

## SECTION THREE

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## INTRODUCTION

Tenure is awarded by an institution to a faculty member in order to protect that individual's academic freedom. Academic freedom may cover the teaching and research and extramural activities of faculty members, and vests certain responsibilities upon the faculty member.

Tenure includes an assurance of salary support, which is conferred through a salary commitment until retirement or termination. Faculty members who are granted tenure are expected to sustain their accomplishments and contributions to the teaching, research, and, in applicable cases at the Medical College, clinical programs of the institution throughout the duration of the tenure appointment. The appointments of faculty members who hold tenure may be terminated for the reasons listed below.<sup>1</sup>

The Cornell University Faculty adopted the following statement on academic freedom and responsibility on May 11, 1960:

*Academic Freedom for the Faculty of Cornell University*  
means:

Freedom:

- *of expression in the classroom on matters relevant to the subject and the purpose of the course and of choice of methods in classroom teaching;*
- *from direction and restraint in scholarship, research, and creative expression and in the discussion and publication of the results thereof;*
- *to speak and write as a citizen without institutional censorship or discipline; and*

Responsibility:

- *to perform faithfully the duties of the position;*
- *to observe the special obligations of a member of a learned profession and an officer of an educational*

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<sup>1</sup> See 3.10, Termination of an Appointment with Tenure.

*institution to seek and respect the truth; [and]*

- *to make it clear that utterances made on one's own responsibility are not those of an institutional spokesman.*<sup>2</sup>

Formal indefinite tenure can be granted only by the Boards of Trustees and Overseers of the University and is conferred only upon faculty members whose credentials reflect achievement of high order and for whom financial support from Medical College or extramural funds is assured. Tenure is granted within a department and represents a University commitment until retirement or termination for the reasons specified below.<sup>3</sup> Because of the long-term financial considerations involved, the Dean of the Medical College must approve in writing that the department has the resources to support a tenure position before the appointment process may be initiated.

The department in which tenure is granted must have the resources to support the tenure position. In the case of individuals holding joint or dual appointments, one department is usually designated as the primary department and bears the responsibility for initiating review for tenure. In some cases, faculty members may receive a portion of their salary from grants and contracts. This situation does not modify the commitment of the University to tenured faculty members.

When an individual is awarded tenure on a part-time basis, the financial commitment is limited to the portion of the salary associated with the professorial appointment. Where funds for the support of a faculty member are to be derived from an affiliated institution, Cornell University will grant tenure only after that affiliated institution guarantees in writing that it has assumed responsibility for continued salary support until the retirement of the individual, and the appointment to tenure shall be subject to termination in the event the guarantee is not honored.

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<sup>2</sup> Cornell University Faculty Handbook (2002), p. 71.

<sup>3</sup> See 3.10, Termination of an Appointment with Tenure.

## UNIVERSITY CRITERIA FOR TENURE APPOINTMENTS<sup>4</sup>

At the University level, it is not possible to establish detailed criteria for tenure appointments for its many academic units. The basic criteria are clear: excellence in carrying out the responsibilities of the position and unusual promise for continued achievement. Since departmental requirements and criteria may change, each decision is a separate action and independent of any current or previous decisions within or outside the department.

The responsibilities of a faculty member include teaching, research and other scholarly achievement, public service, advising students, and contributing to the department, the college, and the University. Not all faculty members are assigned all these responsibilities. The emphasis given to each responsibility, as determined by existing circumstances, varies among the colleges and departments of the University and may even change within a department.

The department, the chairperson, and the dean have the responsibility of weighing the different roles of each faculty member and evaluating the strengths and weaknesses of the candidates for tenure, taking into account the mission and needs of the department and the college. These include the interests of the unit and the University to promote racial, ethnic and gender diversity among the faculty. But regardless of how the department weighs the relevant factors in any particular case, no candidate may be granted tenure who does not meet the requirements for overall excellence.

Failure to meet any of the diversity factors may not be used as a negative element in the evaluation of any candidate.

