Faculty Handbook and Policies

Updated April 13, 2005
VISION

An internationally renowned research university—a first choice for education and health care.

MISSION

UAB is a research university and academic health center that discovers, teaches, and applies knowledge for the intellectual, cultural, social, and economic benefit of Birmingham, the State, and beyond.

Approved by the Board of Trustees on February 6, 2004
# Updates to the Printed Version of the 2000 UAB Faculty Handbook and Policies

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MESSAGE FROM THE PRESIDENT
The following faculty members served on the UAB Committee on Faculty Policies and Procedures, which reviewed the 1995 UAB Faculty Handbook, and other university wide policies as requested, and recommended to the President the policies contained in the 2000 edition. Their names, the academic units they represent, and their terms on the FPPC, are listed below.

Academic Health Sciences Joint Departments
Dr. Tika Benveniste, 1995
Dr. Thomas M. Lincoln, 1996-1999
Dr. Jeffrey Engler, 2000-2002

Lister Hill Library

Mervyn Sterne Library

School of Arts and Humanities
Dr. Harold Kincaid, 1993-1995

School of Business
Dr. H. Khris McAlister, 1994-1996
Dr. Warren S. Martin, 1997-2000

School of Dentistry
Dr. Reginald W. Taylor, 1994-1996
Dr. John B. Farmer, 1997-2000

School of Education
Dr. Carol A. Dowdy, 1994-1996
Dr. Jerry Patterson, 1997-2000

School of Engineering
Dr. B. J. Stephens, 1993-1995

School of Health Related Professions
Ms. Sara S. Grostick, 1994-1996
Ms. Margaret S. Fritsma, 1997-2000

School of Medicine
Dr. Donald M. Miller, 1993-1995

School of Natural Sciences and Mathematics
Dr. Richard Crittenden, 1995-1996
Dr. Stephen A. Watts, 1996-1998
Dr. Robert M. Hyatt, 1998-2001

School of Nursing
Ms. Mardell Davis, 1995-1998

School of Optometry
Dr. Margaret P. Findlay, 1998-2001

School of Public Health
Dr. Mark Swanson, 1993-1995

School of Social and Behavioral Sciences
Dr. Katharine A. Kirk, 1993-1995
Dr. H. Kenneth Dillon, 1996-1999

Office of the Provost
Dr. Kenneth J. Roozen, 1995-1997

Office of the President

Faculty Senate
Dr. Randa Graves, 1995-1996
Dr. Mark LaGory, 1996-1997
Dr. Steve Harvey, 1997-1998
Dr. Fred Trawick, 1998-1999
Dr. Janet Bronstein, 1999-2000
Dr. Tom Jannett, 2000-2001
This Handbook became effective June 1, 2000. The provisions of the Handbook apply to all faculty members, including those originally employed under the provisions of an earlier document, except in those unusual cases in which the application of a new provision will effect an arbitrary and unreasonable damage to, or loss of, any benefit to the faculty member.

Although this handbook intends to reflect current policies or rules of the Board of Trustees of The University of Alabama, referred to or incorporated herein, users are cautioned that changes or additions to such policies, or rules may have become effective since the approval and publication of this material. In the event of such a conflict, the current statements of Board policy contained in the official minutes and manual of rules, bylaws, and guidelines shall prevail.

This Handbook is not the only document containing faculty-related and other policies of the University. Approved policies concerning UAB employees are also published in other handbooks and manuals such as the You and UAB Handbook, the Human Resource Management Personnel Policies and Procedures Manual, and the UAB Policy Reference Manual. Also, there may be older policies or recently approved policies which are not yet published in any manuals and which are not included in this document. This handbook should not be used as a sole indication of whether or not UAB has a policy covering a particular subject. If further clarification or information is needed concerning the existence of a specific policy, please contact the Office of the Provost.
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PART I

UAB FACULTY HANDBOOK
INTRODUCTION

The Faculty Handbook of the University of Alabama at Birmingham is issued by the President of the University of Alabama at Birmingham under the laws of the state of Alabama and the regulations of the Board of Trustees of The University of Alabama. Section 16-47-34 of The Code of Alabama 1975 states in part:

The board of trustees has the power to organize the university by appointing a corps of instructors, who shall be styled the faculty of the university and such other officers as the interest of the university may require; to remove such instructors or officers, and to fix their salaries or compensation and increase or reduce the same at their discretion; to institute, regulate, alter or modify the government of the university, as they may deem advisable; to prescribe courses of instruction, rates of tuition, price of board, and regulate the necessary expenses of students; and to confer such degrees as are usually conferred by similar institutions. They may delegate to the faculty of the university, or other officers, such powers and functions in the government of the students, and in the administration of the affairs of the university, as they may deem proper…

Further, The Board of Trustees Bylaws, Article 5, Section 3, indicates:

…the President shall perform duties and responsibilities including but not limited to the following: ….4. Personnel administration including employment and termination, wage determination, and conditions of employment for faculty and other employees of the campus.

Additionally, the Board of Trustees Board Rule 306 states:

Although this Handbook intends to reflect currently any policies or rules of the Board of Trustees of the University of Alabama referred to or incorporated herein, users are cautioned that changes or additions to such policies or rules may have become effective since the publication of this material. In the event of such a conflict, the current statements of Board policy contained in the official minutes and manual of rules, bylaws, and guidelines shall prevail.

The UAB Faculty Handbook will be reviewed, and revisions will be recommended to the President, by the UAB Faculty Policies and Procedures Committee of the Faculty Senate, after consultation with the faculty and appropriate faculty groups. Suggestions for changes to the Handbook should be directed to the Chair or members of the UAB Faculty Policies and Procedures Committee. The UAB Faculty Handbook shall be reissued every four years or more frequently if necessary. The UAB Provost will inform the UAB Faculty Policies and Procedures Committee of any Board of Trustees rule changes that appear to be in conflict with the UAB Faculty Handbook.

This Handbook does not attempt to include all UAB policies. Some employee policies which relate to faculty are contained either in Section 8 of this document or are appropriately referenced in the body of this Faculty Handbook. These policies may be revised periodically, and changes to these policies may constitute a change to the UAB Faculty Handbook. It is the responsibility of the UAB Faculty Policies and Procedures Committee to review proposed Faculty Handbook and/or faculty policy changes and to make recommendations
through the Faculty Senate to the President. Changes in policy approved by the President will be transmitted to each department/unit head for distribution to the faculty.

1. Organization

1.1 History

The University of Alabama was projected in the Constitutional Convention in Huntsville, Alabama Territory, on June 5, 1819. The University was opened for admission of students on April 8, 1831, at Tuscaloosa.

During the first half of the twentieth century, in addition to its regular educational programs at the Tuscaloosa campus, the University began to offer additional educational opportunities to citizens in the urban communities throughout Alabama. Extension centers, open for both day and night classes, were established in Birmingham, Huntsville, Montgomery, Mobile, Dothan, and Gadsden. The Birmingham and Huntsville centers were the nuclei for the two new University campuses which were later established in addition to the Tuscaloosa campus.

In September 1966, all University operations in Birmingham were designated as The University of Alabama in Birmingham by the Board of Trustees, with the University Extension Center’s being transformed into a four-year, degree-granting institution. By this action, The University of Alabama in Birmingham became one of the three major campuses of the University. The University of Alabama in Huntsville had been established in 1964 as a four-year school.

In June 1969, the campuses were given independence within the framework of The University of Alabama System, each having its own administrative structure with a President as the chief executive officer. In 1984, the name of The University of Alabama in Birmingham was changed to The University of Alabama at Birmingham.

1.2 Governance

The University of Alabama System is governed by a Board of Trustees. The System has a Chancellor and a full-time staff which provide liaison with the campus administrations for the Board and its various committees. Each campus has its own appropriate organization.

1.2.1 Board of Trustees

The Board of Trustees Bylaws, Article I, Sections 1 and 2, state:

The Board consists of two ex officio members, namely, the Governor and the Superintendent of Education of the State of Alabama, who serve by virtue of their respective offices, three members elected by the Board from the congressional district in which Tuscaloosa County is located, and two members elected by the Board from each of the other congressional districts in the State of Alabama. Ex officio Trustees shall serve only while holding their respective state offices. Elected Trustees shall hold office for a term of six (6) years, commencing on the date of their election except as modified below. When the term of any Trustee shall expire, or in case of a vacancy by death or resignation of a Trustee, or from any other cause, the remaining Trustees shall elect a successor by secret ballot; provided, that any Trustee so elected shall hold office from the date of his election until his confirmation or rejection by the Senate, and, if confirmed, until the expiration of the term for which
elected and until his successor is elected, or, in the case of a vacancy, for the unexpired term for which he was elected and until his successor is elected. If the Senate should reject the name of any Trustee, it shall thereupon elect Trustees in the stead of those rejected. Neither the existence nor continuation of a vacancy in the office of a Trustee shall serve to impair or hinder any provisions of these Bylaws or the validity of the operations and actions of the Board by virtue of that vacancy alone. A Trustee shall not serve more than three consecutive full six (6) year terms on the Board.

The Board has delegated to each campus President the authority to administer the policies and programs of that institution. A System Council, composed of the Chancellor and the three Presidents and selected members of the System staff, makes recommendations to the Board concerning matters affecting the common interests of The University of Alabama System. They also act on matters of intercampus significance not requiring Board approval.

1.2.2 The University of Alabama at Birmingham

The University of Alabama at Birmingham (UAB) is governed by its President in accordance with Board rules and System policies and was accredited as an independent educational institution in 1970 by the Southern Association of Colleges and Schools. The accreditation was reaffirmed in 1984 and in 1994. Individual schools and programs at UAB have been accredited, where appropriate, by independent accrediting groups. Individual school catalogs should be consulted for specific information concerning each school.

Within the academic area, UAB has the following units:
   a. Graduate School
   b. Joint Health Sciences
   c. Lister Hill Library of the Health Sciences
   d. Mervyn H. Sterne Library
   e. School of Arts and Humanities
   f. School of Business
   g. School of Dentistry
   h. School of Education
   i. School of Engineering
   j. School of Health Related Professions
   k. School of Medicine
   l. School of Natural Sciences and Mathematics
   m. School of Nursing
   n. School of Optometry
   o. School of Public Health
   p. School of Social and Behavioral Sciences

1.3 Purpose

The roles of The University of Alabama System and of each of its three campuses were defined in Role and Scope Statements most recently revised in 1995. These statements were reviewed and approved by the Board of Trustees.
1.3.1 The University of Alabama System

The three-campus University of Alabama has an impressive record of service to the people of the state. From its beginnings as Alabama’s first university, it has traditionally provided educational leadership for the state and should continue to do so. Its role is to serve all the people of the state through teaching, research, and public service and, as resources permit, respond to both national and international needs.

The Board of Trustees clearly recognizes the diverse and comprehensive nature of the University of Alabama System. It provides instruction for students at all levels. It supports graduate education and research. It is committed to broad public service. The extraordinary degree to which the state’s economy is dependent upon the results of research and technology leads the Trustees to reaffirm The University of Alabama System’s commitment to both pure and applied research, a function especially appropriate to this university’s system. Professional education is equally important to Alabama. None of these, however, overshadows The University of Alabama System’s commitment to the instruction of undergraduate students.

1.3.2 The University of Alabama at Birmingham

ROLE AND SCOPE – (Adopted by the Board of Trustees February 17, 1995)
[Editorial note: Recent changes to the UAB organizational structure have not been submitted as changes to the Role and Scope and, therefore, are not reflected here.]

Introduction

The University of Alabama at Birmingham (UAB), a publicly supported institution of higher education located in Birmingham, Alabama, is one of three institutions comprising the University of Alabama System. UAB has three major academic units: Academic Affairs, the Academic Health Center, and the Graduate School. Within Academic Affairs, baccalaureate-level academic programs are offered through six schools: Arts and Humanities, Business, Education, Engineering, Natural Sciences and Mathematics, and Social and Behavioral Sciences. The Academic Health Center offers subbaccalaureate, baccalaureate, and professional instruction through six health profession schools: Dentistry, Health Related Professions, Medicine, Nursing, Optometry, and Public Health. It also provides primary, secondary, and tertiary health care through the University of Alabama Hospital and the health clinics. Postbaccalaureate graduate degree programs are offered individually and cooperatively by all of the various schools through the Graduate School. Both Academic Affairs and the Academic Health Center house a number of special centers and institutes which focus on specific research and service areas. This Role and Scope statement is intended to identify the proper functions of UAB and to define appropriate operating limits. In reality, a very complex set of circumstances and influences, many beyond the immediate control of the institution, determines the actual nature of the University’s activities at any particular time. Within the confines of this statement, however, the University sets forth a perspective regarding its development and reflecting its own philosophy, its own understanding of the needs of its many constituencies, and its own sense of history and future. This statement is organized by functional areas, with particular concern for the efficient and effective use of available resources.

Undergraduate Education

Through the six schools within Academic Affairs, UAB offers a full range of undergraduate programs in liberal arts, technical, preprofessional, and professional studies. Also, the Schools of Nursing, Dentistry, and Health Related Professions provide accredited health profession instructional programs at the baccalaureate levels. Determining a proper role and scope for these levels of instruction requires the consideration of several factors including the current roles of other institutions, the nature and objectives of UAB’s students, and the needs of the urban area.
UAB is the largest public institution offering four-year undergraduate instruction in the Birmingham area. As such, it offers instructional programs with an appropriately high level of academic quality.

At the lower-division level, the University shares its responsibility with the public junior and community colleges in the Birmingham area. Those institutions have open admission policies, and properly assure high school graduates an entry point to higher education. In contrast, the academic offerings of UAB must be of a quality, depth, and scope sufficient both to provide introductory-level offerings and to offer complete coverage in the major disciplines and relevant supporting areas for advanced study by upper-division students. Thus, it is appropriate that each academic department offering undergraduate instruction have a fully qualified faculty of competent instructors who are active scholars and professionals in their respective disciplines.

All higher education is based upon those studies comprising a traditional arts and sciences program. Its aims are the exposure to faculty who can challenge the effects of ignorance and parochialism and the provision of information concerning aptitudes, attitudes, and habits of mind basic to common human pursuits. Thus, UAB is obligated to offer strong arts and sciences subjects to form a foundation upon which more specialized vocational and technical programs can be constructed.

UAB’s urban location and status as the senior public institution in the Birmingham area influence in important ways the scope of its baccalaureate programs. The University enrolls a highly diverse student body reflecting the heterogeneity of its urban environment. Included are students from many age brackets, educational backgrounds, and ethnic groups, many of whom also are employed while seeking new or improved career training and qualifications. The major components of the Birmingham economy have particular requirements for trained manpower in business, technology, and the professions. Accordingly, undergraduate programs must be adequate in scope and quality to provide support for the economic and professional development of Birmingham and the state.

Because of its location within a highly developed cultural, industrial, and economic center and because of its nationally recognized academic health center, the University is the natural setting in the state for a broad range of technical and professional training programs, including business, engineering, education, and all health-related disciplines. It is appropriate, therefore, that the overall quality and range of subdisciplines offered be fully developed, and that, where indicated, programs be multidisciplinary and mutually supportive. At the same time, students preparing for careers in these areas must be provided a core of knowledge in the liberal arts sufficient in scope and quality for them to be fully educated in the true sense and to be prepared to deal with the normative and ethical dimensions of their professions.

In support of its various academic programs, UAB is committed to a program of services and nonclassroom (nontraditional) educational experiences which enhance its students’ total development. These may include social, cultural, and recreational programs and opportunities for learning experiences.

**Health Professions Training**

The Academic Health Center has achieved a position of national prominence as a center for the training of health professionals in Medicine, Dentistry, Optometry, Nursing, Health Related Professions, and Public Health. Each of its six schools offers a comprehensive range of programs from basic preparation to sophisticated graduate and specialty training. The Schools of Dentistry and Public Health are the only such schools in the state, and the School of Optometry is the only such public facility in the Southeast. The exceptional quality of all of its programs enables the Academic Health Center to attract substantial amounts of external funding in support of its educational, research, and service activities. Because of this level of development, the Academic Health Center serves as a regional and national health professionals resource.

The Academic Health Center has the primary role in meeting the state's health professional needs. It establishes an appropriate reference point from which to determine the desirable growth limits of other state-
supported education in the health professions. To ensure the most efficient use of public resources, the University assists the state in evaluating its health professional needs and in developing the best means of meeting those needs. Where appropriate and consistent with the maintenance of quality, UAB endeavors to extend its educational resources through such cooperative mechanisms as remote professional residency programs and outreach programs with practicing health professionals.

**Graduate Education**

Postbaccalaureate graduate programs are offered through the Graduate School. Graduate education transcends the presentation and assimilation of existing knowledge and specifically trains individuals for involvement in generating new knowledge through research and creative thinking.

As is the case for undergraduate education, the University also considers a variety of factors in determining the proper role and scope for its graduate programs. These factors include the responsibility of the University to take full advantage of its academic health center, the large and diverse nature of its urban constituency, the national reputation of its biomedical programs, the particular circumstances related to serving students from many backgrounds, the needs of the community which it serves, and the need to train highly qualified scholars for faculty positions.

The large number of place-bound individuals seeking graduate-level instruction for career qualification and advancement, the community’s need for individuals with advanced training, and the institution’s need to support undergraduate and professional student instruction mandate that the institution develop strong programs in the health professions, business, education, engineering, urban affairs, and public administration. Further, UAB’s national prominence in biomedical research requires that it develop strong graduate programs in the natural, social, and behavioral sciences and in interdisciplinary fields such as nutrition, public health, health education, biomedical engineering, education for the physically and mentally handicapped (special education), medical psychology, and neurosciences. As an urban university, UAB is an appropriate setting for the development of outstanding programs in a variety of disciplines such as economics, the social sciences, and applied fields such as criminal justice, public administration, and social work.

**Research**

Strong educational programs include research activities of the highest quality. It is, therefore, appropriate that the University emphasize the roles of both basic and applied research. The national prominence of UAB in research dictates continuing major participation by each academic unit and specialized center.

The urban setting of the University necessitates the development of research programs responsive to the city’s economic, social, and cultural needs. At the same time, responsibilities to the state and region for programs such as public health and nutrition demand similar development. The research role requires implementation of special aspects of UAB’s instruction and service responsibilities.

