

APPALACHIAN COLLEGE OF PHARMACY

Innovative Pharmacy Practice and Education



Faculty Handbook

Appalachian College of Pharmacy ©
1060 Dragon Road • Oakwood, VA 24631
Phone (276) 498-4190 • Fax (276) 498-4193
<http://www.acp.edu/>

The policies set forth in this handbook are primarily for informational purposes and are subject to change upon approval of the Faculty, President and the Board of Trustees. Duties and obligations contained herein that are contractual in nature are subordinate to the employment contract executed by the faculty and the College. If a conflict arises between the two documents the terms of the employee's employment contract shall supersede the conflicting terms in this faculty handbook. The Appalachian College of Pharmacy is an IRS 501c3 organization under the laws of the Commonwealth of Virginia.

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Introduction

The Appalachian College of Pharmacy (ACP) offers Virginia's first and only three-year Doctor of Pharmacy degree. The mission of the College is:

The Appalachian College of Pharmacy, a college of higher education conferring the Doctor of Pharmacy degree, provides academic, scientific, and professional pharmacy education to address the health-related needs of rural and underserved communities, particularly those in Appalachia, through education, service, and scholarship. The philosophy of the College is to cultivate a learning community committed to education, community outreach, and the professional development of pharmacists.

Through the Pharmacists in Community Service Program (the "PICS Program"), students must participate in at least 150 hours of community service over their three year enrollment in the Doctor of Pharmacy program, much of which focuses on healthcare issues in the Appalachian region. Graduates will learn how to assess and address the unique health needs of medically underserved populations using evidence-based interventions and by doing so, will become a valued member of the healthcare team and community.

Through service, outreach, and research endeavors, the College serves those who suffer from drug and tobacco addiction, asthma, obesity, and diabetes. Outreach efforts continue through the newly established college wellness clinic. Faculty provide patient education and medication therapy management services for the Remote Area Medical events, College's Clinic, and PACE (Program for All-inclusive Care for the Elderly) sites in Big Stone Gap and Cedar Bluff, Virginia

The College of Pharmacy was created to serve regional needs and to provide a beacon for progressive pharmacy practice and education that will shine nationally for its academic excellence and innovations in rural healthcare delivery.



Organization

A. Establishment

The Appalachian College of Pharmacy was officially formed in August of 2003 as the University of Appalachia. The Buchanan County Board of Supervisors commissioned Frank Kilgore, the Buchanan County Assistant County Attorney to put together the legal and financial infrastructure of the private, non-profit institution. Mr. Kilgore became the founding chairman of the College. In August 2005, the College’s Board of Trustees launched its first program, Virginia’s only three-year Doctor of Pharmacy program. Dozens of other individuals, agencies, foundations, and economic development entities have given and continue to give essential help to the College, contributing to the quick start-up and momentum the College now enjoys.

B. The Board of Trustees

The Appalachian College of Pharmacy is governed by a Board of Trustees who hold various professional degrees or private, professional, or corporate positions in Central Appalachia. A current roster of Board Members and their primary affiliations is listed at <http://www.acp.edu/board-of-trustees/>

The Board of Trustees has the following responsibilities:

- Setting institutional policies;
- Fiscal administration and budget approval;
- Hiring, evaluating, overseeing, and dismissing its President and counsel;
- Approving new programs and discontinuing existing programs of study upon recommendation of its administration and Dean with faculty guidance;
- Conferring of degrees, including honorary degrees, upon recommendation of the Dean and faculty;
- Assisting in fundraising activities; and
- Being the final judge in all matters of dispute within the College of Pharmacy, except as otherwise stated herein or in the *ACP Personnel Policies and Procedures Manual*.

The By-Laws of the College's Board of Trustees provide the rights and responsibilities, and the framework within which the Board functions. The ACP Board of Trustees Bylaws may be found in the Office of the Legal Counsel.

C. College of Pharmacy Administrators

Appendix 1 illustrates the organizational chart of the Appalachian College of Pharmacy.

1. President

The President is chief executive officer of the College and reports directly to the Board of Trustees. The President is responsible for all the fiscal, administrative and personnel policies and procedures of the College.

2. Dean

The Dean of the College is the chief academic officer of the College. The Dean reports to the President of the College. The Dean is the representative of the faculty, the students and staff of the College. The Dean is responsible for all fiscal, administrative and personnel policies and procedures of the College.

3. Director of Advancement

The Director of Advancement is charged with leading the fundraising activities of the College and reports directly to the President.

4. Assistant Dean of Academic Affairs and Assessment

The Assistant Dean of Academic Affairs and Assessment reports to the Dean and directs the development, implementation, coordination, and evaluation of the Doctor of Pharmacy curriculum.

5. Assistant Dean of Students and Alumni Affairs

The Assistant Dean of Students and Alumni Affairs reports to the Dean, acts as an ombudsman for students, and provides leadership for activities associated with student recruitment and admissions for the College. The Assistant Dean of Students and Alumni Affairs has oversight for student scholarship programs, student counseling, addressing student requests for accommodation, student pharmacy organizations and professional fraternities, recreational activities for students, and outcomes assessment.

6. *Chair of Pharmacy Practice, and Administrative and Social Sciences*

The Chair of Pharmacy Practice programs reports to the Dean and is responsible for development of the teaching, service, outreach, clinical practice, and research programs in the clinical sciences and administrative and social sciences.

7. *Chair of Pharmaceutical Sciences*

The Chair of Pharmaceutical Sciences reports to the Dean and is responsible for development of the teaching service, outreach, and research programs in the basic sciences.

8. *Director of Academic Records and Admissions (the “Registrar”)*

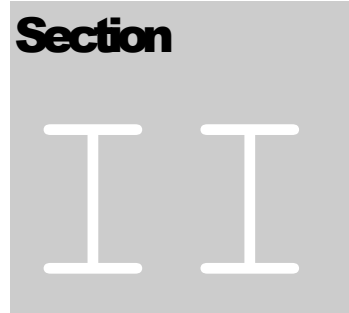
The Director of Academic Records and Admissions (Registrar) reports to the Dean for registrar functions and to the Assistant Dean of Students for functions and responsibilities related to student admissions and financial aid. The director is responsible for maintaining all College academic records, certifying enrollment, assessing students’ financial aid needs, administering registration, issuing official and unofficial transcripts and managing and certifying grades.

9. *Chief Financial Officer (CFO)*

The Chief Financial Officer reports directly to the President of the College. The Chief Financial Officer is responsible for overseeing the financial transactions involving the College, including but not limited to: purchasing, payroll, benefits, and insurance.

D. College of Pharmacy Governance

Governance within the College of Pharmacy is outlined in the Faculty By-Laws (Appendix 2).



Professional Responsibilities of Faculty

A. Faculty Obligations

1. Basic Obligations

- a. Regular faculty appointments carry those responsibilities and privileges traditionally identified with academic positions. Faculty are responsible for planning and delivering curricula that is consistent with the educational goals of the institution, for identifying and evaluating probationary faculty members within the college and its departments, and for participating in the governance of the institution. While a minimum of specified restrictions are imposed on the activities of a faculty member (as stated in the *ACP Personnel Policies and Procedures Manual*, *ACP Faculty Handbook* or the employee's employment contract), the faculty members are under obligation to render to the College of Pharmacy the most effective service for which they were hired or contracted. Moreover, faculty members are expected to increase their depth and range of competency with increased length of service. Each member of the faculty has a responsibility to develop their professional proficiency.
- b. Faculty member obligations may fall into one or more of five broad areas:
 - i. academic and clinical instruction;
 - ii. research and scholarly activities;
 - iii. professional development;
 - iv. administrative and related duties; and,
 - v. professional/community service.
- c. These broad statements of faculty responsibility mean that faculty members are accountable to the College of Pharmacy during the term of their contract for all necessary or appropriate teaching, research, clinical practice, administrative, and/or service obligations. More specifically, this means that faculty members are obligated to meet all their scheduled classes, to schedule and be available for consultation hours in their office, and to attend scheduled meetings that are related to their professional service obligations.

2. *Office Hours*

The Appalachian College of Pharmacy is committed to its role as a professional school dedicated to training outstanding pharmacists who are committed to healthcare in rural under-served communities. The college is committed to the ideal that faculty members teach both in the classroom and outside the classroom in less formal settings, such as faculty offices or student lounge areas. Therefore, faculty members are expected to be on campus and accessible to students for the majority of the regular business hours of the school when the faculty member is instructing or has course assignments. During other portions of the year, faculty members are expected to be accessible to the extent consistent with the terms their employment contract. Further, the College expects that faculty and administrative officers provide contact information whenever they are away from their offices during customary business hours.

3. *Faculty Meetings*

Discussion of faculty governance and faculty meetings can be found in the *Faculty By-Laws* in Appendix 2.

B. *Service*

1. Service by faculty members is one of the major areas of faculty responsibility. Service consists of those activities, apart from specific teaching assignments and research endeavors, which benefit the College of Pharmacy, the profession, and/or the community. The expectation for service will vary depending upon the faculty member's time, talent, credentials, and interests, and the understanding between the faculty member and administration of the College of Pharmacy.

2. Service consists of three kinds:

a. Service to the Profession:

Professional service consists of service which is directly related to a faculty member's profession or within the area of specialized knowledge, skill, and experience of the faculty member. Professional service activities further the development of faculty and enhance the academic reputation of the College of Pharmacy and the profession of pharmacy. Faculty members are therefore encouraged to become actively involved in associations, which have as their objective, the furtherance of scholarly or professional interests.

b. Service to the College of Pharmacy:

Service to the College of Pharmacy, such as faculty participation on College of Pharmacy and departmental committees, is part of a faculty member's commitment to the College of Pharmacy. College of Pharmacy service is essential for effective governance of the College of Pharmacy.

c. Service to the Community:

Community service is service to the public which is not directly related to a faculty member's profession. Only community activities which are integral to the mission of the College of Pharmacy or which otherwise significantly benefit the College of Pharmacy or community at large fall within the service role of the faculty.

C. Consulting and Outside Activities

1. The Board of Trustees recognizes that teaching, research, clinical practice, and public service are the primary responsibilities of the faculty. As the responsibilities of the positions at ACP are extensive and because engaging in outside consulting activities would of necessity take time away from those responsibilities, it is the position of the Appalachian College of Pharmacy that Faculty may not engage in outside consulting activities except when the faculty is on paid leave or on personal time, and only in so far as the work does not interfere with the complete execution of duties owed to the College of Pharmacy. Variances to this policy may be considered by the Dean, when the consulting role will clearly be of benefit to the College. All such considerations must be made in writing in advance of any work performed. This policy is not associated with professional leave such as a sabbatical.
2. Use of resources from the College of Pharmacy specifically for consulting work and outside activities requires advanced written approval of the Dean or President.
3. The College of Pharmacy cannot assume, and must not be placed in the position of assuming, any responsibility for private professional or technological services rendered by professional employees. When an employee does work in a private capacity, he or she must make it clear to the employer that the College of Pharmacy is not being represented and that the name and authority of the College of Pharmacy are not in any way, by publicity, advertising or otherwise, to be connected with the service rendered or the results obtained, unless such association is pre-approved in writing by the President or the Dean.
4. No employee shall engage in consulting practices which would constitute a possible conflict of interest as determined by the President or the Dean.

D. Membership in Professional Organizations

1. Faculty members are encouraged to join and participate actively in professional organizations.
2. Dues and membership fees are the employee's own personal responsibility. The College may pay organization or institutional fees in professional and service organizations when the membership is regarded, either by the organization or the College, as an institutional membership, or is otherwise

considered directly beneficial to the College. All such funded memberships must be approved by the Dean.

3. Paid membership fees in professional and service organizations are also acceptable when they are an allowable cost pursuant to a sponsored grant or contract.
4. No other funded memberships are authorized unless specifically approved by the Dean.

E. Personal Injury Liability of College Personnel

The following general considerations would normally apply in cases involving the potential liability of employees for injuries to other persons during College-related activities or within its facilities:

1. The College's attorney, or one designated by its insurance carrier, will defend employees against claims arising out of the employee's actions if performed within the scope of his/her employment (excluding travel to and from work). Scope of employment means that the employee was acting on behalf of the College in the performance of normal duties. Grossly negligent acts, reckless acts, and willful or criminal misconduct are not within the scope of employment unless the insurance policy includes such coverage.
2. In the event that any injury does result from an accident occurring within the College's facility or during a College-sanctioned activity, written notification shall be given to the College attorney and the Dean of the College so that a report can be made describing the circumstances of the accident for reference in case of subsequent liability claims or disputes.

F. Taking Equipment Home

1. There are legitimate circumstances when it may be necessary for employees to take College of Pharmacy equipment home to facilitate the completion of a specific job assignment. Employees may use College of Pharmacy equipment at home provided the employee accepts full responsibility for any loss or damage to the equipment if the College of Pharmacy's insurance does not cover the equipment.
2. The equipment must be returned to the College of Pharmacy when its use at home is no longer necessary or authorized, or when the employee terminates employment. Failure to do so may result in appropriate sanctions or other action being brought against the employee, including withholding money due to the employee from the College of Pharmacy until property is returned.

G. Political Activities of College Employees

1. The Appalachian College of Pharmacy Board of Trustees recognizes the importance of, and encourages, participation by individuals in the political, social, and economic affairs of the community, state, and nation. While the Board respects the deep concern of individual faculty members and students about

current events and issues, and the committed desire to participate actively in elections, the distinction between the involvement of an individual and the involvement of the College of Pharmacy must be emphasized. The Board affirms its concern for the well-being of society; at the same time, the College of Pharmacy must remain outside the partisan political arena. Adjustment of the academic calendar in order to free students, faculty, or other employees to engage in political activity is not consistent with the foregoing affirmation. While active participation by College employees in the political process is encouraged, it cannot result in a political commitment by the College of Pharmacy or a failure to meet assigned responsibilities.

2. This policy does not bar anyone from active independent participation in political campaigns on behalf of candidates of their choice or in advancement of their political beliefs or policy concerns outside the College of Pharmacy. However, the Board prohibits the College of Pharmacy from making political commitments, and does not sanction such participation in political activity.

H. Conflict of Interest

An employee of the Appalachian College of Pharmacy who, without written authorization of the President or Dean of the College of Pharmacy, knowingly or intentionally (1) has a pecuniary interest in, or (2) derives a profit from authorization of a contract or purchase by the institution, commits a conflict of interest and is subject to disciplinary action up to and including dismissal.

Academic Freedom, Employment Contract Policies, and Grievances

A. *Academic Freedom**

Institutions of higher education are conducted for the common good and not to further the interest of either the individual faculty member or the institution as a whole. The common good depends upon the free search for truth and its free exposition. Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher in teaching and of the student to freedom in learning. It carries with it duties correlative with rights which are summarized below:

- a. Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.
- b. Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.
- c. College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as citizens, they should be free from institutional censorship or discipline, but their special position in the community imposes special obligations. As scholars and educational officers, they should remember that the public may judge their profession and their institution by their utterances. Hence they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they are not speaking for the institution.

* Derived from the *1940 Statement of Principles on Academic Freedom, AAUP Red Book, and affirmed by the ACP Board of Trustees, September 22, 2010.*

1. *General Principles Associated with Academic Freedom*

- a. A college is a forum for ideas, and it cannot fulfill its purpose of transmitting, evaluating, and extending knowledge if it requires conformity with any orthodoxy of content and method. Academic freedom is important in guaranteeing the existence of such a forum.
- b. Academic freedom applies to both research and teaching. Freedom in research is fundamental to the advancement of knowledge. Academic freedom in teaching is fundamental for the protection of the rights of the teacher in teaching and of the student in learning.
- c. The Board affirms the Faculty's fundamental academic freedoms, namely, freedom of inquiry, freedom of thought, and freedom of expression. Therefore, every effort will be made to allow opposing viewpoints in a teaching or educational environment. The College is not a place where anyone expressing a non-threatening point of view can either be silenced or threatened with language or physical actions. The common standards of courtesy that characterize the academic community must be respected.
- d. The College must always be a place of learning, a place for discussion, a place to hear differing opinions; however, any dissent must be made in a rational, lawful, and peaceful manner. It must be made with due respect to the rights of others. While the Board protects the rights of all those who choose to dissent in peaceful and lawful ways, it must defend, with all the power at its command, the rights of others when any actions by dissenters are clearly disruptive of the work and program of the College of Pharmacy.

