher.

A faculty member in the tenure track may request extensions to the pretenure period. The extensions may be (1) requested by exceptionally worthy candidates in the event of unusual constraints in the university, or part or parts thereof, which would prevent tenure award at the end of the normal period; or (2) requested for the purpose of compensating special earlier circumstances disadvantageous to a candidate's tenure consideration (such as serious illness, family emergency, maternity, or extraordinary teaching or administrative assignments); or (3) upon written request by the faculty member within one year after each live birth or after each adoption, an extension of up to one year shall be granted by the provost to any faculty member

who will be the primary care giving parent. Extensions should be requested as soon after the occurrence of the relevant circumstances as practicable, ordinarily not later than one year prior to the normally scheduled expiration of the pretenure period. Extensions requested under (1) or (2) above require request by the faculty member, review and a recommendation by the department's committee on appointments, promotions, and tenure, the department chair, and the dean, and approval by the provost. Pretenure extensions may not be used to defer tenure consideration of a faculty member more than three years beyond the normal pretenure period except for extensions made under (3) above.

For faculty members whose tenure consideration has not produced tenure award during the pretenure period, further appointment is normally restricted to one year. In exceptional cases, individuals who failed to receive tenure may be appointed in the non-tenure eligible track on recommendation of the department Committee on Appointments, Promotions, and Tenure, the department chair, the Committee on Appointments, Promotions and Tenure of the School of Medicine, the dean of the School of Medicine, and the approval of the provost. Such appointments are contingent upon full financial support from non-university sources.

The number, nature, and duration of pretenure period extensions made to an individual faculty member's pretenure period shall not be considered by the CAPT when reviewing that faculty member for award of tenure or promotion.

#### 5.6: Qualifications for Appointments, Promotions and Granting of Tenure

Qualifications and standards for faculty appointments, reappointments, promotions, and granting of tenure shall be generally as stated in the Faculty Handbook of Case Western Reserve University. Specific qualifications and standards applying to the School of Medicine shall be determined by the Faculty of Medicine and appended to these bylaws. These qualifications and standards shall be reviewed every five years by the Faculty Council. The dean shall make the text of the current qualifications and standards available to all junior and newly appointed faculty members.

#### 5.7: Tenure Guarantee

Award of tenure for faculty based in the School of Medicine should be accompanied by a base salary guaranteed by the School of Medicine that will be equal for faculty in the school's basic science and clinical science departments. The amount of the guarantee and its financial support are currently under discussion.

5.8: Rolling Appointments for Non-Tenure Track Professors

Upon nomination by the department chair and with the consent of the dean, faculty members at the rank of professor in the non-tenure track with primary appointments in either a clinical or basic science department will be eligible to receive a rolling appointment contract of up to five years in duration accompanied by a salary guarantee for the period of appointment, equal in amount (but not duration) to that guaranteed to tenured professors. A rolling three-year appointment, for example, is a multiple-year appointment that differs from a multiple-three-year fixed term appointment in that, pending satisfactory performance and financial circumstances as determined by the chair and the dean, the appointment is renewed each year for the following three years. Financial support for rolling contracts is to be provided by the School of Medicine with the understanding that, prior to making the rolling commitment, the school would have the opportunity to enlist support from the appropriate hospital, clinical practice plan, or other appropriate entity to underwrite the guarantee.

5.9: Consideration of Recommendations for Appointments, Promotions and Granting of Tenure

a. Full-Time Faculty

The dean shall submit recommendations for appointments and promotions to the ranks of associate professor and professor and the granting of tenure concerning full-time faculty with primary appointments based in the departments of the School of Medicine (including those faculty in the Department of Biomedical Engineering with appointments principally based in the School of Medicine) given him or her by the department chairs or other persons as designated by the dean or initiated by other means as outlined in the Faculty Handbook of Case Western Reserve University, Chapter 3.I.1, to the Committee on Appointments, Promotions and Tenure of the School of Medicine. This committee shall consider the documented evidence relating to each candidate and, following the qualifications and standards set forth in Exhibit I to these Bylaws, shall report its affirmative and negative recommendations to the Steering Committee of the Faculty Council. Each recommendation shall also be reported promptly to the academic chair of the candidate's department. The candidate shall be informed by the academic chair of the committee's recommendation. The academic chair or other nominator may appeal a negative recommendation by notifying the chair of the Committee on Appointments, Promotions, and Tenure of the School of Medicine. Appeals may be made in writing or in person. Written documentation of the appeal and the response of the Committee on Appointments, Promotions, and Tenure must be appended to the candidate's file. In the event that the appeal to the Committee on Appointments, Promotions and Tenure is not successful, the academic chair or other nominator or the affected faculty member may bring to the attention of the Steering Committee of the Faculty Council, through a detailed, written submission, any alleged errors in

procedure or non-adherence to the current published guidelines for appointments, promotions and tenure. The Steering Committee of The Faculty Council may investigate the allegations to the extent that it deems appropriate, may review all other candidates' files as it deems necessary, and may request the appearance of persons with knowledge of current and prior procedures and policies of the CAPT. A written report of the results of any investigation by the Steering Committee shall be appended to the candidate's file. All files will be forwarded to the dean after the Committee on Appointments, Promotions and Tenure, and, if applicable, the Steering Committee of the Faculty Council have discharged their responsibilities as specified above. The dean shall transmit the file, with added comments if desired, to the president of the university; for informational purposes, the dean will also provide the Dean of the Case School of Engineering with complete copies of the files of candidates in the Department of Biomedical Engineering with appointments principally based in the School of Medicine.

b. Special Faculty Appointments and Promotions

Special faculty appointments and promotions modified by the prefix adjunct, clinical, or visiting shall be recommended by the department chair and may be granted by the dean. For these clinical and adjunct appointments and promotions at the ranks of assistant professor, associate professor, and professor, the dean shall, prior to reaching a decision, also consider the recommendation of the department's committee on appointments, promotions, and tenure. The dean shall also consider letters of reference concerning the appointment and promotion of faculty to the ranks of clinical and adjunct associate professor and clinical and adjunct professor. For all ranks of clinical and adjunct faculty appointments and promotions in the division of general medical sciences, the dean shall, prior to reaching a decision, also consider the recommendation of the division's committee on appointments, promotions, and tenure. This paragraph will govern special faculty appointments and promotions for faculty in the department of biomedical engineering with appointments principally based in the School of Medicine. The dean shall inform the Dean of Case School of Engineering of any such appointments and promotions.

c. Secondary Appointments and Promotions

Secondary appointments at all ranks shall be recommended by the chair of the secondary department, require the concurrence of the primary department chair, and may be made at the discretion of the dean. Secondary appointment promotions shall be recommended by the secondary department chair and may be made at the discretion of the dean. For secondary appointments and promotions in the division of general medical sciences, the dean shall, prior to reaching a decision, also consider the recommendation of the divisions committee on appointments, promotions, and tenure. This paragraph will govern secondary appointments in the department of biomedical engineering principally based in the School of Medicine and

promotions of faculty holding such secondary appointments. The dean shall inform the Dean of Case School of Engineering of any such appointments and promotions.

5.10: The Committee on Appointments Promotions and Tenure

a. The Committee on Appointments, Promotions and Tenure shall be a standing committee of the faculty and shall consist of twenty-four full-time faculty members. Eighteen members shall be elected by the full-time faculty and six members shall be appointed by the dean. A representative Dean from faculty affairs shall also be a member of this committee, ex officio and without vote. Department chairs are not eligible to serve on this committee. Ten of the committee members shall have the rank of tenured professor; ten shall be professors in the non-tenure track; and four shall be tenured associate professors. The elected committee members shall include nine faculty members with primary appointment in clinical science departments and nine with primary appointment in basic science departments; the appointed members shall include four from clinical science departments and two from basic science departments. In each election all reasonable effort will be taken to have the number of nominees be at least twice the number of positions to be filled. Members will be elected or appointed for three-year terms. These terms shall be staggered for the full-time faculty members. Committee members may serve only two consecutive three-year terms but subsequently may be reelected or reappointed after an absence of one year. The quorum for conducting the business of the Committee on Appointments, Promotion and Tenure shall be twelve members present for discussion of which eight must have voting privileges. On recommendations for appointment as or promotion to associate professor, all committee members are eligible to vote; on recommendations for appointment as or promotion to professor, faculty committee members who are tenured professors and non-tenure track professors are eligible to vote; on recommendations to award tenure, tenured committee members are eligible to vote. Committee members may be present for discussion but are not eligible to vote regarding candidates for primary appointment, promotion, or award of tenure in the committee member's own department of primary appointment. The committee will be led by two co-chairs, each of whom shall serve a one-year term, appointed by the chair of Faculty Council in consultation with the dean of the School of Medicine. The co-chairs may be selected from either the elected or appointed members of the committee. The chair of Faculty Council, in consultation with the dean of the School of Medicine, each year shall also appoint two co-chairs elect, to serve the following year as the committee's co-chairs. At each committee meeting, at least one of the co-chairs must be in attendance.

b. The standards for appointment, promotion, and granting of tenure determined by the faculty shall be considered by the committee when evaluating candidates under review.

c. The CAPT shall review and make recommendations concerning all appointments as or promotions to the ranks of associate professor or professor and the award of tenure.

#### 5.11 Sabbatical and Special Sabbatical Leaves

The purpose of and conditions for sabbatical leaves are discussed in the Faculty Handbook, Chapter 3, II A. The conditions are based on the premise that the faculty member requesting a sabbatical leave is tenured. A sabbatical leave may be requested by a faculty member and, based upon all factors including the specific study proposal and subsequent recommendations by the department chair, the Faculty Council Steering Committee, and the dean, may be granted by the president. In cases of tenure track and non-tenure track or special faculty, special sabbatical leaves may be recommended as well, at the discretion of the dean. However, such leaves may not necessarily incur the obligation of university or School of Medicine financial support. For faculty with tenure track, non-tenure-track and special appointments, the provost shall specify whether the leave period is to be counted as part of the pretenure or pre-promotion period, as the case may be.

#### ARTICLE 6 - AMENDMENT OF THE BYLAWS

An amendment of the bylaws may be proposed by majority vote of the Faculty Council, by the dean, or by written petition of 20 or more faculty members. The amendment must be accompanied by a rationale for the proposed change. All proposed amendments shall be submitted to the Chair and secretary of the Faculty Council, who shall forward all proposed amendments to the Standing Committee on Bylaws. The Bylaws Committee shall review each proposed amendment and report its recommendation to Faculty Council. All proposed amendments will be considered and voted on by the Faculty Council within the same academic year if submitted prior to April 1 of that year. All proposed amendments, their rationale, and the recommendations of the Faculty Council will then be sent by mail to full-time members of the faculty and may be discussed at a regularly scheduled meeting of the faculty held at least four weeks after the mailing. During discussion of proposed amendments at a faculty meeting, non-substantive changes in the proposed amendments may be made by majority vote. The vote on any proposed amendment shall be by mail ballot of the full-time faculty. Approval shall require an affirmative vote by a majority of those faculty members returning ballots. At least three weeks shall be allowed between the mailing of ballots and the determination of election results. The Faculty Council shall review the bylaws at least once every five years and shall propose amendments as desired to the faculty.

Special Voting Information  
2016-2017

<b>Ballet</b>	<b>In favor</b>	<b>Against</b>	<b>Abstain</b>
16. All Proposed Amendment to School of Medicine Bylaws	0	0	0
17. Amendment 1 - 2:4 Meetings of the Faculty of Medicine	114	2	0
18. Amendment 2 - 2:6 Committees of the Faculty of Medicine (a)	107	9	0
19. Amendment 3 - 2:6 Committees of the Faculty of Medicine (b and c)	108	7	1
20. Amendment 4 - 2:6 Committees of the Faculty of Medicine (d, e, and f)	98	16	1
21. Amendment 5 - 3:1 Purpose and Functions of the Faculty Council	113	3	0
22. Amendment 6 - 3:6 Committees of the Faculty Council (b. Nomination and Elections Committee)	115	1	0
23. Amendment 7 - ARTICLE 6 - AMENDMENT OF THE BYLAWS	115	1	0

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Dear Professor Harte:

As noted in the accompanying memo from Dr. Maureen McEnery, Chair of the School of Medicine's Faculty Council, the Faculty of Medicine voted in February 2017 to recommend amendments to the Faculty of Medicine Bylaws. The amendments appear in three sections: Article 2- The Faculty of Medicine; Article 3 – The Faculty Council; and Article 6 – Amendments to the Bylaws.

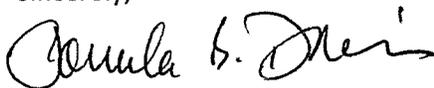
Along with other changes, the proposed amendments:

- Clarify duties of the Faculty of Medicine, the Faculty Council and the Standing Committees of the Faculty;
- Update Standing Committee descriptions;
- Revise the membership of the Committee on Medical Education; and
- Expand on the process of making amendments to our SOM Bylaws.

The revised text of the Faculty of Medicine Bylaws with the amendments indicated is enclosed with this memo. I concur with the Faculty of Medicine and recommend approval of these amendments. Please submit the proposed amendments to the appropriate committees for their review at their earliest opportunity. I would be pleased to answer any questions that might arise during the review process.

Thank you.

Sincerely,



Pamela B. Davis, MD, PhD

C: Dr. Maureen McEnery, Chair, Faculty Council  
Dr. William Schilling, Past-Chair, Faculty Council  
Nicole Deming, Assistant Dean for Faculty Affairs and Human Resources, SOM

Enclosures





## MEMORANDUM

**DATE:** April 12, 2017

Pamela B. Davis, MD, Ph.D.  
Dean of the School of Medicine

**RE: Amendments to the SOM Bylaws approved by the Faculty of Medicine in a special election (Feb 2017)**

As Chair of the Faculty Council, I am very pleased to submit for your attention and support, amendments to the SOM Bylaws that have been approved by the Faculty of Medicine in a special election that was held in February 2017. It is our request that you join us in recommending these changes and submit them on behalf of the Faculty of Medicine to the Chair of the Faculty Senate and the Secretary of the Faculty Senate.

The final collection of amendments was introduced into discussions of the Faculty Council at several times in the past 11 months. Some amendments were discussed in May 2016 (Articles 2:4, 2:6, and 3:1), whereas others were discussed in October 2016 (Article 6) and Dec 2016 (Article 3:6). Proposed amendments to the Bylaws were submitted to Faculty Council representatives in advance of each meeting. Each proposed amendment was presented for discussion, before a motion was made to recommend approval, seconded, and put to a vote

Of special note in this grouping of amendments, is Article 2:6, Committees of the Faculty, which, when amended, clarified the autonomy of the Committee on Medical Education from other bodies of faculty governance. This amendment provided clear language defining the independence of the medical education curriculum in compliance with the requirements of the LCME.

Following a motion to recommend approval of the amendments, the motion was seconded and a majority vote in favor of the changes (30 in favor and 4 opposed).

A ballot was approved by the Nomination and Elections Committee, distributed to all full-time faculty in the School of Medicine. The ballot remained open for three weeks in accordance with our Bylaws. A copy of the ballot and the vote tally are attached. A total of 115 faculty voted and all proposed amendments passed with an overwhelming majority of the votes cast.

After your review of these amendments, I hope you will join me in recommending approval of these important changes to the Bylaws of the SOM by the Faculty Senate and the other authorities required for final approval.

Most sincerely yours,

A handwritten signature in black ink on a light blue background. The signature reads "Maureen W. McEnery, Ph.D., MAT".

Maureen W. McEnery, Ph.D., MAT  
Chair of the Faculty Council of the School of Medicine  
Director of the Center for Education and Research in Neurology (CERN)  
Head of the Medical School Course, "Cognition, Movement, and Sensation" (Block 6)  
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BY-LAWS OF THE FACULTY OF LAW  
Case Western Reserve University<sup>1</sup>

ARTICLE 1: PURPOSE

1.1 These By-Laws, and all amendments adopted as hereafter provided, shall constitute the rules governing the procedures of the Faculty of Law in the performance of its duties and powers specified in and authorized by the By-Laws of the Board of Trustees, the Constitution of the University Faculty, and the University Faculty Handbook.

ARTICLE 2: THE FUNCTIONS OF THE FACULTY

2.1 Introduction. The Faculty has primary responsibility for the selection of those individuals who constitute the tenured, tenure track, and non-tenure track Faculty. The Faculty and the Administration have joint responsibility for implementation of plans for the law school. Since operations by the Administration may require modification of plans, the Faculty has a right to be kept informed of operations, and to be consulted on operational problems or decisions which may affect the overall operations or plans of the School. Accordingly, the powers and responsibilities listed below do not constitute an exclusive list.

**Commented [djc1]:** The University General Counsel's Office (UGC) expressed concern that "plans" in the original text was unclear. We added "plans for the law school" to attempt to make this sentence more precise. Approved 9-30-2015.

2.2 Recommendations on Policy. The Faculty shall have the authority and responsibility to make recommendations to the Dean, for implementation within the Law School, or, where appropriate, for transmission to the President or to the Faculty Senate, with respect to policies governing:

- (1) Faculty personnel matters, including standards of appointment, re-appointment, promotion, tenure, and termination;
- (2) assignment of courses and Faculty workloads;
- (3) standards for curricula and content of courses and programs;

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<sup>1</sup>As originally adopted on June 4, 1973, and conformed to include all amendments made to date. A footnote number at the end of a section or of a paragraph within a section indicates that the section or paragraph has been amended. Explanatory comments are set forth in the footnotes. Amendments which merely renumbered sections are not footnoted, nor are amendments to sections subsequently repealed. This version is an exact copy of that prepared by then Secretary Hugh Ross which was headed "Current to January 1, 1986", except for some formatting changes, and except for the amendment of May 14, 1996 to 3.1. This copy was last proof read against the Ross version on November 16, 1995. This revision was prepared to conform to changes in the University Faculty Handbook adopted in 2003. Changes to the status of the Lawyering Skills Faculty were adopted by the Faculty of Law on October 1, 2007, and changes to add a budget committee, an experiential education committee, and allow Clinical Faculty to seek tenure-track appointments were adopted November 17, 2011. The changes shown in this redline were approved by the Faculty on September 30, 2015, with minor edits on May 23, 2016 and January 19, 2017.

- (4) standards and facilities for research and scholarship;
- (5) requirements for admission and graduation;
- (6) the establishment or discontinuance of educational or service programs.

2.3 Specific Functions. The faculty shall have the authority and responsibility to:

- (1) make recommendations to the President and the Board of Trustees for the awarding of degrees in the ordinary course;
- (2) make recommendations to the President relative to appointment of a Dean of the Law School in accordance with Faculty Handbook procedures;
- (3) make recommendations to the President for appointment of members of the Faculty. No person shall be appointed to the tenured, tenure track or non-tenure track Faculty by the University unless his or her appointment has been recommended by the affirmative vote of the faculty. This function may not be delegated.<sup>2</sup> Special Faculty may be appointed by the Dean or his designee as provided in the Faculty Handbook.
- (4) make recommendations to waive policies on requirements for admission or graduation in specific areas. This function may be delegated.
- (5) make recommendations to the Dean on the appointment of administrative officers, the formulation of the budget, and the allocation of the resources and facilities of the Law School, without limitation on the Dean's authority in any of the matters referred to in this paragraph 5.

**Commented [djc2]:** Edited at the suggestion of UGC to ensure that the law school bylaws conform with the Faculty Handbook.

**Commented [djc3]:** Same reason. In addition, we deleted the second sentence of footnote two below at suggestion of UGC, since it is now irrelevant.

ARTICLE 3: MEMBERSHIP AND VOTING RIGHTS<sup>3</sup>

3.1 Tenured or tenure track faculty. Tenured or tenure track faculty members, whether clinical faculty or non-clinical faculty, are those persons holding full-time academic appointments at the ranks of professor, associate professor, and assistant professor whose obligations to the Law School and the University include 1) teaching, 2) research and scholarship, and 3) service to the Law School and the University Community. Non-clinical tenured or tenure track faculty shall be appointed, evaluated, reappointed and promoted in accordance with the procedures memorialized in Appendix A attached and

<sup>2</sup>Amended April 22, 1981. The former section provided that no person shall be appointed unless the appointment is approved by the Faculty, incorrectly implying that it is the Faculty which appoints. ~~This has been corrected by stating that appointments require a recommendation for the appointment.~~

<sup>3</sup>Article 3 was substantially revised October 1, 2007 and slightly revised on November 17, 2011 to conform to the revised Faculty Handbook.

incorporated by reference. Clinical tenured or tenure track faculty shall be appointed, evaluated, reappointed and promoted in accordance with the procedures memorialized in Appendix A as to their research and scholarship, but as to Appendix B attached and incorporated by reference, as to their teaching, practice and service to the Law School and the University Community. Tenured or tenure track faculty shall be entitled to vote on all matters coming before the University Faculty and the Faculty of Law, except as limited below.

3.2 Non-tenure track faculty. Non-tenure track faculty members are those persons holding full-time academic appointments at the ranks of professor, associate professor, assistant professor, senior instructor, and instructor whose obligations to the Law School and the University include two of the three obligations of the tenured/tenure track faculty, i.e., 1) teaching, 2) research and scholarship or 3) service to the Law School and the University Community. Non-tenure track faculty in the Law School shall be appointed, evaluated, reappointed and promoted in accordance, where applicable, with either 1) the Policies and Procedures for Clinical Faculty attached as Appendix B and incorporated by reference; 2) the Policies and Procedures for Lawyering Skills Faculty attached as Appendix C and incorporated by reference; or 3) the Policies and Procedures for Other Non-Tenure Track Faculty attached as Appendix D and incorporated by reference. Non-tenure track Clinical Faculty, ~~and non-tenure track Lawyering Skills Faculty,~~ and instructors and senior instructors eligible for reappointment under Appendix D shall be entitled to vote on all matters coming before the University Faculty and the Faculty of Law, except as limited below.<sup>4</sup> ~~Other non-tenure track faculty shall be entitled to vote on all matters coming before the University Faculty, but shall not vote on matters coming before the Faculty of Law.~~

**Commented [djc4]:** This change gives law school voting rights to our full-time non-tenure track instructors eligible for reappointment.

3.3 Special faculty. Special faculty members are 1) those persons holding part-time academic appointments, or 2) persons holding full-time academic appointments, but who have specific, limited responsibilities for the duration of a specific project, or for a limited duration. The obligations of special faculty shall include one or more<sup>5</sup> of the three obligations of the tenured/tenure track faculty, i.e., 1) teaching, 2) research and scholarship or 3) service to the Law School and the University Community. The titles of special faculty in the Law School shall be lecturer<sup>6</sup>, visiting assistant professor, visiting associate professor, or visiting professor of law, ~~—visiting instructor or visiting senior instructor of law, or adjunct assistant, adjunct associate, or adjunct professor of law. —(assistant, associate or full) professor of law@, A visiting instructor —(or senior instructor) in law@, or A adjunct (assistant, associate or full) professor of law.~~ Special faculty members shall not be entitled to vote on matters coming before the University Faculty or the Faculty of Law.

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**Commented [djc5]:** The previous language referred to “full professor,” which is not a rank recognized by the Faculty Handbook. At the suggestion of the Provost’s office and UGC, we deleted the reference to “full professor” and otherwise redrafted for stylistic reasons.

<sup>4</sup>This sentence was revised on May 15, 2008 to give non-tenure track Lawyering Skills Faculty the same voting rights as non-tenure track Clinical Faculty, except as limited in 3.4.