**Health Care**

The Academic Health Center serves as the state’s principal tertiary health-care provider, as an ultimate referral center for Alabama patients, and as a referral center for persons from across the nation who need sophisticated clinical services. UAB has attained national prominence through its many centers such as those for cardiovascular disorders, cancer, dental abnormalities, arthritis, diabetes, and disorders of the brain and nervous system.

As a part of the Academic Health Center, the University Hospital plays a prominent role in the training of health professionals. It also serves a wide spectrum of patients, including many who are indigent.
Academic Health Center units provide specialized health care for the citizens of Alabama while carrying out their mandates to develop new ideas and techniques, to treat health-related problems, and to educate health-care professionals.

**Continuing Education**

As the senior public institution located in the major urban area of the state, UAB has a special commitment to develop and maintain comprehensive programs of continuing education. More individuals outside the traditional 18- to 24-year age range are re-entering education, pursuing “lifelong learning” for many different purposes by means of (1) completion of degree programs; (2) self-improvement in skills, understanding, and intellectual enlightenment; (3) vocational change or improvement (including certificate programs); and (4) professional continuing education.

UAB offers continuing education opportunities of a quality and diversity consistent with the other programs of the University. The resources of UAB mandate its primary role in the implementation of comprehensive continuing education programs in the Birmingham geographic area.

**Service**

A major theme permeating all the activities of a comprehensive university is service to the public. Because of its location and its strengths, UAB’s service activities focus on the problems confronting the urban area and the health needs of the state and region.

**Summary**

The University of Alabama at Birmingham, located in the state’s principal urban area, is the senior public institution serving Alabama’s economic, industrial, and cultural center. Its programs and services in the health professions and in health care are preeminent in the state, and it is a regional and national resource in health-related research, training, and service. UAB’s Academic Health Center and Academic Affairs units are interdependent and mutually supportive, together providing a unique resource for this state and region. The corollary is that the University must maintain the basic quality of all its programs and activities at a level consistent with its mission. At the same time, areas of special competence which emerge from its urban setting and health focus shape the ways in which the institution best serves Birmingham, the state, and the nation.
2. Faculty Appointments, Promotions, Tenure, Resignation, Termination, and Grievance

UAB is composed of diverse academic units, each with its own special needs. The general policies set forth in this section are to serve as overall guidelines in the administration of faculty matters and in meeting UAB’s Role and Scope (see Section 1.3.2 of this Handbook).

2.1 UAB Equal Opportunity Policy

See Section 8 for UAB’s Equal Opportunity Policy.

2.2 Faculty Rights and Responsibilities

In accepting appointment to the faculty of UAB, faculty members commit to continuing professional development and assume an obligation for active involvement in teaching, scholarship, and/or service as defined by the nature of their appointments. Faculty members also accept the responsibility to respect the rights of students and other faculty, to maintain honesty and integrity, and to adhere to other stated policies and procedures of the institution. In addition to those responsibilities noted above, the responsibilities with respect to teaching, scholarship, and service more specifically defined in Section 2.5, and the specific rights and responsibilities described elsewhere in this Handbook, the faculty of UAB can expect to be involved individually or through representative committees in specific academic activities such as:

- determining requirements for student admissions
- recommending the designations of degrees
- approving the requirements for degrees
- determining the courses for which students may receive credit toward a degree
- determining course content
- determining program curriculum content
- determining the grades of courses and examinations
- determining the scholastic standards required of students
- recommending those students who qualify for degrees
- participating in disciplinary proceedings for academic misconduct
- participating in the selection of their department Chairs, Deans, Library Directors, Provost and President
- participating in the periodic evaluation of their department Chairs, Deans, Library Directors, Provost and President
- recommending to the Dean or Library Director faculty appointments, reappointments, promotions and the award of tenure and other faculty employment issues
- advising all levels of administration regarding the allocation and utilization of resources
- advising the President regarding faculty responsibilities and needs or matters of general interest and concern to the faculty and to UAB.

2.3 Faculty

The faculty of UAB shall include all individuals with full-time or part-time appointments bearing the titles described in Sections 2.3.1 and 2.3.2 below.
2.3.1 Tenure-earning and Tenured Faculty

Tenure-earning or tenured faculty may be appointed to the ranks identified in Section 2.4. Such individuals generally will be full-time faculty and will be expected to participate in teaching, scholarship, and service as described in Section 2.5. University, Distinguished Service, and Distinguished Professors generally also will be members of this category.

2.3.2 Non-tenure-earning Faculty

Non-tenure-earning faculty appointments may be conferred on full-time or part-time faculty whose responsibilities may be less broad than tenure-earning or tenured faculty and whose appointments may be limited in time. Non-tenure-earning faculty appointments may include ranks such as Lecturer, Associate, or the terms otherwise used for faculty and identified in Section 2.4, with or without descriptive terms such as Teaching, Clinical, or Research.

Non-tenure-earning faculty members may be appointed for specific terms of up to five years. Such appointments may be renewed for more than one year. Departments or schools may adopt policies limiting the overall length of UAB employment by non-tenure-earning faculty members within that unit. A non-tenure-earning appointment does not carry with it the assurance of reappointment beyond the current appointment period. However, the policies governing notice of non-reappointment, as stated in Section 2.6.4.1, apply to all non-tenure-earning appointments.

Adjectives, such as Adjunct or Visiting, modifying the ranks described in Section 2.4, should be used to indicate faculty with minimal (less than half-time) or short-term (less than one year) time commitments to UAB. The continued appointment of such faculty shall be reviewed periodically, and such faculty shall not be subject to the formal review procedures described later in this section.

2.3.3 Graduate Faculty

Appointment to the faculty of the Graduate School is required for participation in Graduate School activities. Such appointments are supplementary to faculty appointments in an established school. No faculty appointments in the Graduate School are primary faculty appointments. If appointment to the graduate faculty is anticipated for a faculty member, the letter of nomination should originate in a graduate program. The Graduate School should be consulted in advance and approval of the planned appointment should be obtained. Continuation of appointment to the graduate faculty shall be based on a periodic evaluation of the appointees’ participation in graduate training activities. Responsibility for evaluation rests with graduate program directors and chairs of departments with graduate programs.

The Graduate School should be informed by the Department Chair, Dean, or Library Director of all anticipated changes in faculty status, including non-reappointment, promotion, and/or the award of tenure.

2.3.4 Emeritus Faculty

After ten or more years of service with The University of Alabama System, or with less service upon having made an exceptional contribution to UAB or the System, a faculty member may be considered for appointment to emeritus status.

An emeritus appointment to a faculty rank may be initiated only at the time of retirement. An academic administrative emeritus appointment, such as Dean Emeritus, may be conferred at such time that the faculty member resigns from that academic administrative appointment, even though the faculty member may continue to hold a full-time faculty position at UAB until the time of retirement.
An appointment to emeritus status should be initiated at the departmental level with preparation of the Faculty Data Form. Accompanied by the faculty member’s curriculum vitae and a cover memorandum delineating justification for the appointment, the form should be sent through the offices of the appropriate Dean(s) or Library Director and Provost, and forwarded to the President. When the appointment has been approved by the President and has been forwarded to the Office of Human Resource Management, the faculty member will be issued a Certificate of Faculty Appointment reflecting the emeritus status. Appointment to emeritus status is campus-specific and does not require an action by the Board of Trustees.

Certain privileges will be inherent in emeritus faculty status. An identification card will be furnished to him or her for use in the libraries, gymnasium, bookstore, and campus dining facilities, and a guest parking permit (annually renewable) also will be made available. At the discretion of the appropriate Dean and Library Director and/or Department Chair, laboratory or office space may be assigned, if such is available.

Reemployment of retired faculty members who hold emeritus status is allowed within the limits set by the UAB “Policy Concerning the Re-employment of UAB Retirees.” The complete text of that policy may be found in Section 8 of this document.

2.3.5 Other Faculty Appointment Definitions

2.3.5.1 Primary Faculty Appointments

This is the appointment in an academic unit through which a faculty member has a primary academic affiliation. It is through this unit that a tenured faculty member holds tenure in the University, and it is from this unit that recommendations for appointment, promotion, tenure, and other actions concerning a faculty member are initiated.

An academic unit, for purposes of an academic appointment, and tenure, is usually a department or library within the institution. However, in some circumstances, school-wide appointments, wherein the Dean is directly responsible for the faculty member, may be made after such recommendations for appointment have been reviewed by an appropriate school or library faculty affairs committee and have been approved by the Dean or Library Director, the Provost, and President. In no circumstances will a primary appointment be made in centers, laboratories, programs, or institutes.

2.3.5.2 Secondary Faculty Appointments

An individual faculty member may hold one or more secondary appointments in addition to, and outside of, the academic unit of the primary faculty appointment. Academic rank in a secondary appointment may be at the same level but may not be at a level higher than that of the primary appointment. No tenure is possible through the unit making a secondary appointment.

2.3.5.3 Non-academic Appointments

Members of the faculty also may hold administrative or other non-faculty appointments at UAB. Administrative appointments are for no specific term but continue at the discretion of the appointing administrator.

2.4 Faculty Ranks and Related Criteria

UAB uses the following faculty rank designations. The general criteria for appointment or promotion to each rank are described in this section. Note that the titles listed herein may be used for tenure-earning or tenured faculty as described below or may be used with or without modifiers for nontenure-earning faculty under the terms described in Section 2.3.2.
2.4.1 Lecturer and Associate

Appointment to these ranks may be used only for non-tenure-earning appointments and usually requires training beyond the baccalaureate degree. In some areas of UAB, demonstrated technical proficiency and experience may serve in lieu of formal training.

2.4.2 Instructor

Appointment as Instructor may be tenure-earning or non-tenure-earning and usually requires training beyond the baccalaureate degree. In some areas of UAB, demonstrated technical proficiency and experience may serve in lieu of formal training.

2.4.3 Assistant Professor

A terminal degree usually is required for appointment to this rank and appointments to this rank may be tenure-earning or non-tenure-earning. An assistant professorship may be awarded to individuals who have the potential to make significant academic contributions.

2.4.4 Associate Professor

This rank usually requires a terminal degree and service as an Assistant Professor for at least three years at UAB or equivalent service elsewhere. Associate Professors may be tenured, tenure-earning, or non-tenure-earning. The individual holding this rank should have demonstrated the ability to make significant contributions in academic duties. Such contributions should be of high quality and should be recognized as such outside the state. Further, the individual should show promise of continued professional growth.

2.4.5 Professor

This position is the highest academic rank granted at UAB except for a limited number of University or Distinguished or Endowed professorships. Individuals holding this rank may be tenured, tenure-earning, or non-tenure-earning. Appointment to the rank of Professor requires the demonstration of nationally recognized excellence in the conduct of academic duties as an Associate Professor for at least three years.

2.4.6 Academic Librarians

Academic librarians are employees of the University who carry an assignment as a librarian in the Mervyn H. Sterne Library, or Lister Hill Library of the Health Sciences, as determined by the regulations governing their appointments. Librarians may be appointed at ranks such as these described in Section 2.4.1 through 2.4.5 above or those listed below.

2.4.6.1 Assistant Librarian

Appointment as Assistant Librarian normally requires at least a master’s degree in library science from a school accredited by the American Library Association. This is the rank assigned to individuals who are beginning careers or who have completed only a short period (normally less than two years) in a professional capacity.

2.4.6.2 Senior Assistant Librarian

Appointment as Senior Assistant Librarian indicates demonstrated ability in librarianship. The rank is designed for individuals whose duties require a degree of specialization in a linguistic, technical, subject, or administrative area.
2.4.6.3 Associate Librarian

Appointment as Associate Librarian is appropriate for individuals whose performance and service have been consistently meritorious and who have demonstrated excellence in continuing development and accomplishment.

2.4.6.4 Librarian

Appointment as Librarian is appropriate for individuals whose performance and service have been consistently outstanding, who are recognized in regional and national library or scholarly organizations, and whose prominence in their fields reflects their superior achievements.

2.4.7 Distinguished Professor

Board Rule 508 (“Establishment of Academic Chairs, Professorships, and Endowed Lectureships and the Designation of Holders of Academic Chairs and Professorships”) specifies that the rank of “Distinguished Professor” is a campus-wide appointment, recognizing international accomplishments, to be limited in number, and to be recommended to the Board by the appropriate President and the Chancellor in order to confer richly deserved prestige and honor on those selected to receive this designation. The following criteria will be used in determining the selection of a “Distinguished Professor”:

a. Accomplishments bringing great credit to UAB.
b. Noteworthy academic service to UAB as a teacher and/or research scientist and/or clinician.
c. International recognition for scholarly contribution to the individual’s chosen profession.
d. Outstanding performance of service associated with the individual’s chosen professional or academic discipline.
e. Numerous achievements and extensive peer recognition in the individual’s chosen professional or academic discipline.
f. Unstinting dedication to standards of excellence in all endeavors.
g. Exemplary character and integrity reflecting great honor upon UAB.

Procedures for Appointing Individuals to the Rank of Distinguished Professor

a. The appropriate dean, after consultation with the appropriate departmental chairpersons, will recommend the appointment to the Provost.
b. The Provost shall seek the advice of a committee of five members, appointed by the Provost, consisting of four senior faculty not holding administrative appointments, two of whom are from the department of primary appointment of the candidate, and an individual currently holding the rank of “Distinguished Professor” who will serve as Chair. Affirmative approval of at least three committee members is required for the Provost to recommend the candidate to the President.
c. If the Provost’s decision is favorable, the Provost shall then recommend the appointment to the President.
d. If the President’s decision is favorable, the President shall then recommend the appointment to the Board of Trustees.
e. The preceding steps apply to the appointment of individuals who are already members of the UAB faculty. In the case of someone to be brought in from the outside at this rank, the usual procedures for recruitment and appointment to the rank of Professor will be followed, after which the procedure described in Steps a-d will be followed.
Notes:

a. It is vital that this procedure be conducted in such a way that, when the decision is made not to appoint someone to this rank, there is no awkward sense of being “turned down.” Being appointed “Distinguished Professor” should continue to be regarded as a signal honor and not merely a “next step” above the rank of Professor.

b. Where appropriate, individuals with the rank of “Distinguished Professor” should be provided special financial support for their research and professional activities.

c. The primary difference between “Distinguished Professor” and “University Professor” is that “Distinguished Professor” recognizes achievement in a single field; whereas, “University Professor” is the appropriate designation for individuals whose work is more interdisciplinary in nature.

d. Individuals holding this rank should be allowed the greatest latitude in apportioning their time between teaching, writing, and scholarly research.

2.4.7.1 Distinguished Service Professor

At UAB the designation of “Distinguished Service Professor” is treated as a variation of “Distinguished Professor.” The title is used as a way of honoring members of the faculty who have contributed to UAB through long years of distinguished service in administrative and service positions. Such an individual also should have received recognition for distinguished accomplishments in his or her field of administration. The following criteria will be used in determining the selection of a “Distinguished Service Professor”:

a. Accomplishments bringing great credit to UAB.

b. Unstinting dedication to standards of excellence in all endeavors.

c. Exemplary character and integrity reflecting great honor upon UAB.

d. Noteworthy value to UAB in an administrative or service capacity.

e. Must hold the academic rank of Professor or Librarian.

f. Numerous achievements and peer recognition in UAB service roles.

g. Recognition for service achievements beyond the UAB boundaries.

Procedures for Appointing Individuals to the Rank of Distinguished Service Professor

a. Any member of the UAB community may nominate to the Provost an individual for appointment.

b. The Provost shall seek the advice of a committee of five members, appointed by the Provost, consisting of four senior faculty not holding administrative appointments, and an individual currently holding the rank of “Distinguished Service Professor” who will serve as Chair. Affirmative approval of at least three committee members is required for the Provost to recommend the candidate to the President.

c. If the Provost’s decision is favorable, the Provost shall then recommend the appointment to the President.

d. If the President’s decision is favorable, the President shall then recommend the appointment to the Board of Trustees.

Note:

It is vital that this procedure be conducted in such a way that, when the decision is made not to appoint someone to this rank, there is no awkward sense of being “turned down.” Being appointed “Distinguished Service Professor” should be regarded as a signal honor and not merely as the “next step” after administrative service.
2.4.8 University Professor

Board Rule 508 (“Establishment of Academic Chairs, Professorships, and Endowed Lectureships and the Designation of Holders of Academic Chairs and Professorships”) specifies that the rank of “University Professor” is a campus-wide appointment, primarily in a specific discipline, to be recommended to the Board by the appropriate President and the Chancellor, to bestow upon an individual an academic rank which transcends departmental and disciplinary lines, allowing each designated individual the greatest latitude in teaching, writing, and scholarly research, and to give such an individual with broad expertise a UAB-wide platform. The following criteria will be used in the selection of an individual to be designated “University Professor”:

a. Scholarly achievement and intellectual maturity.
b. Dedication to the highest standards of professional excellence.
c. Numerous achievements and extensive peer recognition in the individual’s chosen professional field.
d. Academic competence to enable him/her to undertake cross-departmental, cross-disciplinary activities in research and teaching, and UAB and community service.
e. Exemplary character and integrity reflecting great credit upon UAB.

Procedures for Appointing Individuals to the Rank of University Professor

a. Any member of the UAB community may nominate to the Provost an individual for appointment.
b. The Provost shall seek the advice of a committee of five members, appointed by the Provost, consisting of four senior faculty not holding administrative appointments, representing the breadth of academic programs, and an individual currently holding the rank of “University Professor” who will serve as Chair. Affirmative approval of at least three committee members is required for the Provost to recommend the candidate to the President.
c. If the Provost’s decision is favorable, the Provost shall then recommend the appointment to the President.
d. If the President’s decision is favorable, the President shall then recommend the appointment to the Board of Trustees.
e. The preceding steps apply to the appointment of individuals who are already members of the UAB faculty. In the case of someone to be brought in from the outside at this rank, the usual procedures for recruitment and appointment to the rank of Professor will be followed, after which the procedure described in Steps a-d will be followed.

