

**RULES FOR GOVERNANCE  
OF  
RUSH UNIVERSITY**  
Approved May 26, 2017 by University Council (*Chair, James M. Williams, PhD*)

**ARTICLE I: THE UNIVERSITY**

**Section 1. Purpose**

The university is organized and operated exclusively for educational, scientific and charitable purposes within the meaning of Section 501(3) of the Internal Revenue Code of 1986, as amended (or the corresponding provision of any future United States Internal Revenue Law), and not for financial gain. Through its colleges, Rush University offers academic degrees and certificate options in medicine, nursing, allied health and biomedical research.

**Section 2. Governance**

- a) These Rules for Governance address certain matters concerning the administration, organization, powers and responsibilities of the officers, faculty and students of the colleges. They are reviewed at least every ten years by the University Council of the faculty and adopted by the Board of Governors (hereafter referred to as the “Board”) acting upon the advice of the faculty as transmitted by the provost and the president of the university.
  - i. The Board of Governors is an autonomous governing board of the university that provides governance and control over the affairs and operations of the university, including oversight for the university’s financial and academic policies and practices in accordance with the Board’s legal and fiduciary responsibilities. When acting on matters having to do with academic policy and organization of a college(s), the Board shall rely upon the advice of senior representative body(ies) of the faculty as conveyed to the dean(s), provost, and president.
- b) The University Council shall serve as the senior representative body of the faculty and is constituted to represent the university faculty and advise the provost and deans regarding: (i) the organization, function, and coordination of educational and research resources, services and activities among the various units of the university; (ii) adequacy of university facilities and infrastructure, (iii) effectiveness of university support services (e.g., student services, technology, information systems, etc.); (iv) faculty grievance process; and (v) amendments to the Rules for Governance.
- c) Each college shall organize a senior representative body to be elected by the active faculty members in the college (See Article II Section 1) in such a manner that all categories of rank and major departments of faculty are represented. The senior representative body shall:
  - i. Serve in an advisory capacity to the dean on matters of the college;
  - ii. Organize standing committees, establish committee charges, and delineate procedures for election and/or appointment of members to college and university standing committees; and
  - iii. Draft policies and procedures consistent with these Rules for Governance upon consultation with the University Council. Once approved in accordance with the process established in the college’s policies and procedures, the policies and

procedures shall become part of these Rules after approval by the University Council, Provost, President and the Board.

- d) The faculty of each college shall hold at least one regular meeting during the academic year on a date it shall determine in accordance with the college's policies and procedures. Special meetings of the faculty of any college at which only the specific items on the agenda shall be discussed may be called by the president, provost, dean of the college, or upon receipt by the dean of an appropriate petition of the faculty in accordance with the college's policies and procedures. Each college shall establish in its policies and procedures the number and dates of its faculty meetings, the number of members constituting a quorum, and regulations governing the calling and conduct of special meetings.
- e) The Parliamentary authority for the Rules for Governance shall be the current edition of Roberts Rules of Order Newly Revised and used by the University Council and all of its standing committees.

### **Section 3.     **Formation and Structure****

Rush University was founded in 1972. The term university refers to all offices, colleges, and other institutions involved with its academic programs. The term college refers to any existing or subsequently established college that has an organized faculty and student body for implementation of academic programs at the university. A college's "policies and procedures" shall be consistent with and operationalize the University Rules for Governance.

- a) Colleges may elect to organize as departments, programs, sections, or divisions in accordance with the policies and procedures of each respective college.
  - i. Colleges may change the name of a department/program/division/section in accordance with its policies and procedures.
  - ii. Each department shall have a designated department chairperson. The qualifications, responsibilities, mechanisms for appointment and removal, and the term of office for department chairpersons shall be defined in the policies and procedures of each college.
  - iii. Each college shall establish in its policies and procedures regular department/program/division/section review at least every five (5) years including evaluation of the quality of the department's/program's/division's/section's activities. The periodic review should consist of at least three components: a review of the (1) department/program/division/section objectives, (2) department/program/division/section activities, and (3) department/program/division/section chairperson, including evaluation by active faculty in the department. The senior representative body and dean of the college are to be notified that a review is to be carried out and shall receive a report of the review.
- b) A college and/or a department/program/division/section within a college may be created or eliminated only upon the approval of the Board as transmitted through the president and provost upon recommendation of the senior representative body.
  - i. A college and/or department will not be construed as being "eliminated" for purposes of this section if the functions in that unit are shifted to another unit (e.g., college, department/program/division/section) in the university.

