

## **Section II. Academic Freedom and Responsibility of the Faculty<sup>1</sup>**

- A. Winston Salem State University endorses and supports the principles of academic freedom and responsibility of Faculty, as set forth in Sections 601 and 602 of *The Code*. Winston-Salem State University is dedicated to the transmission and advancement of knowledge and understanding. Academic freedom is essential to the achievement of these purposes. This institution, therefore, supports and encourages freedom of inquiry for Faculty Members and students, to the end that they may responsibly pursue these goals through teaching, learning, research, discussion, and publication, free from internal or external restraints that would unreasonably restrict their academic endeavors. Winston-Salem State University will not penalize or discipline members of the faculty because of the exercise of academic freedom in the lawful pursuit of their respective areas of scholarly and professional interest and responsibility.
- B. Winston-Salem State University shall support faculty and students in their responsible exercise of the freedom to teach, to learn, and otherwise to seek and speak the truth.
- C. Faculty Members of this institution shall share in the responsibility for maintaining an environment in which academic freedom flourishes and in which the rights of each member of the academic community are respected.
- D. It is the policy of Winston-Salem State University to support and encourage full freedom, within the law, of inquiry, discourse, teaching, research, and publication for all members of the academic staff of this institution. Members of the faculty are expected to recognize that accuracy, forthrightness, and dignity befit their association with this institution and their position as men and women of learning. They should not represent themselves, without authorization, as speaking for Winston-Salem State University. (*The Code*, Chapter VI, Appendix A; <http://www.northcarolina.edu/apps/policy/index.php?pg=vs&id=4431&added=1>)

## **Section III. Faculty Appointments**

### **A. General Considerations in Faculty Appointments**

Decisions on initial appointments, reappointment, promotion, and conferral of Permanent Tenure are based on an assessment of at least the following: demonstrated professional competence, potential for future contributions to the university, and institutional needs and resources.

Faculty Members may be considered for reappointment, promotion, Permanent Tenure, or promotion with Permanent Tenure as specified in this section. To be considered for promotion or Permanent Tenure, eligible Faculty Members must complete an application as outlined in Section IV.B of this document.

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<sup>1</sup> Sections II and III of this chapter include revisions approved by the General Faculty of Winston-Salem State University on November 29, 2011. These revisions in tenure and promotion policy and procedures are effective for faculty members hired on or after July 1, 2012. Faculty members hired prior to that date will be governed by the tenure and promotion policy and procedures in the version of the *WSSU Faculty Handbook* in effect at the time of their hiring.

## **B. Ranks and Characteristics of Appointments**

To be qualified for Professorial Rank (Assistant Professor, Associate Professor, and Professor), a person shall hold the appropriate terminal degree or present evidence of comparable professional distinction in his or her field.

Prior professional experience shall be taken into account in determining initial rank, salary and length of probationary period. However, there is a minimum of 3 consecutive years of service in a tenure track position required at WSSU before an individual with prior professional experience may apply for promotion and/or tenure.

Appointment in a given department or unit shall not continue beyond seven years of experience in the Professorial Ranks at Winston Salem State University unless a decision to award Permanent Tenure has been made during or before year six. However, in rare cases, an individual who has not been granted Permanent Tenure may subsequently be offered a Special Faculty Appointment in accordance with Section III.B.5.

For tenure track faculty members notice of appointment, reappointment or non-reappointment shall be in writing from the Provost and Vice Chancellor for Academic Affairs (provost) and shall be made within the timeline outlined in Section III.B.1 – III.B.3. If the decision is not to reappoint, failure to give Formal Notice shall oblige the Chancellor to offer a one-year academic appointment at the same rank beyond the termination of the current contract period.

A Faculty member may be considered for the conferral of Permanent Tenure or promotion with conferral of Permanent Tenure at times earlier than those specified in this section.

The faculty ranks to which appointments may be made and the incidents of Tenure applicable to each are (effective upon review and approval by the president of the University of North Carolina) listed below. The terms of appointments made prior to January 1, 2009 are listed in Section XIII of this chapter.

1. **Assistant Professor:** Normally the initial appointment to the rank of assistant professor is for a term of two years. After three semesters of the initial appointment as Assistant Professor, in January of the second year, the Faculty Member shall be reviewed for reappointment and shall be given written notice of reappointment at the same or non-reappointment.

