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

PRELIMINARY STATEMENT

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 have been approved by the Board of Overseers of the College of Medicine and the Board of Trustees of the University.

The policies hereinafter set forth shall apply to present members of the Faculty of the College of Medicine, and to all appointments hereinafter made. 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.

The Affiliated Hospitals of the College of Medicine as of July 1, 2012, are: Montefiore Medical Center, The University Hospital for the Albert Einstein College of Medicine; Jacobi Medical Center; Beth Israel Medical Center; Bronx-Lebanon Hospital Center; Maimonides Medical Center; St. Barnabas Hospital and North Shore - Long Island Jewish Medical Health System.

I. ACADEMIC RANK

Academic rank at the level of Instructor, Assistant Professor and Associate are established by each department and are based on an evaluation of the research, teaching, clinical, and the nature and duration of post-doctoral training. Recommendations from Department Chairs for appointment or promotion to the rank of Instructor, Assistant Professor and Associate are reviewed by the Office of the Dean but are not subject to further review prior to approval.

Academic rank at the level of Associate Professor or Professor is conferred at the recommendations of the Department Chair and the Dean by the President of the University. The academic department evaluates each individual being considered for appointment or promotion to the rank of Associate Professor or Professor. Guidelines for appointment or promotion to these ranks in the Investigator track, the Clinician-Educator track and the Research Professor track have been established by a committee of faculty and are detailed below. Each department interprets these guidelines within its own specialty area and a recommendation is made by the Department Chair, after a review by a specifically constituted departmental promotions committee, to the Dean. Review and approval is made by the appropriate Senate Committee as follows:

The Committee on Appointments and Promotions, consisting entirely of Full Professors and Associate 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.

Academic rank for members of the Faculty shall be classified as follows:
II. ACADEMIC STATUS

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) Full-Time
b) Part-Time
c) Voluntary

FULL-TIME STATUS

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 significantly in the academic programs of the College of Medicine in the realm of teaching and/or research, 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.

PART-TIME or VOLUNTARY STATUS

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, especially the teaching of medical students, while carrying on their private professional practice or other employment.

VISITING FACULTY

The prefix “Visiting” may be added to any rank. The term of appointment shall be for one year and can be renewed. A Visiting designation may be granted to individuals who hold a faculty appointment at another medical school and who are visiting here at Einstein for some brief, defined period of time, not to exceed one year. Renewal of a Visiting appointment beyond the one year period may be requested under special circumstances. Renewal of a Visiting appointment in the Senior Ranks of Professor and Associate Professor is subject to review and approval by the Committee on Appointments and Promotion.

ADJUNCT FACULTY
The prefix “Adjunct” may be added to any rank. An Adjunct designation may be granted to individuals with a faculty appointment at another medical school, who by virtue of their teaching and/or research activities, also fulfill the criteria for appointment to the Einstein faculty. Their length of appointment will parallel the appointment and reappointment process of the faculty.

III. TERMS OF APPOINTMENT

Members of the **Full-Time and Part-Time Faculty** having the rank indicated shall serve for the period designated, subject to the availability of salary support and applicable college policies:

<table>
<thead>
<tr>
<th>RANK</th>
<th>TERM OF APPOINTMENT</th>
</tr>
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<tbody>
<tr>
<td>Professor of...</td>
<td>Indefinite Duration</td>
</tr>
<tr>
<td>Associate Professor of...</td>
<td>Indefinite Duration</td>
</tr>
<tr>
<td>Senior Associate in...</td>
<td>Indefinite Duration</td>
</tr>
<tr>
<td>Assistant Professor of...</td>
<td>Two Years</td>
</tr>
<tr>
<td>Principal Associate in...</td>
<td>Two Years</td>
</tr>
<tr>
<td>Instructor of...</td>
<td>One Year</td>
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<tr>
<td>Associate in...</td>
<td>One Year</td>
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</tbody>
</table>