Notes:

a. It is vital that this procedure be conducted in such a way that, when the decision is made not to appoint someone to this rank, there is no awkward sense of being “turned down.” Being appointed “University Professor” should continue to be regarded as a signal honor and not merely a “next step” above the rank of Professor.
b. Where appropriate, individuals with the rank of “University Professor” should be provided special financial support for their research and professional activities.
c. The primary difference between “Distinguished Professor” and “University Professor” is that “Distinguished Professor” recognizes achievement in a single field; whereas, “University Professor” is the appropriate designation for individuals whose work is more interdisciplinary in nature.
d. Individuals holding this rank should be allowed the greatest latitude in apportioning their time between teaching, writing, and scholarly research.
2.4.9 Endowed Chairs, Professorships, and Lectureships

All endowed chairs, endowed professorships, and endowed lectureships must be established by Board actions, and appointments to fill them likewise shall be made by the Board of Trustees only after recommendation of the President and the Chancellor. Such appointments are prestigious appointments not only to recognize the conditions of the endowments, gifts, or other funding sources, but also to reflect honor upon the individual so designated. Procedures for the selection of endowed chairs, professorships, and lectureships may be established by each campus, but must be approved by the Board of Trustees.

2.5 Specific Criteria for Appointment, Promotion, and Award of Tenure

The departmental, school, and/or library policies referred to in Section 2.6 shall be used in evaluating faculty members for appointment, promotion, and award of tenure. Such policies, however, may not be less stringent than, or be inconsistent with, the UAB-wide policies contained herein.

Criteria for faculty appointment, promotion, and award of tenure are based on a faculty member’s training, experience, and activities, as described in Section 2.4, as well as the potential for continued growth, in the areas of (1) teaching; (2) scholarly activities, including research and other creative activities; and (3) service, as described in Sections 2.5.1, 2.5.2, 2.5.3, and 2.5.4.

An individual will be judged by these criteria in proportion to their relative importance to each academic rank, to the type of appointment held by the faculty member, and to the program priorities of the appointing unit. In the case of non-tenure-earning faculty, the requirement for demonstrated proficiency in one, two, or all three, areas as specified in the policies of the school or department shall apply to appointment, reappointment, and promotion. All faculty members shall be evaluated in these areas by colleagues at UAB, as well as by colleagues outside of the institution. In the area of teaching, student evaluation also should be solicited.

2.5.1 Effectiveness as a Teacher

Effectiveness as a teacher can be demonstrated by a review of the following considerations: the individual’s knowledge of a subject field, including current developments in that field, and the ability to develop effective curriculum materials, to organize and effectively present course work, to motivate student interest and participation, and to contribute significantly to the academic progress of students.

2.5.2 Effectiveness in Scholarly Activities

Although scholarly work takes many forms, including design, basic and applied research, and other creative activities, a faculty member’s effectiveness can be demonstrated by such achievements as publications, fine arts creations, personal presentations of formal papers, artistic performances, patents, and the like. The quality of the individual’s scholarly approach, capacity for independent thought, originality, and products of scholarship must be addressed.

2.5.3 Effectiveness in Service Activities

Service functions can be those performed for UAB, the Birmingham community, the state of Alabama, and regional, national, or international groups. Service may include such activities as (1) participation in committee work, (2) fulfillment of administrative assignments, (3) contributions to the improvement of student and faculty life, (4) faculty consultation within or outside UAB, and (5) professional service.
2.5.4 Effectiveness as a Librarian

Effectiveness as a Librarian should be demonstrated by a high level of performance within an area of specialization. Components of professional performance include creativity, initiative, and competence in problem solving as well as the integration of theory into planning and practice. Librarians must exhibit a comprehension of the library as a total system, as well as an ability to work cooperatively with patrons and staff.

2.6 Procedures for Faculty Appointments, Reappointments, Promotions, and Awards of Tenure

Each school, library, and department shall have written statements of policies which set forth criteria and procedures for new appointments, reappointments, promotions, awards of tenure, leaves, and other matters related to faculty affairs. Such policies must not be less stringent than, or inconsistent with, this Handbook. Before they are put into effect, school, library, and department policies must be approved in writing by the appropriate school Dean or Library Director and the Provost. Relevant policies and policy changes shall be given to current faculty and to each new faculty member at the time of initial appointment. In absence of such policies, the appropriate Dean or Library Director, with the approval of the Provost and President, may establish relevant policies, on an interim basis, which are consistent with this Handbook.

Faculty appointments and changes in faculty status require concurrence of the appropriate Department Chair, Dean or Library Director, and Provost and are effective only upon issuance of an initial or revised Certificate of Faculty Appointment signed by the President.

2.6.1 School or Library Committees

The policies of each school or library shall provide for a group of faculty to (1) consider and make recommendations to the Dean or Library Director on faculty personnel actions whenever school or library level review is required and (2) present general advice and recommendations on faculty matters to the Dean or Library Director. Among other duties, the committee (s), in consultation with the Dean or Library Director, shall be charged with the responsibility of ensuring adequate faculty personnel procedures in the school or library.

The committee (s) shall be comprised of faculty members elected by the faculty and appointed by the Dean or Library Director. However, no more than one-half of the membership shall be appointed. No administrator may serve on the committee (s) except when (a) promotion to Professor/Library is being considered and (b) a school or library has an insufficient number of faculty at the rank of Professor/Library who do not hold an administrative appointment; and then service can only occur if the administrator (1) represents a different academic unit from the candidate and (2) does not have direct influence over the day-to-day activities of the candidate being considered. Only tenured faculty may vote on appointments and promotions that involve tenure. Only faculty at or above the rank to which the individual under consideration is to be appointed or promoted may vote on such actions.

2.6.2 Departmental Policies and Committees

If departments desire that the policies and procedures for appointment, promotion, and tenure be more specific than those of their respective schools or reflect a unique departmental mission, such policies and procedures shall be contained in departmental written policy. Departmental faculty policies and procedures shall be developed by the Department Chair and departmental faculty, in consultation with the Dean or Library Director, and must be approved by the departmental faculty, Department Chair, the school faculty affairs committee, the Dean or Library Director, and the Provost. Departmental policies may not be less stringent than, or be inconsistent with, UAB or school policies.
Unless specifically stated otherwise in a school’s policies, each department within that school shall have a committee of faculty to consider and make recommendations to the Chair and Dean or Library Director on faculty personnel actions whenever departmental review is required. This committee shall be comprised of faculty members elected by the faculty. This committee shall allow only faculty at or above the rank to which the individual under consideration is to be appointed or promoted to vote on such actions. Only tenured faculty may vote on appointments and promotions that involve tenure. No administrator\(^1\) may serve on this committee.

### 2.6.3 Initial Appointments of Faculty

The process to make a new appointment is initiated by the Department Chair upon completion of recruitment and selection in accordance with all existing department, school, library, and UAB policies and procedures. Upon approval of the Department Chair and recommendation by the appropriate Dean or Library Director and the Provost, an offer of appointment may be made. This offer shall be contingent on final approval of the President.

All appointments must, of course, be made in accordance with UAB hiring practices and government regulations and, following acceptance by the candidate of the initial offer of appointment, must be approved by the President. Terms and conditions of the appointment are stated in a Certificate of Faculty Appointment issued by the President.

In the case of tenure-earning appointments, the date which defines the start, and therefore the completion, of the tenure-earning period shall be determined by the date of appointment if it is October 1. If the appointment date comes after October 1, the October 1 which next follows the initial appointment date to a tenure-earning position shall determine the start of the tenure-earning period.

#### 2.6.3.1 Appointments with Tenure

An offer of initial appointment with tenure shall be reviewed by the appropriate school committee which makes tenure recommendations prior to approval of such an offer by the Dean or Library Director, Provost, and the President.

\(^1\)Administrators prohibited from service as a member of the Faculty Senate, as defined in Article IV, Section 5, of the University of Alabama at Birmingham Constitution of the Faculty, are prohibited from serving on the committee.

#### 2.6.3.2 Appointments as Lecturer, Associate, Instructor, or Assistant Librarian

Unless otherwise specified in writing, initial appointments at the rank of Lecturer, Associate, Instructor, or Assistant Librarian at UAB shall be for one year and may be renewed annually.

#### 2.6.3.3 Appointments as Assistant Professor, Associate Professor, Senior Assistant Librarian, or Associate Librarian

Initial appointments to the faculty at the rank of Assistant Professor, Associate Professor, Senior Assistant Librarian, or Associate Librarian at UAB shall be for two years unless a shorter period is designated in writing. Tenure-earning appointments may be renewed annually for one year thereafter until the probationary period expires or tenure is awarded in accordance with Section 2.6.6.

Non-tenure-earning faculty appointed to these ranks may be appointed or reappointed for periods of one to five years in accordance with Section 2.3.2.
2.6.3.4 Appointments as Professor or Librarian

Appointments to the faculty at the rank of Professor or Librarian carry tenure unless otherwise specified in writing. Tenure-earning appointments may be renewed annually for one year thereafter until the probationary period expires or tenure is awarded in accordance with Section 2.6.6. Non-tenure-earning faculty appointed to these ranks may be appointed or reappointed indefinitely for periods of one to five years in accordance with Section 2.3.2.

2.6.3.5 Departmental Records

The Chair of each department has the responsibility of maintaining an activity file for each faculty member of the department. This file is to be updated at least once a year on the basis of information furnished by the Department Chair and the faculty member.

2.6.4 Reappointment and Non-reappointment of Non-tenured Faculty

2.6.4.1 Review for Reappointment and Non-reappointment of Non-tenure-earning Faculty

Non-tenure-earning faculty shall be reviewed for reappointment by the Department Chair on a schedule that allows adequate notice regarding reappointment or, should a decision not to reappoint be made, notice in accordance with the schedule in Section 2.6.4.3.

2.6.4.2 Review for Reappointment and Non-reappointment of Non-tenured Tenure-earning Faculty

Non-tenured tenure-earning faculty shall be reviewed for reappointment not less than every two years by the Department Chair or in accordance with other departmental, school, or library procedures, on a schedule which allows adequate notice regarding reappointment or, should a decision not to reappoint be made, notice in accordance with the schedule in Section 2.6.4.3 or in accordance with other departmental, school, or library procedures.

The Department Chair shall advise, in writing, the faculty member and Dean or Library Director each year regarding the progress of non-tenured faculty members and the continued need for their services.

2.6.4.3 Notice of Non-reappointment

When a decision against reappointment is made, the faculty member shall be informed of the decision and the reasons for non-reappointment, in writing, by the Department Chair in accordance with the following standards:

A. During the first full year of service, a non-tenure-earning faculty member must receive a minimum of three months’ notice of non-reappointment. As used herein, a full year of service is equal to nine months for faculty on nine-month appointments and twelve months for individuals on twelve-month appointments. Tenure-earning faculty appointed to the ranks specified in Section 2.6.3.3 are appointed for an initial period of two years; therefore, this section is not relevant to such initial appointments.

B. After one or more full years of service to UAB, a faculty member must receive twelve months’ notice that his or her appointment will not be renewed. The date upon which the initial notice is given of non-reappointment shall commence the running of the 12-month terminal appointment.

The following American Association of University Professors (AAUP) statement, while not being UAB policy, may be pertinent and may provide guidance in many instances:

At many institutions, moreover, the procedures of evaluation and decision may make it difficult, if not impossible, to compile a statement of reasons which precisely
reflect the basis of the decision. When a number of faculty members participate in the decision, they may oppose a reappointment for a variety of reasons, few or none of which may represent a majority view. To include every reason, no matter how few have held it, in a written statement to the faculty member may misrepresent the general view and damage unnecessarily both the morale and the professional future of the faculty member.

In many situations, of course, a decision not to reappoint will not reflect adversely upon the faculty member. An institution may, for example, find it necessary for financial or other reasons to restrict its offerings in a given department. The acquisition of tenure may depend not only upon satisfactory performance but also upon a long-term opening. Nonrenewal in these cases does not suggest a serious adverse judgment. In these situations, providing a statement of reasons, either written or oral, should pose no difficulty, and such a statement may in fact assist the faculty member in searching for a new position.

(This statement was extracted from the AAUP Statement on Procedural Standards in the Renewal or Nonrenewal of Faculty Appointments, a revision of a statement originally adopted in 1971, which was approved by Committee A on Academic Freedom and Tenure, adopted by the Council as Association policy in November 1989, and endorsed by representatives in attendance at the Seventy-sixth Annual Meeting.)

### 2.6.4.4 Non-reappointment Because of Changes in Program Priorities

Although an individual faculty member may meet the criteria for reappointment, a decision to deny reappointment may be based on considerations of curriculum, enrollment, finances, or other program factors not prevalent or predictable at the time of the original appointment. It shall be the responsibility of the Department Chair and Dean or Library Director to ensure the earliest possible notification of faculty who will be affected by such changes, but in no case shall such notice be less than that specified in Section 2.6.4.3.

### 2.6.5 Continuation of Other than Primary Appointments

Continuation of secondary faculty appointments, including appointment to the graduate faculty, shall be considered on a periodic basis and may be terminated with thirty days notice.

### 2.6.6 Tenure

#### 2.6.6.1 General Statement

(This Statement was adapted from the American Association of University Professors 1940 Statement of Principles on Academic Freedom and Tenure, with 1970 Interpretive Comments, and from the University of Alabama Board of Trustees Board Rule 301 on Tenure).

Institutions of higher education exist for the common good and not to further the interest of either the individual teacher or the institution as a whole. Achievement of the common good depends, in part, upon the free search for truth and its free exposition.

Academic freedom is essential to these purposes and applies to both teaching and other scholarly activities. Freedom in research and scholarship 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.
Tenure is a means to certain ends, specifically (1) freedom of teaching and scholarly activities and of extramural activities and (2) a sufficient degree of economic security to make the profession attractive to individuals of ability. Freedom and economic security, hence tenure, are indispensable to the success of an institution in fulfilling its obligations to its students and to society.

By granting faculty a right of continuing employment, UAB meets its responsibilities to ensure that UAB faculty remain free to pursue truth and to propagate knowledge, through both teaching and scholarship, without undue or inappropriate interference from external forces.

The awarding of tenure is a serious and significant step for both the faculty member and UAB. It is not awarded merely on the basis of time in service. Tenure is awarded to individual faculty members upon evidence of the capacity and likelihood for continued intellectual, scholarly, and professional vitality; upon evidence of the ability and willingness to perform assigned duties; and upon evidence of a sense of responsibility and dedication to make the continuing exemplary performance of duties a reasonable expectation. Protected from arbitrary dismissal and from transient political and ideological currents, the individual faculty member assumes a responsibility to make a continuing effort to achieve the expectations upon which the award of tenure was based.

Tenure at UAB is a guarantee that the individual will be given continuing appointment at least at the same faculty rank. Promotion of a tenured faculty member indicates continuation of tenure at the new rank. The services of a faculty member with tenure shall be terminated only for cause or in cases of Bona Fide Financial Exigency, Bona Fide Financial Crisis or Academic Unit Closure at UAB (see also Sections 2.7.2 and 2.7.3). The requirement of showing of cause does not apply in the cases of voluntary retirement or retirement due to disability.

As with any freedom, academic freedom carries with it duties correlative with rights. Tenure at UAB should be regarded as a most valuable possession, signifying a long-term commitment of resources by UAB, matched by the sincere commitment by the faculty member to continued professional growth and achievement.

2.6.6.2 Tenure by Faculty Status

Tenure may be awarded to individuals appointed to the faculty as described in Sections 2.3.5, 2.5, and 2.6. Tenure may not be awarded to non-tenure-earning faculty.

Administrative appointments do not carry tenure, but an administrator who holds a tenured academic appointment retains that tenured appointment, and an administrator who holds a tenure-earning appointment on the faculty may be awarded tenure in accordance with procedures and criteria of UAB and the appropriate department, school, or library.

2.6.6.3 Tenure by Faculty Rank

Tenure can be conferred at any time but only upon appointees holding the ranks of Assistant Professor, Associate Professor, Associate Librarian, Professor, or Librarian, and in accordance with the stipulated procedures. Assistant Professors and Senior Assistant Librarians must have at least three years of relevant service at UAB or elsewhere to be eligible for award of tenure.

Tenure cannot be conferred upon a faculty member holding the rank of Instructor. However, faculty holding this rank may be tenure-earning and service in this capacity may be applied to the tenure-earning period. Tenure may be awarded to someone initially appointed to the rank of Instructor only after promotion to the rank of Assistant Professor, or higher.
Persons from outside UAB who are appointed to the tenure-earning faculty at the rank of Associate Professor, but without tenure, shall be under the rules of earning tenure, and the initial appointment shall be for at least two years, renewable for specified durations of time through procedures stated in Section 2.6.4, unless specific exception is written into the Certificate of Faculty Appointment.

Appointments or promotions to the faculty at the rank of Professor or Librarian carry tenure unless specific exception is written into the Certificate of Faculty Appointment.

2.6.6.4 Length of Tenure-earning Period

Any faculty member appointed to a tenure-earning faculty position shall have a maximum of seven years to earn tenure except in the circumstances identified below. If tenure has not been awarded prior to one year before the end of the specified maximum tenure-earning period, the appointment for the final year shall be a terminal appointment. Only in cases in which there is substantial new evidence in support of candidacy for tenure may a candidate be considered for tenure during the terminal year.

As noted in Section 2.6.3, the date which defines the start, and therefore the completion, of the tenure-earning period shall be determined by the date of appointment if it is October 1. If the appointment date comes after October 1, the October 1 which next follows the initial date of appointment to a tenure-earning position shall determine the start of the tenure-earning period.

School or library policies, after discussion by the faculty and recommended by majority vote of the tenured and tenure-earning faculty, as well as approval by the Dean or Library Director, the Provost, and the President, may establish a longer tenure-earning period for faculty appointed in that school or library, but in no case shall such period exceed ten years. The maximum length of the tenure-earning period shall be specified clearly in school or library policies and the maximum tenure-earning period of an individual faculty member may not be reduced from that specified by UAB or school policy at the time of his or her initial faculty appointment at UAB.

The tenure-earning period allotted a tenure-earning faculty member may be reduced because of prior service at another institution. In such cases, a statement in writing shall be made, at the time of an initial tenure-earning appointment, to the faculty member concerning specific allowances for such service. Otherwise, the specified maximum UAB or relevant school or library tenure-earning period shall apply.