An Assistant Professor who is reappointed at the same rank shall receive a reappointment of two or four years to commence at the end of the first three year contract. Two-year reappointments can be used in cases where the department is still not convinced of a person's performance but not willing to end the contract after two years. The two-year reappointment will give the department two additional years to observe thus making a decision as to whether the individual should remain until the tenure decision. Faculty who are not reappointed to Assistant Professor following their initial review will be given a one year terminal contract. Those reappointed on a two-year contract shall be reviewed in the first year of the new contract. If reappointed they will be granted another two-year contract to commence at the end of the first 2-year reappointment contract. If not reappointed they will be given a one year terminal contract. During or before the end of the first year on the second 2-year appointment as Assistant Professor, he or she shall be reviewed and given

written notice of promotion to Associate Professor with the conferral of Permanent Tenure or of non-reappointment. If not reappointed they will be given a one year terminal contract.

An Assistant Professor who is reappointed on a four year contract can apply for Permanent Tenure as early as the second year and no later than the third year of the four-year reappointment contract as Assistant Professor, he or she shall be reviewed and given written notice of promotion to Associate Professor with the conferral of Permanent Tenure or of non-reappointment. If a faculty member applies for initial Tenure and Promotion in the fifth year of the tenure-track and is denied, he/she will be able to apply again in the sixth year. This provision will remain in effect until reviewed by the general faculty in Academic Year 2015-16, at which time it may be retained or modified. Any changes to this provision must be approved by a majority vote of the general faculty.

Permanent Tenure may not be awarded to a faculty Member at the rank of Assistant Professor.

2. **Associate Professor:** A Faculty Member may be appointed to the rank of associate professor with or without Permanent Tenure. When a Faculty Member's initial appointment is to the rank of Associate Professor without Permanent Tenure, the appointment is to a term of three to five years which is determined at the time of hire and based upon the collective experience of the Faculty Member. During and before the end of the penultimate year of the appointment as Associate Professor, the Faculty Member shall be reviewed for Permanent Tenure and given written notice from the Provost that he or she will be appointed with Permanent Tenure at the same or of non-reappointment.

A Faculty member promoted to the rank of Associate Professor must also be awarded Permanent Tenure.

Appointments with Permanent Tenure at the rank of associate professor can be made for selected senior academic and administrative officers such as deans and other administrators who hold both faculty and administrative appointments. When this happens, the recommendation for appointment with tenure will be referred to the senior faculty, the department chair and the Dean who will evaluate whether the applicant has the appropriate credentials. These recommendations will be forwarded to the faculty promotion and tenure committee. This committee will forward its recommendation to the provost and the provost will forward his or her recommendation to the Personnel and Tenure Committee of the Board of Trustees at the quarterly meeting following the appointment.

In exceptional cases, an academic unit might hire a candidate with exemplary credentials to associate professor rank with tenure. In such a case, the candidate's credentials must be reviewed pursuant to the University's tenure policy and the process must result in a positive recommendation before an offer of permanent tenure can be made to the candidate. The candidate will be asked to prepare a package of his/her credentials and apply for tenure. The provost will call upon the senior faculty and the dean to expedite the process and reach a positive or negative recommendation in a timely fashion. The decision of the tenure process will be

communicated to the candidate and it may result in an offer for hire with or without tenure.

An Associate Professor with Permanent Tenure is required to undergo a comprehensive review every five years pursuant to the Post Tenure Review Policy. If a review of a tenured Faculty Member for promotion to Full Professor is conducted at the time at which a Post Tenure Review is mandated, review for promotion fulfills the requirement. Normally, an Associate Professor with Permanent Tenure may not elect to postpone periodic reviews except under special circumstances as outlined on the policy.

3. **Professor:** A Faculty Member may be appointed to the rank of professor with Permanent Tenure or without Permanent Tenure.

When a Faculty Member's initial appointment by the institution is to the rank of professor without Permanent Tenure, the appointment is to a term of three years. Before the end of the second year of the three-year term, the Faculty Member must apply for Permanent Tenure and must be granted Permanent Tenure to be reappointed; concomitantly, the professor shall be given Formal Notice that he or she must be approved for Permanent Tenure to be reappointed.

A Faculty Member who is promoted to the rank of Professor shall have Permanent Tenure.

Appointments with Permanent Tenure at the rank of professor can be made for qualified faculty, and selected senior academic and administrative officers such as deans and other administrators who hold both faculty and administrative appointments. Additionally, the appointment of an endowed chair must be at the rank of professor with Permanent Tenure. When this happens, for the three categories of employees, the recommendation for appointment with tenure will be referred to the senior faculty, the department chair and the Dean who will evaluate whether the applicant has the appropriate credentials. These recommendations will be forwarded to the faculty promotion and tenure committee. This committee will forward its recommendation to the provost and the provost will forward his or her recommendation to the Personnel and Tenure Committee of the Board of Trustees at the quarterly meeting following the appointment.

