New York Medical College School of Medicine
Faculty Bylaws

Article I. Role and Responsibilities of the Dean

1.1 The Dean

a. Appointment. In accordance with the bylaws of New York Medical College ("NYMC" or "College"), the Dean of the School of Medicine ("SOM") shall be appointed by the Board of Trustees.

b. Qualifications. The Dean shall have such qualifications and experience essential to fulfilling the role and responsibilities as Dean of the SOM as determined by the Board of Trustees.

c. Role and Responsibilities. In accordance with the bylaws of NYMC, the Dean shall be the Chief Executive Officer and Chief Academic Officer for the SOM. As such, the Dean shall be responsible to the College's Chancellor/CEO for the administration, planning and operation of the SOM within the objectives, policies, programs, services, directives, and authorities established by the Board of Trustees. The Dean shall also hold primary responsibility for (i) leading, coordinating, and implementing the NYMC SOM strategic plan; and (ii) the conduct and quality of the medical education program, including maintaining accreditation by the appropriate regulatory and accrediting bodies.

d. Faculty Appointment. The Dean shall hold a faculty appointment which shall be approved by the Board of Trustees as recommended by the President or Chancellor/CEO of NYMC at a rank that shall be recommended by the Tenure, Appointments, and Promotions ("TAP") Committee consistent with the applicable rank and promotion criteria for SOM faculty.

Article II. The Faculty

2.1 The Faculty

a. General. In accordance with the NYMC bylaws, faculty shall be appointed by the Dean of the SOM upon the recommendations of the department chair and the TAP Committee as applicable. All faculty appointments are subject to approval by the Board of Trustees. Applicable eligibility criteria and procedures for evaluating and granting faculty appointments are further detailed in the Faculty Handbook and SOM policy and procedures.

b. Faculty Membership. A faculty member is any individual who has been granted a faculty appointment in one or more departments of NYMC SOM. A faculty member may be employed by NYMC (academically salaried) or an academic affiliate of the SOM (professionally salaried) or may serve in a voluntary capacity as identified by the Dean. [1] The

[1] Definitions of academically salaried, professionally salaried, and voluntary faculty are detailed in the Faculty Handbook and SOM policy and procedures.

type of faculty appointment assigned to an individual is dependent upon SOM policy and procedures and may include the following appointment categories: primary, non-primary (secondary), joint, adjunct, visiting, and emeriti as defined below and described in detail in the Faculty Handbook. Faculty members of the SOM are hereinafter referred to collectively as the "Faculty."

i. Primary Appointment. Faculty members are evaluated, promoted, and/or awarded tenure in the academic department where they hold their primary appointment. The SOM department chair is responsible for recommending faculty appointments, promotions and/or tenure hereinafter referred to as "academic actions." The SOM department chair shall conduct faculty performance evaluations for those faculty members with a primary appointment in their department or school, except as described below for those who have appointment(s) in more than one department or school.

ii. Non-Primary Appointment or "Secondary" Appointment. A faculty member may have a non-primary or secondary appointment in one or more departments or schools for the purpose of contributions and collaborative relationships in any of the College's mission areas. Non-primary appointments are recommended by the chairs of both the primary and non-primary departments. The department chairs share responsibility for academic actions and shall collaboratively define and contribute to performance expectations and evaluations of faculty. Non-primary appointments are at the same academic rank as the primary appointment.

iii. Joint Appointment. A faculty member may have a joint appointment in two (2) or more departments or schools within NYMC that share joint fiscal responsibility for the faculty member. The department chairs share responsibility for academic actions and shall collaboratively define and contribute to performance expectations and evaluations. One department chair is designated as primary for these purposes. Joint appointments are of the same academic rank in each department or school.

iv. Adjunct Appointment. A faculty member is eligible for an adjunct appointment in a department or school if they hold a primary academic appointment at an outside academic institution. Academic actions for adjunct status are initiated by the department chair in a written request to the Dean, and do not require TAP review. Adjunct appointments are at the same academic rank as held at the outside institution's primary rank.

v. Visiting Faculty Appointment. A faculty member is eligible for a visiting faculty appointment in a department or school if they hold a primary academic appointment at an outside academic institution. Academic actions for visiting faculty status are initiated by the department chair, and do not require TAP review. Visiting faculty appointments are at the same academic rank as held at the outside institution's primary rank. A department chair's request for a candidate's visiting faculty status shall include a letter of recommendation that details the department chair's proposed expectations of, and duties to be performed by, the candidate, the duration of the appointment, and the candidate's qualifications for the position. The candidate must also provide their

curriculum vitae and an external letter of recommendation from the department chair or equivalent official at the institution where the candidate holds a primary academic appointment. The letter should confirm the candidate's rank and title, confirm that the candidate is in good academic standing, and recommend the candidate for a visiting appointment at NYMC SOM. Additional external letters of evaluation or support are optional. Visiting faculty status requests shall be provided to the Dean who is responsible for conferring visiting faculty status and terms, which are communicated to the department chair and candidate. Visiting faculty appointments for longer than one (1) year are not permitted; individuals requiring a longer appointment may be considered for appointment as an adjunct faculty member.

vi. Emeriti Appointments: Faculty who have served the SOM for at least ten (10) consecutive years and have attained the rank of professor by distinguishing themselves in achievements in teaching, research and service are eligible for emeriti status. Eligible retiring faculty will be identified at least annually by the Dean of the SOM and the department chair(s). The Dean shall request letters of recommendation from a candidate's department chair, two (2) letters of support from senior faculty in the candidate's respective department(s), and the candidate's curriculum vitae. Upon review, should the Dean support the candidate's emeritus/a status, materials are submitted for approval by the Chancellor/CEO and the NYMC Board of Trustees. Upon approval by the Board of Trustees, emeriti receive the following privileges: (i) an appointment of Emeritus/a Professor awarded by the Board of Trustees, (ii) lifetime acknowledgement as "Professor Emeritus/a" in all faculty or departmental listings, announcements, bulletins, and publications, etc.;; (iii) full Health Sciences Library and Faculty Lounge access; (v) access to visitor parking when on the NYMC campus; (vi) lifetime continuation on all NYMC invitation lists including commencement, convocations, etc.; and (vii) upon request, an NYMC account and associated software program(s) contingent upon compliance with information technology policy and procedures including mandatory annual training.

2.2 Faculty Appointments

a. General. As further detailed in the Faculty Handbook, the SOM department chairs, and the Dean of the SOM may initiate a request for a faculty appointment in the SOM. In accordance with the applicable SOM rank and promotion criteria, the SOM department chairs submit recommendations for faculty appointments and/or promotions to (i) the Dean of the SOM for junior ranks (Instructor, Assistant Professor), or to (ii) the Chair of the TAP Committee for senior ranks (Associate Professor, Professor) and consideration of tenure award. Department chairs and faculty members shall work collaboratively to identify an appropriate promotion pathway that best supports the academic activities, focus areas, interests, and career goals of the faculty candidate seeking appointment, promotion, and/or tenure.

b. Procedures. All faculty appointments are subject to approval by the Board of Trustees.

c. Term. The term of each faculty appointment shall be specifically stated in each faculty

member's appointment letter.

