

**PATTERNS OF
ADMINISTRATION
/PROMOTION AND
TENURE
DOCUMENT**

**DEPARTMENT OF MOLECULAR
VIROLOGY, IMMUNOLOGY AND
MEDICAL GENETICS**

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I. INTRODUCTION

This document represents an overview of the policies, procedures and practices for faculty members in the Department of Molecular Virology, Immunology and Medical Genetics in the College of Medicine and Public Health at The Ohio State University. It represents a supplement to the University Rules and is not intended to be in conflict with either document or with other rules and procedures published by the University. This document is amalgamated from the following previously separate departmental documents: Patterns of Administration, Workload Policy, Promotion and Tenure Procedures, Salary Guidelines, and also contains portions of the Office of Academic Affairs Guidelines regarding Promotion and Tenure Procedures excerpted from the Policies and Procedures Handbook (<http://oaa.ohio-state.edu/handbook/tc.html>). This document is subject to revision based upon faculty input and changes in Departmental, College and University policies and procedures. At the beginning of each four-year term of the Department Chair, either a revision or reaffirmation of this document will be made available to all members of the Department, and a copy deposited in the Office of the Dean of the College of Medicine and Public Health, Office of the Vice President for Health Sciences and the Office of the Provost.

II. MISSION STATEMENT

The mission of the Department of Molecular Virology, Immunology and Medical Genetics is threefold: to conduct research in basic and applied microbiology, immunology, and genetics for the purposes of understanding the mechanisms and control of disease processes, to train graduate, post-graduate and professional students in the disciplines of microbiology, immunology and genetics, and to provide professional service for the general benefit of the life science community and society as it relates to faculty expertise.

The research mission of the department is for faculty to engage in basic, translational, or applied research which will generate new knowledge pertinent to their professional discipline. All faculty will be responsible for the funding of their research programs through grant support, patent royalties or other mechanisms, and will disseminate knowledge acquired from their research through timely publication and other scholarly endeavors. An important part of the research mission of the department is the instruction of graduate, post-graduate, and professional students in the conduct and methodology of research.

The education mission is to strive for excellence in the didactic teaching of basic and applied aspects of microbiology, immunology, and genetics to graduate and professional students. The graduate education mission encompasses research training of Masters and Ph.D. students, i.e., providing experienced mentors, state-of-the-art laboratory facilities and curricula which will prepare students for careers in contemporary microbiology, immunology, genetics and other related fields.

The service mission is to provide professional service through dissemination of knowledge to the biomedical community and to the citizens of Ohio. Professional service also involves service rendered to national agencies in the areas of grant reviewing, journal reviewing, and service to professional societies. Administrative service involves active faculty participation in the governance of the Department, College and/or University.

III. OPERATIONAL PROCEDURES

A. DEPARTMENTAL ORGANIZATION

The Department of Molecular Virology, Immunology and Medical Genetics is organized as a single tenure-initiating unit with one Division, the Division of Human Cancer Genetics. The majority of regular faculty holding primary appointments are located in Graves Hall (with one individual located in the Wexner Center at Children's Hospital). Faculty in the Division of Human Center Genetics are located in the Medical Research Facility.

B. FACULTY MEETINGS

The Chair will schedule a Departmental faculty meeting once every quarter, and the date and time for the meeting will be provided before the beginning of the quarter. Other departmental meetings of the entire faculty will be held when there is department business as determined by the Chair, if four faculty members request a meeting, or there is urgent business. When the needs of the department are pressing or when there is sufficient business to justify same, additional meetings will be held. Faculty are generally notified at least one week in advance of the meeting and provided with an agenda. During departmental meetings, suggestions and concerns from the faculty are aired for consideration by the entire department. Policy matters pertaining to Departmental operation shall be discussed in the faculty meeting and approved by a majority vote of eligible faculty provided a quorum (50% of all regular faculty holding at least a 50% salaried appointment) is present. Minutes of each faculty meeting, including a list of those faculty present, will be taken and circulated to the faculty. The approved minutes, along with pertinent documents distributed at the meeting, will be kept in the Department Office as a permanent record.

All regular faculty with salaried or non-salaried appointments will be invited to faculty meetings. Voting members include all regular faculty of the department with at least a 50% salaried appointment. Voting privileges will be extended to those regular faculty members holding joint appointments on all issues except Patterns of Administration, Workload Policy and Promotion and Tenure except as provided for in the Promotion and Tenure section of this document (see Section VII E). The rules contained in Robert's Pocket Manual of Rules and Order will determine the parliamentary procedure of meetings in which voting is conducted on substantive matters.

C. DEPARTMENTAL POLICY

The regular faculty will be consulted on major policy matters. Recommendations for faculty consideration may come from individual faculty members, department committees, the teaching faculty responsible for a segment of the curriculum, or the Chair. In determining departmental policy, attempts will be made to obtain a consensus of the faculty regarding any given issue. Such a consensus generally enhances the possibility that any policy has a chance of successful implementation. There may, however, be occasions when the department Chair and the faculty consensus may not be in agreement. In those instances where there is disagreement, if the Chair, after considering all the issues, makes the decision not to follow the consensus of the faculty, the Chair will provide an explanation in writing to the faculty.

