

POLICY 9-5.6 REV 5

DATE DECEMBER 27, 1999

SUBJECT: FACULTY REGULATIONS - CHAPTER V - Section 9

APPOINTMENTS, RETENTION, PROMOTION, AND TENURE

SECTION 9. ACADEMIC STAFF, EDUCATIONAL TRAINEES, POSTDOCTORAL FELLOWS, AND MEDICAL HOUSESTAFF

A. DEFINITIONS

1. ACADEMIC STAFF: THE NONFACULTY INSTRUCTIONAL OR RESEARCH POSITIONS OF ASSOCIATE INSTRUCTOR, ASSOCIATE INSTRUCTOR AOCE AND RESEARCH ASSOCIATE. NORMALLY, INDIVIDUALS SELECTED FOR THESE POSITIONS WILL POSSESS SUBSTANTIAL ADVANCED PREPARATION AND/OR EXPERIENCE IN THE ACADEMIC DISCIPLINES RELEVANT TO THE DEPARTMENTS IN WHICH THEY ARE EMPLOYED.

2. EDUCATIONAL TRAINEES: THE NONFACULTY POSITIONS OF TEACHING ASSISTANT, TEACHING FELLOW AND RESEARCH ASSISTANT. THESE POSITIONS ARE RESERVED FOR REGISTERED MATRICULATED STUDENTS WHO ARE WORKING TOWARD POST-BACCALAUREATE DEGREES AT THE UNIVERSITY OF UTAH. NORMALLY, EMPLOYMENT IN ONE OF THESE POSITIONS IS LOGICALLY RELATED TO A STUDENT'S CURRENT ACADEMIC OBJECTIVES. THE POSITION OF TEACHING FELLOW IS LIMITED TO REGULARLY ENROLLED STUDENTS WHO ARE FORMALLY ACCEPTED CANDIDATES FOR GRADUATE DEGREES IN DEPARTMENTS WHERE FULFILLMENT OF A SPECIFIED TEACHING ASSIGNMENT IS AN ESTABLISHED REQUIREMENT FOR GRADUATE DEGREES.

3. POSTDOCTORAL FELLOWS: THE NONFACULTY POSITION OF POSTDOCTORAL FELLOW IS RESERVED FOR INDIVIDUALS WITH DOCTORAL DEGREES WHO ARE SELECTED BY VARIOUS ACADEMIC DEPARTMENTS TO ENGAGE IN ADVANCED STUDY AND RESEARCH IN COLLABORATION WITH MEMBERS OF THE FACULTY.

4. MEDICAL HOUSESTAFF (INTERNS, RESIDENTS AND CLINICAL FELLOWS): THE NONFACULTY POSITIONS OF MEDICAL HOUSESTAFF IN THE UNIVERSITY OF UTAH AFFILIATED HOSPITALS ARE RESERVED FOR INDIVIDUALS WHO MEET THE ESTABLISHED SELECTION CRITERIA OF THE SCHOOL OF MEDICINE.

B. SELECTION

THE SELECTION OF PERSONS TO FILL POSITIONS IN ANY OF THE CATEGORIES DEFINED ABOVE

SHOULD BE CARRIED OUT IN A MANNER CONSISTENT WITH ESTABLISHED CRITERIA AND IN ACCORD WITH UNIVERSITY COMMITMENTS TO AFFIRMATIVE ACTION AND EQUAL OPPORTUNITY.

THE IMMIGRATION REFORM AND CONTROL ACT OF 1986 MAKES IT MANDATORY THAT EACH NEW HIRE IN ANY EMPLOYMENT CATEGORY COMPLETES A FORM I-9. THIS FORM MUST BE COMPLETED WITHIN THE FIRST THREE WORKING DAYS AFTER HIRE. ALL UNIVERSITY EMPLOYMENT IS CONTINGENT UPON COMPLETION OF THE FORM I-9. FOR FORM I-9 INFORMATION CALL PERSONNEL ADMINISTRATION AT EXTENSION 6787.

C. APPOINTMENT

AN APPOINTMENT TO AN ACADEMIC STAFF, EDUCATIONAL TRAINEE OR POSTDOCTORAL FELLOW POSITION IS EFFECTIVE UPON THE RECOMMENDATION OF THE COGNIZANT DEPARTMENT CHAIRPERSON, THE CONCURRING RECOMMENDATION OF THE COGNIZANT DEAN AND THE APPROVAL OF THE COGNIZANT VICE PRESIDENT. AN APPOINTMENT TO A MEDICAL HOUSESTAFF POSITION IS MADE ACCORDING TO THE TERMS OF THE CONTRACT NEGOTIATED ANNUALLY BY THE AFFILIATED HOSPITALS COMMITTEE. EACH SUCH APPOINTMENT ENDS AUTOMATICALLY ON JUNE 30 OF EACH YEAR, UNLESS SOME OTHER ENDING DATE IS SPECIFIED WHEN THE APPOINTMENT IS INITIATED. AN APPOINTMENT CAN BE RENEWED WITHOUT A REPETITION OF THE SELECTION PROCESS.

