

BYLAWS OF THE FACULTY
JOAN C. EDWARDS SCHOOL OF MEDICINE
AT MARSHALL UNIVERSITY

- I. Name. The name of this organization shall be the Joan C. Edwards School of Medicine at Marshall University Faculty.

- II. Purpose. The Faculty shall be the basic legislative body for the Joan C. Edwards School of Medicine at Marshall University except as to matters reserved to the Marshall University Faculty, or Dean of the School of Medicine, and except as to matters reserved by proper legal action solely to the President or the governing board of the University. The Faculty shall concern itself with topics affecting the whole School of Medicine as distinguished from those matters of interest only to particular subdivisions of the School of Medicine. The responsibility of the Joan C. Edwards School of Medicine at Marshall University Faculty is in educational policy rather than administrative decisions. In such matters the Faculty shall serve as a forum for the free interchange of ideas adding to the understanding of University-wide interests and developing a sense of responsible participation.

- III. Powers. The Faculty shall determine all matters of educational policy with respect to educational programs including degree requirements, recommendations for honorary degrees, academic standards, student conduct and welfare, and general School of Medicine development.

Action of the Faculty, a Faculty committee, or the Faculty of any recognized subdivision of the School of Medicine properly taken and recorded in accordance with the provisions of the constitution shall, when approved by the Dean of the School of Medicine, be deemed an official action for and on behalf of Joan C. Edwards School of Medicine at Marshall University when such action is not in conflict with public law of the State of West Virginia, or with the University policy as established by the President or the governing board of the University.

In the event the Dean or the President disapproves any Faculty or committee action, he shall do so in writing and notify the Faculty and appropriate committee of his objections. It shall be the responsibility of the President to inform the Faculty of all actions of the governing board affecting the educational policies of the University.

In the case of any inconsistencies between these bylaws and the so-called Marshall University "Greenbook" or the laws of West Virginia, or the policies, rules and regulations of the Board of Governors, the University "Greenbook", the laws of the State or the policies, rules and regulations of the Board of Governors shall govern.

- IV. Membership. The faculty shall consist of all employees of the School of Medicine who hold the rank of instructor or above, and shall include part-time and volunteer/clinical (i.e. non-paid) appointments. Part-time and volunteer/clinical (i.e. non-paid) appointments shall be nonvoting. All other members of the Faculty, as defined above, regardless of length of service, shall be eligible to vote on matters solely of concern to the School of Medicine. On questions requiring Faculty membership in the Marshall University Faculty, those employees of the University who hold the rank of instructor or above, excluding part-time and temporary appointments and who have assigned responsibilities for teaching and/or scholarly research or duties closely related thereto, shall have the right to vote. The President of the University, the Dean of the School of Medicine, Associate and Assistant Deans, the Director of University Libraries and the professional librarians of the Health Sciences Libraries shall be ex-officio members of the Faculty. Ex-officio Faculty members shall be voting members of the Faculty, except as specified elsewhere. During Faculty meetings the presiding officer shall settle any question of eligibility of voters, which may arise.
- V. Meetings. The Faculty shall meet at least twice annually with the Dean (or a designated Associate or Assistant Dean) presiding. A quorum shall consist of not fewer than 25% of the full-time Faculty members. Each member shall have the privilege of the floor and each member shall have one vote, except for those questions requiring full-time status as Marshall University Faculty, as defined in Section IF of the Bylaws. Each candidate for a degree granted from the School of Medicine must receive consideration at a regular Faculty meeting and must be recommended by the Faculty before the degree may be granted. Major changes in educational programs of the School, may be recommended to the President and to the Board of Governors only after favorable consideration by the Faculty. Special meetings of the Faculty may be called at the discretion of the Dean. A written announcement containing the agenda, time and place of the Faculty meeting is to be sent to each Faculty member, not less than one week in advance of each meeting.
- VI. Officers. The presiding officer of the Faculty meetings shall be the Dean of the School of Medicine (or a designated Associate or Assistant Dean).
- VII. Records. A stenographer shall keep minutes of the meetings of the Faculty. The complete minutes of Faculty meetings shall be open to inspection by any member. The secretary of each Faculty committee shall keep minutes of the meetings of such committees. These minutes, and each report submitted in accordance with provisions of those Bylaws, shall be deposited in the office of the Dean and, except those concerning personnel matters, shall be open to inspection by any member of the Faculty. These minutes and reports shall constitute the official record of the decisions of the Faculty.
- VIII. The Faculty Council
- a. Purpose and Function