2.6.6.5 Changes in Tenure-earning Status

Individuals appointed to faculty positions at UAB may be appointed to the tenure-earning faculty only once during a period of continuous employment at UAB. That is, with appropriate approval, (a) individuals initially appointed to the tenure-earning faculty may later be appointed to the non-tenure-earning faculty, but they may not subsequently return to the tenure-earning faculty; or (b) individuals initially appointed to the non-tenure-earning faculty may later be appointed to the tenure-earning faculty (and, when appropriate, could then return to the non-tenure-earning faculty).

2.6.6.6 Non-award of Tenure Because of Changes in Program Priorities

Although an individual faculty member may meet the criteria for the award of tenure, a decision to deny tenure may be based on considerations of curriculum, enrollment, finances, or other program factors not prevalent or predictable at the time of original appointment.
2.6.7 Review for Progress Toward Award of Tenure

Faculty shall be reviewed by the Department Chair for progress toward the award of tenure in conjunction with the review for reappointment as described in Section 2.6.4.2. Faculty also shall be reviewed not less than every two years for progress toward the award of tenure by an appropriate departmental (or in its absence, school-wide) or library promotions committee. The Department Chair shall take whatever action is required to initiate the review within the department. Upon initiation of any review, the faculty member shall be invited to provide any information not previously submitted to the departmental activity file. The faculty member, Department Chair, and Dean or Library Director shall be advised, in writing, of the results of the departmental committee review, and the faculty member and Dean or Library Director shall be advised, in writing, of the results of the Chair’s review.

2.6.8 Review for Award of Tenure

2.6.8.1 Departmental and School or Library Committee Review

Review for the award of tenure begins with a departmental committee or, in its absence, a school-wide committee. The faculty member shall take whatever action is required to begin the initial review. The recommendation of the departmental committee, together with the recommendation of the Department Chair, shall be forwarded to the Dean or Library Director who must refer it to the appropriate school or library committee for review. The school or library committee shall forward its recommendation to the Dean or Library Director.

2.6.8.2 Dean’s Review and Decision

Using the advice and counsel of the Department Chair, the appropriate departmental committee, where relevant, and the school or library committee, the Dean or Library Director shall reach a decision. The Dean’s or Library Director’s decision can result in four possible outcomes: (1) the school or library committee makes a positive recommendation and the Dean or Library Director concurs; (2) the school or library committee makes a positive recommendation and the Dean or Library Director does not concur; (3) the school or library committee makes a negative recommendation and the Dean or Library Director concurs; or (4) the school or library committee makes a negative recommendation and the Dean or Library Director does not concur.

If the outcome is number one or number four above, then the Dean or Library Director notifies the school or library committee, the Department Chair, the departmental committee, and the faculty member of his/her decision and then forwards his/her recommendation to the Provost. If the Provost does not concur, the Provost shall notify the appropriate Dean or Library Director, who shall, in turn, notify the appropriate parties.

If the outcome is number two or number three above, then the Dean or Library Director notifies the school or library committee, the Department Chair, the departmental committee, and the faculty member of his/her decision. No award of tenure is effective until it has received the approval of the Provost and the President.

2.6.8.3 Notification of Faculty Member

Notification to faculty members concerning the award of tenure normally shall be made before June 1 of each year. Appropriate review schedules should be set up by each department or school to provide adequate time for consideration, including actions by the President. Each involved faculty member shall receive prompt official notification prior to the release of public information concerning promotion or the award of tenure. The faculty member shall, upon request, be informed in writing, by the Dean or Library Director, of the reasons for the decision. (An individual not being reappointed shall be notified in accordance with Section 2.6.4.3).
2.6.9 Faculty Promotion

Tenure-earning, tenured, and non-tenure-earning faculty are eligible for promotion.

2.6.9.1 Review for Progress Toward Promotion

Non-tenured tenure-earning faculty at the rank of instructor or assistant professor shall be reviewed for progress toward promotion by both the Department Chair and an appropriate departmental (or in its absence, school-wide) or library promotions committee concurrently with reviews for progress toward the award of tenure as described in Section 2.6.7. Non-tenured tenure-earning faculty at the rank of associate professor, tenured faculty, and non-tenure-earning faculty initiate the process by requesting reviews by both the Department Chair and an appropriate departmental (or in its absence, school-wide) or library promotions committee. The faculty member shall be invited to provide any information not previously submitted to the departmental activity file. The faculty member shall be advised in writing of the results of all reviews, and the Chair shall be advised in writing of the results of the departmental review.

2.6.10 Review for Promotion

The procedure for review and decision for promotion shall follow the process outlined in Section 2.6.8.

2.6.11 Appeals

Appeals are requests for a reconsideration of the judgment by a Dean or Library Director that a faculty member should be denied reappointment, promotion, or tenure. Appeal of a negative decision shall be communicated to the Provost, in writing, within thirty calendar days. A negative decision by the Provost ends the administrative review. The date upon which the initial notice is given of nonreappointment or denial of tenure shall commence the running of the 12-month terminal appointment.

2.7 Termination of Employment other than Non-reappointment of Non-tenured Faculty

Within this Section 2.7, the following terms have the meaning indicated:
(1) “Termination” means the termination of employment of a tenured faculty member for cause or for reasons of Bona Fide Financial Exigency, Bona Fide Financial Crisis or Academic Unit Closure.
(2) “Bona Fide Financial Exigency” means a significant decline in UAB financial resources that is brought about by decline in institutional enrollment or by other actions or events that compel a reduction in UAB’s current operating budget.
(3) “Bona Fide Financial Crisis” means that a school or library is unable and for the foreseeable future will likely remain unable to fulfill its teaching and research missions unless it is allowed to reduce its financial obligation to tenured faculty within that school or library. The financial crisis may not be precipitated by a redistribution of funds among the schools that comprise UAB, and requires that the University could not meet the obligation without significantly compromising the teaching and research missions of other schools and libraries.
(4) “Academic Unit Closure” means that a unit in which primary tenured appointments are held (e.g., department or library; see Section 2.3.5.1) is eliminated based on educational considerations which reflect long-range judgment.

2.7.1 Resignation

Acceptance of a full-time faculty appointment is a commitment to the scheduled academic year. When circumstances do not permit the completion of such a commitment, UAB may agree to an earlier resignation with a written notice.
2.7.2 Termination for Cause

Employment of a tenured faculty member shall not be terminated without cause nor shall the employment of a non-tenured faculty member be terminated without cause during the term of an appointment. Cause for termination is defined as gross professional misconduct or serious failure of a faculty member to discharge his or her obligations to UAB.

In those instances in which a Department Chair or the appropriate Dean or Library Director, with the concurrence of the Provost, believes a faculty member’s continued appointment is not in the best interests of UAB, the first step is the preferring of charges. If it appears to the President that the charges merit dismissal and that there is cause to believe the charges are true, the faculty member shall be informed in writing of the charges and will be advised of a right to a hearing prior to a decision on dismissal. Should a hearing be requested, it shall be conducted in accordance with established written procedures for such hearings as set forth in Appendix B of this Handbook.

Until the final decision on the matter has been reached, the faculty member shall not be suspended unless immediate harm to self, to others, or to UAB is threatened by continuance. Suspension can be effected only by the President, and salary shall continue during a suspension. Final decisions in matters of dismissal rest with the UAB President.

2.7.3 Termination of Tenured Faculty Due to Bona Fide Financial Exigency, Bona Fide Financial Crisis or Academic Unit Closure

2.7.3.1 General Grounds for Termination

Tenured faculty appointments may be terminated with one year’s notice due to demonstrable circumstances of Bona Fide Financial Exigency or Bona Fide Financial Crisis or due to an Academic Unit Closure that is necessitated by compelling institutional rationale. Any decision by the President to terminate tenure for these causes must be made in accordance with the procedures described below.

Any termination of tenure for reasons of Bona Fide Financial Exigency, Bona Fide Financial Crisis or Academic Unit Closure shall follow considered advice from the faculty of the affected departments or libraries. Tenured faculty members shall be given the opportunity to readapt within the institution, and appropriate institutional resources shall be made available for assistance in readaptation. The appointment of a tenured faculty member shall not be terminated in favor of retaining a faculty member without tenure in the same academic unit unless this would result in an extreme distortion of that academic unit.

Before terminating tenured faculty, UAB will make efforts to place affected tenured faculty members in suitable available positions within the University. If a reasonable period of retraining of an affected faculty member would qualify him or her for another available position at UAB, then such training and relocation shall be considered. No tenured faculty member shall be terminated within less than twelve months from the date of the Board of Trustees approval of that termination. UAB shall give reasonable assistance in the identification and facilitation of other employment opportunities.

2.7.3.2 Bona Fide Financial Exigency and Bona Fide Financial Crisis

Should a Dean or Library Director, in consultation with the Provost, determine that a Bona Fide Financial Crisis (Section 2.7 [3]) exists within a school or library and that the resolution of the crisis could involve the termination of faculty members holding tenure in academic units within the affected school or library (Section 2.3.5.1), the Dean or Director of that school or library shall prepare a statement describing (a) the rationale for proposing the existence of a Bona Fide Financial Crisis and (b) a specific plan based on this rationale. The statement shall first be reviewed within the potentially affected school or library, following previously established policies of that school or library (which shall be on file in the Provost's office) and with
full and open disclosure by the administration. Based on these deliberations, the school or library shall make its recommendations to the Provost.

If the President believes that a Bona Fide Financial Exigency exists or is predictable, or concurs with the school or library that a Bona Fide Financial Crisis exists or is predictable, and if the resolution of either financial emergency could involve the termination of a tenured faculty member, then the President shall inform the Faculty Senate through the Chair of the Faculty of the nature and extent of the financial emergency and request that the Provost develop a plan to accommodate academic and research portions of the financial emergency. The Provost's plan to resolve a Bona Fide Financial Crisis may propose the termination of tenured faculty only from the school or library in which the Bona Fide Financial Crisis exists.

2.7.3.2.1 Acquisition of Faculty Advice

The Provost shall appoint a committee composed of a faculty member from each school, Mervyn H. Sterne Library and Lister Hill Library of the Health Sciences who does not hold an administrative appointment. Seven members shall be selected by the Faculty Senate, and seven faculty members selected by the Provost.

The Committee is charged with reviewing the urgency of the Bona Fide Financial Exigency or Bona Fide Financial Crisis and the appropriateness of the Provost’s plan, while acting in the best interests of UAB as a whole. The Committee shall have access to all information reasonably available at the time, including documentation that a Bona Fide Financial Exigency or Bona Fide Financial Crisis exists and documentation concerning the Provost's plan for alleviating the financial emergency. Within 30 calendar days after its initial meeting, the Committee shall submit to the Provost a written recommendation on the financial urgency and the Provost’s plan for its elimination.

2.7.3.2.2 Provost’s Actions

The Provost shall submit a recommendation to the President describing a specific plan to accommodate the Bona Fide Financial Exigency or Bona Fide Financial Crisis, including any recommendations for the termination of tenured faculty members. The Provost shall also submit to the President the recommendations of the Faculty Committee (Section 2.7.3.2.1), if they differ substantially from the Provost’s final recommendation.

2.7.3.2.3 President’s Actions

Within thirty days of receipt of the Provost’s recommendation, the President shall either (a) deny the original recommendation, (b) return alternative recommendations to the Provost for his or her advice, or (c) accept the original recommendation. Alternative recommendations returned to the Provost for his or her advice will follow the process of acquisition of faculty advice, detailed in Section 2.7.3.2.1.

If the President’s decision requires the termination of tenured faculty member(s), such faculty will be notified in writing by the President before the President requests approval of the decision by the Board of Trustees. A faculty member may request a hearing in accordance with Appendix C.

If after the above notification(s), the President remains committed to a declaration of a financial emergency, then in accordance with Board Rule 301 (Section IID), the President shall notify the Board of Trustees that a Bona Fide Financial Exigency or Bona Fide Financial Crisis exists within the University and the President shall propose the University's plan to meet the crisis, including any and all proposals for termination of tenured faculty members. The Board must approve the declaration of a Bona Fide Financial Exigency or a Bona Fide Financial Crisis before approving the termination of any tenured faculty member for either financial cause. Simultaneous with the President's notification to the Board of Trustees, the President shall inform the Faculty Senate through the Chair of the Faculty of the details of the University's proposed plan.
2.7.3.3 Academic Unit Closure

Should a Dean, Library Director or Provost determine that it is in the best interests of UAB to consider an Academic Unit Closure that could involve the termination of faculty holding tenure in that academic unit (Section 2.3.5.1), he or she shall prepare a statement describing (a) the rationale for proposing an Academic Unit Closure and (b) a specific plan based on this rationale. The statement shall first be reviewed within the potentially affected school or library, following previously established policies of that school or library (which shall be on file in the Provost's office), and with full and open disclosure by the administration. Based on these deliberations, the school or library shall make its recommendations to the Provost.

2.7.3.3.1 Acquisition of Faculty Advice Concerning the Recommendation

If after receiving the recommendation referred to in Section 2.7.3.3, the Provost believes that action may be appropriate and affirms that internal school or library review policies have been followed, he or she shall appoint a committee composed of five faculty members who do not hold administrative appointments, selected by the Faculty Senate, and five faculty members who do not hold administrative appointments, selected by the Provost. Faculty selected by the Provost shall include faculty from the academic units in which tenured faculty may be terminated.

The Committee is charged with acting in the best interests of UAB as a whole and is responsible for evaluating whether the decision to close the academic unit is based on educational considerations and assessing any other issues deemed relevant by the Provost or the Committee.

The Committee shall have access to all information reasonably available at the time, including documentation of the necessity and rationale for the Academic Unit Closure and documentation concerning the Provost's plan. Within 30 calendar days after its initial meeting, the Committee shall submit to the Provost and the Faculty (through the Chair of the Faculty) a written recommendation on the advisability of the Academic Unit Closure and the Provost’s plan.

2.7.3.3.2 Provost’s Action

If the Provost believes an Academic Unit Closure is in the best interests of UAB as a whole, he or she shall submit a recommendation to the President describing the necessity and rationale for proposing the Academic Unit Closure and a specific plan based on this rationale, including any recommendations for the termination of tenured faculty members. In the formulation of this plan, the Provost in consultation with the affected faculty member(s) and appropriate deans and/or directors shall consider the feasibility and advisability of placing the potentially terminated faculty members in other academic units at UAB. The Provost shall also submit to the President the recommendations of the Faculty Committee (Section 2.7.3.3.1), if they differ substantially from the Provost’s final recommendation.

2.7.3.3.3 President’s Action

Within thirty days of receipt of the Provost’s recommendation, the President will either (a) deny the original recommendation, (b) return alternative recommendations to the Provost for his or her advice, or (c) accept the original recommendation.

If the President’s decision requires the termination of tenured faculty, such faculty shall be notified in writing by the President before the President requests approval of the decision by the Board of Trustees. A faculty member may request a hearing in accordance with Appendix C. If the President’s decision is unchanged as a result of the hearing, the President shall request approval of the recommendation by the Board of Trustees.
2.7.3.4 Re-employment of Tenured Faculty Dismissed as a Result of Bona Fide Financial Exigency, Bona Fide Financial Crisis or Academic Unit Closure

UAB shall not replace a tenured faculty member terminated for reasons of Bona Fide Financial Exigency, Bona Fide Financial Crisis or Academic Unit Closure for a period of two years, without first offering the position to the individual whose employment was terminated. Such offers should be made by certified mail, and the former tenured faculty member must respond within thirty days. If such former tenured faculty member accepts such a position, his or her tenure shall be reinstituted.

2.8 Retirement

There is no compulsory retirement age for faculty. A member of the Teachers’ Retirement System of Alabama is eligible for benefits at any time after acquiring 25 years of creditable service or, with ten years of creditable service, at age 60 or thereafter. (See also Section 4.2).

2.9 Grievances

This grievance section does not apply to instances covered by Appendix B, Appendix C, or other sections of this chapter.

A faculty member with a grievance in any matter relevant to his or her position as a UAB faculty member should file a written complaint and should seek solution of the problem through the appropriate Department Chair or Dean or Library Director. If unable to obtain a satisfactory resolution, the faculty member may then file a written grievance with the Provost, and, upon such request, the Provost shall initiate the grievance procedure described in Appendix A of this Handbook.

It is important to note that it is not within the scope of any grievance committee to make judgements regarding professional qualifications of the grievant. This is the responsibility of department, school, or library peer groups; academic administrators; and consultants used by department, school, or library peer groups. Such decisions with which the faculty member does not agree are to be resolved in accordance with the Appeals Procedure (Section 2.6.11).

2.10 UAB-wide Faculty Committees

2.10.1 Faculty Senate

The Faculty Senate is the elective body charged with representing the interests of the faculty to the administration. It derives its authority from the Constitution and Bylaws of the Faculty, which were adopted by a majority vote of the faculty in 1995. The Constitution and Bylaws define the faculty members who are eligible to vote for, and serve as, members of the Senate; the purposes and powers of the Senate; and the Senate’s structure, organization, and procedures. The Constitution and Bylaws also describe the procedures by which they may be amended.

2.10.2 UAB Faculty Policies and Procedures Committee

The Faculty Policies and Procedures Committee is charged with the responsibility of providing advice, through the Faculty Senate, to the President on the basis of an annual examination of current and proposed faculty policies and procedures at UAB. It reviews existing UAB policies and procedures and considers changes to the Faculty Handbook.

Membership of the Faculty Policies and Procedures Committee will consist of the immediate Past-Chair of the faculty; one person elected from each of the following units: (Lister Hill Library of the Health Sciences, Mervyn H. Sterne Library, Schools of Arts and Humanities, Business, Dentistry, Education, Engineering, Health Related Professions, Medicine, Natural Sciences and Mathematics, Nursing, Optometry, Public Health, Social and
Behavioral Sciences, and the Joint Health Sciences Departments); one selected by the President; and two selected by the Provost. The Legal Counsel to UAB is ex-officio, a non-voting permanent member of this committee.

The Secretary of the Senate, with the assistance of the Senate Governance and Operations Committee, oversees the election of members to the Faculty Policies and Procedures Committee. Each constituent unit must elect two nominees from its members. The Executive Committee of the Faculty Senate will select one of those elected from each unit to serve on the committee.

