

II.C. TENURE SYSTEM AT THE UNIVERSITY OF PENNSYLVANIA

II.C.1. Purpose of the Tenure System

The protection of the academic freedom of individual teachers and scholars is the instrument by which society at large is protected from hindrances to the search for knowledge and from limits on the dissemination of knowledge. The statutes of the University hold that a system of tenure for faculty members is the preeminent means of fostering and protecting academic freedom of the faculty in teaching and in scholarly inquiry.

The tenure system consists of rules and procedures that establish an essentially self-regulated body of scholars enjoying the continuity of existence and economic security within which academic freedom is both fostered and protected. The protections of academic freedom are extended to all members of the faculty during their terms of appointment. The rights and privileges embodied in the tenure system are extended to all members of the Standing Faculty during their terms of appointment. Certain of these rights and privileges are also extended to members of the Associated Faculty during their terms of appointment.

The concomitant responsibility of faculty members, benefited and encouraged by the tenure system, is to use the opportunities thus provided for the advancement of the purposes of the University and of the communities it serves. These purposes include teaching and scholarship. Members of the Standing Faculty are obliged to share in the teaching mission so that their students may advance in learning. They are also obliged to push forward the frontiers of knowledge through study and research. These activities go hand in hand, for scholarship is unavailing if its results are not communicated, and a lively stimulus to learn is best imparted by one who is adding to our store of knowledge.

(See page 11 - Standing Resolution of the Trustees, September 9, 1983 (<https://archives.upenn.edu/digitized-resources/docs-pubs/trustees-minutes/minutes-1983/september-9/>))

II.C.2. Basic Principles of the Tenure System

A faculty member who has received tenure has a continuous appointment that extends to retirement unless terminated sooner by resignation, death, or by action of the Trustees under the provisions for removal for just cause or by reason of financial exigency.

Only members of the Standing Faculty are eligible to be appointed with tenure. Members of the Standing Faculty—Clinician-Educator, the Associated Faculty or the Academic Support Staff do not acquire tenure; service in any of these three classes is without tenure significance. Each decision creating tenure status for a faculty member is made, upon recommendation of the faculty, the Provost and the President, only by positive action of the Trustees, except in the case of the “rare instances” mentioned below.

No faculty member shall be appointed or promoted to the rank of Professor in the Standing Faculty without a simultaneous affirmative grant or confirmation of tenure status.

The faculty of any school of the University may adopt a resolution asking the Provost’s approval for promotion of members of the Standing Faculty to the rank of Associate Professor without simultaneous affirmative grant of tenure. After receiving the advice of the Senate, the Provost may authorize this type of promotion for the school in question. The school may then recommend individual members of the Standing Faculty for promotion to the rank of Associate Professor without affirmative grant of tenure by the usual process. In such cases, the faculty member may serve without tenure for the remainder of the probationary period established for the faculty member’s previous appointment as Assistant Professor. In schools whose faculty have not received authorization for this type of appointment from the Provost, promotion to the rank of Associate Professor must be accompanied by simultaneous grant of tenure.

An initial appointment of a faculty member from outside the University, or a transfer from the Associated Faculty, to the rank of Associate Professor is permissible without conferral of tenure status. In no case, except that of faculty who have not previously held appointments at other institutions, can the total probationary period as Associate Professor in the Standing Faculty exceed five years.

There shall be definite limits upon the length of time any faculty member can serve as a member of the Standing Faculty without tenure. For members of the Standing Faculty initially appointed as Assistant Professor, the probationary period is seven years, except for members of the faculty in the health professional schools who have substantial clinical duties and thus are eligible for and elect a probationary period of ten years. Faculty appointed from outside the Standing Faculty to the rank of Associate Professor without tenure have a probationary period of five years except that faculty appointed to the rank of Associate Professor who have not previously held faculty appointments at other institutions may elect a probationary period of seven years. In cases where a proposed untenured appointment to the Standing Faculty is substantially different from the present appointment of an untenured faculty member, the Provost is authorized to decide, after consultation with the Senate Committee on Academic Freedom and Responsibility, that the probationary period for the present appointment should not be considered as probation for the proposed appointment because of the degree of professional dissimilarity and to determine whether or not the new untenured appointment would preserve academic freedom. If the Provost decides that the new appointment may be untenured, the new tenure probationary period will be measured without regard to any probationary period already served at the University by the faculty member.

For faculty members serving with reduced duties on a half-time basis, the probationary period shall be extended by one year for each two years spent in such half-time service, except that the total extension cannot exceed three years. For faculty with a normal seven-year probationary period, the total tenure probationary period including the time spent in reduced duties cannot exceed ten years. For faculty with substantial clinical duties, who elect a probationary period of ten years, the total tenure probationary period, including time spent in reduced duties, cannot exceed thirteen years.

The University expects that each recommendation for a tenure appointment shall be made only after the most careful and searching inquiry by the faculty concerned, and thorough review by the Provost and President of the attainments and the capabilities of the candidate in light of the University’s perceived academic needs and plans, and in

the context of a financial plan commensurate with the new commitment proposed to be undertaken.

Tenure in Part-Time Status

In very rare instances prior to July 1, 1976, the University granted tenure to persons serving on a part-time basis. In such cases the University's financial commitment has only been for corresponding partial salary. Since July 1, 1976, part-time service, has never been considered tenure-probationary except for faculty who after appointment to tenure probationary status received approval for a reduced load (See Reduction in Duties ([http://catalog.upenn.edu/faculty-handbook/ii/ii-e/#reduction in duties](http://catalog.upenn.edu/faculty-handbook/ii/ii-e/#reduction%20in%20duties))).

Tenure of Title and Limited Tenure

The University reserves the right to employ individuals to whom rank in the Associated Faculty is accorded without accepting responsibility for the continuation of their salaries beyond the termination of the contract or grant supporting them, but in such cases the letter of appointment or the Trustees' minute must contain a specific statement to this effect.

Prior to July 1, 1976 appointments were sometimes made of the form "Tenure of Title," "tenure limited to" or "indefinite tenure of academic rank salary limited to" in which the appointments or salary commitments were limited to funds from research grants or contracts, clinical practice funds, or funds from certain administrative appointments. The terms and limitations of the appointments made prior to July 1, 1976 shall continue to be observed. All new appointments made after July 1, 1976 and before July 1, 1989 with such limitations shall be without tenure significance and to the Associated Faculty. Commencing with July 1, 1989, all existing "Tenure of Title" and Limited Tenure appointments shall be in the Standing Faculty.

(See page 11 - Standing Resolution of the Trustees, September 9, 1983 (<https://archives.upenn.edu/digitized-resources/docs-pubs/trustees-minutes/minutes-1983/september-9/>))