

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, 2016

AMENDED BY THE FACULTY OF MEDICINE, FEBRUARY 15, 2017, JULY 13, 2017, & NOVEMBER 13, 2017
RATIFIED BY THE FACULTY SENATE, JANUARY 30, 2018

AMENDED BY THE FACULTY OF MEDICINE JANUARY 14, 2020
RATIFIED BY THE FACULTY SENATE, DECEMBER 17, 2020

AMENDED BY THE FACULTY OF MEDICINE JANUARY 25, 2021
RATIFIED BY THE FACULTY SENATE DECEMBER 15, 2021

AMENDED BY THE FACULTY OF MEDICINE APRIL 25, 2024
RATIFIED BY THE FACULTY SENATE MARCH 31, 2025

TABLE OF CONTENTS	PAGE
ARTICLE 1 - PURPOSE	4
ARTICLE 2 - THE FACULTY OF MEDICINE	4
2.1 Membership of the Faculty of Medicine	4
2.2 Officers of the faculty	4
2.3 Authorities and Powers of the Faculty of Medicine	5
2.4 Meetings of the faculty	5
2.5 Voting Privileges	6
2.6 Committees of the Faculty of Medicine	6
ARTICLE 3 - THE FACULTY COUNCIL	9
3.1 Purpose and functions of the Faculty Council	9
3.2 Membership of the Faculty Council	9
3.3 Election of the members of the Faculty Council	10
3.4 Terms of office of Faculty Council representatives	11
3.5 Officers of the Faculty Council	12
3.6 Committees of the Faculty Council	13
3.7 Meetings of the Faculty Council	17
3.8 Annual report of the Faculty Council	17
ARTICLE 4 – DEPARTMENTS AND DIVISION OF GENERAL MEDICAL SCIENCES (DGMS)	18
4.1 Organization of the Faculty into Departments and Division of General Medicine Sciences (DGMS)	18
4.2 Function of Departments	18
4.3 Academic Department Chairs	21
4.4 Establishment and Discontinuance of Academic Departments	23
4.5 Review of Academic Departments	23
4.6 The Department of Biomedical Engineering	23
4.7 The Division of General Medicine Sciences (DGMS)	23

ARTICLE 5 - FACULTY APPOINTMENTS, PROMOTIONS, AND GRANTING OF TENURE	24
5.1 Classification of Appointments	24
5.2 Terms of Appointment	25
5.3 Academic Freedom	25
5.4 Tenure	25
5.5 The Pretenure Period	26
5.6 Qualifications for Appointments, Promotions and the Granting of Tenure	27
5.7 Tenure Guarantee	28
5.8 Rolling Appointments for Non-Tenure Track Professors	28
5.9 Consideration of Recommendations for Appointments, Promotions and Granting of Tenure	28
5.10 The Committee on Appointments, Promotions, and Tenure	30
5.11 Sabbatical and Special Sabbatical Leaves	31
ARTICLE 6 — AMENDMENT OF THE BYLAWS	31
APPENDICES	
APPENDIX I: Qualifications and Standards for Appointment, Promotion and the Award of Tenure for Faculty Members in the School of Medicine, Case Western Reserve University	

ARTICLE 1 - PURPOSE

These Bylaws of the Faculty of Medicine and all amendments adopted as hereinafter shall 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/a. 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 which it shall delegate all powers not reserved to itself (described below in Article 3).

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 to the Faculty of Medicine due notice of all Faculty and Faculty Council meetings and the agenda thereof and supply the minutes of each meeting in a timely

manner. 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 the Faculty of Medicine shall: (1) make recommendations to the dean for consideration and transmittal to the University Faculty Senate concerning the establishment, discontinuance, or merging of any department, and (2) act upon any matter of import referred to the Faculty of Medicine by the Faculty Council for 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) at-large members of the Faculty Council; and (3) a majority of the voting members of the standing committees listed in section 2.6a. Faculty members shall also have the power and obligation to elect their departmental Faculty Council representative (see Article 3.3).

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 of university closure, 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, or 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 each faculty meeting, Faculty Council will determine which faculty members are eligible to vote on each issue scheduled for a vote, guided by 2.5c-2.5d 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: Standing 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 Committee on Appointments, Promotions, and Tenure shall review and make recommendations concerning all appointments or promotions to the ranks of associate professor or professor and the award of tenure, as outlined in Article 5.10.

(2) 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 (SOM) on matters including but not restricted to the research portfolio, enabling technologies, research infrastructure, and biomedical workforce.

