



Institute for International Medicine Suspension or Termination for Cause Policy

I. Preliminary Process.

When reason arises to question the fitness of a faculty member, the appropriate administrative officers shall discuss the matter with the faculty member. If a resolution is not achieved, the matter will be taken to the President. Within seven (7) days of a request by the President, a faculty committee will be established to review the allegations. The committee shall attempt to effect a settlement; and, if unsuccessful, shall make a recommendation as to whether formal proceedings should occur. The committee's responsibilities must be discharged within fourteen (14) days of its formation. If the committee recommends the institution of proceedings; or, if the President, even after considering a recommendation of the committee that proceedings not be necessary, decides that proceedings should be undertaken, action shall be commenced under the procedures which follow. Except when there is disagreement, a detailed statement of the grounds for the proposed suspension or termination shall then be jointly formulated by the President and the faculty committee; if there is a disagreement, or the committee has failed to make a recommendation within the fourteen (14)-day time limit, the President may formulate the statement.

II. Formal Proceedings

The President shall start formal proceedings by transmitting a copy of the statement to the faculty member, and a notice informing the faculty member that, if the faculty member so requests, a hearing to determine whether suspension or termination should be imposed will be conducted by a Faculty Hearing Committee no sooner than twenty (20) nor more than thirty (30) days from the date of mailing of the notice. The notice shall be sent by certified mail to the faculty member's home address. The faculty member shall, at least five (5) days before the date set for the hearing, indicate in writing whether the faculty member wishes a hearing and, if so, respond in writing to the charges.

III. Suspension

Suspension of the faculty member during the procedures is justified if, in the opinion of the President, harm to the faculty member, to others, or the



institution, is threatened by the faculty member's continuance. Any such suspension shall be with pay.

V. Hearing Committee

A Hearing Committee of three (3) faculty members shall be formed, two (2) selected by the faculty, one (1) selected by the President. The committee shall elect its own chair. The choice of members of the Hearing Committee should be based on their objectivity and competence and the regard in which they are held in the academic community.

VI. Hearing Procedures

- 6.1 The Committee shall proceed by considering the statement of grounds for suspension or termination and the faculty member's written response. If any facts are in dispute, the testimony of witnesses and other evidence concerning the matter shall be received.
- 6.2 The President may designate an appropriate representative to assist in presenting the charges; but, the committee shall determine the order of proof, conduct the questioning of witnesses, and, if necessary, secure the presentation of any information deemed important to the case.
- 6.3 The faculty member shall have the option of assistance by counsel.
- 6.4 The committee may require the production of documents or the attendance of witnesses.
- 6.5 The faculty member or the faculty member's counsel and the representative designated by the President shall have the right to question all witnesses who testify orally.
- 6.6 The faculty member shall have the opportunity to be confronted by all witnesses adverse to him/her. Where for unusual reasons deemed appropriate by the committee a witness cannot appear, the identity of the witness as well as the witness' statements shall be disclosed to the faculty member. Subject to these safeguards, statements may, if necessary, be taken outside the hearing and be reported to the committee.
- 6.7 The hearing shall be electronically recorded, and any party may obtain a copy at the party's expense.
- 6.8 While every effort shall be given the faculty member to fully respond to the charges, the hearing shall be conducted in an informal manner reasonably calculated to ascertain the truth and



shall not be limited by formal rules of evidence or other restrictions usually employed in legal proceedings.

- 6.9 The Committee shall reach its decision based on the record after extending full opportunity to the faculty member or the faculty member's counsel and the representative of the President to argue orally before it.
- 6.10 The committee may request written presentations. The committee will issue its decision within ten (10) days of the conclusion of the hearing. It shall make explicit findings with respect to each of the charges presented; and, if warranted, recommend suspension, termination, or other appropriate discipline.
- 6.11 The faculty member and the President shall be notified of the decision in writing.
- 6.12 The report of the Committee or, in a case in which the faculty member has waived the right to a hearing, the recommendation of the President shall either a) reject the recommendation and terminate the proceedings or b) forward the documentation to the Board of Directors with or without the President's recommendation.
- 6.13 The Board's review of the case shall be based on the record of the hearing and any further briefs presented in writing by the principals and/or their representatives. The decision of the Board of Directors shall be final.