



# University of Connecticut Health Center

Office of Research Safety

October 3, 2007

Thomas Thompson  
United States Nuclear Regulatory Commission  
Region I  
475 Allendale Road  
King of Prussia, PA 29406

MS 16  
P-7

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REGION 1  
2007 OCT -5 PM 12:31

**Re: University of Connecticut Health Center Financial Assurance as a State Agency**

030 01295

License # 06-13022-02  
Control Number 137263

Tom,

I have enclosed a copy of the University of Connecticut Board of Trustees (BOT) bylaws and the University of Connecticut Health Center Board of Directors meeting minutes from the meeting during which Dr. Deckers was authorized to provide the letter of intent for the financial assurance.

The Bylaws of the BOT, Article VIII, Section C, establishes the position of Executive Vice President for Health Affairs (Dr. Deckers) and associated responsibilities. The same Bylaws, Article V, establishes the University of Connecticut Health Center Board of Directors (BOD) and corresponding responsibilities. There are no separate bylaws for the BOD, and all requirements for the BOD are specified in the BOT Bylaws.

Referring to the minutes of the BOD meeting held on December 9, 2002, and approved during the 3/3/03 meeting, Item 10 documents the authorization for the letter of intent to the NRC.

Please let me know if I need to provide more information. Thanks for your patience in this matter.

Sincerely,

Kenneth Price, MPH, CHP  
Director, Office of Research Safety  
Radiation Safety Officer

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137263  
NMSS/RGN1 MATERIALS-002



# BOARD OF DIRECTORS

December 9, 2002

Minutes

Ms. Leonardi called the meeting to order at 9:30 a.m.

## 1. Public Comment

- Valerie Brachet
- Francesco Ferraro
- Alen Braut
- Jean Morningstar, President of the University Health Professionals

The speakers listed above all addressed their concerns related to the status of postdoctoral research fellows and the desirability of the fellows joining the University Health Professionals collective bargaining unit.

## 2. Approval of Minutes

- The minutes of September 9, 2002 were unanimously approved.

## 3. Main Business Items

Initial comments made by Ms. Leonardi

- Notification of Special BOD meeting on April 10, 2003 to discuss capital planning.
- Formation of a new standing subcommittee – The Compliance Subcommittee will have two regular meetings each year. Its members will be Ms. Leonardi (chair), Mr. Chudwick and Dr. Friend.
- Role of new Board in Health Center's fund raising success.
- Development: Ms. Leonardi introduced Ellen Ball, Associate Vice President for Development; Sally Weisman, Director of Major and Planned Gifts; and Frank Gifford, Director of Corporate and Foundation Relations, and Nancy Kotchko, Director of Alumni Relations. The strategic direction of the UCHC's development efforts will be presented at the March BoD meeting. The BoD's role in development will be an important one. Ms. Ball may ask some BoD members to become involved in such efforts before this meeting.

3.1 Medical Arts and Research Building of Farmington/Ambulatory Surgery Center –  
Moved to Executive Session

3.2 Shields (S. Strongwater)

This joint venture with Shields Imaging and the UConn Health Center Finance Corporation on behalf of UConn Medical Group is proposed to enhance the clinical, education and research

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missions of the School of Medicine and specifically its Department of Diagnostic Imaging. By creating increased volume and revenue from imaging services, the UCHC Department of Diagnostic Imaging will be able to hire sub-specialists needed for the School's academic programs.

Shields has had considerable success in operating private MRI services in neighboring states but upon its application for a Certificate of Need (CON) to open a Connecticut facility, Shields was advised by the Office of Health Care Access to seek a Connecticut hospital partner. Shields approached UCHC as such a partner.

This partnership will provide high-field, high-quality MRI services to selected Connecticut communities in an ambulatory setting. Currently, ambulatory MRI services are using lower quality equipment in order to avoid the need for CON approvals. The Shields-UConn high-quality MRI units will require CONs for each proposed site. If successful, sites may be placed throughout the state.

Each party will provide \$250,000 in capital. The equipment will be leased. This proposal was reviewed by Finance and Audit (10/30/02) and Clinical Affairs (11/12/02) Subcommittees. Both recommend the BoD approve this project. The resolution was modified to read "Limited Liability Company" not "Limited Liability Corporation"

The **BOD** unanimously approved the **authorization of the University of Connecticut Health Center Finance Corporation on behalf of UConn Medical Group to form a limited liability company, MRI of Connecticut LLC, as a joint venture with Shields Imaging of Connecticut LLC.** There was one abstention (Mr. Meacham).

### 3.3 Delegation of BoD Authority to Subcommittee

The current University By-Laws require all BoD decisions be made as committee of the whole. The work of the BoD and its subcommittees are evolving. It has become apparent that certain items of business, such as medical staff credentialing, need to be approved in a timelier manner than on a quarterly basis. Subcommittees may also best handle other items of business without further discussion by the whole BoD.

The **BOD** unanimously approved the **notification of proposed changes to the University of Connecticut Laws and By-Laws.** The proposed changes in by-laws would enable to BoD to delegate its authority to its subcommittees. This notice will be posted at the January meeting of the Board of Trustees and brought to vote at the subsequent meeting of the BoT.

## 4. Executive Vice President's Report (P Deckers)

### 4.1 Sponsored Research Awards

1<sup>st</sup> quarter shows \$7.5 million ahead of last year at the same time and up over \$40 million in the last five years. A discussion took place concerning the difference between increases in awards and the variance between actual awards and budgeted awards. Also, the difference

between awards and actual funds flow (revenues and expenses.) There continues to be an issue relative to the appropriate allocation of non-direct research related expenses. The Finance Department is reviewing such budget allocations and analyzing flow of expenses and will make a more detailed presentation on the accounting practices for the research domain at a future Financial Affairs subcommittee.

#### 4.2 Compliance Subcommittee

- New subcommittee to meet twice - February 3 and August 4, 2003.
- A question was offered regarding why there wasn't an Executive Committee – the BOD is evolving and such a committee and/or others may be added in the future

#### 4.3 Tentative Agenda for FY03

- Subcommittee and BOD timeframes and agenda items for FY03 were provided in the Board book.

#### 4.4 Development

- Full development team now in place. A full presentation on Development will be made at the March BoD meeting.

#### 4.5 Performance Reviews

- Performance reviews have been done for all managerial/confidential staff, although no funds are currently available for raises.
- Peter Robinson, Dean, School of Dental Medicine has undergone a 5-year performance review. The committee charged with this task has submitted its report to President Austin. Dr. Robinson has also submitted his response to this report to the President.

#### 4.6 IT Personnel Changes

- Sandra Armstrong has been named Interim Chief Information Officer to replace Thomas Cawley who will be retiring June 2003.

### 5. Deans' Reports

#### 5.1 Medical School (P Deckers)

##### a. Status of LCME Review

- Bruce Koeppen was thanked for his considerable efforts in preparation for the LCME site visit in January. A thorough self-evaluation has been completed.

##### b. School of Medicine Reorganization

Active discussion within the School of Medicine has continued since this issue was raised at the start of the summer. At least 7 major proposed new institutes/departments are receiving serious attention. These include:

Musculoskeletal; Immunotherapy and Cancer; Vascular Biology; Public Health; Bone Biology/Cell & Molecular Biology, Immunology and Microbial Pathogenesis; and Human Genetics/Developmental Biology. This issue will be brought to the BoD at its March

meeting. The BoD noted the alignment of resources and institutional goals was viewed as a critical need, but the challenge in obtaining internal buy-in from the faculty was viewed as a challenge.

- c. The clinical incentive plan is evolving to a market-based compensation model; 10% tithe; being examined at subcommittee level
- d. Tuition increases are current under review. The current combined tuition and fees is ~\$15 thousand and will probably need to be increased by 15% per the Department of Higher Education Board of Governors policy. This issue will be discussed at the February Academic Affairs subcommittee and brought to the BoD in March. The BoD asked that reports on student debt and loan availability be provided as well.
- e. Department meetings – Dr. Deckers has met with all the academic departments in the School of Medicine and, for the first time, School of Dental Medicine. The main issue of concern was the state budget situation and its implications for the Health Center.

A discussion took place as to how the State allocates general funds to the Health Center. This is a fixed amount (i.e. it is not adjusted to ensure an end of year balanced budget) but can include rescissions as the year progresses and the amount of fringe benefits received can vary with our hiring patterns. Any deficit would have to come from reserves and these are small. In such an environment, forecasting becomes a critical activity and the reliance on historical revenue and expense trends is essential.

## 5.2 Dental School (P Robinson)

- a. Class of 2007
  - There has been an increase in the applicant pool and a better URM yield is expected. Nationally, applications are up 10-15%; SODM and pharmacy is the only medical specialty showing increases
- b. Major dental equipment is being replaced
- c. Part I of Boards – rank 3<sup>rd</sup> in nation
- d. Tuition fee increases are expected

## 6. Academic Affairs (A. Cooper and B. Koeppen)

### 6.1 Chair's Remarks

Met on November 4<sup>th</sup> for the first time.

### 6.2 Status of LCME Review

The self study is completed. The culture for Medical School accreditation self-studies is full candor in identifying and reporting problems. There are no red flags and only some small partial non-compliance issues that are currently being addressed. A fully successful accreditation is expected.

### 6.3 Change in process for the Appointment of Emeritus Faculty

The **BOD** unanimously approved to amend the **process by which emeritus status is conferred and allow conferral prior to retirement, contingent upon retirement on a specified date.** A draft letter of appointment to emeritus status describing the rights of emeritus faculty will be presented to the Academic Affairs subcommittee.

### 6.4 Consent Items

6.4.1 The **BOD** unanimously approved the following recommendation –**That the Board of Directors approve the School of Medicine and the School of Dental Medicine recommendations for tenure, promotion, appointment and reappointments.**

6.4.2 The **BOD** unanimously approved **the appointment of Richard H. Fortinsky, Ph.D. to the Physicians Health Services Chair in Geriatrics and Gerontology commencing December 10, 2002.**

6.4.3 The **BOD** unanimously approved **the Annual Reports for the Endowed Chairs: Infectious Diseases/AIDS Research; Transfusion Medicine and Human Genetics.** The phrase in the resolution “Board of Trustees” was amended to read “Board of Directors”. A concern was raised that the revenue and expense reports for these endowed chairs accurately reflect all sources of revenue in order to ensure the base endowment is protected.

## 7. Clinical Affairs/Peer Review Subcommittees (B. Chudwick & S. Strongwater)

### 7.1. Chair's Remarks

- The subcommittee met on November 12<sup>th</sup>.
- A monthly credentialing process will be put into place utilizing a monthly phone meeting (3<sup>rd</sup> Tuesdays). The subcommittee's recommendations will then be send to the whole BoD and a fax vote taken.

### 7.2. Consent Items

7.2.1. The **BOD** approved the **John Dempsey Hospital Human Resources Annual Report, calendar year 2001.** There was one No vote (Mr. Meecham.) The BoD made the following requests concerning the next annual report: the author(s) names should be listed, the issue of diversity should be included, the percentage of required performance reviews completed needs to be improved to national standards, the low training levels need to be explained or completion levels raised to national standards, and better explanations need to accompany all tables so that they cannot be taken out of context if the table is presented as a figure without the rest of the report.

7.2.2. The **BOD** unanimously approved the **John Dempsey Hospital Plan for Improving Organizational Performance**. [Note that after the meeting it was discovered the document in the Board book attached to this resolution was not the Plan for Improving Organizational Performance, but the Report on Hospital Department Performance Improvement Projects. The Plan for Improving Organization Performance will be presented at the March BoD meeting and the vote retaken at that time.

### 7.3. Key Performance Indicators

Further discussion concerning what performance indicators the BoD wishes to receive will take place during the spring. Suggestions are welcome.

A discussion took place concerning the Health Center's role in the nation's and state's small pox vaccination program.

- Small pox vaccination strategy is being coordinated statewide with UCHC as base; 3 stage program; first responders scheduled for early January. Known as "Genesis" team.
- The threat of small pox is a very serious one in that it is highly contagious and has a high mortality rate (70%). Those vaccinated over 20 years ago are unprotected.
- The current vaccine has a 1-2% side effect rate, a small mortality rate, and those vaccinated can shed virus and affect family or close contacts. It can provide protection relatively quickly. Safer vaccines may be available in approximately one year, but the threat may be more imminent.
- There may be resistance by some health care providers to be in the first wave to be vaccinated. As a health care facility it is important for us to be good role models in taking this preventative step.

## 8. Financial Affairs and Audit (D. Marks & D. Upton)

### 8.1. Chair's Remarks

- The subcommittee last met on October 30<sup>th</sup> and November 22<sup>nd</sup>.

### 8.2. Audits of John Dempsey Hospital, UConn Medical Group and the UCHC Finance Corporation

- There were no major audit concerns and end of year statements did not change materially.
- The audit management letter will be sent to all BOD members

### 8.3. Clinical Compensation Plan

A performance based clinical compensation plan was originally developed and implemented at the request of the Health Affairs Committee. This plan had no risk but incentivized increases in productivity (as measured by RVUs) or by clinical earnings. While viewed as successful, a more effective plan is now being proposed that places some salary at risk. As a first phase of this market-based plan, only 90% of current base salary is assured, 10% is at risk and an additional

40% of base can be earned as incentive for good performance as measured by net revenues after all expenses. Over time, the Clinical Oversight Group may move to more expansive plans with a higher percentage of salary at risk and a higher allowance for incentive payments. More authority to managed unit expenses will have to be given to clinical units.

This plan would go into operations on July 1, 2003. Shadow reports will be available to faculty for six months prior to that and will be used to "test the system". A tithe will be implemented to fund a pool of money needed to ensure the salaries of low earners that are viewed as vital to the practice (i.e. typically primary care providers.) The necessary information systems will be in place to monitor this plan.

In the future, the plan may be modified to take into account measures of patient satisfaction and quality of care provided. As the plan is implemented the insurance status of patients cannot be a factor -- being a state agency we accept all patients.

The BOD unanimously approved **the authorization of the Executive Vice President of Health Affairs to execute and implement a market-based UConn Medical Group Clinical Compensation Plan.** The Board expects to be notified of any changes in the plan for FY 05. It also wishes to be kept informed as to whether the clinical plan provides a disincentive to other important activities such as teaching or research. The Board also wishes to be assured that no unprofessional attempts at shifting a participant's payer mix takes place (i.e. any attempts to limit Medicaid or similar low paying patients.)

#### 8.4. Financial Reports

8.4.1. The financial report through October 31, 2002 was reviewed.

#### 8.5. Consents

8.5.1. Contracts > \$500,000 – None.

8.5.2. Personnel List - The BOD unanimously approved the personnel list.

#### 8.6. Informational

8.6.1. Contracts <\$500,000

### 9. Other Committee Reports – None.

### 10. Consent/Informational Items

#### 10.1. NRC Certification

The BOD unanimously approved **the authorization of transmission of letter of intent for financial assurance for decommissioning as required by 10 CFR 30.35 to the Nuclear Regulatory Commission.**

**Executive Session was entered into at 11:30 am**

## EXECUTIVE SESSION

Item 1 – Discussion of strategy relative to collective bargaining.

### Attendees

J Abromaitis, L Aronson, B Carlson, B Chudwick, J Comerford, A Cooper, P Deckers, T Devers, D Friend, R Gelfenbien, J Goldberg, E Grab, N Hutson, L Jacobs, W Kleinman, G Lawrence, C Leonardi, D Marks, J Mazzone, M Meacham, P Robinson, J Rowe, R Samuels, S Strongwater, D Upton, S Wetstone, S Whetstone

Item 2 – Discussion of preliminary drafts relative to the proposed Medical Arts and Research Building having determined that the public interest in having the discussions in Executive Session clearly outweighed the public interest in having the discussions in open session.

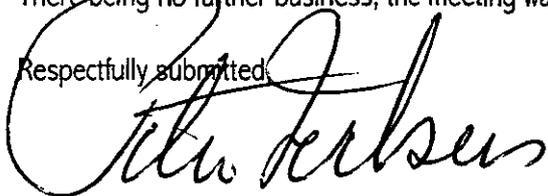
### Attendees

J Abromaitis, L Aronson, PJ Camp, B Carlson, B Chudwick, J Comerford, A Cooper, P Deckers, T Devers, D Friend, R Gelfenbien, J Goldberg, E Grab, N Hutson, L Jacobs, C Johnson, W Kleinman, G Lawrence, C Leonardi, D Marks, P McManus, M Meacham, P Robinson, J Rowe, R Samuels, S Strongwater, P Struzz, D Upton, S Wetstone

Executive Session concluded at 1:03 pm

There being no further business, the meeting was adjourned at 1:04 pm

Respectfully submitted,



Peter J. Deckers, M.D.