2.3 Faculty Responsibilities

All faculty serve at the discretion of the Dean of the SOM and will collectively participate in the shared governance and orderly implementations of the medical education program through:

a. Development, implementation, assessment, and improvement of the medical education curriculum.

b. Establishment of criteria and procedures for recruitment and selection of students.

c. Setting of standards for attendance, examinations, grading, remediation, academic standing, honors in courses.

d. Establishment of requirements for degrees and certificates.

e. Recommendation of those candidates who have fulfilled the requirements for promotion and for the awarding of the medical degree.

2.4 Authority of the Faculty

Subject to the express limitations imposed by superseding bylaws and regulations of Touro University and NYMC, the Faculty of the SOM shall generally have the authority to:

a. Amend these bylaws in accordance with **Article VI** below.

b. To elect senators to the NYMC Faculty Senate in accordance with the bylaws and rules therein regarding NYMC Faculty Senate representation.

c. Make general recommendations to the Dean, Faculty Committees, departments, and other academic units of the SOM.

d. Provide service to unit, department, and institutional level committees.

Article III. The Faculty Senate

3.1 Purpose

The purpose of the Faculty Senate is to provide a mechanism for Faculty input and voice, consistent with shared governance, regarding all academic, non-academic, and Faculty related matters of significance to the academic community. The Faculty Senate serves in an advisory role to the Dean of the SOM.

3.2. Responsibilities of the Faculty Senate

The Faculty Senate is responsible for SOM shared governance by (i) electing Officers and members of the Executive Committee of the Faculty Senate ("ECFS"); (ii) electing Faculty to SOM Standing Committees; and (iii) electing Faculty members via any other votes granted to members of the Faculty Senate per College and SOM Faculty Bylaws. The Faculty Senate may form Ad Hoc Committees as it deems necessary and is empowered to make recommendations serving in an advisory role to the Dean of the SOM.

3.3 Membership

a. The membership of the Faculty Senate shall be as follows:

   i. All faculty members who are employed full-time or part-time[2] by the SOM, excluding professionally salaried faculty members and NYMC per diem faculty members, shall serve as *ex officio* voting members of the Faculty Senate and shall be referred to as "Faculty Senators."

   ii. All full-time and part-time professionally salaried faculty members shall be represented in the Faculty Senate by the Senators they elect in proportion to the number of faculty members at their primary academic affiliation site. A faculty member's primary academic affiliation site ("Site") is the single SOM affiliated facility where the faculty member spends a majority of their time teaching NYMC learners or providing other academic activities to support the SOM mission.

   iii. Full-time and part-time professionally salaried faculty at the Sites shall receive representation in proportion to the number of full-time and part-time professionally salaried faculty members associated with each Site. Each representative shall be referred to as a "Site Senator" and shall have all the same rights, responsibilities, and privileges as any other voting member of the Faculty Senate. The rate of representation for each Site shall be calculated and updated annually by the NEC to ensure the proportion of representation is accurately maintained. Representation in the Faculty Senate shall be apportioned to the Sites as follows:

      - A Site with an equivalent of four (4) or more full-time faculty shall be eligible for a minimum of one (1) Site Senator on the Faculty Senate.

      - Each Site shall be entitled to one (1) Site Senator for every seven (7) equivalent full-time faculty members at the Site.

   iv. For purposes of determining the number of Senators a Site receives, Faculty who are denoted as full-time faculty in their SOM faculty appointment letter shall be considered a full-time faculty member irrespective of the total full-time equivalent ("FTE")

[2] Definitions of full-time and part-time faculty are detailed in the Faculty Handbook and SOM policy and procedures.

associated with their SOM responsibilities. Part-time faculty members as denoted in their respective faculty appointment letters shall be counted according to their aggregate FTE contributions rounded to the nearest FTE equivalent.[3]

b. Site Senators; Elections. At the conclusion of the academic year, the NEC shall obtain from the Office of Faculty & Academic Affairs a list of the Site locations, the names of the respective faculty members associated with the Site, and the FTE or full-time designation associated with each Site's Faculty in effect as of the start of the next academic year. The NEC shall publish this list to all Faculty as well as an accounting of the number of Senators each Site is entitled to for the next academic year. The NEC shall also provide a list to each Site indicating the total number of new Senator seats gained, former Senator seats lost, and vacating seats for which an election must be held. Furthermore, on an annual basis, the NEC shall administer an election process in accordance with any additional rules adopted by the NEC regarding Site Senator elections to timely elect new and replacement Senators in accordance with these bylaws.

c. Site Senators; Term. Site Senators shall be elected for a two (2) year term and may serve up to two (2) consecutive terms. In the event a Site Senator serves two (2) consecutive terms, the member shall become ineligible to serve for at least one (1) year. A Site Senator's term shall begin at the first meeting of the Faculty Senate in the academic year for which they were elected.

d. Site Senators; Eligibility. Individuals eligible to serve as a Site Senator shall have an active full-time faculty appointment in good standing in one or more departments of the SOM. Faculty ineligible to serve as Site Senators include (i) Faculty with a concurrent College or SOM administrative title (*e.g.*, department/interim chair, dean/subordinate dean, vice president, other administrative role, etc.); and (ii) Faculty with a faculty appointment status of less than full-time. Notwithstanding the foregoing, Faculty members holding subordinate departmental titles such as vice chair, chief of service, etc., however, shall be eligible for Faculty Senator service.

e. Voting Status. All Faculty Senators and Site Senators may vote in any matter in which a vote of the Faculty Senate is called, as well as in the election of all Standing Committee membership elections.

3.4 Officers of the Faculty Senate

a. Officers of the Faculty Senate. The Officers of the Faculty Senate ("Officers") will include a president, executive vice president, secretary. The Officers are collectively recognized as the "Leadership Team," which serves in an advisory role to the Dean of the SOM. The Leadership Team will meet quarterly with the Dean of the SOM to discuss all issues of interest to the SOM. The role and responsibility of the Officers is as follows:

[3] For example, if a Site has twelve (12) part-time professionally salaried faculty members each with an FTE to the SOM of 0.60, would have an aggregate FTE equal to 7.2 which would round down to 7.0. Accordingly, for representation purposes these twelve (12) part-time faculty members would be counted as 7 full-time equivalent faculty members, thus entitling the Site to one Site Senator.

i) President. The president presides over meetings of the Faculty Senate and the ECFS and may create and charge Ad Hoc Advisory Committees to the Faculty Senate and/or the ECFS. The president shall serve as the faculty representative on the Dean's Executive Committee ("DEC"). The president may not vote on Faculty Senate matters except in the event of a tie.

