

FACULTY BYLAWS
TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER EL PASO
PAUL L. FOSTER SCHOOL OF MEDICINE

Article I
THE FACULTY

A. Membership

1. The Paul L. Foster School of Medicine Faculty shall consist of the Dean; other designated Administrative Officers, and all tenured and non-tenured Professors, Associate Professors, Assistant Professors, Instructors, Lecturers, and Faculty Associates. These titles may be qualified by such designations as Clinical, Research, Visiting, Adjunct, and/or Emeritus. Voluntary and part-time faculty must have the above titles as well.
2. Members of the Paul L. Foster School of Medicine Faculty who are eligible to vote (the Voting Faculty) shall include all faculty members with at least a 50% FTE appointment.
3. Questions of eligibility for voting shall be settled by the Presiding Officer of the Paul L. Foster School of Medicine Faculty.

B. Responsibilities

Subject to the policies and procedures of the Texas Tech University Health Sciences Center El Paso (TTUHSC El Paso) and the Texas Tech University System Board of Regents, and subject to their approval, the Faculty shall define and implement the mission and goals of the Paul L. Foster School of Medicine and shall have the responsibility for review of and final actions for the following:

1. Definition and delivery of the content of the curriculum and objectives of the educational program.
2. Establishment of criteria and procedures for student admission, promotion, and honors.
3. Selection of students to be admitted for medical study.
4. Approval of candidates for the academic degrees granted by the Paul L. Foster School of Medicine.
5. Dissemination of policies and procedures for faculty appointment, tenure, promotion, faculty development leave, and dismissal.

6. Consideration and resolution of matters referred to it by the Dean, the Academic Council, Faculty Council, and/or Committees of the Paul L. Foster School of Medicine.

C. Meetings

1. The Paul L. Foster School of Medicine Voting Faculty shall meet semi-annually, or as often as necessary, at a time and place determined and announced by the Dean or other presiding officer.
2. The Dean of the Paul L. Foster School of Medicine shall be the presiding officer. In the Dean's absence, or when the presiding officer requests, or when the presiding officer wishes to speak from the floor, the vice-presiding officer shall preside.
3. The Vice-Presiding Officer shall be the President of the Faculty Council.
4. Minutes of all meetings shall be recorded and distributed to the faculty no less than five (5) days prior to the next scheduled meeting.
5. Meetings shall be conducted in accordance with Roberts' Rules of Order, except as modified by majority vote of the Faculty.
6. Thirty percent (30%) of the voting membership shall comprise a quorum for business.
7. An agenda for each meeting shall be prepared and distributed to the faculty no less than five (5) working days before the scheduled meeting.
8. Special meetings of the faculty may be convened by the presiding officer at his/her discretion or by the written petition of ten percent (10%) of the voting members of the faculty.

Article II DEPARTMENTS, CENTERS, AND DIVISIONS

A. Organization

1. The Faculty of the Paul L. Foster School of Medicine shall be organized into Departments. Subject to the policies and procedures of the Texas Tech University Health Sciences Center El Paso and the Texas Tech University System Board of Regents, Departments shall be established or dissolved upon the recommendation of the Dean and the Academic Council.

2. Independent Centers may be established within the Paul L. Foster School of Medicine in accordance with Texas Tech University Health Sciences Center El Paso Operating Policies and Procedures (HSCEP OP) 01.02, upon recommendation of the Dean and approval of the President. Such a Center is a group of faculty and associates, formally recognized and approved by Texas Tech University Health Sciences Center El Paso, joined together in a multidisciplinary and/or interdisciplinary fashion to pursue research, education, and/or outreach that requires the input from disciplines within the Paul L. Foster School of Medicine. Centers typically will be funded by appropriations, grants, or contracts, for which administrative and fiscal control is assigned to the Center Director who reports to the Dean or his/her designee. The goals, procedure for consideration of formation, governance, review and discontinuation of independent centers shall be in accordance with the HSCEP OP 01.02.

A Paul L. Foster School of Medicine Center shall not be the tenure home for participating faculty; rather, Centers are umbrella organizations to draw upon faculty expertise from multiple disciplinary homes/locations of the respective faculty members. The contribution of faculty to a Center should be recognized by the chair of the department of their principal appointment, and the administration should recognize the resulting contribution made by that department.

3. Divisions within a Department may be established by the Chair of that Department, following consultation with the faculty members within that Department, and with the concurrence of the Dean. The Administrative Officer for such a departmental division will be designated as the Chief of the named Division and will report to the Chair.

B. Administration

1. Reporting directly to the Dean of the Paul L. Foster School of Medicine, the Chair of each Department shall be the chief Administrative Officer of their respective academic units and shall assume the following responsibilities:
 - a. Recommend appointments within his/her academic unit.
 - b. Appoint Resident Physician Trainees, Fellows, Postdoctoral Associates, and Research Associates, as appropriate, within his/her academic unit, subject to the approval of the Dean.
 - c. Supervise activities of the respective departments.
 - d. Make an independent tenure or promotion recommendation in writing to the Dean in accordance with HSCEP OP 60.01.