### Attendees

J. Abromaitis, N. Adams, S. Armstrong, E. Ball, R. Berlin, N. Brady, B. Carlson, B. Chudwick, J. Comerford, A. Cooper, P. Deckers, T. Devers, F. Dew, D. Friend, R. Gelfenbien, J. Goldberg, E. Grab, H. Hansen, L. Jacobs, C. Johnson, P. Keefe, K. Kelly, W. Kleinman, B. Koeppen, R. Kozol, J. Lattanzio, G. Lawrence, C. Leonardi, D. Marks, J. Mazzone, P. McManus, M. Meacham, L. Paplauskas, D. Penney, K. Price, J. O'Rourke, R. Reese, P. Robinson, J. Rowe, R. Samuels, R. Simon, S. Strongwater, P. Struzzi, T. Trutter, N. Sullivan, C. Trummel, D. Turling, D. Upton, J. Walter, S. Wetstone, S. Whetstone, L. White

Documents Distributed During the Meeting - None.

**LAWS, BY-LAWS AND RULES OF THE  
UNIVERSITY OF CONNECTICUT**

*Revised June 21, 2005*

**ARTICLE I – Board of Trustees**

1. The functions of the Board of Trustees are legislative and not executive. The Board appoints the President; determines the general policy of the University, including the establishment of new schools and colleges; makes laws for its government; manages its investments; and directs the expenditure of funds. It shall be the duty of each Trustee to attend all meetings.

**ARTICLE II – Organization of the Board of Trustees**

1. The corporate authority of the University of Connecticut is vested in a Board of Trustees.
2. Officers of the Board shall be elected at the July meeting.
3. The yearly schedule of regular meetings of the Board of Trustees shall be filed in advance in the Office of the Secretary of the State, as required by Statute. Prior written notice of any change in the scheduled time or location of a regular meeting shall be published and filed as required by Statute.
4. Special meetings of the Board of Trustees shall be called by the Chairman upon the written request of at least five members.
5. A written notice of regular meetings shall be mailed to each member at least one week before the date set for the meeting. Special meetings may be held no less than twenty-four hours after officially requested. Notice of special meetings shall specify the time and place of the meeting, and the business to be transacted. Emergency special meetings may be convened at any time without formal notice requirements.<sup>[1]</sup>
6. A majority of the current membership of the Board shall constitute a quorum for the transaction of all business.
7. Ordinarily the March meeting of the Board shall be the regular meeting for the recommendation by the Provost and Executive Vice President for Academic Affairs and the Executive Vice President for Health Affairs of promotion of members of the faculty and staff and for the award of academic tenure. The President, for those units and individuals reporting to him or her, or the Provost and Executive Vice President for Academic Affairs and the Executive Vice President for Health Affairs is authorized to appoint and to reappoint, from time to time, members of the professional staff who are in positions which do not lead to tenure or who are serving probationary appointments in positions which would ultimately lead to tenure. Such appointments and re-appointments will not require prior action by the Board, but will be reported to them for their information.

### **ARTICLE III – Rules of Procedure and Order of Business**

1. General parliamentary rules, except as modified by the rules and regulations of the Board, shall be observed in conducting the business of the Board in session.
2. So far as practicable, the following order of business shall be observed at all meetings:
  - a. Consideration of the minutes of the last meeting.
  - b. Election of officers.
  - c. Reports and recommendations of the President of the University.
  - d. Reports of committees.
  - e. Consideration of communications and petitions.
  - f. Unfinished business.
  - g. Miscellaneous or new business.
3. Recommended adjustments to tuition and fees shall be developed and presented to the Board for action during the academic year and the process shall provide an opportunity for campus community comment upon the recommended actions.
4. *Public participation*

Under the conditions described below the Board shall hear brief oral presentations from members of the public who wish to express their views on issues pending before the Board or on other issues of concern to the University. The agenda for each regular public meeting of the Board shall allot up to thirty minutes for this purpose:

  - a. Requests to address the Board shall be made to the Chairman or the Executive Secretary of the Board prior to the public meeting. In signing up to address the Board, each speaker shall specify the topic on which he or she wishes to remark.
  - b. The Chairman of the Board shall recognize each speaker in the order of signing up, shall request proper identification, and shall use the discretion of the chair in requiring adherence to such individual and total time limits as will permit the orderly progress of the Board through its agenda.
  - c. At a special meeting of the Board, comment by members of the public shall be limited specifically to the subject described in the call of the special meeting.

### **ARTICLE IV – Officers of the Board of Trustees**

1. The officers of the Board of Trustees, apart from the Governor, who is President *ex officio*, shall be a Chair, Vice-Chairs, and a Secretary.
2. *The duties of the Chair shall be as follows:*
  - a. To call special meetings of the Board when necessary.
  - b. To preside, in the absence of the Governor, at all meetings.

The Chair is privileged to make or discuss motions, and to vote on all questions.
3. The chairs of all standing committees shall be designated vice-chairs of the Board of Trustees. At the Board's organization meeting in July, the Chair of the Board of Trustees shall designate a vice-chair who shall act for the Chair of the Board of Trustees in case of his or her absence or incapacity.
4. *The duties of the Secretary shall be as follows:*

- a. To mail, or cause to be mailed, a written notice of all meetings to each member of the Board at least one week before the date set for the meeting.
- b. To call meetings of the Board in the absence of the Chair and vice-chair designated by the Chair to act in his or her absence.
- c. To call meetings of the Board in case the Chair fails to do so, upon receipt of a written request of at least five members of the Board.
- d. To keep a record of all meetings and transmit a copy of the minutes of each meeting to every member of the Board at least one week prior to the next meeting.

#### **ARTICLE V – Committees of the Board of Trustees**

1. The Board shall act as a committee of the whole on all matters requiring action with the exception of those listed in items 3 and 4 below.
2. The Board may appoint from time to time such special or standing committees as may be necessary to make studies or preliminary investigations necessary for determining Board action. Special committees are automatically discharged when their reports are acted upon by the Board.
3. The committee of the Board of Trustees having cognizance over financial matters is authorized to buy and sell securities and the chairman of this committee is authorized to instruct the Vice President and Chief Financial Officer or the University Controller to execute the necessary assignment.
4. A standing committee shall be established with jurisdiction over the University of Connecticut Health Center including its schools, the John Dempsey Hospital, and its core administrative units.
  - a. The name of the committee will be “Board of Directors of the University of Connecticut Health Center.”
  - b. Authority –
    1. The Board of Directors is authorized to approve the following:
      - a. Grants, contracts and indemnifications
      - b. Compensation plans and labor contracts
      - c. Faculty promotion, tenure, reappointments, and sabbatical leaves
      - d. Medical staff appointments
      - e. Adjudication of all issues including but not limited to faculty grievances related to promotion, tenure, reappointments, compensation and merit or incentive pay
      - f. Staffing levels
      - g. Business contracts and arrangements
      - h. General operating policies and bylaws related to operations, administration and clinical affairs
      - i. Space allocations
      - j. Strategic planning
      - k. New academic programs or the elimination of academic programs
      - l. Changes in bylaws of the Schools
    2. The Board of Directors will act in an advisory capacity to the Board of Trustees in the following areas:

- a. Annual operating budget
  - b. Annual capital budget
  - c. Changes in the fundamental mission of the University of Connecticut Health Center
  - d. Development program
  - e. Declaration of fiscal exigency, closure of academic departments and/or changes in policies related to tenure
  - f. Any areas stated in state statute that specifically require the Board of Trustees to act as a committee of the whole
- c. Membership – the Board of Directors of the University of Connecticut Health Center shall have 18 members.
- 1. Terms – With the exception of the President of the University, the Secretary of the Office of Policy and Management, and the Commissioner of the Department of Public Health, members will serve for three year staggered terms. Members may serve a maximum of two terms as a regular member plus a maximum of two additional terms when serving as an officer. Officers will include the chair, vice-chair/secretary, and treasurer who will serve as the Board of Directors Finance subcommittee chair.
  - 2. Appointment process
    - a. One member appointed by the chair of the Board of the Trustees. This member will chair the Board of Directors.
    - b. Two members from the Board of Trustees appointed by the chair of the Board of Trustees.
    - c. The President of the University. This appointment runs co-terminus with the position of the President.
    - d. Three members appointed by the Governor. The initial terms of the first appointees shall be 1, 2 and 3 years respectively. Subsequently, each appointment shall be for a term of three years.
    - e. The Secretary of the Office of Policy and Management or a deputy undersecretary designated by the Secretary. This appointment runs co-terminus with holding the position of Secretary.
    - f. The Commissioner of the Department of Public Health. This appointment runs co-terminus with holding the position of Commissioner.
    - g. Nine additional members to be selected by a nominating committee.
      - 1. Membership of the nominating committee – The first nominating committee shall consist of the members of the Health Affairs Committee, the Chair of the Board of Trustees, the President of the University, and the Executive Vice President for Health Affairs. Subsequently, the members will be chosen by the Board of Directors and shall include the Chair of the Board of Trustees and the Executive Vice President for Health Affairs as voting members.
      - 2. The initial terms of the first nominees shall be apportioned into thirds for 1, 2 or 3 year terms. Subsequently, all terms will be for

three years. An initial term of two or less years shall not count toward the term maximums.

d. Subcommittees – The Board of Directors may establish standing subcommittees or ad hoc committees as needed.

1. Membership –

a. The Board of Directors shall appoint the members of its subcommittees

b. With the exception of the Peer Review Committee, a minimum of one-half of the voting membership shall be comprised of Board of Directors members.

c. The Board of Directors may appoint non-voting members to its subcommittee.

2. Peer Review Committee

a. The Peer Review Committee will also be known as the “Joint Conference Committee”

b. The sole topics of discussion shall be those that require confidentiality protection.

c. Peer Review Activities – The Board of Directors functions in some of its activities as a Medical Review Committee conducting peer review as defined in Chapter 368a of the Connecticut General Statutes, as amended from time to time. When acting as a Medical Review Committee, the Board reviews and acts on reports or recommendations from peer review committees of the hospital or medical staff and participates in the evaluation of the quality and efficiency of health care services ordered and performed, including but not limited to review of the credentials, qualifications and activities of medical staff members, or applicants; evaluating and improving the quality of health care services rendered; analyzing clinical practices within the hospital; reviewing studies of utilization and medical audits; reviewing studies of morbidity and mortality; and reviewing analysis of sentinel events or potential claims. When the Board, or its officers, committees or subcommittees on its behalf, participate in these or similar studies, reviews, discussions and actions, the Board is a Medical Review Committee conducting peer review. Proceedings of such peer review activities conducted by the Board, including data and information gathering and analyses and reporting by authorized individuals for the primary purpose of these peer review activities, as well as minutes and other documents from meetings or portions of meetings addressing peer review, shall be kept strictly confidential.

d. Reports of the Peer Review Committee shall be presented to the Board of Directors in executive session only.

3. Authority of subcommittees – The subcommittees will report to the Board of Directors. The Board of Directors may delegate selected duties and authority as it deems necessary and appropriate to a

subcommittee if such authority is approved at any regular meeting of the Board of Directors by a recorded majority vote.

5. Two members of the University of Connecticut Health Center Board of Directors shall serve as voting members on the committee of the Board of Trustees having cognizance over financial matters. These members from the Board of Directors may not be Board of Trustees members.

#### **ARTICLE VI – Restrictions on Purchasing Sources**

1. No equipment or supplies for the University of Connecticut shall be purchased from any Trustee of said institution, nor from any partnership in which any Trustee may be a member, nor from any corporation of which a Trustee of said institution, or any member of a Trustee's family shall be a substantial stockholder.

#### **ARTICLE VII – President of the University**

1. The President of the University is the chief executive and administrative officer of the University. In this capacity the President is responsible for carrying out and enforcing all policies and regulations adopted by the Board for the operation of the University and is given authority requisite to that end.
2. The President may participate in all discussions in Board meetings, but shall not vote. The President is *ex officio* a member of all committees of the Board, but shall not vote.
3. *The duties of the President shall be as follows:*
  - a. To attend all meetings of the Board except when the Board requests otherwise.
  - b. To submit to the Board from time to time such recommendations and information concerning any phase of University policy or administration as may seem necessary to the best interests of the University.
  - c. To appoint those members of the University staff who report to him or her.
  - d. To call and preside over meetings of the University Senate.
  - e. To oversee the development, implementation and regular updating of the University's Strategic Plan.
  - f. To appoint such committees as he or she deems necessary, and define their duties.
  - g. To act as the official medium of communication between the Board of Trustees and University officers and staff members.
  - h. To submit annually to the Board of Trustees for its approval a list of students recommended for graduation by the faculties of the various schools and colleges. Diplomas shall be signed by the President of the University.
  - i. To summarize and coordinate the budget estimates submitted by schools, colleges, divisions, and departments, and in consultation with the Provost and Executive Vice President for Academic Affairs, Executive Vice President for Health Affairs, and the Vice Presidents, prepare a budget adjusted to the income and the needs of the University.
  - j. To preserve at the University all papers and records ordered on file by the Board.
  - k. To present to the Board for prior approval the annual budget for each fiscal year.

- l. To be the official representative of the Board of Trustees in all matters affecting the University which come before the General Assembly.
  - m. To be the official representative of the Board of Trustees in all matters affecting the University which involve other departments of State Government, or relations with the Federal Government.
  - n. To provide leadership in external relations, development and fund-raising.
  - o. To prepare such reports as are required by the Board, the State, and the Federal Government.
  - p. To make such organizational changes in University structure as do not affect degree programs or majors, and report these matters to the Board at the next Board meeting. All actions involving the degree programs and the structure of schools and colleges will be brought to the Board for approval.
4. *The Division of Athletics is directly responsible to the President*  
It is the function of the Division of Athletics:
- a. To organize and carry out programs of athletic sports activities intended to meet the health and recreational needs of students and staff members.
  - b. To cooperate with the Division of Health Services in determining the students whose athletic and sports activities should be especially restricted.
  - c. To foster athletic and sports activities in line with good health and citizenship between this institution and competing institutions, and in the whole area of public relations.
5. The President shall consult with the senior officers of the University, and such other members of the administration as he or she may convene, on matters of University policy and procedure as he or she feels appropriate.

**ARTICLE VIII – The Provost and Executive Vice President for Academic Affairs,  
Executive Vice President for Health Affairs, and Vice Presidents**

- A.**
1. The Provost and Executive Vice President for Academic Affairs, Executive Vice President for Health Affairs, and Vice Presidents are responsible to the President for guidance and general supervision of the programs of the University which are assigned either directly to them or to the organizational components which report to them.
  2. They shall give direction and assistance to the deans and directors in respect to their administrative duties and shall accept such other responsibilities as may be assigned to them by the President.
- E. Provost and Executive Vice President for Academic Affairs**
1. The Provost and Executive Vice President for Academic Affairs is the chief operating officer and in this capacity is responsible for managing the operation of the University except for those areas under the direct supervision of the President or the Executive Vice President for Health Affairs. He or she is the coordinator and supervisor of all of the University's programs of instruction and research, except for those aspects assigned to the Executive Vice President for Health Affairs. He or she also coordinates the formulation of policies and administration of all schools, colleges, divisions, institutes, and regional campuses of the

University, except those specifically assigned to the President or the Executive Vice President for Health Affairs. The Provost and Executive Vice President for Academic Affairs oversees policies and administration of the University of Connecticut Research Foundation.

2. *The Provost and Executive Vice President for Academic Affairs shall:*
  - a. Serve as Acting President in the absence of the President.
  - b. Attend all meetings of the Board of Trustees, except when the Board requests otherwise. He or she may participate in discussions but shall not vote.
  - c. Appoint those members of the University faculty and staff who report to him or her.
  - d. Preside at meetings of the Council of Deans and the Council of Vice Presidents.
  - e. Be a member of the University Senate, preside in the absence of the President at its meetings, arrange the schedule of its regular meetings, interpret its By-Laws, rules, and regulations, administer its rules and regulations in ways designated by the Senate, and be a member of all its standing committees.
  - f. Be a member of all faculties, except those organized under the supervision of the Executive Vice President for Health Affairs.
  - g. Supervise the negotiation of collective bargaining agreements with all professional staff of the University, and coordinate the carrying out of the Board of Trustees' responsibilities under those contracts, except those under the supervision of the Executive Vice President for Health Affairs.
  - h. Assume responsibility for those University catalogs with programs under his or her jurisdiction.
  - i. Conduct such studies and promote such activities in the University, in those components of the University under his or her supervision, as will result in effective educational and research programs.
  - j. Disseminate among members of the University staff such information as will promote the understanding, integration, and coordination of the education program of the University.
3. For components of the University not specifically organized under the supervision of the President or the Executive Vice President for Health Affairs, the Provost and Executive Vice President for Academic Affairs shall:
  - a. Approve the selection and adjustment in service of all personnel under his or her jurisdiction.
  - b. Eliminate so far as possible unnecessary overlapping and duplication in the offerings, functions and services of the academic parts of the University.
  - c. Carry on continuing studies of the effectiveness of personnel in the teaching, research, and administrative programs.
  - d. Assist deans and directors of divisions in preparing budgets, and recommend budgets and budget adjustments for the several schools, colleges, and divisions to the President.
  - e. Serve as an appellate agency for students or staff members in appeals from decisions of deans or directors, and from the decisions of the Vice Chancellor for Student Affairs under the Student Conduct Code which would result in the suspension or expulsion of a student.