ii) Executive Vice President. The executive vice president of the Faculty Senate presides at meetings of the Faculty Senate in the president's absence. When sitting in place of the president, the executive vice president may vote only to break a tie. In the event the president becomes permanently incapacitated or unavailable due to a change in employment status or circumstances as determined by the Dean of the SOM, the executive vice president shall assume the role of the president until the next election cycle. The executive vice president may chair any of the Ad Hoc Committees of the Faculty Senate.

iii) Secretary. The secretary of the Faculty Senate shall be responsible for providing members of the Faculty Senate with appropriate notice of meetings and meeting agendas. The secretary is responsible for declaring whether a quorum has been reached for the purpose of conducting official business. The secretary shall also be responsible for recording the minutes of the meeting and providing such minutes to members of the ECFS within ten (10) business days or upon a Faculty Senator or Site Senator's reasonable request in accordance with these bylaws.

b. Term. The Officers of the Faculty Senate shall serve a term of three (3) years. In the event an Officer serves two (2) consecutive terms, they shall be ineligible to serve in the same Officer role for at least one (1) year. An Officer's term shall begin at the first meeting of the Faculty Senate in the academic year for which they are elected.

c. Eligibility. Faculty members must meet the following eligibility criteria to serve as an Officer of the Faculty Senate:

i) Currently serving as a Faculty Senator or Site Senator

ii) For the Officer roles of president and executive vice president only, eligible Faculty shall hold a rank of associate professor or professor; and be full-time employees of NYMC. For the Officer role of Secretary, eligible Faculty may hold a full-time faculty appointment of assistant professor or higher and may be primarily employed by NYMC or professionally salaried faculty members.

iii) Faculty ineligible to hold an Officer role include (i) Faculty with a concurrent College or SOM administrative title such as department/interim chair, dean/subordinate dean, vice president, other administrative role, etc.; (ii) Faculty with an appointment status of less than full-time. Notwithstanding the foregoing, faculty members holding subordinate departmental titles such as vice chair, chief of service, etc., however, shall be eligible to serve as an Officer of the Faculty Senate.

d. Elections. Each member of the Faculty Senate shall be entitled to vote for the Officers of the Faculty Senate. Each faculty member at a Site shall be entitled to vote for one (1) Site Vice President representative to the Executive Committee of the Faculty Senate (**Article III. Section 3.6 b)**. Should a Site be allocated only one (1) Site Senator, the Site Senator shall also be named the Site Vice President.

e. The election of Officers shall be conducted according to procedures developed by the NEC.

3.5 Meetings of the Faculty Senate

a. General Meetings. The Faculty Senate shall meet at least two (2) times each year.

b. Procedure. Meetings shall be conducted procedurally according to the current version of Robert's Rules of Order.

c. Agenda. The agenda for each general meeting shall include as applicable the: (i) approval of prior meeting minutes; (ii) special announcements; (iii) introduction of new members of the faculty; (iv) old and unfinished business; (v) reports of Committees (vii) reports of special or Ad Hoc Committees or working groups; (vii) new business including business to be referred for deliberation by the appropriate Committee; and (viii) adjournment.

d. Quorum. A quorum to conduct official business of the Faculty Senate shall be at majority of the voting members of the Faculty Senate. For business and/or voting occurring specific to a Site (e.g., election of Site Vice President, etc.), a quorum shall be a majority of voting members at the Site. A majority vote of the quorum is required to pass a matter except where a higher number is specified in these bylaws.

e. Voting. Each voting member of the Faculty Senate shall be entitled to one (1) vote on any matter coming before the Faculty Senate. Voting may be conducted electronically.

f. Location. Meetings of the Faculty Senate may be conducted in person, electronically, virtually, or in a hybrid manner (i.e., concurrent virtual and in person participation).

g. Notice. No less than thirty (30) days prior to a general meeting of the Faculty Senate, the secretary shall provide an official notice of such meetings to all Faculty Senate members via recorded official email addresses. Notices of both special and general meetings shall reflect the date, time, location and/or electronic link, and the proposed meeting agenda.

h. Minutes. A record of the minutes of each Faculty Senate meeting shall be recorded by the secretary and maintained in an electronic and searchable format. Minutes for Faculty Senate meetings shall be made available to all Faculty Senate members who were eligible to participate in such meeting upon written request to the secretary of the Faculty Senate.

i. Special Meetings. The Faculty may call a special meeting of the Faculty Senate on a written petition of at least twenty-five (25) faculty members delivered to the president of the Faculty

Senate providing at least five (5) business days' notice of such a meeting to be called to order. The Dean of SOM and the president of the Faculty Senate may also call a special meeting of the Faculty Senate upon the delivery of a written petition to the president of the Faculty Senate providing at least five (5) business days' notice of such a meeting to be called to order.

3.6 The Executive Committee of the Faculty Senate

a. The Faculty Senate shall have an executive committee called the Executive Committee of the Faculty Senate ("ECFS") which shall generally be responsible for representing the interests of the faculty in regular meetings, communications, and discussions with the Dean. The ECFS shall be responsible for reporting to the SOM Dean and subordinate deans regularly on the deliberations, general business, and decisions and recommendations of the Standing Committees. Similarly, the ECFS shall be responsible for obtaining feedback and input from the SOM Dean and subordinate deans to ensure the continued alignment of the shared governance process and decision making with the educational mission (across all Sites) and the budgetary considerations of the SOM.

b. Membership. The ECFS shall be comprised of the following members:

- The Faculty Senate president, executive vice president, and secretary who each serve as *ex officio* voting members of the ECFS. The president of the Faculty Senate shall only vote in the event of a tie.

- The immediate past president of the ECFS may serve in an *ex officio* non-voting role for up to one (1) year post service.

- Site Vice Presidents shall be elected from among the Site Senators in order that each Site has one (1) Site Vice President representative to the ECFS. Should a Site be allocated only one (1) Site Senator, the Site Senator shall also be named the Site Vice President representative to the ECFS.

- Ten (10) additional At-Large Senators who shall be elected by the Faculty Senate from among its membership. At least one (1) member shall be from among the Faculty Senator group.

c. Chair. The president of the Faculty Senate shall serve as Chair.

d. Site Vice Presidents; Replacement. Should a Site Vice President vacancy occur, the remaining Site Senators shall promptly vote to select a new representative.

e. At-Large Senators. Should an At-Large Senator vacancy occur, the Faculty Senate shall promptly vote to select a new Senator from the eligible Faculty Senate membership.

f. Site Vice Presidents and At-Large Senators; Term. Site Vice Presidents and At-Large Senators shall serve a term of two (2) years.

g. Meetings. The ECFS shall meet at least monthly. Meetings shall be held utilizing a virtual platform (either solely virtual or hybrid manner) to facilitate participation of Site Vice Presidents across NYMC's geographically disparate affiliate locations. The Chair may call special meetings as necessary and is responsible for proposing the agenda for each meeting.

h. Quorum and Voting. A quorum to conduct official business of the ECFS shall be at least 50% of the voting membership of the ECFS.

i. Minutes. A record of the minutes of each ECFS meeting shall be recorded by the secretary and maintained in an electronic and searchable format. Minutes for ECFS meetings shall be made available upon written request to the secretary of the ECFS by those eligible to vote in ECFS meetings.