- e. Encourage and promote the professional development of faculty and staff.
 - f. Administer a program of instruction that is in compliance with accrediting bodies.
 - g. Discharge delegated responsibilities from the Dean.
 - h. Further the mission and objectives of the Paul L. Foster School of Medicine by engaging in and encouraging professional activities in support of the educational and research missions.
 - i. Develop and manage the annual budget of their respective academic units.
 - j. Assign or re-assign space allocated to their respective academic units.
 - k. Serve on Paul L. Foster School of Medicine and institutional committees (standing and *ad hoc*) if eligible.
 - l. Communicate to members of his/her academic unit rules and regulations regarding the administration of the unit and to implement policies and procedures of the Paul L. Foster School of Medicine and the Texas Tech University Health Sciences Center El Paso.
 - m. The Department Chair shall have annual performance conferences with the Dean.
 - n. Perform such other administrative duties as shall from time to time be required.
2. Department Chairs make nominations and other recommendations on faculty promotions and/or tenure directly to the Committee on Faculty Appointments, Promotion, and Tenure, and Comprehensive Performance Appraisal (CFAPTA).
 3. Each Chief Administrative Officer shall hold meetings of the academic unit at least quarterly. At these meetings, the Chief Administrative Officer shall seek the advice and counsel of the faculty of the academic unit in regard to the affairs of the academic unit, the Paul L. Foster School of Medicine, and the Texas Tech University Health Sciences Center El Paso. Minutes of these meetings shall be kept and published in a timely fashion for distribution to the Faculty of the academic unit.

4. Each Chief Administrative Officer shall be responsible for the documentation of an annual review of the academic unit's goals, objectives and outcome measures relative to teaching, research and service functions as well as the professional development of faculty and staff to ensure optimal performance by the academic unit.
5. The appointments of Chair of a Department, Director of a Center, or other administrative assignment within the Paul L. Foster School of Medicine do not confer tenure, and insofar as their administrative duties apply, the individuals serve at the discretion of the Dean. Administrative positions may be terminated without cause at any time and continuation is at the pleasure of the Dean.
6. Heads of academic units shall be appointed at the discretion of the Dean as appropriate.
 - a. Center Directors shall be reviewed in accordance with HSCEP OP 01.02.
 - b. During every fifth year of Department Chair's appointment, an internal review of the Department will be conducted by an *ad hoc* committee appointed by the Dean or his/her designee. During the review process, the faculty will have the opportunity to discuss the leadership skills and capacity of the Chair based on objectively derived criteria and supported by documented achievement of specified performance measures. The internal review committee will report their findings and make recommendations to the Dean. If necessary, the internal review committee may recommend to the Dean that an external review be conducted as well.

C. Review

Ad hoc committees appointed by and reporting to the Dean shall conduct a review of Departments under the following circumstances:

1. When the leader of an academic unit steps down, a departmental review will be initiated in order to provide candidates and the new leader with appropriate information about the state of the academic unit.
2. If an academic unit is having administrative, educational, or financial problems, a review may be initiated at the discretion of the Dean.

Ad hoc committees will provide recommendations for improving the academic units, and the heads of the academic units will report on the progress made in achieving those recommendations in their annual reports to the Dean. Reports generated shall be made available to Department faculty.

Article III EXTERNAL ACADEMIC APPOINTMENTS

Faculty members of the Paul L. Foster School of Medicine may hold an academic appointment at another educational institution. These appointments will be consistent with the Bylaws of that institution, and the appointed faculty members will assume privileges and responsibilities as described in those Bylaws.

Article IV FACULTY COUNCIL

A. Membership

Members of the Faculty Council shall consist of:

1. One representative from each Department, elected by majority vote of members of that department. It is strongly recommended that representatives serve no more than three consecutive terms. Each representative may name an alternate who may vote in the representative's place.
2. Those eligible for election are members of the Voting Faculty who have completed two (2) years' service at Texas Tech University Health Sciences Center El Paso, Paul L. Foster School of Medicine.
3. Terms for the Faculty Council representatives shall be for a period of two (2) years with half of the members being elected each year at the start of the academic year.
4. Neither Chief Administrative Officers of academic units nor Administrative Officers appointed by the Dean are eligible to serve in the Faculty Council.
5. The Associate Dean for Faculty Affairs shall have a non-voting position in the Faculty Council.

A representative elected by the physicians in the community through the El Paso County Medical Society shall be an *ex-officio* (non-voting) member. The representative must have a current faculty appointment at Texas Tech University Health Sciences Center El Paso, Paul L. Foster School of Medicine.

B. Conduct of business

1. The elected officers of the Faculty Council shall be: Past-President, President, and President-Elect. The terms for each office will be one (1) year. A new

President-Elect will be elected by the voting members of the Faculty Council during the second quarter of each year. S/he will assume the duties of that office in September of that year and then the positions of President and Past-President in the subsequent two (2) years. Elected officers will not be subject to the two (2)-year term limit for departmental representatives while in office.

2. The President of the Faculty Council shall be the presiding officer of meetings of the Faculty Council. The President-Elect shall preside in the absence of the President.
3. Minutes shall be kept of all meetings of the Faculty Council and will be posted online with password protection.
4. A quorum shall consist of one-half (1/2) of the Faculty Council's voting members.
5. The Faculty Council shall meet at least quarterly or more frequently, whenever called by the Council President or a majority of the voting members of the Council.
6. Meetings are mandatory for elected Council members. Members of the Voting Faculty may attend.
7. Two (2) unexcused absences without delegation of the representative's appointed alternate will be grounds for dismissal from the Faculty Council and the nomination and election of a new representative by the affected department.

C. Responsibilities

The Faculty Council, serves as the forum for presenting, discussing, considering and making recommendations about faculty-related and/or education-related issues. Issues that cannot be resolved by the Faculty Council will be referred to the Voting Faculty if they relate to the responsibilities of the Faculty (as stated in Article I.B.); other issues will be referred to the Academic Council.

The Faculty Council shall have the responsibility for review of and final actions for the following:

1. Consideration of other matters referred to it by the Dean, the Academic Council, Committees of the Paul L. Foster School of Medicine, and/or individual faculty members.