Given the rigorous standards for tenure at Cornell, individuals whose performance has been acceptable, or even of high quality, may not receive promotion. Many candidates for tenure in evaluating their own progress often develop unrealistically positive attitudes relative to their chances for promotion. On the other hand, across the University, only about one-half of the candidates for tenure are promoted.

Since a tenure appointment is not a right, and since it could result in a collegial relationship within the department

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<sup>4</sup> From Cornell University Academic Appointment Manual, Section 2.3, updated 9/78, 6/79, 3/80, 10/83; and in Cornell University Faculty Handbook (2002), p. 41.

for a period of decades, the department faculty has considerable latitude in reasons for making a negative recommendation. However, such factors as race, color, creed, religion, national or ethnic origin, sex, age or handicap must not be a basis for such decisions.

## **ELIGIBILITY AND QUALIFICATIONS FOR TENURE**

### **I. Eligibility**

Tenure may be granted to full-time and regular part-time salaried faculty members holding or recommended for appointment to the ranks of associate professor or professor on the Pathway Recognizing Academic Achievement and Scholarship who have been informed in writing of their eligibility for review for tenure.<sup>5</sup> A faculty member at an affiliated institution may be recommended for tenure only after that affiliated institution guarantees in writing that it will assume responsibility for continued salary support until retirement.<sup>6</sup>

### **II. Qualifications**

Eligible faculty members recommended for tenure should possess an outstanding record of research performance and be recognized nationally and internationally as among the best in their field. They should be influential and able teachers, and, if applicable, excellent clinicians. There should be strong evidence that such individuals will sustain a high level of accomplishment in their continuing contributions to the Medical College and to their area(s) of expertise. They must also fulfill a programmatic need for the department and institution.

## **PROBATIONARY PERIOD FOR TENURE REVIEW**

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<sup>5</sup> Approved by the Executive Faculty Council December 18, 2014; the General Faculty Council, December 15, 2015; the Board of Overseers, February 11, 2015, and the Board of Trustees, March 26, 2015.

<sup>6</sup> Approved by the Executive Council on April 10, 1968 (Minutes, p. 5683).

## **I. Definition**

The probationary period for tenure review is the maximum number of years an eligible, non-tenured faculty member at the Medical College may hold appointments at the rank of assistant professor or higher on the Pathway Recognizing Academic Achievement and Scholarship. A tenure review may be initiated at any time before the end of the penultimate year of the probationary period.<sup>7</sup> Departments are encouraged to recommend faculty members for tenure as soon as those individuals attain the requisite qualifications.<sup>8</sup>

## **II. Duration**

The probationary period for tenure review shall not exceed a total of nine (9) years in full-time instructional positions at the Medical College at the ranks of assistant professor and associate professor for a tenure eligible faculty member on the Pathway Recognizing Academic Achievement and Scholarship. The probationary period for review for tenure shall not exceed a total of three (3) years at the rank of associate professor or professor for a tenure eligible faculty member on the Pathway Recognizing Academic Achievement and Scholarship, if the faculty member received initial appointment as associate professor or professor. If the individual has held a professorial appointment on other faculty pathways, e.g. Assistant Professor of Clinical (Department), or has been an instructor, time spent at that appointment will not be included in the probationary period.

## **III. Extension of the Probationary Period**

Upon the request of the department chair and with the written concurrence of the faculty member, the Dean may extend the probationary period for up to two additional years for good reason.

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<sup>7</sup> See 3.7, Review for Tenure.

<sup>8</sup> See 3.5, Eligibility and Qualifications for Tenure.

#### IV. Review for Tenure

By no later than June 30th<sup>9</sup> of the penultimate year of the probationary period,<sup>10</sup> the department must decide if it will recommend the individual for tenure. If the department recommends tenure, it must make its recommendation prior to January 1st<sup>11</sup> of the final year of the probationary period.

If the department does not recommend tenure or if the recommendation for tenure is subsequently not approved, the individual must be given sufficient notification that his or her current faculty appointment will terminate.<sup>12</sup> In appropriate circumstances, the individual may be recommended for appointment on another faculty pathway. The individual may not be recommended for a change in title to Senior Lecturer.