D. FACULTY COMMITTEES

Faculty committees will include standing and ad hoc committees. Unless otherwise stated, all committees will advise the Chair in areas of their purview following consultation with appropriate sources, including student groups. Standing committees are those which in the continuity of their activities are important to the effective function of the Department. The standing committees include the Graduate Studies Committee (GSC) and the Department Promotion and Tenure Committee (DPTC). The formation of ad hoc committees will be utilized to address focused issues requiring faculty input in specific areas. The Chair will select the committee members and appoint the Chairs of all ad hoc committees. Examples of ad hoc committees include: faculty search, immunology advisory, virology advisory, medical education, ISP/PBL, among others. Unless otherwise stated, any member of the regular faculty is eligible to serve on department standing or ad hoc committees. Auxiliary, non-salaried joint, and emeritus faculty may be appointed to ad hoc committees at the discretion of the Chair. All committees are encouraged to call upon faculty, staff, students and administrators who may have special expertise on matters under consideration for the perspective which they may bring to the deliberation on specific issues. Such individuals are asked to render whatever services are requested, within reason.

1) Graduate Studies Committee (GSC)

The responsibilities of this committee include the admissions function of the graduate program, yearly evaluation of the graduate students, the graduate education program of the department, assignment of graduate student teaching and departmental work assignments in consultation with the department chair, recommendation of faculty for Graduate Faculty Status (in accordance with qualifications set forth in the Graduate School Handbook), and making recommendations to the Chair for stipend support. The committee is also responsible for monitoring the progress of graduate students, as it relates to University and departmental requirements and other functions as outlined in the department Graduate Student Handbook and the university Graduate School Handbook. The GSC consists of a minimum of four members, typically five members, from the Department graduate faculty who are elected by the

Department Graduate Faculty for two-year staggered terms. Members of the GSC will be elected during a faculty meeting. The Chair of the GSC will be elected by the Graduate Faculty for a one-year term, and may not serve as Chair for more than three consecutive years. When considering policy matters or admission of new graduate students, a graduate student representative will be appointed to serve on the Committee. This student will possess voting privileges for these matters. However, the student will not be allowed to attend those meetings that concern graduate student or faculty evaluations.

2) Department Promotions and Tenure Committee (DPTC)

Under University rules, the Committee is charged with the responsibility of advising the Chair in matters pertaining to the promotion and tenure of faculty members. The Chair may ask for committee input in any other matter deemed appropriate such as evaluation of faculty for appointment to Emeritus status.

The Promotions and Tenure Committee shall be composed of all eligible faculty who have a greater than 50% appointment in the Department. The Committee functions as a committee-of-the-whole and all faculty who are eligible, as stated below, are able to vote. According to Faculty Rule 3335-47-04(B)1 "eligible faculty are tenured faculty of higher rank than the candidate excluding the tenure initiating unit chair, the dean and assistant and associate deans of the college, the provost, and the president. For tenure reviews of probationary professors, eligible faculty are tenured professors excluding the tenure initiating unit chair, the dean and assistant and associate deans of the college, the provost, and the president." Additional faculty members who are excluded are those with a familial or comparable relationship with the candidate or those with a professional relationship which may give rise to a conflict of interest. For example, it may be difficult for a faculty member to objectively review a candidate when the faculty member is a co-author on a significant portion of the candidate's publications or when the faculty member is dependent in some way on the candidate's professional services. It will be the responsibility of each faculty member on the DPTC to determine whether a significant conflict of interest exists. A quorum for rendering decisions on individual cases will be a minimum of three members and greater than 50% of the eligible faculty, but at least three members. In the case that there are not enough regular eligible members of the Department, a faculty member holding a joint appointment and the rank of Professor can be elected to the committee by a vote of regular tenured associate professors and professors with greater than 50% appointment in the Department. The Chair of the committee will be a regular member, full Professor elected yearly by the committee.

A Procedures Oversight Designee will be appointed by the department Chair to ensure that the review process is performed correctly, is fair and unbiased. "Although a single committee member is assigned oversight responsibility, all

members of review bodies must accept personal responsibility for assuring that reviews are procedurally correct, fair and free from bias. The Designee should assure that the review body follows written procedures governing its review, and that the proceedings are carried out in a highly professional manner.. Review bodies, not the Procedures Oversight Designee, are ultimately responsible for the quality of the review process, A checklist provided by the Office of Academic Affairs is included in Appendix I.

The Chair of the DPTC will be the liaison between the DPTC and the Chair of the Department, the College of Medicine and Public Health and University administrators regarding promotion and tenure issues. The Chair of the DPTC also will provide a link between the faculty member under consideration and the Committee. The Chair of the DPTC will announce relevant deadlines for submission of information for annual, promotion, and/or tenure reviews, will convene committee meetings as required, will assign primary and secondary reviewers of dossiers, and will communicate results of review to the Department Chair. The Chair of the DPTC also will assign peer evaluators for the purpose of evaluation of teaching by all nontenured regular faculty and those holding the rank below professor.

3) **Ad hoc Committees**

- a) **Medical Education Committee:** This committee will have the responsibility of organizing the lecture and laboratory schedules for the Med II Medical Microbiology course and for evaluating the syllabi in coordination with the Chair of the Department.
- b) **Independent Study and Problem-Based Learning Committee:** This committee will have the responsibility of administering and updating the Independent Study Program and Problem-Based Learning Program in Medical Microbiology and Immunology in coordination with the Chair of the department.
- c) **Immunology Advisory Committee:** This committee will be responsible for coordinating and reviewing the Immunology program of the College of Medicine and Public Health curriculum, as it pertains to this Department, and reviewing the immunology courses within the department in coordination with the Chair of the Department.
- d) **Virology Advisory Committee:** This committee will be responsible for coordinating and reviewing the virology aspects of the Departmental curriculum in coordination with the Chair of the Department.