2. *Faculty*

Faculty are entitled to freedom in research and in the publication of results. They are entitled to freedom in instruction in their subject or field of expertise. Faculty must be cognizant of their responsibilities to their profession and to their institution, accepting certain obligations: they should be accurate, exercise sound judgment, and respect the right of others to express opinions.

3. *Students*

Students are entitled to be taught by competent teachers and to have access to all information pertinent to their subjects of study. Moreover, they have a right to intellectual disagreement with their instructors and their associates and to question them without fear of recrimination or punishment.

4. *Guest speakers and other programs*

A college by its very nature cannot support the concept of freedom of expression and then deny persons with whom it is in disagreement the opportunity of giving expression to their views. Therefore, a speaker, performance, or program may be presented under the sponsorship of any duly recognized student, faculty, or administrative organization. It is not necessary that the point of view presented be congenial to the campus, members of the staff or student body. The speaker must be accorded the courtesy of an uninterrupted presentation. Except for ceremonial occasions, speakers must accept as condition of their appearance, the right of their audience to question or challenge statements in their address. Questions must be permitted from the floor.

Additional information regarding the rights, privileges and responsibilities of Academic Freedom can be found on the American Association of University Professors (AAUP) website at www.AAUP.org.

B. *Faculty Employment Policies*

1. *Faculty Search Procedures*

Initial faculty appointments are made as the result of departmental (or unit) searches in accordance with the *Faculty Search Procedures* (See Appendix 3). Departments have some leeway in establishing the search procedures most appropriate for their particular circumstances. In establishing a faculty search, the department chair or unit director (if applicable), in consultation with his or her faculty, decide upon the position(s) needed and the qualifications a successful candidate must have in order to develop a *position description*. The appointment of an internal candidate to fill a vacancy is a temporary solution and should neither foreclose nor delay a search to fill vacated positions. The internal candidate may subsequently apply for and compete in the search.

Following a full review of the candidates in accordance with the approved *Faculty Search Procedures*, the search committee will transmit a written recommendation to the Department Chair. The Department Chair will then make a final recommendation to the Dean. Where the faculty members do not concur in an appointment, the chair may submit a recommendation for appointment with his or her justification and a report of non-concurrence of the faculty.

All credentials of each recommended candidate appointment must be confirmed by the Search Committee, Department Chair and Dean. Generally, the doctorate is considered the terminal degree. Requests for exceptions must be presented to the Dean with appropriate justification by the

department Chair, and concurrence of departmental faculty. An appointment of any candidate with nontraditional credentials can only be made with the approval in writing of the Dean.

If a faculty member has full-time service in a faculty rank at one or more other institutions, he or she may request that previous service be credited toward promotion. Such requests shall be made in writing at the time of initial appointment and shall be binding. They should be directed to the department chair that will then make a recommendation to the Dean for approval. The appointment letter shall include any determination of prior service at another institution to be credited toward the probationary period and rank (See Promotion Criteria and Considerations section III.E).

2. *Equal Opportunity Policy*

The Appalachian College of Pharmacy is fully committed to equal opportunity employment decisions and educational programs and activities, in compliance with all applicable Federal and State laws and including appropriate affirmative action efforts, for all individuals without regard to race, color, national origin, religion, sex, disability, age, Vietnam Era Veteran's status, or sexual orientation, including heterosexuality, homosexuality, and bisexuality. Violating this policy shall not be tolerated. Faculty members who feel they have been discriminated against in violation of this policy may follow the grievance procedure as outlined in the ACP Personnel *Policies and Procedures Manual*.

Therefore, the department chair and search committee shall be guided by the above stated policy on Equal Opportunity in framing an advertisement for the position, reviewing the candidates, and in recommending an appointment. Guidelines from the Office of the General Counsel help ensure compliance with federal law and help ensure an open and fair search.

C. *Academic Appointments*

1. Academic faculty appointments are designated in the College of Pharmacy as instructor, assistant professor, associate professor, and professor, and shall be full-time, adjunct, or affiliate.

a. Full-time Appointments

Due to the year round curriculum, full-time faculty appointments are generally *annual* appointments (July 1-June 30, FTE = 1.0); however, a fulltime appointment of 9 months or greater (FTE \geq 0.7) may be considered.

b. Adjunct Appointments

Examples of adjunct appointments to the faculty are:

- i. Courtesy adjunct appointments awarded to professional people in the community who contribute to the academic or research program in the College of Pharmacy;
- ii. Visiting appointments for people holding academic rank at another institution of higher education;
- iii. Appointments of retired faculty members on special conditions;
- iv. Part-time faculty with less than a fulltime appointment (FTE<0.7)

The terms and conditions of every appointment to a part-time (any FTE<0.7) faculty position will be stated in writing, including the length of service, and a copy of the appointment document will be provided to the part-time faculty member.

c. Affiliate Appointments

Appointments awarded to professional pharmacists in the community who are preceptors in our experiential education curriculum.

2. *Terms of Appointment*

The terms and conditions of every appointment to the faculty shall be stated and confirmed in writing, and as governed by the ACP Personnel *Policies and Procedures Manual* and ACP *Faculty Handbook* which is available on the College's website. A copy of the appointment document shall be supplied to the faculty member on hire. Any subsequent extensions or modifications of an appointment shall be confirmed in writing and a copy given to the faculty member.

- i. Faculty appointments shall be evidenced by a letter of appointment or contract which shall state the type and term of the appointment, whether the appointment is a fulltime probationary or non-probationary, adjunct, or affiliate. Adjunct and special contracts are normally issued for one year at a time.

All letters of appointment or contract documents must contain:

- a. the nature and duration of appointment
- b. rank of appointee
- c. prior service at other institutions to be credited to the probationary period and rank
- d. estimated workload
- e. annual salary
- f. fringe benefits applicable to appointee
- g. any special conditions of appointment

- ii. At the time of appointment, the appointee shall be provided with a copy of the *ACP Faculty Handbook* and the *ACP Personnel Policies and Procedures Manual*, which contains the processes and policies for evaluation of faculty, as well as expectations for promotion. The Department Chair or his/her designee will be responsible for providing these documents to the appointee.
- iii. Faculty members with a teaching or research appointment of any kind will be informed each year in writing of the renewal of the appointment and of all matters relative to eligibility for promotion. The terms and conditions of all renewal appointments should be provided no later than June 30.

3. *Probationary Appointments*¹

- a. Probationary faculty appointments for full time faculty at the rank of assistant professor or higher are generally made on a 1-year period, subject to renewal. Probationary contracts are generally made for the first 3 years from the date of the initial appointment. Probationary contracts may be made for other stated periods in situations where there are extenuating circumstances.
- b. The faculty member will be advised at the time of initial appointment, of the substantive standards, expectations, and procedures generally employed in decisions affecting renewal and promotion. Any special standards adopted by the faculty member's department will also be transmitted. The faculty member will be advised of the approximate times when decisions affecting contract renewal, 3 year reviews, and promotion are ordinarily made.
- c. The institution will notify faculty members whose appointments are being renewed of the terms and conditions of their renewals by the beginning of the new budget year for the College (currently June 30).

4. *Non-Probationary Appointments*

- a. Following a successful 3 year review, a probationary contract may be converted to a 3 year non-probationary faculty appointment, subject to renewal. Non-probationary contracts may be made for other stated periods in situations where there are extenuating circumstances.
- b. Faculty members with initial appointments at the rank of assistant professor will be advised at the time of reappointment that the total period of full-time service prior to promotion to associate professor will not exceed 7 years, including credit given for previous full-time service in other institutions of higher learning². Scholarly leave of absence for one year or less will count as part of

¹ For faculty hired prior to June 30, 2011, please see your contract for the terms of appointment.

² For faculty hired prior to June 30, 2011, the seven year time period will begin on July 1, 2011.

the probationary period, unless the individual and the institution agree in writing to an exception to this provision at the time the leave is granted. A faculty member who has qualified for *Family and Medical Leave Act* leave may request up to a one-year extension of the date for consideration of promotion.

- c. The institution will notify faculty members whose appointments are being renewed of the terms and conditions of their renewals by the beginning of the new budget year for the College (currently June 30).

5. *Academic Rank*

Academic rank is accorded to qualified individuals whose primary assignment is to one or more of the major functions of the College: teaching, research/scholarship, clinical practice, service, and outreach. Appointment to the rank of instructor or above should be based on ability or potential for development in one or more of these functions. All faculty should have a terminal degree in their teaching and research disciplines. Appointment of faculty to a rank higher than assistant professor shall be reviewed by the promotions committee prior to appointment, as described herein. The following general considerations apply to appointment to faculty ranks:

a. Instructor

Appointments to the rank of instructor are temporary appointments. An individual holding the rank of instructor must demonstrate competence in his or her work assignments as a condition for reappointment. An instructor who has served on a full-time temporary appointment may be considered on the basis of meritorious performance and strong evidence of professional development for promotion to the rank of assistant professor.

b. Assistant professor

Assistant professor is the usual entry-level rank for a candidate who has completed the appropriate terminal degree (usually a doctorate) or can demonstrate equivalent training, ability, and experience. Postgraduate training or equivalent experience is expected and may be required.

c. Associate professor

Associate professor is a rank of distinction which is attained through successful performance of assigned academic duties. A candidate should hold the appropriate terminal degree (usually a doctorate) or

equivalent. Normally, a candidate must serve at least four complete years on full-time appointment at the assistant professor level before he or she may be nominated for promotion to associate professor. Prior faculty service at other colleges or universities or prior service in appropriate professional activities may qualify for consideration in meeting the requirement for years in rank for promotion. A candidate who is especially meritorious may be recommended for early promotion by the department head with majority support of the faculty who hold rank superior to that of the candidate. A candidate for associate professor should have demonstrated mastery of the subject matter of his or her field and the ability to apply it well in the primary area(s) to which he or she is assigned whether in teaching, research/scholarship, clinical practice, service and/or outreach. Additionally, the candidate should have contributed, typically through significant scholarly or creative work, to his or her area of specialization; participated in professional life; and served on departmental and college committees. Through his or her scholarly and professional activity, the candidate should demonstrate an emerging stature as a regional or national authority.

d. Professor

Professor is a rank requiring professional peer-recognition of the individual as an authority in his or her field of specialization. A candidate must be recognized by associates as a capable teacher, scholar, clinician, or outreach specialist. It is therefore expected that peers within and outside the College will attest to the candidate's high professional standing. A candidate should hold the appropriate terminal degree (usually a doctorate) or the equivalent. Normally, a candidate must serve at least four years on full-time appointment at the associate professor level before he or she may be nominated for promotion to professor. A candidate for professor should have demonstrated significant involvement in the teaching, research/scholarship, clinical practice, and service and outreach functions (as appropriate) of the College. He or she should also have participated in professional life and have been actively involved in departmental and college affairs. For this rank, it is essential that the candidate should have demonstrated a marked degree of scholarship appropriate to his or her assignment, typically publications subjected to peer review. By means of such activity, a candidate for the College's highest academic rank should have a respected national reputation.

6. *Performance Evaluation*

All department chairs shall conduct at least one yearly review before May 1 with each faculty member in order to evaluate his or her performance and to discuss his or her future objectives and development. In order to review the faculty member, the chair shall request current *curriculum vitae*, the faculty member's *Annual Faculty Plan and Evaluation* (AFPE) form, the projected faculty candidate's

workload, the *Faculty Activity Report*, and any supporting material the chair or the faculty member deems appropriate for the review. More frequent reviews may be conducted at the discretion of the faculty member or department chair. The department chair shall meet with each faculty member to discuss the faculty member's job performance. This meeting is documented in the AFPE document and the faculty member shall sign the final report as confirmation of the annual review. If the faculty member does not agree with the material or conclusions in the report, he or she may write a response to be appended to the report. One copy of the signed report and response, if there is one, is to be retained in the faculty member's departmental personnel file. This report is to remain confidential, available only for the use of the concerned faculty member, any College officials who have supervisory power over the faculty member, or the Faculty Review Board, if necessary.

In the case of faculty members who have not achieved promotion to associate professor or professor, particular care shall be taken by the department chair to relate the faculty member's job performance to the promotion criteria set forth in this document. Significant achievements or deficiencies which might enhance or impede the candidate's progress toward higher academic rank should be noted.

In addition to the Department Chair's review of the AFPE, the College's Promotion Committee (Defined in section III.E.3.b below) shall conduct a third year review of all probationary faculty members. This shall normally take place during the summer term of the faculty member's fourth year of service. The Department Chair shall request a current *curriculum vitae* and an initial draft of the faculty member's dossier, which is to include any supporting material the faculty member deems appropriate for the review (See Appendix 4 for the general instructions and outline for Dossier). The focus of this review is the faculty member's progress toward achieving promotion, and address the criteria as set forth in this document. The review shall involve the entire membership of the Promotions Committee above the rank of the faculty member being reviewed. The Promotions Committee may also take a vote and make a recommendation for non-renewal of the probationary contract if it feels in its opinion that the faculty member will not be able to attain promotion. The result of any votes shall be announced at the meeting. Faculty should understand that this vote is not a commitment to grant or deny promotion in the future. Faculty with a negative vote or significant deficiencies may request another full review by the promotions committee prior to applying for promotion.

The Department Chair in consultation with the Promotions Committee chair shall prepare a written report covering the findings of the review, and characterizing the nature of the vote. This report is to remain confidential, available only for the use of the concerned faculty member, any College officials

who have supervisory power over the faculty member, and the Faculty Review Board if necessary. This report may also be consulted by the promotions committee when the faculty member is a candidate for promotion.

7. *Non-renewal of Faculty Probationary Contract*

- a. Faculty on a probationary contract that do not make appropriate advancement towards promotion may receive a non-renewal contract.
- b. Non-renewal decisions shall be made in every instance by the Dean, following recommendations from the Promotions Committee, Department Chair and/or Executive Committee. When a decision not to renew a probationary appointment has been reached, the faculty member involved shall be informed by the Dean in writing of that decision and the reasons that contributed to that decision.

The faculty member may, within fifteen calendar days after receipt of the written notice of non-renewal, appeal the decision to the Faculty Review Board. Insofar as the faculty member alleges that the decision against renewal was based on inadequate consideration, the Faculty Review Board will determine whether the decision was the result of adequate consideration in terms of the relevant standards of the institution. If the Faculty Review Board believes that adequate consideration was not given to the faculty member's qualifications, it will request reconsideration of the decision, indicating the respects in which it believes the consideration may not have been adequate. It will provide copies of its findings to the faculty member, the Department Chair, Dean, and President. After the merit of the appeal has been judged, the recommendations of the Faculty Review Board and all supporting documents shall be submitted to the President for final action with the results provided in writing to the faculty member within fifteen calendar days.

- c. Regardless of the stated term or other provisions of any appointments, written notice that a faculty appointment is not to be renewed will be given to the faculty member in advance of the expiration of the appointment, as follows:
 - i. at least three months in advance of termination of the annual contract during the first year of service.
 - ii. at least six months in advance of termination of the annual contract during the second year of service.
 - iii. at least twelve months before the expiration of an appointment after two or more years of service at the institution.

8. *Non-renewal of Faculty Non-Probationary Contract*

- a. Upon completing the probationary period, the faculty member shall be deemed employed on a non-probationary contract, and shall not be terminated except for failure to perform his or her duties in a satisfactory manner, incompetency, neglect of duty, insubordination, justifiable decrease in jobs in the system (financial exigency or closure of programs), failure to abide by the College's residency clause, or other good and just causes as described herein or in the ACP Personnel *Policies and Procedures Manual*.
- b. Faculty on a non-probationary 3 year contract that receive a notice of non-renewal of their 3 year contract due to performance, have up to a year to make substantive improvements in their performance. The faculty member receiving a non-renewal contract shall be reviewed in the second year of their terminal contract and if substantive improvements in their performance can be demonstrated, the faculty member will be eligible to return to a standard 3 year contract, subject to renewal. Faculty members that fail to make substantive improvements in their performance will receive a final terminal contract that will expire at the end of the final year of service to the college.
- c. Non-renewal decisions shall be made in every instance by the Dean, following recommendations from the Promotions Committee, Department Chair and/or Academic Leadership Team. When a decision not to renew a non-probationary appointment has been reached, the faculty member involved shall be informed by the Dean in writing of that decision and the reasons that contributed to that decision.