Appointments are for a term of three years, with approximately one-third of the membership being replaced each year. Committee members may be reelected to serve consecutive terms. The committee shall meet at least annually, or more frequently as agreed upon by the committee members, and the committee shall elect its own Chair from among its members.

Recommendations from the Committee concerning revisions to the UAB Faculty Handbook or to existing policies and procedures are forwarded to the Senate. The Senate must make final recommendations to the President regarding changes to the UAB Faculty Handbook or to existing policies and procedures.

2.10.3 UAB-wide Grievance Panel

The University-wide Grievance Panel shall be used as a panel from which to select a grievance committee, should one be needed, as described in Section 2.9, and from which to select a hearing committee in the case of termination for cause of a tenured faculty member, as described in Appendix B, or in the case of termination due to a bona fide financial exigency, bona fide financial crisis, or academic unit closure, as described in Appendix C. The panel shall consist of three faculty members elected from each library, from each school and the Joint Health Sciences Departments, except the Graduate School. To be eligible for service on this panel, faculty members must have tenure, or hold the rank of Associate Librarian or Librarian, and must not have significant administrative responsibilities.

Panel members shall be elected every two years by the faculty of their respective schools and libraries, in accordance with procedures adopted by each unit’s faculty affairs committee. The elections shall be coordinated by the appropriate Deans and Library Directors, who shall forward the names of elected faculty to the President. The President or his designee shall arrange those names in random order to create the panel from which grievance or hearing committees shall be obtained.

Each grievance committee shall be made up of three members of the standing panel. Each hearing committee shall be made up of five members of the standing panel. The first grievance or hearing committee of the biennium shall be made up from the first names on the randomly generated list of panel members. Panel members who are in line for service on a committee, but who do not serve for whatever reason, shall be the first called for service on the next committee.

Complete procedures for selecting a grievance committee and the role of that committee are described in Section 2.9 and in Appendix A. Complete procedures for selecting hearing committees and the duties of those committees are described in Appendices B and C.
3. Other Faculty Rights and Responsibilities

3.1 Academic Freedom

(This statement was adapted from the American Association of University Professors 1940 Statement of Principles on Academic Freedom and Tenure and 1970 Interpretive Comments.)

The purpose of this statement is to promote public understanding and support of academic freedom and tenure and agreement upon procedures to assure them in colleges and universities. Institutions of higher education are conducted for the common good and not to further the interest of either the individual teacher 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 responsibilities correlative with rights.

Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of other academic duties, but publication or research for pecuniary return should be based upon an understanding with the authorities of the institution. 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.

College and university teachers are citizens, members of a learned profession, and officers of an educational institution. When they speak or write as a citizen, they should be free from institutional censorship or discipline, and should make every effort to indicate that they are not speaking for the institution.

3.2 Political Activity

The seeking or holding of elected public office while a UAB employee or faculty member also is governed by Board Rule 509 and requires approval of the Chancellor. Any faculty member may support any political candidate, entity, campaign, program, or action so long as the faculty member is in compliance with the applicable Board of Trustees rule (Board Rule 509). Important aspects of Board Rule 509 include: “No University employee shall use or permit to be used University resources, time, or property for or on behalf of any political candidate, campaign, or organization or for any contribution or solicitation of any contribution to a political campaign or organization; nor shall any University employee lend or appear to lend the support of the University in connection with any contribution or solicitation of any contribution to a political campaign or organization.” No member of the faculty shall be expected to engage in political activity except on a voluntary basis.

Any faculty member who plans to seek election or appointment to a public office must make such intentions known to the President through appropriate channels. In cases in which the workload of the employee is the primary concern, Leaves of Absence during the periods of running for office or serving in public office may be considered (See Section 7.5.1). If there exists a reasonable question whether a potential activity of the UAB employee is inconsistent with the policy of the Board on political activities of University personnel, the employee shall report the proposed activity to the Chancellor for approval through appropriate channels.

The complete text of Board Rule 509 appears in Section 8 of this handbook.
3.3 Extramurally Sponsored Programs

Members of the faculty are encouraged to participate in extramurally sponsored programs involving scholarship, training, and service projects. A faculty member may participate in such programs as an individual or as a member of a project team.

All applications for extramural support must be processed through the Office of Grants and Contracts Administration. In order to guide faculty members with respect to applications for solicited or announced grant and contract opportunities by government or industry sources, the Office of Grants and Contracts Administration provides a checklist which must accompany all requests for such extramural support. The proposal and/or checklist must carry the signature of the principal investigator, the Department Chair, Dean, or Library Director, authorizing UAB official, and other appropriate individuals as dictated by the agency and the checklist.

3.4 Fundraising

UAB encourages its faculty and staff to seek private support as a means for enhancing the quality of UAB’s instruction, research, patient-care and service programs. To maximize the opportunity for success and to insure that the institution and its priorities are properly represented in all appeals for private support, institutional coordination and approval of such approaches is essential. Therefore, all efforts within UAB to raise funds from private sources including corporations, foundations, individuals, or other charitable entities must be approved, prior to their initiation, by the Vice President for Development, Alumni, and External Relations.

It is recognized that individuals, corporations, foundations, or other entities may themselves initiate contact with UAB faculty or staff regarding funding opportunities. While individual staff and faculty members are encouraged to answer questions and discuss gift opportunities with potential donors, these inquiries must be reported promptly to the UAB Development Office.

All gifts and pledges, whether solicited or unsolicited, must be reported and/or delivered immediately to the UAB Gift Records Office for acknowledgment and record-keeping purposes. (See Fund Raising Policy available from the UAB Alumni and Development Office.)

3.5 Consulting

3.5.1 Consulting Outside UAB

UAB recognizes outstanding contributions and achievement by its faculty not only by appropriate compensation adjustments and promotion but also by permitting faculty members’ substantial freedom in arranging their academic lives. Although instruction, research, and service are the primary functions of UAB faculty, UAB recognizes the desirability of making available the services of the many highly trained specialists on its faculty to business, industry, government, professional societies, or other appropriate groups. The involvement of UAB faculty in providing outside services of a professional nature contributes significantly to the public welfare, offers opportunities for professional challenge and growth, brings recognition to the institution, and contributes to the improvement of the teaching and research programs. Therefore, UAB encourages members of its faculty to participate in extramural activities which are consistent with their primary responsibilities to the institution.

Full-time faculty members may, with the approvals described below, contract to perform independent research, to furnish services as a consultant, or both, provided such activity (a) does not interfere with the performance of other responsibilities as a faculty member, (b) is limited in time, (c) is compatible with the
interests of UAB as a public academic institution, and (d) does not require significant use of UAB resources or facilities. Faculty activities which use significant UAB time or UAB resources (for example, laboratories, studios, equipment, supplies, databases, students, or staff paid by UAB) should be handled as UAB grants or contracts.

Because of the great variation in the nature of faculty expertise and outside activities, it is difficult to establish specific rules or time allocations for outside consulting activities. It is the responsibility of the faculty member, Department Chair, and Dean or Library Director to exercise judicious oversight and control of consulting activities so that no UAB functions or policies are neglected. Written prior approval to participate in any outside consulting activities, except those cases identified below, shall be obtained from the Dean or Library Director through the appropriate Department Chair. The Provost should be notified on a quarterly basis of all such approvals and activities.

Activities which shall be exempt from the requirement for prior approval include those things which, assuming they do not constitute a conflict of interest or conflict of commitment, are generally recognized as professional responsibilities or are limited in time or do not involve significant use of UAB resources. Examples of such activities might include, but are not limited to, (a) participation in compensated or uncompensated manuscript review, grant/contract review, or academic program review; (b) uncompensated professional studies or services for not-for-profit entities; (c) occasional compensated or uncompensated seminars, presentations, or performances for civic groups or at schools, universities, research institutes, or for-profit businesses.

All other external consulting activities which draw upon the knowledge and skill of a faculty member require prior approval. Although examples in and of themselves require interpretation and judgment, a sample of such compensated activities usually will include (a) one-time or multiple visits to a business for the purposes of offering advice and counsel, (b) carrying out investigations or studies which are not UAB grants or contracts, (c) a series of non-UAB lectures or performances, (d) serving as an expert witness, or (e) rendering specific professional services other than those through a UAB-affiliated professional services fund.

Faculty also are responsible for ensuring that consulting activities are conducted in accordance with UAB policies on conflicts of commitment and conflicts of interest, as well as UAB policies on disclosure of discoveries and inventions, patents, and computer software. When participating in consulting activities outside of UAB, the faculty member should not allow the name of the University of Alabama at Birmingham to appear in any such manner as to indicate that UAB is participating in, or in any way is sponsoring, the activity or the project.

3.5.2 Consulting Within UAB

Consulting and the performance of duties by faculty members for special fees within UAB is to be limited in time and is subject to prior approval on a project-by-project basis. Faculty will be permitted to perform consulting and other types of services within UAB when:

A. The individual has specialized training or knowledge essential to the programs; and
B. The performance of these duties is such that it is above and beyond the commitments associated with the faculty appointment.

Examples of consulting services or projects within UAB by which special fees may be paid to the faculty member include special lectures, short courses, sponsored research projects, and continuing education projects.
Consulting on UAB-administered projects financed by non-UAB sources may or may not be permitted in accordance with the policy of the sponsoring source. If permitted by the sponsor, approval within UAB must be obtained as indicated below. In cases in which the sponsor’s policy is unclear or unknown, clarification should be obtained from the UAB Office of Grants and Contracts Administration.

Rates of payment for consulting or special services are to be determined on the basis of the individual’s salary or evidence that the fee is appropriate considering the qualifications of the consultant, normal charges, and the nature of the services to be provided and should be approved by the appropriate administrator(s). Work for special fees should be performed so as not to interfere with academic or other UAB responsibilities. Such fees are considered income and, as such, are paid and reported according to stipulations of the “Personal Services Approval and Payment Policy–UAB Employee.”

The appropriate Department Chair, Dean, or Library Director of the consultant and the unit requesting the service must give their approval of these consulting activities within UAB. If consulting is across school lines, approval by the Provost also is required. Consulting by UAB faculty or staff under funds obtained from UAB grants or contracts or funds from any extramural source additionally requires the approval of the Provost. All such approvals must be obtained before a commitment is made.

3.5.3 Conflicts of Commitment and Conflicts of Interest

A conflict of commitment exists when a faculty member assumes obligations outside UAB or elsewhere within UAB which interfere with the faculty member’s properly discharging his or her obligations and commitments to UAB. A conflict of interest exists when a faculty member influences, or makes use of, UAB’s academic, administrative, or other resources or influences decisions in a way that could lead to personal financial gain or advantage to that faculty member or to that faculty member’s family or business. Expeditious disclosure and resolution of such conflicts or potential conflicts is in the best interest of all involved. Actual or potential conflicts of interest must be disclosed using forms provided by UAB for that purpose (See Section 8).

The use or orientation of any faculty effort at UAB to serve the needs of an individual, group, firm, corporation, or other organization or entity without proper disclosure of such use or orientation to a sponsoring agency and to UAB constitutes a serious breach of confidence. Furthermore, there should be no purchase by a UAB employee of any major equipment, instruments, materials, services, and other items for use in UAB faculty efforts from a corporation, company, firm, or organization in which the employee has a pecuniary interest without obtaining approval by UAB in advance. It is incumbent upon each individual faculty member who participates in an outside consulting activity to review outside consulting assignments continuously to avoid participating in any which would currently or in the future constitute a conflict of commitment/interest or the appearance of a conflict of commitment/interest.

When a potential conflict of commitment/interest arises, it is expected that the faculty member, with the assistance of the Department Chair, Dean, Library Director, and others as necessary, will act to preclude, manage, or remove the conflict.

Disclosure of conflicts of interest involving extramural funding is the responsibility of the faculty member or employee and must be done prior to, or as a part of, the UAB grant and contract application process. All individuals who are “investigators” are required to disclose significant financial interests (1) which reasonably would appear to be related to research for which funding from any source is sought and (2) in any and all entities whose financial interests reasonably would appear to be affected by the research. The term “investigator” includes any person who is responsible for the design, conduct, or reporting of extramurally funded research or educational activity. The term includes principal investigators, project directors,
co-principal investigators, co-project directors, and other faculty investigators and faculty project personnel. The term also may include staff, trainees, students, administrators, and other collaborators who have such responsibilities.

Many conflict of commitment/interest situations may arise, both obvious and subtle, in such variety that they cannot be presented adequately in this document. The Conflicts of Commitment and Conflicts of Interest policies in Section 8 of this document provide greater insight into these important issues.

3.6 Maintenance of High Ethical Standards In Research and Other Scholarly Activities

The principles that govern scientific research and other scholarly activities have long been established and have been applied by faculties and administrators for the discovery of new knowledge. The maintenance of ethical standards in research and scholarship based on these principles is a central and critical responsibility of faculties and administrators of academic institutions. Dishonesty, fraud, and misconduct all betray the public trust that is vital to the scientific process, research, and other scholarly activities. The policy concerning the Maintenance of High Ethical Standards in Research and Other Scholarly Activities (in Section 8 of this document) has been developed at UAB to emphasize UAB's commitment to ethical standards and to deal effectively and responsibly with instances in which misconduct is suspected.

3.7 Nepotism Policy (Edited for relevance to faculty and for publication in the Faculty Handbook)

No family member may interpret policy and procedures or make work-related decisions regarding hiring, promotion, salary compensation level, job assignment, performance evaluation, discipline, termination, or any other issue affecting another member of his/her immediate family. Likewise, no UAB employee (including faculty) may interpret policy and procedures or make any work-related decisions regarding hiring, promotion, salary compensation level, job assignment, performance evaluation, discipline, termination, or any other issue affecting another UAB employee who is living in the same household.

Immediate family includes spouse, son or daughter (including stepchildren), grandchild, son-in-law, daughter-in-law, parent (including stepparent), grandparent, father-in-law, mother-in-law, brother or sister (including stepbrother or stepsister), brother-in-law, and sister-in-law.

Any exceptions to this policy must be approved in writing (in the case of faculty members) by the Dean or Library Director and by the Provost and must be submitted to the Associate Vice President for Human Resource Management. Future problems related to an approved exception should be referred to the Dean, or Library Director, Provost, or Associate Vice President for Human Resource Management, as appropriate.

3.8 Standards of Behavior

In the continuing effort to maintain an effective and safe work/study environment and to comply with relevant federal and state laws, UAB has adopted a variety of policies governing faculty, staff, and student behavior. These policies were established to ensure acceptable standards of behavior on campus and in response to current nationwide issues. These policies are identified in Section 8 and in other UAB policy manuals and handbooks.

3.9 Sexual Harassment Policy

The University of Alabama at Birmingham is firmly committed to providing an environment that is free of discrimination, including sexual harassment. UAB prohibits all forms of sexual harassment and will investigate complaints thoroughly and with the utmost seriousness. The complete text of the Sexual Harassment Policy appears in Section 8 of this document.
In addition to the policies and procedures stated in the UAB-wide Sexual Harassment Policy, specific procedures have been put in place to investigate claims of sexual harassment made by students against faculty. A student who believes that he or she has been sexually harassed should report the incident promptly to the Vice President for Student Affairs.

When an official complaint, received from an internal or an external source, involving a faculty member and a student, is made to the Vice President for Student Affairs, the Vice President will select two neutral faculty members, from a pool representing all academic units, to assist him or her in conducting a fact-finding investigation. Such investigations shall proceed as described in the Faculty Investigator Guide to Sexual Harassment. The results of this inquiry will be documented and presented to the Provost who will then have the responsibility for determining appropriate action, if any, to be taken. Violation of the Sexual Harassment Policy may result in the taking of disciplinary action up to, and including, discharge.

3.10 Ownership of Intellectual Property Rights (Patent Policy)

As a condition of employment, UAB faculty are required to disclose any invention or discovery which has been conceived or developed during their period of employment by UAB.

UAB recognizes that research and scholarship should be encouraged and carried out without regard to financial gain from licensing fees, royalties, or other such income. However, UAB also recognizes that patentable inventions, discoveries, software programs, and other intellectual property often arise from UAB-related staff or faculty efforts.

The policies governing the administration of inventions are included in the Board of Trustees Rule 304. Other institutional policies govern other forms of intellectual property including computer software. Those policies also provide recognition and incentive to inventors and at the same time ensure that UAB shares in the rights pertaining to inventions in which it has an investment. Any income accruing to UAB is used in the furtherance of its academic mission.

Disclosure of discoveries and inventions which appear to have commercial value and/or utility should be made to the UAB Research Foundation. Any such invention or discovery (1) which is the result of research carried on by, or under the direction of, any employee of the University and/or having the costs thereof paid from University funds or from funds under the control of, or administered by, the University, or (2) which is made by an employee of the University and which relates to the inventor’s field of work at the University, or (3) which has been developed in whole or in part by the utilization of resources or facilities belonging to the University shall be assigned to the University. Therefore, employees may not themselves assign or grant any option to any such intellectual property developed during the course of their employment without a release from UAB.

The complete Board of Trustees Patent Policy is contained in Section 8 of this document.

3.11 Computer Software Policy [Development and Ownership]

UAB recognizes the importance of obtaining the greatest public benefit from its scientific research, inventiveness, and creativity. The widespread use of the electronic digital computer as a tool for education, research, service, and administration has led to a new type of intellectual property relating to the development of computer software and of databases. UAB’s “Computer Software Policy” covers the external distribution of software that is created by UAB employees as a part of their work at UAB. The policy can be reviewed in Section 8 of this document for procedural regulations, definitions, and distribution of income information.
3.12 Electronic Data Processing Security Policy

UAB relies heavily on its electronic data processing systems and computers to meet its operational, financial, and informational requirements. It is essential that these systems and machines be protected from misuse and unauthorized access. Therefore, deliberate, unauthorized attempts to access or use UAB’s computers, computer facilities, networks, systems, programs, or data or unauthorized manipulation of the above is a violation of UAB policy. The complete text of this policy is contained in Section 8 of this document.