- f. Arrange the schedule for regular meetings of the faculties of schools and colleges under his or her jurisdiction and preside at such meetings.
- g. Interpret the by-laws, rules and regulations of the schools and colleges under his or her jurisdiction.
- h. Grant leaves of absence to members of the professional staff in conformity with the rules and regulations of the Board of Trustees in those components of the University under his or her supervision; and, in granting leaves of absence without pay, designate whether such leaves were or were not granted for educational purposes in conformity with the State statutes and the policies of the Board of Trustees; and coordinate the discharge of this responsibility by the Vice Presidents where appropriate.
- i. Grant permission to consult or to accept other outside employment to members of the professional staff, in conformity with the rules and regulations of the Board of Trustees; and coordinate the discharge of this responsibility by the Vice Presidents where appropriate.
- j. Direct the assignment of all plant facilities, including buildings, offices, classrooms, laboratories, equipment, and land, and establish uniform rules pertaining to their proper use, except for those areas under the jurisdiction of the Executive Vice President for Health Affairs.
- k. Be a member of the President's cabinet.

**C. Executive Vice President for Health Affairs**

The Executive Vice President for Health Affairs may be the Dean of the School of Medicine, the executive director of the University's Health Center and chief operating officer, subject to policies established by the Board of Trustees. At all times, he or she is responsible and accountable to the President for the implementation and execution of administration at the University Health Center. The Executive Vice President for Health Affairs will function as the Provost for the University Health Center.

1. The Executive Vice President for Health Affairs is the coordinator of the University's programs of instruction, research, and health care performed by the University Health Center, including the Schools of Medicine and Dental Medicine, and the John N. Dempsey Hospital. He or she is responsible to the President for the coordination and formulation of policies and administration of administrative, business and other support departments of the University Health Center.
2. *The Executive Vice President for Health Affairs shall:*
  - a. Attend all meetings of the Board of Trustees, except when the Board requests otherwise. He or she may participate in discussions but shall not vote.
  - b. Appoint those members of the University faculty and staff who report to him or her.
  - c. Be a member of all faculties in the teaching and research units described above.
  - d. Approve the selection and adjustment in service of all personnel under his or her jurisdiction.

- e. Assist deans and directors of divisions in preparing budgets, and recommend budgets and budget adjustments for the several schools, colleges, and divisions to the President.
- f. Be responsible for all monies and funds of the University Health Center regardless of their source. He or she shall make provision for the safekeeping of such monies and funds, and for an accurate accounting of their receipt and expenditure.
- g. Submit regular reports to the President and to the Board of Trustees showing the financial condition of the University Health Center and all of its constituent parts; and submit an annual statement showing the assets and liabilities of the various funds of the University Health Center.
- h. Make such reports to the State Comptroller or to other State or Federal officials as may be required on the inventories, property, and financial operations of the University Health Center.
- i. Serve as an appellate agency for students or staff members in appeals from decisions of deans or directors supervised by him or her.
- j. Grant permission to consult or to accept other outside employment to members of the professional staff under his or her supervision, in conformity with the rules and regulations of the Board of Trustees.
- k. Supervise the negotiation of collective bargaining agreements for the professional staff at the Health Center, and coordinate the carrying out of the Board of Trustees' responsibilities under those contracts.
- l. Grant leaves of absence to members of the professional staff in those components organized under his or her supervision in conformity with the rules and regulations of the Board of Trustees; and, in granting leaves of absence without pay, designate whether such leaves were or were not granted for educational purposes in conformity with the State statutes and policies of the Board of Trustees.
- m. Direct the assignment of all plant facilities, including buildings, offices, classrooms, laboratories, equipment, and land, and establish uniform rules pertaining to their proper use, except for those under the jurisdiction of the Provost and Executive Vice President for Academic Affairs.
- n. Be a member of the President's cabinet.

**D. Vice President and Chief Financial Officer**

1. The Vice President and Chief Financial Officer is the chief financial officer of the University. Reporting to the President, he or she is responsible for overseeing long-range financial planning and management of the operating and capital budgets for all units of the University. Working closely with the Provost and Executive Vice President for Academic Affairs and the Executive Vice President for Health Affairs, the Vice President and Chief Financial Officer oversees capital and operating budget development, monitoring and reporting; coordinates operating and capital budgets in conformity with policies set forth by the Board of Trustees; develops financial policy and plans; serves as point of contact for external agencies and partners on financial matters; acts as the President's representative on financial matters to University units and constituencies; and generally promotes the financial health and stability of the University. The

officers charged with budget oversight and coordination at the Storrs-based programs and the Health Center report to the Vice President and Chief Financial Officer.

2. *The Vice President and Chief Financial Officer shall:*

- a. Attend all meetings of the Board of Trustees, except when excused by the President or when the Board requests otherwise. He or she may participate in discussions but shall not vote.
- b. Be a member of the University Senate.
- c. In consultation with the President, approve the selection and adjustment in service of all personnel under his or her jurisdiction.
- d. Assist the President in the preparation of the University budget and coordinate the activities of the Provost and Executive Vice President for Academic Affairs, the Executive Vice President for Health Affairs, and other University officers in preparation of those components of the budget that are under their jurisdiction.
- e. Be responsible for all monies and funds of the University, regardless of their source. He or she shall provide for the safekeeping of such monies and funds, and for an accurate accounting of their receipt and expenditure.
- f. Ensure the timely completion of combined University of Connecticut financial statements; submit regular reports to the President and, through the President, to the Board of Trustees showing the financial condition of the University and all of its constituent parts; and submit an annual statement showing the assets and liabilities of the various funds of the University.
- g. Make such reports to the State Comptroller or to other State or Federal officials as may be required on the inventories, property, and financial operations of the University.
- h. Manage and coordinate the University's responsibilities pertaining to bond financing of capital projects.
- i. Provide support to the President, the Provost and Executive Vice President for Academic Affairs, the Executive Vice President for Health Affairs, and to those reporting to the Office of the President by providing fiscal planning, coordination, and financial analysis.
- j. Oversee or monitor the execution of major financing agreements.
- k. Administer such support units of the University as the President may designate.
- l. Serve as an appellate agency for personnel supervised by him or her in appeals from decisions of personnel supervised by him or her.
- m. Grant leaves of absence to members of the professional staff in those components organized under his or her supervision in conformity with the rules and regulations of the Board of Trustees; and, in granting leaves of absence without pay, designate whether such leaves were or were not granted for educational purposes in conformity with the State statutes and the policies of the Board of Trustees.

**E. Vice President and Chief Operating Officer**

1. The Vice President and Chief Operating Officer is the University's chief business and operations officer. Working closely with the Provost and Executive Vice

President for Academic Affairs, the Executive Vice President for Health Affairs, and the Vice President and Chief Financial Officer, the Vice President and Chief Operating Officer oversees construction, renovation, operation, logistics and security of the University's physical plant; human resources and payroll; purchasing; information technology; business services; and public and environmental safety. The Vice President and Chief Operating Officer is responsible for the formulation of strategy and policies to ensure effective administration, sound business practices, safety and regulatory compliance within these areas, inconformity with policies established by the Board of Trustees; serves as the University's point of contact for external agencies and partners on business and operational matters; acts at the President's representative on business and operational matters to University units and constituencies; and generally promotes the operational excellence of the University. The officers charged with administering business and operations functions for all units of the University report to the Vice President and Chief Operating Officer.

2. *The Vice President and Chief Operating Officer shall:*
  - a. Assist the President in preparation of strategic and tactical operations plans and initiatives and coordinate the activities of the Provost and Executive Vice President for Academic Affairs, the Executive Vice President for Health Affairs, and the Vice President and Chief Financial Officer in the preparation of similar plans for operational units that are under their jurisdiction.
  - b. Be a member of the University Senate.
  - c. In consultation with the President, approve the selection and adjustment in service of all personnel under his or her jurisdiction.
3. Be responsible for the development, renovation, maintenance and safekeeping of the physical assets of the University, regardless of their source.
4. Manage and coordinate the University's responsibilities pertaining to construction and renovation of facilities.
5. Direct the University's purchasing and contracting programs.
6. Provide executive leadership for the University's information technology initiatives and organization.
7. Provide support to the President, the Provost and Executive Vice President for Academic Affairs, and the Executive Vice President for Health Affairs in development of operational strategy, planning, coordination and analysis.
8. Administer such support units of the University as the President may designate.
9. Attend all meeting of the Board of Trustees, except when excused by the President or when the Board of Trustees requests otherwise.
10. Grant leaves of absence to members of the professional staff in those components organized under his or her supervision in conformity with the rules and regulations of the Board of Trustees; and, in granting leaves of absence without pay, designate whether such leaves were or were not granted for educational purposes in conformity with the State statutes and policies of the Board of Trustees.

**F. Vice Chancellor for Student Affairs**

1. The Vice Chancellor for Student Affairs is responsible to the Provost and Executive Vice President for Academic Affairs and shall be the chief student

personnel officer of the University, and shall supervise the work of the Division of Student Affairs and Services and the Division of Health Services.

2. *The Vice Chancellor for Student Affairs shall:*
  - a. Attend all meetings of the Board of Trustees, except when the Board requests otherwise. He or she may participate in discussions but shall not vote.
  - b. Be a member of the University Senate.
  - c. Approve the selection and adjustment in service of all personnel under his or her jurisdiction.
  - d. Assist deans, directors, and department heads in preparing budgets, and recommend budgets and budget adjustments in his or her area to the Provost and Executive Vice President for Academic Affairs.
  - e. Serve as an appellate agency for students or staff members in appeals from decisions of deans or department heads supervised by him or her.
  - f. Grant leaves of absence to members of the professional staff in those components organized under his or her supervision in conformity with the rules and regulations of the Board of Trustees; and, in granting leaves of absence without pay, designate whether such leaves were or were not granted for educational purposes in conformity with the State statutes and the policies of the Board of Trustees.
  - g. Be a member of the President's cabinet and the Council of Vice Presidents.

## **ARTICLE IX – The University Administration**

The University shall in all its activities represent the highest and most unselfish form of service.

### **A. Administrative Organization**

1. The administration of the University is determined in part by legislative enactment, in part by the Laws and By-Laws of the Board of Trustees, and in part by regulations made by the President, the University Senate, and the several faculties.

### **B. Officers of Administration**

1. *Central*
  - a. President
  - b. Provost and Executive Vice President for Academic Affairs and Executive Vice President for Health Affairs
  - c. Vice Presidents
2. *Schools, Colleges, Divisions, Institutes and Centers, and Departments*

Each school, college, division, institute, and center shall have a dean or director and such other administrative assistants as are authorized by the President and the Board of Trustees. Each department shall have an executive officer, the head.
3. Each administrative officer shall submit to the President such reports as are requested by the President.

### **C. The Council of Vice Presidents**

1. The Council of Vice Presidents shall consist of all the Vice Presidents and the Provost and Executive Vice President for Academic Affairs who shall convene the Council.

2. The Council shall serve as an advisory body to the Provost and Executive Vice President for Academic Affairs in such matters as may be brought before it by the Provost or any other member of the Council.

**D. The Council of Deans**

1. The Council of Deans shall consist of the deans of the various schools and colleges except for those schools under the jurisdiction of the Executive Vice President for Health Affairs, the Dean of Students, the Dean of Continuing Studies, the Director of University Libraries and such others as the Provost and Executive Vice President for Academic Affairs deems appropriate. The Provost and Executive Vice President for Academic Affairs shall convene the Council.
2. The Council shall provide a forum in which the members may discuss matters of common interest.

**E. The Trustee-Administration-Faculty-Student Committee**

1. *Membership*

The Trustee-Administration-Faculty-Student (TAFS) Committee shall consist of the members of the committee of the Board of Trustees having cognizance over academic matters; the President; the Provost and Executive Vice President for Academic Affairs; the Vice Presidents; the members of the Senate Executive Committee; the President, Undergraduate Student Government; the President, Student Union Board of Governors; the Chairman, Residence Hall Advisory Board; the President, Graduate Student Senate; and such other individuals serving in a non-voting capacity as may be designated.

2. *Functions*

The TAFS Committee shall serve as a conference committee to facilitate communication among the groups represented thereon, and shall serve as an advisory body to the Board of Trustees on matters where Board action is requested by faculty or student groups and on any other matters which the Board deems appropriate.

3. The TAFS Committee shall meet at least once a year, with the first meeting called by the President no later than October of the new academic year. Subsequent meetings shall be convened by the chairperson of the TAFS Committee, when he or she deems it necessary or at the request of constituent unit members.

4. The Chairperson of the TAFS Committee shall be chosen by the Committee at its first meeting each academic year.

**ARTICLE X – The University Senate**

There shall be a University Senate which shall be a legislative body for the purpose of establishing minimum rules and general regulations pertaining to all undergraduate schools and colleges and with policy insofar as it pertains in a general way to the educational program of the institution and is not reserved to the Board of Trustees, to the administration, to the Graduate Faculty Council, or to the several faculties.

**A. Membership**

The University Senate shall consist of *ex officio* and elected members. The *ex officio* members shall be the President, the Provost and Executive Vice President for Academic Affairs, the Vice President and Chief Financial Officer, the Vice President

and Chief Operating Officer, the Vice Provost for Multicultural and International Affairs, the Vice Provost for Research and Graduate Education and Dean of the Graduate School, the Vice Provost for Enrollment Management, the Vice President for Student Affairs, the Vice Provost for Academic Affairs, the Vice President for Operations, the Associate Vice President and Chief Information Officer, the Vice Provost for University Libraries, the Vice Provost for Academic Programs, and the Associate Vice President for Human Resources. These *ex officio* members shall not vote.

The Senate shall contain ninety-one elected members, as follows:

1. Three administrative officers elected by and from a group composed of the deans of the schools and colleges which are Senate electoral constituencies, the Dean of the College of Continuing Studies and the Director of Library Services. Members of this group and the *ex officio* members listed above are not eligible to vote in or to be elected from any of the constituencies listed in Section B.2. or 3. below.
2. Seventy-two members of the faculty elected according to one or the other of the two faculty electoral processes described in B.2. below.
3. Nine professional staff members elected by and from the constituencies described in B.3. below.
4. Five undergraduate students.
5. Two graduate students.

#### **B. Elections**

The election of faculty and other staff members to the Senate shall normally be held between October and March and shall be conducted by secret ballot. A minimum of one week, excluding time when the University is in recess, shall be allowed between the distribution and collection of ballots for Senate elections. Those elected shall take office on July 1. All elections shall be in the charge of the Senate Executive Committee and the returns shall be certified by two inspectors of election selected by the Senate.

In any Senate election, persons eligible for election who feel unable to serve shall be given an opportunity to withdraw their names from the list of candidates for nomination. The names of those persons who have withdrawn, as well as the names of persons who are completing two consecutive terms, shall be indicated on the nominating ballot.

The ballot for the second vote (election ballot) in any Senate election must indicate the number of votes each nominee received. In addition, there must be listed the names of those persons who were not nominated but who received at least 70% of the number of votes received by the nominee with the fewest votes. After the election, the number of votes received by those persons who were elected and the number of votes received by nominees who were not elected must be made public.

The Senate Executive Committee shall retain on file the number of votes cast for each candidate in each constituency for each annual class whose term has not expired, and shall designate the available candidate with the highest vote at the last previous election in the proper constituency as the alternate to replace any senator whose place will be vacant in any semester because of resignation, retirement, or leave of absence from the University. Priority in case of tie votes shall be determined by lot. Such alternates shall be designated for one semester at a time and at the beginning of the

semester unless the vacancy occurs later. When it is known that there will be a vacancy throughout the last year or last two years of a three-year term in a constituency not otherwise scheduled to participate in a regular annual election, then that constituency will participate in order to elect a replacement to serve for the one- or two-year period remaining in the unexpired term.

The term of office of a senator shall begin on July 1 and shall extend for one year in the case of student members and for three years in the case of other elected members. Senators shall be eligible for re-election, except that a member who has completed two consecutive three-year terms shall be ineligible for re-election to serve during the year which immediately follows the period of consecutive service (which may have been extended by virtue of election to the Senate Executive Committee).

1. For purposes of electing the three administrative officers, the electors described in A.1. above, shall determine the procedure which they will follow.
2. Two electoral processes for faculty membership in the Senate shall be followed, (a) constituency and (b) at-large. Faculty members shall not be eligible to stand for election or to vote in the first regular election following their initial appointment to the faculty.

*a. Faculty constituency elections*

The voting members of the faculty (see Article XI.A.) of each of the following units shall for these purposes be deemed an electoral constituency: College of Agriculture and Natural Resources, School of Allied Health, School of Business Administration, Neag School of Education, School of Engineering, School of Family Studies, School of Fine Arts, School of Law, College of Liberal Arts and Sciences, School of Nursing, School of Pharmacy, School of Social Work, and the Avery Point, Hartford, Stamford, Torrington and Waterbury Regional Campuses. A person who is a voting member of more than one faculty will belong to only one constituency, that of the faculty in which his or her principal appointment is held.