E. RESOURCES AND SUPPORT SERVICES

The Department of Molecular Virology, Immunology and Medical Genetics (MVIMG) has an obligation to effectively use its resources and support services to fulfill its mission of teaching, research, and service. It is the responsibility of the Department Chair, after appropriate consultation with the faculty, to distribute Departmental services and resources. The items listed below are not intended to be exhaustive but to provide examples of Department resources and support services that facilitate faculty teaching, research or service programs.

- 1) Administrative and secretarial services will be accessible to all faculty members. Secretarial personnel provide assistance with word processing, faxing, xeroxing, scheduling, reception and other communication assistance. In addition to these services, the departmental secretary and administrator are responsible for communicating and expediting all building service requests, processing of travel requests and reimbursements and vacation/sick leave. Business office support services provided by the Department include: processing of requisitions for laboratory supplies, services and equipment; following-up on orders; fiscal assistance, i.e., providing periodic balances on funded research programs, grants or other accounts; budget preparation and special fiscal reporting services, and personnel actions that include processing monthly appointments, hourly payrolls, and benefits.
- 2) Central glassware preparation, sterilization services and general laboratory support services benefit graduate research and teaching programs in the Department. Among the services provided by this centralized operation are: decontaminating, washing, sterilizing and restocking of glassware used in many laboratories. In addition, bacteriological media is prepared for use in departmental teaching programs.
- 3) Departmental large equipment items which have been purchased wholly or in large part using general funds are available to all faculty members in the Department. A list of these common equipment items and their locations is in the main departmental office. Each piece of equipment will have a faculty director appointed by the Chair who will prioritize requests from faculty, assign workload, supervise the use of the instrument, and maintain the equipment.

F. RELEASE TIME FUNDS

Faculty are strongly encouraged to request partial salary support on all extramural research proposals, unless not permitted by regulations of the funding agency. As a guideline, a minimum of 15% effort should be requested, and the percentage requested should be a realistic appraisal of the amount of time to be spent on the project. A maximum contribution without charge (WOC) of 10% effort toward cost-sharing can be listed. Any percent of effort beyond 10% should be reimbursed by the sponsor and requested in the

budget proposal. The release time funds generated will be used to promote scholarly activities in the Department and their availability is limited to faculty members with a MVIMG TIU appointment. Release time funds generated by regular faculty members will be divided as follows: 40% to the faculty member who generated the funds to enhance his/her research and graduate teaching efforts; 10% to the Release Time Committee to disperse upon request by faculty members and graduate students; and 50% to the Department Chair to be used at his/her discretion to support activities and/or programs related to the teaching, research and service missions of the department. Release Time funds for the Division of Human Cancer Genetics will be divided as follows: 10% to the Chair and 90% to the Cancer Center. Release Time Committee funds will be used for (but not limited to): new faculty start-up costs, and service contracts on departmental equipment. Departmental release time monies will be used for (but not limited to): new faculty start-up costs, equipment repair, honoraria or travel expenses for seminar speakers, faculty interim (bridging) research support and routine operating expenses of the department. Requests for release time funds from Human Cancer Genetics faculty will be referred to the Department Chair. A sum of \$500 annually can be requested from the Release Time Committee for faculty members who have been submitting grants but who have not been funded for a time period not exceeding three years.

IV. WORKLOAD POLICY

For the purposes of this workload policy, 40 hrs/week constitutes a full work load. Any additional effort must be considered as donated time. This workload policy is intended as a guide for assignment of duties and evaluation of performance. It is to ensure that all faculty have comparable and equitable duties and a full understanding of expectations.

A. INSTRUCTIONAL ACTIVITY

All faculty are expected to participate in the instructional program within the department. Each faculty member is expected to devote on the average 25% of his/her effort to teaching.

1) Instruction of medical/professional students. All faculty are expected to participate in the department's instructional program for medical/professional students. This includes the Medical Microbiology section of Med II (lectures and laboratories), the Immunology section of Med II, the ISP Immunology Module, the ISP Microbiology Module (lecture and laboratory), Problem Based Learning (PBL), elective courses and other instructional activity as described below. Where instruction assumes the lecture format, effort will be credited to faculty for hours of lecture and also for time required for preparation (this is construed as three (3) hours on the average for each one hour of lecture, but may vary depending upon individual circumstances). Where instructional activity entails formats other than lectures, such efforts will also be recognized.

2) Instruction of graduate students. Each faculty member should have primary responsibility for one graduate course, other than 999. Effort will be credited to faculty for hours of lecture and also for time required for preparation (this is construed as five (5) hours on the average for each one hour of lecture, but may vary depending upon individual circumstances). Where instructional activity entails formats other than lectures, such efforts will also be recognized.

All faculty members in the department hold Graduate Faculty - P status. All faculty members are expected to serve as the major advisor for at least one graduate student. This responsibility includes obtaining funds from sources other than the departmental operating accounts to support the student's research. Effort will be credited to the faculty member for serving as the primary or co-advisor for other graduate students as well as for serving on graduate student's advisory committees.

3) Maximum and Minimum Instructional Responsibilities per year. A minimum of 10% and a maximum of 80% per week shall be devoted to instructional activity.

