

RULES AND REGULATIONS PROVIDING
FOR SYSTEM OF APPOINTMENTS, TITLES AND
COMPENSATION ARRANGEMENTS

ARTICLE I
PRELIMINARY
STATEMENT

SECTION 1.01. Special requirements of the College of Medicine for teaching, research and patient care necessitate a system of appointments, title and compensation arrangements for the Faculty of the College of Medicine, which shall become operative when approved by the Board of Overseers of the College of Medicine and the Board of Trustees of the University.

SECTION 1.02. (a) The policies hereinafter set forth shall apply to present members of the Faculty of the College of Medicine, and to all appointments hereinafter made. b) All academic members of the Faculty appointed in full-time status on or before July 1, 1963, or otherwise enjoying tenure, in accordance with pre-existing rules and regulations governing tenure, shall continue to enjoy tenure subject to these rules and regulations.

SECTION 1.03. The Affiliated Hospitals of the College of Medicine, as of July 1, 1970, are: Albert Einstein College of Medicine-Bronx Municipal Hospital Center, Lincoln Hospital, Montefiore Hospital, Morrisania City Hospital, the Hospital of the Albert Einstein College of Medicine, and the Bronx State Hospital.

ARTICLE II
ACADEMIC STATUS

SECTION 2.01 All members of the Faculty and appointments hereafter made, predicated upon the nature and extent of the engagement of such Faculty member, shall be classified as having one of the following status:

- (a) Part-Time or Voluntary, or
- (b) Clinical Full-Time, or
- (c) Academic Full-Time, or
- (d) In Residence, or
- (e) Associate, or
- (f) Training

SECTION 2.02. PART-TIME OR VOLUNTARY STATUS shall be conferred upon those members of the Faculty who serve the College of Medicine and its Affiliated Hospitals by participating in the academic programs while carrying on their private professional practice or other employment.

SECTION 2.03. CLINICAL FULL-TIME STATUS shall be conferred upon and limited to members of the Faculty whose professional activity is full-time service to the College of Medicine and its Affiliated Hospitals through clinical teaching, patient care, research and/or administration and who participate signif-

icantly in the academic programs of the College of Medicine, and whose professional income is derived solely from the College of Medicine or its Affiliated Hospitals, and may include faculty members whose professional fees from sources approved in advance are turned over to the College of Medicine in accordance with the rules and regulations prescribed by the College of Medicine from time to time.

SECTION 2.04. ACADEMIC FULL-TIME STATUS shall be conferred upon and limited to members of the Faculty whose professional activity is full-time service to the College of Medicine and its Affiliated Hospitals through teaching, research and/or administration, and if clinically trained, in caring for patients, and who make major contributions to the academic programs of the College of Medicine and whose professional income is derived solely from the College of Medicine or its Affiliated Hospitals, and may include faculty members whose professional fees from sources approved in advance are turned over to the College of Medicine in accordance with the rules and regulations prescribed by the College of Medicine from time to time.

SECTION 2.05. IN RESIDENCE STATUS shall be conferred upon professional members of the Faculty representing a variety of disciplines whose contributions to the College of Medicine and its Affiliated Hospitals are in research or service, and who participate in the academic programs of the College of Medicine.

SECTION 2.06. ASSOCIATE STATUS shall be conferred upon members of the Faculty whose contributions to the College of Medicine and its Affiliated Hospitals are technical in nature, and who perform as associates of Clinical or Academic full-time members of the Faculty, or who perform essential service functions, and may include members of the Faculty from a variety of disciplines whose essential contribution is in research and/or service.

SECTION 2.07. TRAINING OR FELLOW STATUS shall be conferred upon those individuals who have been designated as Fellows of the College of Medicine and who are engaged as one of the following:

(a) *Research Fellow* Individuals who have completed their formal education and who choose to associate themselves with members of the Faculty to develop research ability and skill.

(b) *Clinical Fellow* Individuals involved in approved clinical training programs, including interns and residents, during the period of formal clinical training.

(c) *Teaching Fellow* Pre- or postdoctoral students may assist in formal courses of instruction, while participating in such instruction.