#### **Section 4. Administration**

- a) The president is the chief executive officer of the university. The president is appointed by and serves at the discretion of the Board for the supervision, management and governance of the university and for interpreting and carrying out Board policies.
- b) The provost is the chief academic officer of the university. The provost is appointed by and serves at the discretion of the president for the operations and administration of the university and its colleges and for all academic and research planning and programs. The provost may develop senior administrative positions for unspecified terms to fulfill university-related functions and they will serve at the discretion of the provost.
- c) The deans serve as the chief administrative and academic officers of their respective colleges. College deans report to the provost and serve at the discretion of the president for the administration of the educational and academic research programs of their respective college. The college dean shall: (i) be responsible for developing and implementing academic, financial, and, where applicable, clinical strategies to promote competitive educational, research and clinical programs of the highest caliber; (ii) define the responsibilities for the professional and academic work of the college departments; (iii) recruit and develop an outstanding academic administrative leadership team including chairpersons, key faculty, and senior administrators; (iv) call meetings of the faculty at such times as they or the senior representative body may deem necessary; (v) provide consultation and recommendations concerning faculty appointments and promotions and for student admissions, evaluation, and progression; and (vi) serve as the agent of communication for all official business of the college.
  - i. Each college dean shall be appointed by the Board, upon the nomination of the president from candidates recommended by a Dean's Search Committee. The Dean's Search Committee shall be appointed by the president and the senior representative body of the college.
    1. Members of the Dean's Search Committee appointed by the president will include: one member of the Board; faculty from each of the other colleges not seeking a dean, one of whom may be a dean; department chairpersons from the college seeking a dean; one student from the college seeking a dean.
    2. Members of the Dean's Search Committee appointed by the senior representative body of the college seeking a dean will include two active faculty from each a senior and a junior rank;
    3. Ex-officio members of the search committee may be appointed by the president. The president shall appoint the chair of the search committee from among its members. The chair of the search committee shall present the final recommendation(s) of the search committee to the president.

## **ARTICLE II: FACULTY ORGANIZATION AND CONDITIONS**

### **Section 1. Faculty**

- a) **Active Faculty**: Each College shall be made up of duly appointed members, whose assignments are made in one or more faculty roles, including instruction, research, clinical, and/or administrative (institutional) service. Active Faculty may have the right to cast votes in faculty meetings and elections depending on College rules. All active faculty may serve on a senior representative body (if elected or appointed) and standing committees (if elected or appointed). Active faculty shall include the ranks of professor, associate professor, assistant professor and instructor.
- b) **Pending Faculty**: a temporary designation that shall be reserved only for newly recruited faculty members who are awaiting their formal appointment. Pending Faculty appointments are not active faculty rank.
- c) **Adjunct Faculty**: Adjunct faculty of each College shall include individuals who provide instruction (or teach) on a specific topic or for a single course. They may hold academic rank titles of adjunct professor, adjunct associate professor, adjunct assistant professor, or adjunct instructor. Adjunct faculty is not an active faculty rank.
- d) **Lecturer**: Lecturers are Rush employees who, through tested experience, are qualified to participate in educational programming. Lecturer is not an active faculty rank.
- e) **Full-time Faculty**: Any faculty who is employed by Rush University Medical Center as .90 FTE or above. **Part-time Faculty**: Any faculty who is employed by Rush University Medical Center as anything under a .90 FTE. **Visiting Faculty**: Shall include those individuals who hold faculty appointments at another institution who are appointed for a limited term of up to one year, subject to reappointment. They may hold academic rank titles of visiting professor, visiting associate professor, visiting assistant professor, or visiting instructor; however, Visiting Faculty are not active faculty.
- f) **Emeritus Faculty**: Each college may establish the appointment process and rights of Emeritus Faculty in its policies and procedures. Emeritus Faculty are not active faculty.