3.13 Computer Software Copying and Use Policy

Respect for the intellectual work of others is a tradition at UAB. UAB values the free exchange of ideas but not plagiarism or the unauthorized copying of computer software, including programs, applications, and data. It is the policy of UAB to comply with copyright law and license agreements entered into with vendors or authors of computer software. No illegally obtained or illegally copied (often referred to as “pirated”) computer software is allowed at UAB. UAB does not, and will not, condone illegal copying of computer software nor the use of illegally copied or obtained computer software. Anyone connected with UAB who makes, uses, or otherwise acquires unauthorized computer software in connection with his or her role at UAB shall be subject to discipline which may include discharge. The complete text of this policy is contained in Section 8 of this document.

3.14 Execution and Review of Contracts for the University of Alabama at Birmingham

Only certain UAB administrative officials are approved by the Board of Trustees to sign contracts, agreements, letters of understanding, or any document which purports to commit UAB to a course of action, especially in the case of commitments of fiscal resources and expenditures. A faculty member may not be the final signee of such UAB contracts, agreements, etc. All proposed contracts and agreements which commit UAB resources must receive hierarchical review and approval by the appropriate individuals at the division, department/unit, and school levels and by the appropriate vice president/Provost/CEO of the UAB Health System on behalf of the President as stipulated by the Board of Trustees and the UAB policy entitled “Execution and Review of Contracts for the University of Alabama at Birmingham.” Any questions concerning who may sign a contract or agreement should be directed to one’s department/unit head or to the UAB Contracts Officer.
4. Insurance and Retirement Benefits

UAB continually reviews its benefit programs to provide members of the faculty the best available benefits at the least possible cost. Program options are studied and recommended to the President by the UAB Fringe Benefits Committee. Full details about all UAB-administered insurance programs and the Teachers’ Retirement System of Alabama, as well as the Teachers’ Insurance Annuity Association/College Retirement Equities Fund (TIAA-CREF) may be obtained through pamphlets, certificates, policies, and explanations available through the Office of Human Resource Management Benefits.

For purposes of employment and benefits, full-time faculty are classified as full-time regular employees. Because benefits for various types of part-time faculty vary, schools must establish criteria for the designation of a part-time faculty member as a regular part-time or an irregular part-time employee. Regular part-time employees are eligible for UAB fringe benefits. Irregular employees are not entitled to fringe benefits or other privileges of employment. (See the You and UAB Handbook for Administrative, Professional, and Support Personnel for details of UAB employee benefits.)

4.1 Insurance Programs

UAB furnishes sponsored life insurance, accidental death and dismemberment insurance, and long-term disability insurance at no cost to the faculty member. Premiums for health insurance are shared between the member and UAB. Voluntary programs through payroll deductions also are available for term life insurance and for additional contributions to a tax-deferred retirement program.

4.2 Retirement Programs

Participation in the Teachers’ Retirement System of Alabama is required of all full-time and part-time faculty members as a condition of employment. Temporary part-time faculty are not eligible for participation in the retirement plan. The member’s contribution is set by law at five percent of the member’s total salary. This amount is matched by the state until the member retires. After ten years of creditable service, the faculty member has a vested retirement plan, payable at age sixty or upon disability. With 25 years of creditable service, a faculty member may retire at any age. In some cases, prior service in the Teachers’ Retirement System of Alabama, out-of-state prior service under another public teachers’ retirement plan, or prior military service may be eligible for credit in the Teachers’ Retirement System of Alabama. Faculty members should direct their questions about these matters to the UAB Office of Human Resource Management Benefits.

Full-time faculty members are eligible for participation in the TIAA-CREF program. Under this program, members may contribute up to five percent of their salary to the plan with such contributions being tax-deferred. UAB will match the faculty member’s contribution, up to the maximum five percent allowed. Questions concerning the “salary base” to which these programs apply should be directed to UAB Payroll Services. Part-time faculty members and faculty members on temporary appointments for less than one year and with no intention of reappointment are not eligible to participate in the matched TIAA-CREF program.

The salary used to purchase a tax-deferred annuity, within certain limits, is not subject to federal or Alabama state income tax until received as payment under an annuity. The requirement as to the amount of the annuity contributions which may be tax-deferred is fixed by the Internal Revenue Code, which may be changed from time to time. This plan applies only to the purchase of annuities and does not include life insurance or mutual funds.
4.3 **On-the-Job Injury/Illness Program**  
*(Effective April 1, 2002)*

The Workers' Compensation Act of the State of Alabama does not apply to UAB. UAB provides, and pays for, the UAB On-the-Job Injury/Illness Program to cover an employee's medical expenses and lost wages incurred as a result of an on-the-job injury or illness. Expenses and wages are compensable under the On-the-Job Injury/Illness Program only if the injury/illness is sustained in the course of, and arises out of, employment at UAB. The Department of Human Resource Management administers the program. Human Resource Management may contract with a third party (the Administrator) to administer the benefits under the On-the-Job Injury/Illness Program on behalf of UAB. Human Resource Management and the Administrator have established specific guidelines and procedures for the program. Procedures for reporting an incident and other information regarding the On-the-Job Injury/Illness Program are provided in a separate publication that is available by contacting Human Resource Management or from the HRM World Wide Web site at [www.hrm.uab.edu](http://www.hrm.uab.edu).

All UAB employees in all employment categories (status codes) are eligible for On-the-Job Injury/Illness benefits.

An On-the-Job Injury/Illness Benefits Review Committee consists of one representative from each of the following departments/units: Financial Affairs, Human Resource Management, and the Office of Counsel. The Committee will review On-the-Job Injury/Illness claims at the request of the claimant, Human Resource Management, or the Administrator. The committee may refer claims to the State of Alabama Board of Adjustment for consideration. The committee also (1) will consider and approve proposed changes to the On-the-Job Injury/Illness Program procedures, claim processes, and coverage guidelines and (2) may recommend On-the-Job Injury/Illness Program policy changes.

**Incident Reporting**

1. An incident/accident must be reported verbally by the employee to the employee's supervisor as soon as possible but no later than two working days following the incident/accident or following the onset of the illness or disease. Failure to verbally report an incident/accident within two working days of occurrence or within two working days of the onset of the illness or disease may result in denial of On-the-Job Injury/Illness benefits.

2. A written or electronic incident report form must be completed and must be submitted to Human Resource Management within two working days of the first verbal report by the employee to his or her supervisor indicating an injury or a suspected illness or disease arising out of his or her work at UAB. Refer to the Human Resource Management web site for forms and instructions regarding incident reporting ([www.hrm.uab.edu](http://www.hrm.uab.edu)). Copies of the forms also are available by calling Human Resource Management.

3. In the case of injuries resulting from an assault, including sexual assault, the incident also must be reported immediately to the UAB Police who will report the incident to the employee's supervisor and to Human Resource Management Relations.

**Medical Treatment**

1. Any eligible UAB employee who suffers a compensable on-the-job injury or occupational illness or disease will be provided medical treatment by health-care providers designated or approved by Human Resource Management or the Administrator.
2. A Medical Evaluation Referral Form must be completed and must be signed by the employee’s supervisor. The Medical Evaluation Referral Form is available on the Human Resource Management website (www.hrm.uab.edu) or by calling Human Resource Management. The employee must present the signed form to the health-care provider before services will be provided that are to be paid by the On-the-Job Injury/Illness Program. An exception is made in the event of a medical emergency requiring immediate treatment. In that event, the employee should be sent immediately to the UAB University Hospital Emergency Department. A representative of the employee's department should advise the Emergency Department verbally that the employee was injured in the course of UAB employment so that billing can be handled properly.

3. Any employee seeking medical treatment for an on-the-job injury or occupational illness or disease must agree to a post-incident drug test. The only exceptions are injuries resulting solely from needle-sticks which are handled by the Rapid Response Team through Employee Health Services in the UAB University Hospital.

4. Incidents/injuries for which other, more specific, response plans are in effect and are documented as Hospital policies (such as needle-sticks) will be treated as specified in Hospital policies.

5. An employee who is injured in the course of employment while away from the UAB campus may seek emergency medical treatment from the nearest health-care provider. The employee must advise the health-care provider that he or she has been injured “on the job.” The health-care provider may contact UAB Human Resource Management with questions regarding payment for services rendered. An incident report must be completed as soon as possible following the accident, and all follow-up treatment must be coordinated through Human Resource Management or the Administrator.

Medical Benefits

1. The On-the-Job Injury/Illness Program will pay all approved medical expenses and all directly related transportation expenses arising out of an injury or occupational illness until the employee reaches maximum medical improvement as determined by the physician and agreed to by Human Resource Management or the Administrator.

2. Medical benefits under the On-the-Job Injury/Illness Program may not be provided if the employee chooses to seek benefits from a provider who has not been approved by Human Resource Management or by the Administrator.

Lost Time/Wages

1. The On-the-Job Injury/Illness Program will compensate an employee for time lost in excess of four calendar days as a result of on-the-job injury or illness. Time lost on the day of the injury (Day One) or the day the occupational illness is discovered (Day One) will be paid through the employee's department and should be charged to leave with pay. The next three calendar days (Days Two through Four) are considered a waiting period during which no On-the-Job Injury/Illness Program wage benefits will be paid. The employee may elect to use his or her other accrued benefit time (sick leave, vacation time, or personal holiday time) or to take without pay the three days after the day of the injury or onset of the occupational illness. The employee may use accrued benefit time for the time off during the waiting period only for the days the employee had been originally scheduled to work. However, if the employee remains out of work (or on reduced time or lower wages) due to the on-the-job injury/illness for a period of 21 calendar days from the date of the injury, one of the following will occur: (1) benefit time used for the first three days after the day of the incident (Days Two through Four) will be replaced at the same rate and maximum as outlined in item 2 below or (2) if benefit time was not used, the On-the-Job
Injury/Illness Program will pay the lost wages (at 66 2/3% of the employee's regular rate of pay but subject to the weekly maximum outlined in item 2 below).

2. Beginning with the fourth day after the day of the incident/accident or onset of illness/disease (Day Five), the On-the-Job Injury/Illness Program will pay wages at the rate of 66 2/3% of the employee's regular rate of pay. This 66 2/3% wage benefit is subject to a weekly maximum that is adjusted annually. All normal payroll deductions (including taxes, parking fees, credit union withholdings, etc.) will continue.

The following is an example of how the process works:

   Employee reports to work at 7:00 a.m. on Thursday and is injured at 9:00 a.m.
   Employee goes to assigned physician and is advised that he or she may not return to work for two weeks.
   Department should pay employee for a full day on Thursday (leave with pay).
   The three calendar day waiting period would be Friday, Saturday, and Sunday.
   If the employee was originally scheduled to work Saturday and Sunday of the waiting period, the employee may use accrued benefit time for Friday, Saturday, and Sunday; otherwise, the employee could use accrued benefit time only for Friday.
   Employee is eligible for On-the-Job Injury/Illness Program wage benefits beginning on Monday.

3. Sick leave and vacation time will continue to accrue while On-the-Job Injury/Illness benefits are being paid.

4. Employees may use eligible accrued sick leave, vacation time, or personal holiday time in addition to the On-the-Job Injury/Illness benefit of 66 2/3% of regular pay (subject to the maximum wage benefit described above) to result in earnings equal to the employee's regular rate of pay. The sick leave, vacation time, or personal holiday time used as a supplement to equal regular pay may exceed 33 1/3% of the employee's regular rate of pay if the employee's 66 2/3% On-the-Job Injury/Illness wage benefit is capped by the weekly maximum described in item 2 above. No combination of the On-the-Job Injury/Illness wage benefit plus supplemental time may exceed 100% of the employee's regular rate of pay.

5. The employee must notify his or her department of the request for On-the-Job Injury/Illness benefits and of his or her desire to use eligible accrued time as a supplement. The employee is responsible for keeping the immediate supervisor or department/unit head apprised of his or her status and projected date for return to work. The department/unit is responsible for submitting time sheets to Human Resource Management for processing.

   If lost time resulting from an on-the-job injury or illness exceeds two calendar weeks, the employee will be placed on Family and Medical Leave (if eligible) retroactive to the date of the injury or the reporting of the illness. Family and Medical Leave and On-the-Job Injury/Illness Leave will run concurrently and will not “stack” one after the other.

6. On-the-Job Injury/Illness lost wages benefits are payable for a maximum of 180 calendar days from the date of the initial injury or the first written report of the occupational illness/disease. Lost wages benefits will cease at the end of the 180-day period or when an employee has been released to return to full duty by the assigned physician, whichever is earlier. The 180-day maximum benefit period is initiated from the date of the injury or the date the occupational illness/disease is first reported in writing, regardless of the date medical treatment is sought.
7. An employee who terminates employment (voluntarily or otherwise) is not eligible for lost wages benefits following his or her UAB employment termination date.

8. If an employee is not able to return to work within the 180-day period, application may be made for benefits under the UAB Long-term Disability Insurance Program. It is the sole responsibility of the employee to determine the estimated length of disability and to make application for benefits in a timely manner. Failure to apply for long-term disability benefits at least 45 days prior to the anticipated need for payment may delay payment of benefits.

9. The On-the-Job Injury/Illness Benefits Review Committee will consider the status of any employee unable to return to full duty within 180 calendar days from the date of injury. A determination will be made regarding employment status and continuation of On-the-Job Injury/Illness wage benefits. An employee unable to return to full duty, or to modified duty if it can be accommodated by his or her department/unit, within 180 calendar days from the date of the injury or the date the illness is reported may be discharged from employment.

   The department/unit head will determine if the department/unit will be able to accommodate any modifications imposed by the treating physician.

**Permanent Disability**

The On-the-Job Injury/Illness Program provides for payment for permanent partial or permanent total disability resulting directly from an on-the-job injury or illness. The designated health-care provider will determine the existence, and degree, of disability. Payment for partial disability will be based on a schedule of benefits based on the employee's average wage at the time of the injury or illness and the type of injury or illness involved. All payments for permanent total disability will be determined after review by the On-the-Job Injury/Illness Benefits Review Committee.

**Limitation on Claiming Benefits**

A claim for On-the-Job Injury/Illness Program benefits must be brought within one calendar year of the date of the injury or the diagnosis of the illness. During the one-year period immediately following an on-the-job injury or illness, a claim for benefits may be brought only if proper notification was made to management and an incident report was completed as required at the time of the incident or diagnosis of illness.

**General**

1. Abuse, fraud, or misrepresentation of facts in connection with the On-the-Job Injury/Illness Program not only will jeopardize an employee's eligibility for benefits but also will subject the employee to disciplinary action up to, and including, discharge from employment.

2. Human Resource Management may assign a case manager to an employee who has incurred an on-the-job injury/illness. Failure to follow the instructions of the case manager with regard to appropriate rehabilitation or failure to cooperate with reasonable transitional work programs approved by the physician may result in denial of On-the-Job Injury/Illness benefits.

3. Authority is granted to Human Resource Management to establish guidelines for the administration of claims; to hire, coordinate, or terminate the services of a third party administrator; to designate providers of health-care services to employees who incur on-the-job injuries or illnesses; and to otherwise administer the On-the-Job Injury/Illness Program. The On-the-Job Injury/Illness Benefits Review Committee must approve major changes in processes and compensability guidelines.
4. An employee may contact the Administrator and/or the Director of Human Resource Management Relations if he or she wishes to question a ruling on a claim or to propose changes to the On-the-Job Injury/Illness Program.
5. Compensation

5.1 Pay Policy and Procedures

Salary arrangements for full-time nine- and twelve-month faculty usually are the primary responsibility of the department, school, or library of primary faculty appointment. Some portion of the faculty member’s salary may be paid by a department of secondary appointment or by other sources. For part-time faculty, the salary determination also may involve negotiation with the head of UAB departments other than that of primary faculty appointment. Salary levels are subject to approval of each appropriate Dean or Library Director and the Provost, within guidelines established by the Board of Trustees.

Faculty members are paid monthly on the last working day of each month. The Direct Deposit Payroll Authorization Form for monthly salaried personnel, when signed by the member, authorizes UAB to deposit net pay directly into a checking or savings account at any bank or savings and loan association within the continental United States or to certain credit unions, including the University Federal Credit Union. A statement of earnings showing gross earnings, itemized deductions, and the amount of net pay deposited is mailed each month to the faculty member’s address on record. UAB requires participation in the Direct Deposit Payroll System by all faculty members.

Payroll Services has the responsibility for maintaining permanent records concerning salary adjustments, payroll deductions, federal/state tax, and Social Security. Questions concerning pay records should be directed to Payroll Services.

5.2 Information Disclosure and Confidentiality Policy

The UAB portion of salaries of all UAB faculty and staff are available for general access and review. The salary information provided is updated annually on the basis of December personnel/payroll information. Disclosure of this information is via a comprehensive alphabetical listing covering faculty, staff, and other employees. A copy of this listing is available for inspection at both Lister Hill and Mervyn H. Sterne Libraries. The listing may be viewed but not removed. The complete text of the Information Disclosure and Confidentiality Policy is contained in Section 8 of this document.

The Information Disclosure and Confidentiality Policy also specifies the conditions under which administrative, management, business, policy-making, etc., information may be released to parties external to UAB and specifies the confidentiality aspects of certain types of UAB information.

5.3 Intramural Private Practice

Upon appropriate authorization, faculty members have the right to conduct an intramural private practice under the provisions and regulations of their respective schools or libraries. Such schools or libraries should have written guidelines for the manner in which fees received from such private practice will be handled. See also Sections 3.5.1 and 3.5.2.

5.4 Grants and Contracts

Funds made available through grants and contracts may be used to pay a portion or all of a faculty member’s salary. The amount of such compensation is jointly dependent upon the provisions of the appropriate agreement and approval by the respective Department Chair and Dean or Library Director but may not exceed the amount of effort associated with the grant.
6. Travel

6.1 Travel and Reimbursement Policy and Procedures

Travel regulations at UAB conform with state law. Allowable rates are adjusted periodically to conform to state-approved rates. Information about current allowable rates and current travel policies and procedures is available from the UAB General Accounting Office. All UAB-related travel, including that in connection with research grants, is covered by the following UAB travel policies.

6.1.1 In-state Travel

Reimbursement for travel in a privately-owned automobile is allowed, provided such mode of travel has been duly authorized and is advantageous to UAB. Faculty members using their privately-owned automobiles while on UAB business assume full risk and should ensure that adequate automobile insurance is in effect. Cost of public transportation is fully reimbursed except that first class travel is reimbursed only if tourist space is not available.