The number of senators to be elected from each constituency will be one for each thirty faculty members or major fraction thereof within that constituency, with the proviso that each school, college or regional campus will have at least one senator. The faculty of a school, college or regional campus that is thus allocated more than one senator will have the option of establishing non-overlapping subconstituencies. Senators chosen from a constituency will be elected by and from among the members of that constituency. The determination of the proper number of senators to be allocated to each constituency will be reviewed annually by the Provost and Executive Vice President for Academic Affairs. The annual schedule for electing members from each constituency shall be determined by the Provost and Executive Vice President for Academic Affairs in such a way as to provide for the optimum staggering of three-year terms within each constituency and for a reasonable degree of uniformity in the total number of members to be elected each year from all constituencies. To achieve these objectives, when a constituency becomes eligible to elect an additional senator, the initial term may be limited to one or two years in order that succeeding three-year terms may begin in the most appropriate years.

*b. At-large elections*

The number of faculty elected at-large will be the number remaining after the number of senators to be elected from constituencies is subtracted from seventy-two. Senators chosen at-large will be elected by and from the faculty electoral constituencies.

3. The professional staff<sup>[2]</sup> members shall be elected according to procedures approved by the Provost and Executive Vice President for Academic Affairs from four constituencies as described below. Staff members are ineligible to stand for election or to vote in the first regular election following their initial appointment to the staff.
  - a. Division of Student Affairs and Services, Enrollment Management, and Registrar's Office (excluding regional campuses), who shall elect two senators.
  - b. University libraries (excluding regional campuses), who shall elect one senator.
  - c. Regional campuses, who shall elect one senator.
  - d. All professional staff shall elect five at-large senators.
4. Undergraduate student members shall be selected by procedures established by the Undergraduate Student Government with the approval of the Provost and Executive Vice President for Academic Affairs.
5. Graduate student members shall be selected by procedures by the Graduate Student Senate with the approval of the Provost and Executive Vice President for Academic Affairs.

**C. Functions**

The University Senate is a legislative body and concerns itself with minimum rules and general regulations pertaining to all undergraduate schools and colleges and with policy insofar as it pertains in a general way to the educational program of the institution and is not reserved to the Board of Trustees, to the administration, or to the several faculties.

**D. Officers**

The President of the University shall be chairman of the University Senate. If the President chooses not to preside, the presiding officer of the Senate shall be a Moderator elected from its membership for an annual term beginning in September. At a meeting called at the request of at least twenty-five percent of the members, the presiding officer shall be the Chairman of the Senate Executive Committee.

A recording secretary of the Senate, elected by the Senate, is normally responsible for making minutes of Senate meetings and distributing these to the professional staff.

**E. Meetings**

Meetings of the University Senate shall be held regularly at times to be fixed by the President on the advice of the Senate. The times of meetings shall be published in the catalog.

Special meetings of the University Senate may be called by the President, or by the Secretary at the request of at least twenty-five percent of the members. Such request, with signatures, shall be presented in writing to the Secretary. The call for a special meeting shall be issued at least a week in advance of the meeting and shall state the purpose of the meeting.

On the request of any member of the Senate, if supported by four colleagues, a record vote shall be taken. These record votes shall be made a part of the minutes.

**F. Minutes and Reports**

Copies of the minutes of the meetings of the University Senate shall be filed, one in the President's Office, one with the Provost and Executive Vice President for Academic Affairs, one with each of the Vice Presidents, one in the Registrar's Office, one in the University Library and one in the University Archives. The University Archives shall be the central place for filing actions of the University Senate, and the University Archives' copy shall be the official copy. Copies of the minutes shall also be mailed to members of the Senate, upon request to all members of the staff on the Storrs campus and at the regional campuses with the rank of instructor or above, and to a selected list of administrative officers.

**G. Committees**

The Senate Executive Committee shall consist of eight faculty members, one professional staff member and one student member. The faculty and professional staff members shall be elected by the Senate from among the elected members of the Senate who are not primarily administrators. The student member shall be elected from among and by the student members of the Senate. Department heads and directors are not regarded as primarily administrators. Elections shall follow the annual election of such members, and shall normally take place in April. For faculty and professional staff members, a term of service on the Executive Committee shall begin on July 1 and shall be for three years. The term of membership in the Senate of a faculty or professional staff representative elected to the Executive Committee shall be automatically extended, if necessary, to be coterminal. For the student member, the term of service shall be one year, renewable to a maximum of three consecutive years. Three of the eight faculty members shall be elected as a class in 1994, two more as a class in 1995 and the remaining three as a class in 1996 and, in each case, at three-year intervals thereafter. The professional staff member shall be elected in 1995 and at three-year intervals thereafter. No school or college shall have more than one faculty representative in any class, except the College of Liberal Arts and Sciences which may have as many as two representatives in any class but not more than a total of four members at any time and no other school or college may have more than a total of two members at any time. No faculty or professional staff senator shall be eligible for immediate re-election to the Executive Committee. A vacancy shall be filled by election for the duration of the vacancy. After the annual election, the Senate shall elect one of the nine faculty and professional staff members to serve as Chair of the Executive Committee for a one-year term which may be renewed.

The Senate Executive Committee is responsible for organizing and coordinating the business of the Senate and of Senate committees. To this end it shall maintain a clerical staff and an office. It shall distribute an agenda for each Senate meeting to the faculty and professional staff at least five days before the meeting. (Items of an extraordinary nature may be considered at a Senate meeting which have not been included in the agenda for that meeting.) It shall receive the reports of Senate committees before they are forwarded to the Senate. It also shall be available to be consulted as the voice of the Senate, especially in reference to resolutions of the

Senate which are designed to be transmitted ultimately to the Board of Trustees. Its members shall also constitute the faculty membership of the Trustee-Administration-Faculty-Student Committee.

The Committee of Three, which functions in faculty dismissal and grievance procedures, is to be constituted as follows: Each spring, after the Senate elections for faculty are completed, the Executive Committee will distribute to Senate members a first ballot with the names of newly elected faculty members (excluding those who have the administrative titles of department head or higher). A second ballot with the names of the two Senators receiving the highest number of votes will then be distributed to the members of the Senate. The Senator receiving a majority of the votes cast will be a member of the Committee of Three until the end of his or her term. Whenever a vacancy shall occur in the membership of the Committee of Three, the Senate shall elect in the same manner from the faculty group in which the vacancy exists, and the Senate may in a similar fashion elect a substitute for a member of the Committee of Three to serve while such member is absent from the campus, with, in case of emergency, the remaining members of the committee being authorized with the approval of the Senate Executive Committee to fill the position until the election is completed.<sup>[3]</sup>

The Senate may appoint and define the duties of such standing or special committees as it desires. The Provost and Executive Vice President for Academic Affairs shall be *ex officio* a member of all standing committees.

Each standing committee shall keep an accurate typewritten record of its proceedings and shall file copies thereof with the Senate Executive Committee to be forwarded to the appropriate offices. Reports shall be presented to the University Senate as often as the amount and nature of business warrants, and at least annually.

Special committees shall be considered as discharged, without formal vote, when their final reports have been received by the Senate.

## **ARTICLE XI – The Schools and Colleges**

### **A. Membership**

With the exception of the Graduate School, the faculty of each school or college shall consist of the President, the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs, dean of the school or college, and all full-time professors, associate professors, assistant professors, and instructors belonging to departments administratively organized in the school or college, and others who are appointed by the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs, either as voting members of the faculty or as associates and consultants without voting rights. The faculty of the Graduate School shall include the President, the Provost and Executive Vice President for Academic Affairs, the Executive Vice President for Health Affairs, the Dean of the Graduate School, and all members of the University staff appointed as graduate advisors by the Provost and Executive Vice President for Academic Affairs and the Executive Vice President for Health Affairs.

## **B. Functions**

Staffs with definite legislative powers are organized and held responsible for carrying out effectively certain major functions. The several schools and colleges represent organized responsibility for carrying out these functions.

It is the function of each school or college:

1. To enforce the rules and regulations of the University Senate as they apply.
2. To set up and administer curriculum and degree requirements appropriate to its responsibility, for its own students; standards less rigid or less specific than those established by the University Senate for the University as a whole may not be set up, but by vote of the faculty, standards more rigid or more specific than those outlined for the University as a whole may be imposed.
3. To administer courses established by the Senate that serve to meet the curriculum requirements of the Senate, as appropriate, and to establish and administer other courses in fields appropriate to the school or college, provided that all courses open to freshmen and sophomores are approved by the Senate.
4. To set up admission requirements in line with the purpose and responsibility of the school or college.
5. To set up and administer curriculum and degree requirements appropriate to its mission, with particular reference to the junior and senior years and graduate programs as appropriate, and to suggest basic and prerequisite courses for the freshman and sophomore years and graduate programs, as appropriate. A degree program in a particular major at a campus of the University of Connecticut must be approved by the appropriate faculty and dean of a school or college. To gain such approval, the campus must ordinarily offer, over a two year period, a collection of courses at the 200's level which is sufficient for students to complete that major.
6. To submit to the President for transmittal to the Board of Trustees the names of its students who have completed graduation requirements.
7. To plan and execute programs of research and service in line with the general policy of the University and the available staff and facilities.
8. To study the scholastic, professional, and general progress of its students and assist them in vocational and educational planning and placement.
9. To maintain adequate records and reports on students, staff, programs and services, and budget.
10. To integrate its program with the general program of the University and to foster effective coordination of effort.
11. To secure the safety and proper inventory of all University property assigned to it for instructional, research, or service purposes.

In addition to the above functions, as appropriate, the function of the Graduate School is to facilitate graduate education and research at the University. It administers, promotes, and reviews all University postbaccalaureate educational programs and the curricular components contained therein, with the exceptions of programs in Law, Medicine, Dental Medicine, and the Sixth-year Professional Diploma in Education. It serves as the primary advocate for the University's research mission by creating opportunities for research and fostering the scholarly basis for new and continuing research efforts.

### **C. Officers**

The Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs shall preside at meetings of the faculties of the several schools and colleges.

In the absence of the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs, the dean of the school or college concerned shall preside, or, if the dean prefers, the faculty may elect a presiding officer.

The dean of each school or college shall be its executive officer. The dean shall be responsible to the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs for the work and proper administration of the school or college.

With the exception of the Graduate School, each school or college shall elect annually a secretary who will call the meeting to order in the absence of the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs, and the dean. For the Graduate School, the Secretary shall be appointed according to the Graduate School Bylaws.

### **D. Meetings**

Meetings of the schools and colleges shall be held regularly at times to be fixed by the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs, on advice of the school or college.

Special meetings of the several schools and colleges may be called by the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs; or by the secretary, at the request of at least twenty-five percent of the voting members. Such request, with signatures, shall be presented in writing to the secretary. The call for a special meeting shall be issued at least a week in advance of the meeting and shall state the purpose of the meeting.

### **E. Minutes and Reports**

Copies of the minutes of the meetings of the several schools and colleges shall be filed, one in the President's office, one with the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs, one with the dean of the school or college concerned, one in the Registrar's Office, and one in the University Archives. The University Archives shall be the central place for filing actions of all faculties, and the University Archives' copy shall be the official copy. The Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs shall communicate in writing to the secretaries of the various schools and colleges and of the University Senate, insofar as they are mutually concerned, such actions of policy by these bodies as will, if reported, promote the understanding, integration, and coordination of the educational program of the University.

### **F. Committees**

#### *1. Standing Committees*

Except for the Graduate School, the President, the Provost and Executive Vice President for Academic Affairs, and the Executive Vice President for Health Affairs shall appoint and define the duties of standing committees. For the

Graduate School, the standing committees are defined and created according to the Graduate School Bylaws.

The Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs, and the dean of the school or college concerned shall be *ex officio* members of all standing committees.

Each standing committee shall keep an accurate typewritten record of its proceedings and shall file copies thereof with the President, the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs, the Registrar, the University Archives, and the dean of the appropriate school or college. Reports shall be presented to the appropriate school or college as often as the amount and nature of business warrants, and at least annually. A condensed report may be made at the discretion of the committee chairman unless a full report is requested.

2. *Special Committees*

Special committees may be set up by the President, the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs, the deans of schools and colleges, or the faculties of schools and colleges at any time. The members of special committees in the several schools and colleges shall be selected by the appropriate dean unless the faculty specifies some other means of selection.

All special committees shall report to the authority which initiated their appointment and shall be considered as discharged, without formal vote, when their final reports have been made.

## ARTICLE XII – The Divisions

1. *Membership*

Each division shall consist of an executive officer and a staff of assistants. Except for a division which is directly responsible to the President each executive officer shall be responsible to the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs or Vice Presidents for the work and proper administration of the division, including the hiring of professional personnel.

2. *Minutes and Reports*

Each executive officer shall keep adequate records of all personnel, programs, and budgets of the division and shall submit such reports as are required.

3. *Committees*

Each executive officer shall have an advisory committee appointed by the President or the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs or Vice Presidents. Such committees shall report annually to the Senate for information. These committees are advisory to the executive officers of the divisions, and not to the Senate, nor are they responsible to the Senate.

Special committees shall be established by the President or the Provost and Executive Vice President for Academic Affairs or Executive Vice President for Health Affairs or appropriate Vice President or the executive officers as required.

#### 4. *Functions*

The divisions as administrative units are non-legislative in character and do not administer curricula or determine course offerings. They are units whose programs and services cross-section the University.

It is the function of each division (a) to integrate its program with the general program of the University and to foster effective coordination of effort, and (b) to secure the safety and proper inventory of all University property assigned to it for instructional, research, or service purposes.

### **ARTICLE XIII – The Institutes and Centers in University Affairs**

#### **A. Membership**

Each institute and center shall consist of a director, affiliated faculty, and possible classified and professional staff support. The director will be appointed by the dean to which the unit reports, in consultation with the Provost and Executive Vice President for Academic Affairs. Each director shall be responsible for appointing classified and professional staff. Tenure for faculty continues to be granted through academic departments/schools of the University.

#### **B. Functions**

A center or institute provides a venue for activities (research, service or outreach) which cannot flourish within existing academic structures. Its purpose must be congruent with the goals of the institution and capable of enhancing the achievement of these goals more efficiently than existing departments.

#### **C. Reports**

Each institute or center must have clear lines of responsibility, usually through a dean to the Provost and Executive Vice President for Academic Affairs. Centers may be primarily responsible to a department head, if department heads of affiliated faculty and the relevant dean approve. Externally sponsored activities (e.g., research/training grants, donations/gifts, fees for services and contracts and letters of agreement) of institutes and centers must have prior approval from the responsible administrative officers.

All centers and institutes will be reviewed on a five-year cycle to determine their continued contribution to the University's mission. Each year, as part of the Annual Report process, a list of those centers and institutes which have received 3 or more years of external support equivalent to one-half a professional position, or receive the equivalent of more than one-half a professional position from the University, will be provided to the Provost and Executive Vice President for Academic Affairs by the deans. He or she will routinely inform the Board of the establishment of significant centers and institutes.

### **ARTICLE XIV – The Departments**

#### **A. Membership**

Each department faculty shall consist of all members of its professional staff including resident instructors at the Storrs and Regional campuses, extension, and experiment station workers. Each faculty member is assigned to a position at a

primary campus and when granted tenure, is tenured throughout the University. Should the primary campus cease to exist or a tenured faculty member's program terminate at the primary campus, the faculty member would be assigned to another campus with that program.

**B. Functions**

The departments are organized in terms of subject matter areas. They bear definite cross-relationship, but their organization into distinct administrative units is intended to assure that the attention of small groups of faculty members will be centered on the problems of teaching, planning, research, and service in these areas.

It is the function of each department:

1. To develop an educational program designed to meet the needs of the students in the various schools and colleges and of other individuals and groups served by the instructional, research, and service programs.
2. To study and employ ways and means of making its instructional work more effective.
3. To recommend to the faculty of the school or college within which it is organized changes intended to improve the work of the department.
4. To secure the safety and proper inventory of all University property assigned to it for instructional, research or service purposes.
5. To integrate its program with the general program of the University and to foster effective coordination of effort.

**C. Officers**

Each Storrs-based department shall have an executive officer, the head who shall represent his or her department and who shall report to the dean of the school or college within which the department is organized. A head shall not serve more than two consecutive terms unless the majority of his or her department recommends otherwise.

Each department shall have a secretary.

**D. Meetings**

Each department shall meet as often as is necessary to keep the work of the department adjusted to University needs and the staff informed and cooperative as to purposes, problems, programs, and general division of labor.

Meetings of the department may be called by the head of the department, the dean of the school or college within which the department is organized, or the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs.

**ARTICLE XV – The University Staff**

- A.** Members of units and other individuals reporting to the President shall be appointed by the President. All other members of the faculty and professional staff shall be appointed by the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs. Continuous tenure shall not be granted except by vote of the Board of Trustees.

opportunity to be heard. Those who seek to call attention to grievances must not do so in ways that significantly impede the functions of the institution.