(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 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. It shall also review proposals for new and amended charges of standing committees for the purpose of advising the Faculty Council regarding their

compliance with the Bylaws prior to a vote by the Faculty Council. At least once every five years, the Bylaws Committee shall conduct a full review of these Bylaws.

(5) The Lecture Committee shall serve to select invited speakers who are to deliver the Bloomfield and Hanna lectures for the entire School of Medicine as well as other endowed lectureships that are intended to serve the School of Medicine community.

(6) The Committee on Medical Education shall evaluate, review, and make recommendations concerning the overall goals and policies of the School's medical education programs.

(7) The Medical Student Admissions Committee shall participate in establishing admissions policies and procedures and in annual decision-making regarding individual medical student applications to: a) the "University Program" at CWRU; b) the "College Program" at the Cleveland Clinic; and c) the Medical Scientist Training Program (MSTP).

(8) The Committee on Medical Students shall have the responsibility for reviewing the total performance of all medical students and the authority to make decisions on medical student standing and student promotions. Each year it shall submit the lists of candidates for the award of the degree of Doctor of Medicine, to the Faculty Council (see Article 3.1a).

(9) The School of Medicine Program Review Committee (PRC) shall review new graduate and undergraduate programs involving departments within the School of Medicine, major changes to existing programs (defined as a change to 50% or more of the curriculum), new joint degree and dual-degree programs and may also review other (non-MD) programs at the Dean's request.

(10) The Committee on Women and Minority Faculty shall identify factors that have impeded progress toward maintaining and improving the status of women and minority faculty and recommend ameliorative policies and actions to the School of Medicine Faculty Council and Administration.

b. The majority of the voting members of each of these Standing Committees 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 Dean may appoint members to any standing committee in accordance with the prescribed structure of each such committee as specified in its charge. The number of appointed voting members shall be less than the number of elected 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 Bylaws. The two committees that cannot be discontinued 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 role of the Faculty Council in relation to standing committees is described in Article 3.1. The regular members of the Faculty of Medicine shall vote upon the nominees and shall elect the majority of voting committee 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. Prior to being voted upon by Faculty Council, the Bylaws Committee shall review these charges to ensure compliance with these Bylaws and the Faculty Handbook. 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*. 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, for which the number of members holding the office of assistant, associate, or vice dean, shall not exceed 40% of the membership. Persons holding the office of assistant, associate, or vice dean may not chair a Standing Committee of the Faculty. Membership rosters of all standing committees shall be published on the SOM website and updated annually by July 1 or when a change in the roster occurs.

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 Medical Student Admissions Committee, the Committee on Medical 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 serve as the Executive Committee of the Faculty of Medicine, in accordance with Article X.1 of the Bylaws of the Faculty Senate. The Faculty Council shall meet regularly to exercise its powers and obligations, 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 review the requirements for the M.D. degree and the recommendations of the Committee on Medical Students regarding student standings and student promotions;
- b. To hear reports of the Standing Committees of the Faculty of Medicine and of the Faculty Council and recommend action on such reports;
- c. To make recommendations to the Faculty of Medicine concerning the establishment, discontinuance, and merging of departments;
- d. To make recommendations to the Faculty of Medicine concerning the establishment, discontinuance, and initial charge and representative composition of the membership of all Faculty of Medicine standing committees (see Article 2.6c);
- e. To elect a chair, a chair-elect, members of the Steering Committee, and the Faculty Council members of the Nomination and Elections Committee;
- 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); and
- g. To create *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 (all references hereafter to academic departments include the Division of General Medicine Sciences (DGMS), which has departmental status; see Article 4.7). These representatives shall be referred to as department representatives. An

exception to the apportionment of one voting representative to each academic department is made for the Louis Stokes Cleveland VA Medical Center (VAMC; see Article 3.3d, below), where academic departments have not been established (as defined in the Faculty Handbook, Chapter 2, Article VII, Sec. B). 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. To facilitate communication between Standing Committees and the Faculty Council, if no member of a Standing Committee of the Faculty of Medicine is a voting member of the Faculty Council, the Faculty Council Chair may appoint one of the Standing Committee's elected members to serve as a non-voting *ad hoc* member, in accordance with each committee's charge. If a representative to the university Faculty Senate is not included in the Faculty Council as a voting member, the Faculty Council Chair shall appoint one of the School of Medicine senators to be an *ad hoc* member of the Faculty Council. The Faculty Council Chair 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

Faculty members have the power and obligation to elect Faculty Council representatives (see Article 2.3). Elections 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.