SECTION 2.08. Members of the Faculty with In Residence or Associate Status may have Full-Time Status or Part-Time Status. Those members of the Faculty having Full-Time Status shall devote their full time to the College of Medicine and its Affiliated Hospitals. Their professional income shall be derived

solely from the College of Medicine or its Affiliated Hospitals, and may include Faculty members whose professional fees from sources approved in advance are turned over to the College of Medicine in accordance with the rules and regulations prescribed by the College of Medicine from time to time. Those members of the Faculty with In Residence or Associate Status on Part-Time basis shall be required to devote their time to the College of Medicine and its Affiliated Hospitals in accordance with the rules and regulations prescribed by the College of Medicine from time to time. (b) Individuals with Training or Fellow Status shall have no other employment or professional activities except with the written approval of the College of Medicine and are required to devote their full time to their activities at the College of Medicine and its Affiliated Hospitals in accordance with the rules and regulations prescribed by the College of Medicine from time to time.

ARTICLE III
ACADEMIC RANK

SECTION 3.01. Academic rank is conferred by the President of the University upon recommendation of the Department or Division Chairman, following review by the senior Faculty of the department and upon recommendation of the Dean of the College of Medicine, and additionally, in the case of Professors and Associate Professors, with the approval of the appropriate Senate Committee, as follows:

“The Committee on Appointments and Promotions, consisting entirely of Full Professors, shall evaluate recommendations for appointments and promotions of Professors and Associate Professors made by subcommittees appointed by the parent committee. The Committee on Appointments and Promotions shall report directly to the Dean.”

SECTION 3.02. Academic rank for members of the Faculty shall be classified as follows:

- (a) Professor of . . .
- (b) Associate Professor of
- (c) Assistant Professor of
- (d) Instructor in
- (e) Senior Associate in
- (f) Principal Associate in
- (g) Associate in
- (h) Research Fellow
- (i) Clinical Fellow
- (j) Teaching Fellow

SECTION 3.03. (a) All faculty appointments shall state the terms of the appointment, including the Status being confirmed. Academic Full-Time Status shall be conferred only by explicit appointment to that Status. Subject to the

exception provided in Section 3.11, Tenure Status may be achieved after a probationary period of seven years, on reappointment to an eighth year in Academic Full-Time Status at a professorial rank and only when such reappointment is in Academic Full-Time me Status. Academic Full-Time Faculty members shall be given credit during their probationary period from the date of appointment to Academic Full-Time Status at this institution. Faculty members appointed to the rank of Professor in Academic Full-Time Status may be allowed credit for prior full-time service in comparable institutions of higher learning. Faculty members appointed to the rank of Associate Professor in Academic Full-Time Status may be allowed credit for up to five years, and Faculty members appointed to the rank of Assistant Professor in Academic Full-Time Status may be allowed credit for up to four years, for prior full-time comparable service at comparable institutions of higher learning. The maximum allowable credit for ranks below Assistant Professor in such Status is two years for full-time comparable service in this or comparable institutions of higher learning. Except for members of the Faculty with rank of Professor or Associate Professor who have Tenure Status, all other appointments shall be for an indefinite duration or for a definite term appointment. An appointment with Tenure shall be a continuing appointment and shall continue until retirement or until terminated in accordance with the policies and procedures set forth herein. Appointments of indefinite duration are made subject to the right of the Board of Overseers at any time to fix a terminal date, subject to the notice procedure set forth in Section 3.10. A term appointment shall be for a specific period of not more than five years which, except as otherwise provided for herein, shall automatically expire at the end of that period unless terminated earlier as provided herein. (b)Requests for credit toward tenure for Full-Time Academic service in comparable institutions of higher learning shall be submitted during the probationary period of the Faculty member concerned to the Committee on Appointments of the Faculty Senate for evaluation and for the granting of such credit as the said Committee shall determine. (c) Faculty members hold appointments in academic or clinical Full-Time status, whose professional activities are not limited to the College of Medicine and its Affiliated Hospitals, or whose professional income is not solely derived from the College of Medicine or its Affiliated Hospitals, or who fail to turn over professional fees from approved sources as herein provided, shall be deemed to have waived such Full-Time Status and shall be placed in another Status as shall be deemed appropriate by the Dean of the College of Medicine under Article II hereof.