<sup>5</sup> Amended 1/19/17 to allow special faculty to be hired to perform more than one of the three obligations.

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<sup>6</sup> Amended 1/19/17 to add “Lecturer” to titles of special faculty.

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### 3.4 Voting Limitations.

- (1) On matters involving the granting of tenure, only those Faculty members with tenure shall be entitled to vote.
- (2) On matters involving promotions of non-clinical Faculty who have tenure track appointments, only those tenured or tenure track Faculty of rank equal to or senior to the rank to which the individual is being promoted shall be entitled to vote.
- (3) On matters involving initial non-clinical tenure track appointments to the Faculty (regardless of rank), only those Faculty who have tenure track appointments shall be entitled to vote.<sup>7</sup>
- (4) On matters involving the initial appointment of non-tenure track or tenure track Clinical Faculty, only tenured or tenure track and Clinical Faculty (tenure track or non-tenure track) shall be entitled to vote.
- (5) On matters involving the reappointment or promotion of non-tenure track or tenure track Clinical Faculty, only those Faculty of rank equal to or senior to the rank to which the individual is being reappointed or promoted shall be entitled to vote. ~~For purposes of the previous sentence, all tenured or tenure track Faculty are senior in rank to non-tenure track Clinical Faculty.~~
- (6) On matters involving the initial appointment of non-tenure track Lawyering Skills Faculty, all tenured, tenure track, Clinical and Lawyering Skills Faculty shall be entitled to vote.
- (7) On matters involving the reappointment or promotion of non-tenure track Lawyering Skills Faculty, only those Faculty of rank equal to or senior to the rank to which the individual is being reappointed or promoted shall be entitled to vote. ~~For purposes of the previous sentence, all tenured or tenure track and Clinical Faculty are senior in rank to non-tenure track Lawyering Skills Faculty.~~
- (8) On matters involving standards and policies concerning promotion, tenure, or eligibility for sabbatical leave of non-clinical tenured or tenure track Faculty, only tenured or tenure track Faculty shall be entitled to vote.
- (9) On matters involving standards and policies concerning promotion, tenure, or

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Commented [djc6]: The prior version of our bylaws purported to create two categories of seniority, with junior tenure-track faculty deemed to be senior to all non-tenure-track faculty, regardless of seniority. The UGC and the Provost's Office argued that these "special seniority" provisions violated the University's Faculty Handbook, which creates three ranks of Professor - Professor, Associate Professor, and Assistant Professor - and for non-tenure track faculty, the titles of Senior Instructor and Instructor. Chap. 3, Art. 1, Section B.3 provides that "an appointment shall be classified by academic title."

The law school faculty agreed to eliminate these provisions to conform with the Faculty Handbook's requirements.

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Commented [djc7]: See previous comment - same edit here.

<sup>7</sup> The phrase, "and on personnel matters involving initial appointments . . ." (since revised to read "On matters involving initial tenure-track appointments" . . .) was added by amendment adopted January 11, 1983. The purpose was to spell out that administrative officers who have regular Faculty appointments, but who are not tenure track, cannot vote on initial appointments to the regular Faculty. The whole of 3.1 (now 3.4) was substantially revised by faculty vote of May 14, 1996, in order to make provision for members of the clinical faculty.

eligibility for sabbatical leave of tenured or tenure track Clinical Faculty, only tenured or tenure track Faculty and Clinical Faculty (tenure track or non-tenure track) shall be entitled to vote.

- 3.5 Law Librarian. The Law Librarian is eligible for election to the tenured, tenure track, non-tenure track, or special Faculty as defined above, which election shall entitle the Law Librarian to vote on matters presented to the Law Faculty, in accordance with the voting rights and limitations applicable to the type of appointment.<sup>8</sup>
- 3.6 Allocation of Resources. The Law School shall allocate a reasonable amount of resources and time to each member of the Law Faculty (whether tenured, tenure track, non-tenure track or special) to encourage and make possible scholarly growth, academic achievement and professional development, to enable them to fulfill their obligations as required by the nature and type of their appointments.
- 3.7 Definition of Full-time Faculty. For all purposes in these By-laws, the term “full-time” when referring to Law Faculty shall be defined as in Chapter 3, Part One, Article I, Section F.B.2. of the Faculty Handbook.

Commented [djc8]: Clerical edit to conform reference to full-time faculty in our bylaws to the current provision of the Faculty Handbook.

#### ARTICLE 4: OFFICERS

4.1 Presiding Officers. The Dean of the School of Law shall preside at Faculty Meetings unless the President of the University exercises the presidential prerogative to do so. In the absence of both the President and the Dean, the Associate Dean for Academic Affairs shall preside unless the Faculty elect a presiding officer.

4.2 Secretary. The Secretary shall be elected annually by the Faculty. The functions of the secretary are:

- (1) to keep the minutes of the Faculty Meetings and sign the official copies of the minutes;
- (2) to be responsible for reproduction and distribution of these minutes to the Faculty;
- (3) to be responsible for preparation of and distribution to the Student Bar Association of a summary of action taken at Faculty Meetings, with the approval of the Dean;
- (4) to prepare for the Faculty annually in the fall a list of members of the Faculty including those with voting privileges and those without voting privileges.

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<sup>8</sup>Section 3.3 (now 3.5) was added March 18, 1983, to clarify the Faculty status of the law librarian.

ARTICLE 5: MEETINGS

- 5.1 Regular Meetings. The Faculty shall hold at least three regular meetings in each semester on dates to be determined by the Dean. The Faculty at any regular meeting may by majority vote fix the date of the next regular meeting.
- 5.2 Special Meetings. Special meetings shall be held on the call of the President, the Dean, or on the written request to the Dean or the Secretary signed by 20% of the voting Faculty.
- 5.3 Attendance at Faculty Meetings. All full-time Faculty (including full-time special Faculty) shall be entitled to attend any meeting of the Faculty subject to the limitations in this paragraph. Part-time Faculty, and administrative personnel (who do not have full-time Faculty appointments in addition to their administrative appointment) shall be entitled to attend meetings of the Faculty to which they are specifically invited by the Dean. In matters involving initial appointments to the Faculty, only full-time tenured, tenure track, non-tenure track and special Faculty, whether or not they are entitled to vote on the matter under consideration, shall be entitled to attend that portion of the meeting at which discussions and a vote take place. In matters involving reappointments, promotions, and grants of tenure, only those Faculty who are entitled to vote on the matter under consideration before the Faculty shall be entitled to attend that portion of the meeting at which discussions and a vote take place.
- 5.4 Voting. Voting shall be by voice vote or by show of hands, unless a secret ballot vote is called for by this bylaw provision or by any voting member, in which case the vote shall be by secret ballot. Votes may be cast by a written proxy filed with the Secretary.<sup>9</sup> A secret ballot shall be required on all personnel matters, including appointments, reappointments, promotions, and grants of tenure.<sup>10</sup>
- 5.4 Quorum. One half of the members of the Faculty entitled to vote on a particular matter shall constitute a quorum for that matter. Members present by proxy shall not be counted in determining a quorum.
- 5.6 Notice and Agenda. The Dean (or in his or her absence the Secretary) shall notify in writing each member of the Faculty entitled to notice, at least five (5) days in advance of any meeting held during the academic year, and at least fifteen (15) days in advance of any meeting held during the summer period. Faculty on leave shall be entitled to receive notice and to vote. The notice shall specify the time and the place of the meeting, and the agenda of

**Commented [djc9]:** The law school is the only constituent faculty to permit proxy voting. Our bylaws committee suggested eliminating proxy voting, and suggested language to allow absentee voting or electronic voting, but the law faculty voted overwhelmingly to retain our proxy system.

<sup>9</sup> Prior to the Amendment of October 18, 1978, Section 5.3 (now 5.4) read as follows:  
“5.3 Voting. Voting shall be by voice or show of hands unless a roll call vote is requested by any voting member in which case a roll call vote shall be taken and recorded. Votes may be cast by a written proxy filed with the Secretary, with respect to specific matters listed in the notice of the meeting.”

<sup>10</sup> Secret ballots for personnel matters were adopted by Amendment of April 14, 2005.

the meeting. Items of business not listed on the agenda may be considered at a regular meeting. No action may be taken at either a regular or special meeting on an individual personnel decision (appointment, promotion, tenure, etc.) unless the notice of the meeting specifies the individual and the action proposed. The requirement of notice of a meeting may be waived by a written waiver agreed to by the faculty member(s), and shall be waived by attendance at the meeting.

- 5.7 Action Without Meeting. Any action which may be taken by the Faculty at a meeting, may be taken without a meeting, by a writing filed with the Secretary setting forth the action taken and the written approval of all of the Faculty entitled to vote on such action if a meeting were held.

#### ARTICLE 6: RULES OF ORDER AND ORDER OF BUSINESS

- 6.1 Rules of Order and Order of Business. The meetings shall be conducted in accordance with Robert's Rules of Order (latest edition). The order of business at all regular meetings shall be as follows:

- (1) Presentation of proxies and determination of a quorum<sup>11</sup>;
- (2) Presentation and adoption of minutes;
- (3) Announcements;
- (4) Report from the Faculty Senator or Senators<sup>12</sup>;
- (5) Reports of Standing Committees;
- (6) Reports of Special Committees;
- (7) Consideration of unfinished business; and
- (8) Consideration of new business.

#### ARTICLE 7: COMMITTEES

- 7.1 Standing Committees. The Standing Committees of the Faculty are the Committees on:

- (1) Admissions
- (2) Appeals and Rules
- (3) Appointments
- (4) Building
- (5) Curriculum
- (6) Library
- (7) Promotion and Tenure<sup>13</sup>
- (8) Budget

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<sup>11</sup>Section 6.1(a) (now 6.1(1)) was amended and 6.1(d) (now 6.1(4)) was adopted September 27, 1985.

<sup>12</sup>Section 6.1(a) (now 6.1(1)) was amended and 6.1(d) (now 6.1(4)) was adopted September 27, 1985.

<sup>13</sup>Sections 7.1 and Sections 9.2-9.8 were amended September 30, 1983, to restructure the Standing Committees.

(9) Experiential Education

ARTICLE 8: - MEMBERSHIP AND PROCEDURES OF COMMITTEES

8.1 Ex-Officio Members. The Dean, or a Faculty member or administrator designated by the Dean, shall serve as a member ex officio of all Standing and Special Committees, except for the Promotion and Tenure Committee, with full voting rights.<sup>14</sup>

8.2 Faculty Members of Committees. ~~Members of the~~ Tenured, tenure-track, ~~and non-tenure-track, and Special~~ Faculty are eligible to serve as Faculty members of the Committees.

**Commented [djc10]:** Substantive change to allow special faculty to serve as Faculty members of Committees. Change recommended to match our current practice.

8.3 Student Members of Committees. Only full-time students of the School of Law are eligible to serve on Committees designated in Article 9 as having student members.

8.4 Selection of Members - Standing Committees. Faculty members shall be elected by the Faculty. Student members shall be selected by the Student Bar Association.<sup>15</sup>

8.5 Selection of Members - Special Committees. For those Special Committees established by the Faculty, members shall be selected in the manner designated by the Faculty, and for those Special Committees established by the Dean, members shall be selected by the Dean.

8.6 Time of Selection and Term. Members of Special Committees shall be selected at such time and shall serve for such time as shall be designated by the authority (Dean or Faculty) which establishes the Committees. Student members of Standing Committees shall be selected not later than the first month of the fall semester, to take office immediately. Faculty members of Standing Committees shall be elected not later than the first month of the fall semester, to take office immediately.<sup>16</sup> Members of Standing Committees shall serve from the time selected until the end of the academic year for which they are selected, or until their successors assume office, whichever is later.

8.7 Officers. The Chair of each Committee shall be designated from among the membership of the Committee, by the Dean, with the advice and consent of the Faculty. The Secretary

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<sup>14</sup>Section 8.1 was amended November 18, 1983 to conform Section 8.1 to Section 9.8, as 9.8 was amended September 30, 1983.

<sup>15</sup>Prior to Amendment on June 3, 1974, Section 8.4 read as follows:

“8.4 Selection of Members - Standing Committee.

Faculty members shall be appointed by the Dean with the advice and consent of the Faculty. Student members shall be selected by the Student Bar Association.”

<sup>16</sup>Prior to Amendment on June 3, 1974, the third paragraph of Section 8.6 read as follows:

“Faculty members of Standing Committees shall be selected during the last month of the spring semester, to take office immediately.”

shall be designated from among the membership of the Committee, by the Chair. The Chair shall have the right to vote in all cases.

- 8.8 Procedures. Committees shall meet on the call of the Dean, the Chair, or on the call of the majority of the Committee, and may establish rules as to the conduct of its meetings. Two thirds of the members of the Committee shall constitute a quorum, and all decisions shall be by majority vote of those present. All Committee members have equal rights to vote and participate.

#### ARTICLE 9: FUNCTIONS AND COMPOSITION OF COMMITTEES<sup>17</sup>

- 9.1 Special Committees. Special Committees shall have those functions and shall be composed of those persons (including Faculty, students, and others) as are designated by the authority (Dean or Faculty) which establishes the Committee.

- 9.2 Admissions. The Admissions Committee shall be composed of two student members, at least four Faculty members, and the Dean or his designee. The Committee shall consider and recommend to the Faculty major policies on admissions and financial aid; evaluate admission and financial aid procedures; and participate in the admissions process where discretionary judgment is required and the decision has not been delegated to the admissions office for determination under specific policies.

- 9.3 Appeals and Rules. The Appeals and Rules Committee shall be composed of at least four Faculty members. The Committee shall serve as the grievance Committee for the Law School. The Committee shall hear appeals by students from administrative decisions of the Dean or his designee which implement academic policies, except for violations of the Law School Code of Conduct. The decision of the Committee on such appeals shall be final within the Law School, subject only to appeal procedures, if any, at the University level. The Committee shall receive reports on administrative implementation of academic policies from the Dean, and may review such decisions on its own motion, and shall accept such ad hoc assignments as may be determined by the Faculty. The Committee may also develop and recommend to the Dean guidelines for the implementation of academic policies. The Committee shall develop and recommend revisions to the Law School's- Academic Regulations, Policies, and Procedures, and shall forward any revisions to the Faculty for adoption. ~~academic regulations and standards, and shall accept such ad hoc assignments as~~

Commented [djc11]: Relocated from the highlighted text below. No substantive change.

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<sup>17</sup>Section 7.1 and Sections 9.2-9.10 were amended September 30, 1983, and November 17, 2011, to restructure the Standing Committees.

~~may be determined by the Faculty.~~ The Committee shall also have jurisdiction to hear all matters in which revocation of academic credit previously granted is requested because of plagiarism, cheating, improper cooperation on work or other violation which reflects on the academic significance of the effort for which credit has been granted. ~~The Committee shall consider the Law School Code of Conduct, the Law-School's Academic Regulations, Policies, and Procedures, and relevant University policies on Academic Integrity Standards in making its decision on revocation of academic credit.~~ If the Committee finds that a student has committed such a violation, it may retroactively revoke any credit which may have been awarded for said effort.<sup>18</sup>

**Commented [djc12]:** The UGC and Provost objected to the original version of this provision – they felt that it gave the Appeals and Rules Committee too much discretion to select which rules applied without notice to the accused.

This edit is intended to identify what the Committee revises, how it becomes binding on the student body, and what standards will be used in making the decision. Thus, we formally invoked the Law School Code of Conduct, our internal Academic Regulations, Policies, and Procedures, and relevant central university policies.

- 9.4 Appointments. The Appointments Committee shall be composed of two students, at least four Faculty members and the Dean or his designee. The Committee shall review all candidates for appointment to the tenured, tenure track, or non-tenure track Faculty, shall make recommendations to the Faculty on every such appointment, and shall, on request of the Dean, review candidates for the special Faculty, including visiting Faculty.
- 9.5 Building. The Building Committee shall be composed of two student members, at least three Faculty members, and the Dean or his designee. The Committee shall advise the Faculty and the Dean on the utilization, allocation, maintenance, and replacement of the physical facilities of the law school.
- 9.6 Curriculum. The Curriculum Committee shall be composed of two student members, at least four Faculty members, and the Dean or his designee. The Committee shall consider and make recommendations to the Faculty on all matters relative to the educational programs for which credit is awarded. The Committee shall also exercise oversight of the administration of all joint degree programs.
- 9.7 Library. The Library Committee shall be composed of two student members, the Librarian ex-officio, at least three Faculty members, and the Dean or his designee. It shall advise and assist the Dean and Librarian on library services, and shall make recommendations to the Faculty on library policies.
- 9.8 Promotion and Tenure. The Promotion and Tenure Committee shall be composed of at least four tenured or tenure track Faculty members. In the case of non-tenure track Clinical or Lawyering Skills Faculty candidates, the Committee shall be augmented as required in Appendices B and C. In the case of non-tenure track candidates other than Clinical or Lawyering Skills Faculty, the Committee shall be augmented by one non-tenure track faculty member of equal or senior rank to the candidate under consideration. The Committee shall consider all matters of promotion, reappointment and tenure for members of the Faculty (tenured, tenure track, or non-tenure track). The Committee shall consider these matters in accordance with the criteria set forth in Appendices A, B, C, and D, and shall

<sup>18</sup>The last two sentences of Section 9.3 were added by Amendment on December 4, 1985.

make recommendations to the Faculty thereon. Each Faculty member whose appointment leads to tenure consideration shall be considered for tenure no later than six years after the effective date of the initial appointment, excluding any period of any pre-tenure extension that may have been granted under the Faculty Handbook provisions.<sup>19</sup>

9.9 Budget. The Budget Committee shall be composed of at least three Faculty members and the Dean or his designee. It shall advise and assist the dean and make recommendations to the Faculty on matters pertaining to the budget.<sup>20</sup>

9.10 Experiential Education. The Experiential Education Committee shall be composed of two student members, at least four Faculty members and the Dean or his designee. The Committee shall consider and make recommendations to the Faculty on all matters relative to the experiential education program for which credit is awarded.<sup>21</sup>

#### ARTICLE 10: FACULTY REPRESENTATION IN UNIVERSITY GOVERNANCE

The Faculty shall be represented in University Governance by its Dean, other law school administrators, and by individual members of the Faculty as they shall from time to time be elected to serve on various University governing bodies.

The Faculty shall elect representatives to the Faculty Senate and other similar organizations which include Faculty representatives. All such representatives shall be elected at the time and for the term specified in the rules of such organization.<sup>22</sup>

#### ARTICLE 11: AMENDMENTS

These By-Laws may be amended at any Faculty meeting provided that each voting member of the Faculty shall have received from the Dean or the Secretary a written copy of the proposed amendments at least seven (7) days before the meeting.

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<sup>19</sup>Amended June 3, 1974, and again on August 29, 1980. The last sentence provides for a six year pre-tenure period. The prior bylaw provided for a five year pre-tenure period for those whose initial appointment was assistant professor, and three years for those whose initial appointment was associate professor.

<sup>20</sup> Added by Amendment on November 17, 2011.

<sup>21</sup> Added by Amendment on November 17, 2011.

<sup>22</sup>Article 10 was added by Amendment on June 3, 1974.

CERTIFICATION

I certify that the above is a true copy of the By-Laws of the Faculty of Law, Case Western Reserve University, conformed to include all Amendments made up to the date of this certificate.

\_\_\_\_\_  
Kathryn Mercer, Faculty Secretary

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Date:

**APPENDIX A TO THE BY-LAWS OF THE  
FACULTY OF LAW  
Case Western Reserve University**

**PROCEDURES FOR PROMOTION, REAPPOINTMENT AND TENURE**

**I. SOURCES OF PROMOTION, RETENTION AND TENURE PROCEDURE**

The Policies and Procedures generally governing appointments, promotions, re-appointments and tenure for all University Faculty are set forth in the University Faculty Handbook, chapter 3, part 1. For tenure track faculty personnel decisions, these procedures are supplemented periodically by the University's "Guidelines for Recommendation of Faculty Promotions and Awards of Tenure" ("University Guidelines"). Attached are the University Guidelines promulgated for academic year ~~2005-2006~~2014-15. These Procedures incorporate by reference the most current version of the University Guidelines. For Clinical and Lawyering Skills Faculty on the Faculty of Law, separate Policies and Procedures have been adopted and are attached to the By-Laws of the Faculty of Law as Appendices B and C respectively.

Commented [dj13]: Change made to update a somewhat stale reference.

**II. COMPOSITION AND FUNCTIONS OF THE PROMOTION AND TENURE COMMITTEE**

A. As set forth in Section 9.8 of the By-Laws the Promotion and Tenure Committee is composed of at least four tenured or tenure track faculty who evaluate the teaching, scholarship and service of tenure track faculty for purposes of Promotion and Tenure.

B. The Promotion and Tenure Committee also conducts annual reviews of faculty on the tenure, and non-tenure tracks, evaluates non-tenure track faculty for promotion and reappointment, and reviews sabbatical requests of tenured faculty. For purposes of reappointment and promotion of Clinical or Lawyering Skills faculty, the Committee is augmented as required in Appendices B and C to the By-Laws. For purposes of retention and promotion of non-tenure track faculty other than Clinical or Lawyering Skills Faculty, the Committee is augmented by one non-tenure track faculty member of equal or senior rank to the candidate under consideration.

**III. STANDARDS FOR PROMOTION AND TENURE OF TENURE TRACK FACULTY**

A. As the Faculty Handbook indicates, a tenure track candidate being considered for promotion or tenure will be evaluated on the basis of that candidate's contributions in (1) teaching, (2) research and scholarship, and (3) university and professional service.

1. Teaching and scholarship are the most important requirements because they reflect the two primary functions of the university faculty.

2. Excellence in teaching, a significant and substantial scholarly contribution, and service to the University and Law School communities are required of all candidates for Promotion and Tenure.

3. Promotion and tenure decisions are not made merely to recognize past performance but also involve a prediction of future contributions.

4. The Promotion and Tenure decision involves a determination of whether the candidate has fulfilled and will continue to fulfill the obligation of teaching, scholarship, and service.

5. The standards for Promotion and Tenure are evolving standards, and it is expected that they will become increasingly rigorous as the Law School continues to improve and gain recognition as a national law center of importance.

#### B. Evaluating Scholarship and Teaching

1. Standards for evaluating teaching and scholarship sufficient to support a promotion or tenure are not readily reducible to words or formulae.

2. The scholarship must reflect substantial research, a thorough understanding of the subject, and an insight into the issues and problems that contribute substantially to available knowledge. It should, in other words, make a significant advance to our understanding of the field.

3. The most important aspect is the depth and reach reflected in the scholarship. Descriptive analysis is often a useful contribution, but the grant of tenure normally requires that the scholarship also include the development of a systematic approach or analytical rigor of a higher order.

4. A writing is normally considered “published” when it has been formally accepted for publication.

5. Teaching will be evaluated on the basis of annual reviews, student evaluations and faculty class visits.

#### C. Promotion to Associate Professor

1. Normally, two published articles and demonstrated teaching effectiveness are expected for promotion to associate professor.

2. A candidate initially will be considered for promotion to associate professor in the fall following the completion of his or her second year of service.

3. A candidate may be granted an extension of one additional year for consideration for promotion to associate professor. While extensions are not automatic, requests for extension will be favorably considered for those candidates who have demonstrated substantial progress toward meeting the standards for promotion. Extensions are not considered as negative decisions.