When a review for tenure is unsuccessful, an individual may receive a one-year terminal appointment. This is not an extension of the probationary period.

All notifications should be in writing from the department chair, and a copy of the letter should be forwarded to the Office of Faculty Affairs.

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<sup>9</sup> This deadline assumes that the individual's appointment was made on the basis of the academic year, July 1st to June 30th. If the appointment was made to terminate on another date, then the departmental review should be completed no later than six months before the end of the penultimate year of the probationary period.

<sup>10</sup> By June 30th of the **eighth year** of the probationary period if the individual held appointments as Assistant Professor and Associate Professor; or, by June 30th of the **second year** of the probationary period if the individual received initial appointment as Associate Professor or Professor.

<sup>11</sup> Or at least six (6) months before the end of the probationary period.

<sup>12</sup> See page 3.8, Procedures for Granting Tenure.

## PROCEDURES FOR GRANTING TENURE

### I. Authorization for Approval

Authority for granting tenure rests with the Board of Overseers of Weill Medical College of Cornell University. Tenure is effective upon an affirmative vote by the full Board of Overseers or on a subsequent date as recommended. Since the full Board meets only six times each year, recommendations for appointments with tenure or for the granting of tenure should be submitted as far in advance of their proposed effective date as possible. In cases where it is impossible to obtain Board of Overseers' approval prior to the intended effective date of the appointment, the Office of Faculty Affairs will notify the concerned department so that an interim appointment can be processed. It is the policy of Cornell University not to grant tenure retroactively.

On the continued advice of the Immigration and Naturalization Service, it has been a long-standing policy at Cornell to submit tenure recommendations for final approval by the Board of Overseers only for candidates who are citizens or permanent residents of the United States. A permanent resident maintains citizenship in his/her home country but has received a permanent immigrant visa to be employed in the United States. If a department extends an offer of a tenured position to a foreign national, the initial appointment must be "in probationary tenure status" unless the individual has already applied for and been approved for permanent resident status in the United States. If the individual arrives at the Medical College on a temporary work visa, tenure cannot be recommended until permanent residency status has been approved. As with other academic positions, if a foreign national is identified as the final candidate in a search for a tenure-eligible position, the Office of Faculty Affairs should be contacted prior to extending an offer to insure that the candidate arrives at Cornell with the proper work authorization.<sup>13</sup>

### II. Procedures for Review

Recommendations for tenure are first submitted to the Dean

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<sup>13</sup> See Section Eight, Appointment of Non-Immigrant Aliens.

and, if appropriate, to the President of the New York-Presbyterian Hospital, to determine if a tenure position is available in the department and division affected. If the position is available, and with the Dean's consents, the recommendation is considered by an *ad hoc* advisory subcommittee of the Committee of Review.<sup>14</sup> If the Committee of Review recommends approval, the recommendation is, with the Dean's consent, forwarded to the Faculty Councils for review. If the Faculty Councils also recommend approval, the recommendation is submitted to the Dean for review. Upon the approval of the Dean, the recommendation is then submitted to the Board of Overseers for the award of tenure.

### **III. Credentials for Submission to the Ad Hoc Advisory Subcommittee**

The following credentials are required in support of a recommendation for tenure:<sup>15</sup>

- A. Recommendation for Appointment form.
- B. *Curriculum vitae* and bibliography, in the required format.
- C. Letter of recommendation from the department chair.
  - 1. Where not evident from the *curriculum vitae*, the letter should emphasize:
    - a. The originality or importance of the candidate's academic productivity.
    - b. Specific evidence of the candidate's contributions to intra- and extramural teaching activities and administrative contributions.
    - c. Where, pertinent, contributions to and standards of patient care and/or academic administration.
    - d. The candidate's national and international

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<sup>14</sup> See Section Four, Guidelines of the Committee of Review.