Students are entitled to an atmosphere conducive to learning and to even-handed treatment in all aspects of the teacher-student relationship. Faculty members may not refuse to enroll or teach students on the grounds of their beliefs or the possible uses to which they may put the knowledge to be gained in a course. The student should not be forced by the authority inherent in the instructional role to make particular personal choices as to political action or the student's own part in society. Evaluation of students and the award of credit must be based on academic performance professionally judged and not on matters irrelevant to that performance, whether personality, race, religion, degree of political activism, or personal beliefs.

It is a teacher's mastery of his or her subject and the teacher's own scholarship which entitle him or her to the classroom and to freedom in the presentation of his or her own subject. Thus, it is improper for an instructor persistently to intrude material which has no relation to his or her subject, or to fail to present the subject matter of the course as announced to the students and as approved by the faculty in their collective responsibility for the curriculum.

Because academic freedom has traditionally included the instructor's full freedom as a citizen, most faculty members face no insoluble conflicts between the claims of politics, social action, and conscience, on the one hand, and the claims and expectations of their students, colleagues, and institutions, on the other. If such conflicts become acute, and the instructor's attention to his or her obligations as a citizen and moral agent precludes the fulfillment of substantial academic obligations, the instructor cannot escape the responsibility of that choice, but should either request a leave of absence or resign his or her academic position.

5. The University, in fulfilling an essential function as a forum for the free expression of ideas, shall endeavor to preserve and facilitate the full enjoyment of constitutionally protected civil liberties.

Members of the professional staff shall have equal opportunity in their employment regardless of sex, race, religion, national origin or handicap. The highest standards shall be sought in the protection of all forms of freedom of thought, expression, association, and peaceful assembly. In the exercise of these civil liberties the members of the professional staff are obliged to protect the same rights of others and to bear in mind their respective obligations to their profession and to the University.

### **C. Academic Appointment and Tenure**<sup>[4]</sup>

1. The terms and conditions of every appointment to the faculty will be stated or confirmed in writing, and a copy of the appointment document will be supplied to the faculty member. Any subsequent extensions or modifications of an appointment, and any special understandings, or any notices incumbent upon either party to provide, will be stated or confirmed in writing and a copy will be given to the faculty member.
2. With the exception of special appointments clearly limited to a temporary association with the institution, all full-time appointments to the rank of instructor

or higher are of two kinds: (1) probationary appointments; (2) appointments with continuous tenure.

3. Except for faculty members who have tenure status, every person with a teaching or research appointment of any kind will be informed each year in writing of the terms of his or her appointment.
4. Beginning with appointment to the rank of full-time instructor or equivalent or a higher rank, the probationary period shall not exceed seven years, with the exception that for faculty with primary appointments in the Schools of Medicine or Dental Medicine, the probationary period shall not exceed nine years, including within this period full-time service in all institutions of higher education except when the original appointment is in January. Then the probationary period shall not exceed seven and one-half years (nine and one-half years for faculty with primary appointments in the School of Medicine or Dental Medicine). Subject to the proviso that when, after a term of probationary service of more than three years in one or more other institutions, a faculty member is called to the University, it may be agreed in writing that his or her appointment is for a probationary period of not more than four years, even though thereby the person's total probationary period in the academic profession is extended beyond the normal maximum of seven years. The University ordinarily requires of all new appointees a probationary period of at least one year in this institution; but continuous tenure may be granted at any time thereafter and before the expiration of the maximum probationary period by vote of the Board of Trustees. In appropriate circumstances, tenure may be granted by the Board of Trustees upon arrival at the University at the rank of Professor, and, in special circumstances, at the rank of Associate Professor. After the expiration of a probationary period, faculty members shall have continuous tenure, and their services shall be terminated only for adequate cause, or under extraordinary circumstances of financial exigencies. During the probationary period, the faculty member shall have the academic freedom that tenured members of the faculty have. Ordinarily, a leave with or without pay awarded for the purpose of pursuing scholarly research activities shall be included in the probationary period toward tenure. A leave for personal or other reasons ordinarily will not be so included; at the written request of the faculty member and with the written agreement of the department head, dean and the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs, a leave for personal or other reasons may be counted toward the probationary period. All conditions of leaves and associated agreements must be specified in writing.
5. Regardless of the stated term or other provisions of any appointments, written notice that a probationary appointment is not to be renewed will be given to the faculty member in advance of the expiration of his or her appointment, as follows: (1) Not later than March 15 of the first academic year of service, if the appointment expires at the end of that year; or, if a one-year appointment does not coincide with an academic year, at least three months in advance of its termination; (2) not later than December 15 of the second academic year of service, if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance

of its termination; (3) at least twelve months before the expiration of an appointment after two or more years of service at the institution. The institution will normally notify faculty members of their renewals by March 31.

#### **D. Resignation of a Faculty Member**

A faculty member may resign effective at the end of an academic year, provided that he or she gives notice in writing at the earliest opportunity, but not later than May 15, or 30 days after receiving notification of the terms of his or her appointment for the coming year, whichever date occurs later. The faculty member may properly request a waiver of this requirement of notice in case of hardship or in a situation where he or she would otherwise be denied substantial professional advancement or other opportunity.

#### **E. Termination of Appointments by the Institution**

1. Dismissal, defined as termination of an appointment with continuous tenure, or of a special or probationary appointment before the end of the specified term, may be effected by the institution only for adequate cause. Termination of a special or probationary appointment at the end of the specified term shall not be defined as dismissal.
2. If termination takes the form of a dismissal, it will be pursuant to the procedure specified in Section F, below.
3. Where termination of appointment is based upon financial exigency, or bona fide discontinuance of a program or department of instruction, Section F will not apply, but faculty members shall be able to have the issues reviewed under the grievance procedure as provided in Section Q. In every case of financial exigency or discontinuance of a program or department of instruction, a tenured faculty member concerned will be given notice as soon as possible, and never less than 12 months' notice, or in lieu thereof he or she will be given severance salary for 12 months. Before terminating a tenured or probationary appointment because of the abandonment of a program or department of instruction, the University will make every effort to place affected faculty members in other suitable positions. If a tenured or probationary appointment is terminated because of financial exigency, or because of the discontinuance of a program of instruction, the released faculty member's place will not be filled by a replacement within a period of two years from the date of termination unless the released faculty member has been offered reappointment and a reasonable time within which to accept or decline it.

#### **F. Dismissal Procedures**

- 1a. **Adequate cause for dismissal will be related directly and substantially to the fitness of the faculty member in his or her professional capacity as described in Section B.** Dismissal procedures will not be used to restrain faculty members in the exercise of their academic freedom or their rights as citizens.
- b. For faculty with primary appointments in the School of Medicine or the School of Dental Medicine, **adequate cause for dismissal may also include sustained unsatisfactory job performance, as determined in part by the post-tenure review process described in the faculty member's school bylaws.**
2. (a) If circumstances arise that, on their face, cause the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs

to anticipate the reasonable possibility of dismissal being recommended for a faculty member with continuous tenure, or with a special or probationary appointment before the end of the specified term, the appropriate administrative officer (usually the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs or his or her representative) will initiate discussion of the matter with the faculty member, looking towards a mutually acceptable settlement. (b) If such settlement is not reached the question will be referred to the Committee of Three within 14 days<sup>[5]</sup> of the invitation of the administration to the faculty member to discuss the matter. The Committee of Three will proceed to an informal inquiry, including further attempts at conciliation. The Committee shall report to the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs within 14 days from the date it enters the case its recommendations based on the results of its inquiry and efforts toward conciliation. (c) If continued action seems to the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs to be warranted, then he or she or his or her representative, taking into account the report of the Committee of Three, shall frame with reasonable particularity a statement of charges. The statement will then be provided to the concerned faculty member within 14 days after the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs receives the recommendations of the Committee of Three.

3. A dismissal, as defined in Section E.1., must be preceded by the sequence of steps outlined in F.2., culminating in the statement of charges provided for in F.2.c. Both the individual concerned and the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs will have the right to have the matter heard by a committee of five. In order to exercise this right, the faculty member, or the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs, within 7 days of the faculty member's receipt of the statement of charges must request the Committee of Three to form a hearing committee. The essential functions of the hearing committee are to assemble and review pertinent information and to make appropriate recommendations. In constituting a hearing committee, the Committee of Three shall choose a panel of nine members of the faculty from which either party, within 5 days of notification of the panel, may strike not more than two names. In the event that more than five names remain after the completion of this process, the Committee of Three shall select five to serve as the hearing committee. The hearing committee shall, within 7 days after its appointment, select its own presiding officer and immediately notify the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs and the Committee of Three of the name of the presiding officer and the date of selection. If the hearing committee wishes to retain independent counsel, prior approval of the Attorney General of the State of Connecticut is necessary. The University will bear any costs of the hearing procedure, except that the individual concerned will be responsible for any fees he

or she incurs for counsel, expert witnesses, and other defense expenses, and for the expense of any witness provided for the individual by the University.

- a. Within 7 days of the selection of a presiding officer for the hearing committee, written notice of specific charges will be served. The faculty member may respond to the charges in writing within 7 days. The date for the hearing shall not be set until the faculty member has responded, or the time limit for such response has expired. If the faculty member denies the charge against him or her or asserts the charges do not support a finding of adequate cause, or waives his/her right to appear, or refuses to participate in the hearing in person or in writing, the hearing committee will evaluate all available evidence, and rest its recommendation upon the evidence in the record.
- b. Since the hearing deals with personnel matters, it shall be closed unless the faculty member requires in writing that it be open.
- c. During the hearing the faculty member will be permitted to be represented by or to have with him or her an academic adviser and/or legal counsel of his or her own choosing. The Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs may be accompanied by or represented at the hearing by a delegate and/or legal counsel of his or her own choosing.
- d. At the request of either party or the hearing committee, representatives of professional organizations shall be permitted to attend the hearing as observers.
- e. A verbatim record of the hearing or hearings will be taken and a typewritten copy or legible facsimile thereof will be made available without cost to the faculty member and to the hearing committee. The requirement of a verbatim record may be waived by mutual consent of the hearing committee and both parties.
- f. The burden of proof that adequate cause exists rests with the institution, and shall be satisfied only by clear and convincing evidence in the record considered as a whole.
- g. The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence, and the administration of the institution will, insofar as it is possible for it to do so, secure the cooperation of such witnesses and make available necessary documents and other evidence within its control.
- h. The hearing committee may grant adjournment to enable either party to investigate evidence as to which a valid claim of surprise is made.
- i. The faculty member and the administration will have the right to confront and cross-examine all witnesses. Where the witness cannot or will not appear, but the committee determines that the interest of justice require admission of his or her statement, the committee will identify the witness, disclose his or her statement, and if possible, provide for written interrogation.
- j. In the hearing of charges of incompetence, the testimony shall include that of qualified faculty members from this or other institutions of higher education.
- k. The hearing committee will not be bound by strict rules of legal evidence, and may admit any evidence which is of probative value in determining the issues

involved. Every reasonable effort will be made to obtain the most reliable evidence available.

- l. The findings of fact and the decision will be based solely on the hearing record.
  - m. Except for such simple announcements as may be required covering the time of hearing and similar matters, public statements and publicity about the case by the hearing committee, the faculty member, and the administrative officers will be avoided until the proceedings have been completed, including consideration by the Board of Trustees. The Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs and the faculty member will be notified of the recommendation in writing and will be given a copy of the record of the hearing.
4. The hearing committee shall report to the President within 30 days after the selection of its presiding officer. The committee may conclude, and shall report to the President, that the conduct with which the faculty member is charged (a) merits dismissal or (b) does not merit dismissal. If the committee concludes that the conduct does merit dismissal, but that there are circumstances that warrant clemency, it will so recommend, with supporting reasons. If the committee concludes that the conduct does not merit dismissal, (a) it may recommend that the conduct does not merit any disciplinary action or (b) it may recommend a penalty short of dismissal. If the President does not accept the recommendation of the hearing committee, he or she will state the reasons therefor to the hearing committee and to the faculty member within 14 days after receiving the report of the hearing committee. The hearing committee shall, within 14 days, prepare a rejoinder or notify the President that it intends no rejoinder. The President shall within 10 days notify the faculty member, the hearing committee, and the Committee of Three of his or her decision in the case, together with reasons therefor if he or she does impose a penalty. The President shall report to the next meeting of the Board of Trustees any action taken by him or her in response to the report of a hearing committee. If dismissal or other penalty is invoked, the faculty member may within 30 days request the President to notify the Board of Trustees that the faculty member wishes to appeal the decision. The President shall then within 10 days transmit to the Board the record of the case. In such an event, the Board's review will be based on the record of the committee hearing and the correspondence between the hearing committee and the President after the hearing committee makes its recommendation. This review will provide opportunity for argument, oral or written or both, by the principals at the hearing or by their representatives. Such a review must be scheduled within 21 days of the date on which the Board members are supplied with the record. Since the review deals with personnel matters, it will be closed unless the faculty member requires in writing that it be open. If the Board disagrees with the recommendations of the hearing committee, it will so notify the committee with specific objections. Taking into account the stated objections, and receiving new evidence if necessary, the committee will then reply to the Board within 10 days. The Board will make a final decision only after study of the committee's reply.

5. Expedient completion of these procedures is in the best interests of all parties concerned. The time limits specified are maxima. The Committee of Three may, upon request, extend, for cause, any of the foregoing time limits.

#### **G. Suspensions**

Until the final decision on dismissal has been reached, the faculty member may be suspended, or assigned to other duties in lieu of suspension, only if immediate harm to himself or herself or others is threatened by his or her continuance. Before suspending a faculty member, pending an ultimate determination of his status, the administration will consult the Committee of Three. Suspension is appropriate only pending a hearing; a suspension which is intended to be final is a dismissal, and will be dealt with as such. Salary will continue during the period of suspension.

#### **H. Terminal Salary**

Faculty members on continuous appointment who are dismissed for reasons not involving moral turpitude will receive their salaries for at least a year from the date of notification of dismissal, whether or not they are continued in their duties at the University. Faculty members on probationary appointment will receive their salaries to the end of the current year.

#### **I. Retirement**

1. A faculty member's decision to retire is understood to be an individual one, but in the interests of continuity and proper academic planning, it is expected that the faculty member will give notice of his or her plans at least a year in advance.
2. Since it is in the interest of the University and the public that emeriti, as defined in paragraph 5, continue their scholarly activities, the University encourages the maintenance of informal and scholarly contacts between emeriti and their active colleagues and will endeavor to provide working space, equipment, library facilities, and the like to all who can demonstrate reasonable need. Such support will be contingent upon availability of resources at the time. Deans and department heads, where appropriate, will seek to enlist the services of emeriti in professional activities such as lecturing, serving on academic committees, and advising students.
3. The President will annually hold an appropriate event to honor non-faculty professional staff with at least fifteen years service to the University and all retiring faculty. The President will present a certificate of service and such other marks of recognition as he or she may deem suitable. Those honored each year will be those with retirement dates on October 1 of that year or during the year preceding October. Their names will appear in the program for the Commencement held during that year. Especially distinguished retirees will be honored by appropriate special recognition by the University.
4. There shall be a standing committee on retirement of members of the professional staff. Whenever a member of the professional staff applies for retirement, the committee will be notified of the fact. The committee will then gather together whatever evidence it feels necessary to formulate a recommendation to the President as to whether the retiring staff member should be given special recognition by the University or whether any such recognition should be left to the individual school or college. In most cases, the committee will recommend that the matter of recognition be left to the individual school or college.

5. Any member of the faculty, who at the time of retirement is at the University of Connecticut and retires under the provisions of the State Retirement Act or the Alternate Retirement Plan, may by vote of the Board of Trustees become an emeritus member of the faculty provided that one of the following conditions is met:
  - a. The faculty member has served at least 25 years at collegiate institutions including at least five years at the University of Connecticut.
  - b. The faculty member has attained the rank of full professor at the University of Connecticut.

Faculty not meeting either condition may become emeriti by vote of the Board of Trustees following recommendation of the President and University of Connecticut Faculty Retirement Committee. Other professional staff are also eligible for this designation following recommendation of the President and the University of Connecticut Retirement Committee.

#### **J. Policies and Procedures Relating to Rank, Salary, and Advancement**

1. A University exists for the twofold purpose of teaching and research—the dissemination of knowledge and the extension of the boundaries of the known. Though it must have buildings and equipment, wise administrators, and earnest and intelligent students, it is obvious that its purpose cannot be accomplished unless its teachers are without exception competent, and in as many cases as possible, distinguished to a greater or less degree.

The policies of the University in respect to rank, salary, and advancement of teachers evidently have an important bearing on its success. Along with favorable working and housing conditions, a reasonable teaching load, a stimulating intellectual climate, the assurance of academic freedom and tenure and a liberal retirement system, they make it possible to attract and retain desirable teachers, despite the competition of other comparable colleges and universities and of non-academic employers. These policies are therefore established and carried out primarily to enable the University to fulfill its function. If through shortsightedness or lack of funds it falls below accepted standards in its financial relations with its teachers, it cannot increase nor even hope to maintain its value to society.