4) Examples of activities that are included under the department's teaching mission are (but not limited to):

A. Teaching Professional Students (LD, ISP, PBL)

1. LD: Lectures/Tutorials:

- organization of courses
- preparation of lectures and tutorials
- preparing student handouts, teaching slides and other visual aids
- presenting lectures
- attending post examination sessions
- office visits with students to answer questions
- preparing and grading examination questions
- serving as coordinator
- calculating and submitting final grades

2. LD: Med II Microbiology Laboratories:

- serving as coordinator
- participant in laboratory instruction
- preparation time for laboratory session
- review and modify laboratory tests
- review and update laboratory manual

3. ISP Study Program:

- coordinator
- review and update teaching modules and reading assignments

review and update supplemental reading and graphics materials
review and update tutorial evaluation system (TES) (computer)
review and update computer-assisted instruction (CAI) program
review and update laboratory manual
review and update laboratory preparation manual
review and update teaching manual for laboratory sessions
order and collect laboratory materials
preexamination sessions for students
preparation of examinations
private sessions to remediate students
special sessions with small groups of students

4. PBL Program:
 - serving as coordinator
 - enrichment sessions (lecture and discussion) with small groups of students
 - preparation for enrichment sessions
 - preparing and grading examinations
5. Elective Courses:
 - serving as coordinator
 - conducting class sessions (lecture and discussion) with small groups of students
 - preparation for class sessions
 - evaluating students
6. Other Duties:
 - preparing computer programs/software for teaching
 - reading scientific literature to remain current
 - advisors for medical students
 - travel time for faculty not located on campus
 - clinical instruction

- B. Teaching Graduate Students
 - teaching graduate level courses (including preparing and grading examinations)
 - reading scientific literature to keep current
 - preparing student handouts, teaching slides and other visual aids
 - organizing departmental seminar program
 - attending to visiting speakers (pick-up, lunch, dinner etc.)

teaching 999
supervising graduate student research
office visits with students to answer questions, plan
experiments, review data, prepare for meetings etc.
serving on graduate student exam committee (includes
submitting and grading exam as well as reviewing
grant application)
serving on graduate students' dissertation committees
(includes reading and revising dissertations)
serving as Graduate School representative on oral exams
organizing and/or participating in MMI 814 (Journal Club)

- C. Teaching Post-Doctoral and Graduate Professional Students
(Residents, Fellows)
 - teaching post-doctoral students new techniques
 - supervising post-doctoral and/or graduate professional
students
 - office visits with students to answer questions, plan
experiments, review data, prepare for meetings etc.
- D. Teaching Summer High School and College Students
- E. Teaching Summer High School Teachers
- F. Teaching Short Courses and Workshops
- G. Teaching and Participation in Teleconferences

B. RESEARCH/SCHOLARLY ACTIVITIES

It is expected that faculty maintain a viable, competitive research program. This can be demonstrated by obtaining outside funds, publishing in peer reviewed journals, presenting the results of research at regional, national and international meetings and training graduate students/postdoctoral fellows. Each faculty member is expected to devote an average of 65% of their time to research (scholarly) activities.

The following criteria represent a minimum level of research activity:

- 1) Faculty are expected to obtain outside funding to support their research program. If faculty are not funded, they should be making a serious attempt to obtain funding. This should involve the submission of at least two grant proposals to national agencies per year or three grant proposals to regional agencies or foundations. The faculty member should demonstrate that there is an improvement in priority scores when a revised grant proposal is resubmitted to the same agency.

- 2) Faculty are expected to publish on the average 2.0 research papers or review articles per year.
- 3) All faculty members or their students should present a minimum of one presentation per year at regional, national or international research meetings.
- 4) Since all faculty members have Graduate Faculty P status and qualify to train PhD students, all faculty are expected to teach graduate students as a part of their research program.

Examples of activities that are included under the department's research mission are (but not limited to):

- conceptualizing and planning research
- reading scientific literature (both old and new)
- laboratory bench work
- writing scientific papers and/or books
- writing grant applications
- attending professional meeting (whether or not individual is presenting lecture, paper or poster) and preparation for presentations
- supervising high school students and/or teachers, undergraduate, medical, dental, graduate and/or post-doctoral students, visiting scholars and fellows in the laboratory
- discussing research with colleagues and visiting scholars
- corresponding with and/or sending reagents, strains, techniques, reprints, and other information to off-campus colleagues
- consulting with health-oriented organizations such as NIH, CDC
- training/supervision of research assistants and/or associates
- patents and patent preparation
- commercialization of published research
- software development

C. SERVICE

A minimum of 10% per week shall be devoted to service activity.

Examples of activities that are included under the department's service mission are (but not limited to):

- departmental/program administration
- serving on departmental, college and/or university committees
- serving on off-campus professional organization committees
- participating in faculty meetings (departmental, college, university)
- presentations at local public schools
- participating in local and state science fairs

editing or reviewing manuscripts for professional journals
serving as editor/associate editor/ on editorial board of a professional journal
reviewing grants for granting agencies
serving on study sections of granting agencies
organization of research meeting or symposium
reviewing applications for student research projects, i.e. Roessler's and Undergraduate Honors Program
service to charitable, non-profit or governmental organizations where it pertains to professional or educational expertise
distribution of information to the public

D. MECHANISMS FOR DEPARTURE FROM STANDARD

The amount of time devoted to each activity (instructional, research/scholarly, service) should be balanced among faculty to ensure and assure an equitable work load. Faculty not released by the University to perform externally funded research as principal investigator (PI) or co-principal investigator (Co-PI) will assume a greater share of the teaching and or service responsibilities in the department.

New faculty with the rank of Assistant Professor should be given special consideration by being assigned to less teaching and service to assist them in getting their research program established. This period should be limited to two years.