The faculty member may, within fifteen calendar days after receipt of the written notice of non-renewal, appeal the decision to the Faculty Review Board. Insofar as the faculty member alleges that the decision against renewal was based on inadequate consideration, the Faculty Review Board will determine whether the decision was the result of adequate consideration in terms of the relevant standards of the institution. If the Faculty Review Board believes that adequate consideration was not given to the faculty member's qualifications, it will request reconsideration of the decision, indicating the respects in which it believes the consideration may not have been adequate. It will provide copies of its findings to the faculty member, the Department Chair, Dean, and President. After the merit of the appeal has been judged, the recommendations of the Faculty Review Board and all supporting documents shall be submitted to the President for final action with the results provided in writing to the faculty member within fifteen calendar days.

9. *Disciplinary Measures*

a. *Administrative Action Other Than Dismissal*

If the administration determines that the conduct of a faculty member, although not constituting grounds for termination or dismissal, provides reasonable cause for imposition of a sanction, the faculty member must be informed in writing of the sanction and, upon request, the reasons for the sanction. A sanction is defined as any disciplinary action or restriction, limitation, suspension or termination of normal faculty privilege. These may include: salary reduction, reassignment of duties, letter of reprimand, or suspension of faculty privileges.

The faculty member may request consideration of the matter by the Faculty Review Board for formal proceedings as provided in Section III.D. in the Faculty Handbook (*Hearing Procedures for the Faculty Review Board*). Such faculty member is presumed to understand and is hereby apprised that when the terms of this manual and the terms of the Faculty Handbook are in conflict, the terms of this manual shall apply unless specifically waived by the President in writing.

1. *Instruction*

Instruction is educating the employee in the proper conduct of a situation. Instruction is not considered a warning; rather, it is assisting the employee in correcting the identified issue and ensuring a positive and productive work environment. The employee's supervisor shall keep a record of instructing the employee, but no documentation of instruction shall be included in the employee's personnel file.

2. *Undocumented Reprimand*

The President or his designee(s) will verbally reprimand the faculty employee, including a discussion of the problem and the necessary corrective action and possible consequences if the problem persists, which shall not be documented or noted in the employee's personnel file but may be noted/documented in the supervisor's file.

3. *Documented Reprimand*

The President or his designee(s) will review the facts of the case with the faculty employee, including what was done wrong, what could/should have been done, and the consequences of

continuing violation. This review shall be documented in writing to include a written reprimand, which shall be placed in the employee's personnel file.

4. Suspension With Pay

The faculty employee's duties will be suspended for a defined period of time not to exceed sixty (60) days, with the employee continuing to receive full contractual compensation and benefits, except those excluded in the College personnel policies including earned leave, during the period of suspension. The employee shall be notified in writing of the suspension, and the action will be documented in employee's personnel file.

5. Suspension Without Pay

The faculty employee's duties will be suspended for a defined period of time not to exceed ninety (90) days, with the College ceasing to pay the compensation otherwise due to employee during the period of the suspension, but with the funding of employee's employment benefits, except those excluded in the College personnel policies including earned leave, to continue during the period of suspension. The employee shall be notified in writing of the suspension, and the action will be documented in employee's personnel file.

b. Dismissal of Faculty

Faculty who fail to fulfill their assigned duties or violate the terms of their employment contract or applicable College policies and procedures may be terminated for cause and dismissed. Such dismissal or termination is not reviewable by the Faculty Review Board and is subject only to binding arbitration as otherwise set forth in this policy and by contract.

10. Termination of Appointment by Faculty Members

Faculty members may terminate their appointments provided that they give reasonable notice in writing so that a replacement may be found. Reasonable notice is defined as three months or 90 days. Faculty shall notify their Department Chair and the Dean of the College in writing. As stipulated in the ACP *Personnel Policies and Procedures Manual*, failure to provide adequate notice as defined above may result in the forfeiture of unused leave payments. Faculty members may request a waiver from the President or Dean of this requirement of notice in case of hardship or in a situation where they would otherwise be denied substantial professional advancement or other opportunity. The last day of work is considered the termination date.

D. Hearing Procedures for the Faculty Review Board

1. The Faculty Review Board shall be comprised of the following:
 - a. The chair of the Promotion Committee, and
 - b. The Departmental chair(s) of the college, and
 - c. Two additional faculty members, of whom one is to be chosen by the faculty member bringing the appeal. The other member is to be from outside the faculty member's department and will be appointed by the Dean.
 - d. The Assistant Dean of Student and Alumni Affairs will act as the nonvoting member of the committee.
2. The Review Board may, with the consent of the parties concerned, hold prehearing meetings with the parties to (a) simplify the issues, (b) effect stipulation of facts, (c) provide for exchange of documentary or other information, and (d) achieve such other appropriate prehearing objectives as will make the hearing fair, effective, and expeditious.
3. Upon notice of the faculty member's appeal to the Review Board, the Review Board shall set a hearing date within twenty (20) calendar days. Notice of the hearing date shall be provided to the faculty member in writing. The faculty member may submit a response and/or evidence to the Review Board in writing up until three working days before the hearing. The faculty member also may waive a personal appearance and request a decision on the basis of the written statement and evidence.
4. Only in instances where the dismissal of a faculty member is under review, the faculty member is entitled to have counsel of his/her choice and at his/her own expense. The institution is also entitled to have counsel. Either party or the Review Board may invite an observer to attend the proceedings. However, if counsels or observers are present, neither counsel nor the observers may participate in the hearing other than through providing legal advice to their clients.
5. A record of the hearing shall be made at the institution's expense and be accessible to both parties. The faculty member shall be provided with a copy of the record upon request, without charge. The decision of the review board shall be based solely on the hearing record.
6. After the merit of the appeal has been judged, the recommendations of the Faculty Review Board and all supporting documents shall be submitted to the President for final action with the results provided in

writing to the faculty member within fifteen calendar days. The President will notify the faculty member in writing and the Faculty Review Board of his/her final decision within 15 days.

7. In cases of termination of appointment or dismissal, the governing Board of Trustees will be available for ultimate review.

E. Promotion Criteria and Considerations

1. Definitions of Promotion

Full-time faculty members (those holding greater than or equal to 0.7 FTE) may hold the rank of instructor, assistant professor, associate professor, or professor. Promotion is defined as advancement to a higher rank based on merit and collegiality. Criteria for granting promotion must be relevant to the mission and goals of the Appalachian College of Pharmacy. In order to be promoted, an individual must have attained the qualifications necessary for promotion to the next rank. Promotion is not based solely on time in rank.

Promotion is primarily based on merit. A candidate for promotion should have acceptable achievements, dependent on their negotiated workload, in the areas of a) teaching; b) research/scholarship; c) clinical practice; d) outreach scholarship; and/or e) service to the College and community; as well as f) the candidate's collegiality. As described previously, the faculty member's credentials and achievements shall be reviewed annually and faculty at the rank of assistant professor shall undergo a review after 3 to 4 years of service to evaluate the candidate's credentials towards meeting the requirements for promotion. The criteria for teaching, research/scholarship, clinical practice, outreach, service and collegiality described below shall be considered by the faculty in the evaluation of a candidate's performance and achievement. The candidate's academic assignments shall determine which criteria are most emphasized. Credit shall also be given for contributions above and beyond specifically assigned duties.

a. Teaching

Since the primary activity of the College is the instruction of student pharmacists, careful evaluation of teaching is essential. Because of the difficulty of evaluating teaching effectiveness, faculty members are urged to consider as many relevant measures as possible in appraising the candidate. These include consideration of the candidate's knowledge of the subject and his or her professional growth in the fields of specialization; the candidate's own statement of his or her teaching

philosophy; the quality of the candidate's teaching and clinical precepting as indicated by peer and student evaluations and teaching awards; performance of the candidate's students on standardized tests or in subsequent classes; the candidate's contributions to the academic advising and mentoring of students; the candidate's development of new courses and curricula; the quality of the candidate's direction of student's participation in research, independent study projects, etc.; and the quality of pedagogical material published by the candidate (this will also be considered under scholarship of teaching).

b. Research/Scholarship

A faculty member engaged in research/scholarship has an obligation to contribute to his or her discipline through applied basic research and/or interpretive scholarship. To a large extent, each discipline must determine the appropriate quality and quantity of research/scholarship necessary for promotion and judge its candidates accordingly. In appraising the candidate's work, faculty members should consider the quality and significance of the work, the quality of the outlet for publication or presentation, and, in cases of collaborative work, the role of the candidate. These criteria should be made clear to the faculty candidate by the Department Chair during the Annual Faculty Plan and Evaluation process and reviewed at the candidate's 3 year review.

Research and scholarship ordinarily can be documented by a candidate's publications and presentations. Publication subjected to critical review by other scholars as a condition of publication should carry more weight than a publication that is not refereed. Nevertheless, all forms of publication, including articles intended for a non-academic audience, should be considered provided they are of high quality in relation to the purpose intended. Scholarly papers subjected to peer review and delivered at a regional or national conference should carry more weight than work done only on a local level. Successful efforts in obtaining extramural support for research/scholarship (as well as for teaching and outreach programs) should also be positively considered in evaluation of the candidate.

c. Clinical Practice

Faculty members engaged in the education of student pharmacists through their activities in the clinical practice setting act as role models for pharmacy students, as well as a catalyst for the delivery of innovative pharmaceutical care to patients. As a result, it is necessary for members of the Department of Pharmacy Practice faculty involved in patient care to demonstrate competence, commitment, and innovation in clinical practice. Therefore, in addition to direct patient care

activities, the assessment of clinical practice competence usually will include evidence of the development of innovative roles for the pharmacist in a patient care setting, evidence of communications with other health care professionals (including presentations or lectures), scholarly writings (e.g. newsletter contributions, medication evaluation use reports, drug use policy statements, etc.), involvement in creative activities such as new methods in service delivery and design, or demonstrated direct influence on patient care (as evidenced by examples of approved prescriptive authority protocols, letters of support from medical colleagues or patients, etc.).

d. Outreach

As used in this context, "outreach" refers to the function of applying academic expertise to the direct benefit of external audiences in support of College and unit missions. A faculty endeavor may be regarded as outreach for purposes of promotion if all the following conditions are met: 1) there is a substantive link with significant human needs and societal problems, issues or concerns; 2) there is a direct application of knowledge to significant human needs and societal problems, issues, or concerns; 3) there is utilization of the faculty member's academic and professional expertise; 4) the ultimate purpose is for the public or common good; 5) new knowledge is generated for the discipline and/or the audience or clientele; and 6) there is a clear link/relationship between the program/activities and an appropriate academic unit's mission. Outreach may not be expected of all faculty. Participation in this function may vary from major continuing commitment, through intermittent engagement, as needs and opportunities for a particular expertise arise, to no involvement at all.

The commitment of faculty time to outreach is a decision to be made by the faculty member with the approval of the department in which the faculty member will seek promotion. It may be accomplished in the initial appointment, in annual workload plans (as defined in the AFPE), or during the year in response to unexpected needs. In any case, this decision should be made with due consideration to the professional development of the faculty member, the expected public benefits of the outreach activities, and mission of the department and/or other supporting units. Departmental approval carries a commitment to assess and appropriately weigh outreach contributions in salary and promotion recommendations.

Demands for quality in outreach are the same as in teaching, clinical practice, and research/scholarship; however, outreach activities are different in nature from other activities and must be evaluated accordingly. Department Chairs should request any material necessary from the

candidate to facilitate faculty assessment of the type, quality, and effectiveness of the candidate's involvement in extension activities and evaluation of any resulting publications.

e. Service

Service includes participating in departmental and College governance and committee work, assisting in the recruitment of new faculty, and developing and assisting in the implementation of new academic programs, as well as service to the College, community or the pharmacy profession at large. Faculty should note particularly distinctive contributions to College and community life on the part of the candidate, including service to the candidate's profession, such as offices held and committee assignments performed for professional associations and learned societies; editorships and the refereeing of manuscripts; and activities that improved the community.

f. Collegiality

Collegiality is a professional criterion relating to the performance of a faculty member's duties within a department. Collegiality should not be confused with sociability or likability. Collegiality is a professional, not personal, criterion relating to the performance of a faculty member's duties within the College and their department. Concerns respecting collegiality should be shared with the candidate as soon as they arise and should certainly be addressed in yearly and third year reviews. Faculty members should recognize that their judgment of a candidate's collegiality will carry weight with the Promotion Committee. Relevant criteria relating to the review of collegiality include the following:

- Does the candidate demonstrate productivity, quality and growth in areas of teaching, scholarship and research, clinical practice (when applicable), outreach and service in a collaborative relationship with other faculty?
- Does the candidate demonstrate cooperation with other members of the College to reach the College's and departmental goals and maintain academic integrity of the College?
- Are the candidate's professional abilities and relationships with colleagues compatible with the College's mission and its long-term goals?
- Has the candidate exhibited an ability and willingness to engage in shared academic and administrative tasks within the department and to participate in discussions germane to the College's and departmental policies and programs?
- Does the candidate maintain high standards of professional integrity?

Additional information regarding criteria for promotion is listed in the ACP *Guidelines for Faculty Appointments and Promotion*. The ACP *Guidelines for Faculty Appointments and Promotion* is available in SharePoint.

2. Eligibility for Promotion

- a. There is no fixed requirement for years of service at a given rank before a faculty member can be promoted. However, the qualifications for each professorial rank generally cannot be demonstrated in less than four complete years of service. Only in exceptional and well-documented cases, in which a faculty member has substantially exceeded requirements for promotion in a shorter time, should he or she be recommended for promotion before completing at least four years in the current rank.
- b. If a faculty member has had no prior service at another institution of higher education, he or she normally should be considered for promotion during his or her fifth year of full-time service. A faculty member may request that promotion consideration be deferred from the fifth to the sixth year without prejudice. A candidate whose employment begins prior to December 1st, may be considered during his or her fourth year of full-time employment. A faculty member on leave of absence without pay may not count his or her leave time toward promotion, unless such leave is professionally related. A faculty member who has qualified for *Family and Medical Leave Act* leave may request up to a one-year extension of the date for consideration of promotion. A faculty member on leave without pay cannot be a candidate for promotion while on leave. A faculty member on leave with pay (e.g. sabbatical) should count such time and may be considered as a candidate.

3. Procedure for Promotion

a. Initiation of the Process

The promotion process can be initiated by the candidate's department chair or by the candidate. Candidates and department chairs should supply information necessary for evaluation in the format outlined in this section. This information shall be available to all eligible faculty members of the Promotion Committee, as defined below in section II.E.3.b. The information requested needs to be sufficiently detailed so that the promotions committee members can evaluate a candidate in terms of both achievement and potential. Department chairs and candidates who have questions about the material to be submitted should feel free to contact the Department Chair, Promotions Committee Chair, or the Dean of the College of Pharmacy.

b. Participating Faculty

Faculty members eligible to participate in evaluation of the candidate are those faculty of any Department of **higher rank** than the candidate for promotion. The Chair of the Committee will be a faculty member holding the rank of full professor. These faculty will constitute the Promotion Committee, which will make the promotion recommendation to the President.

c. Information on the Candidate

The outline printed in Appendix 4 indicates the kind of information each candidate for promotion and his or her department chair shall supply, and provides a format to be followed in presenting that information. A template for the promotion dossier is available in SharePoint (under *Faculty Development Materials*) or through the Department Chair.

d. Submission of the Candidate's Dossier

The dossier and evaluative letters shall be submitted to the Promotion committee by the Department Chair. The submission should be collated into a complete packet, fastened with a spring binder clip (do not bind or staple), with each section arranged with tabs as follows:

- i. Standard biographical data sheet.
- ii. Information supplied by the candidate.
- iii. An appendix containing:
 - a. Information supplied by the Department Chair.
 - b. Evaluations and recommendations from: the Dean, the Department Chair, faculty members, directors of any relevant funding source, and outside referees (required for promotion to full professor).