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1. The Council is to operationally and effectively represent the faculty of the JCESOM in determining policy and governance issues within the JCESOM except as reserved to the general faculty above.
2. The Council is to advise, assist and support all standing and ad hoc committees of the JCESOM in ways that further the formulation and execution of the official policies of the educational mission. These include, but may not be limited to curricula, admissions, faculty and student activities and research.
3. The Council is to monitor and maintain the integrity, relevance and compliance of the JCESOM Faculty Bylaws.
4. The Council is to facilitate communication between the faculty and the Dean and his/her academic and administrative staff.
5. The Council will serve as a point of system ingress to all JCESOM faculty, though requests for consideration must be in writing, encompass an institutional issue and preferentially come through a Council representative.
6. The Council may also be asked by the Dean or his/her academic and administrative staff for specific input or action relative to its described powers and mandate.

b. Powers

1. The Council acts as a direct extension of and as the executive committee for the JCESOM faculty.
2. The Council is to review and monitor all standing committee meetings and minutes, as needed and appropriate, throughout the academic year.
3. The Council is to review and approve any actions taken by the standing committees that require such by their own operating procedures.
4. The Council must review and approve any JCESOM policies, regardless of origins, that encompass the Powers of the faculty as outlined above in Section III before those policies are forwarded to the Dean for action and implementation.
5. The Council, when needed, may also initiate proposed policy or bylaw changes, provided any appropriate Standing Committee involved has clear and documented input and review.
6. The Council must approve any proposals for revision to the JCESOM Faculty Bylaws before submission to the Dean and submission to the full faculty as provided for in Section V.
7. The Council's powers do not extend to originating, modifying or ratifying policies or procedures of JCESOM that are administrative in nature and do not directly affect the educational mission of the School.

c. Membership

1. The Council will consist of representatives elected from the Basic Science and Clinical Departments of JCESOM, along with the Chair of the Council. The number of representatives for each department will depend on the number of full-time faculty, as shown below:

Number of full-time faculty	Number of representatives
4-15	1
16-30	2
31-45	3
46 or more	4

Departments with fewer than four full-time faculty will be combined for the purposes of electing representatives to the faculty council. In the event that the total number of full-time faculty in these combined departments is greater than 15, the number of representatives elected will be as in the table above, with no more than one representative from any of the individual departments. The representatives are to be elected from eligible faculty within the Department. No one who holds the title of Assistant-, Associate-, Vice-Dean or Chair, or who has been a member of the Council for the previous four consecutive years, is eligible for membership.

2. Terms for representatives will be for two years, with approximately one-half (1/2) of the membership being re-elected every year. The Council will elect a Chair Elect from among the representatives serving their second or later consecutive year on the council. The Chair Elect will serve as Chair of the Council in the year following their service as Chair Elect. The Chair of the Council will not have voting privileges on the Council, with the exception of voting to decide any tied votes.
3. The Council will publish its procedures for operation. These procedures will include, but not be limited to, setting of meeting agendas, and filling of vacancies on the Council.
4. The Dean and/or the Dean's designate(s) will serve as ex officio, non-voting members. The Council may ask any other person(s) it deems necessary or helpful to sit as additional, ex officio, non-voting members.

d. Meetings

The Council will schedule monthly meetings, with dates for each academic year will be determined in the last meeting of the previous year. Agendas will be made available to all JCESOM faculty one week in advance of each meeting. For votes on policy and bylaws recommendations, there should be at least a fifty (50) percent (rounded up) quorum present. If no items are submitted for an agenda, the Chair of the Council may cancel a scheduled meeting.

e. Minutes

The Chair of the Council will ensure that an appropriate record is kept of all meetings, including official votes and recommendations. This record will be available to all faculty, students and employees of JCESOM when completed and will also be posted, as soon as feasible, to the JCESOM website.

IX. Committees. Committees shall be of three types:

- a) standing committees required by these Bylaws
- b) standing committees determined by the Dean to be desirable for continuing or frequently recurring needs
- c) ad hoc committees with specific missions discharged upon completion of assigned duties.

Except as otherwise noted, the Dean appoints all committee members and chairpersons. Except as otherwise noted, members of standing committees are appointed annually and may be re-appointed. Committees are responsible to the Dean, except as otherwise noted, who may also direct specific committees to report directly to the Faculty assembly as appropriate. Student representatives chosen by the Dean may serve as full participating members of appropriate appointive committees.