A teacher's salary is in large part a payment for services rendered, determined at their current value. However, except for those who have reached the climax of their careers, it includes an additional element which is an investment by the University in the potentialities of the teacher. As members of a learned profession, teachers may be expected to be conscious of their responsibility to themselves, to the University, and to society. They cannot fulfill their responsibility without continuing, throughout their active lives, to invest a part of their time, energy, and money in their own intellectual growth. Adequate salaries will permit the assumption of the expenses of travel and study and other professional and cultural activities, will relieve teachers of the drain on their time caused by the performance of routine tasks beyond the demands of exercise and recreation, and will provide in other respects an appropriate standard of living. Inadequate salaries are contrary to the interest of the University, because they curtail faculty development, or force faculty to supplement earnings at the

expense of the time needed for study, thought, and research—and may, of course, even involve the loss of valuable staff members.

Policies for promotion should operate to advance the most promising, and to hold back, or, in accordance with established practices regarding tenure, to eliminate the incompetent and the mediocre. They should give careful consideration both to current performance and to future promise, and should convey an assurance of impartiality by recognizing and rewarding accomplishment and by maintaining opportunities for advancement. To do this they must be based on merit, determined on the broadest possible basis, and must not be matters of routine or mere seniority.

The value of a teacher to the University results from the possession of a number of different qualities. In enumerating certain of these, it is not intended to formulate a rigid set of standards, nor to require that all teachers attain a stated minimum in each of the items. The value of each person is rather to be judged by considering both his or her strong and weak points so as to arrive at an estimate of his or her total contribution. No fixed numerical weighting can be prescribed, though greater emphasis should be placed on scholarship, teaching ability, and activity in research than on other characteristics.

Tenure and promotion in the professorial ranks will be granted only to persons of outstanding achievement. Specific evidence of superior performance in scholarship and in teaching is of primary importance. As a minimum standard for tenure and/or promotion there must be evidence of strong performance in both scholarship and teaching and superior achievement in at least one of these areas. In addition, other contributions to the University will be considered. In individual cases where it is demonstrated that there has been meritorious professional service through which the faculty member has achieved distinction in the profession, such service may also receive significant weight.

2. *Qualities desired in teachers of all ranks*

All candidates for appointment and promotion, as well as all other teachers, are expected to show satisfactory attainment and continuous growth in the following qualities, though in varying degrees and in different proportions. The teacher's accomplishment in each should be evaluated on every occasion when advancement in salary or rank is being considered, and particular care must be exercised when it is proposed to terminate the probationary period by placing him or her on permanent tenure or otherwise.

- a. Professional competence in the field of his or her specialization, as evidenced initially by the record of his or her training and scholastic achievement, and later by the opinion of professional colleagues here and elsewhere; and in certain fields by the execution of professional commissions, the giving of expert testimony, and the like; or by the holding of a license for professional practice, where licensing has been established.
- b. Teaching ability and performance, beginning with the capacity to excite interest and evoke response in students, to broaden their outlook, to impart knowledge, to see and convey relationships, to encourage the faculty of criticism, and to stimulate a sense of inquiry. The educational role of the faculty member is not confined to the classroom. It should include willing

skillful attention to the individual student who can profit from additional help in the mastery of a course to which the teacher is assigned. Also important is the role of academic advisor, in which a good teacher will encourage students to gain as much as possible from the educational resources of the University, and will guide the student to the proper selection of courses consistent with his or her academic and life goals.

- c. Research and such other scholarly activity as gives evidence of the effective utilization and continuing development of his or her natural endowment. This will ordinarily eventuate in publications, lectures, or papers at professional meetings, and should in any case be reflected in the vitality of the person's teaching. Such activity will take many forms, some of which are:  
Study, including reading, laboratory work, and museum work;  
Membership and appropriate activity in one or more professional societies;  
Writing—creative, critical, analytical, summarizing, or editorial;  
Creative work in other fields, such as the arts and engineering;  
Research, including both the routine application of known techniques to the accumulation and analysis of new data, and the invaluable gift of making fundamental contributions to knowledge—the former to be expected of many teachers, and the latter to be hoped for in a few.  
Creative activity in the arts, and the ability to make research contributions of the second or fundamental kind will be especially noted and rewarded.  
Although the three qualities listed above are the ones that should receive the greatest consideration, the following items bearing on professional fitness also should be taken into account, particularly when new appointments are being made and at the end of the probationary period. Ordinarily these qualities do not offer the same opportunity for continuous development as do those in the first list.
  - d. Personal attributes; integrity, industry, open-mindedness, objectivity, friendliness, effectiveness in speaking, capacity for leadership and cooperation, breadth of intellectual interests.
  - e. Concern for the educational, social, and personal welfare of students, such as is demonstrated, for example, by success in counseling.
  - f. Willingness and ability to assist in the various types of service which a state University renders, in the answering of inquiries, the giving of advice, the conduct of surveys, and the like.
  - g. Competence in fulfilling responsibilities toward democratic University government, as in department and faculty meetings, committee work, and administrative duties.
  - h. A sympathetic but discriminating interest in the development of the University, and the assumption of a share of responsibility for the efficient execution of its functions; or, in the case of recent appointees, indication that this interest will develop in due time.
3. In addition to these general desiderata, the following special qualifications will be borne in mind in making appointments or promotions to the several ranks.
    - a. *Special qualifications for instructors*

1. Training or experience appropriate to the performance of his or her assigned responsibilities. In many cases this will mean the possession of, or evidence of substantial progress toward, the Ph.D. degree, or its equivalent. If a young teacher who does not hold that degree is appointed, the University should in most cases insist that this essential preparation be completed early, and should afford such practical assistance as is reasonable by providing working facilities and by lightening his or her load or granting leave.
2. A consensus on the part of those qualified to judge that the faculty member's training, experience, and interest in his or her subject are appropriate for the performance of the duties to be assigned.

Note: Two years is regarded as the normal length of service in the rank of instructor for those who are qualified for advancement at the end of this period.

For certain types of teaching, it may be more desirable to appoint persons whose qualifications will not ordinarily entitle them to advance into the upper levels of rank and salary. In some fields, for example in the creative arts, the possession of the Ph.D. is not the best criterion of professional competence.

b. *Special qualifications for assistant professors*

1. The possession of the Ph.D. degree, or its equivalent.
2. A record of success in his or her work, based on all obtainable information. This may include the judgment of colleagues, information from students, and occasionally the comparisons of the progress and achievement of his or her students with that of groups of approximately equal ability in the same or similar courses.

Note: Ordinarily, six years is regarded as the normal length of service in the rank of assistant professor.

3. Ordinarily, those in the rank of assistant professor are not eligible for tenure. Continued reappointment of a person, after it is clear that he or she will not become eligible for permanent tenure, cannot be justified on grounds of immediate convenience.

In his or her own interest and that of the University, he or she should be released after the customary notice.

c. *Special qualifications for associate professors*

1. Continued growth in the qualities desired in all teachers, especially, evidence that he or she is keeping abreast of the times in method and subject matter, and a consensus among colleagues that the faculty member is making a substantial contribution to the advancement of knowledge in his or her field.

d. *Special qualifications for professors*

1. Service here or elsewhere as an associate professor of at least five years except when there is evidence that he or she is of superior ability as compared with other associate professors.
2. Evidence that he or she is regarded by colleagues within and without the University as a capable, mature teacher, and a recognized scholar.

4. *Procedure*

- a. The status of every teacher with regard to salary and rank shall be considered at least once each year. The head of the department shall ordinarily be responsible for seeing that this is done.
- b. It is the duty of each department head to conduct a continuing appraisal of the work and potentialities of the people in the department, and by informal consultation to ascertain the views of the other members of the department. It is his or her responsibility not only to give his or her own appraisal but also to transmit that of his or her colleagues within the department. In this connection it should be emphasized that all such evaluations are to be based on the criteria listed above. Recommendations with supporting data shall be sent to the dean of the school or college, and by the dean, with his or her own recommendations, to the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs.
- c. Before a teacher is placed on permanent tenure the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs shall appoint at least five teachers to act as advisers, and he or she may follow the same procedure in other cases of proposed advancement, or at the request of a teacher who desires such consideration. These advisers shall normally include representatives both of the candidate's department, and of at least two other departments. The selection of advisers shall be confidential, and those who serve shall, without meeting as a committee, report individually to the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs their answers to such questions as he or she may submit to them. Reports shall be confidential, and record thereof kept in summary form only.
- d. The Provost and Executive Vice President for Academic Affairs and the Executive Vice President for Health Affairs should experiment with various plans for ascertaining the judgment of a candidate's colleagues concerning proposed advancement, and should report the results to the Senate for further consideration.
- e. The research activities of candidates shall be judged by those who are reasonably competent in the general field, who have read the publications of the candidate, and who are familiar with the progress of his or her unpublished work. Care must be exercised to determine the actual amount and true nature of the work. It will be well not to place undue emphasis upon mere volume of publication.
- f. In view of the paramount importance of good teaching, and the difficulty of judging the quality of a teacher's performance, a survey of student opinion may be made at the teacher's request, or when his or her promotion is under consideration. It shall be conducted according to a general plan approved by the University Senate on February 10, 1947 as amended on December 11, 1967 and on April 11, 1977. Caution must be observed to discount mass prejudices, and to avoid overestimating the impressions of the moment, which may well be different from the considered judgment of later years. If the teacher has requested the survey, the general nature of the results shall be communicated to him or her, and this may be done in any case. The results

shall also be available to deans and heads of departments, but the actual replies are confidential and shall be destroyed after they have been summarized.

The Provost and Executive Vice President for Academic Affairs and the Executive Vice President for Health Affairs will accept from teachers at any time information about qualifications which they think are apt to be overlooked, and may request such data from teachers.

- g. Final action on promotions and increases in salary will be based on all available evidence, and will be taken by the Board of Trustees upon the joint recommendation of the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs, the dean of the college, the department head, and such other officers as may from time to time be charged with this responsibility.
5. *Special Titles*
- a. Board of Trustees Distinguished Professor
    1. The title "Board of Trustees Distinguished Professor" should be reserved exclusively to recognize faculty who have achieved exceptional distinction in scholarship, teaching and service while at the University of Connecticut.
    2. The Board of Trustees Distinguished Professor title will be conferred as a result of a peer review process. The Review Committee will solicit and evaluate all nominations. The Review Committee will obtain detailed information including materials from external sources and recommend candidates to the Board of Trustees via the Provost.
    3. The title may be awarded to up to five persons per year up to a maximum of 5% of the full professors on the active faculty.

## **K. Leaves of Absence**

### *1. Sabbatical Leaves*

- a. Sabbatical leave is a privilege to be applied for in each case and is in no instance to be considered an earned perquisite. Such leaves may be granted on application for the purpose of the advancement of knowledge or professional improvement of mutual benefit to the University and the individual. Following such leave, individuals are obligated to return to active service at the University for a minimum of one year. The applicant should file a specific written application accompanied by a statement as to how the leave is to be used. This application should be passed on by the department head and the dean or director, to the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs, who in turn, will submit it to the Board of Trustees with his or her recommendation.
- b. The privilege is open to all full-time resident teachers, experiment station and extension staff workers, who have at least the rank of assistant professor or a corresponding rank, and who have been in continuous full-time service at the institution for at least six years. Following a grant of sabbatical leave the privilege may be renewed after an additional period of continuous full-time service of at least six years. Each sabbatic leave eligibility is for a period of one year (two semesters). Leave may be taken for the full period at half pay

or for up to half the period at full pay. After each period of eligibility in which a sabbatic leave is taken, whether for all or a portion of the period, there must be at least six years of continuous full-time service before the next eligibility period. Thus the timing of eligibility periods is not affected by whether leave is taken for a full period at half pay or for up to half the period at full pay. Faculty members are not eligible for sabbatic leave before the last year of their probationary periods.

Exception in regard to continuous service may be made upon recommendation of the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs and the approval of the Board.

- c. The duration of the leave granted shall be determined by the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs. Leave for members of the resident instruction division employed on an eleven months' basis, may be for a period of up to six months with full pay, or for a period up to twelve months with half pay. Leave for members of the resident instruction division employed for nine months of the year may be for one semester with full pay, or two semesters with half pay. Leave for members of the Extension and Experiment Station divisions may be a corresponding length of time, taken at a period of the year when their work will be least interrupted by absence. The receipt of grant or fellowship funds to cover travel and other expenses incidental to the leave will not ordinarily interfere with the granting of a request for such leave. Sabbatical leave, whether at full or reduced pay, is considered full-time service, and therefore persons on sabbatical leave are not permitted to engage in paid employment elsewhere. If a staff member is considering an arrangement in which he or she will receive compensation for services from the University and from outside agencies which will together exceed his or her regular University salary, the staff member is expected to take a leave without pay rather than a sabbatical leave.

The recommendation of the head of the department and of the dean in charge of the school or college shall accompany applications for leave.

- d. Members of the administrative groups are in a separate classification. They shall make their application directly to the President if the unit reports to the President; or to the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs, through the appropriate Vice President, if any.
- e. All applications should be made at least one year prior to the date when the leave is to begin. Ordinarily the grantee will receive notification that the leave is granted at least two months before the end of the semester previous to the one in which the leave is to begin.
- f. Arrangements for carrying on the duties of a person on leave shall be made by the appropriate department head and dean. The department head is expected to certify whether or not the work of the department can be carried on if the leave is granted substantially as it would have been otherwise. If courses would have been withdrawn or other changes made in the department's program even without the granting of the leave, the changes may be made

during the leave; but it is not expected that sabbatical leaves will be granted if they must be taken at the expense of the students or of the regular departmental program.

- g. In case a leave, after being approved, is postponed for a period by the administration, and then taken, the applicant's next leave may be granted for the year in which it would have fallen if there had been no such postponement. Except in such instances service in excess of six years is not cumulative.
- h. Leaves are granted in the expectation that the recipient will resume his or her previous duties at the end of the leave. Ordinarily the staff member will return at the same rank and salary which he or she had when the leave began. This understanding, however, is subject to the qualification (which applies in the same degree to those in residence) that the Board may sometimes find it necessary to change the compensation or duties of some or all staff members because of changes in enrollment, financial exigencies, or other circumstances beyond its control. The grant of leave does not change the tenure-status of the recipient.
- i. After leave has been taken, a written report of the work done shall be made to the officer who approved the leave through the department head and the dean or director.

## 2. *Leave Without Pay*

Leave of absence without pay may be granted by the President for those units which report to the President or by the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs for reasons considered to be in the best interest of the University and in the interests of professional growth and improvement of the staff member concerned. All such cases are treated as special cases, and are in the first instance ordinarily granted for up to a year. Staff members desiring such leaves should apply through their department heads and deans and through the appropriate Vice President, if any. A report of all such leaves as are granted shall be made to the Board of Trustees for their information.

## 3. *Military Leave*

- a. Members of the professional staff who have been in continuous full-time service at the University for a period of six months or more and who leave the University to enter the armed forces of the United States will be granted military leave for the time served in such military or naval service, plus ninety days additional. Part-time employees will be granted such leave if they have worked the equivalent of six months or more full time. Thus, an employee would become eligible after twelve months of half-time employment, etc.
- b. Any position which becomes available because of the approval of military leave for a member of our professional staff may be filled after securing proper approval, but only for the duration of the military leave of the employee entering military service. Persons employed to fill such vacancies earn no tenure rights, and should be so notified in advance by the employing department head.

- c. The State law provides that any member of the professional staff granted military leave "will be reinstated in his former position and duties, providing that he makes application to return to the University within ninety days after he is discharged from the armed forces, and he is mentally and physically able to work, and work is available."
4. *Sick Leave for Members of the Professional Staff, With or Without Pay*  
Each case is considered separately and involves careful consideration of length of service, nature of the illness, and anticipated length of disability. Application for sick leave should be made not later than ten days after the staff member's return to work.
5. *Other Regulations Regarding Leave of Absence*
  - a. No employee of the University of Connecticut shall receive leave of absence with pay for service in any elective political office.
  - b. No member of the professional staff shall be absent from his or her proper duties at the University except by permission of the department head. Short leaves to cover emergency situations may be granted by the department head, who will make such arrangements as are feasible to re-assign the absent staff member's work. In each such case the department head will file a record of the matter with the dean. No such emergency leave shall be granted for a longer period than ten days without previous permission of the President for those units which report to the President or by the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs. (All classified employees shall be governed by regulations of the State Personnel Department as to hours of employment, sick leave, and vacations.)
  - c. No professional staff members or employees except classified employees shall be entitled to receive extra compensation for any service performed by them for the University, unless upon express authority of the Board.