Members of the **Voluntary Faculty** having the rank indicated shall serve for the period designated, subject to applicable college policies and their rank shall be qualified as follows:

<table>
<thead>
<tr>
<th>RANK</th>
<th>TERM OF APPOINTMENT</th>
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</thead>
<tbody>
<tr>
<td>Clinical Professor of...</td>
<td>Indefinite Duration</td>
</tr>
<tr>
<td>Clinical Associate Professor of...</td>
<td>Five Years</td>
</tr>
<tr>
<td>Clinical Assistant Professor of...</td>
<td>Two Years</td>
</tr>
<tr>
<td>Clinical Instructor of...</td>
<td>One Year</td>
</tr>
<tr>
<td>Associate in... (No qualification)</td>
<td>One Year</td>
</tr>
</tbody>
</table>

All appointments to the faculty, whether those with an indefinite nature or those having a specific term of appointment are subject to specific interval reviews by the Department Chair to ensure that the Faculty Appointment Criteria, as established by each department, are met.

There shall be no limit to the number of reappointments to any rank in Full-Time, Part-Time or Voluntary Status.

An appointment with a specific term of duration shall be for a 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. Requests for credit toward tenure for Full-Time service in comparable institutions of higher learning shall be submitted to the Committee on Appointments of the
Faculty Senate for evaluation and for the granting of such credit as the said Committee shall determine. Faculty members holding appointments in 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.

IV. APPOINTMENT YEAR

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.

V. ACADEMIC TRACKS

INVESTIGATOR TRACK

Appointment in the Investigator Track is reserved for faculty members in the basic sciences and for clinicians who demonstrate a career commitment to scholarly pursuit and have documentation of their endeavors by way of significant publication, grant support, peer recognition for outstanding research, national and international recognition. It is expected that the faculty member is spending a minimum of 75% of his or her time devoted to laboratory, clinical or population based research. As supplementary support for promotion in this track, clinicians may demonstrate peer recognition as an outstanding physician; direction of a service; teaching courses, rounds, preceptor, lab mentor, conference leader.

While tangible distinction should be demonstrated in at least one aspect of academic activity in which the individual is engaged, it is generally expected that the individual’s contributions to the tasks of this medical school (education, research, clinical service and administration) will have considerable breadth; and in all aspects of academic activity, the individual must meet the standards of this medical school.

Recommendation to the Investigator Track is made to the Senior ranks of:

- Professor of…
- Associate Professor of…

CLINICIAN EDUCATOR TRACK

Appointment in the Clinician-Educator Track is reserved for faculty who show recognition of excellence in the candidate’s area of expertise as a clinician and or educator. Clinicians may demonstrate peer recognition as an outstanding physician/educator; direction of a service; teaching courses, rounds, preceptor, lab mentor, conference leader.

This may be documented by lectures outside the institution, teaching awards for services as a course leader or program director and student evaluations. There shall be recognition of excellence in the candidate’s area of endeavor, as documented by peers from within and outside the institution as well as
recognition of excellence in teaching on the part of the candidate. There shall be evidence of significant ongoing service to the medical school and the medical profession, by serving on school and/or hospital committees and membership/office in local, state, and national professional organizations. Participation in clinical or educational research protocols and other evidence of scholarly activity by authoring or co-authoring scientific or educational communications are highly desirable.

Recommendation to the Clinical Educator Track is made to the Senior ranks of:

- Professor of Clinical...
- Associate Professor of Clinical...