2. Providing the Dean with recommendations and nominations for positions on Standing Committees in accordance with the provisions stated in Article X, C. and in compliance with federal statutes, TTUHSC El Paso OP's and Texas Tech University System Board of Regents.
3. Review and acceptance or rejection of recommendations made by Standing Committees.
4. Reporting to the Academic Council on the activities of Standing Committees related to Faculty responsibilities.
5. Appointment of *ad hoc* committees to address Faculty and Faculty Council responsibilities.
6. Selection of faculty representatives for the Academic Council.
7. Selection of three (3) faculty members, in addition to the President or President-Elect of the Faculty Council, who will represent the Paul L. Foster School of Medicine in the Texas Tech University Health Sciences Center El Paso Faculty Senate.

Article V DEAN'S COUNCIL

A. Membership

1. The voting members of the Dean's Council shall consist of:
 - a. The Dean
 - b. Administrative Officers appointed by the Dean
 - c. Chair of each established Department
 - d. President of Faculty Council
2. At the discretion of the Dean, other individuals may be invited to attend meetings or portions thereof when the agenda would make such attendance appropriate. Such persons shall not have voting power.

B. Conduct of business

1. The Dean shall be the presiding officer of meetings of the Dean's Council. A member designated by the Dean shall preside in the absence of the Dean.
2. Minutes shall be kept of all meetings of the Dean's Council and a meeting summary shall be available for faculty information.

3. A quorum shall consist of one-half (1/2) of the Dean's Council voting members.
4. The Dean's Council shall meet at least quarterly or more frequently whenever called by the Dean or a majority of the voting members of the Dean's Council.

C. Responsibilities

Reporting to the Academic Council, the Dean's Council shall:

1. Participate by discussion, studies, advice, and counsel in the formulation of policies of the Paul L. Foster School of Medicine.
2. Appoint members who will coordinate with appropriate committees appointed by Academic Council.
3. Consider other matters referred to it by the Dean, the Academic Council, Faculty Council, Committees of the Paul L. Foster School of Medicine, and/or individual faculty member.
4. Form *ad hoc* committees to address Dean's Council responsibilities.

**Article VI
THE ACADEMIC COUNCIL**

A. Membership

The ten (10) members of the Academic Council shall be:

1. The Dean
2. Four (4) members of the Dean's Council appointed by the Dean
3. The President and President-Elect of the Faculty Council
4. Three (3) additional faculty members elected by the Faculty Council. The five (5) faculty representatives should reflect the ratio of clinical to basic science faculty and include at least one basic science faculty member.
5. Those eligible for election are faculty who has completed two (2) years of service at Paul L. Foster School of Medicine.
6. Terms for the Academic Council representatives shall be for a period of two (2) years and will be staggered.

B. Conduct of business

1. The Dean shall be the presiding officer of meetings of the Academic Council. The President of the Faculty Council shall preside in the absence of the Dean.
2. Minutes shall be kept of all meetings of the Academic Council.
3. A quorum shall consist of one-half (1/2) of the Academic Council's voting members.
4. The Academic Council shall meet at least quarterly or more frequently, whenever called by the Dean or a majority of the voting members of the Academic Council.

C. Responsibilities

The Academic Council is the central body for communication between the administration and the faculty. It will receive information from both the Dean's Council and the Faculty Council and will facilitate the dissemination of information to all. The Academic Council shall have responsibility for:

1. Consideration of matters referred to it by the Dean, Dean's Council, Faculty Council, or Committees of the Paul L. Foster School of Medicine. The Academic Council may arbitrate or facilitate if desired, or may appoint an *ad hoc* committee to review and make recommendations.
2. Providing the Dean with recommendations and nominations for positions of committees reporting to Academic Council in accordance with the provisions stated in Article X, C. and in compliance with federal statutes, TTUHSC El Paso OP's and Texas Tech University System Board of Regents.
3. Reviewing and accepting or rejecting recommendations made by Standing Committees.
4. Reporting to the Faculty Council and Dean's Council about the activities of the above-described Standing Committees.
5. Appointment of *ad hoc* committees to fulfill the above responsibilities of the Academic Council.

Article VII THE DEAN

A. Selection and appointment

The Dean of the Paul L. Foster School of Medicine should be recognized as a leader in medical education and possess excellent academic credentials and excellent communication and interpersonal skills. The Dean is appointed by the President of the Texas Tech University Health Sciences Center El Paso in accordance with HSCEP OP 10.14.

B. Responsibilities

Reporting directly to the President, the Dean, as the chief executive officer of the Paul L. Foster School of Medicine, shall assume and discharge the following responsibilities:

1. Develop, supervise and operate the academic, research, and clinical programs of the Paul L. Foster School of Medicine.
2. Establish and administer degree requirements.
3. Develop and periodically review policies, and enforce all rules and regulations of the Paul L. Foster School of Medicine.
4. Maintain effective communication among the Texas Tech University System Board of Regents, the Texas Tech University Health Sciences Center El Paso, and faculty, staff, trainees, and students of the Paul L. Foster School of Medicine.
5. Appoint faculty to the Paul L. Foster School of Medicine upon recommendation from the CFAPTA.
6. Review and recommend appropriate action to the President of Texas Tech University Health Sciences Center El Paso promotions forwarded by the CFAPTA in accordance with HSCEP OP 60.01.
7. Prepare the annual budget and to be responsible for the financial affairs of the Paul L. Foster School of Medicine.
8. Allocate all available space owned or controlled for the use of the academic units and administrative offices of the Paul L. Foster School of Medicine.

9. Serve as the official spokesperson concerning the affairs of the Paul L. Foster School of Medicine.
10. Appoint Department Chairs in accordance with HSCEP OP 10.14.
11. Based on recommendations and nominations made by the Faculty Council and Academic Council, appoint members of Standing Committees.
12. Create, reorganize, and dissolve departments and other administrative units of the Paul L. Foster School of Medicine with recommendation of the Academic Council.
13. Perform such other duties as shall be delegated to the Dean by the President of the Texas Tech University Health Sciences Center El Paso or by the Texas Tech University System Board of Regents.
14. Implement Texas Tech University Health Sciences Center El Paso's diversity goals.
15. Serve as a member of the President's Executive Committee.
16. Provide leadership in developing programs that will strengthen the Paul L. Foster School of Medicine's educational, research, and professional service missions.