D. Promotion to Full Professor with Tenure

1. Normally at least three significant articles and demonstrated teaching effectiveness are expected for consideration for promotion to full professor with tenure. As required by the Faculty Handbook, the candidate's record must show a documented national or international reputation for sustained scholarship in the candidate's discipline.

2. The normal pre-tenure period is six years, unless the letter of appointment provides otherwise. This means that a candidate will normally be considered for tenure and promotion to full professor in the fall following the completion of his or her fifth year of service.

E. Provisions for obtaining additional extensions during the pre-tenure period are set forth in the University Faculty Handbook, at Chapter 3, part 1 G.

IV. INTERNAL PROMOTION & TENURE COMMITTEE PROCEDURE REGARDING TENURE-TRACK FACULTY

A. Promotion to Associate Professor without Tenure

1. At the beginning of the academic year in which the candidate is considered for promotion, the Chair discusses the promotion process with each candidate. The candidate is asked to provide eleven photocopies or reprints of his or her published articles, as well as photocopies of any manuscripts that have been accepted for publication, normally by the end of September. In addition, the candidate is asked to provide the Chair with an annotated curriculum vitae. This should provide the information described in the University Guidelines related to Tenure and Promotion Recommendations.

a. Scholarship completed prior to the candidate's appointment to the CWRU Law Faculty but published post-appointment, as well as legal scholarship that has been performed for a purpose in addition to meeting the Law School's scholarship requirement, such as fulfillment of a Ph.D. degree, generally is considered part of the candidate's law school scholarship.

2. The University Guidelines state that outside reviewers should be secured for promotion.

a. Candidate Suggestions. The Chair requests the candidate to suggest up to 12 persons to serve as outside reviewers of the candidate's scholarship.

**Commented [djc14]:** We changed a number of things about our procedure for outside review of tenure candidates to more closely comply with the Provost's procedures. These changes are explained below.

**Commented [djc15]:** Formatting change only.

The candidate should be asked to describe any relationship that he or she has with the reviewer in order to ensure compliance with the University Guidelines.

- b. **Committee Nominations.** The Chair shall share the candidate's suggested outside reviewers with the members of the committee, and shall ask the committee members to nominate suggested reviewer of their own. The Chair may also ask other Faculty members to nominate potential outside reviewers. The Chair and committee shall assemble a list of nominated reviewers, and shall share this list with the candidate; the nominee list should contain at least twice as many names as persons who will be final reviewers. -The candidate may then identify any nominated reviewer who the candidate believes may provide a biased evaluation. The Committee may remove a nominated reviewer from the nominee list based on the candidate's objections.

**Commented [djc16]:** This paragraph is largely new – it is intended to promote the anonymity of outside reviewers while still protecting tenure candidates.

The law school's internal procedures call for the candidate to review a list of potential reviewers for potential bias before the reviews are made; the 2015 change ensures that the nominee list will be twice as large as the final list, decreasing the danger that an outside reviewer will be identifiable to the candidate.

~~a. The members of the committee are asked to come up with lists of suggested reviewers of their own. The Chair shares the candidate's suggested names with the members of the committee.~~

- c. **Final Slate of Potential Reviewers.** The committee decides on a tentative list of final reviewers combining that combines the candidate's suggestions that the committee decides to accept with the committees own suggested and other nominated reviewers. The final list of reviewers is communicated to the Dean and the Office of the Provost. ~~–The Dean shall forward a list of suggested evaluators to the Office of the Provost. This list shall indicate who suggested the name and which of the individuals on the list were asked to submit evaluations. All the potential reviewers, not just those actually asked to submit evaluations, should be included on this list. The committee reviews this list with the candidate to identify an persons whom the candidate feels may provide a biased evaluation. The Committee may modify the list based on the candidates objections.~~

**Commented [djc17]:** The law school's prior version of these bylaws called for the FINAL list of potential reviewers to be shared with the candidate. We deleted this provision, since sharing the final, pared-down list of referees with the candidate tends to undermine anonymity. Candidate review now happens in paragraph B above, and the list of potential reviewers must include at least twice as many names as will be included on the final list.

~~b. The final list of reviewers is communicated to the Dean. The Dean shall forward a list of suggested evaluators to the Office of the Provost. This list shall indicate who suggested the name and which of the individuals on the list were asked to submit evaluations. All the potential reviewers, not just those actually asked to submit evaluations, should be included on this list.~~

. The Dean (or his the Dean's designee) contacts potential outside reviewers, initially by telephone or email and with follow-up letters to the reviewers. Typically, the outside reviewer is asked to review one or more specific pieces of scholarship, and to comment in writing on that scholarship, together with any other information that the reviewer possesses about the candidate, in connection with the candidate's suitability for promotion and expectations of his or her future performance. The outside reviewer might also be provided the entire package of a candidate's

**Commented [djc18]:** Removed gender-specific language. No substantive change.

scholarship and asked for comments on the package as a whole.

1) The Dean or the Dean's designee shall ensure compliance with the University Guidelines which provide that the letters solicited from outside reviewers are confidential to the extent permitted by law, and that this should be made clear to all referees. Referees should be informed that candidates will be shown a carefully redacted version of their review letter, and that the Dean or Dean's designee will exercise due diligence to preserve the referee's anonymity to the maximum extent practicable.

**Commented [djc19]:** Changed to ensure referees are made aware of the redaction and review process, and to require efforts to preserve reviewer anonymity.

2) The Promotion and Tenure Committee meets to review the candidate's scholarship before receiving and reviewing the letters from outside reviewers. The purpose is to permit the committee to develop its own opinion as to the candidate's scholarship independent of the evaluations from outside reviewers. In advance of this meeting to review the candidate's scholarship the Chair invites interested law faculty to review the candidate's scholarship and submit written evaluations for the committee's consideration. The committee's independent consideration of the candidate's scholarship incorporates the written views of faculty. The Chair summarizes the committee's reactions. The committee reviews the candidate's scholarship again when it examines the outside letters.

3. The committee also reviews the candidate's teaching based on past annual reviews, student evaluations, and faculty class visit memoranda. The Chair summarizes the committee's views concerning the candidate's teaching. The committee also reviews the candidate's service, and the Chair summarizes the committee's views on this issue.

a. The Chair asks all members of the committee to visit as many classes of the candidate as possible. In addition, the Chair circulates a memorandum to the faculty as a whole inviting them to visit as many classes of the candidate as possible. The Chair, in consultation with the committee, may request specific faculty members who are not on the committee to visit the candidate's classes. This is particularly appropriate for members of the faculty who have expertise in the candidate's fields. Each class visitor is asked to complete a written memorandum which is given to the Chair and circulated to the members of the committee. The University Guidelines provide that these memoranda are confidential "to the extent permitted by law." However, class visitors are encouraged to share their memoranda with the candidate.

b. The committee also reviews student evaluations. These should be all of the student evaluations pertaining to the candidate's classes, going back to the candidate's initial appointment year. From time to time, candidates for promotion also hold teaching positions at other schools within the university. Customarily, the Promotion and Tenure Committee has requested student evaluations from these other areas of the university. However, it is not customary for the members of the Promotion and Tenure Committee to visit classes outside the law school. From time to time candidates for promotion have taught at other law schools, either while on leave or prior to coming to Case. It is customary for the committee to obtain student

evaluation from these other law schools. However, it is important for the Chair to determine how student evaluations are obtained and what use they are put to in these other areas of the university or at other schools, and to communicate this information to the committee to assist in reviewing the evaluations.

c. In accordance with the University Guidelines, the Promotion and Tenure Committee will endeavor to obtain teaching assessments from former students who have taken courses from the candidate.

4. The Chair asks each member of the committee to review the class visit memoranda, the student evaluations, the candidate's annotated curriculum vitae, and the candidate's scholarship. In addition, the University Faculty Handbook states that the faculty Promotion and Tenure Committee shall review the annual evaluations completed at the end of the third pre-tenure year.

5. By the end of October, the Chair should prepare a draft of the committee's views on the candidate's scholarship, teaching and service. The committee then reviews this draft and revises it. The Chair shares the revised draft with the candidate, who is asked to correct any factual errors. In addition, the Chair may provide the candidate with carefully redacted copies or summaries of the outside reviewers' letters in a fully de-identified format. ~~The~~ the candidate may wish to respond to the comments of the committee, and/or to those of the outside reviewers, in writing. These responses are included in the materials pertaining to the candidate's promotion that are given to the Dean.

Commented [djc20]: Additional language added to require that outside letters are fully de-identified to preserve anonymity.

6. The Promotion and Tenure Committee then votes on whether or not to recommend the candidate's promotion to associate professor. The committee's decision is determined by majority vote

7. The Chair places copies of the candidate's annotated C.V., student evaluations and scholarship at several secretarial stations for review by the members of the faculty.

8. All members of the faculty who are entitled to vote on the promotion meet to consider it. According to Article 3 of the Faculty By-Laws, "this consists of only those faculty who rank equal to or senior to the rank to which the individual is being promoted." Thus, in the case of promotion to associate professor, tenured faculty with the rank of associate professor without tenure are entitled to vote. Article 5.4 of the Faculty By-Laws provides that "a secret ballot shall be required on all personnel matters, including appointments, reappointments promotions, and grants of tenure."

9. Following the faculty's vote, the faculty's recommendation is communicated to the Dean. The Dean then prepares the Dean's recommendation to the Provost, which accompanies the faculty's recommendation and includes the Promotion and Tenure Committee's report and associated supporting materials.

## B. Promotion to Full Professor with Tenure

1. Section 9.8 of the Faculty By-Laws states that each faculty member shall be considered for tenure no later than six years after the effective date of his or her initial appointment. The 1986 Promotion and Tenure Memorandum similarly states that “the normal pre-tenure period is six years, unless the letter of appointment provides otherwise. This means that a candidate will normally be considered for tenure and promotion to full professor in the fall following the completion of his or her fifth year of service.”

2. The University Faculty Handbook permits pre-tenure extensions:

a. “[F]or up to three years of extension for exceptionally worthy candidates in the event of unusual constraints in the University, or part of parts thereof which would prevent tenure awarded at the end of the normal period.”“

b. “[F]or the purpose of compensating special earlier circumstances disadvantageous to a candidate’s tenure consideration.” The Handbook adds that “such circumstances might include serious illness, family emergency, maternity, or extraordinary teaching or administrative assignments.”

c. Upon written request by the faculty member within one year after each live birth or after each adoption, an extension of up to one year of the pre-tenure period shall be granted by the provost to any faculty member who will be the primary care giving parent.

b. Extensions under a. and b. above must be approved by the faculty and the university. The Faculty Handbook states that except for extensions under c. above, no more than three years of extensions may be granted in the period before tenure, meaning that, generally, at the latest, a faculty member would be considered in his or her ninth year after appointment.

3. The written standards for outside reviewers are also the same as the standards for promotion to associate professor.

4. The procedures for the Promotion and Tenure Committee’s consideration of a candidate’s candidacy for promotion to full professor with tenure are essentially the same as those for consideration to promotion to associate professor.

5. The process of voting at the faculty level is also the same, except that only tenured faculty are entitled to vote on promotion with tenure.

## C. Annual Reviews

1. In accordance with the University Faculty Handbook (Chapter 3(I)(F)(5)), the Dean shall ensure that all full-time faculty members receive an annual review. The Dean shall

provide a written summary of the annual review to the faculty member.

2. Annual reviews of full-time, non-tenured members of the faculty typically are also conducted by the Promotion and Tenure Committee. In the first year of their appointment, this review is conducted in the spring semester. In subsequent years, the review process begins in the fall semester and continues through the spring of the academic year before the faculty member is considered for tenure, if applicable, or in the case of non-tenure track faculty, until they are promoted to the rank of Professor.

a. At the beginning of the annual review process the Chair of the Promotion and Tenure Committee sends a memo to each faculty member being evaluated and explains the process of the evaluation. The memorandum is accompanied by a form, a copy of which is attached, that the faculty member being evaluated is asked to complete and return to the Chair. The form asks about the faculty member's teaching, scholarship and service. The faculty member is asked to provide this information along with copies of any publications by a date certain. The candidate is invited, but not required, to share with the Promotion and Tenure Committee drafts of any works in progress or manuscripts that have been submitted but not yet accepted for publication. All manuscripts that have been accepted for publication, or that have been published, must be provided to the committee and form part of its review.

b. As the review gets underway, the Chair sends a memorandum to the faculty as a whole, stating that individuals may be asked specifically to visit a faculty member's class for purposes of the annual review, and inviting all other faculty members to visit the classes if they wish. The memo also asks those faculty who visit classes to make a written report of their visit and give it to the Chair.

c. There should be at least three class visits, including visits by a non-member of the committee. The Chair asks all members of the committee to try to visit at least one class of the faculty member being reviewed.

d. The Chair appoints an individual on the committee to be responsible for coordinating class visits by faculty members who are not on the committee. This member of the committee is responsible for making sure that the non-members of the Promotion and Tenure Committee who have been asked to visit classes complete their class visits and turn in their written evaluations in a timely manner.

e. Class visits should be completed shortly after spring break, and evaluations forwarded promptly to the Chair. The Chair circulates the written evaluations to all members of the committee. In addition, the Chair obtains and circulates photocopies of the student evaluations for the faculty member being evaluated from the previous spring and fall.

f. Once the members of the Promotion and Tenure Committee have had an opportunity to review the materials pertinent to the annual review, consisting of class visits, memos, student evaluations, the faculty member's information supplied in response to the

Chair's form, and any manuscripts or published papers, the committee meets and discusses the faculty member's performance. The committee also reviews past annual reviews prior to this meeting, to ensure that the faculty member receives consistent advice despite changing committee membership. At the meeting, the Chair takes notes summarizing the committee's deliberations, and then prepares a draft memorandum summarizing the committee's conclusions and recommendations. This draft is shared with the members of the committee and revised based on their written comments, and if necessary, after further discussion at a subsequent committee meeting.

g. The final committee report is shared with the faculty member being evaluated. The faculty member is invited to meet with the full committee to discuss the annual evaluation.

h. The Promotion and Tenure Committee shall send its annual evaluations to the office of the Provost by the end of May.

#### V. SABBATICALS

A. In accordance with Chapter 3, Part One, Section II.A. of the University Faculty Handbook, the Promotion and Tenure Committee shall review and make recommendations to the Dean regarding a faculty member's request for sabbatical leave.

#### VI. PROMOTION AND REAPPOINTMENT PROCESS FOR CLINICAL AND NON-TENURE TRACK LAWYERING SKILLS FACULTY.

A. The Policies and Procedures for Clinical Faculty and non-tenure track Lawyering Skills Faculty attached to the By-Laws of the Faculty of Law as Appendices B and C, respectively, provide for annual reviews and the standards for review of these faculty for promotion and reappointment. The Promotion and Tenure Committee, augmented as required in those standards, is charged with performing the necessary committee review in such cases and to make recommendations to the Faculty. To the extent that the standards for review of Clinical Faculty (Appendix B) are applicable to tenure track clinical faculty, the Promotion and Tenure Committee applies those standards to tenure track clinical faculty in addition to the standards for review of the candidate's scholarship described above.

B. As described more fully below, review for a promotion decision for such faculty should include the following: Candidate Dossier, Formal Written Evaluation by Faculty in the candidate's track that are senior to the candidate, and Review by the Promotion and Tenure Committee. In the case of tenure track clinical faculty candidates for promotion, the material described below is provided in addition to the requirements for review of the candidate's scholarship applicable to all tenure track candidates described above.

##### 1. Candidate Dossier

a. The candidate should submit to the Promotion and Tenure Committee a full C.V. including all teaching and professional activities, any publications and unsolicited letters of support, testimonials or reviews.

b. It is not the intention of the faculty that the candidate solicit outside letters for the promotion process.

2. Formal Written Evaluation by Senior Faculty in the candidate's track.

a. A committee composed of all members of the faculty in the candidate's track who are senior to the candidate will provide the Promotion and Tenure Committee with a formal written evaluation of the candidate.

b. This evaluation will address the candidate's performance using all of the standards applicable to the candidate. The senior faculty will observe the candidate's teaching, review the candidate's teaching materials, and in the case of Clinical Faculty, selected case files, and discuss with the candidate his or her activities. The report will reflect any minority views or specific issues raised by any of the senior faculty.

3. Review by Promotion and Tenure Committee

a. The Promotion and Tenure Committee will review the candidate dossier, the evaluation by senior faculty in the candidate's track, and all annual review reports previously completed by the Promotion and Tenure Committee. In addition, the Promotion and Tenure Committee will independently review the candidate's Teaching Effectiveness and in the case of Clinical Faculty, competence as a lawyer.

b. The Promotion and Tenure Committee will visit the candidate's classes. The committee will also review student evaluations.

c. In the case of Clinical Faculty, the Promotion and Tenure Committee, or a sub-committee of the Promotion and Tenure Committee, including the clinician member of the committee, will meet the candidate to discuss three cases the candidate has chosen. These case files will be accessible for committee review prior to the discussion meeting. The cases chosen by the candidate should reflect the range of his or her practice and supervision within the clinic.

d. In the case of Clinical and Lawyering Skills Faculty, the Committee or sub-committee will also review video-tape(s) of at least one supervision or one-on-one instructional sessions(s) provided by the candidate.

e. The Promotion and Tenure Committee will prepare a draft report of the committee's views. The Chair will share the draft with the candidate, who is asked to correct any misstatement. In addition, the candidate may wish to respond to the report of the committee. The augmented Promotion and Tenure Committee will prepare a final report and then vote on

whether or not to recommend the candidate's promotion. The committee's decision is determined by the majority vote.

d. The Chair will place copies of the candidate's C.V. and student evaluations at several secretarial stations for review by members of the faculty. In addition, each faculty member entitled to vote on the promotion will be sent a confidential copy of the Promotion and Tenure Committee's recommendation and report, together with class visit memoranda. The committee will also include the candidate's written responses to the report, if any.

4. All members of the faculty entitled to vote as provided in Article 3.1-3.5 of the By-Laws of the Faculty of Law will meet to consider it. As required by Article 5.3, a secret ballot shall be required on all promotions.

5. Following the faculty's vote, the faculty's recommendation will be communicated to the Dean. The Dean will then prepare his own recommendation to the Provost, which will accompany the faculty's recommendation, and will include the Promotion and Tenure Committee's report and associated supporting materials.

C. As described more fully below, review for a reappointment decision for non-tenure track Clinical or Lawyering Skills Faculty at the rank of Professor, should include the following: Candidate Dossier; the last two annual reports to the Deans, together with the Deans' written comments following their meetings; copies of the candidate's most recent student evaluations; a Certification or Report from other Professors in the candidate's track who are equal in rank to the candidate; and Review by the Promotion and Tenure Committee.

1. Candidate Dossier

a. The candidate should submit to the Promotion and Tenure Committee a full C.V. including all teaching and professional activities, any publications and unsolicited letters of support, testimonials or reviews.

b. It is not the intention of the faculty that the candidate solicit outside letters for the reappointment process.

2. Certification or Report by other Professors in the candidate's track.

a. The other Professors in the candidate's track who are equal in rank to the candidate shall submit an evaluation that addresses whether the candidate continues to meet the applicable standards identified in the Policies and Procedures.

b. If the other Professors in the candidate's track believe the candidate continues to meet the applicable standards, the evaluation referred to in the previous paragraph shall consist of a brief "Certification" to that effect. .

c. If the other Professors in the candidate's track believe the candidate no longer continues to meet the applicable standards, no "Certification" shall be submitted. In that case, the Professors in the candidate's track shall submit a report to the Promotion and Tenure Committee which addresses the issues presented. The report will reflect any minority views or specific issues raised.

### 3. Review by Promotion and Tenure Committee

a. The Promotion and Tenure Committee will review the candidate dossier, the Certification or Report by senior faculty in the candidate's track, the previous two annual reports to the Deans, together with the Deans' written comments following their meetings with the candidate, and copies of the candidate's most recent student evaluations. Absent a showing of good cause for a more substantial review of the candidate for retention, the committee's recommendation of<sup>23</sup> renewal at the rank of Professor shall be presumptive. If, upon a finding of good cause, the Promotion and Tenure Committee deems it appropriate to conduct a more substantial retention review, the Promotion and Tenure Committee shall follow such procedures as it deems appropriate to address any issues presented.

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b. The Promotion and Tenure Committee will prepare a draft report of the committee's views. The Chair will share the draft with the candidate, who is asked to correct any misstatement. In addition, the candidate may wish to respond to the report of the committee. The augmented Promotion and Tenure Committee will prepare a final report and then vote on whether or not to recommend the candidate's retention. The committee's decision is determined by the majority vote.

c. The Chair will place copies of the candidate's C.V. and student evaluations at several secretarial stations for review by members of the faculty. In addition, each faculty member entitled to vote on the retention will be sent a confidential copy of the Promotion and Tenure committee's recommendation and report. The committee will also include the candidate's written responses to the report, if any.

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<sup>23</sup> Amended May 23, 2016 at the suggestion of the University General Counsel's office and the central university bylaws committee. No substantive change intended.

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4. All members of the faculty entitled to vote as provided in Article 3.1-3.5 of the By-Laws of the Faculty of Law will meet to consider it. As required by Article 5.3, a secret ballot shall be required on all reappointments.

5. Following the faculty's vote, the faculty's recommendation will be communicated to the Dean. The Dean will then prepare his own recommendation to the Provost, which will accompany the faculty's recommendation, and will include the Promotion and Tenure Committee's report and associated supporting materials.

#### VII. PROMOTION AND REAPPOINTMENT PROCESS FOR NON-TENURE TRACK FACULTY OTHER THAN CLINICAL OR LAWYERING SKILLS FACULTY.

A. Any non-tenure track faculty member who is eligible for promotion or reappointment at the end of the current appointment term, but who is not subject to the standards established for Clinical or Lawyering Skills Faculty attached to the By-Laws as Appendices B and C, shall be reviewed in accordance with this section VII. ~~The Promotion~~The Promotion and Tenure Committee, augmented as required by Section 9.8 of the By-Laws shall conduct a review as provided in C below and shall make recommendations to the Faculty and the administration concerning whether the candidate should be promoted or reappointed.

B. The criteria for reappointment or promotion shall include the following as appropriate according to the terms of the initial appointment:

1. In General. Depending upon the terms of the initial appointment, the standards for reappointment or promotion will involve a review of the candidate's performance in two out of three of the following: teaching, scholarship and institutional service.

2. Teaching Effectiveness. If required by the terms of the initial appointment, non-tenure track faculty members should demonstrate steady progress toward becoming effective teachers.

3. Service to the University, the Profession and the Community. If required by the terms of the initial appointment, non-tenure track faculty members will be called upon from time to time to engage in service to the Law School or University, for example in administrative or committee work. In addition, they may be asked to engage in public service, for example in organizing or appearing in continuing legal education programs, programs presented to non-lawyer community or educational groups, and service in other community groups such as boards of directors or legal bodies. Non-tenure track faculty are expected to perform such services satisfactorily.

Any non-tenure track faculty member whose primary appointment is as an administrator and who holds a faculty appointment must also perform his or her administrative functions to the satisfaction of the Dean as a prerequisite to reappointment or promotion, regardless of that faculty member's teaching effectiveness or other institutional service.

4. Scholarship. If required by the terms of the initial appointment, the scholarship of non-tenure track faculty members must reflect substantial research, a thorough understanding of the subject, and an insight into the issues and problems that contribute substantially to available knowledge.

C. Review for a promotion or reappointment decision for such faculty should include the following: Candidate Dossier, and Review by the Promotion and Tenure Committee.