- a) Medical Student Admissions Committee. The Admissions Committee may be composed of full-time basic science and clinical faculty, community physicians, medical residents, medical school administrators, undergraduate faculty members from the main Marshall University campus, community representatives and medical students. As a matter of standard practice, the Executive Committee ensures faculty representation of at least fifty-one percent on the Admissions Committee. Excluding medical student members, the duration of appointment to the committee is for three (3) years, but may be extended at the discretion of the Chair of the Admissions Committee. New medical student members will be expected to serve until graduation unless otherwise determined by the Chair. Excluding new medical student members, the final approval of new members to the Admissions Committee is made by the Faculty Council of the Medical School.

The Admissions Committee is an independent body and acts free of external influence. The duties of this committee shall be to:

- 1) develop and recommend criteria for admissibility of applicants
- 2) determine methods and procedures for evaluating applicants
- 3) select from among applicants those to be accepted. The authority for the final decision on applicants to the medical school, to include traditional applicants, applicants to a joint program such as the MD/PhD program, and the accelerated BS/MD program, rests with the full Admissions Committee. The Admissions Committee has developed policies and procedures to insure compliance with non-discrimination laws and regulations, training for the holistic approach to admissions and decisions free from political and/or financial conflicts of interest.

The governance of the Admissions Committee consists of the Chair, Vice Chair and the Executive Committee. The Chair and Vice Chair of the Admissions Committee are appointed by the Dean. The Executive Committee of the Admissions Committee includes the Chair, Vice Chair and all of the Assistant, Associate, and Vice Deans who are serving at that time on the Admissions Committee.

The Executive Committee is responsible for reviewing recommendations for new membership to the Admissions Committee, and the Interview Selection Workgroup, among other duties. The Executive Committee is also responsible for designating ad hoc workgroup committees to evaluate and study admissions related issues. Excluding new medical student members, the final approval of new members to the Admissions Committee is subject to review by the Faculty Council of the Medical School.

In addition, the Executive Committee has the formal delegated authority from the Admissions Committee to move applicants from the waitlist to the accepted list. (Waitlist candidates are not ranked.)

b) Curriculum Committee.

Composition:

The Curriculum Committee shall consist of the following members, all with full voting rights:

Faculty:

Department of Biomedical Sciences:

5 members will be selected by election by faculty members of the department. The department chair shall be responsible for determining how that election will be conducted. There should be a mixture of faculty who teach across the spectrum of basic science material both the normal and abnormal.

Clinical Faculty:

There will be a rotating schedule of the clinical departments responsible for electing a member of their department to the curriculum committee. The department chair shall be responsible for determining how that election will be conducted. The clinical departments represented will include; Family Medicine, Obstetrics and Gynecology, Psychiatry, Orthopedics, Ophthalmology, Internal Medicine, Pediatrics, Surgery, Neurology and Pathology. A total of 5 members will come from the clinical departments each 3 year cycle.

Students: one member from each medical school class. Student members will be voted upon by their representative class during their first year and will serve a 4 year term. (4 members)

Academic administration: The Vice Dean for Medical Education or his/her designee and the Associate Dean for Medical Education will serve as ex officio members of the committee. The Associate Dean for Medical Education will be nonvoting, function as the

executive secretary of the committee, organize the agenda as directed by the Chair and maintain the records of the actions of the Committee.

Officers:

The chair of the Curriculum Committee will be one of the 10 faculty members and will be selected by vote of the full committee one month prior to expiration of the term of a current Curriculum Committee chair.

Terms:

The final term of the chair will be 4 years. During the final year the past chair will be a non-voting member and serve as an advisor to the new chair. The chair may serve more than one term, but no more than 3 consecutive terms. Faculty terms will be for three years. A faculty member may serve no more than two consecutive terms, but may serve on the Curriculum Committee again after having one full term (three years) not on the committee. The normal term of office shall be four years for student members. Student representatives to this committee shall be elected by their respective classes.

In order to provide for overlapping terms, the initial 5 faculty members from the Biomedical Science department will serve two year terms. After this initial two year period there will be a re-election and subsequent terms will be for three years.

Meetings:

The Curriculum Committee shall meet twice a month. The curriculum committee will determine the need for additional meetings when special topics arise. The executive secretary shall be responsible for providing written minutes to the Dean and the Curriculum Committee members.

Function:

The Curriculum Committee is responsible for the overall design, management and evaluation of the medical school curriculum. It is expected that this will be a coherent and coordinated curriculum that fulfills the goals and objectives of the School of Medicine and will be in full compliance with LCME standards. The curriculum committee is responsible for a wide range of issues, including but not limited to the following.