### **Section 2. Terms and Conditions of Faculty Appointment, Reappointment, and Promotions**

- a) **Faculty Qualifications**: Qualified faculty members, including adjunct faculty, shall be identified primarily by their credentials. Faculty shall possess an academic degree relevant to their faculty role and services. Faculty members who teach shall possess an academic degree at least one level above the level at which they teach, except in programs for which terminal degrees are granted or when equivalent or tested experience are established as faculty qualifications. When tested or equivalent experiences are used to determine faculty qualifications, criteria used to define those qualifications are determined by the college pursuant to well-defined policies, procedures and documentation that demonstrate when such experiences are sufficient. A college may prescribe additional criteria for faculty in its policies and procedures.
- b) **Academic Functions of Faculty**: Each college shall establish the functions and responsibilities of its faculty in its policies and procedures. Such functions may include but are not limited to: (i) establishing requirements and policies for the college's educational and

academic research programs; (ii) participating substantially in the development, implementation and evaluation of the curriculum; (iii) establishing expectations of student and program performance; (iv) initiating appropriate action based on assessment of student learning and program outcomes; (v) establishing policies for faculty appointments and promotions; and (vi) overseeing student life that relates to the educational process.

c) Compensation and Employment: Academic faculty appointments (both active and non-active) do not carry with them a right to employment or compensation.

d) Terms of Appointment to Rank:

- i. Each college shall develop procedures and requirements for appointment and promotions to rank.
- ii. A faculty member's letter of appointment from the Provost shall include a statement defining the distribution of efforts, compensation (if applicable) and responsibilities, as reviewed with the department chairperson. The distribution of efforts, compensation (if applicable) and responsibilities shall be reviewed on an annual basis.
- iii. The term of appointment for Instructors shall be no greater than two (2) years. For Assistant Professors, the term of appointment shall be no greater than three (3) years.
- iv. For Associate Professors and Professors, the letter of appointment shall include a statement whether the position is tenured (i.e. granted for an indeterminate length of time) or non-tenured. If the position is non-tenured, the term of appointment must be stated.
- v. An initial appointment as an Adjunct Faculty member shall be for a term of up to one (1) year and may be renewed for terms of up to three (3) years. To be appointed as adjunct faculty above the rank of Instructor, the adjunct faculty member must currently or previously have attained at least that academic rank at another university or college.
- vi. Appointments and reappointments to the Visiting Faculty of a college shall be for terms of one (1) year or less, subject to reappointment.
- vii. At the end of each term of a non-tenured appointment, the department chairperson may choose to (1) terminate the faculty appointment; (2) reappoint the faculty for another term commensurate with the rank; or (3) recommend promotion to a higher faculty rank. Should the department chairperson elect to terminate a faculty appointment as described above, appropriate notice must be given to the faculty member as required by Section 2.h.iii. Faculty shall receive regular formal feedback from their department chair or dean on their performance and progress toward promotion, rank, and, if relevant, tenure.
- viii. All recommendations for faculty appointments, reappointments and promotions for Assistant Professor or below shall originate with the department chairperson and shall be presented to the college dean for transmission with a recommendation to the senior representative body of the college. Upon approval by the senior representative body of the college, the dean will forward a recommendation for approval to the Provost.
- ix. All recommendations for faculty appointments, reappointments and promotion for Associate Professor or Professor shall originate with the department chairperson and then reviewed for approval by the appropriate faculty committee on senior faculty appointments and promotions of the college in accordance with its policies and procedures. Upon approval, the Dean will make a recommendation to the senior

representative body. Upon approval by the senior representative body, the Dean will forward a recommendation for approval to the Provost.

- e) Joint Appointments: A faculty member may hold joint appointments at Rush University, but there may be only one “home” or primary appointment and both appointments must be at the same rank. Whenever possible, faculty shall be appointed in the college and the department representing the primary professional-academic disciplines and/or activities of the faculty member. Specific terms and conditions of the joint appointment shall be agreed to by the two department chairpersons, approved by the dean or deans if the appointment is in two colleges, and, if needed, by the provost. In the instance of joint appointments, a faculty member’s performance review will be conducted by the primary “home” in consultation with the secondary “home”.
- f) An active faculty appointment at another academic institution is not permitted except upon prior approval of the college dean.
- g) Promotions and Tenure. Tenure assures the academic freedom essential to an atmosphere conducive to the free search for knowledge and the attainment of excellence in the university. Tenure also reflects and recognizes a faculty member's value to the institution, as evidenced by professional performance and growth. Faculty members are integral to the educational and research programs of the university; they are the community of scholars who create institutional stability and an ongoing commitment to excellence. Tenure is granted for a faculty member’s achievements, not years in rank, and is based primarily on the faculty member’s performance in teaching, service, research, clinical service, achievements in scholarship, and commitment and contributions to the university. Tenure is granted by the university to a faculty member to provide a status of continuing senior faculty rank. A college may or may not participate in tenure. The rules and standards for promotion and tenure are defined and established at the college level and specific rules and processes for promotion are developed by the dean and faculty of each college and incorporated into the college’s policies and procedures. Promotions must be initiated by the primary college or department. Tenure in a college applies to the college of the primary appointment. Tenure ceases upon the termination of a faculty appointment for cause as set forth in section 2.h.ii. of these Rules and as set forth in a college’s respective rules and regulations. Tenure always ceases upon resignation, or retirement from the Faculty of the University, or death of a faculty member. Tenure is never gained de facto through length of service, failure on the part of the University to provide notice, or other indirect means.
- h) Leaves of Absences
  - i. The faculty of each college shall determine procedures governing leaves of absence of its members, with or without salary (in the case of employed faculty member), in accordance with Medical Center policies. Leaves of absence for employed faculty, other than scholarly leaves, shall be governed by the Medical Center’s policies on Leaves of Absence. For faculty not employed by the Medical Center, leaves of absence must be approved the Department Chairperson and College Dean. Non-scholarly leaves of absence for faculty who are salaried include any leave of absence that does not have a scholarly basis. Such a leave of absence may be for reasons