SECTION 3.04. Members of the Faculty having the status and rank indicated shall serve for the period designated:

STATUS	RANK	TERM OF APPOINTMENT
Part-Time or Voluntary	Professor of	Indefinite Duration
	Associate Professor of	Five Years
	Assistant Professor of	Two Years
	Instructor in	One Year
Clinical Full-Time	Professor of	Indefinite Duration
	Associate Professor of	Indefinite Duration
	Assistant Professor of	Two Years
	Instructor in	One Year
Academic Full-Time	Professor of	Tenure
	Associate Professor of	Tenure, or 5-year term
	Assistant Professor of	Two Years
	Instructor in	One Year
In Residence	Professor of	Indefinite Duration
	Associate Professor of	Indefinite Duration
	Assistant Professor of	Two Years
	Instructor in	One Year
Associate	Senior Associate in	Indefinite Duration
	Principal Associate in	Two Years
	Associate in	One Year
Training	Research Fellow	One Year
	Clinical Fellow	One Year
	Teaching Fellow	One Year

SECTION 3.05. There shall be no limit to the number of reappointments to any rank in Part-Time Status, Clinical Full-Time Status, In Residence, and Associate Status. Appointments in Training Status are limited as follows:

Research Fellow Three Years.

Teaching Fellow For the period while assisting in formal courses of instruction offered by the Faculty of the College of Medicine.

Clinical Fellow For the duration of formal clinical training.

SECTION 3.06. Appointments with Academic Full-Time Status below the rank of Associate Professor will be limited in number to not more than three one-year appointments for the rank of Instructor and three two-year appointments for the rank of Assistant Professor. Appointments in either categories shall be limited to a total of not more than seven years in the case of any individual. This limitation shall not apply to individuals in Part-Time or Voluntary Status, in Clinical Full-Time Status, In Residence Status, or in Associate Status.

SECTION 3.07. Titles of Professor, Associate Professor, Assistant Professor and Instructor shall be qualified as follows:

Part-Time Status	Clinical Professor of . . .
Clinical Full-Time Status	No qualification
Academic Full-Time Status	No qualification
In Residence Status	Professor of (In Residence). . .

For non-clinical appointments the Designation “Part Time” is to be used parenthetically for individuals in Part-Time Status; for example, Professor (Part-Time) of Physiology. Clinical Full-Time Status titles will not be used in non-clinical departments.

SECTION 3.08. In every case titles in Associate Status shall carry the name of the appointing department with the individual’s particular field of specialization indicated parenthetically; for example, Senior Associate in Surgery (Biochemistry).

SECTION 3.09. The prefix “Visiting” may be added to any title in Clinical Full-Time Status or Academic Full-Time Status. The term of appointment shall be for one year and renewable.

SECTION 3.10. All appointments to the College of Medicine, other than tenured Professors and tenured Associate Professors, are for limited or indefinite terms as specified in each rank and category. Where the letter of appointment or reappointment specifically states a commencement date and a termination date of the appointment, no further notice of termination shall be necessary, and the appointment as indicated shall terminate as provided for in the letter of appointment. In all other cases, where no specific termination date is so specified, written notice when an appointment is to be terminated shall be given to holders of such appointments in advance of the termination of appointments as follows:

- [1] In the first year of service, at least three months in advance of termination.
- [2] In the second year of service, at least six months in advance of termination.
- [3] After two or more years of service, at least twelve months in advance of termination.

SECTION 3.11. Appointment to the rank of Term Associate Professor in Academic Full-Time Status shall be for five years only and is non-renewable. A one-year extension as Term Associate Professor in Academic Full-Time Status is permitted but shall be terminal. Such extension shall be offered at least six months prior to the expiration of the five-year appointment.

SECTION 3.12. A temporary appointment may be given for an unspecified period which may be terminated at any time. Temporary appointments shall be given only when the service is to be part-time, voluntary or to continue for less than one year. Temporary appointments shall be made by the Dean of the College of Medicine upon recommendation of the Chairman of the Department.