- Goals and objectives of the overall medical education process
- Sequencing of the various segments of the curriculum both within and across the academic periods of study
- Methods of pedagogy and student evaluation
- Ongoing evaluation of course and program effectiveness

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- Ongoing evaluation of the content and workload in each discipline to identify omissions and unwanted redundancies
- Development and evaluation of stated objectives of individual courses and clerkships
- Make such changes to the curriculum that are prudent and appropriate to fulfill the responsibilities of the Curriculum committee
- Maintain careful records of the proceedings, decisions and actions of the committee

The Dean of the School of Medicine will be kept apprised of the actions of the Curriculum Committee through the Vice Dean for Medical Education.

- c) Academic Standards Committee. The membership shall include not fewer than five Faculty and two students. The Committee is to develop guidelines for the evaluation of all aspects of student progress and success and/or failure. Included topics are examinations, cheating, promotion and dismissal, professionalism, incomplete courses and regulations relating to departure from scheduled work. The Committee shall review the progress of all students and determine appropriate action.
- d) Personnel Advisory Committee. The Personnel Advisory Committee shall consist of one elected representative from each department. The department shall elect its representative. Faculty holding administrative positions as department chairperson or above and faculty who are not full-time employees of the Joan C. Edwards School of Medicine at Marshall University are not eligible to service on this committee.

Terms of office shall normally be three years¹. If, for any reason, a departmental representative shall be unable to complete his/her term of office, the department shall elect another representative to complete that term.

The Personnel Advisory Committee shall elect its own chairperson and secretary annually. Duties and responsibilities of the Personnel Advisory Committee are:

- 1) Develop, review and make recommendations concerning personnel policies affecting all full-time, part-time and volunteer faculty.
- 2) Act in an advisory capacity to the Dean of the School of Medicine in policies relating to academic rank, salary, tenure, teaching and non-teaching load, retirement, sabbatical and other leaves, and other duties as the Dean may assign. The committee may, upon request, receive assistance from the administration of the School of Medicine.
- 3) Make recommendations to the administration of the School of Medicine concerning promotion and/or tenure of faculty members. The committee shall consider all requests, including those requests originating from faculty members themselves.

Appointment, promotion, tenure, leave of absence, resignation, dismissal, retirement, fringe benefits, etc. are considered in detail in the Marshall University Greenbook. In addition to the criteria for promotion and tenure outlined in the Marshall University Greenbook, consideration shall be given to patient care and other clinical activities. Further, some clarification to the promotion policy listed in the Greenbook is necessary.

These clarifications (A & B below) are not meant to supersede the requirements for promotion as listed in the Greenbook, but rather, to clarify definitions as they apply to the health sciences.

A. Duration of appointment:

1. It is the policy of the School of Medicine that faculty should have had a faculty appointment at Joan C. Edwards School of Medicine at Marshall University for a minimum of two years prior to consideration for promotion. It is expected, but not required that a minimum of four years of teaching, research, or clinical experience at a particular level will precede promotion to the next rank.
2. Teaching, research, or clinical experience prior to a faculty appointment at Joan C. Edwards School of Medicine at Marshall University will be evaluated by the Personnel Advisory Committee. Consideration may be given for post- doctoral training, fellowship training, or unusually long residency training required by some specialties.

B. Weighing of the criteria for promotion:

1. Faculty will be evaluated primarily on their principal role in the School of Medicine.
2. Basic Sciences Faculty will be evaluated principally on their teaching and research.
3. Full-time Clinical Faculty will be evaluated on their clinical teaching, patient care and research.
4. Part-time faculty will be evaluated for promotion following the same guidelines expected of full-time non-tenure track faculty.
5. Volunteer Clinical Faculty will be evaluated on their teaching, research and clinical contributions to the School of Medicine.

All activities of the Personnel Advisory Committee will be in concert with the policies of the Board of Governors and Marshall University.

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- X. Adoption and Amendment of Bylaws. These Bylaws may be adopted or amended by a sixty percent majority of the full-time Faculty members present at any regularly called Faculty meeting, provided the Faculty has received notice of the proposed changes at least ten days prior to this meeting. Bylaws or changes therein become effective upon approval by the President of Marshall University.

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Amended and approved by the faculty at a regularly scheduled meeting on April 4, 2012.

Amended to remove section on Dean's Advisory Committee on April 10, 2014.

Amended for curriculum committee changes on October 4, 2017.

Amended to include part-time faculty promotion. Approved by the faculty at a regularly scheduled meeting on September 20, 2018.

Amended to include faculty council and approved at a regularly scheduled faculty meeting on December 12, 2018.

Amended for admissions committee changes and approved by Faculty Council on November 17, 2020.



Tami K. Fletcher
Secretary



Joseph I. Shapiro, MD
Dean