E. DISCLAIMER

This policy does not constitute a contractual obligation. Fluctuations in demands and resources in the department (College, University) and the individual circumstances of faculty members may warrant temporary deviations from the policy.

V. LEAVE AND RELATED POLICIES

A. ABSENCE FROM DUTY

Faculty rule 3335-5-08, Absence from Duty

Absence of any member of the teaching staff from ordinary service in the university, for any causes other than sickness, must be with the knowledge and approval of the chairperson or director and of the dean of the college and, if for longer than ten days, with the approval of the provost. Sick leave is granted on approval of the appropriate administrative official when notification is given as soon as practicable, presumably on the first day of absence.

Faculty members are required to fill out a Leave Form when they will be absent from the University. Such forms will be submitted to the departmental office prior to leaving and must be signed by the department Chair or acting Chair.

B. SICK LEAVE

When illness prevents a faculty member from meeting core obligations that cannot be shifted to another time (such as formal classes or committee meetings), or results in a faculty member being unavailable to students, staff, or colleagues for a full day or more, sick leave should be taken. A Leave Form must be completed and submitted, usually after the faculty member returns to work.

C. POLICY ON PAID EXTERNAL CONSULTING (OSU policy dated 3/20/98 and approved by the Board of Trustees)

Consulting is participation by faculty members of the Ohio State University in activities of government, in industry, and in other private institutions which generally serves the academic interests of the University. The following activities are NOT subject to this policy's guidelines and reporting requirements:

- 1) External professional activities that reflect normal and expected public service activities of faculty and that do not entail compensation beyond reimbursement for expenses and/or a nominal honorarium. These activities include service to governmental agencies and boards such as peer review panels and advisory bodies to other universities; presentations to either professional or public audiences in such forums as professional societies, libraries, and other universities; and peer review activities undertaken for either for-profit or nonprofit publishers.
- 2) Health care activities that are explicitly covered by approved practice plans.

Faculty members are encouraged to engage in paid external consulting to the extent that these activities are clearly related to the mission of the University and the expertise of the faculty member, provide direct or indirect benefits to the University, and do not entail a conflict of commitment or conflict of interest.

As a general rule, a faculty member's professional effort devoted to consulting should not exceed one business day per week. Prior approval must be obtained as outlined in the procedures below. Faculty members should avoid any conflict or appearance of conflict between consulting and University responsibilities. In particular, the disruption of formal instructional activities because of consulting must be avoided. Consulting during off-duty quarters is not subject to time limitations.

Under Ohio law, the University owns any intellectual property that is a "product of University research" as defined in Section B of the Policy on Patents and Copyrights. The

external consulting policy applies to faculty members from the initial date of employment, including during off-duty quarters, until the date of resignation. When consulting, faculty members must not assign to other entities the rights to a product of University research. Before signing a consulting agreement that requires assignment of intellectual property rights, a faculty member should contact the Office of Technology Transfer to determine the applicability of the Policy on Patents and Copyrights.

Faculty may not, in connection with paid external consulting, use the University name, or the fact that they are affiliated with the University, in a manner which:

- 1) Suggests that the University approves or disapproves of a product or service provided by a profit, non-profit, or governmental entity, or,
- 2) Suggests that the University has performed research or issued research findings when it has not done so, or misleadingly states the results of University research, or,
- 3) May be interpreted to communicate the official position of the University on any issue of public interest.

Faculty may not use University letterhead in connection with paid external consulting, nor may they use University facilities, and other resources to support consulting unless permission is obtained from the department Chair and the University appropriately compensated.

Faculty may not use University Institutional Review Boards, e.g., the Human Subjects Review Board, for research conducted as part of a consulting arrangement.

Faculty members are personally responsible for any damages or claims for damages which may arise in connection with their consulting activities. The limited immunity conferred by Section 9.86 of the Ohio Revised code does not apply to consulting.

- Procedures

- 1) Reporting Requirements
 - a) Prior approval: A faculty member must complete the Paid External Consulting Approval form for each consulting arrangement. These forms shall be filed with the Department Chair. All paid external consulting related to one's area of expertise requires prior approval. If a faculty member engages in external professional service without first obtaining approval or participates in service activities without first obtaining approval, or participates in activities that have been disapproved, a complaint may be filed against the faculty member under Faculty Rule 3335-5-04.

If a proposed consulting arrangement causes or could be perceived to cause a potential conflict of interest, the faculty member must file a Conflict of Interest Form along with the Paid External Consulting Approval form.

All absences from duty of one full business day or more resulting from consulting, and all absences resulting from consulting that cause a missed commitment such as a class require the prior approval of the Department Chair or other unit administrator. The Human Resources Application for Leave form is used for this purpose.

b) Timing of reporting: Some consulting arrangements are on-going (e.g., as a consulting arrangement with a company) whereas others occur at a specific moment in time. For on-going activities, the faculty member may complete a single Paid External Consulting Approval form for that activity to cover the entire time during which the activity will take place, but not beyond the end of the fiscal year in which the form is filed. A new form is required if the activity continues into another fiscal year. Each non-continuing activity during a fiscal year requires a separate form. These forms must be filed with the department Chair sufficiently in advance of the planned activity to permit time for a meaningful approval process, including the development of a plan to manage any conflict of interest or other legal issues posed by the proposed activity.

c) Approval mechanism: The Paid External Consulting Approval form must be approved by the department Chair, and Dean A copy of the form will be filed in the faculty member's primary personnel file. If the department Chair does not approve the proposed activity, the faculty member may appeal to the Dean. If the Dean does not approve the proposed activity, the faculty member may appeal to the Provost. The Provost's decision shall be final.