**RESEARCH PROFESSOR TRACK**

The Research Professor Track is a non-tenure track reserved for members of the Einstein faculty with a Ph.D. or M.D. and who play an important supportive role in the genesis, conduct and reporting of research findings. The Research Professor is considered an essential member of the team carrying out the research. Appointment in the Research Professor Track is reserved for faculty who show an ongoing commitment to basic, preclinical, epidemiological, statistical or clinical research in a supportive or fundamental role and may be a P.I., Co-P.I., Co-Investigator or Key Personnel on funded grants. There shall be contribution to the development and writing of research proposals; may have administrative or “hands-on” responsibilities for major research core facilities; or organization of essential research service, laboratory testing protocol or a field site in a clinical research program. There shall be co-authorship on peer-reviewed hypothesis-driven publications, predominantly as other than first or senior author, or as first author on peer-reviewed publications, participation on writing committees of collaborative multicenter studies, evidence of authorship on other scholarly research papers such as report of baseline study design or brief research reports, book chapters, reviews, other non-peer reviewed reports.

There shall be local and national recognition as an invited speaker at rounds or research seminars as well as evidence of participation as a course leader, preceptor, conference contributor for research-focused programs or courses, co-or supportive role as research mentor of fellows, post-docs, students.

Recommendation to the Research Professor Track is made to the ranks of:

- Research Professor of...
- Research Associate Professor of...
- Research Assistant Professor of...
- Research Instructor...

One can be appointed as a Research Instructor or Research Assistant Professor on this track at the discretion of the Chair or be eligible for appointment or promotion to senior rank if approved by the Committee on Appointments and Promotions.
ASSOCIATE TRACK

The Associate Track is a non-tenure track reserved for members of the Einstein faculty who generally do not possess a doctoral degree or its equivalent. Individuals who serve the College of Medicine primarily in the areas of teaching or research may be considered for appointment in the Associate track. The Associate faculty member plays an important supportive role in the genesis, conduct and reporting of research findings.

Recommendation to the Associate Track is made to the ranks of:

- Senior Associate in ...
- Principal Associate in ...
- Associate in ...

One can be appointed as an Associate (comparable to an Instructor) or Principal Associate (comparable to an Assistant Professor) on this track at the discretion of the Chair. Appointment or promotion to Senior Associate (comparable to Associate Professor) requires recommendation by the Chair and is subject to review and approval by the Committee on Appointments and Promotions.

VI. TENURE

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 exemption provided in Section III. 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 Status. Tenure is awarded only on the recommendation of the President of the University and the Dean of the College of Medicine with the approval of the medical school Board of Overseers and the University Board of Trustees. The Dean may appoint a Tenure Committee to advise on recommended candidates. Academic Full-Time Faculty members shall be given credit during their probationary period from the date of appointment of 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 an 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 Dean and/or the Board of Overseers at any time to fix a terminal date, subject to the notice procedure set forth in this Section. A term appointment shall be for a specific period of not more than five years which, except as otherwise provided herein, shall automatically expire at the end of that period unless terminated earlier as provided herein. (b) Requests for credit towards tenure for Full-Time Academic
service in comparable institutions of higher learning shall be submitted during the probation 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 who 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.

VII. LEAVE OF ABSENCE

Leave of absence may be granted upon recommendation of the Chair of the Department with approval of the Dean for a period 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 VI.

VIII. COMPENSATION

Compensation for Faculty members on the Einstein payroll shall be predicated upon a salary established by the College of Medicine and reviewed annually. Only the College-Based Salary shall be the obligation of the College of Medicine for the period of the appointment. The Faculty member having 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 (where applicable).

Compensation for Faculty members in 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 academic appointment. Faculty on the payroll of an Affiliated hospital are subject to their specific institutional policies.

IX. TERMINATION OF SERVICE

All appointments to the College of Medicine, other than tenured Professor, 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.

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 of an indefinite duration may be terminated by the Dean of the College of Medicine, upon recommendation of the Chair of the Department with the approval of the Board of Overseers, subject to the notice requirements contained herein. Termination for cause shall follow the procedures set forth below. 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 this Section. A tenured Faculty member may terminate his appointment effective at the end of an academic year or may waive such status as provided in this Section.

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 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.

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. 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.

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 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 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.

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.

Appointment to the Faculty may be terminated in the event of financial exigency, subject to the requirements of notice in this Section. 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.

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.

Ap3/13/12