In discharging these responsibilities, the Dean may seek advice and counsel from members of the faculty or from such advisory committees as are established. In the absence of the Dean, his or her designee shall serve in his or her stead.

C. Administrative Officers

The Dean may appoint Administrative Officers to assist in the operation of the Office of the Dean. These individuals should have defined responsibilities for a specific administrative element and hold the title of Associate or Assistant Dean for that administrative element in accordance with HSCEP OP 10.14. Searches for and appointments of Vice, Associate or Assistant Deans are initiated by the Dean. In some instances the Dean may appoint an individual to discharge a specific administrative responsibility. Such individuals will be designated by an appropriate administrative title. Individuals appointed to these administrative positions shall serve at the pleasure of the Dean and without tenure for their administrative position. Associate Deans shall have annual performance conferences with the Dean, and Assistant Deans shall have annual performance conferences with the Associate Dean to whom they report.

Article VIII APPOINTMENTS

A. Faculty

1. Categories

Academic ranks for faculty appointments shall be those recognized in the HSCEP OP 60.01 for non-tenure track series and for tenure track series.

2. Recruitment and appointment

- a. Faculty members will be recruited by the appropriate Administrative Officer with the concurrence of that officer's immediate supervisor. It is the responsibility of the recruiting Administrative Officer to provide the necessary financial assurances and obtain the required approvals.
- b. Recruitment of faculty members will be consistent with the policies of the Texas Tech University Health Sciences Center El Paso concerning recruitment procedures as described in HSCEP OP 60.09 and departmental policies.
- c. The credentials and the proposed academic rank of a potential faculty member must be approved by the CFAPTA, before a formal offer can be tendered.
- d. Upon recommendation by the CFAPTA, the Dean shall tender the formal offer of appointment.
- e. Faculty from other academic institutions may be appointed as adjunct faculty subject to standard faculty appointment criteria.

3. Voting privileges

- a. Members of the Voting Faculty shall be entitled to vote in all matters, except those concerning promotion and tenure, presented for consideration within that member's designated academic unit or by the Faculty, respectively.
- b. Voting for recommendation of tenure or promotion shall be in accordance with the procedures outlined in the HSCEP OP 60.01.

4. Responsibilities

The individual Faculty member has obligations that encompass the various components of an academician. These include the following responsibilities:

- a. Maintaining competency in his/her field of specialization.
- b. Promoting the acquisition and dissemination of new knowledge through teaching, research, clinical care, and service.
- c. Maintaining professional conduct in all of the elements of academic life by adhering to the Paul L. Foster School of Medicine Declaration of Faculty Professional Responsibility.
- d. Maintaining respect for students and trainees and their respective rights in the learning experience.
- e. Respecting the rights and privileges of all persons encountered in research and patient care.
- f. Serving on Paul L. Foster School of Medicine standing or *ad-hoc* committees.

5. Promotion and Tenure

- a. Procedure for review of qualifications for tenure and promotion shall be in accordance with the procedures outlined in the HSCEP OP 60.01.
- b. Faculty members on non-tenure track shall be encouraged by the Department Chair to utilize the mid-point review process to help identify strengths and limitations that might impact their advancement of academic rank. Faculty members on tenure track are required to undergo the mid-point review process to help identify strengths and limitations that might impact their advancement of academic rank and achieving tenure status.

6. Comprehensive performance evaluation of tenured faculty

The comprehensive performance evaluation of tenured faculty of the Paul L. Foster School of Medicine shall be in accordance with the provisions set forth in the Texas Education Code §51.942(d), the Texas Tech University System Board of Regents' Rules Section 04.03 and the HSCEP OP 60.03 and its attachment A.

7. Faculty Development Leave

The Faculty of the Paul L. Foster School of Medicine shall follow the HSCEP OP 60.02 with respect to faculty development leave of absence. Faculty development leave (sabbatical) is granted by the Texas Tech University System Board of Regents for study, research, writing, field observations, or other suitable purposes under conditions allowable by the State of Texas. Application for leave of absence should be submitted to the Faculty Development Leave Committee, an *ad hoc* committee appointed by the Chair of the CFAPTA for recommendation to the Dean and subsequent ratification in accordance with HSCEP OP 60.02.

8. Retirement and appointment to *emeritus* status

- a. Retirement from the Faculty of the Paul L. Foster School of Medicine is subject to the regulations of the Texas Tech University Health Sciences Center El Paso, described in HSCEP OP 70.02.
- b. Appointment as an *emeritus* faculty member may be conferred at full retirement for those members of the faculty with senior academic rank as recognition for long and faithful service, or for very distinguished service to the institution. The Paul L. Foster School of Medicine shall follow the procedures and policies described in the Texas Tech University System Board of Regents' Rules Section 04.01.2 and in HSCEP OP 10.12.

9. Designation as a Murray Distinguished Professor

The Grover E. Murray Professorship has been established by the Texas Tech University System Board of Regents as the highest honor that is granted to professors in recognition of the attainment of national and/or international distinction for outstanding teaching, research or other scholarly achievement. Nomination and selection of awardees shall follow procedures described in the Texas Tech University System Board of Regents' Rules 04.01.1.

B. Administrative Officers

1. Designation

Administrative Officers shall include those individuals and positions described in these Bylaws, Article II.B and Article VII.C. Such Administrative Officers shall be granted a title that is descriptive of their position and administrative seniority.

