

TENURE POLICY
RESOLUTION ADOPTING THE REVISED TENURE POLICY
March 30, 2007

It is resolved that the revised Wake Forest University School of Medicine Tenure Policy is hereby approved and replaces the Wake Forest University Health Sciences Policy Resolution entitled "Policy on Grant of Tenure in the Wake Forest University School of Medicine." **9078-94**

TENURE

1. Definition

- 1.1. Tenure represents an extended commitment to a faculty member by the institution that provides the faculty member the right to participate fully in the activities of the institution and protects academic freedom. Tenure is granted to a faculty member to acknowledge the member's outstanding achievements in clinical care, education or research and to recognize that the faculty member's service is at the highest level. The tenure commitment is subject to a summative review process conducted at least every five (5) years, as described below.
- 1.2. Tenure may be revoked under extraordinary circumstances because of a bona fide financial exigency (i.e. an imminent financial crisis which threatens the survival of the department as a whole and cannot be reasonably alleviated by less drastic means) or discontinuance of a program or department of instruction. WFUHS shall provide evidence of the existence and extent of the condition. A finding by the Board of WFUHS that financial exigency exists will be binding on all relevant parties.
 - 1.2.1. A faculty with tenure will not have his/her appointment terminated in favor of retaining a non-tenured faculty member in his/her department
 - 1.2.2. In cases of termination because of financial exigency, the position of the faculty member will not be filled by a replacement within the three (3) year period following the termination, unless the released faculty member has been offered reinstatement and a reasonable time in which to accept or decline.
- 1.3. Tenure may also be revoked for Cause, which includes but is not limited to:
 - 1.3.1. Material failure to perform faculty duties. It is not necessary that a faculty member be placed on tenure probation in order to establish Cause for material failure to perform faculty duties. However, failure to correct deficiencies in performance after the summative review probationary period is presumptively sufficient for Cause to proceed with tenure removal pursuant to this process.

- 1.3.2. Conduct which substantially impairs the faculty member's fulfillment of institutional responsibilities.
 - 1.3.3. A finding of scientific misconduct pursuant to the policy on ethical conduct in science.
 - 1.3.4. For clinical faculty, failure to maintain an unrestricted license to practice medicine in the state of North Carolina.
 - 1.3.5. For clinical faculty, failure to maintain privileges with North Carolina Baptist Hospital or other designated hospitals as required by WFUHS.
 - 1.3.6. Failure to maintain a registration number from the Drug Enforcement Agency for the dispensing and prescribing of controlled substances, if appropriate to medical practice.
 - 1.3.7. Debarment or suspension from performing research under the Federal Food, Drug and Cosmetic Act or by the National Institutes of Health or any other state or federal agency.
 - 1.3.8. Conviction of or plea of nolo contendere to a felony or to a criminal offense relating to research or the practice of medicine.
 - 1.3.9. Exclusion from participation in the Medicare or Medicaid programs.
 - 1.3.10. Physical or mental disability based on medical evidence that the faculty member is not longer able to perform the essential duties of the position.
- 1.4. Revocation of tenure will result in termination of employment with WFUHS.
- 1.5. Tenure may be awarded at the level of Associate Professor or Professor. The award of tenure is reviewed as an additional step in the promotion process. Request for the award of tenure will be made by the Department Chair to the Senior Vice President and Dean for consideration. Final commendatory authority rests with the President of Wake Forest University Health Sciences, who shall present recommendations to the Board of Trustees, which has the sole authority to grant tenure.
- 1.6. Under special circumstances, tenure may be granted to a newly-appointed faculty member at the level of Associate Professor or Professor after approval by the Senior Vice President and Dean, the Faculty Executive Council, the President of Wake Forest University Health Sciences and the Board of Trustees.

2. Financial Considerations

Tenure has financial as well as academic implications for the School. Financial considerations may limit the number of tenure faculty positions to be awarded in any given year.

- 2.1. The total compensation package of a tenured faculty member consists of a base salary and additional fixed or variable payments (e.g., clinical, teaching or administrative incentive or bonus) as appropriate and is negotiated annually with the Department Chair. The base salary component of a tenured faculty member may not be reduced except as set forth in section 2.2 below.

- 2.2. A reduction in base salary of a tenured faculty member may occur in certain circumstances, such as persistent loss of grant support or other means of income generation by the individual tenured faculty member, or in the event there is a significant decline in the faculty member's performance. A reduction of base salary may also occur when there are extraordinary circumstances such as a bona fide financial exigency that threatens the survival of the department as a whole and cannot reasonably be alleviated by other means, or when a tenured faculty member is unable to perform his/her usual duties. Absent extraordinary circumstances, a tenured faculty member's base salary will not be reduced by more than 10% per year.

3. **Tenure Review Process**

- 3.1. A tenured faculty member will uphold the core missions of Wake Forest University Health Sciences (WFUHS) and is expected to continue to perform at a high level in the areas of patient care, research, teaching and service to the institution as relevant for the individual concerned.
- 3.2. In addition to an annual formative¹ review of all faculty members by the Department Chair, tenured faculty will undergo a formal summative¹ review by the Department Chair every five (5) years, including at least one (1) meeting between the faculty member and the Department Chair to discuss the findings.
- 3.3. The Department Chair will provide the Dean with a written report of this summative review and providing this is deemed to be satisfactory, tenure will be continued. If, based on this report, a tenured faculty member's performance is determined to be inadequate, the Department Chair will formally notify the faculty member of his/her specific deficiencies and recommendations for corrective action.
- 3.4. Based on the degree to which the tenured faculty member's performance is found to be deficient, the Dean may place the faculty member on tenure probation for a two (2) year period to satisfactorily correct deficiencies in performance. Upon completion of the probationary period the Dean, with the assistance of the Department Chair, will evaluate the faculty member's progress and will:
- 3.4.1. Remove the probationary status and continue with the five (5) year review cycle or:
 - 3.4.2. Extend the period of probation for a period not exceeding two (2) years or:
 - 3.4.3. Either accept the tenured faculty member's resignation or initiate the process of Tenure Revocation
- 3.5. During the probationary period the tenured faculty member's salary may be reduced in accordance with the provisions of section 2.2 above.

- 3.6. If the tenured faculty member demonstrates a material failure of performance, including a persistent decline in productivity in the appropriate areas of patient care, research, teaching, and service prior the five (5) year summative review date, the Department Chair may petition the Dean to place the faculty member on tenure probation. Such placement on early probation may not occur before the end of the third year from the date on which tenure was either first granted or from the last date the faculty member received a favorable summative review. In the event the Dean agrees to placing the faculty member on early probation, the principles outlined in sections 3.4 and 3.5 will apply.
- 3.7. A tenured faculty member may appeal an adverse summative review and its consequences as listed in sections 3.4 and 3.5. This appeal will be reviewed by the Tenure Review and Grievance Committee.
- 3.8. The provisions above do not preclude the right of the Dean to request at any time the revocation of tenure of a faculty member by the procedure specified in the policy of Tenure Revocation.

¹A formative review is used to identify strengths and weaknesses in a faculty member's performance and to provide assistance to the faculty to help them correct their weaknesses. A summative review is used to assess faculty performance and any other matter that could be used as the basis for a change in status or placement on probation.

9078-94