a. Departmental representatives: When the term of a departmental representative is coming to an end, the dean shall inform all full-time faculty members of that department. The department shall elect its new representative no later than April 30 of each year, with newly elected members beginning their terms of office on the following July 1. To be eligible to serve

as a departmental representative to the Faculty Council, a faculty member must be appointed full-time and hold a primary appointment in that department.

b. At-large representatives: The at-large representatives shall be nominated by the Nomination and Elections 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 Nomination and Elections committee with a list of the basic and clinical science departments and rosters of the full-time faculty members with primary appointments in each department. Five at-large representatives shall be elected from basic science departments and five shall be elected 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 Article 3:4). The terms of at-large Faculty Council members shall be staggered such that one or two basic science and one or two clinical science representatives are elected each year. No more than one at-large representative shall be from a single department or VAMC service group.

c. Institutional representatives: Upon notification by the dean, full-time faculty based at each affiliated institution shall elect 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. VA representatives: All full-time faculty members whose hospital base in the VAMC will be assigned to one of six VAMC service groups to be represented (Medicine, Primary Care, Surgery/Anesthesiology, Research, Neuropsychiatry, and Diagnostic Services). The faculty members in each of these service groups will elect one representative. The dean will provide a list of the faculty members assigned to each service area before the start of each academic year. A VAMC faculty member is not eligible to vote in elections or serve as a representative for the department at UHMHC or other affiliate in which they hold their primary appointment but is eligible to serve as a clinical at-large representative.

e. Special Faculty representatives: The nomination and Elections 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 stand for election 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 VAMC representative or a representative of another 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: Duties, Election and Succession of the Officers of the Faculty Council

Officers of the Faculty Council shall normally serve three contiguous one-year terms as chair-elect, chair, and past-chair, starting each position on the first of July of subsequent years.

a. Chair-election. Each year in the month of May the Faculty Council shall elect a new chair-elect from among its current members (see Articles 3.6b). The Nomination and Elections Committee shall strive to nominate at least two candidates for this position. The chair-elect shall serve as vice-chair of the Faculty Council during the first year following election and succeed to the chair position the following year. As vice chair, this officer shall serve as an ex officio member of the Faculty Council Steering and Nomination and Elections committees, and assume duties of the chair whenever the latter is unable to do so. If the Faculty Council chair-elect/vice chair is unable to complete his or her term, or becomes chair earlier than anticipated due to vacancy in the chair position, there shall be a special election for a new chair-elect within 30 days of the

vacancy. This newly elected chair-elect shall complete the term of the previous office-holder. However, the timing of subsequent succession to the chair and past-chair positions shall depend on the primary cause for the special election in which the new chair-elect was elected. If the special election was necessitated by a vacancy in the chair-elect position, this succession shall proceed as usual. If the primary cause of the special election was a vacancy in the chair position, succession of the new chair-elect to chair and past-chair positions shall proceed as outlined in the next paragraph (3.5b).

b. Chair. The chair shall preside over Faculty Council meetings, serve as chair of the Steering Committee, serve as ex officio member of the Nomination and Elections Committee, and succeed to the past-chair position the following year. If the Faculty Council chair is unable to complete his or her term, the vice chair of the Faculty Council shall assume this position. If this vacancy occurs on or after the first of February, there shall be no chair-elect election the following May, as both the new chair and newly elected vice-chair (see 3.5a, above) shall continue to serve in their positions the following year as well. If this vacancy in the chair position occurs before the first of February, the new chair may choose to continue to serve as chair the following year and shall notify the Secretary of the Faculty of Medicine of their decision within a week of assuming the position. If the new chair chooses to continue to serve as chair the following year, the new vice-chair shall also remain vice chair the following year, and no new chair-elect shall be elected in May. However, if the new chair chooses not to continue to serve as chair the following year, a new chair-elect shall be elected in May as usual, and the vice-chair shall ascend to chair the following first of July.

c. Immediate past chair. Following completion of the term as chair, the immediate past chair of the Faculty Council shall serve one additional year as an ex officio member of both the Faculty Council and its Steering Committee. The immediate past chair shall also assume duties of the chair on the rare occasion that both the chair and vice-chair are unable to do so. If the Faculty Council immediate past chair is unable to complete his or her term, the Steering Committee may ask the chair of Faculty Council to appoint an *ad hoc* voting member to serve on the committee for the remainder of the year. For additional procedures to be followed in the election of the officers and committees of the Faculty Council, see article 3:6b.