Subsistence (hotel and meals) is authorized and limited by state law through a per diem allowance. The per diem allowance is reduced for periods of less than twenty-four hours. If the trip requires an overnight stay, a per diem allowance for each full day or fraction thereof is paid.

6.1.2 Out-of-state Travel

Travel by personal automobile is reimbursed, provided this method of travel is advantageous to UAB (see Section 6.1.1 regarding automobile insurance). In no case, however, will an individual using personal transportation be allowed to exceed the cost of other modes of public transportation. Cost of public transportation is reimbursed to cover full expenses except that first class travel is reimbursed only if tourist space is not available. Full reimbursement for hotel and meals is authorized, but it is the policy of UAB that moderately priced accommodations will be used. Official banquet costs will be reimbursed when attendance is required.

6.1.3 Employee UAB-related Foreign Travel

Board Rule 413 requires Presidential approval of UAB-related foreign travel. It is in UAB’s best interest that it develop and maintain accurate information concerning international activities and contacts.

Foreign travel is defined as any travel outside of the United States, United States territories and possessions (also known as “United States Insular Areas”), and Canada. UAB-related travel is defined as any travel authorized to be paid from, or reimbursed through, any UAB account, regardless of funding source. The complete text of UAB’s policy is contained in Section 8 of this document.
7.

Holidays, Vacation, and Leaves

7.1 Holidays

UAB recognizes eleven holidays. The eight officially designated holidays are New Year’s Day, Dr. Martin Luther King Jr.’s Birthday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day after Thanksgiving, and Christmas Day. In addition to the designated holidays, each year the UAB President may designate two additional holidays for the Christmas/New Year’s period. When an officially designated holiday falls on Saturday, it will be observed by UAB on the preceding Friday. When an officially designated holiday falls on Sunday, it will be observed by UAB on the following Monday.

In addition to the eight officially designated holidays listed above, three additional holidays, termed as “personal holidays,” are allowed for full-time regular employees. For part-time regular employees, personal holidays are allowed on a prorated basis of percent of FTE. The holidays must be taken between July 1 and June 30 each year, and must be taken prior to termination. Personal holidays will not be paid as part of terminal leave. Holiday time, including personal holidays, may not be accumulated. Faculty members are not required to complete their initial six months of employment before being allowed to take personal holidays.

In scheduling holidays, it is understood that essential services of UAB must be provided at all times.

7.2 Vacation Policy

Vacation credit for full-time faculty is earned at the rate of 1.833 days per month. Faculty members on twelve-month appointments accrue 22 working days of vacation per year. Faculty members on nine-month appointments accrue 16.5 working days of vacation during the nine-month period of their regular appointment (beginning September 1, 1993) and may accrue an additional 5.5 days of vacation leave if they work under a full-time contract with UAB during the summer or, if they work under less than a full-time contract with UAB during the summer, may accrue fewer than 5.5 days of vacation leave but at the same rate of 1.833 days per month. It is the responsibility of each dean and library director (a) to define “full-time contract with UAB during the summer” in writing as it applies to his or her school or library and (b) to determine what portion of the 5.5 days may be credited toward accrued vacation time for each faculty member working less than full-time during the summer. (Accrual of summer vacation time was initiated in June 1995 for full-time summer employment, and accrual of vacation time for part-time summer employment was initiated in June 1996.)

A maximum of 44 days’ vacation credit may be accumulated by both full-time twelve-month faculty and full-time nine-month faculty. Once the 44 days’ credit has been accumulated, the faculty member may continue to accrue non-reimbursable vacation credit, which will be transferred to sick leave credit if not taken during the calendar year of accumulation. (Effective July 1, 1996)

Part-time faculty who are part-time regular employees earn vacation on a prorated basis of percent of FTE. Part-time faculty who are part-time irregular employees do not accrue vacation.

Faculty members are not required to complete their initial six months of employment before being allowed to take accrued vacation.

Vacation records for all faculty who are eligible to accrue vacation are maintained by their department or school or library, as determined by school or library policy. Each school and library shall have written policies describing the mechanisms by which faculty account for their use of vacation time.
Upon termination or retirement, a nine-month or a twelve-month faculty member may receive pay for unused accrued vacation which does not exceed the maximum of 44 days. Terminal vacation pay is paid by special check. The vacation accrual record must be attached to the termination paper and must indicate the number of unused vacation days for which the faculty member is to be paid.

7.3 Sick Leave

Sick leave credit for full-time faculty is accrued at the rate of 0.83 days per month. Faculty members on twelve-month appointments accrue 10 working days of sick leave per year. Faculty members on nine-month appointments accrue 7.5 working days of sick leave during the nine-month period of their regular appointment (beginning September 1, 1993) and may accrue an additional 2.5 days of sick leave if they work under a full-time contract with UAB during the summer or, if they work less than a full-time contract with UAB during the summer, may accrue fewer than 2.5 days of sick leave but at the same rate of 0.83 days per month. It is the responsibility of each dean and library director (a) to define “full-time contract with UAB during the summer” in writing as it applies to his or her school or library and (b) to determine what portion of the 2.5 days may be credited toward accrued sick leave for each faculty member working less than full-time during the summer. (Accrual of summer sick leave was initiated in June 1995 for full-time summer employment, and accrual of sick leave for part-time summer employment was initiated in June 1996.)

Prior to August 1, 2001, the maximum amount of sick leave an employee (including faculty) could accrue was 225 days. Effective August 1, 2001, State Senate Bill 91 removed the 225 days cap on sick leave.

Part-time faculty who are part-time regular employees earn sick leave on a prorated basis of percent of FTE. Part-time faculty who are part-time irregular employees do not accrue sick leave.

Faculty members are not required to complete their initial six months of employment before being allowed to take accrued sick leave.

Sick leave records for all faculty who are eligible to accrue sick leave are maintained by their department or school or library, as determined by school or library policy. Each school or library shall have written policies describing the mechanisms by which faculty account for their use of sick leave.

Upon separation from UAB, faculty may not receive pay for accumulated sick leave. However, faculty members retiring on service or on disability or who are otherwise eligible for service retirement (age 60 with 10 years of service, or 25 years regardless of age) may apply unused accrued sick leave toward additional creditable service with the Teachers’ Retirement System of Alabama. Accrued sick leave may be used to satisfy the 10-year or 25 year service requirement for a member to begin receiving a retirement benefit. Sick leave accrual may not be used to attain vesting for a member not eligible to begin receiving a monthly benefit, nor may it be used to attain eligibility for disability retirement or to add service credit to one who is retiring on disability unless the member is otherwise eligible for service retirement.

Note: Faculty with nine-month appointments did not accrue sick leave prior to September 1993. It is not the intent of the policy change to allow sick leave accrual to adversely affect such faculty who remain employed by UAB after September 1993 and who have legitimate needs for sick leave. Therefore, when such faculty do not have sufficient sick leave accrual to meet the needs of their illness, their chair and/or dean shall make reasonable efforts to assure coverage of the faculty member’s classes. The institution’s obligation to provide such sick leave coverage, however, shall not exceed ten days per year of service prior to September 1993. Further, the maximum accrued eligibility pre- and post-September 1993 shall not exceed that defined elsewhere in this section.
7.4  Sabbatical Leave

Members of the tenure-earning or tenured faculty may apply for sabbatical leave.

7.4.1  Eligibility

For each six academic years of full-time service, as defined by the faculty member’s department and school of primary appointment, a member of the tenure-earning or tenured faculty is eligible to apply for paid sabbatical leave for a period of one-half such year at full pay or one such year at half pay. Sabbatical leave credits may not be accumulated (for example, leave will not be granted for one year at full pay after twelve years of full-time service). Sabbaticals are not awarded automatically after six years service, but are awarded on the basis of individual merit.

7.4.2  Plan of Activities During Sabbatical Leave

Applicants will be required to submit a plan of activities for the period of leave to consist of professional development, a program of investigation, creative writing or artistry, and the like. Sabbatical leave may be spent on campus or off campus, depending on the type of activity to be undertaken. A faculty member shall not be expected to carry on committee assignments or special administrative functions during a period of leave.

7.4.3  When Requests Should Be Submitted

Sabbatical leave applications for any part of the school year should be submitted at least six months, and preferably one year, in advance of the start of the leave. Applications are to be submitted to the Department Chair or directly to the appropriate Dean or Library Director in the absence of departmental organization. Sabbatical leaves are subject to approval by the appropriate Dean(s) or Library Director(s), Provost, and the President. It may be necessary to make special readjustments in sabbatical leave dates when leave is requested by more than one person in a department for the same period of time due to teaching, scholarship, and service obligations of the department.

7.4.4  Accrual of Vacation and Sick Leave While on Sabbatical Leave

Full-time nine-month and twelve-month faculty members, while on sabbatical leave, accrue vacation and sick leave at the regular rate if on one-half year sabbatical leave at full pay and at one-half the regular rate if on a one-year sabbatical leave at half pay.

7.4.5  Upon Conclusion of Sabbatical Leave

Recipients of paid sabbatical leave are expected to return to the full-time service of UAB for at least one academic year and must submit a concise report of the activities during the sabbatical to the Dean or Library Director and Department Chair.

7.5  Other Leaves of Absence

7.5.1  Personal Leave

After a faculty member has completed one year of continuous service, a leave of absence without pay of up to one year may be granted for justifiable reason. This leave can be renewed for a second year. In either case, approval must be given by the Department Chair and by the appropriate Dean or Library Director and the Provost. Any renewal of leave of absence beyond two years must be approved by the President.
An employee applying for a leave of absence should contact the Office of Human Resource Management Benefits regarding the continuation of insurance and other benefits. The total cost of benefits is borne by the person on leave. Vacation and sick leave do not accrue during a non-paid leave of absence, but earned credits may be carried forward.

Return to UAB service following an approved leave of absence shall be without prejudice to the faculty status of the individual prior to taking leave. Time spent on such leave of absence shall not be considered as part of an individual’s tenure-earning period or for promotion, tenure, or eligibility for sabbatical leave. Full-time tenured faculty on an approved leave of absence may reduce their full-time commitment without relinquishing their tenure.

Leave of absence requests for additional time beyond the 12 work weeks allowed for family-related leave of absence or beyond the 16 work weeks allowed for employee health condition leave of absence must meet the requirements of personal leave, including one year’s continuous service and approval of the appropriate Dean or Library Director or administrator.

7.5.2 Family and Medical Leave of Absence

Eligible employees (including eligible faculty members) may take up to 16 work weeks of Family and Medical Leave of Absence for a qualifying serious health condition of the employee. Eligible employees may take 12 work weeks per year for the birth, adoption, or foster care placement of a child or to care for a spouse, parent, or child with a serious health condition. For purposes of this policy, the amount of leave allowed per year for family-related reasons is based on a “rolling” twelve-month period measured backward from the date an employee uses any family-related leave under the Act. Any family and medical leave of absence time used (both for the employee’s health condition and for family-related reasons) counts toward the total available for use by the employee for family-related reasons during that twelve-month period.

This policy does not replace the sick leave policy. The Family and Medical Leave Act of 1993 generally requires an employer to restore an eligible employee to the same job or position (or to an equivalent job or position) which he or she held before the leave began.

An employee must apply for the leave of absence through his or her department/unit head using a form provided for that purpose and must provide appropriate documentation such as a certification from a health-care provider or documentation related to adoption or foster care placement. In the case of a health condition of the employee or of family members, leave will be approved only for the length of time certified in writing by the person’s health-care provider to a maximum of 12 work weeks per year for family-related health conditions and to a maximum of 16 work weeks for each employee serious health condition. In the case of leave for a health condition of the employee, upon return to work, the employee must submit a health-care provider’s statement certifying the employee’s physical ability to perform, with or without accommodation, the duties of the position previously held.

During a family and medical leave of absence that is being taken for family-related reasons, accrued sick leave, vacation, and personal holiday time must be used at the beginning of the leave of absence before entering a “non-paid status.” Sick leave may be used only for qualified members residing in the same household as the employee. Accrued sick time, in addition to accrued vacation and personal holiday time, must be used before beginning the unpaid portion of a leave for a health condition of the employee. Accrued time must be used at the beginning of a leave of absence before entering a “non-paid status.” Use of accrued time will not extend the length of time away from the job beyond the maximum for each type of leave of absence.

Vacation time, personal holidays, sick time, and holiday time are not accrued during the unpaid portion of a family and medical leave of absence, but unused earned credit is carried forward. The employee’s service date is retained.
In cases of childbirth, adoption, or foster care placement, employees should give, whenever possible, a thirty-day advance notice of their intent to take a family and medical leave of absence. The thirty-day notice also applies to medical leaves resulting from planned health treatments for the employee or for members of his or her family.

If the employee and the employee’s spouse both work at UAB, in cases of childbirth; adoption; foster care placement; or care of a son, daughter, or spouse, the total amount of annual family and medical leave of absence available is 12 work weeks for each employee.

During a family and medical leave of absence, employees enrolled in one of UAB’s health insurance plans at the time their leave of absence begins may continue their health insurance coverage. (See the full text of the policy for additional stipulations concerning health insurance during the leave of absence.)

If an employee requests additional leave of absence time beyond the limits allowed for Family and Medical Leave of Absence, the additional time must be taken as a personal leave of absence, and the employee must meet the requirements for personal leave.

Other regulations relating to faculty members and to instructional programs of colleges and universities are included in stipulations in the federal Family and Medical Leave Act of 1993 and may be included in additional clarifications and definitions as promulgated by agencies of the federal government. Deans or department heads who have questions concerning administering the Family and Medical Leave of Absence Policy relative to faculty members and academic programs should contact the UAB Human Resource Management Benefits Office.

The full text of the UAB Family and Medical Leave of Absence Policy is included in Section 8 of this document.

7.5.3 Military Leave

Faculty members who are ordered to active duty will receive full pay for a maximum of 21 days per calendar year. This 21 working days per calendar year includes weekend drills as well as summer training and any other type of military duty. Faculty will be paid only for the time for which they ordinarily would be scheduled to work for UAB. In no case will faculty be paid for a period in excess of the time for which they are ordered to military duty. A copy of the orders or other satisfactory documentation of attendance must be provided to the Department Chair or Dean or Library Director as soon as received.

Except as noted below concerning additional military service covered by Alabama Code Section 31-12-1, et seq., after the first 21 days of military leave per calendar year, any additional military leave will be without pay or may be charged to vacation or personal holiday time.

In case of a major military call-up, the UAB President may alter these regulations (such as the calendar year rule), but any changes must apply to all affected employees, not just to individual cases.

Alabama law, Alabama Code Section 31-12-1, et seq. (the Act), extends military protections and rights under the Soldier's and Sailors' Civil Relief Act and the Uniformed Services Employment and Reemployment Rights Act to active members of the Alabama National Guard and other military reserve forces called to duty in time of war, armed conflict, or emergencies, proclaimed by the Governor or the President of the United States, and called or ordered to state active duty for a period of 30 consecutive days or more or to federally funded duty, other than training. This law does not apply to normal National Guard and reserve weekend drills, annual training, and required schools.
Retroactive to September 11, 2001, eligible employees, as defined in the Act, are eligible for the difference in pay between lower active military duty pay and a higher public salary for the duration of the active military service. This provision applies only to employees called into active service during the war on terrorism, which commenced on September 11, 2001.

Any public employee who was required to use annual or sick leave as a result of being called to active service during the war on terrorism shall have his/her leave restored. Also, health insurance benefits may be continued at the election of the employee called to active military service.

Any employee serving in the active military service during the war on terrorism, which commenced on September 11, 2001, shall continue to be considered an active participant in the Retirement Systems of Alabama throughout such service.

Contact the Human Resource Management Benefits Office for additional information and clarification.
8.

OTHER UNIVERSITY POLICIES WHICH PERTAIN TO FACULTY

As noted in previous sections of the Handbook, UAB has adopted a variety of policies which govern faculty, staff, and student behavior. These policies were established to ensure acceptable standards of behavior on campus and in response to current nationwide issues. Some of these policies which relate to UAB faculty are listed below. The complete text of additional policies pertaining to UAB Employees can be found at the following web addresses:

- **UAB Policy Reference Manual**
- **You & UAB Handbook for Administrative, Professional and Support Personnel**
- **HRM Personnel Policies and Procedures Reference Manual**

Acceptance of Benefits, Awards, and Prizes from External Entities

Policy Concerning AIDS and HIV Infection

General Policy Regarding the Use and Consumption of Alcoholic Beverages

Policy Concerning Use of the UAB Campus Mail System

Computer Software Copying and Use Policy

Computer Software Policy [Development and Ownership]

Conflicts of Commitment Policy

Conflicts of Interest Policy

Consensual Romantic Relationships Policy

Drug-free Workplace Policy

Electronic Data Processing Security Policy

Equal Opportunity Policy

Equipment Accountability Policy

Policy Concerning Employee Falsification of UAB Records and Documents

Family and Medical Leave of Absence Policy
Policy Concerning Firearms, Ammunition, and Other Dangerous Weapons

Employee UAB-related Foreign Travel Policy

Health Care Policy for International Students and Scholars

Hiring Approval Policy

Indirect Cost Reimbursement Policy

Information Disclosure and Confidentiality Policy

Applications for Labor Certification

Policy Concerning the Maintenance of High Ethical Standards in Research and Other Scholarly Activities

Nonsmoking Policy

Patent Policy (Board of Trustees Rule 509)

Personal Services Approval and Payment Policy–UAB Employee

Political Activities of University Personnel (Board of Trustees Rule 304)

Purchasing Policies and Guidelines

Policy Concerning the Re-employment of UAB Retirees

Sexual Harassment Policy

Sick Leave Donation Policy

Use of UAB Resources by External Entities
Appendix A
Faculty Grievance Procedures

Notes: See Also Section 2.6.11 and Section 2.9
“School” refers to any school (including the Graduate School and the Libraries) in which the grievant may have an appointment.
References to “Provost” refer to the “Office of the Provost.”