1. Candidate Dossier

a. The candidate should submit to the Promotion and Tenure Committee a full C.V. including all teaching and professional activities, any publications and unsolicited letters of support, testimonials or reviews.

b. It is not the intention of the faculty that the candidate solicit outside letters for the promotion or retention processes.

2. Review by Promotion and Tenure Committee

a. The Promotion and Tenure Committee will review the candidate dossier, and all annual review reports previously completed by the Deans and the Promotion and Tenure Committee. In addition, the Promotion and Tenure Committee will independently review those aspects of the candidate's teaching, research and scholarship, or service to the Law School and University that are required under the candidate's non-tenure track appointment. b. If appropriate, the Promotion and Tenure Committee will visit the candidate's classes. The committee will also review student evaluations.

b. The Promotion and Tenure Committee will prepare a draft report of the committee's views. The Chair will share the draft with the candidate, who is asked to correct any misstatement. In addition, the candidate may wish to respond to the report of the committee. The Promotion and Tenure Committee will prepare a final report and then vote on whether or not to recommend the candidate's promotion or retention. The committee's decision is determined by the majority vote.

c. The Chair will place copies of the candidate's C.V. and student evaluations at several secretarial stations for review by members of the faculty. In addition, each faculty member entitled to vote on the promotion or retention will be sent a confidential copy of the Promotion and Tenure committee's recommendation and report, together with class visit memoranda. The committee will also include the candidate's written responses to the report, if any.

3. All members of the faculty entitled to vote as provided in Article 3.1-3.5 of the By-Laws of the Faculty of Law will meet to consider it. As required by Article 5.3, a secret ballot shall be required on all promotions or retentions for non-tenure track faculty.

4. Following the faculty's vote, the faculty's recommendation will be communicated to the Dean. The Dean will then prepare his own recommendation to the Provost, which will accompany the faculty's recommendation, and will include the Promotion and Tenure Committee's report and associated supporting materials. If the candidate is promoted or retained, a new appointment shall be issued for the term recommended and approved by the Provost. If the candidate is not promoted or retained, the candidate's appointment shall be terminated in accordance with the notice procedures for non-renewal of term appointments set forth in the Faculty Handbook (Chapter 3, Part One, I, K.)

## APPENDIX B

### **Policies and Procedures for Faculty Whose Primary Appointments Are In the Clinical Program**

#### **School of Law Case Western Reserve University**

##### I. Introduction

The faculty of law consists of the President of the University or his or her designee and all persons who hold full-time appointments in the School of Law and who have the rank of professor, associate professor, assistant professor, or instructor. These policies and procedures outline the rights and responsibilities of Case Western Reserve University School of Law I faculty whose primary appointments are in the clinical program at the law school, whether tenured, tenure track, or non-tenure track (referred to herein as “clinical faculty”) and whose voting privileges are set forth in Sections 3.2 and 3.4 of the Law School by-laws. They encompass the process for hiring, evaluating, and promoting these faculty.

Nothing in these policies and procedures limits the inherent right of the faculty to control the content and approach of the clinical program.

##### II. Obligations of the Clinical Faculty

In general, the obligations of the non-tenure track clinical faculty to the institution are teaching and institutional service. In general, the obligations of the tenured or tenure track clinical faculty are teaching, institutional service, and research and scholarship.

##### III. Specifications of Rank and Title

A. The following titles shall be applied to clinical faculty appointments: "Assistant Professor," "Associate Professor," and "Professor." Professor is the most

senior title, followed in descending order by Associate Professor and Assistant Professor.

B. Assistant Professor. The title "Assistant Professor" applies to a member of the clinical faculty who is without significant teaching, practice, scholarship (if applicable) or other relevant experience, but who shows the capacity to be able to meet the applicable standards for promotion to the title of clinical professor.

C. Associate Professor. The title "Associate Professor" applies to a member of the clinical faculty who through prior teaching experience as an assistant, or through other practice, scholarship (if applicable), or relevant experience, demonstrates strong and improving performance and substantial progress toward meeting the applicable standards for promotion to the title of clinical professor.

D. Professor. The title, "Professor", applies to a clinical faculty member who possesses a) an expert knowledge of his or her field; b) effective teaching skills; c) for clinical faculty on the tenure track, a documented national or international reputation for sustained scholarship in the candidate's discipline; d) a willingness to assume a fair share of institutional administrative and service tasks; and e) a commitment to continuing development of his or her academic competence, teaching effectiveness, research and scholarship (if applicable) and contribution to the academic objectives of the clinical program, the School of Law and the University.

#### IV. Procedures for Appointment, Evaluation, Reappointment and Promotion.

A. Hiring. Appointment as a Visiting Clinical Professor may be made by the Dean for up to one year, and may be renewed by the Dean for not more than two additional years. All other hiring decisions shall be implemented by the Dean

pursuant to a recommendation by the Appointments Committee, and a majority vote of the faculty entitled to vote on the issue. For the sole purpose of considering a candidate for appointment to the clinical faculty, one member of the Appointments Committee shall be a member of the Clinical Faculty.

B. Reappointment and Promotion Decisions. The Promotion and Tenure Committee has responsibility for making recommendations to the Dean and the Faculty regarding promotion and reappointment of clinical faculty in accordance with the By-laws of the Faculty, Appendix A to those By-laws and these policies and procedures. All reappointment and promotion decisions shall be made pursuant to a majority vote in favor of the candidate by the faculty members entitled to vote following review by the Promotion and Tenure Committee. For the purpose of considering a member of the clinical faculty for promotion or reappointment, at least one member of the Promotion and Tenure Committee shall be a member of the Clinical Faculty who shall hold a title which is equal to or senior to the rank of the candidate under consideration.

C. Persons Entitled to Vote Regarding Clinical Faculty Personnel Matters. ~~Subject to Section 3.4(5) of the Law School's bylaws, A~~ any member of the tenure track Faculty shall be entitled to vote on initial appointments, reappointments, promotions or terminations regarding non-tenure track clinical faculty. Any member of the tenure track Faculty who holds a title which is equal to or senior to the rank of the candidate in question, may vote on initial appointments, reappointments, promotions or terminations of tenure track clinical faculty. In addition, non-tenure track clinical faculty who have been granted voting privileges under the by-laws of the faculty of law with titles equal to or senior to the title of the candidate under consideration shall be entitled to vote on such matters regarding both tenure track and non-tenure track clinical initial appointments, reappointments, promotions or terminations.

D. Non-Tenure Track Clinical Faculty Appointments as Assistant

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## Professor

A non-tenure track clinical faculty candidate appointed as Assistant Professor shall be eligible to receive two consecutive one (1) year appointments, followed by a three (3) year appointment. If the reappointment is not made, employment shall terminate at the end of the current appointment term, subject to the notice provisions in the University Faculty Handbook.

At the end of the three (3) year appointment, if the candidate is not promoted to Associate Professor, employment shall terminate, subject to the notice provisions in the University Faculty Handbook.

### E. Non-Tenure Track Clinical Faculty Promotion to Associate Professor

Review for promotion to Associate Professor shall be done by the Promotion and Tenure Committee in the spring of the faculty member's fourth year, which shall transmit its recommendation to the faculty for a vote.

If a candidate is not promoted, that candidate's employment shall terminate at the end of the current appointment term, subject to the notice provisions in the University Faculty Handbook.

Promotion to Associate Professor results in an appointment for a five (5) year term. At the end of the five (5) year term, if an Associate does not meet standards for promotion to Professor and is not promoted, employment shall terminate, subject to the notice provisions in the University Faculty Handbook.

### F. Non-Tenure Track Clinical Faculty Promotion to Professor

Review for promotion to Professor shall be done by the Promotion and Tenure Committee in the spring of the faculty member's ninth year, which shall transmit its recommendation to the Faculty for a vote.

If the candidate is not promoted, that candidate's employment shall terminate at the end of the current appointment term, subject to the notice provisions in the University Faculty Handbook.

Promotion to Professor results in an appointment for a five (5) year term,

with renewals for subsequent five (5) year terms as specified in V.

G. Tenure Track Clinical Faculty Appointments and Promotions

The terms of tenure track clinical faculty appointments, reappointments, promotions and terminations shall be governed by the policies and procedures regarding other tenure track faculty at the Law School. Those policies and procedures are memorialized in Appendix A to the By-laws of the Faculty of Law as well as the University Faculty Handbook. As with other tenure track faculty, the pre-tenure period for tenure track clinical faculty is normally six years, subject to certain extensions which may be available as stated therein. Clinical faculty candidates on the tenure track normally will be considered for promotion from Assistant Professor to Associate Professor at the end of his or her second year of service. Clinical faculty candidates on the tenure track normally will be considered for promotion from Associate Professor to Full Professor with tenure at the end of his or her fifth year of service.

H. Notwithstanding any of the provisions in this section IV., if a non-tenure track clinical faculty member is supported by short-term grants, the School of Law may condition the continuation of employment on continued receipt or renewal of such grants.

V. Renewal of Non-Tenure Track Clinical Professorial Appointments.

In the spring of the fourth (4th) year of a five (5) year appointment as a non-tenure track Professor, the Promotion and Tenure Committee shall review the candidate's performance to ensure that the standards for appointment as a non-tenure track Professor continue to be met and shall make a recommendation to the faculty. The faculty shall meet to vote on the recommendation, and reappointment shall occur upon a majority vote in favor of reappointment by the faculty members entitled to vote on such matters. If, following a valid faculty vote, the reappointment is not made, termination of employment would occur at the end of the current five

(5) year appointment, subject to the notice provisions in the University Faculty Handbook.

VI. Periodic Evaluations

In addition to evaluations for promotion and reappointment, all clinical faculty members at the titles of Assistant and Associate Professor shall be given an annual performance evaluation by the Promotion and Tenure Committee for the purpose of assisting the candidate in achieving levels of performance sufficient to warrant promotion to the next level of appointment.

VII. Procedures for Termination of Employment.

Any clinical faculty appointment may be terminated: 1) for just cause as defined in the Faculty Handbook Chapter 3, Part One, Section I.E.3.; 2) for serious failure to meet the continuing performance obligations set forth in Item XI. below; or 3) pursuant to a Faculty vote pertaining to reduction in staff as set forth in Item VIII below.

If the Dean or a majority of the voting faculty determines that mid-term termination of employment should be considered, the matter shall be referred to the Promotion and Tenure Committee for review and recommendation to the Faculty.

Following receipt of the recommendation of the Promotion and Tenure Committee if, in a valid faculty vote, a majority of faculty members entitled to vote on such matters finds that sufficient cause exists for termination, the candidate's employment shall be terminated, in accordance with, and subject to the notice provisions in the University Faculty Handbook.

VIII. Termination or Substantial Modification of the Clinical Program.

If the clinical program is terminated or substantially modified by the Faculty

in a way that requires a reduction in the need for clinical faculty who teach in the clinical program, a member of the clinical faculty may be terminated regardless of years of service or title, in accordance with, and subject to the notice provisions in the University Faculty Handbook.

If a majority of persons entitled to vote on such matters approve a reduction in clinical faculty size, the reduction shall be accomplished in order of ascending title (i.e. lowest title first) or in order of years of service within a title (i.e. least years of service first).

IX. General Standards of Performance Applicable to Tenure-Track or Non-Tenure-Track Clinical Faculty.

A. In General. Standards for reappointment and promotion for all clinical faculty require effective teaching and institutional service. In addition, for tenure track clinical faculty, reappointment and promotion require sufficient research and scholarship as described in Appendix A to the By-laws of the Faculty of Law.

B. Teaching Effectiveness. Teaching ability is the primary factor to be considered in evaluating non-tenure track clinical faculty for hiring, retention and promotion. Teaching ability is an equally important factor, along with research and scholarship, for tenured or tenure track clinical faculty. All Clinical faculty should demonstrate steady progress toward becoming effective teachers in the clinical program. Any clinical faculty member whose primary appointment is as an administrator and who holds a clinical faculty appointment must also perform his or her administrative functions to the satisfaction of the Dean as a prerequisite to ~~reappointment or~~ reappointment or promotion, regardless of that clinical faculty member's teaching effectiveness or other institutional service.

C. Service to the University, the Profession and the Community. Clinical faculty, like other members of the Faculty, will be called upon from time to time to

engage in service to the Law School or University, for example in administrative or committee work. In addition, they may be asked to engage in public service, for example in organizing or appearing in continuing legal education programs, programs presented to non-lawyer community or educational groups, and service in other community groups such as boards of directors or legal bodies. Clinical faculty are expected to perform such services satisfactorily.

Extraordinary performance of service is an important factor in promotion decisions for non-tenure track clinical faculty. Extraordinary performance of service, however, will not justify promotion or reappointment if a clinical faculty member has not demonstrated effective teaching ability, or in the case of tenure track faculty, the required research and scholarship.

D. Capacity to collaborate with Colleagues. A candidate for reappointment or promotion in the clinical program shall demonstrate that he or she can work well with colleagues and has the inclination to continue to do so.

X. Additional Standards of Performance in the Clinical Program for All Clinical Faculty.

In addition to the general standards stated above in Item IX., the following standards are applicable to all clinical faculty, whether tenured, tenure track, or non-tenure track. In the evaluation process, due consideration shall be given to client confidentiality and the likelihood that in the course of representing clients, clinical faculty may be required to vigorously espouse contentious positions with other counsel or the bench.

A. Clinical Teaching Effectiveness. Candidates for ~~reappointment~~ ~~and~~reappointment and promotion should demonstrate steady progress towards excellence in achieving the goals of clinical teaching: to instill in students the habits of careful research, rigorous analysis, thorough preparation, good relations with clients and others, honest self-criticism, and the ability to learn from experience. Candidates who achieve the title of Clinical Professor should perform proficiently in both one-to-one supervision and clinical classroom teaching.

B. Competence as a Lawyer. Because one of the goals of the clinical program is instruction in the lawyering skills and professional values needed by the practicing lawyer, the effective teacher must be a good lawyer. The following are criteria for determining the quality of lawyering. The list is not exhaustive:

1. Knowledge of the Law. Clinicians should be knowledgeable in the fields of law in which they practice. They should be able to identify matters that are beyond their expertise and bring such matters to the client's attention.

2. Legal skills. Clinicians should exhibit proficiency in a variety of skills, including:

- a. Information gathering both from clients and others;
- b. Legal research, analysis, and writing;
- c. Strategy formation including client counseling;
- d. Strategy execution including negotiation, trial advocacy and alternative dispute resolution;
- e. Follow through, including keeping clients informed and maintaining good client relations; and
- f. Practice management, including organization and control of the legal work and finances of the office. In evaluating a clinician's proficiency in practice management skills, due consideration should be given to the individual clinician's opportunities or lack thereof, for such things as case assignment, overall supervision of office procedures, and control of the office finances.

3. Professional Values and Professional Responsibility.

Clinicians should evidence an appreciation of the professional values necessary to be a competent advocate and officer of the court. Clinicians also should be aware of ethical issues raised by practice and should take appropriate action to deal with these issues in a manner consistent with applicable ethical and legal standards.

C. Character. Clinicians should be intellectually and emotionally capable of rendering professional service to clients and of providing supervision to students.

D. Growth as a Lawyer. The clinical program is designed primarily to assist students in becoming competent practitioners. Competency as a practitioner is not learned at once but must be achieved and maintained throughout one's career. Growth as a practitioner is, therefore, a factor for consideration in retention and promotion decisions.

Growth may be demonstrated in a variety of ways: for example, by an intensive period of time spent practicing law with a firm or governmental agency during the summers or while on sabbatical; by representing clients in the clinic or through public or private consultation in cases that pose significant new challenges to the faculty member; or by teaching in participating programs such as institutes on trial advocacy. This requirement shall be interpreted reasonably in light of the opportunities that the school and program make available.

#### XI. Continuing Performance Obligations of All Clinical Faculty.

Throughout the term of any clinical faculty member's appointment, the clinical faculty member is expected to continually improve his or her performance under the performance standards applicable to his or her appointment and articulated in these policies and procedures.

#### XII. Application to Incumbent Clinical Faculty.

Clinical faculty who are employed by the Law School when these policies and procedures are adopted shall be evaluated and appointed to the title and contract term that are warranted under these policies and procedures, but no clinical faculty member shall receive a title or contract term less than that under which that clinical

faculty member is currently employed.

The employment of any clinical faculty member who is currently appointed based upon a grant from outside the University shall, in addition to all other standards contained in these policies and procedures, be subject to termination at the expiration of: a) the grant period, or b) the term of appointment in effect for that clinical faculty member at the time of adoption of these policies and procedures, whichever event occurs later.

### XIII. Transition of Clinical Faculty to the Tenure Track.

The following provisions are intended to implement the faculty decision made March 5, 2008 that provided: 1) all new clinical faculty who are considered for initial permanent, full-time appointments at the Law School that would begin after March 5, 2008, shall be considered for the tenure track, and shall be appointed, promoted, reappointed and considered for tenure pursuant to these policies and procedures as to their teaching and service, but shall also be subject to the policies and procedures regarding research and scholarship applicable to other tenured or tenure track faculty at the Law School. The policies and procedures applicable to research and scholarship are memorialized in the By-Laws of the Faculty of Law and Appendix A to those By-Laws; and 2) clinical faculty who were employed by the Law School on March 5, 2008 as non-tenure track clinical faculty under these policies and procedures are eligible to apply for transition to the tenure track.

#### A. Access to Tenure Track for Clinicians Employed as of March 5, 2008.

To be appointed to a tenure-track position, full-time clinical faculty members employed by the Law School as of March 5, 2008 must successfully go through the faculty appointments process to assess their scholarly potential. This would include

positive recommendations from the Faculty Appointments Committee to the faculty, from the faculty to the Dean, and from the Dean to the Provost. Such a recommendation would focus on teaching, service, practice, and scholarship. Teaching, service and practice shall be governed by the policies and procedures stated above generally applicable to all clinical faculty. Scholarship generally shall be governed by the provisions of Appendix A to the By-Laws of the Faculty of Law, applicable to other tenure track faculty.

1. **Evidence of Scholarly Potential** – As with nonclinical tenure-track candidates, clinical faculty seeking a tenure-track appointment must establish their strong interest in, and ~~substantial potential~~ substantial potential for, producing high quality scholarship with reasonable regularity throughout their teaching career.

a. **Appointment on the Basis of Prior Articles**

Like candidates for nonclinical tenure-track positions, clinical faculty members may request that prior articles be considered in order to establish evidence of scholarly potential sufficient for appointment to a tenure-track position.

b. **Release Time and Support for Writing**

To be appointed to the tenure track, non-tenure track clinical faculty members employed by the Law School as ~~of March of~~ March 5, 2008, who have no prior publications or whose prior publications do not establish an adequate basis for appointment must produce an article demonstrating scholarly potential. Based

upon their scholarly potential and progress, as determined by the Dean, clinical faculty members in this position who declare their intention to seek a tenure-track appointment may be released from clinical obligations during the summer and may be given research support, including research assistants and summer research grants for no more than three years.

2. Once a clinical faculty member is on the tenure track, that faculty member will receive the same benefits, rights, and obligations as nonclinical tenure-track faculty.

B. Consideration of prior scholarship, rank and years to tenure at application

1. As with nonclinical tenure-track faculty, a clinical tenure-track faculty member may be given credit at the time of appointment for scholarship previously produced.

2. While working toward tenure, clinical tenure-track faculty members may retain the rank and titles they earned at the law school prior to being appointed to the tenure track.

C. Choice to apply for tenure track

1. Clinical faculty members must choose, within five years of June 30, 2008, whether to apply for a tenure-track position or retain long-term contract status.

2. Clinical faculty members who apply for, but do not receive, a tenure-track position would retain long-term contract status.

3. All full-time clinical faculty employed by the Law School as of March 5, 2008 have the option to retain their previous non-tenure track long-term contract status and not apply for a tenure-track position.

These policies and procedures were initially adopted by the Faculty of Law on April 16, 1997; additional changes to conform to Faculty Handbook and Bylaws changes adopted October 1, 2007; additional changes to provide for transition of clinical faculty from non-tenure track to the tenure track were adopted in September, 2009.

**Appendix C: Policies and Procedures for Lawyering Skills Faculty**  
Case Western Reserve University School of Law

I. *Introduction*

These policies and procedures outline the rights and responsibilities of the faculty of the Case Western Reserve University School of Law whose primary appointments involve teaching lawyering skills courses, ~~in the CaseArc Integrated Lawyering Skills Program or other parts of the curriculum, and who are~~ hereinafter referred to as the “lawyering skills faculty.” These policies and procedures describe the process for hiring, evaluating, promoting, reappointing and terminating members of the lawyering skills faculty.

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Nothing in these policies and procedures limits the inherent right of the faculty to control the content and approach of the lawyering skills program.

II. *Obligations of the Lawyering Skills Faculty*

In general, the obligations of the non-tenure track lawyering skills faculty to the institution are teaching and institutional service. The obligations of special lawyering skills faculty are teaching only.

III. *Specifications of Rank and Title*

A. *Ranks and Titles.* Lawyering skills faculty shall be non-tenure track or special faculty, depending upon the terms of the appointment. The following titles shall be applied to non-tenure track lawyering skills faculty appointments: “assistant professor of law,” “associate professor of law,” and “professor of law.” Professor is the most senior rank, followed in descending order by associate professor and assistant professor. The following titles shall be applied to special lawyering skills faculty appointments: “adjunct professor of lawyering skills” or “visiting

professor of lawyering skills” depending on the nature of the appointment. All non-tenure track lawyering skills faculty are senior to special lawyering skills faculty.

B. *Assistant Professor*. The title “assistant professor of law” applies to a member of the non-tenure track lawyering skills faculty who is without significant teaching or other relevant experience, but who shows the capacity to meet standards for promotion to the rank of professor.

C. *Associate Professor*. The title “associate professor of law” applies to a member of the non-tenure track lawyering skills faculty who has prior teaching experience as an assistant professor or has other relevant experience, and who demonstrates strong performance and substantial progress toward meeting the standards for promotion to the rank of professor.

D. *Professor*. The title “professor of law” applies to a member of the non-tenure track lawyering skills faculty who possesses 1) an expert knowledge of his or her field, 2) effective teaching skills, 3) a willingness to assume a fair share of institutional administrative and service tasks, and 4) a commitment to continuing development of academic competence.

#### IV. *Procedures for Appointment, Evaluation, Reappointment, and Promotion*

A. *Hiring*. Appointment as a special faculty member in the lawyering skills program on either a full-time or part-time basis may be made by the Dean for up to one year, and may be renewed by the Dean for an additional year. In addition, under the provisions of paragraph IV.G. below, the Dean may appoint lawyering skills special faculty to additional or continuing terms. All hiring decisions of non-tenure track lawyering skills faculty shall be pursuant to a recommendation by the Appointments Committee and a majority vote of the faculty entitled to vote on the issue. For the sole purpose of considering a candidate for appointment to the non-tenure track lawyering skills faculty, one member of the Appointments Committee shall be a member of the non-tenure track lawyering skills faculty.

*B. Reappointment and Promotion Decisions.* The Promotion and Tenure Committee (or such other committee designated for this purpose) has responsibility for making recommendations to the faculty regarding promotion and reappointment of non-tenure track lawyering skills faculty in accordance with these policies and procedures.

All reappointment and promotion decisions shall be made pursuant to a majority vote by the faculty members entitled to vote, following review by the Promotion and Tenure Committee. For the sole purpose of considering a member of the non-tenure track lawyering skills faculty for promotion or reappointment, one member of the Promotion and Tenure Committee shall be a member of the non-tenure track lawyering skills faculty who holds a rank equal to or senior to the rank to which the non-tenure track lawyering skills faculty member under consideration is being reappointed or promoted.