Faculty members in the Candidate's Department should be encouraged to write letters explaining why they do or do not favor promotion. Where there are fewer than three faculty members who are eligible to write letters of evaluation, the Department Chair may ask for letters from faculty members of the other Departments or other Colleges or Universities who have knowledge of the candidate's professional performance. Depending on the faculty member's assignment and expected workload, letters should address the quality of their research and scholarship, effectiveness in the areas of teaching, clinical practice, outreach, service contributions and/or collegiality, and the candidate's potential for continued advancement. Faculty should bear in mind that letters to the Promotion Committee are an important source of information for the Committee. Letters can help the Committee to make an informed judgment about the candidate's collegiality by addressing the candidate's performance of his or her duties within a department. Letters can also help the Committee, whose members may not come from the candidate's field, understand the significance of the candidate's work and make a fair appraisal of it. Normally, evaluative letters should be

addressed to the Department Chair; however, letters may be submitted directly to the Promotion Committee Chair. Department Chairs and the Committee Chair shall append all letters of evaluation that are submitted to them.

e. Consideration of the Candidate

The candidate's dossier (consisting of the information supplied by the candidate and the information supplied by the department chair, see appendix 4) and all supporting material shall be available for review exclusively by faculty eligible to vote on the candidate. After the faculty on the Promotion Committee has had adequate time to review the dossier and supporting material, the Chair of the Promotion Committee shall convene a meeting of all eligible faculty to discuss nomination of the candidate.

Confidentiality and the right of faculty members to express their viewpoints openly without fear of retaliation shall be the hallmarks of the discussion. Deliberations of the Promotion Committee shall be confidential, as shall all documents and testimonies involved at the various levels of the promotion process. If a recommendation is forwarded, all copies of a candidate's dossier shall be destroyed after the Promotion Committee's deliberations are completed except for a copy filed permanently in the Candidate's employment file and in the Legal Counsel's office of the Appalachian College of Pharmacy. This copy is subject to legal review only under certain conditions.

f. The Promotion Committee's and Dean's Recommendation

The Department Chair shall present the candidate's credentials to the Promotions Committee. The Promotion Committee shall in a closed meeting review the candidate's dossier. Should additional material be needed, the department Chair will request the information from the Candidate. After the Promotion Committee has had time to discuss the candidate's qualifications in a closed meeting, a secret ballot shall be taken at the meeting to determine the final recommendation of the Committee. Faculty members may participate in the promotion recommendation in one of the following ways:

- i. present and voting,
- ii. present and abstaining,
- iii. absent but submitting a written vote prior to the meeting, or
- iv. absent and not voting (This response does not count as part of the overall total vote.)

If of appropriate academic rank, the Department Chair shall also vote by secret ballot with the Committee. Any other faculty member serving as an administrator who has an official vote on the candidate shall also vote by secret ballot with the Committee. Immediate family members shall

excuse themselves from voting. The Chair shall announce the vote at the meeting. The vote shall be transmitted itemized as **i, ii, iii, and iv** as listed above in writing, first to the Dean of the College and then to the President. The Department Chair shall communicate the Committee's recommendation to the candidate. The Department Chair, Promotion Committee Chair, and Dean shall provide a written evaluation of the candidate and a recommendation for or against promotion. All recommendations shall be forwarded to the president for final review and recommendations.

g. Schedule

The specific date for nominations for promotion shall be announced in the annual call for nominations from the President and Dean, generally in the fall semester. The candidate's Department Chair shall request material early enough to make a recommendation to be forwarded with the candidate's dossier to the Promotions Committee. Dossiers will be due to the Promotions committee by date announced by the Dean or President. The promotions committee will review candidates in the spring term and provide their recommendations no later than the last day of the spring term.

When the President approves a recommendation for promotion, the candidate shall be notified in writing by the President, with copies of the notification sent to the Department Chair and Dean. The President will meet with the Promotion Committee whenever the recommendation of the Committee on a promotion decision is not accepted. The meeting will take place before the President announces the decision.

When the Committee or President does not approve a candidate for promotion, the candidate shall be notified in writing by the President. Copies of the notification shall also go to the Department Chair and Dean. If the candidate so requests, he or she shall be informed of the numerical vote and provided with a written statement of reasons why the recommendation was not approved. If the President overrules a recommendation, he or she shall inform the Promotion Committee in writing of the overruling and the reasons for it.

Candidates considered for promotion on the schedule noted above shall be notified of the decision no later than the end of spring semester. Determination of rank-on-hire at a level above assistant professor will also follow these guidelines, but may undergo an expedited review. The departmental chair shall be notified in a timely manner of any decisions regarding rank on hire in order to complete the candidate's appointment documents.

The procedure for promotion shall differ from that outlined above in the cases of faculty instructors: Promotion to Assistant Professor may be made upon recommendation of the Department Chair and concurrence of the Dean and President. In addition, when a faculty member is hired at the assistant professor level, but was appointed as an instructor because the terminal degree was still in progress, he or she may be promoted to assistant professor once the terminal degree is completed. Such a promotion requires the recommendation of the department Chair, the concurrence of the Dean and the President. Any promotions of Instructors to Assistant Professor shall become effective immediately.

i. Appeal of Promotion Decisions

Grounds for appeal exist when, in the opinion of the candidate, one or more of the following occurred:

- a. The denial of promotion resulted from the fact that all evidence in support of the candidate was not presented at the time of the original consideration.
- b. The denial resulted from procedural irregularities concerning advisement and periodic review or a failure to follow promotion procedures of the department or college.
- c. The denial was based on considerations violative of academic freedom.
- d. The denial was based on discrimination with respect to race, sex, religion, national origin, age, physical handicap, marital status, or sexual orientation.

A faculty member who contends unjust denial of promotion may choose to discuss the reasons for denial and the appeals process with the President. Appeals should be made in writing to the President through the Department Chair within 14 calendar days of the date of the faculty member's receipt of written notification of denial.

If the faculty member bases his or her appeal on alleged violation of academic freedom or discrimination, the appeal must include a statement of the grounds on which the allegation is based and evidence to support his or her case. If the faculty member succeeds in establishing a *prima facie* case, it is incumbent upon those who made the decision against promotion to come forward with evidence in support of their decision. Statistical evidence of improper discrimination may be used in establishing such a case.

The President shall respond promptly to the faculty member's request for an appeal through the Faculty Review Board by setting the date, time, and place for the hearing of the appeal in accordance with the written procedures described herein. After the merit of the appeal has been judged based

on the procedures described herein under section III.D.1-7, *Hearing Procedures for the Faculty Review Board*, the recommendations of the Faculty Review Board and all supporting documents shall be submitted to the President for final action.

In the appellate process, appeals must be taken and decisions rendered so as to prevent postponing a promotion decision to the next budgetary year.

F. Emeritus Status Policy and Procedures

1. Eligibility

Emeritus status may be awarded on retirement to faculty holding the rank of professor, associate professor, or equivalent with ten years or more of sustained meritorious service to the College. Faculty entering into retirement as the result of a disability must meet these eligibility standards, but may be exempt from the ten-year requirement. This honorary title may be awarded posthumously. Faculty holding a titled professorship at the time of retirement may transfer the title to emeritus status.

2. Procedures

At the time the College is notified of a faculty member's intent to retire, the Business Office will provide notification of this policy to the faculty member and the faculty member's Departmental Chair. The faculty member may request consideration through the department chair, though normally the department chair, with the concurrence of the Dean of the college, will provide information and a recommendation concerning the faculty member's eligibility to the President. This information and recommendation shall include the results of a vote on the awarding of emeritus status taken from all the College's faculty. The President will act upon the recommendation and advise the faculty member and Dean.

3. Privileges

The college and its Departments are encouraged to invite emeritus faculty to serve as lecturers, substitute instructors, and consultants, providing such faculty an opportunity for continued visibility at the College as a reflection of their experience and past service to the College. To this end, emeritus faculty may be provided the following privileges and courtesies:

- a. The names of all emeritus faculty will be included in a special section of the College's Faculty listings and website.

- b. Emeritus faculty are encouraged to participate in College events and are provided access to such events and the social and recreational resources of the College.
- c. Emeritus faculty retain faculty access to the College libraries, including all services normally provided active faculty.
- d. Emeritus faculty may audit any of the College's instructional course offering at no charge, when space is available and with the approval of the instructor of the course.
- e. Emeritus faculty are encouraged to participate in extramural contracts and grants.
- f. Emeritus faculty retain the parking, College ID card, network, and e-mail privileges normally assigned to active faculty.
- g. At the discretion of the Dean and based on the availability of resources, emeritus faculty may be provided office space, office support, mailing privileges, laboratory space, and a library carrel when used for professional purposes in support of the College's mission.
- h. The President may designate other privileges to emeritus faculty.

G. Faculty Grievance Procedures

1. A Special Review Committee will be established by the College of Pharmacy for the purpose of mediating faculty grievances. "Grievance" does not include matters related to disciplinary actions, dismissals, terminations, or non-renewals, as such proceedings are mediated by the *Faculty Review Board*.
2. Actions or conditions subject to grievances are administrative decisions affecting terms and conditions of employment, such as salary adjustments, developmental leaves, assignments/duties, alleged infringement upon academic freedom, and working environment.
3. A grievant shall initiate, within a reasonable length of time, the grievance process with the Dean of the College of Pharmacy only if the grievance cannot be resolved by 1) communicating with the person whose decision is the subject of the grievance, 2) discussing the grievance with the person's immediate supervisor, and 3) exhausting other applicable grievance processes.
4. The Special Review Committee shall consist of the following three members:
 - a. A faculty member chosen by the grievant;
 - b. A faculty member chosen by the person(s) whose decision is the subject of the grievance;
 - c. A faculty member elected by the faculty who will also act as Chair.

- d. The Assistant Dean of Academic Affairs and Assessment will act as an ex-officio member. If the Assistant Dean of Academic Affairs and Assessment is the subject of the grievance, the Assistant Dean of Student and Alumni Affairs will act as the ex-officio member.
5. The Special Review Committee shall attempt to resolve the grievance on an informal basis. Should the grievance remain unresolved, the Committee shall make its recommendations in writing to the grievant and the Dean of the College of Pharmacy.
6. The Dean shall inform the grievant of his/her decision concerning the grievance after consideration of the Special Review Committee's recommendation.
7. Should the grievant continue to be unsatisfied, he/she may appeal within 30 days, to the President, whose decision shall be final.
8. Should the Dean or the President be the subject of any grievance then the Assistant Dean of Academic Affairs and Assessment shall be the administrator responsible for the hearing and processing of the grievance. The grievance process shall be initiated with the Assistant Dean of Academic Affairs and Assessment, the Special Review Committee shall make its recommendation to the Assistant Dean of Academic Affairs and Assessment, and the Assistant Dean of Academic Affairs and Assessment shall render a decision after consideration of the Special Review Committee's recommendation. Further, should the grievant wish to appeal the decision of the Assistant Dean of Academic Affairs and Assessment, and where the Dean or President is the subject of the grievance, the grievant may appeal, within 30 days, to the Chair of the Board of Trustees (or designee should the Chair determines that a conflict exists), whose decision shall be final.

H. Policy on Sexual and Other Unlawful Harassment

Harassment of applicants, students, and employees of the Appalachian College of Pharmacy (ACP) for any reason, particularly on the basis of race, color, religion, age, sex, marital status, national origin, disability or handicap, sexual orientation, ancestry, or veteran's status, including sexual harassment (all as defined and protected by applicable law) is prohibited.

As a recipient of federal financial assistance, ACP is required to comply with Title IX of the Higher Education Amendments of 1972 (20 U.S.C. § 1681 *et seq.*) and related regulations, which prohibit discrimination on the basis of sex in educational programs or activities. Sexual Misconduct as defined in this Policy is a form of sex discrimination, and is prohibited by Title IX.

1. *Scope of Policy*

The Appalachian College of Pharmacy has adopted the following standards of conduct (herein after broadly referred to as “Sexual Misconduct Policy” or “Policy”) for all members of our community--students, faculty, administrators, staff, vendors, contractors, and third parties-- with respect to sexual harassment, sexual exploitation, sexual violence, stalking, and dating and domestic violence (collectively referred to as “Prohibited Conduct”) to address ACP’s responsibilities under Title IX and the 2013 Violence Against Women Reauthorization Act of 2013 (also known as the Campus SaVE Act). These standards apply equally to all regardless of the sex, gender, sexual orientation, gender identity, or gender expression of any of the individuals involved.

Sexual Misconduct (both on and off campus) violates ACP policy and Federal Civil Rights Laws, and may also be subject to criminal prosecution. ACP is committed to creating and sustaining an educational and working environment free of sex discrimination, sexual harassment, sexual violence, sexual exploitation, domestic violence, dating violence, and stalking. The safety and well-being of the campus community is a priority for ACP.

This Sexual Misconduct Policy adopted by ACP is designed to provide for a prompt, fair, and impartial investigation and resolution of complaints, while ensuring a Complainant’s protections under Title IX. A complete copy of the ACP Sexual Misconduct Policy can be found at: <https://www.acp.edu/resources/title-ix/>

2. *Title IX Coordinator*

Pursuant to Title IX of the Education Amendments of 1972 and the U.S. Department of Education’s implementing regulations at [34 C.F.R. Part 106](#), ACP’s Title IX Coordinator has primary responsibility for coordinating ACP’s efforts to comply with and carry out its responsibilities under Title IX, which prohibits sex discrimination in all the operations of ACP, as well as retaliation for the purpose of interfering with any right or privilege secured by Title IX. The Title IX Coordinator oversees this process in order to the appropriate steps to end the Prohibited Conduct (under Title IX and the Campus SaVE Act), prevent its recurrence, and redress its effects. The Title IX Coordinator shall be appointed by the President of ACP.

Title IX Coordinator:
Dr. Caterina Hernandez
Office Phone: (276) 498- 5235
Address: 227 McGlothlin Hall (1060 Dragon Rd., Oakwood, VA 24631)
Email: TitleIXCoordinator@acp.edu
Website: <https://www.acp.edu/resources/title-ix/>

All ACP faculty and staff are required to report allegations of Prohibited Conduct as defined in this Policy (or potentially Prohibited Conduct) to the Title IX Coordinator unless they have a recognized confidentiality privilege. Additionally, any student with knowledge of Prohibited Conduct is strongly encouraged to report the concern to the Title IX Coordinator.

Under Virginia Code § 23-9.2:15: Any responsible employee who in the course of his employment obtains information that an act of sexual violence may have been committed against a student attending the institution or may have occurred on campus, in or on a noncampus building or property, or on public property shall report such information to the Title IX coordinator as soon as

practicable after addressing the immediate needs of the victim. "Sexual violence" means physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent.

A person may also contact or file a complaint with the US Department of Education, Office for Civil Rights (OCR; Phone: 1-800-421-3481; Email: OCR@ed.gov) regarding an alleged violation of Title IX online at: <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>

3. *Academic Freedom*

As a reflection of institutional values, this policy upholds traditions of academic freedom and uncensored debate on matters of public concern that are conducted within applicable state and federal law. The policy affects no compromise of freedom of thought, inquiry, or debate. Rather, the policy seeks to ensure an environment in which education, work, research, and discussion are not corrupted by harassment. Professional relationships among faculty, staff, and students are central to the educational mission of the College. Those who work within this community are entrusted with unique responsibilities, including, but not limited to, guiding the educational and professional development of students, evaluating student performance and assigning grades, providing job recommendations, mentoring, and counseling.

4. *Sexual Harassment*

Sexual harassment has been defined generally as including unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature whenever: (1) submission to the conduct is either an explicit or implicit term or condition of employment; (2) an employee's reaction to the conduct is used as a basis for employment decisions affecting that employee; or (3) the conduct has the purpose or effect of interfering with the employee's work performance or creating an intimidating, hostile, or offensive working environment.