#### **L. Professional Staff Loads**

1. While members of the professional staff of this University are employed for a variety of duties, as a general rule the University will expect to assign to each full-time member of the professional staff duties which are reasonable and consistent with good and effective teaching practices at both the undergraduate and graduate levels. In conjunction with this, staff members will be expected to carry a reasonable amount of ordinary departmental duties and routine committee responsibilities and to undertake those activities of self-improvement and professional development which are part of every faculty member's investment in his or her own future. Such assigned responsibilities as unusually heavy loads of student counseling, the chairmanship of committees which are unusually time-consuming, research projects which have been designated as a part of the staff member's assigned load, unusually heavy enrollments in courses, and assigned administrative duties will be considered in determining the number of contact hours assigned to any individual.

Assignment of duties will be made by the appropriate deans, directors, and department heads, subject to review as to general policy by the Provost and Executive Vice President for Academic Affairs or the Executive Vice President

for Health Affairs or Vice President and President. In so far as it is possible, consistent with the development of a balanced offering of University services, these assignments should take into account the aptitudes and wishes of individual staff members and their opportunities for long-run professional development.

2. In general, the teaching duties of each department shall be regarded as a joint responsibility of all its members, to be divided as far as possible by mutual agreement, with proper attention to the interests and activities of all. It shall be the responsibility of the department head to make decisions when agreement is lacking, and to submit the complete schedule of teaching engagements to the appropriate dean.

The preceding paragraph does not imply that teaching loads and assignments of individual faculty members are to be determined by departmental vote. Departmental action is to be limited to consideration of general policy.

3. In settling details of teaching schedules within the department or in meeting situations that arise on short notice, the department head has a three-fold responsibility which should be kept in mind:
    - a. The responsibility to understand and put into effect the general policies and program of the University.
    - b. The responsibility to act on behalf of and as a representative of the department. The entire professional staff of the department, in departmental meeting, should consider the department's professional program. All members should participate in the formulation of general departmental policy, both for long-run development and current decisions.
    - c. The responsibility to individual members of the departmental staff. The department head should discuss with each member of the department his or her ambitions and aspirations within the University and within the profession. While no one is completely a free agent to lay out a program exactly as one pleases, scholarly activity flourishes best in an environment of self-direction and self-propulsion.
- M. No member of the professional staff or other employee in the service of the University shall devote to private purposes any portion of the time due the University without consent. Members of the professional staff may take on outside consulting and research activities only after the specific project has been approved by the appropriate University official. For those units and individuals who report to the President, except for staff members in Institutional Advancement, the approval of the President is required. For those units that report to the Vice President and Chief Financial Officer, or the Vice Chancellor for Student Affairs, the approval of the appropriate Vice President is required. For all other employees, the approval required is that of the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs, as appropriate. Such approval shall take into account the time required, the nature of the service, potential conflict of interest, and the contribution of such activities to the professional advancement of the staff member. Any changes with respect to these matters after the project has been initiated shall also require approval in advance. Nothing herein contained shall be construed as authorizing any private practice by any full-time member of the faculty of either the School of Medicine or the School of Dental Medicine.

- N. To the extent that there are facilities available, University employees are entitled to receive from the University unit responsible for student health services immediate care for injuries incurred in the line of duty. This unit is to offer limited primary medical care services to University employees within available resources, on a fee for service basis.
- O. The University Libraries shall make available for maximum use by the staff and students, and by the people of the State, the library materials and plant and shall cooperate with individual staff members in making available to students in specific areas of work the full resources of the library.
- P. Members of the faculty are permitted to audit courses without payment of fees, subject to consent of instructor and availability of library, laboratory, and classroom facilities.
- Q. No full-time member of the professional staff may take for credit any academic work at this institution or elsewhere during that employee's regular working hours, without prior written approval of the President for those units which report to him or her or the Provost and Executive Vice President for Academic Affairs or the Executive Vice President for Health Affairs.
- R. The existence of a close family relationship to a staff member does not affect the eligibility of any person for employment by the University. To avoid potential conflict between personal and institutional interests, no staff member may be assigned responsibility for supervising the work of a close family member without the consent of the President. Where a potential conflict of interest exists, the President shall designate a surrogate to make recommendations concerning appointment, salary, promotion, or tenure.
- S. **University Faculty Grievance Procedure**<sup>161</sup>

If a member of the faculty under the jurisdiction of the Provost and Executive Vice President for Academic Affairs believes there is a cause for grievance which cannot be resolved by ordinary means, the complainant may request the Committee of Three (Section X.G.) to appoint a hearing committee to evaluate the grievance and to make appropriate recommendations concerning its resolution.

1. Complaints involving promotion, tenure, and reappointment decisions may be brought to the Committee of Three only at the end of a sequence of peer review procedures, including those of the Faculty Review Board.
2. Other complaints may be brought to the Committee of Three only after appropriate administrative remedies have been exhausted.
3. If, after consultation with the complainant, the person or persons against whom the grievance is lodged, and such other persons as the committee deems appropriate, the Committee of Three has been unable to mediate the complaint informally and believes that there may be such substance to the grievance as to justify further investigation, it shall appoint an ad hoc hearing committee of three or five faculty members and convey the grievant's written statement of the grievance to the hearing committee with a copy (or copies) to be sent to the person(s) against whom the grievance is lodged. The hearing committee shall be empowered to have access to information it deems pertinent, to hold hearings and interviews, and to seek informal resolution of the issues raised. The hearing committee, after consulting all parties to the dispute, may decide to conduct its

proceedings in confidence, or, with the concurrence of the grievant, to hold public hearings. Parties to the proceedings may, if they choose, be represented. It is incumbent upon all parties to refrain from aggravation of the issues during the course of grievance proceedings.

4. The hearing committees appointed by the Committee of Three shall be instructed by the Committee of Three to determine:
  - a. Whether the relevant procedures established by the University have been followed in the case before them.
  - b. Whether in substance the grievant has just cause for complaint.
  - c. In cases involving promotion, tenure, and reappointment:
    1. the sufficiency and relevance of the evidence employed in making the decision.
    2. whether the decision arrived at was in reasonable conformity with the evidence considered.
  - d. Appropriate remedy, if any.
5. The hearing committee will make a report of its findings and recommendations to the Provost and Executive Vice President for Academic Affairs, with copies to the grievant, the person(s) against whom the grievance is lodged, and the Committee of Three. In those cases involving a grievance against the Provost and Executive Vice President for Academic Affairs the report shall be sent to the President. The collective bargaining agent shall be informed by the hearing committee of the substance of its report to the President or Provost and Executive Vice President for Academic Affairs. Within thirty days of receipt of the hearing committee's report, the President or Provost and Executive Vice President for Academic Affairs shall inform the hearing committee in writing, of his or her response to its recommendations, with copies to the grievant, the person(s) against whom the grievance is lodged, and the Committee of Three.

The collective bargaining agent shall be informed by the President or Provost and Executive Vice President for Academic Affairs of his or her response. The Committee of Three may make the hearing committee's findings and the response of the President or Provost and Executive Vice President for Academic Affairs known to persons or groups it deems appropriate.
6. If not satisfied with the outcome of the hearing committee's investigation and the action of the President or Provost and Executive Vice President for Academic Affairs in response thereto, the grievant may within thirty days of receiving the response, address a written appeal to the Board of Trustees through the President or Provost and Executive Vice President for Academic Affairs. The Board of Trustees will respond to the appeal in writing within a reasonable time.

**T. Health Center Faculty Grievance Procedure**<sup>[7]</sup>

Under most circumstances, a faculty member under jurisdiction of the Executive Vice President for Health Affairs who has a grievance will seek resolution of the grievance through the usual channels of administrative authority (e.g., initial referral of the grievance to the Department Head, to the Dean of the appropriate school and then to the Executive Vice President for Health Affairs) or through the appropriate standing faculty appeals committees (e.g. space or compensation appeals committees) if any. If resolution is not possible or if the aggrieved party is dissatisfied with the proposed

resolution(s), faculty peer review committees are empowered to hear grievances. Grievances related to promotion, reappointment and tenure issues shall first be referred to the Health Center Faculty Review Board (HCFRB). In the case of a possible dismissal of a tenured faculty, the grievance will be referred to the University of Connecticut Committee of three at Storrs [see bylaws Article XV F]. All other appeals and grievances will be referred directly to the Health Center Appeals Committee (HCAC).

1. The Health Center Faculty Review Board (HCFRB)

- a. The Health Center Faculty Review Board (HCFRB), in its advisory role to the Executive Vice President for Health Affairs, shall be the primary body to hear grievances related to promotion, reappointment and tenure. It shall consist of a standing committee of seven (7) members, with two (2) representatives from basic science departments, two (2) from clinical dental departments, and three (3) from clinical medical departments. A member must be a full-time faculty member of senior rank, may not hold administrative title or office, or be a current member of the Committee on Appointments and Promotions of either the School of Medicine or School of Dental Medicine. The term of service is three (3) years. The chair will be selected from the membership by the HCFRB. Each year, a nominating committee consisting of the chairpersons of the Medical and Dental School Councils shall select at least two (2) candidates from the appropriate constituency to fill vacancies. The members of the HCFRB shall be elected by the entire full-time faculty.
- b. Grievances may be brought to the HCFRB by the aggrieved party or referral by the Executive Vice President for Health Affairs and must be submitted to the Chair of the HCFRB in the form of a cover letter and accompanied by supporting documents. Copies of the cover letter and materials will be sent to the Executive Vice President for Health Affairs and to the person or persons against whom the grievance is lodged. The process of referral or evaluation of a grievance shall commence within 15 working days after formal filing of the grievance.
- c. The HCFRB may conduct its proceedings in closed session or, with the concurrence of the grievant, hold public hearings. Parties to the proceedings may choose to be represented. The HCFRB shall evaluate the grievance in a prompt and timely manner. The HCFRB will develop, revise as necessary and post rules governing its processing of grievances that remain in compliance with the University's Laws and By-Laws.
- d. The HCFRB will submit its report and recommendations to the Executive Vice President for Health Affairs. Copies of its report shall be sent to the grievant and to the person(s) against whom the grievance is lodged. In cases of grievances against the Executive Vice President for Health Affairs, a copy of the report shall be sent to the President. Final disposition of grievances shall be effected without unnecessary delay.
- e. If not satisfied with the outcome of the HCFRB investigation and the action of the Executive Vice President for Health Affairs in response thereto, the grievant or the person or persons against whom the grievance is lodged may

within thirty days of receiving the response, address a written appeal to the HCAC.

2. Health Center Appeals Committee (HCAC).

- a. This committee shall be a standing committee consisting of three (3) permanent members. The permanent members will include one (1) representative each from a basic science department, a clinical dental department, and a clinical medical department. Permanent members shall be full-time faculty of professorial rank and elected by the members of both councils from a slate of candidates nominated by the chairs of the councils of both schools to serve staggered terms of six (6) years. Permanent members may not be a current member of the HCFRB or the Committee on Appointments and Promotions of either school, or hold administrative title or office.
- b. Grievances may be brought to the HCAC directly by the aggrieved party or referral by the Executive Vice President for Health Affairs and must be submitted to the Chair of the HCAC in the form of a cover letter and accompanied by supporting documents. The process of referral or evaluation of a grievance shall commence within 15 working days after formal filing of the grievance.
- c. If, after consultation with the complainant, the person or persons against whom the grievance is lodged. And such other persons as the committee deems appropriate, the HCAC has been unable to mediate the complaint informally and believes that there may be such substance to the grievances as to justify further investigation, it shall appoint an ad hoc hearing committee to convey the grievant's written statement of the grievance to the hearing committee with a copy (or copies) to be sent to the Executive Vice President for Health Affairs and the person(s) against whom the grievance is lodged. The HCAC may not come to a decision that there is insufficient substance to justify further investigation without first providing the grievant an opportunity to address the HCAC in person. In such a case the grievant may be represented. The HCFRB will develop, revise as necessary and publish rules governing its processing of grievances that remain in compliance with the University's Laws and By-Laws.
- d. The ad hoc hearing committee will consist of five faculty members of senior rank, but not necessarily full professors, with the same restrictions on eligibility as described for members of the HCFRB and HCAC, respectively.
- e. The hearing committee shall be empowered to have access to information it deems pertinent, to hold hearings and interviews, and to seek informal resolution of the issues raised. The grievant and the person or person(s) to whom the grievance is lodged will be afforded the opportunity to directly address the ad hoc committee in person. The hearing committee after consulting all parties to the dispute, may decide to conduct its proceedings in private, or, with the concurrence of the grievant, to hold public hearings. Parties to the proceedings may, of they choose, be represented. It is incumbent upon all parties to refrain from aggravation of the issues during the course of grievance proceedings.

The hearing committees appointed by the HCAC shall be instructed to determine:

1. Whether the relevant procedures established by the University have been followed in the case before them.
  2. Whether the grievant has just cause for complaint.
  3. In cases involving promotion, tenure and reappointment:
    - a. Whether the evidence employed in making the decision was sufficient and relevant.
    - b. Whether the decision was reasonable considering the evidence presented.
  4. An appropriate remedy, if any.
- f. The Health Center Appeals Committee will issue its report and recommendations to the Executive Vice President for Health Affairs. In those cases involving a grievance against the Executive Vice President for Health Affairs the report shall be sent to the President. Within thirty days of receipt of the hearing committee's report, the President or the Executive Vice President for Health Affairs shall inform the hearing committee in writing, of his or her response to its recommendations, with copies to the grievant, the person(s) against whom the grievance is lodged, and the HCAC. Final disposition of grievances by the Health Center Appeals Committee shall be effected without unnecessary delay.
- g. If not satisfied with the outcome of the Health Center Appeals Committees' investigation and the action of the President or Executive Vice President for Health Affairs in response thereto, the grievant, the person against whom the grievance is lodged, the University President or Executive Vice President for Health Affairs may within thirty days of receiving the response, address a written appeal to the University of Connecticut Board of Trustees through the President or Executive Vice President for Health Affairs.
3. Board of Directors
- The Board of Directors or its designee will examine the grievance for the process and will respond to the appeal in writing within a reasonable time. At its discretion, the Board of Directors or its designee may elect to mediate the grievance, conduct further investigation, and/or act on the grievance. If the Board of Directors or its designee elects to hold interviews or hearings, these may only be held in public only with the concurrence of the grievant. All parties to interviews and hearings may be represented.

**U. Grievance Procedure for Other Professional Staff**

A member of the non-faculty professional staff who believes he or she has cause for a grievance that cannot be adjusted by informal means may present a formal grievance under the following procedure:

1. The employee, with or without a representative, shall first present the grievance to the immediate supervisor. The immediate supervisor shall answer in writing to the employee within seven calendar days from the date the grievance is submitted.
2. When the answer is not satisfactory to the employee, the employee, with or without a representative, shall present the grievance to the dean of the school or college, or the director of the division in which the aggrieved staff member is

employed. The dean or director shall answer in writing to the employee within seven calendar days thereafter.

3. An employee who is still aggrieved may appeal the grievance to the Appeal Board. Members of the Appeal Board shall be appointed by the President and shall include at least four members of the non-faculty professional staff. The Appeal Board shall consist of seven members, who shall serve for three-year terms. Initially, however, two members shall be appointed for a one-year term, two members for a two-year term, and three members for a three-year term. The Appeal Board may establish rules for its own procedures, including rules which will permit hearings and other activities of the Board to be conducted by fewer than all seven members. The grievant may be represented in matters before the Appeal Board. The decision of the Appeal Board shall be in writing and shall be in the form of a recommendation to the President for units which report to the President or to the Provost and Executive Vice President for Academic Affairs or Executive Vice President for Health Affairs. Copies of the Appeal Board's recommendation shall be forwarded to the employee.

#### **ARTICLE XVI – General Policies and Practices**

- A. No organization or group, whether it be political, social, honorary, or fraternal, shall discriminate against or exclude a person because of race, religion, or national origin on that land owned by the people of this State and known as the University of Connecticut, nor shall such discriminatory groups have the use of University-owned buildings or property.
- B. All requests for purchases of supplies and equipment must be made on requisition to the Controller. No contracts involving the University may be entered into by any faculty or staff member or employee without consent of the Controller. If requests to the Controller are denied, the person making the request may appeal to the President for the units which report to the President or to the Provost and Executive Vice President for Academic Affairs and Executive Vice President for Health Affairs.
- C. Any employee of the University receiving funds as payment to the University must remit same promptly to the Business Office.
- D. Any business or communication from members or groups of the University staff which concerns the University or its departments and which requires action by the Board of Trustees shall be presented to the Board by the President of the University. If the President refuses or neglects to place such business or communication or any part thereof before the Trustees within a reasonable time, those concerned may present their petition directly to the Board.
- E. All apparatus, museum and scientific collections, and other University property shall be in the immediate charge of the head of the department to which such material has been assigned, subject, however, to the control of the President. Every person having charge of any apparatus, specimens, books, collections, or other University property shall be held responsible for the safety of same, and shall carefully keep a record or inventory of all property for which he or she is responsible.

F. The name or insignia of the University shall not be used by any individual or by any group not duly organized as a part of the University, nor by any individual, without the approval of the President.