2. Selection and appointment

- a. Administrative Officers shall be selected by a process that is in compliance with the Texas Tech University System Board of Regents' Rules and the Texas Tech University Health Sciences Center El Paso Operating Policies and Procedures.
- b. Appointment as an Administrative Officer is at the pleasure of the Dean and does not imply or confer tenure of such an administrative position.

3. Responsibilities

As members of the Voting Faculty, Administrative Officers will have the responsibilities of faculty members described in Article I.B of the Faculty Bylaws. In addition, these Administrative Officers will have additional responsibilities, appropriate to their office, as described in Articles II.B, VII.B, and VII.C of the Faculty Bylaws. In all instances, these responsibilities must be in compliance with the Texas Tech University System Board of Regents' Rules and the Texas Tech University Health Sciences Center El Paso Operating Policies and Procedures.

Article IX FACULTY GRIEVANCES

The Paul L. Foster School of Medicine endorses the concept of Due Process. When there are matters of disagreement between a Faculty member and his/her administrative supervisor, or if a Faculty member disputes an administrative action, every effort should be made to resolve the matter through discussion. In the event that such remedy fails, the Paul L. Foster School of Medicine shall have a mechanism to resolve these grievances. The process shall be in writing and made available to individual faculty members in the Faculty Handbook. The process shall also follow the guidelines established in the TTUHSC EP OP 60.10.

Issues related to tenure and promotion decisions, dismissal for cause or notice of non-reappointment to non-tenured faculty shall be handled in accordance with the HSCEP OP 60.01, Tenure and Promotion Policy. Charges of discrimination are covered under HSCEP OP 51.01, Equal Employment Opportunity Policy and Affirmative Action Plan. The faculty grievance procedure does not apply to grievances between faculty members. Such grievances should be filed against the chair for failure to resolve the problem. No person shall be penalized, disciplined, or prejudiced for filing a grievance or aiding another faculty member in filing a grievance, but those involved will be expected to meet normal responsibilities while pursuing a grievance in accordance with this policy.

Article X COMMITTEES

A. Appointment

Appointments to committees will be made by the Dean based on recommendations and nominations by the Faculty Council, Academic Council, or faculty at large or as otherwise stated in Articles X.C and X.D, and in accordance with federal statute, operating policies and procedures of the Texas Tech University Health Sciences Center El Paso, and the Texas Tech University System Board of Regents' Rules. A balance of representation of basic science, and clinical faculty; faculty at different career stages; and women and underrepresented minority faculty shall be considered in the nomination and appointment of members to the committees.

B. Procedures

Committees shall conduct their business according to written guidelines developed by the committee and approved by the Faculty or Academic Council and the Dean.

C. Standing Committees

Standing committees are created by and exist as the province of the faculty. Changes to the composition or charge of any standing committee may be enacted through the amendment of the bylaws set forth in the Article XII prior to implementation.

The Faculty Council or Academic Council shall review vacancies in the standing committees reporting to the Faculty Council or Academic Council, respectively. Nominations for vacant seats on standing committees reporting to the Faculty Council shall be solicited by the Faculty Council before forwarding to the Dean for formal appointment. For Dean appointed committees, the Dean will designate the replacement.

Members of standing committees shall be drawn from the Voting Faculty of the Paul L. Foster School of Medicine, with the exception of student and/or resident/fellow representation in the appropriate committees as specified below. Chairs of each committee will be appointed or elected as described below. Committees will maintain open communication with the appropriate Administrative Officer. Committees will report to the Faculty Council or Academic Council as described below. In the event that any standing committee reporting to the Faculty Council should find itself at an impasse with the Faculty Council regarding programs or policies, the issue in question will be referred to the Academic Council. The Academic Council may make a decision about the issue in question or they may, in turn, recommend that the matter be referred to the Voting Faculty for a vote if necessary.

1. Committee on Medical School Admissions

a. Membership: Members shall be appointed for three (3)-year terms with an option to serve additional terms. Nominations can be made by the faculty member's self-nomination, a current committee member or the assistant/associate dean for admissions to be forwarded to the Faculty Council for its recommendation to the Dean, who will tender formal appointment. Faculty may serve two (2) consecutive three (3)-year terms, but six (6) years of consecutive service must be followed by a minimum of a (1) one-year absence from the committee before faculty members will be eligible to serve another term. The committee will include a physician representative from the community who holds a current faculty appointment to be elected by the El Paso County Medical Society. The Associate Dean for Admissions and the Director of Admissions will serve as *ex-officio* (non-voting) members of the Committee.

b. Leadership: This committee will report to the Faculty Council. The committee shall be led by a chair and a vice-chair. The vice-chair will be elected from the committee membership on an annual basis and succeed the chair following one year of service.

c. Charge: The Committee shall have full authority to select members of the medical school entering class based on the screening assessments and interview evaluation reports and to fill vacancies that may occur in any of the medical school classes. A list of recommended candidates to be offered positions through the Texas Medical and Dental School Application Service (TMDSAS) matching process will be prepared based on a ranking determined following deliberations by the Committee. The Committee also shall have the responsibility to review the requirements for admission and, if necessary, to recommend revisions to the faculty.

2. Curriculum and Educational Policy Committee

a. Membership: The Curriculum and Educational Policy Committee (CEPC) is composed of 15 voting members (eleven (11) faculty and four (4) students) and 9 non-voting advisory members (five (5) faculty/staff and four (4) students).

The following are voting members of the CEPC:

- Associate Dean for Medical Education (chair)
- Two (2) College Mentors
- Four (4) Clinical Sciences Faculty
- Four (4) Basic Sciences Faculty
- Four (4) Student Curriculum and Evaluation Committee (SCEC) Representatives

The following are non-voting, *ex-officio* advisory members of the CEPC:

- Assistant Deans for Medical Education
- Managing Director, TTUHSC-EP Medical Libraries
- Associate Vice President for Information Technology (or designee)
- Associate Dean for Student Affairs
- Four (4) Student Curriculum and Evaluation Committee (SCEC) Representatives

College Mentors basic sciences faculty, and clinical sciences faculty are appointed for four (4)-year terms.