All Professors will be subject to periodic reviews as required under the Post Tenure Review Policy.

4. **Instructor:** The rank of instructor is appropriate for one who is expected, upon appointment, to progress through to a professorial rank in this or any other institution but who lacks, when appointed, one or more qualifications expected by the department or division for appointment to a higher rank. Upon meeting all those qualifications, the instructor is eligible to be appointed to assistant professor or offered a terminal appointment of one academic year. The initial appointment to the rank of instructor is for a fixed term of two years. The instructor may be given an additional fixed term of one year. If appointed at any time from instructor to the rank of assistant professor or associate professor, said appointment constitutes an initial tenure track appointment-with the incidents described in Section III.B.2 of this document.

5. **Special Faculty Appointments:** Non-tenure track appointments may be made to fixed-term faculty ranks with title designations “instructor,” visiting faculty, “lecturer,” “artist-in-residence,” “writer-in-residence” and any faculty rank designated in III.B.1 – III.B.4 of this subsection with the prefix-qualifier “adjunct,” “~~clinical,~~” visiting or “research” under the conditions and with incidents herein provided. Special faculty members may be paid or unpaid. Such an appointment, using any one of the foregoing title designations, is appropriate for one who has unusual qualifications for teaching, academic administration, or public service, but for whom the professorial rank is not appropriate because of the limited duration of the mission for which appointed, or because of concern for continued availability of special funding for the position, or for other valid institutional reasons.

Special faculty members who are paid shall be appointed for a specified term of service, as set out in writing in the letter of appointment. The term of appointment of any paid special faculty member concludes at the end of the specified period set forth in the letter of appointment, and the letter of appointment constitutes full and timely notice that a new term will not be granted when that term expires. Initial appointments may be for a fixed term of one to three years. Each appointment is considered an initial appointment. Winston-Salem State University shall not be obliged to give any notice before a current term expires as to whether appointment will be offered for a succeeding term. Thus, the specification of the length of the appointment shall be deemed to constitute full and timely notice of non-reappointment when that term expires.

Special faculty members who are not paid may be appointed for a specified term of service or at will. Their pay and appointment status should be set out in the letter of appointment.

During the term of their employment, special faculty members are entitled to seek recourse under Section 607 of *The Code* and Section XI herein (relating to faculty grievance).

Special faculty members, whether paid or unpaid, are not covered by Section 604 of *The Code* and that section does not accord them rights to additional review of a decision not to grant a new appointment at the end of a specified fixed term.

6. **Clinical Faculty Appointments**

The definition of Clinical Faculty at Winston-Salem State University will be defined as faculty operating in ~~clinical, i.e. supervisory/practical~~ demonstration capacities, and in clinical supervision and/or practical application of the discipline. From this point forward, these duties and responsibilities as defined by the hiring department will be referred to as *clinical practice*. These appointments, non-tenure contract positions, can occur in health sciences, social sciences, and education. The initial appointment of clinical faculty will be to one of four ranks that mirror those of tenure track faculty (UNC Code 610, Section IV, A. 1.): Clinical Instructor, Clinical Assistant Professor, Clinical Associate Professor, and Clinical Professor. Appointment to all ranks requires: a) evidence of instructional or supervisory competence; b) current licensure in the area of clinical assignment, as required; and c) a graduate degree commensurate with accreditation of the academic program. Because national specialty certification is not common and is an indicator of the excellence of the faculty member and lends esteem to the program, school and

university, additional consideration will be given to those documenting national certification as a clinical specialist, as applicable.

**a. Clinical Instructor:** Appointments at the rank of Clinical Instructor require a Master's degree and demonstration of beginning level of teaching or relevant experience appropriate to the assignment. An agreement between the faculty member and the department will specify the clinical practice skills and certifications that must be maintained throughout the contract.

**b. Clinical Assistant Professor:** For appointment to the rank of Clinical Assistant Professor a terminal degree and minimum of two (2) years of relevant clinical experience appropriate to the assignment is required. The faculty member must show evidence of at least one of the following: a) university or clinical teaching experience; b) effort to incorporate evidence-based processes in teaching and/or clinical practice; c) involvement in professional, community-based, or advisory organization(s); d) present evidence of collaboration on presentations at the local or regional level in the area of clinical expertise or teaching assignment. An agreement between the faculty member and the department will specify the clinical practice skills and certifications that must be maintained throughout the contract.