**G. Naming of Facilities**

The act of naming or renaming a University facility for a person, family or organization confers one of the University's highest and most conspicuous honors. This act, which is reserved for those who have made extraordinary contributions to the University of Connecticut, praises the person, family or organization and exhibits the judgment and standards of the University as to the qualities and actions that justify linking the name of the person, family or organization so honored with that of the University. Naming a facility is to be taken with extraordinary care and with due concern for how that action will be viewed in the retrospect of decades.

The President is authorized to establish guidelines and procedures in accordance with this policy for naming University facilities. The naming of any facility must be approved by the University of Connecticut Board of Trustees upon recommendation of the University President.

**H. The Research Foundation (Based on the State's General Statutes)**

*1. Research Foundation. Definitions:*

As used in sections H.2. to H.8., inclusive, "University" means the University of Connecticut; "Board" means the Board of Trustees of the University; "foundation" means the research foundation established in accordance with section H.2.; "employee" means any member of the faculty or staff of the University or the foundation, or any other employee thereof; "invention" means any invention or discovery and shall be divided into the following categories: A. any invention conceived by one employee solely, or by employees jointly; B. any invention conceived by one or more employees jointly with one or more other persons; C. any invention conceived by one or more persons not employees.

*2. Establishment and management of foundation*

The Board is authorized to establish and manage the foundation as provided herein. The foundation may, subject to direction, regulation and authorization or ratification by the Board: (1) Receive, solicit, contract for and collect, and hold in separate custody for purposes herein expressed or implied, endowments, donations, compensation and reimbursement, in the form of money paid or promised, services, materials, equipment or any other things tangible or intangible that may be acceptable to the foundation; (2) disburse funds acquired by the foundation from any source, for purposes of instruction, research, invention, discovery, development or engineering, for the dissemination of information related to such activities, and for other purposes approved by the Board and consistent with section H.1. to H.8., inclusive; (3) file and prosecute patent applications and obtain patents, relating to inventions or discoveries which the University may be justly entitled to own or control, wholly or partly, under circumstances hereinafter defined; and receive and hold in separate custody, assignments, grants, licenses and other rights in respect to such inventions, discoveries, patent applications and patents; (4) make assignments, grants, licenses or other disposal, equitably in the public interest, of any rights owned, acquired or controlled by the foundation, in or to inventions, discoveries, patent

applications and patents, and to charge therefor and collect, and to incorporate such funds in the custody of the foundation, reasonable compensation in such form and measure as the Board authorizes or ratifies; and (5) execute contracts with employees and others for the purpose of carrying out the provisions of sections H.1. through H.8., inclusive. All property and rights of every character, tangible and intangible, placed in the custody of the foundation in accordance with said sections shall be held by the foundation in trust for the uses of the University. The entire beneficial ownership thereof shall vest in the University and the Board shall exercise complete control thereof.

3. *Ownership of inventions*

The University shall be entitled to own, or to participate in the ownership of, and to place in the custody of the foundation to the extent of such ownership, any invention, on the following conditions:

- a. The University shall be entitled to own the entire right, title and interest in and to any invention in category A, in any instance in which such invention is conceived in the course of performance of customary or assigned duties of the employee inventor or inventors, or in which the invention emerges from any research, development or other program of the University, or is conceived or developed wholly or partly at the expense of the University, or with the aid of its equipment, facilities or personnel. In each such instance, the employee inventor shall be deemed to be obligated, by reason of employment by the University, to disclose the invention fully and promptly to an authorized executive of the University; to assign to the University the entire right, title and interest in and to each invention in category A; to execute such instruments of assignment to that effect; to execute such proper patent applications on such invention as may be requested by an authorized executive of the University, and to give all reasonable aid in the prosecution of such patent applications and the procurement of patents thereon;
- b. The University shall have the rights defined in subsection (a) of this section with respect to inventions in category B, to the extent to which an employee has or employees have disposable interests therein; and to the same extent the employee or employees shall be obligated as defined in said subsection (a);
- c. The University shall have no right to inventions in category C, except as may be otherwise provided in contracts, express or implied, between the University or the foundation and those entitled to the control of inventions in category C.

4. *Employees to share in proceeds*

Each employee who conceives any invention and discharges his or her obligations to the University as herein before provided shall be entitled to share in any net proceeds that may be derived from the assignment, grant, license or other disposal of such invention. The amount of such net proceeds shall be computed by, or with the approval of, the Board, with reasonable promptness after collection thereof, and after deducting from gross proceeds such costs and expenses as may be allocated to the particular invention or discovery. A minimum of twenty percent of the amount of such net proceeds shall be paid to an employee who solely conceived or made the invention, and shall be paid in shares to two or more employees who jointly made the invention in such respective proportions as the

Board may determine. The Board in its discretion may increase the amount by which any employee or employees may participate in such net proceeds.

5. *Disagreements; procedure.*

Disagreements as to the allocation of any invention to one of said categories, or as to the obligations of any employee or due performance thereof, or as to participation of any employee in net proceeds, or as to the rights or obligations with reference to inventions in any category, shall be disposed of as follows: (a) By voluntary arbitration of all relevant issues, if the disagreeing parties approve and agree to be bound by the decision upon such arbitration; (b) by compulsory arbitration if that is provided for in any applicable contract between the disagreeing parties; (c) by recourse to courts of appropriate jurisdiction within the State if arbitration cannot be resorted to under either subsection (a) or (b) of this section.

6. *Regulations for arbitration*

The Board is authorized to establish and regulate equitably in the public interest, such measures as the Board deems necessary for the purposes of such arbitration, and to make contracts for compulsory arbitration, in the name of the University or of the foundation.

7. *Enforcement of regulations*

The Board is authorized to make and enforce regulations to govern the operations of the University and the foundation in accordance with the provision of sections H.1. to H.8., inclusive.

8. *Rights as to products of authorship*

The provisions of sections H.1. to H.8. inclusive, shall not entitle the University or the foundation to claim any literary, artistic, musical or other product of authorship covered by actual or potential copyright under the laws of the United States; but the University and the foundation shall each be authorized to make and enforce any contract, express or implied, which it may make with respect to any such subject matter.

**I. Establishment of University Regional Campuses**

Before a new campus of the University of Connecticut is opened in any locality, the University's Board of Trustees must be convinced that a significant number of prospective students in that locality are unable to secure education at the college level from resources already available in the community, and that there is urgent local demand for the University to establish a campus there. The recent policy of the Board has been to require interested persons in the locality to provide the original physical plant without cost to the state. Barring an unusual and demonstrable emergency, any decision to open a new campus would be preceded by full public discussion in the area to be served including discussion with existing institutions already in the area.

**J. Student Organizations**

1. The University recognizes the right of any group of students to form a voluntary organization for any purpose not forbidden by law. If an organization composed chiefly or exclusively of students desires to hold meetings in University buildings, it is required to have an advisor who is a member of the professional staff of the University, and to file with the Dean of Students such information as may be

required about its purposes, officers, memberships, dues, and the like, such information to be uniform for all organizations. An organization which has fulfilled these requirements is called a registered organization. Aside from the supervision exercised through the Division of Student Affairs and Services over housing and certain purely social activities, the University as such assumes no responsibility for registered organizations or their programs, though such organizations, if closely connected with the activities of departments of instruction, may in some cases receive special help and supervision from those departments.

2. So far as its facilities permit, the University will provide each such registered organization with suitable meeting places without charge, and will endeavor to encourage and protect complete freedom of expression within the law in meetings of such organizations. The responsibility for any views expressed in such meetings is solely that of the individuals concerned, and the University is not held to approve or disapprove such views, whatever their nature, but to be concerned exclusively with the discharge of its educational obligation to facilitate free discussion of all points of view, to the extent guaranteed by the Constitution of the United States and of the State of Connecticut. The University does not pass upon the qualifications of speakers whom registered organizations invite to address them, nor, except as to availability of space, on the number or size of meetings which may be held.
  3. The name of the University shall not be used by any group not duly authorized as a part of the University, nor by any individual, without the approval of the President. Registered organizations are considered to be "not duly organized as a part of the University." In authorizing or denying the use of the name of the University, the President will in general be guided by the need of making clear to the public the nature of the relation of the organization in question to the University.
  4. The University places no restrictions as to purpose on the solicitation of funds by registered organizations, within or without the University community. The time, place, and method of solicitation within the University by registered organizations shall be governed by regulations established by the Dean of Students in the interest of avoiding over-crowding and interference with those using an area for other purposes.
- K.** In accordance with State statutes, the use of intoxicating liquors by minors is not permitted in any of the dormitories, educational facilities, and public premises of the University.

**L. Regulations Regarding Residence**

1. All students, before registering for classes for the first time at the University of Connecticut, must file an affidavit of residence, on forms prescribed by the University. On the basis of this information, each entering student will be initially classified as a Connecticut or an Out-of-State student.
2. The status of each student will be determined by the definitions established by the Connecticut General Assembly in Connecticut General Statutes, Chapter 185, Part II.

3. The failure of a student to disclose fully and accurately all facts relating to his or her residence status shall be grounds for suspension or expulsion.

**M. Policy Regarding the Expression of Dissent**

1. Orderly picketing and other forms of peaceful demonstration are permitted outside of buildings and other areas specifically designated for University activities. Interference with entry into or exit from such buildings or areas or with the free movement of any person on the University campus is not permissible.
2. Entry into University buildings, meeting halls, classrooms, and other designated areas may properly be restricted to those engaged in the normal or scheduled activities being conducted. The presence of unauthorized persons in such areas after due notice has been given, orally or in writing, will be construed as interfering with or obstructing a University activity and is not permissible.
3. The creation of loud or excessive noise that disrupts or interferes with classes or other University activities is not permissible.
4. Direct personal abuse, whether physical or verbal, that infringes upon individual rights in the academic community or leads to disruption of a University activity is not permissible.

**N. Commencement**

1. Commencement Exercises are authorized at the conclusion of both the Fall and Spring semesters.
2. All graduation ceremonies shall be held at Storrs.
3. The provisions of the preceding section to the contrary notwithstanding, a separate graduation ceremony at an appropriate time in Farmington and at the University of Connecticut School of Law in Hartford is authorized for the graduating students in the Schools of Medicine, Dental Medicine and Law.

**ARTICLE XVII – Advisory Search Committee for President**

- A. The purpose of the committee is to assist the Board of Trustees in its statutory responsibility of selecting the President of the University of Connecticut. To this end, the committee will need to conduct a broad search, screen qualified candidates, and make appropriate recommendations to the Board.
- B. The committee will be appointed by the Board of Trustees from recommendations submitted from various constituencies, including trustees, administrators, faculty, students, and alumni. The committee should be large enough to represent each of the constituencies adequately. The Chairman of the Board of Trustees shall serve *ex officio* as the Chairman of the Search Committee. The faculty members of the search committee will include the faculty members of the Senate Executive Committee.
- C. The Board of Trustees should designate a small steering committee composed of committee members who can devote long hours to the work. The steering committee will be used to expedite the search procedures in ways agreed upon by the full committee. It will keep the full committee informed of the progress of the search by means of periodic meetings and, when appropriate, by written report.
- D. In order to insure equity and an objective evaluation of all candidates, it is essential that information on all candidates be available to each member of the committee and that no candidate be allowed to by-pass consideration by the committee.

- E. The search will normally proceed along the following lines:
1. Clearly defining the needs of the University and the characteristics desired in the person to be chosen.
  2. Developing a list of possible candidates and eliminating those unsuitable or not interested.
  3. Developing a profile of the University for distribution to candidates being seriously considered.
  4. Selecting and interviewing the most highly qualified candidates.
  5. Ranking the leading candidates by vote and transmitting name(s) of finalist(s) to the Board of Trustees, with whatever qualifications the committee wishes to include.
- During all of these stages, the steering committee will recommend steps to be taken to the parent committee, which will be responsible for all decisions.
- F. Every possible method should be used in developing the initial list of candidates, including advertising and the solicitation of names from the various University constituencies, as well as from other sources, such as college presidents, foundation officials, officers of learned societies, business and labor leaders, and other prominent citizens.
- G. Complete confidentiality of all proceedings must be maintained throughout the search; it becomes especially crucial during the later stages. Grave injustice to the candidates and serious harm to the University's reputation result from any breach of confidentiality. The damage to the University may not be immediately discernible, but will become evident in the willingness of outstanding men and women to be considered as candidates for high positions at the University of Connecticut.

### **ARTICLE XVIII – Honorary Degrees**

- On recommendation of the Honors and Awards Committee and the President, the Board of Trustees may vote to confer honorary degrees on distinguished individuals. The Board should award an honorary degree only in recognition of extraordinary and lasting distinction. The award should represent the highest intellectual and moral values; it should reflect the very character and quality of the University itself.
- A. There shall be an Honors and Awards Committee, consisting of the President, the Provost and Executive Vice President for Academic Affairs, the Executive Vice President for Health Affairs, (all *ex-officio*), three faculty members nominated by the Executive Committee of the University Senate and appointed by the President, four members of the Board of Trustees appointed by the Chairman of the Board, and two students appointed by the President. The President will chair the Committee. The faculty appointed by the President will serve for staggered terms of five years each and ordinarily may not succeed themselves. Students will serve one-year terms. The Board-appointed members will serve at the pleasure of the Chairman.
- B. The Honors and Awards Committee will prepare for approval of the Board of Trustees written criteria and procedures for the selection of candidates for honorary degrees.

- C. Honorary degrees may be conferred at Commencement or at special convocations. Only under extraordinary circumstances will honorary degrees be conferred in absentia.

### **ARTICLE XIX – Repeal and Amendment**

- A. All rules, orders, and resolutions of the Board heretofore enacted and in conflict with these By-Laws are hereby repealed.
- B. These Laws, By-Laws and Rules may be amended at any regular meeting of the Board by a recorded majority vote of all members of the Board, provided that notice of any proposed amendment, including a draft thereof, shall have been given at the previous regular meeting.

### **FOOTNOTES**

[1] Persons charged with responsibility for convening special or emergency meetings of the Board of Trustees should be aware of the following information:

Section 1-225 (formerly Sec. 1-21) of the Connecticut General Statutes requires that notice of each special meeting be given not less than twenty-four (24) hours prior to the time of such meeting. Notice must be posted in the office of the Secretary of State. Notice must include the time and place of the special meeting as well as the business to be transacted.

In case of emergency a special meeting may be held without complying with the foregoing requirement for the posting of notice, but a copy of the minutes of every such emergency special meeting, adequately setting forth the nature of the emergency and the proceedings occurring at such meeting, shall be filed with the Secretary of State not later than seventy-two (72) hours following the holding of such meeting. No business shall be considered other than that noticed, or in the case of an emergency special meeting, other than issues related to the emergency.

Written notice of special meetings must be delivered to the residence of each Board member prior to the special meeting. This requirement may be dispensed with by the filing of a written waiver with the secretary of the Board at or prior to the meeting. The delivery is dispensed with as to any member actually present when the meeting is convened.

[2] For University Senate constituency purposes, professional staff shall be defined as:

- I. Full-time (nine month or more) management exempt employees not included in the faculty or administrative constituencies.
- II. Full-time (nine month or more, non-student) professional staff represented by the professional employees collective bargaining unit and not included in the faculty constituency.
- III. Full-time (nine month or more, non-student) professional staff represented by the faculty collective bargaining unit but not included in the faculty constituency.

[3] This provision notwithstanding, vacancies of one year or less in the Senate Executive Committee, the Committee of Three, and the Senate Nominating Committee shall be filled by the available candidate with the highest vote in the last previous election in the appropriate class and constituency.

[4] The regulations concerning academic tenure in this and the following sections apply only to members of the professional staff who hold full-time appointments in certain ranks recognized by the Board of Trustees. These recognized ranks include Instructor, Assistant Professor, Associate Professor and Professor, but do not include the following: Lecturer; Professor in Residence; Associate Professor in Residence; Assistant Professor in Residence; Instructor in Residence; Clinical Professor; Associate Clinical Professor; Assistant Clinical Professor; Clinical Instructor; Research Professor; Associate Research Professor; Assistant Research Professor; Research Instructor; Research Associate I, II, III; Research Assistant I, II, III; Research Specialist; Special Research Technician; Graduate Assistant; Extension Professor; Associate Extension Professor; Assistant Extension Professor; Extension Instructor; Specialist I, II, III, IV; Assistant Instructor; University Educational Director; Department Head, Student Affairs; University Educational Assistant I, II, III; University Associate Librarian; University Assistant Librarian; University Librarian I, II, III; University Library Assistant I, II, III; University Library Specialist; University Staff Professional I, II, III, IV, V, VI; University Technician I, II; University Physician; Resident Educational Counselor; and titles that contain the words "University Hospital" (e.g., University Hospital Nurse I). Academic tenure does not confer upon any staff member the right to continued assignment to administrative responsibilities.

[5] All references to days are to calendar days.

[6] This procedure applies to individual grievances not covered by Article XV.F. and G.

[7] This procedure applies to individual grievances not covered by Article XV.F. and G.