There shall be eight (8) student members of the CEPC (four (4) voting and four (4) advisory) designated from and by the Student Curriculum and Evaluation sub-committee, with one (1) voting and one (1) advisory member representing each of the four (4) student cohorts (MS1-MS4). These student members are elected or reaffirmed annually by each class.

b. Leadership: This committee will report to the Faculty Council. The Associate Dean for Medical Education shall serve as chair of this committee.

c. Charge: The CEPC is charged with the development, design, implementation, management, monitoring, integration, review, evaluation, and revision of the undergraduate medical education curriculum to ensure continuous quality improvement.

The committee's responsibilities are to:

- establish, review and approve the PLFSOM education program goals and objectives (PGOs);
- design, manage, and evaluate the undergraduate medical education program to ensure the PGOs are met in accordance with the mission and vision of PLFSOM;
- establish performance standards and criteria for student evaluations of faculty teaching;
- establish performance standards required for student promotion and graduation;
- advise the Dean on resources required to support the curriculum

The CEPC has the authority to set educational policy; establish education requirements; establish and approve curricular content; ensure curricular integration, coordination and coherence; allocate curriculum time; establish teaching and assessment methods; and evaluate educational outcomes or the organization of the curriculum with the concurrence of the Dean and with comment and input from the Faculty Council. The Faculty of the Paul L. Foster School of Medicine has the responsibility to define course objectives, create and deliver content to meet those objectives, and modify their activities in response to appropriate feedback from peers and students. The Committee will provide

updates on its activities at least twice a year to the Faculty Council. In order to accomplish the mission of the Committee, the Chair may appoint subcommittees that can include members who are not members of the Committee. It shall be the responsibility of the Committee to coordinate the activities and reports of these subcommittees

3. Committee on Student Grading and Promotion

a. Membership: Committee members will be drawn from academic units with teaching responsibilities in the undergraduate medical curriculum. Committee membership will include a total of nine (9) faculty including members from the pre-clerkship phase and the clerkship phase. The Associate Dean for Student Affairs shall serve as an *ex-officio*, non-voting member.

b. Leadership: This committee will report to the Faculty Council. Members will elect a chair annually.

c. Charge: The Committee shall have the responsibility to receive reports of grades and other performance evaluations of students, to evaluate those reports, to make decisions regarding promotions of those students whose performance is deemed satisfactory, and to direct remediation or dismissal of those students whose performance is deemed unsatisfactory. In order to accomplish the mission of the Committee, the Chair may appoint subcommittees as needed, and it shall be the responsibility of the Committee to coordinate the activities and reports of these subcommittees.

4. Committee on Graduate Medical Education (GMEC)

a. Membership: Membership shall be comprised of all residency and fellowship program directors, and a minimum of two peer-selected resident/fellow representatives and a quality improvement or patient safety officer or designee who is a faculty member of the PLFSOM. The Senior Director for GME shall serve as an *ex-officio* (non-voting) member of the Committee.

b. Leadership: This committee will report to the Faculty Council. The Associate Dean for Graduate Medical Education will serve as chair.

c. Charge: The Committee will provide oversight of all residency and fellowship programs' accreditation by the Accreditation Council for Graduate Medical Education (ACGME) or other accreditation bodies. The committee shall also provide oversight of additions, reductions and closures of all ACGME-accredited and non ACGME-accredited residency and fellowship programs and major participating sites, quality of learning, working environment and educational experiences and their evaluation and improvement activities. In addition, the committee will review and approve institutional GME policies and procedures;

recommendations regarding resident/fellow stipends and benefits; changes in program structure or duration of education; responses to Clinical Learning Environment Review reports; requests for exceptions to duty hour requirements; and other reports and appeals as indicated by the ACGME. The Committee will abide by the specific institutional requirements of the ACGME.

5. Committee on Student Affairs

a. Membership: Membership on this committee shall include three (3) members drawn from the faculty of the Department of Medical Education. Two (2) additional members will be drawn from the faculty primarily associated with the six core clinical clerkships (Internal Medicine, Surgery – including Orthopaedic Surgery and Rehabilitation, Pediatrics, Obstetrics & Gynecology, Psychiatry and Family Medicine). A non-voting student member will be elected by the PLFSOM Student Curriculum and Evaluation Committee (SCEC) from among the SCEC members not serving as a student representative to the Committee on Curriculum and Educational Policy. *Ex-officio*, non-voting members will include the managing director for Student Affairs.

b. Leadership: This committee shall report to the Faculty Council. The Associate Dean for Student Affairs shall serve as the chair of the committee.

c. Charge: The functions of this committee shall include but are not limited to a) deliberating on matters related to student morale and the learning environment as needed, b) serve in an advisory capacity to the Dean regarding concerns and recommendations to better support students, and c) review relevant policies as related to these functions on a biannual schedule. The Chair of the committee is also responsible for assigning faculty to serve on hearing panels as defined under the TTUHSC El Paso PLFSOM Student Affairs Handbook.