5. *Examples of Sexual Harassment:*

Sexual harassment can take many forms. Examples of conduct of a sexual nature include, but are not limited to, the following: sex-oriented verbal kidding, teasing, or jokes; repeated offensive sexual flirtations, advances, or propositions; reference or use of sexual material in class without any contextual relationship to the material being presented; attempted or actual unwanted kissing or fondling; continued or repeated verbal abuse of a sexual nature; graphic or degrading comments about an individual or his or her appearance; the display of sexually suggestive objects or pictures; subtle pressure for sexual activity; inappropriate physical contact; or implied or overt sexual threats.

The examples listed above are not exclusive but simply represent types of conduct that may constitute sexual harassment.

Sexual harassment does not refer to occasional compliments of a socially-acceptable nature or consensual personal and social relationships without a discriminatory employment effect. It refers to behavior that is not welcome and that is personally intimidating, hostile, or offensive.

6. *Other Unlawful Harassment*

Harassment on other grounds, such as race, color, religion, age, sex, marital status, national origin, disability or handicap, sexual orientation, ancestry, veteran's status, or any other characteristic that

is protected by law is also prohibited. Harassment includes jokes, verbal abuse and epithets, degrading comments, the display of offensive objects and pictures, and other conduct that the individual might reasonably find to be offensive.

I. Anti-Fraternization Policy

The College is charged with and takes seriously providing a safe and productive learning environment for its students and therefore considers it inappropriate for any the College employee to establish or allow to be established an intimate physical relationship with a student, regardless of gender, whose academic performance, work performance, financial support or aid will be evaluated, determined, or influenced by such employee. The College considers it a violation of this policy for any employee to offer or request sexual favors, make sexual advances, or engage in sexual conduct, regardless of consent, with a student who is not the employee's spouse.

This policy is specifically designed to avoid any implied or direct misuse of power that any employee may exert or intimate over a student at any time such student is enrolled at the College.

J. Complaint Procedure

The College requires reporting of all incidents of sexual or other harassment, regardless of the identity of the offender. While the College encourages individuals who believe they are being harassed to firmly and promptly notify the offender that his or her behavior is unwelcome, the College also recognizes that power and status disparities between the offender and the recipient of the offensive conduct may make such a confrontation impossible. Consequently, such direct communication is not a requirement or prerequisite to filing a complaint.

An employee or student who reasonably believes that he or she is or has been the victim of illegal discrimination or harassment in violation of this policy shall immediately notify his or her supervisor, the President, Dean, or the College's Legal Counsel. The College will fully investigate all complaints and maintain confidentiality to the extent possible given the College's duty to investigate the complaint. Anyone who is found to have engaged in illegal discrimination or harassment in violation of this policy will be subject to appropriate disciplinary action, which may include termination of employment, depending on the circumstances. No employee will be retaliated against for making a complaint or assisting with the investigation of a complaint. Making a complaint does not, however, exonerate the complainant from disciplinary action for separate and distinct violations of this personnel policy or for making a false or malicious complaint.

The College is strongly committed to maintaining a workplace free of impermissible harassment or intimidation, including sexual harassment. All complaints will be taken seriously.

Regardless of whether you have performed any of the above reporting actions, **you may contact the Office for Civil Rights, United States Department of Education, regarding complaints based on age, race, national origin, color, disability, or gender at:**

**District of Columbia Office
Office for Civil Rights
U.S. Department of Education
1100 Pennsylvania Ave., N.W., Rm. 316**

**P.O. Box 14620
Washington, D.C. 20044-4620**

**Telephone: 202-208-2545
FAX: 202-208-7797; TDD: 877-521-2172
Email: OCR.DC@ed.gov**

K. Duty to Report

All full and part time the College employees and all students, whether or not employed by the College, have a duty to promptly report all incidents of unlawful harassment, including sexual harassment, discrimination, threats, acts of violence, or other crimes that occur to them or to others in their presence related to the College activities on or off campus.

Any display of violence or threatening behavior on the part of any employee, student, agent, officer, contractor, vendor, or any other person or group involving the College activities on or off campus shall be immediately reported to the President of the College, Dean, or legal counsel. In the event of a threat of immediate and/or imminent danger, such report shall be made directly to law enforcement authorities.

Failure by any employee or student to fulfill this duty may result in disciplinary action, up to and including termination of employment or dismissal.

Scholarship and Research

A. Research

Research and scholarship is an important faculty responsibility because it informs and lends substance to the instruction and service components of the College's mission. Each department's faculty must determine the appropriateness of the research or scholarship being performed as it relates to the Department's and College's mission. Mission-focused research and scholarship, including basic science laboratory research, clinical and outcomes research, and the scholarship of teaching are examples of research and scholarship areas supported by the College. Research and scholarship should be disseminated and documented by a faculty member's publications or presentations.

B. Research Grants and Contracts

1. Applications for extramural contract and grant support require College authorization. To submit an extramural proposal, it must be reviewed and processed through the Research Committee, and approved and signed by the Department Chair, the Director of Research, the Chief Financial Officer, the Dean, the College's General Associate Counsel and the President. All contract and grant awards for sponsored activities are administered through the Office of the Chief Financial Officer and Research Committee.
2. Statement of Principal Investigator Eligibility
 - a. When ACP submits a proposal to external sponsors and accepts awards for sponsored projects, the College assumes significant financial and legal obligations. Sponsors fund projects based on the professional expertise of the Principal Investigators submitting proposals; however, the formal award is to be made in the name of the College. Under the general oversight and authority of the College, the Principal Investigator of a sponsored project is the individual who bears primary responsibility for technical compliance, completion of programmatic work, fiscal stewardship of sponsor funds, and compliance with administrative and regulatory requirements of the project. Thus

the Principal Investigator must have the technical competence and administrative capabilities to carry out a sponsored project. Only faculty holding the rank of Assistant Professor or higher may serve as a Principal Investigator on an externally sponsored project at ACP.

- i. Any individual who holds a rank of Instructor, Adjunct/Affiliate faculty, Emeritus faculty, Resident, or Post-Doctoral Fellow may serve as a principal investigator for sponsored activities only if approved by the Dean.
 - ii. Students may only serve as co-investigators with a faculty member holding the rank of Assistant Professor or higher, unless approved by the Dean.
 - b. In some cases, a sponsoring agency may have additional restrictions for who may serve as a Principal Investigator on a particular project or program. In these cases, the sponsor's requirements will take precedence over institutional policy.
3. Applications for extramural contract and grant support
 - a. Applications for extramural contract and grant support require College authorization.
 - b. To submit an extramural proposal, it must be reviewed and processed through the Research Committee, and approved and signed by the Department Chair, Director of Research, Chief Financial Officer, the Dean and the College Attorney. All proposals must include the following documentation for review (forms can be found in SharePoint or on the ACP Web Site):
 - i. Completed and signed cover form for extramural programs (See Cover Form)
 - ii. Completed and signed Conflict of Interest form
 - iii. One complete copy of the proposal with signatures
 - iv. A completed and appropriately justified budget (See Budget Form)
 - v. A copy or URL of the Sponsor's guidelines
 - vi. Any additional information regarding subcontracts, consultant, or collaborative submissions with other institutions.
 - c. The Principle Investigator (PI) is responsible for the development and preparation of the budget (including cost recovery) and proposal, and for routing and final submission to the Sponsor or Agency. The PI is responsible for determining and meeting the requirements of the sponsor or agency. The PI is responsible for determining, procuring and receiving commitments from faculty or College administrators for any resources necessary to complete the project. The PI is also responsible for advanced approvals for animal, human subjects, safety issues, hazardous waste, radiation, or collaborative agreements, if appropriate.
 - d. All contract and grant awards for sponsored activities are administered through the Office of the Chief Financial Officer and the Research Committee.

C. Proprietary Research

1. Research proposals to conduct classified research will be reviewed on a case-by-case basis by the Assistant Dean of Academic Affairs and Assessment according to the guidelines set forth below.

Guidelines on Negotiating Classified Research Contracts or Activities

- a. The College of Pharmacy will, under no circumstances enter into any agreement or contract for which the direct purpose of the research is to result in the destruction of human life or the incapacitation of human beings.
 - b. Proprietary research contracts or agreements, involving possible patent applications by the funding organization, will be accepted by the College of Pharmacy provided that all patent applications are filed in a timely manner to avoid a delay in national disclosure of the results of the research.
 - c. In situations where the College of Pharmacy research and contract proposals are considered confidential or proprietary by the sponsor, faculty, or others associated with the College, the College of Pharmacy shall exercise reasonable care in preventing the disclosure of these proposals and information, or use such information unless approved by the sponsor.
 - d. Patents resulting from research performed in collaboration with ACP faculty will fall under the terms as outlined in the intellectual property policy (appendix 5).
2. Publication of research data
 - a. Publication and dissemination of information are integral to the purpose of the College of Pharmacy. The right to publish the results derived from research and development programs shall be vested at all times in the College of Pharmacy, its faculty, staff, students, and associates.
 - b. In certain instances, the sponsor may request:
 - i. a limited time period in which the sponsor may examine potential publications to provide advisory comments and to identify proprietary information; and,
 - ii. a time period in which public disclosure of research results or discoveries should be withheld to allow the preservation of patent rights.

D. Copyrights and Patents

The intellectual property policy is located in appendix 5. It is the responsibility of faculty to negotiate any ownership rights or income allocation with the College prior to initiating any research in which intellectual property may be developed.

E. Institutional Laboratory Safety

1. Institutional Laboratory and Chemical Safety

- a. Anyone employed by the College of Pharmacy who will be using hazardous chemicals in a laboratory will need to attend a laboratory and chemical safety course provided by the College's Safety Committee or designee.
- b. Laboratory and chemical safety is the responsibility of all research faculty and the Research Committee. These responsibilities include:
 - i. Maintaining and revising the College of Pharmacy's hazardous chemical management plan as needed to ensure compliance with regulatory changes; and,
 - ii. Conduct regular inspections of safety, chemical storage areas, and first aid equipment; and,
 - iii. Maintaining the College's chemical inventory and material safety data sheets (MSDS); and,
 - iv. Advising the College of Pharmacy administration on changes to ensure regulatory conformity.

2. Institutional Biosafety Committee

- a. The College of Pharmacy's institutional biosafety policies are administered by the Director of Research and the Institutional Biosafety Committee (IBC).
- b. The College of Pharmacy's Institutional Biosafety Committee is charged with the responsibility of maintaining a biosafety program and formulating policies consistent with state and federal laws, such as the NIH guidelines for research involving recombinant DNA molecules. Anyone using recombinant DNA methodology or biohazardous organisms or cell lines must contact the Chair of the College of Pharmacy Institutional Biosafety Committee, who is responsible for advising and assisting the committee and College of Pharmacy faculty. Applications for the use of biohazardous materials must define the materials being used and procedures for their safe handling.

At this time the College is not authorized and no one is permitted to use radiation or live animals on the ACP campus for research purposes.

Collaborative agreements to utilize animal or radiation at other institutions must be fully approved by those institutions, and a copy of any agreements or approvals maintained by the College's Research Committee.

F. Research on Human Subjects

1. The College of Pharmacy will provide a formal guarantee to the Office for the Protection from Research Risks, in the Department of Health and Human Services (DHHS), that it will follow procedures which will assure the protection of all human subjects involved in research projects. This guarantee applies to all research conducted by anyone on the premises of the College of Pharmacy and to all research conducted elsewhere by faculty, students, staff, or other representatives of the College of Pharmacy, whether or not the research is sponsored by agencies of the U.S. government.
2. In order to comply with this assurance, the College of Pharmacy has established a relationship with the Virginia College of Osteopathic Medicine (VCOM) Institutional Review Board (IRB) to review research projects that involve human subjects.
3. The main function of the IRB is to assist investigators in the protection of the rights and welfare of human subjects. Investigators should not bear the sole responsibility for determining the standards for ethical conduct of research involving human subjects. It is necessary for others who are independent of this research to share this responsibility. Any proposal that involves the use of human subjects is to be conducted under specific guidelines to be formulated by the IRB.
4. All applications submitted to the VCOM IRB are to be reviewed and approved for submittal by the Research Committee.

G. Policy on Scientific and Academic Misconduct

1. Philosophy
 - a. One of the basic responsibilities of a faculty member is to be engaged in scholarly inquiry. Consistent with this responsibility is the expectation for strict integrity in scholarly activity. Integrity is defined to mean that the results reported are honest and accurate and in keeping with generally accepted research practices of the discipline.

- b. Because misconduct in scholarly inquiry threatens the confidence in the academic endeavor, it is the responsibility of the College of Pharmacy to foster an academic environment that discourages misconduct in all endeavors of scholarly activity, and to develop policies and procedures to deal with possible misconduct associated with scholarly activity.

2. Purpose

The College's policy on Scientific Misconduct was developed to effect compliance with the requirements of the Public Health Service Final Rule on "Responsibilities of Awardee and Applicant Institutions for Dealing With and Reporting Possible Misconduct in Science" (42 CFR Part 50). Allegations of scientific misconduct made against any faculty, staff, or student of the College involved in research or research training, application for support of research or research training, or related research activities shall be handled according to the policies below.

3. Definitions, Academic Misconduct

- a. Misconduct in research, herein defined as scientific misconduct, is inappropriate behavior. "Allegations" of scientific misconduct made against individuals involved in research, research training, applications for support of research or research training, or related research activities that are supported with funds made available under the Public Health Service Act or other sponsoring agency, including intramural grants supported by the College, will be handled according to the policies and procedures included herein.
- b. "Misconduct" or "Misconduct in Science" means fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted within the scientific community for proposing, conducting or reporting research. It does not include honest error or honest differences in interpretations or judgments of data.
- c. "Inquiry" means information gathering and initial fact finding to determine whether an allegation or apparent instance of misconduct warrants an investigation.
- d. "Investigation" means the formal examination and evaluation of all relevant facts to determine if misconduct has occurred.

4. Allegations

- a. Initial allegations should be reported in writing to the Department Chair, Assistant Dean of Academic Affairs and Assessment, Research Director or Dean of the College. Reports of such allegations are communicated to the Research Committee to determine if an inquiry is warranted. Anyone with a possible conflict of interest should withdraw from any further action in the case.

- b. The Research Director and Research Committee shall informally review any allegation of scientific misconduct, confer with the Dean and College administrators, and determine whether the allegation warrants initiation of the inquiry process. The Research Director and Research Committee shall discuss with the person making the allegations (hereafter referred to as the complainant(s)) the College's scientific misconduct policies and procedures. If the complainant(s) chooses to make a formal allegation and the Research Director and Research Committee determines that the allegation has merit, the inquiry process shall be initiated immediately.
- c. Upon determining that an allegation falls within the definition of research misconduct and that an inquiry is warranted, the Director of Research will notify the respondent and will immediately secure **all** original research records and materials relevant to the allegation.
- d. The College shall pursue an allegation of misconduct to the extent it is reasonably capable of doing so, even if the individual(s) against whom the allegation is made (hereafter referred to as the respondent(s)) has left the College before the case is resolved.

5. Inquiry

- a. An inquiry is designed to separate allegations deserving further investigation from frivolous, unjustified, or clearly mistaken allegations. Factual information is gathered and expeditiously reviewed to determine if an investigation of the charge is warranted.
- b. The Research Committee shall appoint an Inquiry Committee of no less than three persons. The Committee shall consist of the Research Director or appointee, and senior faculty who are without conflict of interest and have appropriate expertise for evaluating the information relevant to the case. In the event of any conflict of interest or need to acquire appropriate expertise, the Research Director and Research Committee may go outside the College to select one or more Committee members. Every effort must be made to appoint a Committee of Inquiry within 15 days, but the Committee must be appointed within 30 days from the determination that the allegation had sufficient merit to warrant an inquiry.
- c. The inquiry phase, including preparation of the written Report of Inquiry, shall be completed within 60 calendar days of its initiation unless circumstances clearly warrant a longer period. In such circumstances, the Committee shall advise the Research Committee, who shall notify all relevant parties. The Report of Inquiry shall include documentation for justifying an extension of the 60-day period.
- d. Records and proceedings of the inquiry are confidential and are to be passed on to the Committee of Investigation if initiated. In any case, the records should be kept secure, and if no misconduct is

found, records should be destroyed three (3) years after completion of an inquiry. Making the records public without authorization is grounds for a charge of misconduct and possible dismissal.