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. Steering Committee meetings may be canceled by proposal of the chair of Faculty Council and majority vote of the Steering Committee members. The Steering Committee shall report all actions and recommendations to the Faculty Council. Steering Committee meetings shall be conducted according to Robert's Rules of Order, Newly Revised. 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. The committee shall consist of eleven members: the dean, the chair of the Faculty Council, the vice-chair of the Faculty Council, three other Faculty Council members, and five full-time faculty members who are not members of the Faculty Council, one each from CWRU Basic Sciences, CCLCM, MHMC, UHCMC, and VAMC. The three 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 five non-members of the Faculty Council shall be elected by ballot by the Faculty of the respective institution (CWRU Basic Sciences, CCLCM, MHMC, UHCMC, and VAMC) 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 from the eligible pool (all current members, see Article 3.5), (2) candidates for the Steering Committee, and (3) Faculty Council candidates for the Nomination and Elections Committee. A list of candidates for the members of the Steering Committee, and the Faculty Council members of the Nomination and Elections Committee shall be distributed to all members of the Faculty Council prior to the May Faculty Council meeting. During the May meeting, additional nominations for all these offices shall be invited from the floor, after which the list of candidates will be finalized. Elections will commence during the week following the May meeting and remain open for at least 14 calendar days. Elections shall be conducted by electronic voting. Ballots shall include a space for write-in candidates and clearly state when elections will close. No late votes will be accepted. Elections of a floor or write-in nominee requires the nominee's consent. Candidates for chair-elect will also be candidates for the Steering Committee and will be so listed on 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. 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 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 candidates shall be at least twice the number of positions to be filled.

The Nomination and Elections Committee shall place on the ballot any self- or peer-nominated candidate who consents to run and meets the eligibility requirements for service, as specified in these Bylaws or in the charge of the corresponding committee. The Nomination and Elections Committee shall also actively recruit candidates and strive to produce a diverse slate of nominees, considering gender, race, institutional affiliation and representation of basic science and clinical departments. However, a nominee may not be put on the ballot if in winning the election they would serve on more than two standing committees of the Faculty of Medicine or Faculty Council. Service as a Faculty Council representative or an *ad hoc* committee of the Faculty Council or of the dean is not included in this count. Furthermore, a candidate may not be put on the ballot for the election of Senators if they already serve on two standing committees of the Faculty of Medicine or of the Faculty Council. Exceptions may be made only if the Nomination and Elections Committee is unable to recruit a sufficient number of candidates to fill a committee vacancy. Elections shall be conducted by electronic means, using a ranked choice voting system. Ballots shall include a clear explanation of the preferential voting system. 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 distributed 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 distributed 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 shall be conducted by electronic means. All electronic 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 shall 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 Nomination and Elections 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 assembled, 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. A faculty Council meeting may be canceled by proposal of the chair of Faculty Council and the majority vote of the Steering Committee members, except when canceling such a meeting would violate the mandate above. 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 parliamentarian may be appointed by the Faculty Council Chair in order to facilitate orderly transaction of business. A quorum of the Faculty Council shall consist of 50% of the voting members. When members cannot attend the Faculty Council meeting at the physical location specified in person, Faculty Council shall allow for electronic attendance and voting as long as: 1) the quorum will be determined at the beginning of the meeting by posting the roll call (i.e. names of those in attendance in the room and attending remotely), and will be monitored throughout the meeting; 2) a majority of the votes cast, or a greater proportion as indicated by the adopted Parliamentary Authority, shall be necessary for the adoption of motions; and 3) the technology used for electronic meetings shall allow the members full access to and full participation in all meeting transactions in real time. The Dean is requested to provide administrative support for this purpose. 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

a. The Faculty of Medicine shall be organized into departments representing academic disciplines as specified in the Faculty Handbook, Chapter 2 (Organization and Constitution of the University Faculty), Article VII, Sec. B. Departments and Centers in DGMS shall plan and execute programs of research and scholarship and of professional activity and shall train medical students, graduate students, and, in some cases, undergraduate students in its discipline.

b. Each member of the Faculty of Medicine shall have a primary appointment in an academic department or DGMS, which has departmental status (see Article 4.7).