<sup>15</sup> The credentials must be submitted to the Office of Faculty Affairs no later than six (6) months prior to the recommended effective date, e.g., by January 1st for a July 1st effective date.

reputation as represented by appointments to study sections, membership on editorial boards, distinguished invited lectures or conference leadership, and receipt of special honors.

e. A list of nine (9) impartial national or international authorities in the candidate's field of endeavor whom the Committee of Review can call upon for extramural expert opinion.<sup>16</sup> The names of individuals who provided letters of reference as part of the departmental preliminary review may not be included. Letters obtained as part of the preliminary review, however, should be appended to the Chair's letter.

2. The Chair's letter must also include an enumeration of the candidate's sources of salary support for the previous three (3) years at WMC and sources of future support and the candidate's grant and/or contract support together with an estimate of future potential to attract such support.

D. Three (3) reprints or in-press manuscripts representing the candidate's best work.

#### **IV. Notification of Non-renewal of Appointment**

Associate professors without tenure and professors without tenure who have been reviewed for and not been granted tenure are entitled to twelve (12) months notice of non-renewal from the time that the negative decision is made, so that the total period includes at least one full academic year.

### **TERMINATION OF AN APPOINTMENT WITH TENURE**

All appointments, including those with tenure, are subject to modification or termination in the event of:

- dismissal for just cause;
- *bona fide* reduction or elimination of educational

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<sup>16</sup> The full name, doctoral degree(s), title, professional address, and telephone number should be given for each evaluator.

programs, divisions or departments;

- in the case of appointments at affiliated institutions, failure of the affiliated institution to provide funds, termination of the individual's appointment or employment at the affiliated institution, or termination of the affiliation; or
- *bona fide* financial exigency within the Medical College.

In the event of a reduction or elimination of a program, division, or department, it is the policy of Cornell University to seek to place tenured personnel in other faculty positions within the University or to assist them in obtaining positions elsewhere.

## TENURE OF TITLE

Tenure of title was established in 1974 by action of the Executive Faculty Council,<sup>17</sup> in response to a recommendation made by the Task Force on the Academic Consequences of the College's Financial Future.<sup>18</sup> Tenure of title was envisioned as a means of guaranteeing academic freedom to otherwise qualified faculty members whose financial support was derived from outside sources, e.g. affiliated hospitals or fees-for-service. It was defined as conferring the privileges of tenure without the assurance of salary support until retirement.

In the period between 1974 and 1986, it was recognized by the faculty of the Medical College that the award of tenure of title was not integral to the maintenance of academic freedom. In addition, the review process had become overly cumbersome to the faculty members due for review. The recommendation to abolish tenure of title was made by the Appointment, Promotion and Tenure Evaluation Committee, which was established in January, 1986 to review and revise the policies and procedures of the Medical College, and that recommendation was approved by the Faculty Councils.<sup>19</sup>

In abolishing tenure of title, the following provisions were made:

- 1) Any faculty member already granted tenure of title will continue to hold tenure of title until retirement, resignation from the full-time or regular part-time faculty of the Medical College, or termination, as provided above in the subsection on Termination of an Appointment with Tenure.
- 2) Eligible faculty members employed by the Medical College and holding appointments as Associate Professor of Clinical (Department) or Professor of Clinical (Department) as of June 30, 1988 may elect to be reviewed for tenure of title at the end of their

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<sup>17</sup> Approved by the Executive Faculty Council on October 15, 1974 (Minutes, pp. 7101-7102 and 7124-7126).

<sup>18</sup> Submitted April 3, 1972.

<sup>19</sup> Approved by the Executive Faculty Council on November 5, 1987 (Minutes, p. 8282) and by the General Faculty Council on November 9, 1987.

probationary periods. If they do not so elect, their appointments at the Medical College will be governed by the appointment, promotion and tenure policies then in effect.

- 3) Faculty members who hold appointments below the rank of associate professor and are employed by the Medical College, and all previously eligible faculty members employed by an affiliated institution are no longer eligible for tenure of title effective July 1, 1988.