- e. The Research Director is responsible for notifying respondent(s) in writing of the allegations and of the proposed membership of the Committee of Inquiry for the purpose of identifying in advance any real or potential conflict of interest. As the inquiry is informal and intended to be expeditious, principals are expected to speak for themselves. All individuals may have the assistance of legal counsel and shall have the opportunity to present evidence and to call witnesses.
- f. In order to effectively follow through with any allegations of misconduct, the identity of the complainant(s) must be revealed to the Committee of Inquiry. Where the complainant seeks anonymity, the Committee shall operate in such a way as to maintain that anonymity to the degree compatible with accomplishing the initial review. However, such anonymity cannot be assured. Further, anonymity of the complainant is neither desirable nor appropriate where any inquiry is instituted.
- g. All material shall be considered confidential and shared only with those with a need to know. During the inquiry, the members of the Committee are responsible for the security of relevant documents. Copies of all documents and related communications are to be securely maintained in the office of the Research Director and are not to be removed from the committee meeting room.
- h. The completion of an inquiry is marked by a determination of whether or not an investigation is warranted. The Committee's recommendation to proceed to an investigation shall be based on demonstrated probable cause for each allegation. The Committee shall prepare a written Report of Inquiry that states what evidence was reviewed, summarizes relevant interviews and includes the findings and recommendations of the Inquiry Committee. The Report of Inquiry shall be submitted to the Research Committee, Department Chair, Dean and President. The Chair of the Research Committee shall be responsible for notifying the respondent(s) and complainant(s) of the outcome within ten working days.
- i. The respondent(s) shall be given a copy of the Report of Inquiry and the opportunity to comment in writing upon the findings and recommendations. If the respondent(s) chooses to comment, such comments must be forwarded within ten working days. The respondents' comments shall be made a part of the record.
- j. If the outcome of the inquiry indicates a need for formal investigation, the Research Director and Research Committee, after notification to the Departmental Chair and Dean, shall initiate the investigatory process. Under certain circumstances, as defined by federal regulations, the institution may be expected to notify federal agencies, sponsors, or other entities at a point prior to the initiation of an investigation. Factors used in determining the timing of such notification include the following:

(1) there is an immediate health hazard involved; (2) there is an immediate need to protect Federal funds or equipment; (3) there is an immediate need to protect the interests of the complainant(s) or of the respondent(s) as well as his/her co-investigators and associates, if any; (4) it is probable that the alleged incident is going to be reported publicly; or (5) there is a reasonable indication of possible criminal violation.

- k. If an allegation is found to be unsupported, but has been submitted in good faith, no further action, other than informing all involved parties, shall be taken. The proceedings of an inquiry, including the identity of the respondent(s), shall be held in strict confidence to protect the parties involved. If confidentiality is breached by the College, the College shall take reasonable steps as are requested to minimize the damage to reputations that may result from unsupported allegations. If the Research Committee or Committee of Inquiry finds the allegations to be unfounded, frivolous, or malicious, appropriate procedures may be invoked to address possible actions to be taken against the complainant(s).

6. Investigation

- a. The purpose of an investigation is to determine whether scientific misconduct has been committed. The investigation shall focus on accusations of misconduct as defined previously and examine the factual materials of each case. In the course of an investigation, additional information may emerge that justifies broadening the scope of the investigation beyond the initial allegations. The respondent(s) shall be informed in writing when significant new directions of investigations are undertaken.
- b. The Research Committee shall appoint an Investigating Committee of no less than three persons. The Committee shall consist of the Research Director or appointee, and senior faculty who are without conflict of interest and have appropriate expertise for evaluating the information relevant to the case. In the event of conflict of interest or need to acquire appropriate expertise, the Research Director and Research Committee may go outside the College to select one or more Committee members. Every effort shall be made following the determination that an investigation is warranted to appoint an Investigating Committee within 15 days, but the Committee must be appointed within 30 days. The Investigating Committee may consist of the same members as the Inquiry Committee.
- c. Every effort should be made to complete the investigation within 120 days of its initiation; however, it is acknowledged that some cases may render this time period difficult to meet. In such cases, the Investigating Committee should compile a progress report, identify reasons for the delay and notify

the Research Committee of the additional time necessary for the investigation. The Research Committee shall convey to all relevant parties such information as may be required.

- d. The Research Director is responsible for notifying all parties in writing of the allegations and of the procedures that shall be used to examine the allegations. Further, they shall be informed of the proposed membership of the Committee of Investigation for the purpose of identifying in advance any real or potential conflict of interest.
- e. All parties to the case may be represented by legal counsel, may present evidence, and may call and examine witnesses. The investigation normally shall include examination of all documentation, including, but not necessarily limited to, relevant research data and proposals, publications, correspondence, and memoranda of telephone calls. The Committee shall attempt to interview all individuals involved either in making the allegation or against whom the allegation is made, as well as other individuals who might have information regarding key aspects of the allegations. Summaries of these interviews shall be provided to the interviewed party for comment or revision and included as part of the investigatory file. The Committee may request the involvement of outside experts. The investigation must be sufficiently thorough to permit the Committee to reach a decision about the validity of the allegation(s) and the scope of the wrong doing, or to be sure that further investigation is not likely to alter an inconclusive result. In addition to making a judgment on the veracity of the charges, the Committee may recommend to the Research Committee and Dean appropriate sanctions.
- f. As the College is interested in protecting the health and safety of research subjects, students and staff, interim administrative action prior to conclusion of either the inquiry or the investigation may be warranted. Such action ranging from slight restrictions to complete suspension of the respondent(s) research and notification of all external sponsors and editors of any published works that may have resulted from falsified or misrepresented data, and any other actions as required by federal regulations. These actions are initiated by the Research Committee, Departmental Chair and Dean.
- g. All parties in the investigation are encouraged to cooperate by producing any additional data requested for the investigation. Copies of all materials secured by the Committee shall be provided to the respondent(s) and may be provided to other concerned parties as judged appropriate by the Committee. The respondent(s) shall have an opportunity to address the charges and evidence in detail.
- h. After all evidence has been received, the investigating Committee shall meet to deliberate and prepare its findings and recommendations. The Committee shall find no scientific misconduct unless a majority of the members conclude by clear and convincing evidence based on the record as a whole that the allegation(s) have been substantiated. All significant developments during the investigation, as well as the findings and recommendations of the Committee shall be reported by the Research Director to all federal agencies, sponsors, or other entities with a need to know.

- i. Upon completion of the investigation, the Committee shall submit to the Research Committee a full written report which details the Committee's findings and recommendations. This report shall be sent also to the respondent(s) by the Research Director within ten days of its receipt. The respondent(s) shall be given the opportunity to comment in writing upon the findings and the recommendations. If the respondent(s) chooses to comment, such comments must be forwarded within ten working days. The respondent's comments shall be made a part of the record.
- j. If required, the Research Director shall submit the final Report of Investigation to the Public Health Service (PHS) or other sponsors of the respondent's research. All records of the investigation shall be retained for a period of three (3) years after PHS acceptance of the final Report of Investigation.

7. Resolution

- a. In the absence of a finding of scientific misconduct, all parties informed of the investigation shall be informed in writing that allegations of misconduct were not supported. If the allegations were deemed to have been unfounded and maliciously motivated, appropriate actions shall be taken against the complainant(s). If the allegations were deemed to have been made in good faith, no additional measures are indicated and efforts shall be made to prevent retaliatory actions. In publicizing the findings of no misconduct, the College shall be guided by whether public announcements shall be harmful or beneficial in restoring any reputation(s) that may have been damaged. Usually, such decision shall be made in conjunction with the person(s) who is innocently accused.
- b. When it has been determined that scientific misconduct has occurred, the Research Committee shall consider the recommendations of the Investigation Committee, and shall provide a recommendation to the Dean of appropriate sanctions. The President and Dean are responsible for final determination of sanction(s) and implementation of the sanction(s). The respondent(s) shall be notified in writing of the sanction(s) within 20 days. If the sanction(s) involves termination of employment, the College's termination procedures shall be invoked. The College must take action appropriate for the seriousness of the misconduct. Sanctions shall not be imposed during the appellate process.

8. Appeal

- a. The respondent(s) may appeal the decision of the Research Committee or sanctions placed on the Respondent by the Dean or President. A written statement of the grounds for the appeal must be submitted to the President within 30 days of written notification of the sanction(s). Appeals shall be restricted to the body of evidence already presented, and the grounds for appeal shall be limited to

failure to follow appropriate procedures in the investigation or decisions/recommendations not supported by any reasonable evidence. Upon receipt of a written appeal, the President shall evaluate the evidence and make a determination. The President's decision shall be binding on all parties and shall be conveyed to all involved in a timely fashion.

- b. Although new previously unconsidered material evidence is not grounds for an appeal, the respondent(s) may submit a request to the President to reopen the investigation in the event such evidence becomes available.

Employment Policies

Employment policies can be found in the Appalachian College of Pharmacy Personnel Policies and Procedures Manual.

A. Honoraria

1. College of Pharmacy employees are encouraged to provide public service by making presentations to various groups and organizations. Often the employee may be given an honorarium in appreciation of such service.
2. An honorarium is defined as a monetary gift which is meant to express appreciation or honor to the recipient and which is not covered under the consulting policies.
3. Employees can accept honoraria from non-College of Pharmacy-related entities.

B. Payment of Meals for Staff and Guests

1. Staff members must pay for their own meals. Exceptions to this policy include:
 - a. Functions attended at the request of and on behalf of the College of Pharmacy, including recruiting of staff and faculty, and staff retreats.
2. Alcoholic beverages are not to be paid from College of Pharmacy funds regardless of the source of funds.
3. The College of Pharmacy may require prior approval of such expenditures by the Business Office or the CFO.

C. Travel

All travel policies are located in the ACP Personnel *Policies and Procedures Manual*.

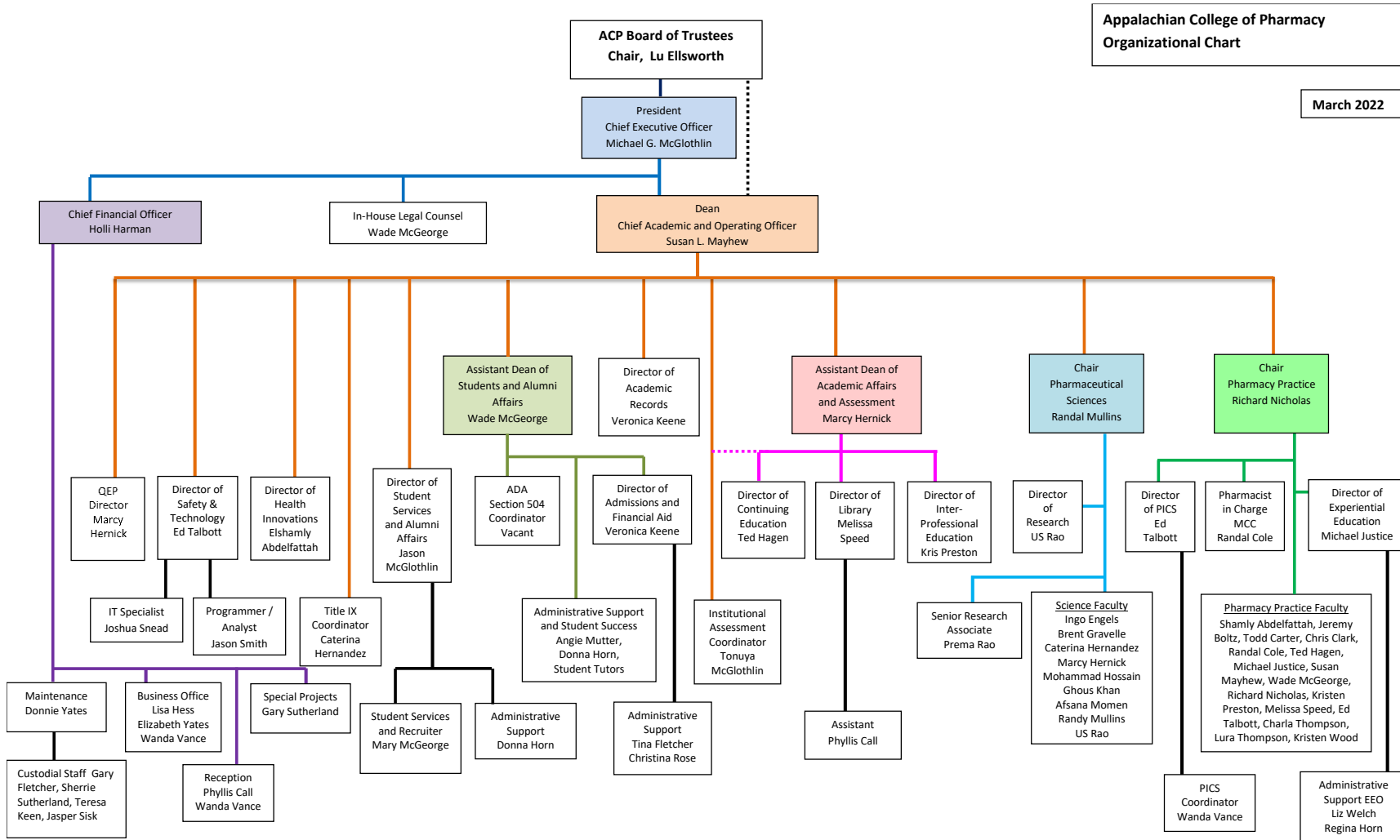
D. Courtesy Appointments

1. A courtesy appointment is an academic appointment granted to a person who has been requested by the faculty to participate in the academic or research program of the College of Pharmacy because of unique qualifications and capabilities. A courtesy appointment is considered an adjunct faculty appointment and involves no remuneration.
2. In requesting a courtesy appointment, the faculty must show substantial evidence of:
 - a. The academic qualifications of a candidate and;
 - b. The specific and unique need for the candidate's special qualifications in the College of Pharmacy program.

E. Developmental Leave and Sabbaticals

1. A member of the faculty, upon approval by the Dean, may be granted a developmental leave for retraining and/or professional development providing:
 - a. Institutional resources are available;
 - b. Workload is absorbed within the existing faculty resource allocations;
 - c. A written proposal describing the planned use of the leave and its anticipated benefits to the College of Pharmacy, and to the individual is presented and approved. The proposal shall also include the detail of the source of funds for the stipend.
 - d. The individual presents a signed agreement to return to the College of Pharmacy upon completion of the leave for a period of time at least equal to the leave time or refund the College of Pharmacy's stipend payment.
2. Developmental leave shall not be longer than 12 months and the base stipend shall not exceed 75% of the salary scheduled for the leave period.
3. No annual or sick leave shall accrue during the developmental leave period.

**APPENDIX 1:
ORGANIZATIONAL STRUCTURE OF THE APPALACHIAN COLLEGE OF PHARMACY**



APPENDIX 2

APPALACHIAN COLLEGE OF PHARMACY
FACULTY BY-LAWS

Preamble

The purpose of this document is to provide written record of the consensus of the faculty of the Appalachian College of Pharmacy regarding its self-governance. Nothing in this document shall conflict with policies of Appalachian College of Pharmacy or the Faculty Handbook. If any such conflict should arise, College policies and/or provisions of the College Faculty Handbook shall prevail.

I. Governance of the College of Pharmacy

The faculty of the Appalachian College of Pharmacy shall govern itself in accordance with the regulations, policies and directives of the Appalachian College of Pharmacy Board of Trustees.

II. Membership, Responsibilities and Voting Rights of the Faculty

A. Membership

Members of the faculty include professors, associate professors, assistant professors, and instructors who hold full-time appointments in the Appalachian College of Pharmacy.

B. Responsibilities of the Faculty

The faculty of the Appalachian College of Pharmacy shall be responsible for the following: developing, evaluating and implementing the academic programs of the College; adopting shared responsibility for the admissions process; disciplining students for conduct adversely affecting the College; determining requirements for graduation and recommending of candidates therefore; fulfilling service responsibilities to the College, volunteering for community service and outreach activities, and developing research and continuing education programs.