Article IV. Standing Committees of the Faculty

4.1 Standing Committees of the Faculty

The faculty shall fulfill their responsibilities of Section 2.1 of these bylaws and participate in the shared governance of the SOM through, among other things, representation and participation in the Standing Committees of the Faculty as described in these bylaws.

a. General. All faculty members are eligible to serve as elected members of the Standing Committees. The Faculty will participate in Standing Committees as described in these bylaws and as further defined in the Faculty Handbook which details the operational rules and responsibilities of the Committees.

b. Standing Committees. The Standing Committees, also referred to as Committees of the Faculty are as follows:

   i. Admissions Committee

   ii. Education and Curriculum Committee ("ECC")

   iii. Student Academic Performance and Review Committee ("SAPRC")

   iv. Tenure, Appointment, and Promotions Committee ("TAP")

   v. Nominations and Elections Committee ("NEC")

c. Authority. The Admissions Committee is the final authority on all decisions regarding student admissions and operates independently of the Dean. The responsibilities of all other Standing Committees of the Faculty are described in **Article IV** of the bylaws.

d. Subcommittees. One or more subcommittees of any Standing Committee may be established (or dissolved) upon a majority vote of the members of the applicable Standing Committee. Any subcommittee of a Standing Committee shall be advisory to the Standing Committee. In

no case shall a subcommittee have any powers exceeding those of its parent Standing Committee.

e. Eligibility, Nominations, and Election of Committee Members. All Faculty are eligible to serve as voting members of Standing Committees subject to any terms or limitations applicable to such Standing Committees as further described in **Article IV** of these bylaws. Elections for all Standing Committees will be conducted by the NEC. The process for nominating and electing faculty representatives to Standing Committees shall be as follows:

   i. At least 30 days prior to the first meeting of the Faculty Senate each academic year, the secretary of the Faculty Senate shall circulate a list of Standing Committee positions open for the next Committee election cycle to the Faculty.

   ii. Faculty members may nominate themselves or others for available Committee positions.

   iii. All nominations will be referred to the NEC, which shall be responsible for confirming the eligibility and suitability of nominees with respect to the positions and/or roles for which they have been nominated prior to the next Faculty Senate meeting each year. The NEC shall be supported by the Office of Faculty & Academic Affairs which shall provide input on the status and good standing of faculty members pending nominations (e.g., to ensure no resignation or administrative action is pending that might negatively impact the ability of a faculty member to serve in the capacity for which they have been nominated).

   iv. Members of the Faculty Senate shall vote on the slate of eligible and approved candidates for each Standing Committee of the Faculty.

   v. A Standing Committee candidate shall be elected to a Committee upon obtaining a majority vote of the Faculty Senate according to the number of members participating. If no candidate obtains a majority vote, then the candidate with the fewest votes shall be eliminated from the candidate pool, and a subsequent election shall be immediately held among the remaining candidates. This process shall be repeated until one candidate obtains a majority vote. If there are insufficient nominations to Standing Committees, the department chairs will be requested by the NEC to nominate faculty for committee service.

f. Terms. Members of Committees will serve terms as stipulated for each Committee. Terms will begin annually effective on July 1 unless otherwise specified. *Ex officio* members serve without departmental designation and have non-voting status. Members may not be represented by alternates unless specifically stipulated as an exception within the policies and procedures of the respective Committee.

g. Replacement. If any elected Standing Committee member must be replaced, the Committee chair shall notify the chair of the NEC. The NEC shall provide the Committee chair with a slate of potential candidates qualified to fill the vacancy from which the remaining Committee

members shall vote to select a replacement. No person shall become a replacement member until such person's membership on the Standing Committee is confirmed by the Dean. The replacement member will serve as a member of the Standing Committee until the next Committee election cycle.

h. Attendance and Obligation to Affirmatively Participate. A member of a Committee who fails to attend over one-half of the scheduled meetings of the Committee within an academic year may be replaced upon a motion of the voting members of the Committee approved by a majority vote.

i. Faculty Representation Ensured. A majority of the voting members of each Standing Committee shall be Faculty members elected by the voting members of the Faculty Senate. The number of non-voting *ex-officio* members on any Committee shall not exceed the number of voting members.

j. Administrative Representation. The president of the Faculty Senate and the Dean of the SOM shall serve as *ex officio* non-voting members of all Committees, except the Admissions Committee for which the Dean shall not be a member or attend any meetings.

k. Attendance; Non-members. The general session meetings of all Standing Committees shall be open to all members of the faculty to observe, except for meetings of (i) the Admissions Committee, (ii) the TAP Committee, and (iii) the SAPRC. Notwithstanding the foregoing, faculty member observers who are not Committee members shall be prohibited from participating in discussions or deliberations or attempting to influence or intervene in any Committee business unless specifically requested to participate by the chair. It shall be the responsibility of the Committee chair to enforce this provision. As such, the Committee chair may, upon the exercise of their reasonable discretion, remove or prohibit non-Committee member observers from attending current or future general session meetings. Any such action(s) taken by a Committee chair under this provision shall be appealable to the Dean for review.

l. Quorum. A quorum for each Committee shall be a majority of voting membership, with a majority of the quorum being faculty members. A quorum is required for all decisions requiring a vote of a Standing Committee. A majority vote of the quorum is required to pass a matter.

m. Standing Committee Chairs; Eligibility. Unless otherwise stated herein, each Standing Committee shall be chaired by a faculty member of the Standing Committee who has served on such Standing Committee for at least one (1) year and who shall be elected by a majority vote of the Standing Committee's voting members present. Additional responsibilities and requirements for Standing Committee chairs may be adopted in accordance with the terms and conditions of the respective Standing Committee Section(s) of these bylaws. Unless otherwise provided herein, the term of Standing Committee chairs shall not exceed three (3) years.

n. Replacement of Committee Chair. In the event a Committee chair must be replaced, the voting members of the affected Committee shall promptly elect an interim Committee chair from the current membership of the Standing Committee. The interim chair shall serve until the next Committee election cycle.

o. Reporting. At the annual meeting of the Faculty Senate, each Standing Committee chair shall submit an annual report of Committee's activities to the Faculty Senate and the DEC to advise all stakeholders on the business, recommendations, and decisions of the respective faculty Standing Committees.