D. FINANCIAL CONFLICTS OF INTEREST POLICY (OSU Policy approved by Board of Trustees 7/3/98)

1) Definition

Faculty at The Ohio State University accept an obligation to avoid financial conflicts of interest in carrying out their professional work. A conflict of interest exists if financial interests or other opportunities for tangible personal benefit may exert a substantial and improper influence upon a faculty member or administrator's professional judgment in exercising any university duty or responsibility, including designing, conducting or reporting research.

2) State and Federal Laws and Regulations

Federal regulations require the University to adopt a policy governing conflicts of interest in research. In addition, faculty members should be aware that they are also subject to various provisions of Ohio Law governing ethics and conflicts of interest in public employment. For example, as a general rule, a university employee may not have an interest in a contract involving the university. In addition, an employee may not use his or her authority or influence to obtain a contract between the university and a family member or business associate of the employee. A university employee may not accept compensation for the performance of his or her university duties from any person or entity other than the university. Finally, the Ohio Ethics Law prohibits university employees from accepting anything of value that will exert a substantial and improper influence upon them with respect to their university duties. Additional information about the requirements of Ohio law may be obtained by consulting the Office of Legal Affairs.

3) Policy

Faculty members, including administrators with faculty appointments, are expected to review their professional activities to determine if conflicts of interest may exist, and to avoid activities that entail or create a conflict of interest.

If a faculty member is engaged in externally funded research, performs consulting, or has other business interests that may create conflicts of interest, the faculty member shall report and manage the activity in a way that will avoid any conflict. The procedures for reporting and managing such activities shall be promulgated by the Office of Academic Affairs in consultation with the Conflict of Interest Policy Advisory Committee. If the activity cannot be managed to avoid the conflict, the faculty member must refrain from participating in the activity. Examples of situations that might entail or create a conflict of interest are presented below. The examples are by no means exhaustive and are provided only as samples of some commonly encountered situations.

Having significant involvement and/or financial interest in an entity that does business with the University.

Participation in research that is funded by an entity in which the faculty member of the faculty member's family is involved or hold a significant financial interest.

Entering into consulting agreements that purport to transfer to a private entity intellectual property that belongs to the University. (See the University's Policy on Patents and Copyrights for further detail).

Use of one's professional expertise to provide services that compete with services provided by an academic entity within the University.

The University encourages faculty authorship of instructional materials and does not discourage the use of such materials in courses in the faculty member's department. However, it must be ensured that instructional materials are selected on their academic merit and that there is no significant conflict of interest or appearance of conflict of interest in the selection of such materials.

This policy shall apply to ongoing and future activities, research grants, projects or programs but not to completed purchases, past transactions or past research grants. The latter are subject to applicable University policies in place at the time these activities were undertaken. Failure to comply with this policy may result in the filing of a complaint against the faculty member under Faculty Rule 3335-5-04. If the conflict of interest involves a research project administered by the University, whether or not that administration is through the OSU Research Foundation, any action legally required by the funding agency will also be taken.

E. RESEARCH LEAVES

Research leaves include Faculty Professional Leave(s) (FPL) and Special Research Assignments (SRA). Both provide faculty with opportunities to focus their attention on scholarly endeavors. In both cases the proposed use of the leave should meet the special needs of the faculty member in ways that advance the interests of the Department. The FPL program is available only to tenured faculty with at least seven years of service at The Ohio State University. The SRA is of potential value to any faculty member who needs a quarter free from other duties to make concentrated headway in his/her scholarly endeavors. SRA is particularly recommended for probationary faculty. All FPL and SRA proposals will be evaluated at the Departmental level by the Department Chair. The Chair will act as a monitoring agent to be sure that the approved purpose for these leaves is fulfilled. It is inappropriate for a SRA and a FPL to occur in contiguous quarters.

1) Faculty Professional Leaves

The Faculty Professional Leave(s) (FPL) program should be considered for any period of intensive study or research of one academic quarter up to one full term of appointment. Faculty applying for FPL must indicate in writing that they understand and accept their obligation to return for a full year of service to the University following completion of the FPL. They also must send a brief written report of their accomplishments during the leave to the -Office of Academic Affairs with a copy to the Dean of the College, and Chair. A Faculty Professional Leave can

be taken for one quarter at full pay, two quarters at three-fourths pay, or three or four quarters for two-thirds pay. While on a FPL, faculty members are encouraged to apply for grants to support their research and to augment their stipend to the approximate level of their full-time salary, provided that the activity for which compensation is received is supportive of the purpose of the FPL. For additional details, refer to Resolution #78-21 of the OSU Board of Trustees regarding the FPL Program.

Department- and College-approved proposals must be submitted for approval to the Office of Academic Affairs which verifies that the proposals are consistent with the technical requirements of the program. Faculty Professional Leaves approved by the Provost will be recommended to the Board of Trustees for action. Because proposals must be submitted to the Office of Academic Affairs six months prior to the beginning of the FPL, the Department deadline for proposals must allow two additional months for review at the Departmental and College levels.

2) Special Research Assignments

Special Research Assignment(s) (SRA) are normally granted for one academic quarter (12 weeks). Proposed activities for a SRA could include (but are not limited to): 1) studying a new laboratory technique or conducting research at a specially equipped laboratory; 2) collecting data including specimens in another part of the United States or in another country; 3) spending a period of intensive study or writing usually leading to the completion of a major manuscript, book, or journal article(s).