I. Filing a Grievance

When a faculty member has been unable to obtain a satisfactory solution to a grievance within his or her school, formal grievance procedures may be initiated by the faculty member by filing a written grievance with the Provost. The written grievance (1) should state, in detail, (a) the facts from which the grievance arose and (b) the results of any preliminary attempt to solve the problem and (2) must be submitted to the Provost within thirty calendar days after a decision has been received from the Dean.

Upon receipt of a written grievance, the Provost may attempt to resolve the grievance to the mutual satisfaction of the party(ies) involved. If such a resolution of the grievance is not forthcoming within sixty days, the grievant may request that a Grievance Committee be convened. (The Provost, on his/her own initiative, may establish a Grievance Committee within the sixty day period if he/she thinks no resolution will occur.) The Provost shall then establish a Grievance Committee from the UAB Grievance Panel (see Section 2.10.3) under the procedures set out below.

II. The Grievance Committee

The Provost shall appoint a three-member Grievance Committee composed of the next in line for service (see Section 2.10.3). The appointment will be by letter and shall include a copy of the grievance. Any appointed member who believes that he or she cannot render an impartial decision on the grievance because of personal involvement with any of the party(ies) or with the school or a the department and/or division involved shall so state to the Provost within fourteen calendar days of appointment to the Grievance Committee. The Provost will then appoint the next panel member in line for service.

When three appointments have been obtained, the Provost shall notify the grievant. The grievant shall be allowed to challenge the service by any appointee who, in the opinion of the grievant, cannot consider the grievance impartially. Should the grievant elect to exercise this right, the grievant shall notify the Provost within fourteen calendar days of the Provost’s notification; and, if the Provost concurs, the challenged member shall be excused. The Provost will then appoint the next panel member in line for service. This process will continue until a Grievance Committee of three has been established.

The Provost shall assure that appointments from the panel to the Grievance Committee are in the proper order. The Provost shall appoint a member of the staff in the Office of the Provost to serve as secretary to the Grievance Committee.

III. The Grievance Hearing

A. Responsibilities of the Grievance Committee
The role of the Grievance Committee is to investigate the complaint as presented to the Grievance Committee by the grievant, to obtain all the facts in the dispute, and to come to a conclusion as to whether the grievant had good cause to file a grievance. It is the responsibility of the grievant to establish the facts of his/her complaint and that he/she is entitled to relief.

In situations in which the grievance contends discriminatory treatment in violation of the Affirmative Action Program, the Grievance Committee must come to a conclusion as to whether the procedures and the rules, regulations, and standards of the involved administrative unit have been applied in a discriminatory manner. The Grievance Committee shall limit its investigation to the issues of discrimination, and the Grievance Committee has the right to exclude any portion of the grievance which, in its opinion, is not proper subject for an affirmative action grievance. The Grievance Committee may request that the grievant resubmit the grievance with more specificity if, in the opinion of the Grievance Committee, the nature of the grievance is not clearly defined.

In grievances concerning the terms of faculty appointment, promotion, or nonreappointment, the role of the Grievance Committee is to determine (1) whether the grievant has had all the benefits of the procedures afforded by (a) the grievant’s contract and (b) UAB, school, and department rules and regulations and (2) whether the decision forming the basis for the grievance was the result of adequate consideration in terms of the relevant standards of UAB, the school, or the department. The Grievance Committee has the right to exclude any portion of the grievance which, in its opinion, is not a proper subject for review. The Grievance Committee may request that the grievant resubmit the grievance with more specificity if, in the opinion of the Grievance Committee, the nature of the grievance is not clearly defined.

The deliberations of the Grievance Committee should include all available sources of information and other resources. This examination may sometimes necessitate an examination of the qualifications of a grievant in relation to those of other academic personnel in the grievant’s department, but the Grievance Committee should refrain from making the grievance procedure a review and assessment of the professional qualifications of the grievant as it is not within the scope of any Grievance Committee to make an evaluation of the professional qualifications of the grievant. Such judgement is the responsibility of the appropriate peer group, administrator, and consultants within the concerned department and school.

B. Responsibilities of the Grievant
   1. It is the responsibility of the grievant (1) to state his or her grievance with specificity, identifying any charged party(ies) involved, (2) to present all the facts through the presentation of witnesses and documents having relevance to the grievance, and (3) to prove the validity of the grievance.

C. Responsibility of the Charged Party(ies)

It is the responsibility of the charged party(ies) (1) to supply to the Grievance Committee relevant UAB, school, or departmental documents to which they have access, including documents requested by the grievant but not in his or her possession and those requested by the Grievance Committee and (2) to explain their actions through presentation of witnesses and documents having relevance to the grievance.

IV. Right to Advisor

The grievant and each charged party may have an advisor present when appearing before the Grievance Committee.
V. Grievance Committee Procedure

A. Preparation for Hearing

The first meeting of the Grievance Committee shall be called by the Provost. At the first meeting, the Grievance Committee shall elect its Chair and shall be charged with its duties by the Provost.

The Grievance Committee shall hold one or more meetings with the grievant and the charged party(ies) to (a) identify and request relevant documents, (b) identify the witnesses that will be called, (c) identify the questions to be raised to these witnesses, and (d) set the time(s) and date(s) for a formal meeting. The Grievance Committee shall work with the grievant and all charged party(ies) to set time(s) and date(s) for the formal hearing convenient with the individual schedules of the party(ies) and witnesses involved in the hearing.

The grievant and the charged party(ies) shall submit a list of proposed witnesses and the information that each witness is expected to give to the Chair of the Grievance Committee. The Grievance Committee will then decide which witnesses will be called. UAB will not be responsible for covering the travel expenses of out-of-town witnesses.

The Chair of the Grievance Committee shall give written notification to all party(ies) and to all witnesses as to the time(s), date(s), and location(s) of the hearing.

B. The Hearing

The Chair of the Grievance Committee shall preside at the hearing and shall provide rulings relative to procedural issues that are in dispute during the hearing. Any ruling by the Chair may be appealed by any party to the whole committee which shall have final authority on the matter.

Grievance hearings shall be confidential and only those concerned should be included in the grievance hearing.

The hearing shall proceed as follows:

1. Opening statement by the grievant
2. Opening statement by each charged party
3. Presentation of relevant documents by grievant
4. Presentation of relevant documents by each charged party
5. Questioning of witnesses -- Witnesses shall be called in an order determined by the Chair of the Grievance Committee, and questioning shall be conducted exclusively by the members of the Grievance Committee. (The Grievance Committee shall allow each party to submit, in writing, questions which the party would like to have asked of a witness; however, the Grievance Committee will not be required to ask those specific questions.)
6. Closing statement by each charged party
7. Closing statement by the grievant.

The Grievance Committee’s assigned secretary shall maintain a record of the hearing.
C. The Grievance Committee report

Within (30) working days after the hearing is concluded, the Grievance Committee shall meet to (1) summarize the evidence that has been heard, (2) arrive at conclusions based only on the evidence presented at the hearing, and (3) develop a report that summarizes the evidence that was heard and the conclusions which were reached by the Grievance Committee. This report shall be sent to the grievant, to all charged party(ies), to the members of the Grievance Committee, and to the Provost.

VI. Action by Provost

The Provost shall seek to resolve the grievance and, in so doing, shall give considerable weight to the report of the Grievance Committee. Within fifteen (15) working days of receiving the report, the Provost shall provide a written memorandum to the grievant, to all charged party(ies), to the Grievance Committee, and to the President describing the Provost’s efforts to resolve this matter.

VII. Final Action

If the Provost is unable to resolve the grievance, within fifteen (15) working days after receiving the Grievance Committee report, the grievant may appeal to the UAB President. The Provost shall then forward to the President the committee report along with his or her recommendation. The President shall act within fifteen (15) working days after receiving the report and, in so doing, shall give considerable weight to the report of the Grievance Committee. Should the President’s action be inconsistent with the report of the Grievance Committee, the President shall state his or her reasons to the Grievance Committee, to the grievant, and to the charged party(ies). The decision of the President is final.
Appendix B

Review of Recommendations for Termination for Cause of a Tenured Faculty Member or Termination of a Faculty Member Whose Term of Appointment Has Not Expired

Notes: See also Section 2.7.2

I. Initiation of Proceedings

Formal proceedings to review a recommendation for termination are commenced by furnishing to the faculty member, by certified mail, a letter from the President of UAB containing a statement of the charge(s) against the faculty member. This letter should contain the following information:

1. A statement of specific charge(s) against the faculty member, written with sufficient detail to enable the charged faculty member to show factual error if it exists
2. Information that the faculty member has a right to a hearing before an impartial faculty committee
3. A tentative date for the hearing, at least thirty days after the receipt of the statement of charges
4. Names of the members of the Hearing Committee. (see Section II below)
5. Names of witnesses who will be called by the administration, the nature of each witness’ testimony, and a summary of other evidence against the charged party
6. The information that hearing procedures, including rights of the charged party, are contained in the Faculty Handbook.

II. The Hearing Committee

The Hearing Committee shall be appointed by the President and, initially, shall consist of the next seven faculty members of the UAB-wide Grievance Panel (described in Section 2.10.3) who do not hold primary appointment in the department of primary appointment of the faculty member being terminated. Should none of these seven individuals be from the school of primary appointment, the President shall appoint the first six faculty members on the list and shall appoint, as the seventh appointment, the first faculty member on the list holding primary appointment in the school (but not department) of the faculty member being terminated.

The faculty member who has been charged will be asked to strike two members from the initial group of seven (with or without cause) reducing the Hearing Committee to five faculty members.

The five-member Hearing Committee shall elect its own Chair, and Deans, Library Directors, and Department Chairs will be expected to use appropriate means to ensure that a Hearing Committee member from their unit is allowed sufficient time to participate in the hearing process. The President shall designate a staff member from the Office of the President to serve as secretary to the committee.

III. Response

At least seven calendar days before the date for the hearing, the faculty member who has been charged shall respond in writing indicating (1) whether a hearing is desired, (2) which two individuals on the Hearing
Committee will be struck, (3) responses to the charge(s) stated in the President’s letter, and (4), if a hearing is desired, the names of witnesses who will be called by the faculty member.

IV. Suspension

Suspension of the faculty member during the proceedings involving the faculty member is justified only if continuance of the faculty member is likely to result in (a) harm to the faculty member or others; (b) an immediate health hazard; (c) the need to protect federal funds or equipment; or (d) an immediate need to protect the interests of person(s) making allegations, the individuals who are the subject of the allegations, or any associates. Unless legal considerations forbid, any such suspension should be with pay.

V. Procedure

If the faculty member has not requested a hearing, the Hearing Committee shall meet to consider the case on the basis of the obtainable information and to decide whether adequate cause for dismissal has been established. This Hearing Committee will be composed of all seven members because the faculty member did not ask for a hearing and, therefore, did not strike two members.

If a hearing has been requested, the Hearing Committee’s consideration shall focus on the statement of grounds for dismissal provided to the faculty member by the President and the faculty member’s written response. With the consent of the party(ies) concerned, the Hearing Committee may hold joint pre-hearing meetings with the party(ies) in order to (1) simplify the issues; (2) effect stipulations of facts; (3) provide for the exchange of documentary or other information; and (4) achieve such other appropriate pre-hearing objectives as will make the hearing fair, effective, and expeditious.

While the President shall have the option of attending pre-hearing and hearing meetings, the President should appoint a personal representative who shall be responsible for responding to questions which might arise concerning the administration’s charges against the faculty member being terminated.

The Hearing Committee hearing shall be governed by the following rules and regulations:

1. The Hearing Committee, in consultation with the President and the faculty member being proposed for termination, shall exercise its judgment as to whether the hearing should be public or private.

2. During the proceedings, the faculty member being proposed for termination shall be permitted to have present an advisor of the faculty member’s own choice.

3. During the hearing, the Hearing Committee shall determine the order of proof, conduct the questioning of witnesses, and, if necessary, secure the presentation of evidence pertinent to the case.

4. At the request of either party or the Hearing Committee, a representative of a responsible educational association shall be permitted to attend the proceedings as an observer.

5. A verbatim record of the hearing or hearings shall be taken by the Secretary to the Hearing Committee who shall make copies available to the faculty member, without cost, if the faculty member appeals the final administrative action to the courts.

6. The Hearing Committee shall grant adjournments to either party to enable investigation of
evidence to which a claim of surprise is made.

7. The faculty member shall be afforded reasonable time to obtain necessary witnesses and documents or other evidence. The administration shall cooperate with the Hearing Committee in securing witnesses and making available documentary and other evidence.

8. The faculty member and the administration shall have the right to confront and examine all witnesses. In cases in which a witness cannot or will not appear, but the Hearing Committee determines that the interests of justice require admission of his or her statement, the Hearing Committee shall identify the witness(es), disclose the statement, and, if possible, provide for interrogation.

9. In the hearing of charges of incompetence, the testimony shall include that of qualified faculty members from this or other institutions of higher education.

10. The Hearing Committee will not be bound by strict rules of evidence and may admit any evidence which is of probative value in determining the issues involved. Every possible effort shall be made to obtain the most reliable evidence available.

11. Findings of fact in the decision shall be based solely on the hearing record.

12. The burden of proof that adequate cause for termination exists rests with the institution and shall be supported by the evidence and the record considered as a whole.

13. Except for such simple announcements as may be required covering the time of the hearing and similar matters, public statements and publicity about the case by the faculty member, the faculty member’s advisor, UAB administrative officers’ and members of the Hearing Committee shall be avoided until the proceedings have been completed.

VI. Committee Decision

After the hearing is concluded, the Hearing Committee shall meet to reach its decision. Within a reasonable time after the hearing is concluded, the Hearing Committee shall report to the President whether the charges were proved by the evidence in the record and shall recommend dismissal or retention.

VII. President’s Decision

The President shall consider only evidence that was presented during the hearing. If the President does not implement the recommendations of the Hearing Committee, the reasons for not implementing them shall be stated in writing to the Hearing Committee, and the faculty member. The decision of the President is final.
Appendix C
Review of Recommendations for Termination of a Faculty Member Due to a Bona Fide Financial Exigency, Bona Fide Financial Crisis or Academic Unit Closure

Note: See also Section 2.7.3

I. Initiation of Proceedings

Review of a recommendation for termination of a tenured or non-tenured faculty member due to a Bona Fide Financial Exigency, a Bona Fide Financial Crisis or an Academic Unit Closure, as defined in Section 2.7 of this Faculty Handbook is commenced by furnishing to the faculty member a letter from the UAB President containing a statement that the faculty member’s appointment will be terminated due to one of these three causes. Tenured faculty appointments may be terminated with one year’s notice. Nontenured faculty appointments may be terminated prior to the end of a previously agreed-upon period of appointment with one year’s notice or with the notice required for non-reappointment as defined in Section 2.6.4, whichever is less. The letter shall contain the following:

1. A statement of the specific reasons for termination, providing names of all persons upon whose judgment and advice the decision to terminate has been made and/or documents on which UAB had relied in making the termination decision.
2. Notification that the faculty member has a right to a hearing before an impartial faculty Hearing Committee.
3. Advice that the rules governing the hearing procedures, including the rights of the affected party, are contained in the Faculty Handbook.

II. Response

A faculty member who desires a hearing should notify the President in writing that a hearing is desired within fourteen calendar days of the receipt of notice of termination.

III. The Hearing Committee

If a faculty member requests a hearing, the UAB President shall appoint the next seven faculty members from the UAB-wide Grievance Panel described in Section 2.10.3. The faculty member will be asked to strike two members from the initial group of seven (with or without cause) reducing the hearing Committee to five faculty members. The five-member Hearing Committee shall elect its own Chair. The President shall designate a staff member from the Office of the President to serve as secretary to the Committee.

IV. Procedure

The President (1) shall notify the faculty member by mail of the date and time of hearing, to be set no later than thirty calendar days after receipt of the request for hearing, and (2) shall identify the seven faculty
members initially appointed to the Hearing Committee. Within fourteen calendar days, the faculty member must notify the President of the two Hearing Committee members being struck. The Hearing Committee, after electing a Chair, may, with the consent of the party(ies) concerned, hold joint pre-hearing meetings with the party(ies) in order to (1) simplify the issues; (2) effect stipulations of facts; (3) provide for the exchange of documentary or other information; and (4) achieve such other appropriate pre-hearing objectives as will make the hearing fair, effective, and expeditious.

The Hearing Committee shall be governed by the following rules and regulations:

1. The Hearing Committee, in consultation with the President and the faculty member, shall exercise its judgment as to whether the hearing shall be public or private.
2. During the proceedings, the faculty member shall be permitted to have present an advisor of the faculty member’s own choice.
3. UAB shall be represented by the Office of Counsel.
4. A verbatim record of the hearing or hearings shall be taken, and a printed copy shall be made available to the faculty member, without cost, if the faculty member appeals the final administrative action to the courts.
5. The Hearing Committee shall grant adjournments to either party to enable them to investigate evidence to which a claim of surprise is made.
6. The faculty member shall be afforded the opportunity to obtain necessary witnesses and documents or other evidence. The administration shall cooperate with the Hearing Committee in securing witnesses and making available documents and other evidence.
7. Both the faculty member, or advisor, and the administration shall have the right to hear and cross examine all witnesses.
8. The Hearing Committee will not be bound by strict rules of evidence and may admit any evidence which is of probative value in determining the issues involved. Every possible effort shall be made to obtain the most reliable evidence available.
9. Findings of fact in the decision shall be based solely on the hearing record.
10. The burden of proof that a Bona Fide Financial Exigency or a Bona Fide Financial Crisis exists or that an Academic Unit Closure is justified and reasonable and that any recommendation for termination of tenure was made in accordance with the procedures described in Section 2.7.3 rests on the administration of the institution and shall be satisfied only by clear and compelling evidence that considers the record as a whole.

V. Hearing Committee Decision

After the hearing is concluded, the Hearing Committee shall meet to reach a decision. The Hearing Committee shall report to the President whether or not the termination of tenure is reasonable and necessitated by a Bona Fide Financial Exigency, a Bona Fide Financial Crisis or a justified Academic Unit Closure.

VI. The President’s Decision

The President shall consider only evidence that was presented during the hearing. If the President rejects the report of the Hearing Committee, the reasons for so doing shall be stated in writing to the Hearing Committee, to the original faculty advisory committee (See Section 2.7.3) and to the faculty member. The decision of the President is final.
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