*C. Persons Entitled to Vote Regarding Non-Tenure Track Lawyering Skills Faculty*

*Personnel Matters.* Subject to the provisions of Section 3.4(7) of the Law School Bylaws,

~~A~~ny member of the tenure-track faculty and any clinical faculty member shall be entitled to vote on initial appointments, reappointments, promotions, or terminations regarding lawyering skills faculty. In addition, members of the non-tenure track lawyering skills faculty with ranks equal to or senior to the rank of the non-tenure track lawyering skills faculty member under consideration shall be entitled to vote on initial appointments, reappointments, promotions, or terminations regarding non-tenure track ~~lawyering~~ lawyering skills faculty.

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*D. Lawyering Skills Faculty Appointment as Assistant Professor.* A lawyering skills faculty member appointed as assistant professor may receive two consecutive one (1) year appointments, followed by a three (3) year appointment, if the appointment is renewed before

the end of the one (1) year or three (3) year appointment periods.

If reappointment is not made before the end of the one (1) year or three (3) year appointment periods, the appointment shall terminate at the end of the current appointment term, subject to the notice provisions in the University Faculty Handbook.

*E. Lawyering Skills Faculty Promotion to Associate Professor.* Promotion to associate professor in the lawyering skills program results in an appointment for a five (5) year term.

Review for promotion to associate professor in the lawyering skills program shall ordinarily be done in the spring of the lawyering skills faculty member's fourth year as assistant professor by the Promotion and Tenure Committee, which shall transmit its recommendation to the faculty for a vote.

If an assistant professor is not promoted to associate professor, that faculty member's appointment shall terminate at the end of the current appointment term, subject to the notice provisions in the University Faculty Handbook.

*F. Lawyering Skills Faculty Promotion to Professor.* Promotion to professor in the lawyering skills program results in an appointment for a five (5) year term, with possible renewals for subsequent five (5) year terms as specified in article V of these policies.

Review for promotion to professor in the lawyering skills program shall ordinarily be done in the spring of the faculty member's ninth year by the Promotion and Tenure Committee, which shall transmit its recommendation to the faculty for a vote.

If an associate professor in the lawyering skills program is not promoted to professor, that faculty member's appointment shall terminate at the end of the current appointment term, subject to the notice provisions in the University Faculty Handbook.

*G. Special Faculty Positions.* Notwithstanding any of the above provisions in this article

IV, the Dean, in consultation with the Appointments Committee and the full faculty, shall have flexibility to create continuing, special faculty positions in the lawyering skills program when doing so is in the best interests of the School of Law.

*V. Reappointments of Non-Tenure Track Appointments of Lawyering Skills Professors*

In the spring of the fourth year of a faculty member's five (5) year appointment as a non-tenure track professor in the lawyering skills program, the Promotion and Tenure Committee shall review the faculty member's performance to ensure that the standards for appointment as professor continue to be met, and the Committee shall make a recommendation to the faculty on renewal of ~~the lawyering~~the lawyering skills faculty member's appointment. The faculty shall meet to vote on the recommendation, and reappointment shall occur upon a majority vote in favor of reappointment by the faculty members entitled to vote on such matters.

If a faculty member's appointment is not renewed before the end of the five (5) year appointment, the appointment shall terminate at the end of the current appointment term, subject to the notice provisions in the University Faculty Handbook.

*VI. Periodic Evaluations*

In addition to evaluations for promotion and renewal, all non-tenure track lawyering skills faculty members at the ranks of assistant professor and associate professor shall be given an annual performance evaluation by the Promotion and Tenure Committee for the purpose of assisting the faculty member in achieving levels of performance sufficient to warrant promotion to associate professor or professor, as appropriate. Evaluations of special lawyering skills faculty shall be done by the Dean or his designee as appropriate to the nature of the appointment, but shall occur not less than once per year.

## *VII. Procedures for Termination of Appointment*

Any lawyering skills faculty appointment may be terminated before the end of the current appointment period 1) for just cause as defined in the Faculty Handbook Chapter 3, Part One, Section I.E.3. and 2) for serious failure to meet the continuing performance obligations set forth in article X below; or 3) pursuant to a faculty vote pertaining to reduction in staff as set forth in article VIII below and pursuant to the applicable Faculty Handbook provisions.

In the case of non-tenure track lawyering skills faculty, if the Dean or a majority of the voting faculty entitled to vote on appointments, reappointments and promotions of the individual in question determines that mid-term termination of appointment should be considered, the matter shall be referred to the Promotion and Tenure Committee for review and recommendation to the faculty. Following receipt of the recommendation of the Promotion and Tenure Committee if a majority of faculty members entitled to vote on such matters finds that sufficient cause exists for termination, the faculty member's appointment shall be terminated, subject to the notice provisions in the University Faculty Handbook.

## *VIII. Termination or Substantial Modification of the Lawyering Skills Program*

If the lawyering skills program is terminated or substantially modified by the faculty in a way that requires a reduction in the need for lawyering skills faculty, any member of the lawyering skills faculty may be terminated regardless of years of service or rank, subject to the notice provisions in the University Faculty Handbook.

If a majority of persons entitled to vote on such matters approves a reduction in lawyering skills faculty size, the reduction shall be accomplished in order of ascending rank (i.e., lowest rank first) or in order of years of service within a rank (i.e., least years of service first).

IX. *Standards of Performance: Lawyering Skills Faculty*

A. *In General.* Standards for reappointment and promotion of non-tenure track lawyering skills faculty require effective teaching and institutional service. Standards for reappointment of special lawyering skills faculty require effective teaching.

B. *Teaching Effectiveness.* Teaching ability is the primary factor to be considered in evaluating lawyering skills faculty for hiring, reappointment, and promotion. Lawyering skills faculty who are candidates for reappointment or promotion should demonstrate steady progress towards excellence in achieving the goals of teaching lawyering skills — to begin to instill in students the habits of competent and effective performance of the lawyering skills taught in their courses, including to the extent applicable: 1) clear exposition, careful research, rigorous analysis; 2) thorough preparation; 3) effective interviewing, fact gathering, counseling, negotiation and oral presentation; 4) written and oral examination and advocacy; and 4) honest self-criticism. Faculty members in the lawyering skills program should perform proficiently in one-to-one interaction, small group and classroom teaching.

C. *Service to the University, the Profession, and the Community.* Non-tenure track lawyering skills faculty will be called upon to engage in service to the law school or University—for example, in administrative or committee work. In addition, they may be asked to engage in public service—for example, organizing or appearing in continuing legal education programs or programs presented to non-lawyer community or educational groups, and providing service in other community groups such as boards of directors or legal bodies. Lawyering skills faculty are expected to perform such services satisfactorily.

Extraordinary performance of service is an important factor in promotion or reappointment decisions, but it will not justify promotion or reappointment if a lawyering skills faculty member has not demonstrated effective teaching ability.

D. *Capacity to Collaborate with Colleagues.* A candidate for reappointment or promotion in the lawyering skills program shall demonstrate that he or she works well with colleagues, including the person or persons responsible for administering the lawyering skills program, and that he or she has the inclination to continue to do so.

#### X. *Continuing Performance Obligations*

Throughout the term of any lawyering skills faculty member's appointment, the lawyering skills faculty member is expected to continually improve his or her performance under the performance standards articulated in these policies and procedures.

#### XI. *Application to incumbent Legal Analysis and Writing Faculty*

Legal Analysis and Writing faculty who are employed as full-time non-tenure track faculty by the School of Law when these policies and procedures are adopted shall be evaluated and may be appointed to an initial three (3) year appointment term at a rank that is warranted under these policies and procedures; provided, that no Legal Analysis and Writing faculty member shall receive a rank or appointment term less than that under which that faculty member is currently employed. After the expiration of the initial three (3) year appointment, any such faculty member may be eligible for reappointment at the rank and for the appointment term provided under these policies and procedures.



## APPENDIX D

### POLICIES AND PROCEDURES FOR OTHER NON-TENURE TRACK FACULTY

School of Law, Case Western Reserve University

#### I. *Introduction*

These policies and procedures outline the rights and responsibilities of the non-tenure track faculty of the Case Western Reserve University School of Law whose primary appointments are not in the Clinical or the CaseArc Integrated Lawyering Skills Program. However, under the limited circumstances described below and for limited duration, a Professor from Practice may receive a primary appointment in the clinical program. These policies and procedures describe the process for hiring, evaluating, promoting, reappointing, and terminating members of such non-tenure track faculty. Nothing in these policies and procedures limits the inherent right of the faculty to control the content and approach of the program taught by non-tenure track faculty.

#### II. *Obligations of the Non-Tenure Track Faculty*

In general, the obligations of the non-tenure track faculty to the institution are teaching and institutional service.

#### III. *Specifications of Rank and Title*

A. Except as otherwise provided in Section III.B., non-tenure track faculty (other than Clinical and Lawyering Skills faculty) shall have the rank and title “Senior Instructor in Law.”

B. *Professors from Practice.* Prominent and accomplished candidates who possess significant expertise or other valuable qualities obtained while engaged in at least 10 years of law practice may be appointed as “Professors from Practice,” with the university rank of “Senior Instructor in Law.” Professors from Practice may be appointed to teach any course in the law school curriculum for which they

are qualified. Professors from Practice may be appointed or reappointed only under extraordinary circumstances. This type of appointment is an exception to the general policy that clinical faculty shall be appointed to positions on the tenure track.

#### *IV. Procedures for Appointment, Evaluation and Reappointment*

*A. Hiring.* All hiring decisions of non-tenure track faculty shall be pursuant to a recommendation by the Appointments Committee and a majority vote of the faculty entitled to vote on the issue.

*B. Reappointment Decisions.* The Promotion and Tenure Committee (or such other committee designated for this purpose) has responsibility for making recommendations to the faculty regarding reappointment of non-tenure track faculty in accordance with these policies and procedures. All reappointment decisions shall be made pursuant to a majority vote by the faculty members entitled to vote, following review by the Promotion and Tenure Committee.

*C. Persons Entitled to Vote Regarding Non-Tenure Track Faculty Personnel Matters.* Any member of the tenure-track faculty and any clinical and lawyering skills faculty member shall be entitled to vote on initial appointments, reappointments, or terminations regarding non-tenure track faculty.

*D. Initial Appointment.* A non-tenure track faculty member shall be appointed to a three (3) year term. If reappointment is not made before the end of the three (3) year appointment period, the appointment shall terminate at the end of the academic year following the end of the initial appointment term, subject to the notice provisions in the University Faculty Handbook.

*E. Reappointment.* Review for reappointment of a non-tenure track faculty member shall ordinarily be done by the Promotion and Tenure Committee during the third year of the non-tenure track faculty member's appointment. The Promotion and Tenure Committee shall transmit its recommendation to the faculty for a vote. The faculty shall meet to vote on the recommendation, and

reappointment shall occur upon a majority vote in favor of reappointment by the faculty members entitled to vote on such matters. If a non-tenure track faculty member is not reappointed, that faculty member's appointment shall terminate at the end of the academic year following the end of the current appointment term, subject to the notice provisions in the University Faculty Handbook.

#### *V. Periodic Evaluations*

In addition to evaluations for renewal, all non-tenure track faculty members shall be given an annual performance evaluation by the Promotion and Tenure Committee for the purpose of assisting the faculty member in achieving levels of performance sufficient to warrant reappointment.

#### *VI. Procedures for Termination of Appointment*

Any non-tenure track faculty appointment may be terminated before the end of the current appointment period: (1) for just cause as defined in the Faculty Handbook Chapter 3, Part One, Section I.E.3. and (2) for serious failure to meet the continuing performance obligations set forth in article VIII below. In the case of non-tenure track faculty, if the Dean or a majority of the voting faculty entitled to vote on appointments and reappointments of the individual in question determines that mid-term termination of appointment should be considered, the matter shall be referred to the Promotion and Tenure Committee for review and recommendation to the faculty. Following receipt of the recommendation of the Promotion and Tenure Committee, if a majority of faculty members entitled to vote on such matters finds that sufficient cause exists for termination, the faculty member's appointment shall be terminated, subject to the notice provisions in the University Faculty Handbook.

#### *VII. Standards of Performance for Non-Tenure Track Faculty*

A. *In General.* Standards for reappointment of non-tenure track faculty require effective teaching and institutional service.

B. *Teaching Effectiveness.* Teaching ability is the primary factor to be considered in evaluating non-tenure track faculty for appointment and reappointment. Non-tenure track faculty who are candidates for reappointment should demonstrate steady progress toward excellence in teaching.

C. *Service to the University, the Profession, and the Community.* Non-tenure track faculty will be called upon to engage in service to the law school or University—for example, in administrative or committee work. In addition, they may be asked to engage in public service—for example, organizing or appearing in continuing legal education programs or programs presented to non-lawyer community or educational groups, and providing service in other community groups such as boards of directors or legal bodies. Non-tenure track faculty are expected to perform such services satisfactorily. Extraordinary performance of service is an important factor in reappointment decisions, but it will not justify reappointment if a non-tenure track faculty member has not demonstrated effective teaching ability.

#### VIII. *Continuing Performance Obligations*

Throughout the term of any non-tenure track faculty member's appointment, the faculty member is expected to continually improve his or her performance under the performance standards articulated in these policies and procedures.



NATIONAL CENTER FOR  
REGENERATIVE MEDICINE

Wolstein Research Building 2-501  
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Phone 216-368-1017  
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**Program Development Proposal:**

Master of Science Degree in Regenerative Medicine and Entrepreneurship

**Stanton Gerson, MD**

Director  
National Center for Regenerative Medicine

**Jeremy Rich, MD**

Co-Director  
National Center for Regenerative Medicine

**Charlene Mitchell, MBA**

Training and Education Program Manager  
National Center for Regenerative Medicine

## I. Overview of Regenerative Medicine and Training Landscape

It has been more than 15 years since the term “regenerative medicine” entered the scientific lexicon.<sup>1</sup> According to the National Institutes of Health (NIH), “regenerative medicine is the systematic process of developing functional tissues to repair or replace tissue or organ function due to age, disease, damage, or congenital defects.” Further the impact of Regenerative Medicine has expanded to include applications towards therapeutic support enhancing clinical applications of stem cell derivatives. Critical challenges in this area of research includes understanding the interaction between cells and novel materials or regenerative cells; the effect of physical and chemical stimuli on cell function, including cell growth, migration and differentiation.<sup>2</sup> The need to identify important safety issues and the management of risks during preclinical and clinical development of stem cell therapeutics are paramount to researchers.<sup>3</sup> To date, the output of these studies have resulted in the development of scientific publications that not only are devoted to regenerative medicine research and discovery but are also widely integrative through-out medicine.

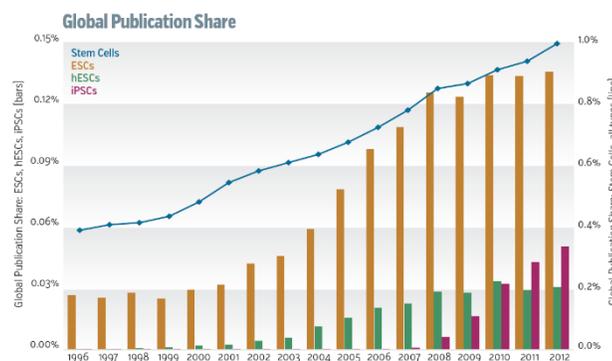
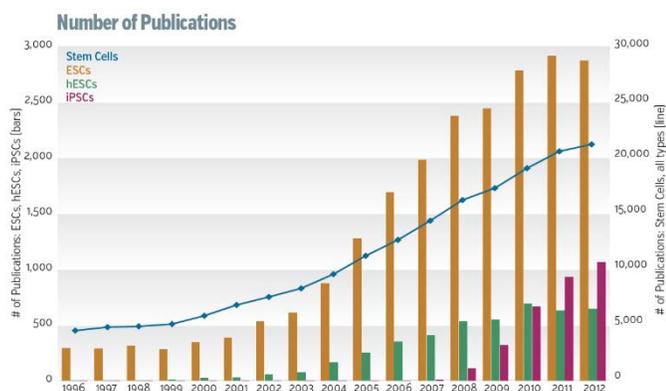


Figure 1.1 (Top): Global publication count. Figure 1.2 (Bottom): Global publication share. Graphs show data for all stem cells (Stem Cells), ES cells (all origins: ESCs), hES cells (hESCs), and IPS cells (iPSCs) from 1996-2012. See Appendix B for a breakdown of the key concepts contained within each data set. SOURCE: Scopus

2013 Stem Cell Report  
Trends and Perspectives on the Evolving International Landscape  
EuroStemCell & Elsevier

Despite the surge of preclinical studies and clinical trials, there’s still a limited number of formal regenerative medicine training programs that integrate all aspects of applications related to Regenerative Medicine. There are programs offerings for Master of Science degrees in Stem Cell Biology and Regenerative Medicine in the United States and Abroad. One of the newer programs was launched at the University of Southern California in the Fall 2014. This one-year

<sup>1</sup> <http://www.nature.com/nm/journal/v20/n8/full/nm.3658.html>

<sup>2</sup> <http://bioegrad.berkeley.edu/faculty/tissue#sthash.ZjVn8u4w.dpuf> Program Scope

<sup>3</sup> Burns LJ, Gajewski JL, Majhail NS, Navarro W, Perales MA, Shereck E, Selby GB, Snyder EL, Woolfrey AE, Litzow MR. Challenges and potential solutions for recruitment and retention of hematopoietic cell transplantation physicians: the National Marrow Donor Program’s System Capacity Initiative Physician Workforce Group report. *Biol Blood Marrow Transplant.* 2014 May;20(5):617-21.

program, with an optional second year research project, offers courses in developmental biology, human embryology, regenerative medicine, and translational and therapeutic aspects of stem cell technology.

USC's program and others alike are noteworthy, however, the overall scope of these programs are designed to train individuals to work in conventional academic environments. Our new and innovative Master's program **WILL** integrate academic research, commercial entrepreneurialism, biotechnology support, regulatory aspects of stem cell and regenerative medicine, as well as business and compliance training. NCRM's Regenerative Medicine and Entrepreneurship (RGME) program will train individuals to work in academic, commercial and clinical settings to support biotechnology innovation, business development, compliance and cellular manufacturing activities

To support CWRU's mission to advance thriving disciplines as well as new areas of interdisciplinary excellence, while strengthening its relationships with world-class institutions across greater Northeast Ohio, NCRM is requesting the approval of our initiative to develop a two-year Master of Science degree program in Regenerative Medicine and Entrepreneurship bridging together four corners of foundational programs at CWRU: School of Arts and Sciences, School of Engineering, School of Medicine and the School of Business.

This program will target individuals seeking advanced skills and training in regenerative medicine to support business development and operations related to the emerging field of Regenerative Medicine. Program recruitment and marketing strategies will be developed for the following target audiences.

- Biotechnology/Regenerative Medicine workforce
- Clinician-investigators
- New graduates (Life Sciences & Biomedical Engineering programs)
- Medical Studies
- Pharmacy Students

NCRM will leverage marketing resources available through the School of Medicine along with insight from NCRM's executive advisory board, corporate partners, and general members.

## **II. Needs Assessment**

Regenerative medicine research yielded translational discoveries resulting in innovative biotechnologies, novel cellular therapeutics and cutting-edge patient care models. Over the past decade, the field of stem cells and regenerative medicine have expanded rapidly and is bringing new opportunities and challenges to commercial and clinical entities. As a result, there is a critical need to address content knowledge gaps. There is a rising demand to train a

specialized workforce to meet employment and skill gaps in commercial, clinical, and academic settings supporting industry activities.

The need for individuals to be trained in this area is evident upon reviewing the number of peer-reviewed articles addressing regenerative medicine training gaps, available funding opportunities for training programs, and conference sessions addressing knowledge gaps in the field.

A recent workforce analysis, conducted by NCRM, revealed that experts in the field believed there is a growing demand for regenerative medicine training programs for entry level and mid-level career professionals. Interviewees felt more programs formally merging the supporting disciplines of regenerative medicine will be implemented throughout the country.

- 95% of academic faculty and industry executives felt there is a demand for training individuals in regenerative medicine and entrepreneurship
- 90% of industry executives felt master's level trained individuals would adequately support current and future operations related to regenerative medicine projects
- 95% of industry executives felt hiring master's level trained individuals would have a positive impact on company financial resources allowing to reinvest in research and development
- 100% of industry executives and academic faculty felt cross-training students in business development and communication skills would make students more competitive in the emerging job market
- 85% of industry executives felt having a general knowledge of compliance and regulatory issues provided an applicant with a competitive advantage over other applicants not possessing this knowledge
- 80% of industry executives felt having a general knowledge of ethics and public policy was useful

Due to decreased enrollment into traditional doctoral science programs, a master's degree program could serve as a viable alternative for students reluctant to enrolling into a PhD program. Preliminary market research indicates universities are integrating specialized tracks into their existing stem cell biology and developmental biology programs to meet the demand of students interested in regenerative medicine. A recent search for job opportunities on professional networking, academic, healthcare, and corporate websites validated the integration of specialized tracks within these existing programs.

Universities implementing specialized tracks include:

- University of Southern California (Regenerative Medicine)
- Stanford University (Stem Cell Biology and Regenerative Medicine)
- University of California, Berkley (Tissue Engineering and Regenerative Medicine)

- University of Wisconsin (Cell and Regenerative Biology)
- University of Minnesota (Stem Cell Biology)

Further, there is a growing trend among life sciences programs to incorporate coursework related to business development & entrepreneurship into graduate level training program curriculums. Traditional life sciences programs have limited exposure to formal project management strategies, roadmaps for commercializing biotechnologies and/or initiating a start-up venture which in today's market are required to connect the basic science to the world of clinical translation. In recent years, there is an increasing demand to train researchers with business development skills to improve their marketability and competitiveness within the industry's commercial sector.

Similar to our initiative, the following universities have developed programs to address business development and regulatory knowledge gaps.

- Harvard (Biotechnology and Management)
- Johns Hopkins (Biotechnology Enterprise and Entrepreneurship)
- Johns Hopkins University (Regulatory Science)
- The George Washington University (Regulatory Affairs)
- University of Maryland (Biotechnology Regulatory Affairs)

### **III. Academic Quality**

To implement this program, NCRM will leverage the expertise of faculty from across CWRU and affiliate institutions including CWRU, University Hospitals, Cleveland Clinic, MetroHealth and the Veterans Association. Further, the development of the program goes across disciplines and schools with a focus on the medicine, biology and mechanisms, engineering and business management. NCRM will solicit participation from faculty within the following CWRU academic departments and clinical institutions.

- School of Medicine
- Biology
- Biomedical Engineering
- Weatherhead School of Management
- University Hospitals
- Cleveland Clinic

Faculty within these academic departments have expertise and notable accomplishments in research and business development efforts. In 1969, CWRU established one of the first inter-school departments (Biomedical Engineering, School of Medicine and School of Engineering). With over 45 years of experience in supporting interdisciplinary programs, our institution at CWRU and its affiliate and commercial partners possesses the infrastructure to support this

innovative graduate program. As emphasized by the multidiscipline and character of the School of Medicine's new and innovative multi-affiliate programs.