4.2 Admissions Committee

a. Charge and Responsibilities. The Admissions Committee is responsible for developing, approving, and applying policies and selection processes regarding the review, selection, waitlisting/tier-waitlist, and admission of students to the medical education program on behalf of the Faculty. The Admissions Committee has final authority on student selection for the medical education program and the Committee's decisions on student selection are not subject to review or revision by the Dean, President, Chancellor/CEO, or the NYMC Board of Trustees.

b. Membership. The Admissions Committee shall have a minimum of twenty-four (24) faculty members. Any faculty member is eligible to serve on this Committee. The Admissions Committee shall include representation from both the NYMC basic science faculty and clinical faculty from NYMC academic affiliated sites. The Committee shall have diverse representation and include no more than three (3) faculty from any one department. At least one (1) of the Faculty should be an associate professor or full professor on the tenure-track investigator pathway. NYMC alumni may serve as Admissions Committee members. In addition, up to one (1) faculty member in the Touro University program may serve as a member.

c. Term. Members shall serve for a 3-year term. Members may serve two (2) consecutive terms. After a one-year hiatus, members are eligible for re-election to the Admissions Committee.

d. Chair. The Admissions Committee will elect a chair and a vice chair from the Faculty serving on the Committee by a majority vote of the voting Committee members. Eligible candidates will have served as Admissions Committee members for at least one (1) 3 -year term to assure an established working knowledge of the Committee. The chair and vice chair of the Committee will serve a 3-year term. The vice chair shall lead the Admissions Committee meetings in the absence of the chair.

e. Meetings. The Admissions Committee will meet regularly from the opening of American Medical College Admissions Service (AMCAS) applications until all seats are filled for the incoming class. Additional meetings of the Admission Committee will be convened as needed to review issues related to the Admissions Committee, processes, review of applications, or consideration of wait-listed candidates.

4.3 Education and Curriculum Committee ("ECC")

a. Charge and Responsibilities. The ECC has the primary responsibility for the oversight and management of the curriculum. The ECC is responsible for the design, implementation, management, assessment, and enhancement of the medical school curriculum to ensure that it meets the mission, vision, and values of the SOM, and that the program is in compliance with all applicable accreditation standards. The ECC is responsible for the review of all subcommittee reports and recommendations, policies, and adherence to accreditation standards. Any ECC decisions that affect the alignment of the curriculum with the SOM mission, vision, and values, or that have budgetary consequences to the SOM budget, shall require collaboration with the Dean of the SOM for final approval as further described.

The ECC has the responsibility and authority in the following areas:

- Establishment of the course schedule (i.e., duration and sequencing) within the SOM academic calendar
- Establishment of the technical standards for student admission and retention for the SOM
- Establishment of requirements for advancement, promotion and awarding of the MD degree, including but not limited to licensure exams, internal assessments, and professionalism
- Establishment and approval of program-level competencies and objectives
- Evaluation and approval of course and clerkship objectives
- Evaluation and approval of course syllabi
- Sequencing of curricular content
- Curriculum mapping
- Integration of courses, clerkships, the phases of the curriculum, and the curriculum as a whole
- Annual review of all courses, clerkships, phases, and the curriculum as a whole in meeting program competencies and objectives
- Establishment of educational policies for the SOM
- Monitoring of implementation and outcomes of quality improvement measures for the educational program

b. Standing Subcommittees. The ECC shall have three (3) standing subcommittees: i) Phase 1 Curriculum Committee of the ECC, ii) Phase 2 & 3 Curriculum Committee of the ECC, and the iii) Student Assessment Subcommittee ("SAC") of the ECC. The membership of the subcommittees shall be as follows:

i. Phase 1 Subcommittee of the ECC. The Phase 1 Subcommittee advises the ECC and the SOM on matters related to the pre-clerkship phase of the M.D. Degree Program. Membership shall be comprised of educational leaders of the phase 1 curriculum including phase 1 directors, module co-directors and additional faculty members as identified by the phase 1 course leaders. There shall be four (4) student representatives with two (2) each from year one ("MS1") and year two ("MS2") of the M.D. Degree Program, however only one (1) student from each year shall have voting status. *Ex officio* subcommittee non-voting members shall include a dean/subordinate dean representative for each of the Offices of Student Affairs, Undergraduate Medical Education, and Faculty Development. In addition, *ex-officio* non-voting members shall include a faculty/staff representative from the Educational Technology Department, and the Health Sciences Library.

ii. Phase 2 & 3 Subcommittee of the ECC. The Phase 2 & 3 Subcommittee advises the ECC and the SOM on matters related to the clerkship clinical phase of the M.D. Degree Program. Membership shall be comprised of educational leaders of the phase 2 and 3 curriculum including phase 2 and 3 directors, clerkship directors, fourth year directors, and additional faculty members as identified by the phase 2 and 3 course leaders. There shall be four (4) student representatives with two (2) each from year three ("MS3") and year four ("MS4") of the M.D. Degree Program, however only one (1) student from each year shall have voting status. *Ex officio* non-voting subcommittee members shall include a dean/sub-ordinate dean representative for each of the Offices of Student Affairs, Undergraduate Medical Education, Faculty Development, and Affiliations & Clinical Programs. In addition, *ex-officio* non-voting members shall include a faculty/staff representative from the Educational Technology Department, and the Health Sciences Library.

iii. Student Assessment Subcommittee of the ECC. The SAC provides centralized oversite of assessment used throughout the M.D. Degree Program to further promote and support best practices in testing and assessment of student achievement. Membership shall be comprised of educational leaders of phases 1, 2, and 3 of the M.D. Degree Program. There shall be two (2) student representatives from the fourth year, however only one (1) student shall have voting status. *Ex officio* non-voting subcommittee members shall include a dean/sub-ordinate dean representative for each of the Offices of Student Affairs and Undergraduate Medical Education. In addition, *ex-officio* non-voting members shall include a faculty/staff representative from the Clinical Skills Center.

c. Reporting. The ECC will provide annual reports and iterative monthly meeting updates to the DEC. Under circumstances where there are budgetary consequences to the SOM, or

recommendations regarding the mission, vision, and values of the SOM as they relate to the curriculum, the ECC will collaborate with the Dean for final approval.

d. Curriculum Changes and Approval. Changes to pre-clinical or clinical/clerkship level objectives, program objectives and competencies, or major shifts in pedagogy require approval of the ECC. All subcommittee and course and clerkship recommendations must be reviewed and approved by the ECC.

e. Limited Oversight of the Dean. The Dean may decline ECC-approved changes to the extent such recommendations or changes (i) are not aligned with the SOM mission, vision, values, competencies, or strategic plan; (ii) are not consistent with accreditation standards; or (iii) if such changes confer a negative budgetary consequence to the SOM.