D. WRITTEN AGREEMENT

EACH INDIVIDUAL APPOINTED ACCORDING TO THE PROVISIONS OF THIS SECTION SHOULD BE GIVEN A CLEARLY WRITTEN STATEMENT OF THE TERMS OF HER/HIS APPOINTMENT, INCLUDING, AS A MINIMUM, THE FOLLOWING ITEMS: BEGINNING AND ENDING DATES OF THE APPOINTMENT, BRIEF DESCRIPTION OF THE DUTIES TO BE PERFORMED, AMOUNT OF SALARY OR STIPEND TO BE PAID, DESIGNATION BY NAME AND/OR POSITION TITLE OF THE IMMEDIATE SUPERVISOR. ANY REFERENCE TO BENEFITS IN THE STATEMENT OF TERMS MUST BE IN ACCORD WITH CURRENT UNIVERSITY POLICIES AND PROCEDURES GOVERNING SUCH BENEFITS.

E. ORDERLY DISMISSAL

1. PERFORMANCE EVALUATION. ANY PERSON APPOINTED ACCORDING TO THE PROVISIONS OF THIS SECTION MAY BE DISMISSED FOR CAUSE. THE INDIVIDUAL'S DESIGNATED SUPERVISOR SHALL PROVIDE TIMELY INFORMAL EVALUATIONS OF THE INDIVIDUAL'S JOB PERFORMANCE AND MAKE CONSCIENTIOUS EFFORTS TO ASSIST THE INDIVIDUAL TO CORRECT ANY UNSATISFACTORY ASPECTS OF JOB PERFORMANCE. IF UNSATISFACTORY ASPECTS OF JOB PERFORMANCE PERSIST, THE SUPERVISOR MUST PROVIDE THE INDIVIDUAL WITH A WRITTEN STATEMENT OF DIFFICULTIES AND A REASONABLE TIME IN WHICH TO CORRECT THEM.

2. NOTICE OF DISMISSAL AND APPEAL. IF AT THE END OF THE SPECIFIED TIME THE

DIFFICULTIES HAVE NOT BEEN RESOLVED TO THE SUPERVISOR'S SATISFACTION, THE SUPERVISOR MAY GIVE THE INDIVIDUAL WRITTEN NOTICE OF PENDING DISMISSAL, TO BECOME EFFECTIVE NOT LESS THAN FIFTEEN DAYS FOLLOWING THE DATE OF THE NOTICE. IF THE INDIVIDUAL WISHES TO RESIST THE PENDING DISMISSAL, HE/SHE MUST SUBMIT, WITHIN THE TEN DAYS FOLLOWING THE NOTICE OF PENDING DISMISSAL, A WRITTEN APPEAL TO THE COGNIZANT CHAIRPERSON OR DEAN. AFTER CONSIDERING BOTH THE NOTICE OF PENDING DISMISSAL AND THE APPEAL, THE DEAN SHALL DECIDE WHETHER TO UPHOLD OR TO RESCIND THE DISMISSAL NOTICE. THE DEAN'S DECISION, IF UNACCEPTABLE TO THE INDIVIDUAL OR THE SUPERVISOR, MAY BE APPEALED TO THE COGNIZANT VICE PRESIDENT. THE VICE PRESIDENT SHALL REVIEW THE BASIS FOR THE DEAN'S DECISION AND MAKE A FINAL DISPOSITION OF THE NOTICE OF PENDING DISMISSAL.

3. COMPLAINT OF PROHIBITED DISCRIMINATION OR INFRINGEMENT OF ACADEMIC FREEDOM. IF THE INDIVIDUAL'S WRITTEN APPEAL OF A NOTICE OF PENDING DISMISSAL CONTAINS ANY COMPLAINT OR ALLEGATION THAT PROHIBITED DISCRIMINATION OR INFRINGEMENT OF ACADEMIC FREEDOM IS A FACTOR IN THE PENDING DISMISSAL, THE DEAN SHALL REFER THE CASE TO THE OFFICE OF EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION OR TO THE ACADEMIC FREEDOM AND TENURE COMMITTEE, AS APPROPRIATE, AND DEFER MAKING A DECISION ON THE APPEAL UNTIL RECEIVING A REPORT AND RECOMMENDATION FROM THE DIRECTOR OF THE OFFICE OF EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION OR THE ACADEMIC FREEDOM AND TENURE COMMITTEE.

4. MEDICAL HOUSESTAFF. THE DISMISSAL OF MEDICAL HOUSESTAFF (INTERNS, RESIDENTS AND CLINICAL FELLOWS) IS GOVERNED BY THE SCHOOL OF MEDICINE HOUSESTAFF GRIEVANCE AND DISCIPLINARY PROCEDURES.

APPROVED: ACADEMIC SENATE 4/3/89
 INSTITUTIONAL COUNCIL 4/10/89
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