A quarter free from responsibilities other than research may be especially valuable at a key time in the probationary period of junior faculty. A Special Research Assignment would also be appropriate for a major course development and implementation effort as part of an important curriculum revision but not for routine course preparation.

The SRA request must be evaluated and approved by the Department Chair, and approved by the Dean of the College. Special research assignments will be awarded on a competitive basis within the Department. The number of SRAs awarded in any academic year should not exceed 10% of the full-time equivalent faculty in the Department. Deadline for submission will be two months prior to the beginning of the proposed SRA.

An unpaid leave of absence rather than a SRA is required if a faculty member is to be paid full salary by another institution during the period in question. The principle to be followed is that faculty cannot be paid twice for the same work, i.e., once by the University and once by an external body. Such double-compensation is illegal under Ohio law, Chapters 102 and 2921 of the Ohio Revised Code. Faculty

members should specify in the SRA proposals any non-Ohio State University compensation they will receive during the SRA.

F. LEAVES OF ABSENCE INCLUDING FAMILY AND MEDICAL LEAVE

1) Unpaid Leave of Absence

An unpaid leave of absence may be requested by faculty or staff for a variety of reasons. Professional reasons include the opportunity for faculty to take a temporary paid position outside the University that will enhance professional development. Personal reasons may include family difficulties or other matters that prevent a faculty or staff member from carrying out duties for a relatively short period of time or illness that continues after a faculty or staff member has used all paid sick leave. Paid sick leave must always be used before a leave of absence is granted for illness.

Leaves of absence require approval of the Department Chair, Dean, and Provost/Office of Human Resources. Approval is necessarily based on the reasonableness of the request and, in the case of leaves for professional purposes, the potential value of the proposed leave to the Department. A leave of absence is not granted for more than one year at a time and leaves may not exceed two consecutive years for faculty. Leaves of absence will not be granted to individuals who are leaving to accept new positions, except in extraordinary circumstances.

An unpaid leave of absence for the 1996-97 academic year and beyond will no longer automatically stop the tenure clock for probationary tenure-track faculty. A request to exclude the period of the leave must be processed under the terms of Faculty Rule 3335-47-041 and that rule describes the considerations involved in determining whether excluding the time of the leave from the probationary period is warranted.

2) Family and Medical Leave

The Department supports a work environment that offers solutions to the complex issues individuals face in balancing their work and family commitments. Family and Medical Leaves (FML) provide eligible faculty and staff members up to 12 work weeks (480 hours) of leave during any 12-month period for one or more of the following reasons: 1) to care for a child during the first year following birth, adoption or foster care placement; 2) to care for a family member who has a serious health condition; and 3) to take care of a serious personal health condition that prevents an employee from performing his or her job. Such leave may be paid or unpaid as appropriate under University policy guidelines and eligibility requirements established in the document, OSU Office of Human Resources Policy and Procedure Manual for Family and Medical Leave. A request for FML is subject to the approval

of the Chair who will base his/her decision on compliance with the provisions of this policy.

VI. PROCEDURES FOR HANDLING APPEALS, GRIEVANCES, AND MISCONDUCT OF FACULTY, STAFF AND STUDENTS

Appeals, grievances and misconduct can involve a wide range of issues. Several common types will be discussed here. The Chair or his/her designee will be responsible for implementation of the faculty, staff and student appeals and grievance procedures. When presented with a grievance, the Chair will consult with the Dean of the College and with appropriate University personnel knowledgeable in handling grievances (i.e., relevant vice Provost, representative of the Offices of Employee Relations or Legal Affairs) if there is any question regarding proper process or if the grievance includes complex issues. It is hoped that such early consultation can prevent further complication of the issues.

In handling any type of grievance, appeal or misconduct, the Chair of the Department or his/her designee will communicate to others as appropriate, that retaliation of any form against a person who files a grievance is illegal and will not be tolerated.

A. PROMOTION AND TENURE APPEALS

The primary basis for an appeal of a negative promotion and tenure decision is improper evaluation. Faculty Rule 3335-5-05 requires that faculty members alleging improper evaluation first attempt to resolve the matter within their Department and College before bringing the matter to the Committee on Academic Freedom and Responsibility. All parties including the Chair and Dean will handle such allegations with an appropriate degree of formality and, depending on the nature of the allegation, consideration by the Department and/or College promotion and tenure committees may be appropriate. A summarized written response to the allegation(s) will be provided. The above-mentioned Faculty Rule also describes the detailed procedure to be followed should reasonable efforts at the Department and College level fail to find a resolution of such allegations.

B. FACULTY SALARY APPEALS (OSU FACULTY SALARY APPEALS PROCESS DATED 10/1/98)

1) Introduction

Given the importance of salary to individuals, the fact that funds for salaries are limited, and the fact that in allocating those funds, decision makers must make choices that benefit some more than others, some degree of salary dissatisfaction is unavoidable. Eliminating that dissatisfaction is impossible. However, varying salary levels among individuals should be consistent with differences in the factors that appropriately affect salary (see B.3). This appeals process is intended to address only

salary appeals that are based on the appellant's belief that his or her salary is lower than comparable faculty within his or her academic unit and that the salary disparity cannot be explained by factors that appropriately affect salary levels. The eligibility criteria for use of this process are described in 2.