6. Committee on Continuing Medical Education

a. Membership: The Committee on Continuing Medical Education shall have voting faculty representatives from various academic units. Representatives from risk management and clinical quality improvement units of the PLFSOM and/or its affiliated clinical facilities, representatives from graduate medical education, medical student representatives, representatives from other health professions, from community organizations concerned with the ongoing education of physicians and other health professionals, shall serve as non-voting members in accordance with the procedures of the Office of Continuing Medical Education. Members will serve three (3)-year terms, with an option to serve additional terms. The Senior Director of the Office of Continuing Medical Education and the Associate Dean for Faculty Affairs shall serve as *ex-officio*, non-voting members.

b. Leadership: This committee will report to the Faculty Council. The Committee shall elect a chair every three years. The vice-chair will be elected from the committee membership every three years and succeed the chair following his/her term.

c. Charge: The Committee shall advocate in support of continuing medical education activities and initiatives to the larger community of the Paul L. Foster School of Medicine. The Committee shall develop and implement policies in matters related to continuing medical education in order to assure accreditation of the continuing medical education program of the Paul L. Foster School of Medicine by the Accreditation Council for Continuing Medical Education.

7. Committee on Faculty Appointments, Promotion, Tenure and Comprehensive Performance Appraisal (CFAPTA)

a. Membership: The Dean appoints the committee members to provide representation from clinical and basic science disciplines, tenured and non-tenured faculty, and professors and associate professors. In addition, committee membership will include one (1) junior faculty member at the rank of assistant professor. Members shall serve three (3)-year terms with an option to serve additional terms, upon recommendation of the committee chair based on institutional needs, with the concurrence of the Dean.

b. Leadership: This committee will report to the Academic Council. The Chair of the committee shall be the Associate Dean for Faculty Affairs.

c. Charge: The Committee is advisory to the Dean in the matter of recommendations for initial faculty appointment, promotion and/or tenure of faculty members and comprehensive performance evaluation of tenured faculty. The committee shall review those application materials that have been forwarded to it on behalf of faculty candidates who are under consideration for initial faculty appointment, promotion in rank, granting of tenure, or continuation of appointment associated with comprehensive performance evaluation as mandated by state law and institutional guidelines. The Committee will recommend action and forward those recommendations to the Dean and for review, recommendation, and transmittal for final action to the President of the Texas Tech University Health Sciences Center El Paso and the Texas Tech University System Board of Regents. Members of the committee must recuse themselves from committee discussions and voting on the matters related to appointments, tenure, promotion and comprehensive performance evaluation considerations for faculty members within their own academic departments during the committee proceedings.

The Committee on Faculty Appointments, Promotion and Tenure, and Comprehensive Performance Appraisal (CFAPTA) shall serve as a medical committee as defined by the Texas Health and Safety Code §161.031 and is authorized by the Texas Tech University System Board of Regents to evaluate the

qualifications of all faculty, to include faculty appointments, tenure and promotion reviews, and comprehensive performance evaluations. Members of the CFAPTA committee shall act as members of a medical committee when performing functions or responsibilities of the committee.

8. Committee on Clinical Affairs

a. Membership: The Committee shall consist of members of the PLFSOM Voting Faculty, to include one representative from each department. All members from clinical departments must be active clinician faculty members. Members will serve three (3)-year terms, with an option to serve additional terms. The Associate Dean for Clinical Affairs, the Chief Health Informatics Officer and the Vice President for Clinical Administration will be *ex-officio* (non-voting) members.

b. Leadership: This committee will report to the Faculty Council. The chair shall be elected annually by committee members.

c. Charge: The committee shall review the policies and matters regarding the clinical enterprises at the PLFSOM. The Committee reviews clinical practices at the PLFSOM to advise the Dean or the Dean's designee on the issues that need attention, including clinical enterprise planning, health information technology initiatives and long-term space planning. The committee will serve as a communication body between the Faculty Council and the Clinical Operations Committee regarding the management and operation of the PLFSOM clinics. The committee will receive semi-annual reports regarding the Medical Practice Income Plan and Texas Tech University Health Sciences Center El Paso Ambulatory Clinics. The committee will also provide feedback to the Dean and the Faculty Council regarding the clinical activities of the faculty in all clinical settings as related to the overall institutional mission, including the integration of clinical education and clinical research.

9. Research Committee

a. Membership: The Committee shall have seven (7) voting members representing clinical and basic science research, including one representative working primarily at the Transmountain site. Members shall serve three (3)-year terms.

b. Leadership: This committee will report to the Faculty Council. The Associate Dean of Clinical Research shall serve as the chair of the committee.

c. Charge: The purposes of this committee are to advise the Dean or the Dean's designee on the conduct and support of research in the school. Activities will include: 1) advise the Dean on initiatives to support the career development of

early career and mid-career investigators; 2) advise the Dean or the Dean's designee on Seed Grant and/or Bridge Grant programs; 3) advise the Dean or the Dean's designee on formulation, coordination, and revision of general research policies and procedures; 4) collaborate with the Office of Faculty Development to develop a program to enhance the faculty's grant success and research productivity; and 5) advise on external opportunities develop institutional research infrastructure and faculty research activities.

10. Faculty Grievance and Hearing Committee

a. Membership: This committee will be composed of twenty (20) members consisting of seventeen (17) senior-level faculty members at the rank of Associate Professor or higher who are preferably tenured (but not the department chairs or PLFSOM administrators), with at least on (1) year of service at TTUHSC El Paso and three (3) junior faculty members at the rank of Assistant Professor with at least three (3) years of service at TTUHSC El Paso. Committee members will serve a three (3) year term with an option to serve additional terms. All appointments to the committee shall be made by the Dean. Recommendations for appointment of half (1/2) of the members shall be made by the Faculty Council and recommendations for the other half (1/2) shall be made by the Academic Council.

b. Leadership: The Faculty Grievance and Hearing Committee will report to the Dean. The committee elects its own Chair and Chair-Elect.

c. Charge: This committee is charged with seeking resolution of grievances brought under the PLFSOM Faculty Grievance Procedure not covered under the TTUHSC El Paso Tenure and Promotion Policy, or the Medical Practice Income Plan Bylaws. The committee is also charged with conducting hearings for cases of dismissal of tenured faculty during their term of appointment as described in HSCEP OP 60.01. The committee shall be responsible for nominating members of mediation teams and shall serve as the pool from which hearing and grievance panel members will be drawn.