4.2: Function of Departments

a. Each department shall provide a central administration for its academic disciplines. Each department and DGMS 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. Each department shall also allocate resources to support its educational, research, and scholarly activities (Faculty Handbook, Chapter 2, Article VII, Section B). These responsibilities 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 with the exception of DGMS where the dean serves as chair (see Article 4.7). 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 and, in some cases, undergraduate 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.

b. 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 "DCAPTs") 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.

c. DCAPTs may comprise all the faculty members holding full-time primary appointment in the department, except as provided in paragraph 4.2(d), 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 at least three faculty members from among the primary full-time faculty (and other faculty) to serve as the committee.

d. 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. If a department chair does not support a faculty member for promotion and/or tenure, the faculty member may self-nominate. Should a faculty member take advantage of the self-nomination 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-nomination for 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. If the DCAPT does not recommend in favor of the promotion, a faculty member may self-initiate, as described in the Faculty Handbook (Chapter 3, Article I, Section I, Initiation of Recommendations).

e. 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 nominated for appointment, promotion, or tenure.

f. 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.

g. 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.

h. 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.

i. 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.

j. 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.

k. 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 with the exception of DGMS where the dean serves as chair. 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 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, discontinue or merge academic departments shall be submitted to the Faculty Council for review. The Faculty Council shall submit all petitions recommended for approval along with their rationale to the Faculty of Medicine for its consideration. Petitions recommended for approval by the Faculty of Medicine shall be forwarded to the Dean for consideration. The Dean will transmit the petition along with his/her recommendation to the University Faculty Senate for consideration (see Article 2:3b).

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.

4.7: The Division of General Medical Sciences (DGMS)

DGMS was established in 1986 and granted departmental status by the Board of Trustees. As such, DGMS has a representative to Faculty Council and a DCAPT. Faculty may hold a primary appointment in DGMS. DGMS is composed of specialized centers, each with budgetary autonomy, that allocate resources to support their educational, research and scholarly

activities. Each center is headed by a director who recommends candidates for faculty appointment, promotion and tenure and is responsible for conducting annual reviews of full-time faculty members. The Dean of the School of Medicine shall serve as the Chair of DGMS and shall appoint an advisory committee composed of three basic science and three clinical department chairs. DGMS centers may be established or closed by the Dean with the approval of the Advisory Committee; these actions do not require approval of the Faculty Senate or the Board of Trustees. Faculty with primary appointments in DGMS shall retain their primary appointment in DGMS in the event of center closure. In all other regards, DGMS is the equivalent to an academic department.

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) and regular or special (as defined in the Faculty Handbook Chapter 3, Article I). 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. Part-time faculty are those who devote less than 50% of time to approved academic activities at an approved site. See also Article 2.1 Membership of the Faculty of Medicine. 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 (instructor, senior instructor, assistant professor, associate professor, professor) 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. (Chapter 3, Article I, Section B, 6).

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. (Faculty Handbook, Chapter 3, Article I, Section D). 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 in the School of medicine rather than at the department level. For joint appointments, if tenure is granted across two or more schools, tenure will reside in each school (as per Faculty Handbook, Chapter 3, Article 1, Section E).

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 (as per Faculty Handbook, Chapter 3, Article I, Section E).

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 department in which the faculty member has a primary appointment, as determined by a majority vote of the entire constituent faculty of the affected individual; 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. See also Faculty Handbook, Chapter 3, Article IV.

A tenured faculty member may be terminated for financial exigent circumstances only after all faculty members who are not tenured in the School of Medicine 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. Upon written notification by the care-giving parent or parents within one year after each live birth

or after each adoption, an extension of one year of the pretenure period shall be granted by the provost. An extension may be requested: (1) 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) for the purpose of compensating special earlier circumstances disadvantageous to a candidate's tenure consideration (such as serious illness, family emergency, maternity, responsibility as primary care-giver, or extraordinary teaching or administrative assignments). Extensions should be requested in writing 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 these circumstances 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 to primary care-giving parents, as described above. See also Faculty Handbook, Chapter 3, Article I, Section G.

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.

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.

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 Salary Guarantee

Award of tenure for faculty of 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

Appointments and promotions to the ranks of associate professor and professor and the granting of tenure for 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) are initiated as described in Article 4.2d. The dean shall submit these recommendations 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 Appendix 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 at all ranks, the dean shall, prior to reaching a decision, consider the recommendation of the Department's Committee on Appointments, Promotion, 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 or by the Bylaws Committee. The amendment must be accompanied by a rationale for the proposed change. All proposed amendments shall be submitted to the Chair of Faculty Council, the Secretary of the Faculty of Medicine and the Chair of the Bylaws Committee. 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 March 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 notification. During discussion of proposed amendments at a faculty meeting, non-substantive changes in the proposed amendments may be made by majority vote. The organization and justification of proposed amendments on the ballot shall be approved by the Nomination and Elections Committee prior to distribution to the Faculty. The vote on any proposed amendment shall be by electronic ballot of the full-time faculty. Approval shall require an affirmative vote by a majority of those faculty members returning ballots. Ballots shall remain open for three weeks. At least once every five years, the Bylaws Committee shall conduct a full review of these Bylaws and forward its recommendations to the Faculty Council for consideration by the procedures described above.