   If the Dean declines an ECC-approved change, the Dean shall notify the ECC chair in writing of the basis for declining the change. The Dean may suggest revisions in order to render a change to the curriculum and may further request that the ECC revise its recommendations. Any significant changes in the curriculum, such as policies, pedagogy, duration of educational program, graduation competencies, or standards of achievement must be consistent with the mission, vision, values, and strategic plan of the SOM and approved by the ECC.

f. Membership. The ECC will be comprised of fifteen (15) voting faculty members, and four (4) voting student members with two from the preclinical years (M1, M2) and two from the clinical years (M3, M4) as identified by the SOM Student Senate and recommended by the chair of the ECC. The NEC will nominate members for election by a majority vote of the Faculty Senate. The ECC should have representation from both NYMC basic science faculty and clinical faculty and have representation from each affiliate Site with three (3) or more Faculty Senators. The faculty membership should include at least five (5) preclinical faculty and five (5) clinical faculty.

g. Term. Students serve a single 1-year term and may be re-appointed for additional years. Faculty, non-students, and staff members will serve a 3-year term and may serve up to two (2) consecutive terms. After a one-year hiatus, members are eligible for re-election to the ECC. Membership terms will be staggered after the first two (2) years of the ECC's initial charge so that no more than one-third of the members will be replaced each year.

h. Chair. The ECC shall elect a chair from the faculty serving on the Committee by a majority vote of the Committee's voting members. The chair of the Committee shall be judged by the Committee membership to have sufficient knowledge of the M.D. Degree Program through demonstrated health professions education leadership, curriculum development, and/or teaching/instructional experience at NYMC.

i. Meetings. The ECC will meet at least monthly.

4.4 Student Advancement, Promotions, and Review Committee ("SAPRC")

a. Charge and Responsibilities. The SAPRC is responsible for reviewing and determining the academic standing of all enrolled SOM students for promotion and graduation. Procedures are described in the *SOM Policy on Student Promotions*. The SAPRC will review all matters related to or involving academic difficulty and will ensure the due process rights of all students. The SAPRC will communicate its decisions and actions to SOM administrators in accordance with applicable SOM policies and procedures relevant to the decisions and actions of the Committee.

b. Membership. The SAPRC will be comprised of at least seven (7) voting members. The Committee shall include preclinical and clinical faculty with representation from NYMC affiliate site(s). Voting members will be members of the Faculty. The dean of student affairs may serve as an *ex officio* member with non-voting status.

c. Term. Members will serve a 3-year term and may serve up to two (2) consecutive terms. After a one-year hiatus, members are eligible for re-election to the SAPRC. Membership terms will be staggered after the first two (2) years of the SAPRC's initial charge so that no more than one-third of the members will be replaced each year.

d. Chair. The SAPRC shall elect a chair from the faculty serving on the Committee by a majority vote of the Committee's voting members. The chair of the Committee shall be judged by the Committee membership to have sufficient knowledge of the M.D. Degree Program through demonstrated experience and academic activities at NYMC.

e. Meetings. Meetings will be convened by the chair at least quarterly, or on an ad hoc basis by a special meeting at the request of the chair on any occasion that the Dean, or subordinate deans of the SOM request a meeting be held to address a student concern.

f. Recusal. A faculty member teaching in one or more courses may serve on the SAPRC, however, must recuse themself from any recommendations and votes regarding a student for which they have taken an action that contributes to the adverse academic action being proposed against that student. In addition, a faculty member or administrator shall withdraw from participation in any discussions or decisions involving actual or potential conflicts of interest should they have:

- A personal, social, familial, academic, research, business, or financial relationship with the student or a member of the student's family.
- Provided health care services to the student.
- Graded the student in a course for which the course or clerkship grade is the subject of a pending or prior adverse action or remediation plan.
- Served/currently serving as the student's advisor, mentor, academic coach, or they have another significant relationship with the student.

4.5 Tenure, Appointment, and Promotions Committee ("TAP")

a. Charge and Responsibilities. The TAP Committee is responsible for advising and making recommendations to the Dean for (i) the conferring of a faculty rank for new faculty members, and (ii) the promotion of existing faculty members to a higher rank. The Committee is also responsible for recommending qualified candidates to the Board of Trustees for tenure. The TAP Committee is responsible to develop, uphold, and promulgate the standards, metrics, and criteria that afford SOM faculty the opportunity for academic appointment, promotion and/or the awarding of tenure. Eligibility criteria and standards are described in further detail in the Faculty Handbook.

b. Membership. The TAP Committee shall consist of at least (15) members who will be equally distributed among faculty with primary appointments in clinical and basic science departments. Furthermore, at least five (5) members shall be tenured faculty. Members will be elected by the members of the Faculty Senate from a pool of candidates nominated by the NEC. All members of the TAP Committee must hold the rank of Associate Professor or Professor to be eligible for service, and at least a majority of committee members shall hold the rank of Professor.

c. Voting Eligibility. A majority vote of the members present at a meeting is required to approve a resolution recommending appointment, promotion, or tenure of a faculty member to the Dean. All members of the TAP Committee are eligible to vote with the exception of non-voting *ex-officio* members. In addition, ad hoc reviews of faculty actions under consideration shall be conducted according to the following procedures: (i) only tenured Committee members may review recommendations for faculty tenure; and (ii) Committee members may only review recommendations for appointment and promotion to a faculty rank that is equivalent to, or lower than their own. The chair of the Committee only votes in the event of a tie.

d. Term. Members shall serve a 3-year term and may serve up to two (2) consecutive terms. After a one-year hiatus, members are eligible for re-election to the TAP Committee. Membership terms will be staggered after the first two (2) years of the TAP Committee's initial charge so that no more than one-third of the members will be replaced each year.

e. Chair. The chair and vice chair of the TAP Committee shall be tenured professor faculty members elected by a majority vote of the members of the Committee. The vice chair shall lead the TAP Committee in the absence of the chair. The chair and vice chair shall serve 1-year renewable terms.

f. Meetings. Meetings shall be called by the TAP Committee chair at the request of the Dean (or designee). Meetings shall be held as necessary to review new appointments, and at scheduled intervals for faculty promotions and tenure candidates. There should be a minimum of four (4) meetings per year.

4.6 Nominations and Elections Committee

a. Charge and Responsibilities. The NEC is responsible for establishing procedures consistent with these bylaws and all other College and SOM governing documents to ensure the orderly conduct of nominations and elections of faculty representatives. The NEC shall also be responsible for confirming the eligibility of nominees for all electable SOM Faculty representative positions at the School and College level, including but not necessarily limited to: (i) Officer positions of the Faculty Senate; (ii) Site Senator positions of the Faculty Senate; (iii) membership positions of the Faculty Standing Committees; and (iv) SOM representative positions on all other NYMC committees and panels.

b. Membership. The NEC shall have a minimum of ten (10) members elected from among the membership of the Faculty Senate. At least three (3) members shall each have a primary faculty appointment in a basic science department. In addition, at least one (1) member for each clinical academic affiliate Site shall be maintained.

c. Term. Members will serve 3-year terms and up to two (2) consecutive terms. After a one-year hiatus, members are eligible for re-election to the NEC. Membership terms will be staggered after the first two (2) years of the NEC's initial charge so that no more than one-third of the members will be replaced each year.

d. Chair. The NEC will elect a chair from the faculty serving on the Committee by a majority vote of the voting members.

e. Meetings. Meetings will be convened by the chair at least twice annually and from time-to-time as the case may be to conduct official business and fulfill the committee's role and responsibilities. Furthermore, a special meeting of the NEC may be called upon with ten (10) days written notice to the chair of the NEC for the limited purpose of determining candidate(s) eligibility for a particular representative position by the president of the Faculty Senate, the chair of any Standing Committee of the Faculty, the Dean of the SOM, the Chancellor/CEO of NYMC, or the President of NYMC.