## **V. Competitive Advantage**

CWRU has a proven track record of offering innovative education and training programs. The biomedical research center currently ranks 12<sup>th</sup> among the nation's 122 medical schools in NIH research funding crossing discipline through-out the institution. In addition, CWRU is well-known for having a culture of collaborative research and a strong commitment from institutional leadership to develop interdisciplinary programs.

With limited programs in the mid-west and throughout the country addressing regenerative medicine, entrepreneurial legal issues and regulatory affairs under one programmatic platform, CWRU will establish a competitive advantage by creating an integrated niche graduate program. Since University Hospitals and the Cleveland Clinic are founding institutions of the NCRM, students enrolled in the RGME program will have access to cutting-edge clinical and research facilities along with small biotechnology companies within NCRM's network.

## **VI. Statewide Program Alternatives**

The RGME program is distinctly different from other graduate programs offered at CWRU and across the state of Ohio. There are no existing programs within the state offering a master of science degree in regenerative medicine and entrepreneurship. Even within the CWRU's Biology department there is a two-year professional master degree program in Biology with an Entrepreneurial Biotechnology track, which on average, receives 25 admission applications per enrollment year. This program has limited integration of the school of Engineering or infrastructure to engage the School of Medicine. Fifteen applicants are accepted each year. However, the core curriculum vastly differs from the proposed coursework needed to fulfill core requirements in the RGME program. Offering a track within this existing program would not adequately meet the overall scope of this proposed program.

## **V. Program Summary**

The Center for Regenerative Medicine in the School of Medicine will serve as the home for this academic program. This program is intended to provide students with an interdisciplinary program platform. This program will combine experimental, theoretical and practical approaches to regenerative medicine research and entrepreneurship.

### **Core Competencies/Topics**

- Stem Cell Biology and Therapeutics
- Tissue Regeneration/Engineering

- Business Development and Entrepreneurship
- Compliance and Regulatory Affairs

Each student will be guided in a course of study by a program mentor to ensure the successful completion of the program and to support individual career development goals. The minimum graduation requirements will entail the completion of 30 credit hours (18 core credits/12 elective credits) of 400 level or higher coursework and the completion of an independent study consisting of either a research project or internship. Of the four required program electives, students must complete 2 science-based electives. NCRM will create four new courses for this program.

- **RGME 545** Stem Cell Biology & Therapeutics
- **RGME 550** Translational Regenerative Medicine & Regulatory Affairs
- **RGME 560** Independent Study
- **RGME 565** Internship

Required Core Curriculum (18 Credit Hours required)		
Course Number	Course Name	Credits
RGME 525	Foundations in Regenerative Medicine	3
RGME 545	*Stem Cell Biology and Therapeutics	3
EBME 425	Tissue Engineering and Regenerative Medicine	3
ENTP 445	Business Development in the Bioscience Sector	3
ENTP 427	Entrepreneurial Behavior	3
RGME 560	*Independent Study <i>or</i>	3
RGME 565	*Internship	3

*\* New course proposal will be submitted for approval.*

Appendix 1.1: Core curriculum & Program electives

Appendix 1.2: RGME Course Schedule-SAMPLE

## Master of Science Degree/Plan B (Non-Thesis)

This program will be designated under the Plan B course of study and will not require a formal thesis. All curriculum plans will be approved by program mentors with a specific timing algorithm for development of each student's program which will require the Core Curriculum as well as a specific focus indicated by selected course electives. There are two specific directions of study.

**Program I-Independent Study:** These students will opt for completing a research project; they will be required to enroll in an independent study course (RGME 550). The final project must be relevant to the field of regenerative medicine and demonstrate a significant time of investment

and research as defined by a submitted paper, review of presentation at a Regenerative Medicine focused meeting. Students working and pursuing this degree route will be required to demonstrate the independent nature of the program's project from their employment responsibilities.

Appendix 1.3: Independent Study Course Syllabus

**Program II-Corporate Internship.** These students will opt to complete an internship with a commercial partner and will be required to register for internship course (RGME 565). Internships will be under the governance of the established criteria for this course and will also require a term summary manuscript outlining the goals and achievements obtained during the internship program.

Appendix 1.4: Internship Course Syllabus

### Example Internship sites

RGME students will have the opportunity to intern at the following sites.

- Cellular Therapy Integrative Services Laboratory, CWRU/University Hospitals
- Cleveland Clinic Innovations
- Athersys
- University Hospitals, Research and Technology
- CWRU, Office of Research and Technology

We are actively working on securing internship sites with the following organizations.

- Cleveland Cord Blood
- Juventas

Students will have the option of taking an elective course along with their internship or independent study to support their need to take a fulltime course load. Students should have no more than one program elective remaining prior to enrolling in the independent study or internship courses.

## VI. Program Admissions

The anticipated annual enrollment for this program is 6-8 students per year. Admissions to the RGME program will follow the guidelines noted in CWRU's General Graduate Programs Bulletin. Students will use the online application platform licensed by CWRU. The RGME admissions committee will comprise of program steering committee members and program mentors.

Candidates will be evaluated based on overall GPA (undergraduate/graduate programs), successful completion of science coursework, and performance on graduate admission exams (i.e. GRE, GMAT, MCAT). Performance on graduate exams may be waived at the discretion of the program admissions committee. Previous research experience will not be required for

admission. All students considered and admitted to the RGME program will have a degree in one of the following disciplines.

- Life Sciences (i.e. cell biology, molecular biology, developmental biology, chemistry, pharmaceutical development or related discipline)
- Biomedical Engineering
- Pre-Medical/Medical studies

Key application materials will also include a personal statement, 3 letters of recommendation, and overall career aspirations. The TOEFL examination will be required for international students.

### VII. Access and Retention/Diversity and Inclusion

NCRM will leverage established and ongoing CWRU recruitment initiatives. The success of CWRU’s recruitment efforts can be attributed to institutional presence at various colleges and universities, scientific conferences and community events organized by underrepresented minority groups. RGME literature and/or personnel will be represented at these ongoing recruitment events. NCRM’s recruitment efforts will be made to enroll people of all racial, ethnic, cultural, socioeconomic, national and international backgrounds, welcoming diversity of thought, pedagogy, religion, age, sexual orientation, gender identity/expression, political affiliation and ability.

The number of students enrolled in graduate programs from underrepresented groups has maintained steady over the last 15 years. In addition, the number of women enrolled in graduate programs at CWRU has been higher than the number of men enrolled over the last 5 years.

### CWRU Diversity Snapshot

Fall 2016																			
School	NatAm	AfAm	Asian	Hawaii	Hisp	Whites	Unkwn	Multi	Intl	Total									
<b>Undergraduate Studies</b>																			
BA, BS, BSN, BSE	4	0%	223	4%	1,015	20%	4	0%	314	6%	2,582	50%	131	3%	238	5%	641	12%	5,152
<b>Graduate Studies</b>																			
MA, MFA, MS, MPH, MEM, ME, DMA, PhD	0	0%	142	5%	250	10%	2	0%	111	4%	1,121	43%	135	5%	46	2%	794	31%	2,601
<b>Applied Social Sciences</b>																			
MSSA, MNO	2	0%	162	25%	10	2%	1	0%	26	4%	377	59%	15	2%	20	3%	30	5%	643
<b>Dental Medicine</b>																			
DMD, MSD	0	0%	15	4%	90	22%	0	0%	16	4%	194	47%	8	2%	8	2%	80	19%	411
<b>Law</b>																			
JD, LLM, MA, SJD	0	0%	39	7%	20	4%	0	0%	20	4%	319	57%	4	1%	3	1%	157	28%	562
<b>Management</b>																			
MAcc, MBA, MPOD, MS, MSM, DMgt	0	0%	40	4%	44	5%	0	0%	15	2%	323	34%	21	2%	5	1%	513	53%	961
<b>Medicine</b>																			
MD, MS, CCLCM	0	0%	42	5%	266	30%	1	0%	28	3%	398	45%	96	11%	18	2%	43	5%	892
<b>Nursing</b>																			
MN, MSN, DNP	0	0%	35	8%	30	7%	1	0%	11	2%	310	70%	35	8%	8	2%	12	3%	442
<b>Graduate / Professional Totals</b>																			
	2	0%	475	7%	710	11%	5	0%	227	3%	3,042	47%	314	5%	108	2%	1,629	25%	6,512
<b>Grand Total</b>																			
	6	0%	698	6%	1,725	15%	9	0%	541	5%	5,624	48%	445	4%	346	3%	2,270	19%	11,664

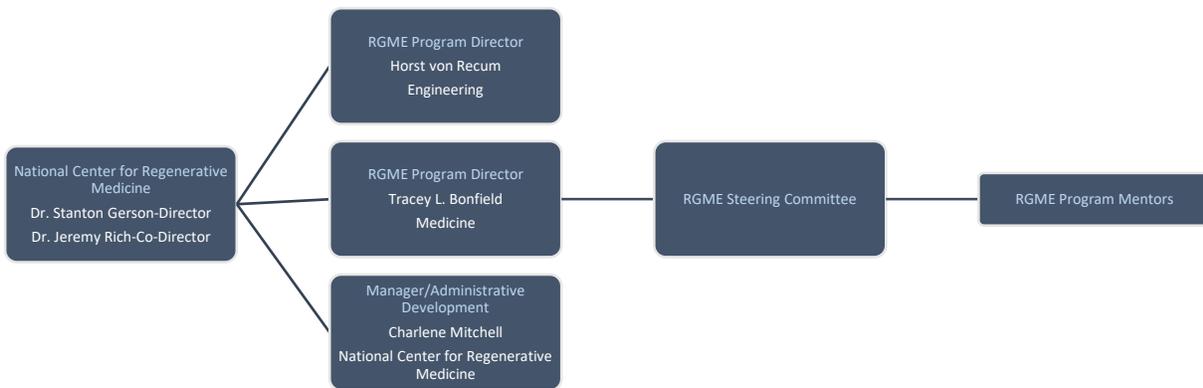
2016 Enrollment by Ethnicity/Race and School  
CWRU, Department of Institutional Research

## VIII. Program Administration

This program will reside in the School of Medicine and NCRM will serve as the home department. The RGME program will be supported by tuition revenue based on six to eight admitted students per year. Department funds will offset any initial program start-up costs.

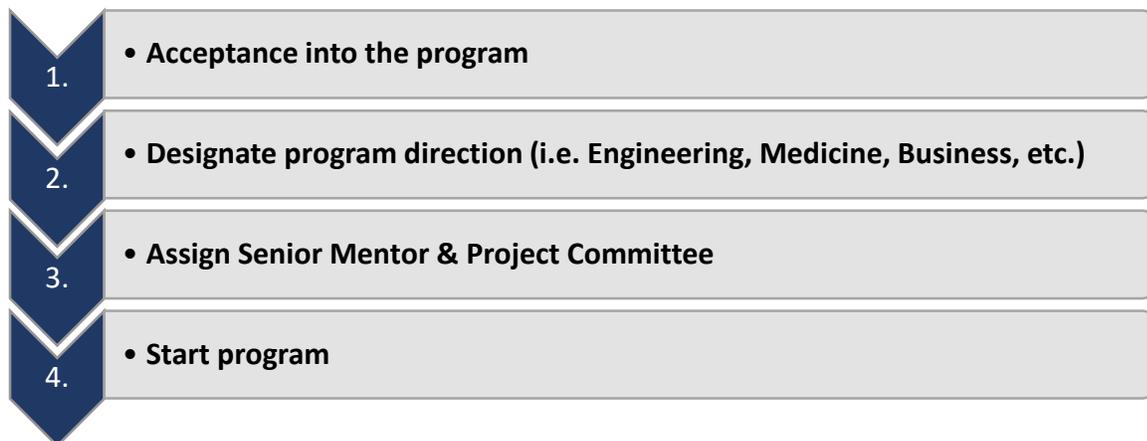
### Appendix 2.1: Program Budget & Assumptions

The budget is set up to account for tuition-sharing both within the School of Medicine and outside the school of medicine as most of the courses are outside the NCRM. Program staff will consist of the following.



NCRM's program manager will work with faculty to track student performance, schedule program events, and maintain appropriate admission and financial records.

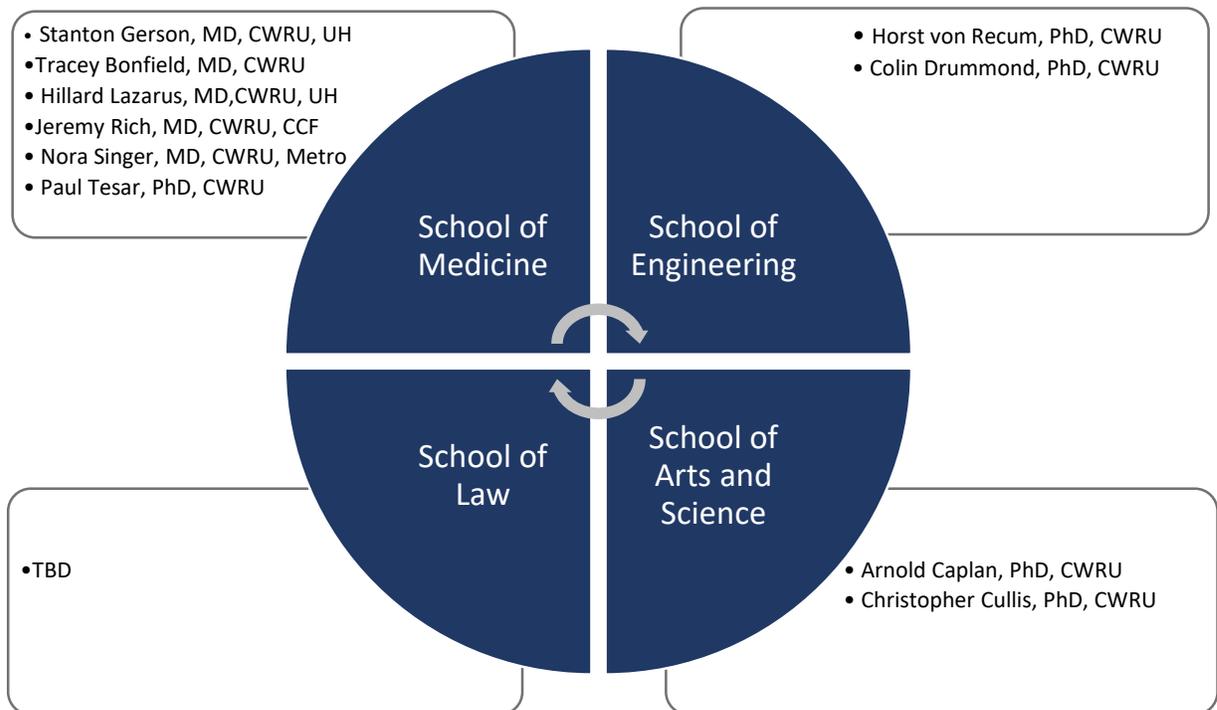
### Program Roadmap for Student



## Program Mentors

Students accepted into the program will be interviewed for specific interest and goals which initiated their application process. This interviewing process will provide the placement of the candidate into the specific field of focus within this multidisciplinary program to begin their connections with the faculty in that discipline. Students will be required to meet with their mentors and discipline leaders at the start of each semester to assure the candidate is on track and in the correct placement. Submission of the final report required for graduation and approval by the committee must be done within 4 weeks of the final semester. The goal of our mentorship program is to streamline the program to meet the specific interests of the candidate and to assure their completion of all of the competencies and transition of their knowledge to the work-place.

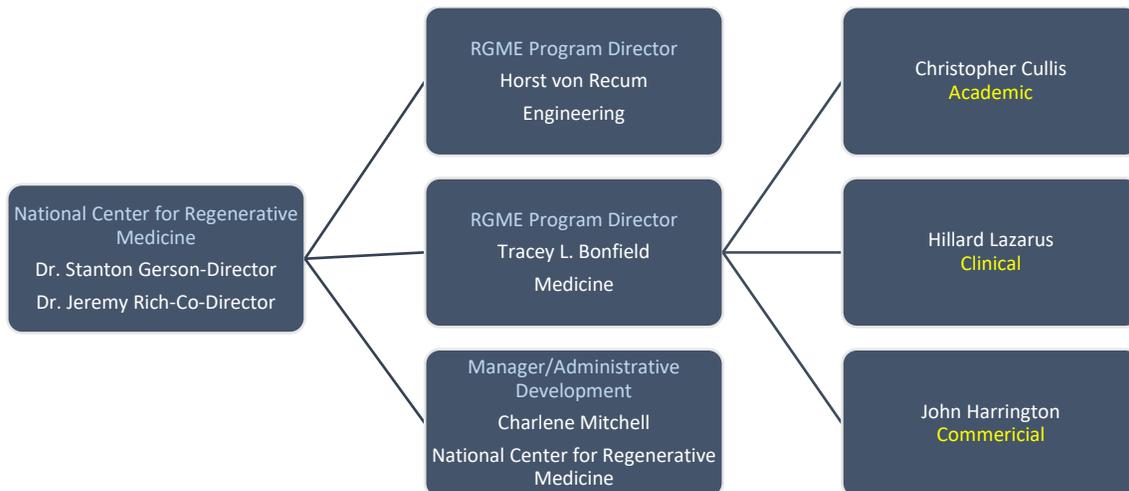
### Appendix 3.1: Program Mentors' Confirmation



## Program Steering Committee

The Steering Committee will consist of faculty from each key discipline contributing to the program core requirements.

## Steering Committee Representation



The program steering committee will be responsible for providing strategic insight regarding overall program administration, execution and expansion. This committee will meet on an annual basis and will be empowered to form subcommittees to support these functions. In addition, the Steering Committee will review and re-appoint all program mentors.

### Appendix 3.2: Steering Committee Members' Confirmation

### Steering Committee's Responsibilities

- **Provide governance and oversight for the RGME program**
- **Strategic Planning (Development & Expansion)**
  - Curriculum updates
  - Recruitment strategies
  - Industry trends (Regenerative Medicine and Biotechnology Innovations)
- **Program Evaluation & Impact**
  - Review program progress against defined metrics
  - Student enrollment
  - Student retention
  - Post program employment

### IX. Faculty Resources

As previously mentioned in this proposal, NCRM will leverage the expertise of faculty from across CWRU. The majority of the required coursework for the RGME program will derive from cross-listing courses from the following academic departments.

- School of Medicine
- Biomedical Engineering
- Weatherhead School of Management

NCRM's Directors will serve as course directors for two of the three RGME courses. As a note, for these two courses (RGME 525/RGME 545), guest lecturers from academic, clinical and commercial entities will present lecture materials. NCRM's training and education program manager will serve as the course director for the independent study (RGME 550).

## APPENDIX 1.1 Core curriculum & Program electives

Required Core Curriculum (18 Credit Hours required)		
Course Number	Course Name	Credits
RGME 525	Foundations in Regenerative Medicine	3
RGME 545	*Stem Cell Biology and Therapeutics	3
EBME 425	Tissue Engineering and Regenerative Medicine	3
ENTP 445	Business Development in the Bioscience Sector	3
ENTP 427	Entrepreneurial Behavior	3
RGME 560	*Independent Study <i>or</i>	3
RGME 565	Internship in Biomedical Science	3

Science Program Electives (6 Credit Hours required)		
Course Number	Course Name	Credits
RGME 550	*Translational Regenerative Medicine & Regulatory Affairs	3
CRSP 412	Communication in Clinical Research - Grant Writing	3
PHRM 409	Principles of Pharmacology	3
PHRM 511	Pharmacology Seminar Series	3
PHRM 520	Basic Cancer Biology and the Interface with Clinical Oncology	3
PHRM 525	Topics in Cell and Molecular Pharmacology	3
PATH 416	Fundamental Immunology	3
PATH 417	Cytokines: Function, Structure, and Signaling	3
CLBY 435	Seminar in Molecular Biology/Microbiology	3
CLBY 450	Cells and Pathogens	3
CLBY 525	Protein Misfolding and Human Disease: Molecular Basis and Clinical Implications	3
EBME 451	Fundamentals in Molecular and Cellular Biology	3
EBME 406	Polymers in Medicine	3

<b>Business Development Program Electives (6 Credit Hours required)</b>		
<b>Course Number</b>	<b>Course Name</b>	<b>Credits</b>
IIME 450	Technology Entrepreneurship: Market Opportunity Analysis	3
IIME 450 B	Technology Entrepreneurship: Managerial Decision-making	3
MEM 475	Technology Marketing	3
LAWS 5366	Venture Finance & Transactions	2
LAWS 5341	Commercialization and Intellectual Property Management	3
LAWS 4302	Patent Law	3
LAWS 4312	Patent Preparation and Prosecution	2
OPMT 420	Lean Six Sigma	3
ENTP 402	Starting and Managing Successful Start-up	3
ENTP 418	New Enterprise Development	3
ENTP 423	Domestic and International Entrepreneurship	3
ENTP 441	Tech-Based Entrepreneurship	3
ENTP 428	Small Enterprise Consulting	3
ENTP 440	Entrepreneurship Finance	3
ENTP 425	Managing Human Resources in Entrepreneurial Firms	3

## APPENDIX 1.2 RGME Course Schedule-SAMPLE

Y1 Fall Semester		
Course Number	Course Name	Credits
RGME 525	Foundations in Regenerative Medicine <b>(Required)</b>	3
ENTP 427	Entrepreneurial Behavior <b>(Required)</b>	3
TBD	Science Elective <b>(Required)</b>	3

Y1 Spring Semester		
Course Number	Course Name	Credits
EMBE 525	*Tissue Engineering and Regenerative Medicine <b>(Required)</b>	3
ENTP 445	Business Development in the Bioscience Sector <b>(Required)</b>	3
TBD	Science Elective <b>(Required)</b>	3

Y2 Fall Semester		
Course Number	Course Name	Credits
RGME 545	*Stem Cell Biology and Therapeutics <b>(Required)</b>	3
TBD	Business Elective	3
TBD	Business Elective	3

Y2 Spring Semester		
Course Number	Course Name	Credits
RGME 560	*Independent Study <b>(Required)</b> <i>or</i>	3
RGME 565	Internship <b>(Required)</b>	3
TBD	Elective (if needed)	3

## APPENDIX 1.3 Independent Study Course Syllabus

### RGME 560 Independent Study in Regenerative Medicine and Entrepreneurship

#### Course Directors:

**Tracey L. Bonfield, PhD D(ABMLI)**

School of Medicine

[tlb7@case.edu](mailto:tlb7@case.edu)

**Horst von Recum, PhD**

School of Engineering

[hav1@case.edu](mailto:hav1@case.edu)

#### Program Manager

**Charlene Mitchell, MBA**

National Center for Regenerative Medicine

[clm25@case.edu](mailto:clm25@case.edu)

#### COURSE DESCRIPTION

The RGME independent study allows students to explore a topic of interest under the close supervision of a RGME program director and mentor. The course may include directed readings, applied work, assisting a faculty member with a research project, carrying out an independent research project, or other activities deemed appropriate. Regardless of the activities, the work must culminate in a formal paper. The specific course requirements are described in the Independent Studies Proposal form to be completed by the student, project mentor and program director.

#### COURSE PREREQUISITE

Students must have the Independent Study Proposal Form approved by program director and mentor prior to enrollment.

#### COURSE OBJECTIVE

The primary objective of the course is to provide students with research exploration of a specific topic related to regenerative medicine of interest to the student under the advisement of a program mentor who will monitor and evaluate the student's progress.

#### COURSE CREDIT

The number of credits will depend on the scope of the independent study project. If you register for 3 credits in one semester, you will be expected to work a total of at least 120 hours on the proposed project. Thus, the number of credits registered for should coincide with the agreed upon scope and duration of the independent study project.