SECTION 3.13. Leaves of absence may be granted upon recommendation of the Chairman of the Department with approval of the Dean for periods of up to one year, and may be renewable in special circumstances. Such leave of absence shall not constitute allowable credit toward tenure for faculty in probationary status, except as specifically provided in Section 3.03 (b)

ARTICLE IV COMPENSATION

SECTION 4.01. Compensation for Faculty members having Part-Time or Voluntary Status shall be unrestricted except as the same may be limited from time to time by the rules of any Affiliated Hospital or the College of Medicine. The obligation of the College of Medicine for contributions toward such salary, if any, shall be as agreed upon for specific services rendered to the College of Medicine, and such payment shall not extend beyond the specific period of the contract, subject to renewal for each academic year.

SECTION 4.02. Compensation for Faculty members having Clinical Full-Time Status shall be predicated upon a range of College-Based Salary established from time to time and reviewed annually for each rank. Maximum total compensation is also to be established by the College of Medicine for each such rank. Only the College-Based Salary shall be the obligation of the College of Medicine for the period of the appointment. The Faculty member having Clinical Full-Time Status is required to devote his professional time to his engagements on behalf of the College of Medicine, in accordance with the rules and regulations prescribed by the College of Medicine, and is required to turn over professional fees to the College of Medicine in accordance with the rules and regulations prescribed by the College of Medicine from time to time.

SECTION 4.03. Compensation for Faculty members having Academic Full-Time Status shall be predicated upon a range of College-Based Salary established from time to time and reviewed annually for each rank. Maximum total compensation is also to be established by the College of Medicine for each rank. Only the College-Based Salary shall be the obligation of the College of Medicine for the period of appointment. The Faculty member having Academic Full-Time Status is required to devote his professional time to his engagements on behalf of the College of Medicine, in accordance with the

rules and regulations prescribed by the College of Medicine, and is required to turn over professional fees to the College of Medicine in accordance with the rules and regulations prescribed by the College of Medicine from time to time.

SECTION 4.04. Compensation for Faculty Members having In Residence Status shall be predicated upon a range of College-Based Salary established from time to time and reviewed annually for each rank. Maximum total compensation also to be established by the College of Medicine for each such rank. Only the College-Based Salary shall be the obligation of the College of Medicine for the period of the appointment. The Faculty member having In Residence Status is required to devote his professional time to his engagements at the College of Medicine, in accordance with the rules and regulations prescribed by the College of Medicine.

SECTION 4.05. Compensation for Faculty members having Associate Status shall be predicated upon a range of College-Based Salary established from time to time and reviewed annually for each rank. Maximum total compensation shall also be established by the College of Medicine for each such rank. Only the College-Based Salary shall be the obligation of the College of Medicine for the period of the appointment. The Faculty member having Associate Status is required to devote his time to his engagements at the College of Medicine, in accordance with the rules and regulations prescribed by the College of Medicine.

SECTION 4.06. Compensation for Faculty members having Training Status shall be set by the College of Medicine from time to time in consultation with any Affiliated Hospital, if Hospital based for Research and Teaching Fellows. For Clinical Fellows, such compensation shall normally be fixed by the Affiliated Hospital and approved by the College of Medicine, subject to such revisions as the College of Medicine may make.

ARTICLE V
TERMINATION OF
SERVICE

SECTION 5.01 . The services of members of the Faculty of the College of Medicine having term appointments shall cease automatically at the end of their specified term. In the event of cessation of financial support for specific programs, Faculty members with appointments for term or indefinite duration may be terminated by the Dean of the College of Medicine, upon recommendation of the Chairman of the Department with the approval of the Board of Overseers, subject to the notice requirements contained in said Section 3.10. Termination for cause shall follow the procedures set forth in Section 5.02 through 5.07. Members of the Faculty of the College of Medicine with Tenure shall be deemed to having a continuing appointment which shall continue until retirement or until terminated in accordance with the provisions set forth in Section 5.02 through 5.07. A tenured Faculty member may terminate his appointment effective at the end of an academic year or may waive such status as provided in Section 3.03 (c)

SECTION 5.02. The services of members of the Faculty of the College of Medicine may be terminated any time for cause related to the fitness of the Faculty member in his professional capacity and which without limitation of the foregoing may include neglect of duties, misconduct, physical or mental disability, after notice and opportunity to be heard as provided for herein. In the event of termination for physical or mental disability of Clinical Full-Time or Academic Full-Time members of the Faculty, salary shall continue until the effective date of the disability payments or retirement but in no event for a period in excess of twenty-four (24) months from the date of such termination.