11. Physician and Student Well Being Committee (PSWBC)

a. Membership: Members are appointed by the Dean of the PLFSOM in accordance with the PLFSOM Impaired Physician/House Staff/Medical Student Policy. The committee shall consist of a panel of no less than five (5) full time members of the faculty who shall serve three (3) year terms. No faculty member except the chair may serve more than three (3) consecutive, 3 year terms. Student and resident or fellow representatives shall serve as *ad hoc* members of the committee. Three (3) students across the four classes and three (3) residents or fellows will be appointed by their respective deans (Associate Dean for Student Affairs and Associate Dean for Graduate Medical Education) to serve two (2) year terms. The student and resident or fellow representatives will attend training with

the rest of the committee and be available for committee work related to their peer group.

b. Leadership: The PSWBC will report to the Dean of the PLFSOM. The Chair of the committee shall be appointed by the Dean of the PLFSOM. The chair shall be a psychiatrist or medical doctor with experience in the treatment of psychiatric and substance abuse disorders.

c. Charge: The PSWBC is a medical peer review committee as defined in the Texas Medical Practice Act, Article 4495b, V.A.C.S., or as may be amended. Its charge is to assist physicians, house staff (residents or fellows), and medical students who have physical impairments, mental and emotional difficulties, or chemical or substance abuse problems that may affect clinical skill and judgment. The role of the PSWBC shall be to: 1) serve as a resource to the PLFSOM for education and awareness training on issues related to provider impairment and the evaluation and rehabilitation resources available to affected individuals; 2) verify, investigate and resolve reports of potential impairment; 3) make a determination as to whether an impairment is due to a physical, psychiatric, or behavioral disorder; 4) make the appropriate recommendations and arrangements for diagnosis and treatment; and 5) serve as the PLFSOM's central repository for receiving reports/evaluations of potential impairment, the individual's compliance with and response to recommended therapies, and opinions from treating providers and facilities regarding the affected individual's fitness for duty. Neither the PWBC nor any of its members shall: 1) perform a definitive medical or psychiatric evaluation to determine the presence, severity and etiology of impairment; 2) provide therapeutic treatment services to an impaired individual; 3) place individuals on medical or any other form of leave or authorize absences from the workplace; or 4) serve any function (including review, testimony and / or appeals) within the faculty disciplinary and/or grievance processes, or the medical staff corrective action process that a provider may be subject to as a result of behaviors related to impairment.

Each referral to the PSWBC shall be managed by a subgroup of three (3) individuals appointed by the Chair from the committee pool. In the event the affected individual is a faculty, the three (3) members of the hearing subcommittee shall be faculty members. In the event the affected individual is a resident or medical student, one of the members shall be from their peer subgroup on the committee. The subgroup shall appoint one of the members to serve as the tracking member who receives reports from external evaluation sources and provides guidance to the supervisor regarding the individual's compliance and response to treatment. The medical student / GME member may not serve as the tracking member.

The PSWBC shall conduct its business in accordance with the PLFSOM Impaired Physician/House Staff/Medical Student Policy, TTUHSC El Paso Operating

Policies and Procedures, TTUS Regents' Rules and applicable federal and state laws.

D. Committees appointed for special purposes (*ad hoc* committees)

The Dean, Dean's Council, Faculty Council, or Academic Council may create an *ad hoc* committee deemed necessary to assist in the administration of the Paul L. Foster School of Medicine. Membership, terms of service, and charge for these committees are at the pleasure of the Dean or appointing body.

**Article XI
RATIFICATION**

These bylaws shall be enacted immediately upon ratification by a majority of the Voting Faculty who cast votes and the Dean and with the concurrence of the President of the Texas Tech University Health Sciences Center El Paso, the Chancellor, and the Texas Tech University System Board of Regents.

**Article XII
PUBLICATION**

These Bylaws shall be reviewed every three (3) years by an *ad hoc* committee appointed by the Dean. The results of that review shall be an agenda item on the regularly scheduled Faculty Council meeting. A copy of the current bylaws shall be placed in the Faculty Handbook and shall be maintained on the web site of the Paul L. Foster School of Medicine.

**Article XIII
AMENDMENT**

Bylaws amendments may be proposed by any one of the following:

1. Proposal by the Dean of the Paul L. Foster School of Medicine
2. Proposal by the Faculty Council
3. Proposal by petition of five (5) percent of the Voting Faculty

When an amendment is proposed, the Faculty Council shall refer the proposal to the *ad hoc* Bylaws Review Committee for review and revision of the proposal and to ensure compliance with rules and policies of the Texas Tech University System Board of Regents, Texas Tech University Health Sciences Center El Paso, and Paul L. Foster School of Medicine. The Committee shall report its recommendations to the Faculty Council. The Faculty Council will accept, reject, or make modifications to the proposed amendment(s). After Faculty Council acceptance, the proposed amendment(s) shall be distributed to all members of the Voting Faculty for their review and comment, prior to the

next regular or called meeting of the Faculty Council. The proposed amendment(s) and comments shall be discussed at that meeting. Permissible actions by a majority vote of the Faculty Council are to: 1) approve, 2) modify and resubmit to the Voting Faculty within one week or 3) Send back to the *ad hoc* Committee. The Voting Faculty may again review the amendment(s) and submit comments to the Faculty Council. At the next Faculty Council meeting, comments and feedback will be considered and the final proposed amendment(s) will be voted on by the Faculty Council. Amendments to the bylaws shall be subject to final approval by the Paul L. Foster School of Medicine Dean and the TTUHSC El Paso President.