4.7 Other Committees of the Faculty

a. School of Medicine Faculty Committees.

i. Faculty Grievance Committee (FGC). FGC may be utilized by a SOM faculty member through confidential means allowing for review and mediation of faculty grievance by an established committee of peers with the goal of resolution at a local and informal level. While no formal rules of evidence shall apply to the Committee's proceedings, the essential facts underlying decision-making must have a trustworthy basis. The policy and procedures of the FGC are detailed in the Faculty Handbook and SOM Policy and Procedures.

Membership. The FGC shall consist of seven (7) individuals elected by the Faculty Senate according to procedures developed by the NEC. A committee vice chair and

secretary are elected by members of the FGC from among its Committee membership. The vice chair shall serve as chair in the absence or inability of the chair to serve. The secretary shall cause required notices to be given, minutes of the Committee's proceedings to be taken, and shall maintain confidential records. If the Committee is unsuccessful in achieving the vice chair and/or secretary elected roles, the president of the Faculty Senate shall be charged will appointing committee members to open positions. If a Committee member has a conflict of interest, that member will excuse themself from the committee proceedings.

The "Panel of Mediators" of the FGC shall consist of a minimum of twenty (20) additional faculty who are selected collaboratively by the president of the Faculty Senate and the Dean, and shall be appointed by the Dean to serve on the Panel. The composition of the Panel is reviewed at least annually by the president of the Faculty Senate and the Dean. The Dean may adjust the composition of the panel by adding/removing members throughout the academic year, as needed for optimal functioning. Service on the Panel shall be for three (3) years.

Chair. The NEC shall elect a chair from the faculty serving on the Committee by a majority vote of its voting members.

Terms. Terms of service on the FGC shall be for three (3) years. If a vacancy occurs the Faculty Senate shall promptly elect one of its members to complete the term of the member who left. All members of the FGC may vote with the exception of the chair who may vote in the event of a tie.

Meetings, Quorum. The FGC shall meet, at the direction of the chair, as often as shall be necessary for the committee to accomplish its purpose and without unnecessary delay. Notice of each meeting shall be given under the direction of the chair, in writing, at least five (5) days before the date scheduled if delivered personally or at least eight (8) days before the date scheduled if mailed to the members. A copy of the agenda of each meeting shall accompany notice of the meeting. Members may waive the notice requirement by unanimous written consent.

The presence of the chair and a majority of the members of the FGC shall be required for a duly constituted meeting and for any action taken thereat, except that a lesser number may adjourn any scheduled meetings at which a quorum is not present. The vote of a majority of the members present at a duly constituted meeting shall constitute action by the committee.

Further details regarding FGC procedures are available in SOM policy and procedure and the Faculty Handbook.

ii. Alternate Pathway for Promotion and/or Tenure Committee (Alternative Pathway). The purpose of the Alternate Pathway Committee is to empower the Dean of the SOM to recommend a faculty member directly to the TAP Committee in circumstances where the department chair has not proposed a faculty member for such consideration

in a reasonable and timely fashion. The committee shall be empowered to recommend to the Dean whether the faculty member's promotion and/or tenure should be considered by the TAP Committee.

Membership. The Alternate Pathway Committee shall consist of at least eleven (11) members of the faculty at the rank of associate professor or professor appointed by the Dean of the School of Medicine in consultation with the president of the Faculty Senate. Members shall be selected to represent the various departments in as proportional a manner as possible. Department Chairs shall not be eligible to serve on the committee.

Chair. The NEC shall elect a chair from the faculty serving on the Committee by a majority vote of its voting members.

Terms. Terms of service shall be for two (3) years. If a vacancy occurs the Dean of the SOM shall promptly elect an additional faculty member to complete the term of the member who left. All members of the Alternate Pathway Committee may vote with the exception of the chair who may vote in the event of a tie.

Meetings, Quorum. The Alternate Pathway Committee shall meet, at the direction of the chair, as often as shall be necessary for the Committee to accomplish its purpose. The presence of a majority of Alternate Pathway Committee members shall be required for a quorum. The vote of a majority of the members present shall constitute action by the Committee.

Further details regarding Alternate Pathway Committee procedures are available in SOM policy and procedure and the Faculty Handbook.

b. College and University Committees. Several College-level committees are comprised of a majority of SOM faculty: (i) Library and Academic Support Committee; (ii) Protection of Human Subjects Committees; (iii) Institutional Animal Care and Use Committee; (vi) Radioisotope Committee; (v) Institutional Biosafety Committee; (vi) Research Support Services Committee; and the (vii) Faculty Compensation and Benefits Committee as described below. The organization and formation of these committees are detailed in the Faculty Handbook and institutional committee policy and procedures. The NEC shall be responsible for confirming the eligibility of SOM faculty candidates for service on these committees. The NEC shall also be responsible for establishing any applicable policies and procedures to ensure the orderly nomination and election of such faculty representatives to these committees.

   i. Library and Academic Support Committee. Library and Academic Support Committee shall promote accessible and effective library and computer services. It shall recommend related policy changes and program initiatives to the Dean and other College Officials.

   ii. Protection of Human Subjects Committees. Protection of Human Subjects Committees (Oncology Panel and General Medical Panel) shall formulate and maintain

written policies that safeguard the rights and welfare of individuals who are involved as human subjects in research conducted by or under the supervision of faculty members at the College or its academic affiliate sites. The Committee shall follow all state and federal regulatory mandates.

iii. Institutional Animal Care and Use Committee ("IACUC"). The IACUC shall ensure the humane treatment of experimental animals at NYMC. The care of animals used in research or for student teaching shall meet the requirements of federal, state, county, and city regulations. Such care includes, but is not restricted to adequate analgesia, anesthesia, nutrition, exercise, ventilation, and hygiene.

iv. Radioisotope Committee. The Radioisotope Committee shall promote safe practices in handling and using radioactive sources within the jurisdiction of NYMC and its academic affiliate sites. It shall promote adherence to the recommendations and safety standards as outlined in the radiation safety manual and by governmental and scientific regulatory agencies.

v. Institutional Biosafety Committee ("IBC"). The IBC shall make recommendations which promote the highest standards of safe research. It shall develop policy regarding potential hazards related to research activities involving recombinant DNA technology, oncogenic viruses, chemical carcinogens, and other biohazards not under the jurisdiction of the Radioisotope Committee according to state and federal regulations.

vi. Research Support Services Committee. Research Support Services Committee shall ensure that administrative services, such as purchasing, accounting, research administration, etc., and ancillary support services, such as the health sciences library, photography, etc., provide appropriate service and support to the Faculty. The committee shall be empowered to request joint meetings with other faculty committees whose charge may be to oversee activities that are also essential to the research activities of the College.

vii. Faculty Compensation and Benefits Committee ("FCBC"). The FCBC shall review faculty suggestions and related data concerning faculty salaries and fringe benefits. After such review, the Committee shall formulate recommendations on faculty salary and fringe benefit policies and communicate these recommendations to the Human Resources Department, the Dean, and the ECFS. The Committee should include appropriate representatives from administration in order to ensure that it functions efficiently and effectively.