## **COURSE REQUIREMENTS**

Requirements will vary depending on the particular project, however, the following requirements will be uniformly applied across independent study projects.

1. Students are expected to identify a potential independent study project that will enhance their area of interest. Students may choose from the resources given by the RGME or provide information regarding an independent opportunity of interest. The independent study opportunity must be identified prior to enrolling in the course. Approval must be granted by the RGME Program Directors prior to committing to the project mentor. An Independent Study Proposal form must be completed.
2. Students must identify a project mentor. The elected mentor must be approved by the Program Directors. A course director will check in with the mentor regularly to ensure students are consulting with them to help guide their project and final paper.
3. For students pursuing an independent study while continuing their work experience as a part-time student, the focus of the independent study project may not be the result of a project in the same laboratory or on a project being undertaken within their specific department.

## **ASSIGNMENTS**

In order to pass this course, students will be expected to complete the following assignments.

### **a. Reflection Log**

Students will keep, and submit weekly, a reflection log. Students will log hours designated to their project. Entries will discuss an overview of the skills and focus for the week, and provide a detailed description of the next steps in the project progression.

### **b. CWRU Research ShowCase**

Students will be expected to submit an abstract to CWRU ShowCase for presentation.

### **c. Final Paper**

Students will be required to submit a final paper. The final paper must be on the approved topic and demonstrate a significant time of investment and research. The final paper will be 20 pages in length. The components of the paper will be defined by the program director.

## **DISABILITIES**

Any student with a documented disability who needs to arrange reasonable accommodations must contact both the program director and project mentor prior to the start of the project.

CWRU provides support services and appropriate accommodations to students with documented disabilities (*e.g.*, mental health, attentional, learning, vision, hearing, physical or systemic). For more information please visit the website at [www.students.case.edu/education/disability/policies](http://www.students.case.edu/education/disability/policies), the office

of Disability Resources is located in Educational Services, 470 Sears Building. Students should call the office at 216.368.5230 and schedule appointments as needed.

### **ACADEMIC INTEGRITY**

The academic community of Case Western Reserve University supports the policy that any form of academic dishonesty is a serious breach of ethics and shall be dealt with appropriately through the Academic Integrity Board. For a full explanation of the policies and procedures that guide academic integrity at Case Western Reserve University, see your Student Handbook and the College's Academic Honesty Policy. (<https://students.case.edu/handbook/policy/integrity.html>)

### **GRADING POLICY**

This course will be evaluated on a pass/fail basis. Grades of "P" or "F" will be given. The assessment will be based on individual meeting participation, assignment completion, and quality of the final paper. The completion of all course assignments will be required for the successful completion of this course.

## APPENDIX 1.4 Internship Course Syllabus

### RGME 565 – Internship in Regenerative Medicine and Entrepreneurial Sciences

#### Course Directors:

##### **Tracey L. Bonfield, PhD D(ABMLI)**

School of Medicine

[tlb7@case.edu](mailto:tlb7@case.edu)

##### **Horst von Recum, PhD**

School of Engineering

[hav1@case.edu](mailto:hav1@case.edu)

#### Program Manager

##### **Charlene Mitchell, MBA**

National Center for Regenerative Medicine

[clm25@case.edu](mailto:clm25@case.edu)

#### **COURSE DESCRIPTION**

This internship course will provide students with the opportunity to gain practical experience within an industry environment.

#### **COURSE OBJECTIVES**

- Acquire knowledge of the industry sector in which the internship is completed.
- Translate knowledge and skills learned in the classroom into a work environment.
- Explore additional career options available with the designated industry sector.
- Identify areas for future knowledge and skill development.

#### **COURSE PREREQUISITE**

Students must submit an Internship Proposal Form. The internship must be approved by both the program mentor and director prior to enrollment.

#### **COURSE CREDIT**

Students are required to complete 40 hours per week at their internship site. Over the course of the semester, students should roughly complete 620 hours at their hosting site.

#### **ATTENDANCE**

Attendance will be monitored and required for the program. Any issues of absenteeism, neglect of the required assessments, or issue(s) brought up by the hosting site may result in a failing grade in the course.

## **COURSE REQUIREMENTS**

The following are course requirements for the internship course.

1. Students are expected to identify a potential internship that will enhance their area of focus. Students may choose from resources given by the RGME program or provide information regarding additional sites. The School of Medicine EnRICH (Enhancing Research and Industry Career Horizons) program is also an option to identify internship opportunities. The internship opportunity must be submitted to the Program Directors for approval prior to enrolling in the course.
2. All opportunities must be with an approved site with knowledge of all core competencies to successfully accomplish the requirements for the internship experience.
3. All students must identify an onsite mentor. The elected mentor must to be approved by the Program Directors. The course director will check in with the mentor regularly to ensure students are staying on task, are responsible as well as to ensure an appropriate experience for the student as well as the hosting institution.
4. For students pursuing an internship while continuing their work experience as a part-time student, the internship program may not be in the same laboratory or on the same focused project as the working situation.
5. Students in the RGME internship program will also be given on a monthly basis, specific topics of discussion, to address with their mentor.
6. A monthly assessment will be made by the student's mentor to outline the consistent commitment by the student for the project as well as any exemplary or concerning issues that may come up with regards to the student's contributions to the hosting facility. This will be submitted to the elected Program Director for continuous review.

## **ASSIGNMENTS**

In order to pass this course, students will be expected to complete the following assignments.

### **a. Reflection Log**

Students will keep, and submit weekly, a reflection log. Students will log work hours. Entries will discuss an overview of the skills learned and focus for the week, and provide a detailed description of the next steps regarding internship activities and assignments.

### **b. CWRU Research ShowCase**

Students will be expected to submit an abstract to CWRU ShowCase for presentation.

### **c. Final Paper**

Students will be required to submit a final paper. The final project must demonstrate a significant time of investment and research. The final paper will be 20 pages in length. The components of the paper will be defined by the program director.

### **DISABILITIES**

Any student with a documented disability who needs to arrange reasonable accommodations must contact both the program director and project mentor prior to the start of the project.

CWRU provides support services and appropriate accommodations to students with documented disabilities (*e.g.*, mental health, attentional, learning, vision, hearing, physical or systemic). For more information please visit the website at [www.students.case.edu/education/disability/policies](http://www.students.case.edu/education/disability/policies), the office of Disability Resources is located in Educational Services, 470 Sears Building. Students should call the office at 216.368.5230 and schedule appointments as needed.

### **ACADEMIC INTEGRITY**

The academic community of Case Western Reserve University supports the policy that any form of academic dishonesty is a serious breach of ethics and shall be dealt with appropriately through the Academic Integrity Board. For a full explanation of the policies and procedures that guide academic integrity at Case Western Reserve University, see your Student Handbook and the College's Academic Honesty Policy. (<https://students.case.edu/handbook/policy/integrity.html>)

### **GRADING POLICY**

This course will be evaluated on a pass/fail basis. Grades of "P" or "F" will be given. The final assessment will be based on program mentor's evaluations, assignment completion, and quality of the final paper. The completion of all course assignments will be required for the successful completion of this course.

APPENDIX 2.1 RGME Program Budget

<u>FORCASTED EXPENSES</u>	<u>Start-up Costs</u>	<u>Y 2017/18</u>	<u>Y 2018/19</u>	<u>Y 2019/20</u>	<u>Y 2020/21</u>	<u>Assumptions</u>
<b>Personnel Expenses</b>						
Program Director (25 % effort, 3% increase YOY)	42,413	42,413	43,685	44,995	46,345	Assume average faculty salary at \$130K per year with 30.5% fringe rate.
Associate Professor (35% efforts, 3% increase YOY)	54,810	54,810	56,454	58,148	59,892	Assume \$42K per year with 30.5% fringe rate.
Visiting Lecturers (\$250.00 per lecture @30 weeks)	-	3,750	3,750	3,750	3,750	Assume this is honorum (non Case) will be paid by NCRM based on lecture effort (presenting, grading assignment, quiz development).
Administrative Support (50% effort, 3% increase YOY)	20,880	20,880	21,506	22,152	22,816	Assume \$32K per year with 30.5% fringe rate.
<b>Total personnel expenses</b>	<b>118,103</b>	<b>121,853</b>	<b>125,396</b>	<b>129,045</b>	<b>132,804</b>	
<b>Operating Expenses</b>						
Supplies	5,500	5,500	5,500	5,500	5,500	Assume general office supplies for program administration.
Marketing & Communications (3% increase YOY)	10,000	10,000	10,300	10,815	11,356	Assume digital and print marketing campaigns expenses.
Travel (Department personnel/national conferences)	3,000	3,000	3,000	3,000	3,000	Assume travel to national conferences to promote RGME program.
<b>Total Operating Expenses (Non Salary)</b>	<b>18,500</b>	<b>18,500</b>	<b>18,800</b>	<b>19,315</b>	<b>19,856</b>	
<b>Total Operating Costs</b>	<b>136,603</b>	<b>140,353</b>	<b>144,196</b>	<b>148,360</b>	<b>152,660</b>	
<b>NCRM Department Funds-Support Start-up Tuition</b>						
Rate		1,770	1,828	1,887	1,948	2 year program
Tuition		254,880	130,771	130,771	130,771	2 year program
Number Cr yr 1		144	144	144	144	Each student will take 9 credits per semester for 3 semesters, 4th semester will take 3 credits.
Number Cr. Yr 2		-	96	96	96	Assumes steady state of 8 students matriculating each fall.
Central & SOM (58%)/T. Dept. (\$250.00/credit/student)		254,880	438,606	452,861	467,579	
<b>Estimated Tuition Returned to Department</b>		<b>135,978</b>	<b>233,996</b>	<b>241,601</b>	<b>249,453</b>	
Estimate Revenue/(Expense)	(136,603)	(4,374)	89,801	93,241	96,794	
<b>Department Program Administration Reserves at end of each fiscal year.</b>	<b>(136,603)</b>	<b>(140,977)</b>	<b>(51,176)</b>	<b>(47,735)</b>	<b>49,058</b>	

## **APPENDIX 3.1: Program Mentors/Support**

**From:** [Cola, Philip](#)  
**To:** [Charlene Mitchell](#)  
**Cc:** [Stanton Gerson](#)  
**Subject:** RE: NCRM Master's Program-Invitation  
**Date:** Friday, March 11, 2016 1:43:58 PM

---

Charlene, my apologies for the delay in responding. I had drafted a response and never finished so it was in my draft box. I would be pleased to participate as a mentor if it's not too late due to my delay in responding. I am happy to be asked and look forward to the opportunity. Phil

Philip A. Cola, Ph.D.  
Vice President, Research and Technology  
University Hospitals Case Medical Center  
Adjunct Assistant Professor  
Case Western Reserve University  
11100 Euclid Avenue  
Cleveland, Ohio 44106-7061  
Phone: (216) 844-5576  
Fax: (216) 844-1547  
[philip.col@uhhospitals.org](mailto:philip.col@uhhospitals.org)

---

**From:** Charlene Mitchell [mailto:clm25@case.edu]  
**Sent:** Tuesday, February 16, 2016 5:16 PM  
**To:** Cola, Philip  
**Cc:** Stanton Gerson  
**Subject:** NCRM Master's Program-Invitation

Dear Dr. Cola,

This is an exciting time for the National Center for Regenerative Medicine. We are nearing the review and approval process for a **Master's of Science Degree program in Regenerative Medicine and Entrepreneurship**. Attached please find a general program outline.

We would like to invite you to serve as a program mentor. As a mentor, you would be expected to participate in the following ways.

- Offer career development support to assigned student (2 times/yr.)
  - Review independent study proposals for students applying for graduation
  - Review project proposals for internship placement
- \*Each mentor will be responsible for 1-2 students per year.*

We anticipate 6-8 students for our inaugural class (Summer 2017). As a recognized expert in the field, we believe your mentorship would be an invaluable asset to our students and overall program. We look forward to your support.

If agreeable, we will include your response along with our program proposal to document support. If

**From:** [Tracey Bonfield](#)  
**To:** [Charlene Mitchell](#)  
**Cc:** [Stanton Gerson](#)  
**Subject:** Re: NCRM Master's Program-Invitation  
**Date:** Wednesday, February 17, 2016 8:35:52 AM

---

Dear Charlene,

This sounds great- I would be happy to be involved in any way to support the NCRM.

Thank you for considering me as a potential mentor-

TLB

On Tue, Feb 16, 2016 at 5:14 PM, Charlene Mitchell <[clm25@case.edu](mailto:clm25@case.edu)> wrote:

Dear Dr. Bonfield,

This is an exciting time for the National Center for Regenerative Medicine. We are nearing the review and approval process for a **Master's of Science Degree program in Regenerative Medicine and Entrepreneurship**. Attached please find a general program outline.

We would like to invite you to serve as a program mentor. As a mentor, you would be expected to participate in the following ways.

- Offer career development support to assigned students (2 times/yr.)
- Review independent study proposals for students applying for graduation
- Review project proposals for internship placement

*\*Each mentor will be responsible for 1-2 students per year.*

We anticipate 6-8 students for our inaugural class (Summer 2017). As a recognized expert in the field, we believe your mentorship would be an invaluable asset to our students and overall program. We look forward to your support.

If agreeable, we will include your response along with our program proposal to document support. If you have any questions regarding this program, please feel free to contact me.

Kind regards,

**From:** [Nora Singer MD](#)  
**To:** [clm25@case.edu](mailto:clm25@case.edu)  
**Subject:** Re: NCRM Master's Program-Invitation  
**Date:** Tuesday, February 16, 2016 10:17:54 PM  
**Attachments:** [IMAGE1.img](#)

---

Hi Charlene,  
Happy to help.

What documents do you need from me?

thanks Nora Singer

Nora G. Singer, M.D.  
Professor of Medicine and Pediatrics  
CWRU School of Medicine  
Director, Division of Rheumatology  
Metrohealth Medical Center  
Vice-Chair for Faculty Development, Dept. of Medicine  
Medical Director, Clinical Trials Unit  
2500 Metrohealth Drive  
Cleveland, OH 44109  
Phone: 216-778-5154  
Fax: 216-778-8376

>>> Charlene Mitchell <[clm25@case.edu](mailto:clm25@case.edu)> 02/16/16 5:23 PM >>>

Dear Dr. Singer,



This is an exciting time for the National Center for Regenerative Medicine. We are nearing the review and approval process for a **Master's of Science Degree program in Regenerative Medicine and Entrepreneurship**. Attached please find a general program outline.



We would like to invite you to serve as a program mentor. As a mentor, you would be expected to participate in the following ways.



- Offer career development support to assigned students (2 times/yr.)
- Review independent study proposals for students applying for graduation
- Review project proposals for internship placement

*\*Each mentor will be responsible for 1-2 students per year.*

We anticipate 6-8 students for our inaugural class (Summer 2017). As a recognized expert in the field, we believe your mentorship would be an invaluable asset to our students and overall program. We look forward to your support.



If agreeable, we will include your response along with our program proposal to document support. If you have any questions regarding this program, please feel free to contact me.



Kind regards,  
Charlene



**From:** [Paul Tesar](#)  
**To:** [Charlene Mitchell](#); [paul.tesar@case.edu](mailto:paul.tesar@case.edu)  
**Cc:** [Stanton Gerson](#)  
**Subject:** RE: NCRM Master's Program-Invitation  
**Date:** Wednesday, February 17, 2016 9:15:38 AM

---

Happy to help as a mentor

--Paul

---

**From:** Charlene Mitchell [mailto:[clm25@case.edu](mailto:clm25@case.edu)]  
**Sent:** Tuesday, February 16, 2016 5:16 PM  
**To:** [paul.tesar@case.edu](mailto:paul.tesar@case.edu)  
**Cc:** Stanton Gerson <[slg5@case.edu](mailto:slg5@case.edu)>  
**Subject:** NCRM Master's Program-Invitation

Dear Dr. Tesar,

This is an exciting time for the National Center for Regenerative Medicine. We are nearing the review and approval process for a **Master's of Science Degree program in Regenerative Medicine and Entrepreneurship**. Attached please find a program outline for your review.

We would like to invite you to serve as a program mentor. As a mentor, you would be expected to participate in the following ways.

- Offer career development support to assigned students (2 times/yr.)
  - Review independent study proposals for students applying for graduation
  - Review project proposals for internship placement
- \*Each mentor will be responsible for 1-2 students per year.*

We anticipate 6-8 students for our inaugural class (Summer 2017). As a recognized expert in the field, we believe your mentorship would be an invaluable asset to our students and overall program. We look forward to your support.

If agreeable, we will include your response along with our program proposal to document support. If you have any questions regarding this program, please feel free to contact me.

Kind regards,  
Charlene

**Charlene Mitchell, MBA** | Training and Education Program Manager | National Center for Regenerative Medicine  
Case Western Reserve University | 10900 Euclid Ave. WRB 2501 | Cleveland, OH 44106 | 216.368.4928  
**Visit us:** [www.ncrm.us/](http://www.ncrm.us/)



## APPENDIX 3.2 Steering Committee/Support

**From:** [Colin K. Drummond](#)  
**To:** ["Charlene Mitchell"](#)  
**Cc:** ["Stanton Gerson"](#)  
**Subject:** Accepted: NCRM Master's Program-Invitation  
**Date:** Friday, February 19, 2016 4:51:47 AM

---

Good morning, Charlene!

I apologies for the delayed response; was a hectic week and my email backlog built up a bit.

Thank you for the kind invitation and I would be pleased to serve on the committee. Serving can be mutually beneficial in several ways, I believe.

Again, I thank you for reaching out.

Respectfully,  
Colin

---

From: Charlene Mitchell [<mailto:clm25@case.edu>]  
Sent: Tuesday, February 16, 2016 5:17 PM  
To: Colin Drummond  
Cc: Stanton Gerson  
Subject: NCRM Master's Program-Invitation

Dear Dr. Drummond,

We would like to thank you for your previous support of allowing our prospective students to enroll in your courses.

However, we would like to circle back and extend an invitation to serve on our program steering committee. Attached please find a general program outline. Please note the listed courses will be adjusted as we work through the approval and feedback process.

As a potential committee member, you would be expected to participate in the following ways.

- . Provide governance and oversight for the RGME Master's Program
- . Program Strategy (Development & Expansion)
- o Curriculum

**From:** [Christopher Cullis](#)  
**To:** [Charlene Mitchell](#)  
**Subject:** Re: Biotechnology Internships-Inquiry  
**Date:** Thursday, February 11, 2016 12:56:41 PM

---

Hi Charlene,

I am happy to serve on the steering committee. If it has to meet before I return (in early May) I can always join through Skype.

Regards,

Christopher Cullis  
Francis Hobart Herrick Professor of Biology  
Case Western Reserve University  
10900 Euclid Avenue  
Cleveland, Ohio 44106-7080  
Phone: 1 216 368 5110  
Fax: 1 216 3689 4672  
e-mail: [cac5@case.edu](mailto:cac5@case.edu)

On Thu, Feb 11, 2016 at 6:54 PM, Charlene Mitchell <[clm25@case.edu](mailto:clm25@case.edu)> wrote:

Hi Dr. Cullis,

I hope you are enjoying your time in France.

Your response was helpful and it will help me get started for now. At some point, I would like to circle back with you to find out best practices for selecting a company and pitching an internship opportunity.

I have another question for you. Would you be interested in serving on our program steering committee? The committee will meet once a year for a strategic planning and program evaluation session. However, we may require the group to convene if there's a pressing issue or major program change. We are trying to roll out this program around Fall 2017.

Let me know your thoughts regarding this opportunity.

Thank you.

**From:** [Horst von Recum](#)  
**To:** [Charlene Mitchell](#)  
**Subject:** Re: NCRM Master's program  
**Date:** Tuesday, February 23, 2016 1:10:35 PM

---

Hi Charlene,

I'd be glad to be on the steering committee.

In the future we can discuss other positions (e.g. director) if it still makes sense.

On a different note, I'd been meaning to pass on a couple other courses which might be a good/easy addition to the possible list of courses students can take.

one is a course I helped develop in the Department of Pharmacology (although they run it entirely independently of me now),

PHRM 409 Principles of Pharmacology.

Another two courses are ones taught in my department.

EBME 451 Fundamentals in Molecular and Cellular Biology

EBME 406 Polymers in Medicine

The advantage of both of the above courses is that they are taught entirely online, so they would be very easy for students both on and off campus to take. Also I teach the above two courses so I know their content, and know that the content would be suitable for the students we were discussing.

Horst

---

Horst von Recum  
Associate Professor  
Department of Biomedical Engineering  
Case Western Reserve University  
Cleveland, OH 44106  
216-368-5513  
<http://bme.case.edu/cdmc>

On Tue, Feb 23, 2016 at 10:33 AM, Charlene Mitchell <[clm25@case.edu](mailto:clm25@case.edu)> wrote:

Dear Horst,

Thank you for your insight during last week's call...most helpful.

**From:** [Lazarus, Hillard MD](#)  
**To:** [Charlene Mitchell](#)  
**Cc:** [Stanton Gerson](#); [Hillard Lazarus](#)  
**Subject:** RE: NCRM Master's Program-Invitation  
**Date:** Wednesday, February 17, 2016 12:43:41 AM

---

An interesting concept.  
Yes, I am pleased to participate.  
Please indicate the specific times when I will be needed.

Hillard M. Lazarus, MD, FACP  
The George & Edith Richman Professor and Distinguished Scientist in Cancer Research  
Professor of Medicine, Case Western Reserve University  
Director, Novel Cell Therapy  
telephone (216) 844-3629  
FAX (216) 844-5979  
Editor-in-Chief, *Bone Marrow Transplantation*  
Editor-in-Chief, *Blood Reviews*

---

**From:** Charlene Mitchell [clm25@case.edu]  
**Sent:** Tuesday, February 16, 2016 5:13 PM  
**To:** Lazarus, Hillard MD  
**Cc:** Stanton Gerson  
**Subject:** NCRM Master's Program-Invitation

Dear Dr. Lazarus,

We would like to invite you to serve on the RGME program steering committee. Attached please find a general program outline. Please note the listed courses will be adjusted as we work through the approval and feedback process.

As a potential committee member, you would be expected to participate in the following ways.

- **Provide governance and oversight for the RGME Master's Program**
- **Program Strategy (Development & Expansion)**
  - Curriculum
  - Student recruitment/retention
  - Industry trends (Clinical Innovations & Business Development)
- **Program Evaluation**
  - Review program progress against defined milestones
  - Evaluate program impact
    - Program graduates
    - Collaborative partnerships (academic, clinical and corporate)
    - Brand awareness

We believe your participation would be invaluable for the development and growth of this program. If agreeable, we will include your response along with our program proposal to document support. If you have any questions regarding this program, please feel free to contact me.

**From:** [Insoo Hyun](#)  
**To:** [Charlene Mitchell](#)  
**Cc:** [Stanton Gerson](#)  
**Subject:** Re: NCRM Master's Program-Invitation  
**Date:** Wednesday, February 17, 2016 12:21:11 PM

---

Dear Charlene,

I would be happy to serve on the steering committee.

Insoo

On Tue, Feb 16, 2016 at 5:17 PM, Charlene Mitchell <[clm25@case.edu](mailto:clm25@case.edu)> wrote:

Dear Dr. Hyun,

We would like to invite you to serve on the RGME program steering committee. Attached please find a general outline of our program. Please note the listed courses will be adjusted as we work through the approval and feedback process.