SECTION 5.03. When the Dean of the College of Medicine has information or receives a complaint against a member of the Faculty of the College of Medicine containing allegations which, if true, might serve as grounds for dismissal for cause, and he deems such information or complaint to be substantial, he may discuss such complaint with the person concerned and shall make such further investigation as he deems appropriate. Should the Dean determine that charges should be brought against such person, he shall forward such information to the President, together with his recommendations. Should the President determine, after making such further investigation as he deems appropriate, that further action is warranted, he shall cause to be served upon the Faculty member concerned a written statement of charges.

SECTION 5.04. Final action shall not be taken on such charges until after the expiration of twenty (20) days from the date of service of such notice upon the Faculty member charged, during which time he may make a written request to the President for a hearing. At the option of the Faculty member charged such hearing shall be held before the Faculty Review Committee of the Senate of the College of Medicine or before a subcommittee of the University Faculty Review Committee. Such option shall be exercised in the written request to the President for a hearing. In the event that no such request be made, the Dean shall designate either of the aforementioned review committees to act as a Hearing Committee. The Hearing Committee shall be limited to three (3) in number. If request is made by the Faculty member charged for such hearing, the same shall be held as hereinafter provided. Should such request for a hearing not be made, the Dean may direct that should a hearing be held.

SECTION 5.05. The Dean or his designee, or other, may be present at the Hearing Committee as an auditor; but shall not be present at or participate in the deliberations or decisions of the Hearing Committee. The Hearing Committee, in consultation with the President and the Faculty member, will exercise its judgment as to whether the hearing should be public or private. At such hearing, the Faculty member charged shall be entitled to be present, to be represented by a person of his own choice, to present witnesses in his own behalf, and to confront and question witnesses against him. The Hearing Committee will not be bound by strict rules of legal evidence, and may admit

any evidence which is of probative value in determining the issues involved. Every effort shall be made to obtain the most reliable evidence available. The findings of fact and the decision will be based solely on the hearing record. The burden of proof shall rest upon those bringing the charges. A stenographic record shall be taken of such hearing. Upon completion of the hearing, the Hearing Committee shall render a written statement of its findings with respect to the charges and shall also render a written recommendation and shall thereupon submit to the Dean of the College of Medicine and the Faculty member a stenographic transcript of the proceedings, the statement of its findings, and its recommendations. Upon receipt of the foregoing, the Dean of the College of Medicine shall review and submit them to the President of the University together with his own recommendation. Where no hearing was requested or held, the Dean shall review the charges and make such investigation of the matter as he deems appropriate and transmit to the President a report of the matter together with his recommendation. Upon receipt of the foregoing recommendation, the President of the University will make the decision whether to dismiss the person concerned or to impose other penalty, and shall transmit such decision to the person charged and to the Board of Overseers.

SECTION 5.06. A person against whom written charges have been made may be suspended from his duties by the Dean, with salary, pending final action upon such charges, in such instances where continuance of the Faculty member in his duties threatens immediate harm to himself or others or may cause irreparable damage to the College of Medicine.

SECTION 5.07. Appointment to the Faculty may be terminated in the event of financial exigency, subject to the requirements of notice in Section 3.10. When the President anticipates that such action may be necessary, he shall consult with the Dean and the Senate concerning the policy to be followed in the reduction of staff before such action is taken. The President shall adequately demonstrate the nature and degree of financial exigency by presenting relevant financial records to the Senate. If a Tenure appointment is terminated because of financial exigency, the released Faculty member's place will not be filled by a replacement within a period of two (2) years, unless the released Faculty member has been offered reappointment and a reasonable time within which to accept or decline it.

SECTION 5.08. Members of the Faculty having temporary appointments may be terminated as deemed necessary by the Dean of the College of Medicine, notwithstanding any other provision contained herein.

ARTICLE VI
APPOINTMENT
YEAR

SECTION 6.01 . Unless the terms of appointment otherwise provide, the regular appointment year for members of the Faculty of the College of Medicine, shall be from July 1st through June 30th.

Effective July 1, 1970