4.8 Ad Hoc Committees

Ad Hoc Committees appointed by the ECFS, the Dean of the SOM, or other College officials that deal with matters affecting faculty shall, whenever feasible, include among their membership at least one (1) Faculty Senate representative arrived at through consultation with the president of the Senate. Furthermore, the Dean of the SOM, the Faculty Senate, and/or Standing Committees of the Faculty may charge Ad Hoc Committees as necessary and appropriate for the continued progress and support of the SOM mission. Such Committees may be dissolved or reconstituted at any time by the Dean of the SOM, the Faculty Senate, and/or the Standing Committee that initially charged such a committee. The following Ad Hoc Committees are further detailed in committee policy and procedures, and in the Faculty Handbook:

a. Search Committees for the Dean of the SOM shall be established with input from the ECFS to nominate appropriate faculty for membership to ensure broad representation from faculty interests on the membership of the search committee for Dean.

b. Search Committees for Department Chairs shall be established with input from the ECFS to nominate appropriate faculty for membership. Faculty representation from the Department under search should be limited to no more than two (2) members on the Search committee.

Article V. Specific Rights & Benefits of Faculty

5.1 Sabbatical

NYMC affords eligible SOM faculty a formal mechanism through which they may receive a sabbatical leave. It is recognized by the College that a policy encouraging faculty to take sabbatical leave is an important component for maintaining a rich and productive scholarly environment. Faculty shall be eligible for sabbatical leave of up to one (1) year, at the discretion of the Dean, after each 7-year period of full-time employment in faculty academic duties in accordance with policy and procedures as detailed in the Faculty Handbook.

5.2 Tenure

NYMC supports the recruitment, retention, and growth of a diverse academic faculty. NYMC believes in recognizing members of the faculty who successfully contribute to the SOM mission. The American higher education tradition of academic freedom is recognized as a core tenet of our institution. NYMC seeks to recognize outstanding faculty by the awarding of tenure to its foremost scholars.

An appointment with tenure confers benefits to the faculty awardee, whereby NYMC shall continue to provide a guaranteed position in a primary department and salary applied at the time of the tenure award. Administrative and clinical positions are not eligible for the benefits of tenure other than the tenure of faculty title only.

The awarding of tenure and terms recommended by the Dean of the SOM shall become effective with the approval by the NYMC Board of Trustees. Tenure and any associated guarantees shall remain in effect until such time of a tenured faculty member's (i) retirement, (ii) change of status

to less than full-time, (iii) department/program/institute is abolished/curtailed, (iv) dismissal for cause, (v) failure to perform their duties as defined by the Dean, (vi) acts that are clearly contrary to professional, academic or institutional standards, (vii) voluntary surrender of tenured status, or (viii) declaration of financial exigency by the Board of Trustees.

Faculty while holding tenured positions or titles shall commit to providing and documenting a continuous level of performance and service to the institution as befits its foremost scholars. Further details regarding tenure policy and procedures may be found in the Faculty Handbook.

5.3 Academic Departments

NYMC recognizes and values the vital role of its faculty in shaping decisions regarding the creation, merging, or abolishment of academic departments within the SOM. Likewise, the Faculty Senate plays a pivotal role in offering timely input on proposed changes to departmental structures made by the Administration (Deans, SOM/GSBMS and Chancellor/CEO NYMC). Therefore, the following guidelines shall be followed in instances of proposed changes of academic departmental structure:

a. The Administration shall ask the President of the Faculty Senate, in writing, to submit the proposal(s) for departmental structure to the Faculty Senate. The Faculty Senate in turn, shall act on the proposal(s) in a prompt and timely manner appropriate to the circumstances.

b. The Administration shall be given an opportunity to present to the Faculty Senate, in a mutually agreed upon forum, the rationale for proposing the change(s) in departmental structure.

c. A majority vote of the Faculty Senate in favor of a proposal(s) shall constitute a recommendation for approval. The vote may be held by electronic means, mail ballot, or at a duly called meeting of the Faculty Senate.

d. The President of the Faculty Senate shall inform the Administration, in writing, of the Faculty Senate's recommendation(s).

e. It is understood that the recommendation(s) of the Faculty Senate, while not binding on the Administration, shall be given serious consideration by the Administration. The Board of Trustees shall be informed by the Administration of the Faculty Senate's recommendation(s).

Article VI. Review; Amendments

These bylaws will be reviewed at least every five (5) years by the Faculty Senate, or an ad hoc committee charged by the Faculty Senate, to facilitate recommendations for any amendments by the Faculty.

Amendments to these bylaws shall be proposed by any of the following:

- The ECFS, upon a majority vote of its members.
- A petition signed by 10% of the Faculty Senate.
- A committee of the faculty upon a majority vote of its members.

These bylaws may be adopted, altered, amended, repealed, or restated either in whole or in part and at any time by affirmative vote (either in person, via email, or electronic survey) of at least two thirds of the members of the Faculty Senate, which shall not become effective unless and until such adoption or amendment by the Faculty Senate is approved by the NYMC Board of Trustees.

Article VII. Approval of Bylaws

This document is an amendment of the NYMC Faculty Constitution in effect prior to adoption of this document. This document will replace such Faculty Constitution and its bylaws and take effect after being approved by (i) two-thirds of the faculty voting in a secret ballot election provided a majority of eligible voters (as eligibility is described in Section V of the NYMC Faculty Constitution in effect prior to this document) participate and (ii) the NYMC Board of Trustees.

Article VIII. Interpretation

Any references in these bylaws to any policy, provision, handbook, chapter, code of conduct or other referenced external source shall be deemed to be references to such policy, provision, handbook, chapter, code of conduct or other referenced external source as the same may be amended, supplemented, or replaced from time to time, and any successor promulgated or released to the same general intent and effect.

History of Faculty Constitution and Bylaws		Date
Constitution - approved;	Bylaws 1, 2, 3, 4 - approved	1985
Constitution - amended;	Bylaws 5, 6, 7 - approved	1986
Constitution - amended;	Bylaws 8 - approved	1988
Constitution - amended;	Bylaw 1 - amended	1990
Constitution - amended;	Bylaw 6 - amended	1993
Bylaws 1, 5 - amended;	Bylaw 9 - approved	1996
Constitution - amended;	Bylaw 7 - amended	1997
Constitution and Bylaws;	Replaced by SOM Faculty Bylaws	2024 January 9
SOM Faculty Bylaws;	Article IV. Section 4.4 - amended	2026 June 30