C. Voting Rights

Voting membership shall consist of members of the Appalachian College of Pharmacy faculty with the rank of instructor or above who are ≥ 0.7 FTE employees of Appalachian College of Pharmacy.

III. Officers of the Faculty

A. Presiding Officer

The Dean shall serve as presiding officer of the faculty. In his/her absence or inability to preside, the function shall be exercised by the Assistant Dean of Academic Affairs and Assessment. In the event that the Assistant Dean of Academic Affairs and Assessment is unable to preside, the Assistant Dean of Students and Alumni Affairs shall preside over the faculty.

B. Secretary

The Administrative Assistant to the Dean assumes the role of Secretary. Responsibilities of the Secretary include the following: maintaining an up-to-date roster of the voting members of the faculty; notification of the faculty of forthcoming meetings; forwarding to the faculty, in advance of any meeting, information regarding matters to be considered at that meeting; conducting all elections which require a ballot; and maintaining other records as designated by the faculty.

IV. Faculty Meetings

A. Frequency

Meetings of the faculty shall be held on a regularly scheduled basis, at least four times per year. In addition, meetings may be held upon the call of the Presiding Officer, or upon the written request of at least 15% of the voting faculty members.

B. Notification of Faculty

A notice about any faculty meeting will be sent by the Secretary to all members of the faculty at least one week in advance of the meeting.

C. Quorum

At least 51% of the faculty must be present or linked by video conference or conference call to constitute a quorum. A quorum of the faculty shall consist of the least possible majority of voting members present and/or linked by video conference or conference call to the meeting. In the case where the total number of voting members present on the faculty is an even number, a quorum shall consist of one-half that number plus one; in the case where the total number of voting members is an odd number, a quorum shall consist of one-half that number plus one-half.

D. Order of Business

An agenda for each faculty meeting shall be established by the Presiding Officer or his/her designee and shall be distributed by the Secretary prior to the meeting. The agenda shall provide for the following items of business, as appropriate:

- completion of items of old or unfinished business
- introduction of items of new business
- committee reports and recommendations
- announcements

E. Introduction of New Business

Any member of the voting faculty may place an item of new business on the agenda by contacting the Secretary. If the agenda item has as its purpose to create, amend or rescind College policy, a written statement in support of the proposal shall be required as provided for in Section V below.

F. Parliamentary Procedure

Faculty meetings shall be conducted according to parliamentary procedures. Roberts' Rules of Order shall serve as the authority for such procedures.

V. Adoption of Policies Governing the Appalachian College of Pharmacy

A. Definition

A policy is a rule, guideline or established procedure that affects any aspect of the College of Pharmacy, which lies within the purview of the faculty as a whole. Policies address issues related to faculty governance, the curriculum, admission of prospective students, student academic performance and standards, and processes for promotion.

B. Policy Approval Process

A proposed new policy, or a proposed change in an existing policy, may be introduced by any individual voting faculty member, any group of voting faculty, or any Standing Committee of the College of Pharmacy. Non-voting faculty, staff or students of the Appalachian College of Pharmacy may also introduce policy proposals provided that one member of the voting faculty agrees to sponsor the proposal. Any policy proposal must be in writing and must include a clear statement of the proposed policy, the rationale for the proposal, and the name(s) of the individual(s) or committee introducing the policy. If the policy is proposed

by non-voting faculty, staff, or students, the name of the faculty sponsor must be included in the policy proposal. Policy proposals, which are non-emergent in nature, will be introduced at the next regularly scheduled faculty meeting. The Secretary will be requested to place the matter on the agenda for introduction and discussion. The proposal will be attached to the agenda and distributed to all faculty at least one week prior to that meeting. Following discussion at the subsequent faculty meeting, the faculty may vote to (1) approve the policy, (2) table the proposal until the next regularly-scheduled faculty meeting, (3) amend the proposed policy and table the vote on the amended motion until the next regularly-scheduled meeting, or (4) reject the proposal.

A proposed policy may be deemed emergent in nature only by the Dean or his/her designee. When such a proposal is received, the Dean may call an emergency faculty meeting within two working days of receipt of the policy proposal. The proposal shall be distributed to all faculty at least one working day prior to the meeting with an explanation of the need for emergency action. The policy may be approved by a majority of the voting faculty members present at the called meeting or linked by video conference or conference call and shall be revisited at the next regularly scheduled faculty meeting.

C. Policy Implementation

Following approval by a majority of the faculty, a policy will become effective immediately unless otherwise specified at the time the policy is adopted.

VI. Faculty Committees (General Provisions)

A. Authority to Establish Committees

The faculty shall have the authority to establish standing committees and to designate their title, function and size. Such standing committees must be specifically provided for in these by-laws (See Article VIII below). Any addition or deletion to this list requires an amendment to these by-laws. The Dean may also establish ad hoc committees as deemed necessary by him/her or the faculty.

B. Committee Membership

Except as otherwise provided in Article VII below, the Dean shall solicit volunteers from among the voting faculty membership for service on standing committees. Committees may

include staff, students, preceptors, adjunct faculty, and others as appointed by the Dean or required by federal regulations. The Dean will announce the membership of each standing committee at the beginning of each academic year.

C. Committee Chairs

The committee chair is appointed by the Dean, unless otherwise provided for in Article VII below. The chair shall be responsible for calling committee meetings, presiding at the meetings, informing the committee members of all scheduled meetings, providing committee reports during faculty meetings, and submitting the annual committee report.

D. Ex Officio Member

Except as provided in Article VIII below, the Dean shall serve as ex officio, non-voting member of all standing committees. Other faculty and staff may serve as ex officio members as indicated on the committee roster.

E. Right of Faculty to Attend Committee Meetings

With the exception of the Executive Committee, all meetings of standing committees are open to all Appalachian College of Pharmacy faculty members with voting privileges. Other individuals may attend the meetings of standing committees upon approval or invitation by the committee. Any committee members who have business before the committee which may involve a conflict of interest should excuse themselves from the committee proceeding during such discussion.

VII. Committees appointed by the President

Members of the following committees are appointed by the President of the College. The committees are advisory to the President of the College.

A. Executive Committee

The Executive Committee shall act as an advisory body to the President on administrative matters. The Appalachian College of Pharmacy Executive Committee shall consist of the President (who shall serve as chair), Dean, Assistant Dean of Academic Affairs and Assessment, Assistant Dean of Students and Alumni Affairs, Registrar, and the Chief Financial Officer.

B. Strategic Planning Committee

The Strategic Planning Committee consists of the administrative leadership team of the college, members of the board of trustees appointed by the Chair of the Board of Trustees, faculty and external stakeholders and a student from each of the P1, P2 and P3 classes. The President serves as Committee Chair. The committee develops and maintains the College's five-year strategic plan.

C. Institutional Review Board

The Institutional Review Board consists of college faculty and members of the clergy and lay public and is responsible for ensuring that all human research conducted by the college is done so in an ethical and prudent manner.

D. Institutional Effectiveness Committee

The Institutional Effectiveness Committee oversees and manages the assessment activities of the College and is responsible for ensuring that each unit of the College is functioning in an efficient and effective manner.

VIII. Committees appointed by the Dean

Members of the following committees are appointed by the Dean of the College. The committees are advisory to the Dean of the College.

A. Admissions Committee

The Admissions Committee coordinates review of student applicants, the interview process, and student matriculation. The Admissions Committee develops and approves recruitment strategies for new students. The Committee tracks and assesses student performance to modify and improve admissions requirements to identify likely successful candidates.

B. Alumni Committee

The Alumni Committee is responsible for creating and maintaining channels of communication with graduates and engaging alumni in continuing education, fundraising events, and outreach events of the College.

C. Committee on Academic Requirements (CARE)

The Committee on Academic Requirements is responsible for identifying students in academic difficulty and developing a corrective or remedial plan of action for each student in academic difficulty.

D. Curriculum Committee

The functions of the Curriculum Committee are to develop recommendations concerning curriculum, academic content revisions, prerequisites for each course of instruction, requirements of the pre-pharmacy curriculum, requirements for the professional degree, and matters related to improvement in instruction. The Committee is also charged with global assessment of the educational program. All such recommendations shall be submitted to the full faculty for approval.

E. Experiential Committee

The Experiential Committee is charged with the responsibility for maintaining quality assurance of the experiential curriculum, preceptors, and training sites.

F. Honor, Ethics and Professionalism Board

The Honor, Ethics and Professionalism Board is charged with the responsibility hear cases of alleged honor, ethics, or professionalism violations referred to the committee.

G. Library and Technology Committee

The Library and Technology Committee is charged with researching library needs and requesting the purchase of holdings or equipment to improve library services for students and faculty. The committee is also charged with keeping the College's website current and accurate; and reviewing issues dealing with technology and equipment, including copiers and computers, used by the College and providing recommendations to overcome such issues

H. Promotion Committee

The Promotion Committee is charged with the responsibility for promotion of faculty based on merit and collegiality.

I. Research Committee

The Research Committee is responsible for stimulating, developing, and supporting efforts to enhance research and scholarly pursuits of faculty, staff, and students of the Appalachian College of Pharmacy.

J. Residency Advisory Committee

The Residency Advisory Committee serves as an advisory panel to the Residency Program Director and Dean in the implementation, coordination, assessment, and quality assurance of the College's residency training program.

K. Safety Committee

The Safety Committee is comprised of a cross-section of faculty and staff and is responsible for developing safety-related policies, procedures, and training material or initiatives to comply with all relevant safety codes and regulations, to ensure the safety of students, faculty, employees and visitors.

L. Scholarship and Awards Committee

The Scholarship and Awards Committee compiles and maintains a list of available scholarships and eligibility requirements, reviews all applications for internal scholarships, and recommends candidates to be awarded scholarships. The committee is also responsible for seeking nominations for awards and selecting the awarded candidates. The committee hosts the annual awards ceremony.

M. Search Committees

Each faculty department has a Search Committee. The Search Committee is responsible for identifying suitable faculty applicants, coordinating the faculty interview process, and maintaining applicant files and correspondences. The Committee coordinates the overall recruitment process and advises the Department Chair and Dean regarding candidates for hire.

IX. Suspension of Rules

At any meeting of the faculty, the rules of order governing the conduct of the meeting may be suspended by three-fourths majority vote, assuming that a quorum is present.

X. Amendments to these By-Laws

These by-laws may be amended at any meeting of the faculty when a quorum is present, by a two-thirds majority vote, provided that a written notice of the proposed amendment and a statement of the purpose and effect of the proposed amendment are distributed to each faculty member at least seven days prior to the meeting at which the amendment will be considered, or provided that the motion was originally presented at a previous faculty meeting.

Revised: 3-19-14

APPENDIX 3

Faculty Search Procedures

Appalachian College of Pharmacy Faculty Search Committee Operating Policy and Procedure

PURPOSE: The purpose of this Operating Policy/Procedure (OP) is to document the search procedure with an objective to identify and recommend for hiring a qualified faculty who will be able to provide classroom and practical instruction to Doctor of Pharmacy (PharmD) students at various academic levels.

REVIEW: This OP is effective immediately and will be reviewed periodically by the Chairs of the Pharmacy Practice and Pharmaceutical Sciences Department and the Assistant Dean of Academic Affairs and Assessment, or designee(s), with recommended revisions forwarded to the Dean for approval.

Policy

Faculty search, appointment, and subsequent assignment of duties must be in accordance with the current accreditation standard and guidelines set forth by:

- i. Southern Association of Colleges and Schools Commission on Colleges (SACSCOC Comprehensive Standards: Faculty Credentials: 3.7.1 of the Principles of Accreditation.
- ii. Accreditation Council for Pharmacy Education (ACPE) standards 18 and 19, both qualitative and quantitative factors for Faculty.

Faculty Qualifications:

The credentials of new faculty must be documented and verified by the Search Committee on the ACP Faculty Credential Documentation and Verification Form.

All full-time and part-time faculty members, teaching courses leading toward the PharmD degree, must have a terminal degree (e.g. doctorate degree) in the teaching discipline or in a related discipline.

Outstanding professional experience and demonstrated contributions to the integrated teaching discipline may be presented on an exceptional basis in lieu of formal academic degree in the teaching discipline. Such individual cases must be justified on a case-by-case basis.

In unusual cases, at the request of the department offering the course and with the prior approval of the Dean and the Assistant Dean of Academic Affairs and Assessment, individuals with special abilities may teach courses based on the practice of pharmacy. These generally would be individuals who have demonstrated exceptional scholarly or creative activity or have substantial professional experience.

Procedure

The following section outlines the procedures for conducting a faculty search. In addition, this section also lists the responsibilities of the Search Committee Chair, Department Chair, Office of the Legal Counsel, Dean, and President.

- I. The request for appointment is initiated by the Department Chair and recommended to the Dean.
- II. Search Committee conducts a search, screens and interviews candidate(s) with the goal of obtaining the best possible match for the position.
- III. The Search Committee Chair obtains official transcripts documenting the successful completion of a terminal degree (PhD, PharmD program, board certification /residency /fellowship where applicable), updated curriculum vitae (CV), and verbal/written recommendations from the references supplied by the faculty candidate(s) during the hiring process.
- IV. After committee evaluation, the Department Chair sends a hiring recommendation to the Dean.
- V. Appointment of faculty must be accompanied by a Faculty Credential Documentation and Verification Form. Subsequent professional advancement or continued education that results in a change in qualifications are to be documented through submission of an updated certification form. All submissions are to be accompanied by supporting documentation, such as official transcripts or letters attesting to qualifications or achievement. Credential forms are to be placed in the faculty personnel file and to be available for official reporting purposes.

Specific Responsibilities in Conducting the Search for Faculty Search Committee and Committee Chair

The Search Committee Chair provides leadership for the committee and manages the hiring process. The Search Committee Chair ensures that the process is consistent with the provisions outlined in this OP and adheres to equal opportunity and affirmative action principles. The Search Committee Chair will fulfill the following duties and responsibilities:

- Meet with the Department Chair to review search guidelines prior to beginning the search.
- Ensure that the “Position Vacancy Announcement” is reviewed and signed by the Dean prior to its publishing in any media or outlet. In the event the Dean electronically reviews advertisements and provides approval by email, the email must be printed, signed and dated and kept in the search folder.
- Notify the Department Chair regarding the date of the first search committee meeting.
- Call and chair search committee meetings. Maintain confidentiality regarding applicants, as well as all committee discussions and ratings.
- Appoint a committee secretary to record, communicate and maintain minutes of the meetings.
- Regularly discuss the search progress or potential problems with the Department Chair.
- Create and maintain individual access privileged electronic files for each candidate as they are received. Ensure that each member of the Search Committee, the Dean, the Assistant Dean of Academic Affairs and Assessment, and the Executive Secretary has access to the electronic files.
- Ensure that each applicant submits an Employment Application Form (available at <https://www.acp.edu/employment/>), a current CV with cover letter, and their teaching philosophy.
- Ensure that each applicant receives an email acknowledging the receipt of the application.

- Conduct initial screening of applicants and short list those who meet the minimum criteria advertised for the position
- Schedule and conduct telephone interview(s) and present the observation or evaluation to the search committee.
- Schedule campus interview(s). Arrange and confirm travel arrangements and accommodations.
- Document answers to support development of job-related skills and abilities. Collect completed ‘Faculty Candidate Evaluation by Faculty’ form and ‘Presentation Evaluation by Student’ form.
- Contact references provided by the candidate. Verify the work and educational experience cited in the candidates’ resumes. Inquire about the soft skills (interpersonal skills) of the candidate. Take comprehensive notes of answers as a means of supporting recommendations.
- Collect official transcripts.
- Submit the committee's collective evaluation of job-related skills, abilities, and recommendations for employment regarding each candidate to the Department Chair.
- Work with the Department Chair and the Office of the Legal Counsel to complete Faculty Credential Documentation and Verification form.
- Complete the ‘Search and Hiring Process Documentation’ form. Submit all search related documentation to the Office of the Legal Counsel.
- After the offer has been made by the Dean and accepted in writing by the successful candidate, transfer all search related documents to the Office of the Legal Counsel.
- After the new faculty joins the Appalachian College of Pharmacy, notify all unsuccessful candidates that the position has been filled and the search is closed.
- Advise IT department to delete electronic sub-folder from the Public Folder.