covered by Federal or State Law or local ordinance. See Medical Center's policies and procedures on Leaves of Absence.

- ii. Scholarly leaves of absence are granted for the purpose of improving a faculty member's professional and academic development. Scholarly leaves of absence are not automatic and may be granted only with the approval of the Department Chairperson and the final approval of the Dean. The leave may be granted to a faculty member who has an appointment that would continue after the leave was completed and who intends to return to the College. Additional procedures for administering scholarly leaves of absence shall be defined by the respective college.

i) Termination, Suspension and Appeals

- i. Faculty appointments may be terminated by (i) non-renewal of the specified term of appointment; (ii) retirement; (iii) acceptance of resignation; (iv) termination consequent to a College, Department, or Program elimination; (v) termination for inability to perform the essential functions of the faculty position; or (vi) discharge for cause. A college may establish additional criteria for termination or transfer to emeritus status in its policies and procedures.
- ii. The department chairperson, with the approval of the dean, may suspend or discharge a faculty member for cause as outlined below. Suspension is temporary withdrawal of specified faculty responsibilities, with or without salary, as deemed appropriate by the respective department chairperson or dean. Discharge is termination of one's faculty appointment and, if applicable, employment. Cause for discharge or suspension from the Faculty shall consist of any or all of the following:
  - 1. failure to carry out assigned teaching, research, administrative or service responsibilities and duties;
  - 2. serious and/or repeated violation of medical center, university, college or departmental bylaws, rules, policies, procedures and/or standards of conduct;
  - 3. violation of generally accepted standards of professional ethics;
  - 4. material breach of the faculty member's appointment letter and any other agreements the faculty member has with the university and/or medical center;
  - 5. conviction of a crime deemed to (a) render the faculty member unfit to discharge their professional responsibilities and duties or (b) place at risk the safety, security or reputation of the medical center or university;
  - 6. temporary or permanent loss of professional licensure or certification necessary to discharge the Faculty member's responsibilities and duties;
  - 7. professional incompetence; or
  - 8. conduct that is prejudicial to the best interest of the university or medical center as determined by the dean and approved by the provost.
- iii. When a faculty member with a non-tenured appointment is recommended for non-reappointment, Instructors will be notified in writing by the department chairperson at least three (3) months prior to the expiration of the appointment. Assistant, Professors will be notified at least six (6) months prior to expiration. Non-tenured Associate and Full Professors will be given notice of at least twelve (12) months prior

to expiration of the appointment. Nonrenewal of an appointment made according to these Rules for Governance is not grievable.

- j) Grievance. The Faculty of each college shall determine procedures governing grievances of its members. Decision with regard to discharge for cause may be appealed to the University Council when the cause of discharge is outside the purview of human resources (e.g. denial of faculty rank promotion). A request for review must be submitted in writing to the chair of the University Council no later than fourteen (14) calendar days following the final decision of the appropriate college's senior representative body. The request should describe how the college's senior representative body's policies and procedures were not followed. The University Council shall initiate a review of the decision of the college's senior representative body within thirty (30) days. Such review will be limited only to a determination of whether the college's senior representative body followed its own procedures in reviewing the grievance. The University Council shall not under any circumstances reconsider the merits of the grievance. The University Council shall provide its recommendation to the provost. Its review and recommendation shall be limited to: (1) overturning the decision of the college's senior representative body when there has been failure to follow applicable procedures specifying grounds; (2) affirming the decision of the college's senior representative body specifying grounds; or (3) remanding the grievance to the college's senior representative body for further consideration, specifying grounds. The recommendation of the University Council shall be conveyed to the provost who shall issue a final decision in writing. The provost's decision will be conveyed to the college's senior representative body and the faculty member. If the provost remands the grievance to the college's senior representative body, it shall initiate a review within thirty (30) days.