As a potential committee member, you would be expected to participate in the following ways.

- **Provide governance and oversight for the RGME Master's Program**
- **Program Strategy (Development & Expansion)**
  - Curriculum
  - Student recruitment/retention
  - Industry trends (Biotechnology & Societal Issues)
- **Program Evaluation**
  - Review program progress against defined milestones
  - Evaluate program impact
    - Program graduates
    - Collaborative partnerships (academic, clinical and corporate)
    - Brand awareness

**From:** [John Harrington](#)  
**To:** [Charlene Mitchell](#)  
**Cc:** [Stanton Gerson](#)  
**Subject:** RE: NCRM Master's Program-Invitation  
**Date:** Wednesday, February 17, 2016 10:44:53 AM

---

Charlene,

I would be happy to serve on the RGME program steering committee. If you need anything else, in addition to this email, please let me know.

Best regards,

John

---

John Harrington, Ph.D.  
Executive Vice President and Chief Scientific Officer  
Athersys, Inc.  
3201 Carnegie Avenue  
Cleveland, OH 44115-2634  
Phone: 216-431-9900  
Fax: 216-361-9495

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**From:** Charlene Mitchell [mailto:clm25@case.edu]  
**Sent:** Tuesday, February 16, 2016 5:24 PM  
**To:** John Harrington <jharrington@athersys.com>  
**Cc:** Stanton Gerson <slg5@case.edu>  
**Subject:** NCRM Master's Program-Invitation

Dear Dr. Harrington,

We would like to invite you to serve on the RGME program steering committee. Attached please find a general program outline. Please note the listed courses will be adjusted as we work through the approval and feedback process.

As a potential committee member, you would be expected to participate in the following ways.

- **Provide governance and oversight for the RGME Master's Program**

## Memorandum

To: Pamela B. Davis, MD, PhD  
Dean, School of Medicine  
Case Western Reserve University

From: Maureen W. McEnery, PhD, MAT  
Chair of the Faculty Council

Re: "Master's of Science in Regenerative Medicine and Entrepreneurship"

Date: Jan. 30, 2017

At its regular January 23, 2016, meeting, the Faculty Council voted unanimously to recommend approval of a "Master's of Science in Regenerative Medicine and Entrepreneurship" to your office.

In accordance with our SOM practices, an ad hoc committee composed of members of the Faculty Council Steering Committee, Graduate Directors, the SOM members of the Faculty Senate's Committee on Graduate Programs, and the Associate Dean for Graduate Education was created to review the program proposal. The ad hoc committee was chaired by Nicholas Ziats. The ad hoc committee reviewed the document, discussed the proposal, and engaged with the program presenter. After discussion, the ad hoc committee approved the reviewed proposal and it was sent to the Faculty Council for a vote.

Charlene Mitchell, Training and Education Program Manager at the National Center for Regenerative Medicine, presented the proposal to Faculty Council. Stanton L. Gerson, MD Director, Case Comprehensive Cancer Center and Seidman Cancer Center and Director at the National Center for Regenerative Medicine, Asa & Patricia Shiverick (Tripp) Professor of Hematological Oncology, Distinguished University Professor and Vice Dean of Oncology, was on hand to answer additional questions. After some discussion, a motion to recommend was accepted by a unanimous vote.

After your review, I hope you will join me in recommending the proposal for a "Master's of Science in Regenerative Medicine and Entrepreneurship" for approval by the Faculty Senate, as required by the Faculty Handbook.

Please let me know if I can provide any additional information.

Thank you for your consideration.

Sincerely,



Maureen W. McEnery, Ph.D, MAT  
Chair of the Faculty Council  
Associate Professor of Neurology  
Associate Professor of Neuroscience  
University Hospitals of Cleveland Medical Center  
Case Western Reserve University School of Medicine

## Memorandum

cc: Nicole Deming, JD, MA, Dan Anker, JD, PhD

**Pamela B. Davis, MD, PhD**  
**Dean**  
**Senior Vice President for Medical Affairs**  
**Office of the Dean**

10900 Euclid Avenue  
Cleveland, Ohio 44106-4915

Visitors and Deliveries  
Biomedical Research Bldg., Room 113

phone 216.368.2825  
fax 216.368.2820

casemed.case.edu

January 30, 2017

Peter Harte, PhD  
Chair, Faculty Senate  
c/o Rebecca Weiss, Secretary of the University Faculty  
Adelbert Hall  
7001

Dear Professor Harte:

As noted in the accompanying memo from Dr. Maureen McEnery, Chair of the School of Medicine's Faculty Council, the Faculty Council has recommended approval of a new degree program for a Master's of Science in Regenerative Medicine and Entrepreneurship in the School of Medicine.

This two-year Master's of Science degree is a collaborative effort among four schools: the College of Arts and Sciences, the Case School of Engineering, the Weatherhead School of Management, and the School of Medicine. This program will recruit those interested in regenerative medicine including clinician-investigators, pharmacy students, and the biotechnology/regenerative medicine workforce. The program will cross-train students in business development, communication skills, public policy, entrepreneurship, and regenerative medicine.

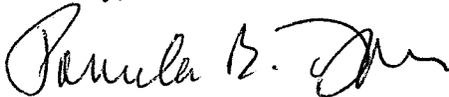
The proposal approval process is outlined in Dr. McEnery's memo. An ad hoc Committee was convened to review this new program and after revisions, the program was approved by the School of Medicine's Faculty Council.

I concur with the Faculty Council and recommend approval of this proposed graduate program.

Please submit the proposed degree program to the appropriate committees for their review at their earliest opportunity. I would be pleased to answer any questions that might arise during the review process.

Thank you.

Sincerely,



Pamela B. Davis, MD, PhD

c: Dr. Maureen McEnery, Chair, Faculty Council  
Nicole Deming, Assistant Dean for Faculty Affairs and Human Resources, SOM

enclosures



SCHOOL OF MEDICINE  
CASE WESTERN RESERVE  
UNIVERSITY



CASE SCHOOL  
OF ENGINEERING

CASE WESTERN RESERVE  
UNIVERSITY

Stanton L. Gerson, MD  
Director, Case Comprehensive Cancer Center and Seidman Cancer Center  
Director, National Center for Regenerative Medicine  
Asa & Patricia Shiverick (Tripp) Professor of Hematological Oncology  
Distinguished University Professor  
Vice Dean of Oncology

Jeffrey L. Duerk  
Office of the Dean  
10900 Euclid Avenue  
Cleveland, Ohio 44106-7220  
Visitors and Deliveries  
Nord Hall 500  
Phone 216.368.4436  
Fax 216.368.6939  
[www.engineering.case.edu](http://www.engineering.case.edu)

March 24, 2017

Dear Stan:

On behalf of the School of Engineering, it is my pleasure to endorse the proposed Master of Science program in Regenerative Medicine & Entrepreneurship.

Moving forward, we will work together to expand the RGME program and further build a partnership between NCRM and the School of Engineering. As discussed, we agreed to the following:

**NCRM/School of Engineering Partnership**

- RGME students will be permitted to take School of Engineering courses as outlined in the program development proposal
- Horst von Recum, PhD will serve as a co-program director and represent the School of Engineering
- To drive program growth, a dual admissions track will be established by the School of Engineering to recruit graduate school applicants specifically interested in regenerative medicine and biomedical engineering
  - NCRM and the College of Engineering will work with Dean Rozek to formalize a dual admissions track to meet state guidelines and approval
  - Tuition return: Revenue generated from students admitted to the RGME program under the School of Engineering will remain with Engineering
  - Tuition revenue from this point of entry will complement Horst von Recum's activities as a co-program director
- NCRM will also support program directors' activities from tuition return and a formal percent effort will be confirmed once program is established and generating tuition revenue
- Co-branding and marketing campaigns will be established to promote student enrollment through the School of Engineering pipeline

Sincerely,

Jeffrey Duerk, PhD  
Dean, Case School of Engineering  
Leonard Case Professor of Engineering



Jessica W. Berg, Dean  
 Tom J.E. and Bette Lou Walker  
 Professor of Law

February 21, 2017

Michael P. Scharf, Dean  
 Joseph C. Hostetler - BakerHostetler  
 Professor of Law

Stanton L. Gerson, MD  
 Director, Case Comprehensive Cancer Center and Seidman Cancer Center  
 Director, National Center for Regenerative Medicine  
 Asa & Patricia Shiverick (Tripp) Professor of Hematological Oncology  
 Distinguished University Professor  
 Vice Dean of Oncology

11075 East Boulevard  
 Cleveland, Ohio 44106-7148

phone 216.368.3283  
 fax 216.368.1277  
 lawdeans@case.edu

Dear Stan:

law.case.edu

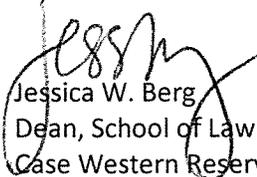
On behalf of the School of Law, it is my pleasure to endorse the proposed Master's of Science program in Regenerative Medicine & Entrepreneurship. I am pleased that you selected courses from the School of Law to serve as electives for this unique and innovative program. In an effort to support this multidisciplinary training platform, I would like to grant approval for your students to enroll in the following School of Law courses.

Course Number	Course Name	Credits
LAWS 5366	Venture Finance & Transactions	2
LAWS 5341	Commercialization and Intellectual Property Management	3
LAWS 4302	Patent Law	3
LAWS 4312	Patent Preparation and Prosecution	2

The selected courses will help your students better understand business activities supporting product development, commercialization, and working in entrepreneurial environments. As the RGME program expands, we will assess course enrollment by your students to ensure access for students in other School of Law programs as well as appropriate compensation for teaching efforts.

In closing, I wish to emphasize my commitment and support for this new graduate program.

Sincerely,



Jessica W. Berg  
 Dean, School of Law  
 Case Western Reserve University



CASE WESTERN RESERVE  
UNIVERSITY

COLLEGE OF ARTS AND SCIENCES

April 18, 2017

Stanton L. Gerson, MD  
Director, Case Comprehensive Cancer Center  
and Seidman Cancer Center  
Director, National Center for Regenerative Medicine  
Asa & Patricia Shiverick (Tripp) Professor of Hematological Oncology  
Distinguished University Professor  
Vice Dean of Oncology

Cyrus C. Taylor, Dean  
Albert A. Michelson Professor in Physics

College of Arts and Sciences  
Crawford Hall, Room 712  
Case Western Reserve University  
10900 Euclid Avenue  
Cleveland, Ohio 44106-7068

Phone 216-368-4437  
Fax 216-368-3842  
1-800-515-2774  
cyrus.taylor@case.edu

Dear Professor Gerson:

I am writing to express my support of the proposed Master of Science Program in Regenerative Medicine & Entrepreneurship. This program will offer a distinct multidisciplinary training platform at Case Western Reserve University. As you move forward with the program development process, I look forward to meeting with you to explore potential opportunities for collaboration. I believe our students would mutually benefit from courses and training opportunities offered by each of our respective areas. In addition, I support College of Arts and Sciences representation on the program steering committee as well as among the program mentorship group.

In closing, I would like to reiterate my general support and wish you much success in the development and implementation of this new graduate program.

Sincerely,

A handwritten signature in black ink, appearing to read "Cyrus C. Taylor".

Cyrus C. Taylor  
Dean and Albert A. Michelson Professor in Physics  
College of Arts and Sciences



August 22, 2017

Stanton L. Gerson, MD  
Director, Case Comprehensive Cancer Center  
Director, National Center for Regenerative Medicine  
Asa & Patricia Shiverick (Tripp) Professor of Hematological Oncology  
Distinguished University Professor  
Vice Dean of Oncology

Dear Stan:

On behalf of Weatherhead, it is my pleasure to endorse the proposed Master of Science program in Regenerative Medicine & Entrepreneurship. I am pleased that you selected courses from the Entrepreneurship program to serve as electives for this innovative program. It is my understanding that there will be some variability in course offerings in the future, which will provide some diversity in the electives aspect of our program. A snap-shot of some of the courses that may provide the foundation of the program's structure are listed below.

Entrepreneurship Electives		
Course Number	Course Name	Credits
ENTP 478	Entrepreneurship and Innovation	3
BAFI 444	Entrepreneurial Finance	3
DESN 419	Entrepreneurship and Personal Wealth Creation	3
ENTP 501	Topics in Entrepreneurship	3
ENTP 428	Small Enterprise Consulting	3
MGMT 495 A&B	AMES Business Models	3
ENTP 425	Managing Human Resources in Entrepreneurial Firms	3

Since formal tuition-sharing negotiations are underway between the Graduate and Professional schools of Case Western Reserve University, we will use that as the basis of an agreement for tuition. We will re-visit tuition sharing once we can better gauge the courses utilized and after having a better appreciation of the interest of our students and the number of courses pursued.

In closing, I look forward to integrating into your Master's Program, with an exciting perspective on this multidisciplinary study towards regenerative medicine and business.

Sincerely,

A handwritten signature in blue ink, appearing to read "Simon Peck".

Dr Simon Peck  
Associate Professor of Strategy; Associate Dean  
Weatherhead School of Management  
Case Western Reserve University

## **Nominating Committee Vote\* at September 6, 2017 Meeting on Whether Dean Can Serve as Chairs of Senate Standing Committees:**

### Questions posed to Committee:

1. Whether Deans (at the highest level) may be appointed to chair a standing committee of the Faculty Senate

No 9 (unanimous)

Yes 0

2. Whether Deans (Associate or Assistant) may be appointed to chair a standing committee of the Faculty Senate

No 6

Yes 3

\* There are ten members of the Nominating Committee (including vice chair, Cynthia Beall, ex officio). There was only one member of the committee not in attendance when the vote was taken.

## **Faculty Handbook, Chapter 2, Article VI, *Committees of the Faculty Senate***

### **Sec. B. Nominating Committee**

Par. 1. The Nominating Committee shall consist of the chair-elect of the Faculty Senate, *ex officio*, and nine voting members of the University Faculty, (if possible, those who serve or those who have served as senators or members of faculty senate standing committees), one representing each of the eight constituent faculties, to be selected by the faculty senators representing that faculty, and also including one representative from the Department of Physical Education and Athletics. The term of membership on the Nominating Committee shall be two years. A member of the Nominating Committee may serve no more than two terms consecutively. Members shall serve overlapping two-year terms.

Par. 2. The Nominating Committee shall nominate candidates for the position of chair-elect and for membership of the standing and *ad hoc* committees of the Faculty Senate, unless otherwise specified. The Faculty Senate shall elect a chair-elect and members of such standing and *ad hoc* committees from the nominees named by the Nominating Committee, except that additional nominations shall be invited from the floor. No nominations shall be valid unless the proposed nominee shall have signified in advance a willingness to serve.

### **Faculty Senate By-Law VII, *Committees***

#### ***Item c. Nominating Committee.***

The membership and functions of the Nominating Committee shall be as provided in the Constitution, Article VI, Section B, subject, however, to the following provisions:

- 1) Pursuant to the Constitution, Article VI, Section B, the annual designation of members of the Nominating Committee for the following year shall be made not later than May 1; and the term of membership on the Nominating Committee shall begin on the day following Commencement Day.
- 2) Each year, the Nominating Committee shall submit to the Faculty Senate nominations for membership in standing committees for the following year not later than April 1; and the term of membership of all elected members of standing committees shall begin on the day following Commencement Day.
- 3) In the selection of nominees for membership on each standing committee of the Faculty Senate, the Nominating Committee shall consult with the incumbent Chair of the committee for which nominees are being selected.

### **Faculty Senate By-Law VII, *Committees***

#### ***Item b. Executive Committee***

2. The Executive Committee shall select the chair of each standing and ad hoc committee from among the faculty members of each respective committee. In the event that the chair of a standing committee resigns during the academic year in which he/she is serving, the chair of the Faculty Senate shall, in consultation with the current members of that standing committee, appoint a new chair from the members of that committee. If none of the committee members are able or willing to serve, the chair of the Faculty Senate may appoint a chair from the members of the University Faculty.

# Provost's Commission on the Undergraduate Experience (CUE)

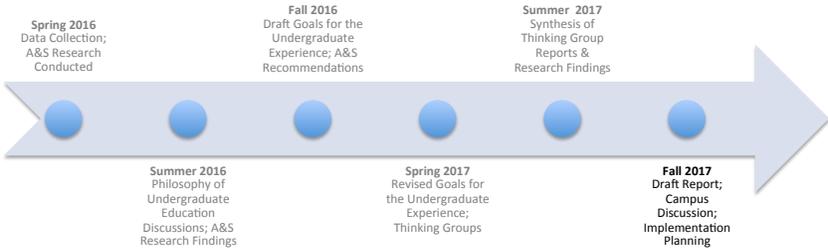
## *Preliminary Recommendations – Draft*

Kimberly Emmons  
Chair of CUE & Associate Professor of English  
August 2017



## CUE: Charge & Timeline

*Formulate recommendations to strengthen the overall value, reputation, and desirability of CWRU's undergraduate experience.*



**Spring 2016**  
Data Collection;  
A&S Research  
Conducted

**Summer 2016**  
Philosophy of  
Undergraduate  
Education  
Discussions; A&S  
Research Findings

**Fall 2016**  
Draft Goals for the  
Undergraduate  
Experience; A&S  
Recommendations

**Spring 2017**  
Revised Goals for  
the Undergraduate  
Experience;  
Thinking Groups

**Summer 2017**  
Synthesis of  
Thinking Group  
Reports &  
Research Findings

**Fall 2017**  
Draft Report;  
Campus  
Discussion;  
Implementation  
Planning

Philosophy → Recommendations → Proposals



## CWRU Snapshot: *Significant Improvements (2001-2016)*

	PCUEL (2001)	CUE (2016)
Undergrad Enrollment	3,381	5,121
Men/Women	61% / 39%	55% / 45%
White/Non-White	73% / 23%	51% / 38%
Ohio Residents	58%	28%
Other US Residents	38%	61%
International Students	4%	11%
Mean SAT	1335	1386
Acceptance Rate	71%	36%



## CWRU Snapshot: *Significant Problems Persist*

	CWRU in 2016
6-Year Graduation Rate (88% predicted)	82%
US News Graduation Rate Performance Rank	235 / 250+
Overall rating of CWRU by <b>applicants</b>	6.2 / 10
Students Listing CWRU at first-choice school	6%
Applicants who did not list CWRU as a school to which they applied	26%
Enrollments from Admissions Offers (CSE, CAS)	15.5%
Tuition Discount Rate (for US students)	57%
Seniors who would probably/definitely attend CWRU again (2015)	80%



## CWRU's Biggest Challenge: Ethos

- **Ethos** includes: engaged social community, sense of connection, strong university identity, extracurricular opportunities, diverse student body
- Prospective students' perceptions about ethos are the most significant negative factor in their assessment of CWRU relative to other schools.

One undergraduate describes CWRU's ethos this way: "there's a lot of social activity during orientation and the first few weeks of school, but then winter comes, and we all burrow into our work, and it stays winter until the end of our senior year."



## Meeting the Ethos Challenge

### *Guiding Principles*

Without compromising our academic strengths or the intellectual rigor of our programs, CWRU must enhance the overall undergraduate experience by focusing on three guiding principles:

- **Unity** – foster a singular, coherent, connected, and inclusive undergraduate experience
- **Wellness** – promote overall health, work/life balance, and spirit of engagement
- **Life Beyond CWRU** – support post-college planning congruent with students' values and responsive to a rapidly changing world



## CUE (Draft) Recommendations

- **Advising Team**
  - Undergraduate Experience Coordinator + School-Based Academic Advisor(s) + Support Team Members
- **Facilitated Exploration**
  - Experiences/activities designed to help students explore schools/programs; UEC tracks/guides students' attendance
  - First-Year Fall: Students explore opportunities at CWRU
  - First-Year Spring: Students develop/launch individualized Educational Plan



## CUE (Draft) Recommendations (cont.)

- **Single University General Education Requirements (UGER)**
  - UGER Categories: Explore Curriculum + Wellness + Intellectual Diversity + Communication + Capstone
  - Faculty governance, recognizing disciplinary expertise
- **Review & Simplify Curricular Structure**
  - UGER + Major + Space for an unrelated Minor



## Campus Ethos

- **Outcome of (Draft) Recommendations: “Room to Breathe”**
  - Connected advising, curriculum, and post-college planning will give students space and permission to enjoy CWRU
- **Next Steps: Enhancing Campus Community & Engagement**
  - Campus Culture & Environment Thinking Group recommendations still under consideration
  - Additional consultations planned (Fall 2017)
  - Follow-up report/recommendations (Spring 2018)



## Measures of Our Success

- Students will be more successful at CWRU and after graduation
- Students will feel more connected to (and supported by) CWRU
- More students will have the overall experience that our best and most successful students currently have
- More students will recommend CWRU to peers
- CWRU will be more appealing to future students
- Student retention and graduation rates will improve
- Revenue to university and schools will go up



## Timeline & Process: Fall 2017

- CUE Draft Report: September 2017
- CUE Liaisons reach out to departments: Fall 2017
- Open Forum Discussions: October-November 2017
- Implementation Planning (where appropriate): Ongoing
- CUE Final Report: Winter/Spring 2017-18



## Your Input is Welcome!

Documents & Links available:

<http://case.edu/provost/cue>

CUE Chair's Office Hours & Additional Information:

<http://casfaculty.case.edu/kimberly-emmons/cue/>

Questions & Comments:

[pcue@case.edu](mailto:pcue@case.edu)



## Provost's Commission on the Undergraduate Experience *Membership*

- CAS: Kimberly Emmons (Chair), Jerrold Scott, Lee Thompson, Blanton Tolbert
- CSE: Daniel Lacks, Frank Merat
- FPBSON: Amy Bieda
- WSOM: Robin Dubin
- SOM: Hope Barkoukis
- Support Areas: Richard Bischoff (Enrollment Management), David Fleshler, Molly Watkins (International Affairs), Louis Stark (Student Affairs), Jeffrey Wolcowitz (Undergraduate Studies)
- Student Representation: Nishant Uppal ('17), Prince Ghosh ('19), Garretson Oester ('18)
- Administrative Resources: Donald Feke, Victoria Wright

*(Note: Members were selected by the Provost with input from the Deans.)*



**Faculty Senate Meeting**  
Monday, October 2, 2017  
3:30p.m. – 5:30p.m. – Toepfer Room, Adelbert Hall,

3:30 p.m.	Approval of Minutes from the April 27, 2017, Faculty Senate Meeting, <i>attachment</i>	Juscelino Colares
3:35 p.m.	President and Provost's Announcements	Barbara Snyder Bud Baeslack
3:45 p.m.	Chair's Announcements	Juscelino Colares
3:50 p.m.	Report from the Executive Committee	Cynthia Beall
3:55 p.m.	Report from the Secretary of the Corporation	Arlishea Fulton
4:00 p.m.	Approval of SOM and CSE Representatives to the Faculty Senate Executive Committee	Juscelino Colares
4:05 p.m.	MS in Regenerative Medicine and Entrepreneurship, <i>attachment</i>	Tracey Bonfield
4:15 p.m.	Nominating Committee Vote on Whether Faculty Who are Administrators May Serve as Standing Committee Chairs, <i>attachment</i>	Maureen McEnery
4:25 p.m.	Discussion Regarding Civility on Campus, <i>attachment</i>	Barbara Snyder Juscelino Colares
4:35 p.m.	Enrollment Report	Robert McCullough
4:45 p.m.	New Senator Welcome	Juscelino Colares Cynthia Beall