Department Chair

The Department Chair monitors the search process. The Department Chair ensures that the process is consistent with provisions of the procedures outlined in this OP and adheres to equal opportunity principles. The Department Chair will fulfill the following duties and responsibilities:

- Request and receive approval to conduct a search for a faculty position from the Dean.
- Instruct the Search Committee chair to initiate the hiring process.
- Ensure that the “Position Vacancy Announcement” is reviewed and signed by the Dean.
- Consult with the Dean regarding specifics of the search, including the target date for completion.
- Meet with the search committee to emphasize compliance with the ACP search procedure and give the committee its charge, including the target date for completion of the search, as well as any other specific instructions.
- Maintain *confidentiality* regarding applicants, as well as all committee discussion.
- Regularly discuss the search progress or potential problems with the Search Committee Chair. Inform the Dean (or designee) of any delays.
- Participate in the interviews and take comprehensive notes of answers as a means of supporting recommendations.
- Review the collective evaluation of each interviewed candidates' job-related skills, abilities, and recommendations.

- Work with the Search Committee Chair and the Office of the Legal Counsel to complete Faculty Credential Documentation and Verification form (Attachment C)

Dean

The Dean ensures that the process is consistent with the procedures outlined in this OP and adheres to equal opportunity principles. The Dean will fulfill the following duties and responsibilities:

- Ensure that all hiring and employment practices are followed in accordance with ACP policy.
- Ensure that authorization has been given before the search process begins. This can be verified verbally or in written form.
- Approve “Position Vacancy Announcement.”
- Consult with the Department Chair and make a decision regarding the target date for completion of the search.
- Receive and review files of candidates recommended to be interviewed on-campus and approve on-campus interview
- Meet with candidate or assign a designee to meet with candidates during on-campus interviews as necessary.
- Review files and the search process, candidate’s job related skills, abilities, evaluation and recommendations.
- Notify successful candidate.
- Acknowledge completion of search process by email to the Search Committee.

President

The President will fulfill the following duties and responsibilities:

- Approve or disapprove all recommendations for hiring.
- Issue a written employment contract to each successful candidate.
- Approve search policies and procedures.

Legal Counsel

The Legal Counsel will fulfill the following duties and responsibilities:

- Collect and maintain file containing the application and CV
- Conduct a background check
- Verify license (if applicable)
- Work with the Search Committee Chair and the Department Chair to complete Faculty Credential Documentation and Verification form.
- Maintain a personnel file containing all search related documents including but not limited to the application, CV, transcripts, and a current copy of license (if applicable).

APPENDIX 4

GENERAL INSTRUCTIONS and OUTLINE for DOSSIER

A template for a Candidate Dossier is available in SharePoint under “Faculty Development Materials” or through the Department Chair or Assistant Dean of Academic Affairs and Assessment. All lists (of positions held, courses taught, publications, etc.) should be in reverse chronological order with dates clearly indicated. Supporting material such as publications, slides, course materials, evaluative material (book reviews, published critiques, etc.) should be made available for review by the College Promotion Committee.

INFORMATION TO BE SUPPLIED BY THE CANDIDATE

A. General information

1. *Standard Biographical Information.*
2. *A percent breakdown of the allocation of time and effort for teaching, research/scholarship, clinical practice, outreach, and service for the past three years.*
3. *A list of honors and awards. Include academic honors, teaching awards, fellowships, internal support (including professional improvement leave), election to professional societies, etc.*
4. *A list of scholarly contributions in accord with the following outline. A candidate should present his or her work as informatively and accurately as possible.*

B. Teaching

1. *Actual courses taught for each semester of the past three years. Indicate lecture/lab hours per week and enrollment.*
2. *Courses and curricula developed.*
3. *Grants received related to teaching.*
4. *Publications pertaining to teaching. Include textbooks, manuals, articles on pedagogy.*
5. *Other contributions to teaching.*
6. *{If applicable} Graduate and residency students whose work has been completed or on whose committee the candidate is presently serving. Indicate the degree the student is working for and the work that the candidate has done or if completed the degree awarded to the student, year, and, if known, position now held by the student; indicate whether the candidate was the major professor or a committee member.*
7. *Statement of candidate's teaching philosophy and self-evaluation in terms of his or her stated values.*

C. Research/Scholarship

For publications: provide complete publication data. In cases of multiple authorship, list names of all authors in correct order. Inform the committee of the significance of author order on publications in the candidate's disciplines. Indicate percent of the candidate's contribution or provide a brief description of the nature of the candidate's contribution; indicate, by means of an asterisk, student

contributions. Provide, in an appendix, proof of acceptance of publications in press and proof of publications of which acceptance is conditional. Do not submit manuscripts that have not been accepted for publication.

1. *Books.*
2. *Article-length publications. Distinguish by type: book chapters, articles in refereed journals and invited articles, bulletins, proceedings, transactions, abstracts, book reviews, non-refereed articles, Educational and informational pamphlets, etc.*
3. *Abstracts, papers, posters, or lectures. Distinguish by type: papers at professional meetings, invited lectures, etc.*
4. *Patents and inventions.*
5. *Other research/scholarship contributions.*
6. *Grants and contracts. Note all co-authors, identifying the principal investigator and the involvement of the candidate; indicate funding source and amount. Distinguish between grants received and grants applied for but not funded.*
7. *Description of candidate's scholarly program. Work in progress and work anticipated should be described in no more than one page.*

D. Clinical Practice

The purpose of this section is to document achievement in the development of an innovative clinical pharmacy practice. This may include evidence of the development of innovative roles for the pharmacist in a patient care setting, evidence of communications with other health care professionals (including presentations or lectures), scholarly writings (e.g. newsletter contributions, medication evaluation use reports, drug use policy statements, etc.), involvement in creative activities such as new methods in service delivery and design, or demonstrated direct influence on patient care (as evidenced by examples of approved prescriptive authority protocols, letters of support from medical colleagues or patients, etc.).

E. Outreach

The purpose of this section is to document achievement in outreach scholarship. It is divided into two parts. Part 1 is a reflective commentary on the candidate's outreach program or programs. It is intended to highlight and explain the candidate's most significant contributions. Part 2 is a list of all of the candidate's outreach activities and products.

1. *Commentary. The commentary should describe and explain the scholarship involved in one or more outreach programs that you consider the major achievements of your efforts. A program is a set of activities that share a common focus and depend upon a particular expertise. The entire commentary is limited to five pages, single spaced. Each program should include the following.*
 - a. *Description. Provide a brief overview of the needs addressed, the objectives, methods, and target audience. Describe selected activities and/or products that are most illustrative of the candidate's contribution to this program. Include example in the portfolio.*
 - b. *Mission. Indicate how the program was compatible with College and unit missions.*

- c. *Scholarship. Describe the role of the candidate's professional expertise in the design and execution of the program. Describe how the activities applied the candidate's discipline to the needs of society, required integration with other disciplines, and/or generated new knowledge for the discipline and/or audience. Explain how this knowledge was communicated to broader audiences. Indicate how the program led to increased recognition of the candidate's professional expertise by external audiences. Indicators would include requests for information, invitations to make presentations, service on review panels, receipt of contracts, grants, and professional awards, etc.*
 - d. *Impact. Describe observed impacts and/or explain any unobserved impacts that are to be expected according to the discipline(s) applied. Identify the direct and indirect beneficiaries. Evidence of impact can include both quantitative results (e.g. changes in test scores, or widespread adoption of a product or technique) and qualitative results (e.g. testimonials from clients, reviews by knowledgeable scholars/critics).*
2. *Activities and Products. List activities and products using the categories outlined below. Candidates are encouraged to be concise in order to focus reviewers' attention on the most important contributions. In particular, numerous activities or products of the same type should be summarized to the extent possible. Brief descriptions accompanied by examples and totals will suffice.*
- a. *Instructional activities. List the title or subject of each distinct course or presentation, the type (curriculum, course, workshop, exhibit, etc.), the duration (usually in hours), the candidate's role in creating (developer, presenter), the target audience, the method of reaching the audience (conference presentation, telecommunications, site visit, etc.) and the number of presentations given.*
 - b. *Technical assistance. List each type of assistance (e.g. job classification), the clientele, the contribution, and the number of times provided.*
 - c. *Outreach publications. Books (including published manuals and reports), article-length publications, papers and lectures. Provide complete publication data, including number of pages, names of all authors in correct order, and percentage of candidate's contributions. Indicate all refereed or peer-reviewed publications.*
 - d. *Electronic products: computer programs, web sites, etc.*
 - e. *Other outreach products: videos, job aids, etc.*
 - f. *Copyrights, patents, and inventions.*
 - g. *Contracts, grants, and gifts.*

F. Service

- 1. *College Service: Distinguish among service to the College, community, and department. College service as part of a previously held position may be listed here.*
- 2. *Community Service: Brief listing of service and outreach activities to the community.*
- 3. *Professional Service: Service to professional associations and learned societies such as offices held, committees served on, etc.*

G. Administrative duties to the College. Administrative work which reduces the candidate's teaching or research assignment should be listed here.

INFORMATION TO BE SUPPLIED IN THE APPENDIX

Information should be supplied by the Candidate and Department Chair in each of the following areas:

Please Note: Faculty portfolios may be submitted, but verify that all submitted information is relevant to that needed by the Promotion Committee. An exhaustive listing of daily teaching, research and clinical activities is not necessary or desired.

A. Teaching

- 1. Student evaluations. Include all student evaluations from one class per year for each of the three preceding years as follows: For each class include a copy of the questions asked, a summary indicating the spread of numerical responses to all questions, and all student comments in unedited form. Indicate the grade distribution in each of these classes. The evaluations should reflect the candidate's teaching in the different kinds of courses he or she is assigned to teach. The evaluation results should be condensed into as few pages as possible.*
- 2. Peer evaluations. Include peer evaluations for one class for each of the three preceding years. These should include assessment of syllabi, handouts, and exams, and assessment of the candidate's conduct of the class. Reports based on team teaching are an acceptable form of peer review. This should also include a copy of the course review document from the Curriculum Committee if available.*

B. Research/Scholarship (If applicable)

- 1. Statement as to how the level of support (dollars, personnel, space, reduced teaching loads, etc.) provided to the candidate compares to others engaged in similar work in the department.*
- 2. Based on faculty input, an assessment of the quality of journals in which the candidates have published.*

C. Clinical Practice

Evidence supporting the development of an innovative pharmacy practice site(s) and may include presentations or lectures, scholarly writings and letters of support from medical colleagues or patients, etc.).

D. Outreach (If applicable)

- 1. A statement of how the candidate's outreach program:*
 - a. serves the mission of the college and department, and*
 - b. reflects scholarship (e.g. of application or integration) in the candidate's discipline.*
- 2. Participant, client, or peer evaluations from outreach activities. These letters may be solicited by the candidate.*

E. Service

F. Confidential letters invited by the candidate addressing his or her work on college committees.

The Promotion Committee (or the dean) shall solicit information from outside referees in the case of candidates nominated for full professor; and may do so in other cases if necessary. In consultation with the candidate, the promotion committee, the Department Chair, and/or the dean shall compile a list of potential evaluators. The Committee shall then seek responses from at least three of the potential evaluators. These evaluators shall be people outside of the Appalachian College of Pharmacy who are regionally or nationally acknowledged experts in the candidate's field and can comment on the quality and reputation of the candidate's work. If the evaluator is from an academic institution, he or she should be of higher academic rank than the candidate. Letters from the candidate's major professor for a graduate degree, from former graduate students, and from ongoing research partners are not acceptable. Evaluators may be associated with industry, government agencies, foundations, etc. If these letters arrive in time, they shall be made available to the voting faculty; otherwise, they shall be sent on to the Promotion Committee.

APPENDIX 5: APPALACHIAN COLLEGE OF PHARMACY INTELLECTUAL PROPERTY POLICY

PURPOSE OF THE POLICY

The Appalachian College of Pharmacy (the “College”) desires to publish guidelines for the College relating to the ownership of intellectual property created by or on behalf of the College, its faculty, staff and students. As a non-profit educational institution, the College desires to promote the creation and dissemination of scholarly and academic works and inventions in a manner that is equitable to everyone involved.

SUMMARY

While the federal “work for hire” doctrine (see definition below), provides in general that the copyright in all copyrightable works created by an employee in the normal course of his or her employment belong to the employer, the College desires to allow those rights to revert to the creator(s) in certain circumstances outlined in this policy. However, when a work is specifically commissioned by the College or is developed with significant College resources, different ownership rules are appropriate. Further, when a work is commissioned by a third party, the agreement governing such commissioned work shall determine ownership rights.

DEFINITIONS

The following terms shall have the following meanings for purposes of this Policy:

“Copyright” shall mean the federal right of protection in copyrightable materials that permits the owner to prevent others from copying, making derivative works, distributing to the public and publicly performing or displaying such materials (17 U.S.C. §106). Copyrightable materials are original works of authorship and include literature, music, photography, computer programs and artistic works.

“Significant College Resources” shall mean the substantial use of the College’s facilities, equipment and/or personnel in the creation and/or development of materials or inventions. Materials and inventions created and/or developed almost exclusively during normal business hours at the College shall be considered as using Significant College Resources. If there is any doubt whether intellectual property has been created using Significant College Resources, the Dean of the College shall make such determination.

“Sponsored Resources” shall mean funding and/or other assistance provided by a third party including, without limitation, the government, for the development of materials and/or inventions by the College’s faculty, employees and/or students. All such sponsored activities shall be governed by a separate agreement to which the College is a party.

“College Commissioned” shall mean materials and/or inventions specifically requested by the College either orally or in writing and all developments related thereto. If there is any doubt whether materials and/or inventions have been College Commissioned, the President of the College shall make such determination.

“Work For Hire” shall mean the federal rule that the copyright in materials prepared by an employee within the scope of his or her employment is owned by the employer and not the employee (17 U.S.C. §201(b)).

POLICY

Work For Hire

Except as otherwise provided in a written agreement, all copyrightable materials created by the faculty and/or staff of the College that is not College Commissioned, created with Significant College or Sponsored Resources shall not be considered Work For Hire, but all Copyrights and other intellectual property rights shall be the property of the creator(s). However, the creator(s) agree to grant the College a non-exclusive, fully paid up, perpetual and worldwide license to use all such works that relate to the operations or missions of the College. In this regard, the President and Dean of the College shall be notified in a timely manner of the creation of all such works and shall be provided with a complete and accurate list with copies of all such works upon the termination of employment, for any reason, of each faculty and staff member. All use of such works by the creator(s) shall give appropriate credit to the College.

College Commissioned Works and Use of Significant College Resources

Except as may be otherwise provided in a written agreement, all Copyrights and other intellectual property rights in works created and/or developed using Significant College Resources or that are College Commissioned shall be owned by the College. In certain circumstances, the College may want to provide for joint ownership or to cede its intellectual property rights to the creator(s). In such cases, the ownership of the intellectual property rights and any allocation of income derived from such intellectual property shall be governed by a separate written agreement entered into between the College and the creator(s). All creators of intellectual property under this section shall notify the President and Dean of the College in a timely manner of the creation or contemplated creation of such intellectual property. If the creator(s) desire to have an ownership interest in any intellectual property created and/or developed using Significant College Resources or that is College Commissioned, such matter should be discussed with the President and Dean of the College and a written agreement should be entered into as soon as reasonably practical.

Sponsored Resources

In all cases, intellectual property that is to be created and/or developed by the College faculty, staff or students using Sponsored Resources shall be governed by a written agreement to which the College shall be a party. The ownership of the Copyrights and other intellectual property rights and any allocation of income derived from such intellectual property shall be governed by that agreement.

Presumption of ACP Ownership When No Written Agreement Exists

Should such intellectual property created and/or developed by the College faculty, staff or students using Sponsored and/or Significant College Resources not be reduced to a written agreement then same shall be considered the exclusive property of the College.

Trademarks

The College's name, logo, trademarks and service marks (collectively, the "College Marks") are owned exclusively by the College and the faculty, employees and students of the College may not use any of the College Marks as a trademark or service mark without the express written permission of the President of the College.