### **ARTICLE III: STUDENTS**

#### **Section 1. Students**

- a) There shall be two categories of students in Rush University: those enrolled and registered for Rush degrees or certificate programs and those enrolled for studies that do not lead to a degree or certificate.
- b) Only students from degree or certificate programs, in good standing, are eligible to hold office and serve on committees, or otherwise vote in plenary affairs of the students or faculties.
- c) The process for determining academic status and grounds for dismissal shall be made known in writing to the students. Each college shall establish an appeal mechanism for student-related grievances. The determination of the status of a student in a college shall be made by the dean of the college with the advice of the appropriate committee within each college.
- d) A degree or certificate student candidate who holds a faculty appointment may participate in academic matters in either role as long as there is no conflict of interest as determined by the dean of the college

## **Section 2. Student Representation**

- a) A student representative government may be organized from the student body of each college. Such a representative body shall be organized in a manner so as to provide appropriate representation for all students in that student body.
  - i. The members of a student representative body shall serve as the designated representatives for the students in matters between the student bodies, faculty and administrative officers of the college and university.
- b) A Rush University Student Representative Council may be organized and, if so, should be constituted equally from among the students of each college. If a college has an established student representative body, its delegates to such a council shall be the chairperson and members of the body. If no such student representative body exists, delegates to such a council shall be selected by a student body in such a manner as to provide appropriate representation for all students in that student body. A council shall elect its own chairperson annually.
  - i. The members of a Rush University Student Representative Council shall serve as the designated representatives for all students in matters among student bodies, faculty and administrative officers of the University.

## **ARTICLE IV: PRIVILEGES AND RESPONSIBILITIES OF THE FACULTY AND STUDENTS**

### **Section 1. Privileges and Responsibilities**

- a) Academic freedom: It is the policy of Rush University to maintain and encourage full freedom within the law for inquiry, discourse, teaching, research and scholarly activity and to protect faculty and students against influences that would restrict the exercise of these freedoms. Such freedom requires free expression, intellectual honesty, respect for the academic rights of others, and openness to change. Freedom of expression does not include unlawful activity, activity that threatens or endangers the safety of others, or obstruction of the normal operations of the university. It is the responsibility of all members of the university to maintain channels of communication which will foster a climate favorable to the freedom of expression.
- b) Faculty and students of the university who express public opinions on public issues must clearly represent themselves and not the university or Rush University Medical Center, in whole or in part, unless that opinion has been authorized by the president or the provost.
- c) Willful and persistent interference with members of the university community in the performance of their normal duties and activities must be regarded as unacceptable obstruction of the essential processes of the university.

## **ARTICLE V: AMENDMENTS TO THE RULES FOR GOVERNANCE**

### **Section 1. University Rules for Governance**

- a) A proposal for amendment to these Rules for Governance may be initiated by any of the following: a petition signed by at least twenty-five percent (25%) of active faculty of a

college; by the president; by the provost; by any college dean; or by a majority vote of the University Council. All such proposals shall include a written explanation for the proposed change and proposed language to be added, deleted, or changed accordingly. With the exception of amendments proposed by the University Council, the proposal for amendment shall be submitted by the initiating parties to the University Council for its review.

Thereafter, the University Council shall approve or disapprove the amendment, stating the reason for disapproval, or return the proposal to the initiators with recommendations for revision and resubmission.

- b) Amendments approved by the University Council shall be submitted to the provost for review and approval prior to a vote of the faculty. If approved by the provost, he/she shall submit the amendment to a vote of the active faculty by a secret ballot at any regularly or specially called faculty meeting or secret ballot using available and current technology. Each respective college may define “active faculty” in their rules and regulations specific to who may vote on any amendments to the Rules for Governance.
- c) Each amendment must be approved by a simple majority of the faculty voting in such an election.
- d) The University Council shall submit the faculty-approved amendment(s) to the president, who will submit the amendment(s) to the Board for final approval.

## **Section 2. College Policies and Procedures**

- a) Each college’s senior representative body should develop a mechanism for amending its own policies and procedures.
- b) Thereafter, the amendments shall be transmitted to the University Council, provost, the president, and the Board for final approval.