2) Eligibility

Faculty who meet all of the following criteria may use this process:

- (A) They are regular faculty members.
- (B) They do not receive part of their OSU compensation from a health care practice plan.
- (C) Their salary is 5% or more below the average salary of all other faculty of the same rank in their academic unit or in a recognized discipline or subdiscipline with a distinct salary market within their academic unit. There must be at least two such faculty, in addition to the appellant, for these procedures to apply. Further, these faculty must allege that the salary disparity cannot be accounted for by differences in years of service and years in rank, productivity in teaching, research, and service, centrality of the person's work to the academic unit, past/present administrative duties, market factors, other factors set forth as legitimate bases for salary determination in the faculty member's academic unit appointments, promotion and tenure document or pattern of administration or otherwise consistently communicated and applied in hiring and merit salary increase decisions.
- (D) Three full academic years have passed since a final decision was rendered on a faculty member's previous appeal under this process (including the faculty salary appeals process in place from January 1995 through September 1998). For example, if a faculty member uses this process during the academic year 1998-99 and a final decision is rendered in that time period, he or she may not use the process again until the 2002-03 academic year. This process is not intended to address all bases of dissatisfaction with salary. Faculty with salary concerns who are not eligible for review under this process may seek information about and resolution to their concerns through discussion with the Department Chair.

3) Summary of the Appeals Process

The faculty member using this process bears full responsibility for documenting the appeal. He/she presents the formal appeal to the Department Chair who reviews the documentation and responds in writing. The Chair either dismisses the appeal or proposes a salary adjustment. If the appellant is dissatisfied with the Chair's recommendation, he/she can refer the appeal to the College Investigation Committee. This Committee reviews the documentation and makes a recommendation to the Dean of the College. The Dean then accepts, amends, or rejects the faculty committee's recommendation. If the Dean determines that a salary adjustment shall be made, the Dean shall determine the amount and the timing of that increase. The Dean communicates the final decision to the appellant, Department Chair and College Investigation Committee. The full Salary Appeals Process can be found on the OSU website (<http://www.admin.ohiostate.edu/OAA/Handbook/XIII-salaryprocess.html>).

C. STUDENT COMPLAINTS ABOUT FACULTY IN AN EDUCATION SETTING

If a complaint is made by a student against a Departmental faculty member, the Department Chair or designated member of the GSC will discuss the complaint with that person. If, after talking with both the complaining student(s) and the Professor, the Chair or designee believes that the complaint has no merit, an explanation will be provided to the student(s). If the Chair or designee determines that the complaint has merit, he/she will work with the faculty member to resolve the matter. A report of the complaint, the finding, and resolution, if relevant, will be prepared and a copy given to the faculty member and placed in his or her personnel file. If the complaint was found to be without merit, this record protects the faculty member. If the complaint was found to have merit, the record may be important if there are future complaints. Some complaints, of course, cannot be resolved. Nonetheless, the Chair will keep a record of such complaints in order to determine whether a pattern develops.

D. STAFF GRIEVANCES

Staff may present their grievances about working conditions, treatment by others or other problems which, if true, would warrant remedial action. The Chair or his/her designee will investigate the situation to determine the validity of the grievance and follow up as appropriate. When the problem takes the form of on-going conflict between individuals who must necessarily work together or be in close proximity, it may be appropriate to seek mediation and/or establish ground rules for interaction between the parties. It may be appropriate in some cases for the Chair to consult with the Office of Employee Relations for advice in addressing the staff grievance.

E. GRIEVANCE ALLEGING DISCRIMINATION

Problems of this nature should be brought directly to the attention of the Department Chair. The Department Chair will initially discuss all such grievances with a staff member of the Office of Employee Relations for advice on proper handling.

F. PROCEDURES FOR HANDLING ACTS OF MISCONDUCT

Misconduct includes violations of University rules and policies, violation of laws, and behavior that any reasonable person would judge to be unacceptable whether articulated or not in a specific policy or law.

Any allegation of misconduct on the part of faculty, staff or students, which if found to be true would require remedial action, and must be investigated under procedures appropriate to the situation. If the allegation is presented orally to the Chair, the Chair will listen carefully and elicit additional information as needed. However, most often the appropriate response will be to describe to the individual making the allegation the steps the Chair will take to investigate the situation. Normally it also will be appropriate and desirable to indicate when the individual making the allegation can expect a timely response and further information from the Chair. If the allegation is presented in writing, the Chair will indicate that the complaint will be investigated and every effort will be made to respond by a reasonable future date.

Any allegation of criminal behavior should be referred to the University Police. Allegations of academic misconduct by professional students should be referred to the Student Council of the College of Medicine and Public Health. Allegations of other types of student misconduct should be referred to the Office of Student Judicial Affairs of the University. Allegations of staff misconduct should be referred to the Office of Consulting Services. Allegations of faculty misconduct are normally handled under the provisions of Faculty Rule 3335-5-04. Allegations of sexual harassment may be handled in a variety of ways (refer to the OSU Policy and Procedures Manual on Sexual Harassment).

In 1992, a panel convened by the National Academy of Sciences, National Academy of Engineering, and the Institute of Medicine released a report that defined misconduct in science as fabrication, falsification or plagiarism in proposing, performing, or reporting research. Misconduct in science does not include errors of judgment; errors in the recording, selection, or analysis of data; differences in opinions involving the interpretation of data; or misconduct unrelated to the research process. Legitimate allegations of scholarly misconduct are handled according to the provisions of the Scholarly Misconduct Policy (refer to the OSU Council of Research and Graduate Studies Guidelines on Misconduct in Scholarly Activities).

It is expected that departmental faculty, staff and students will behave in a mutually respectful and collegial manner. This means treating departmental colleagues, faculty, staff, and students with respect and working constructively on behalf of the department