**c. Clinical Associate Professor:** Appointments at the rank of Clinical Associate Professor require a terminal degree and minimum of five (5) years of teaching or relevant clinical experience appropriate to the assignment is required. The faculty member must show evidence of at least two of the following: a) mastery of classroom or clinical teaching as defined by the hiring department; b) consistently incorporates evidence-based processes in all teaching and clinical practice; c) leadership in local or regional professional, community-based, or advisory organization(s); d) present evidence of collaboration in seeking local or regional funding for development of facilities, community service, or technological enhancements in the clinical specialty area; e) present evidence of investigation of problems relevant to specialty and/or teaching area; f) provide evidence of presentations and publications or disseminations at local or regional level in area of clinical assignment. An agreement between the faculty member and the department will specify the clinical practice skills and certifications that must be maintained throughout the contract.

**d. Clinical Professor:** Appointments at the rank of Clinical Professor require a terminal degree and minimum of ten (10) years of teaching or relevant clinical experience appropriate to the assignment. The faculty member must show evidence of at least three of the following: a) mastery of classroom or clinical teaching as defined by the hiring department; b) mastery of a clinical specialty area as defined by the hiring department; c) consistently incorporates evidence-based processes in all teaching or clinical practice; d) leadership in curriculum development and program and/or clinical evaluation; e) leadership in local, regional or national professional, community-based, or advisory organization(s); f) provide evidence of presentations and publications or disseminations at local, regional, national, or international level(s) in area of clinical assignment; g) present evidence of collaboration in seeking local, regional or national funding for development of facilities, community service, or technological enhancements in the clinical specialty area. An agreement between the faculty member and the

department will specify the clinical practice skills and certifications that must be maintained throughout the contract.

7. **Annual Performance Review for Tenure Track Faculty**

The chair shall provide each tenure track Faculty member in the department's Professorial Ranks a letter each year that offers an evaluation of the faculty member's accomplishments during the previous year and discusses the Faculty Member's progress towards achieving reappointment, promotion or the conferral of Permanent Tenure, as appropriate. The letter should clearly and specifically address strengths and weaknesses in the performance of the Faculty Member, providing for a clear plan and timetable for improvement of any deficiencies in performance. While ultimate decisions on reappointment, promotion, and the conferral of Permanent Tenure take into account many factors, not all of which are related to the Faculty Member's performance, effective annual evaluations are intended to help to eliminate unexpected results in the comprehensive reviews supporting decisions on reappointment, promotion, and the conferral of Permanent Tenure. Guidelines for the annual performance review are detailed in the Winston Salem State Faculty Evaluation Handbook.

8. **Annual Performance Review for Clinical Track Faculty**

Clinical track faculty members will be evaluated annually by the department/program supervisor in accordance with the current human resources directives and the provisions of the employment contract. Evaluation will be based on satisfactory progress toward, or effective attainment of, all the criteria for initial appointment at clinical faculty rank set forth in the employment contract. Each Department or Program will establish at the outset responsibilities and ratio of teaching, service, and research. To allow for the unique professional requirements of each program, the particular departments or programs will establish additional performance criteria for appointment, reappointment, advancement in rank, and salary increases, as appropriate (see section 6 above).

### C. Criteria for Initial Faculty Appointments

The College and each School is required to follow the procedures and guidelines described in the *Handbook on Faculty Recruitment* published by the Office of Faculty Affairs.

The following minimum criteria apply to candidates being considered for initial, full-time appointment at the various ranks.

1. **Instructor:** Appointment as instructor is based on potential. Candidates must meet the following minimum requirements: 1) earned master's degree in field or related field from a regionally accredited institution of higher education or evidence of comparable professional distinction in his or her field; 2) demonstrated professional competence (relative to teaching, research/scholarly/creative activity, service); 3) potentials for future contribution, and institutional needs and resources; 4) three letters of recommendation; and 5) additional departmental and college/school criteria will be published and distributed to Office of Provost).
2. **Assistant Professor:** Appointment as an assistant professor is based on potential and prior professional experience. Candidates must meet the

- following minimum requirements: 1) earned doctorate or terminal degree in field or related field from a regionally accredited institution of higher education or present evidence of comparable professional distinction in his or her field; 2) demonstrated professional competence (relative to teaching, research/scholarly/creative activity, service); 3) potential for future contribution, and institutional needs and resources; 4) three letters of recommendations; and 5) additional departmental and college/school criteria will be published and distributed to Office of Provost.
3. **Associate Professor:** Appointment as an associate professor is based on actual professional experience as well as future potential. Minimum requirements are as follows: 1) earned doctorate or terminal degree in field or related field from a regionally accredited institution of higher education or present evidence of comparable professional distinction in his or her field; 2) demonstrated professional competence (relative to teaching, research/scholarly/creative activity, service); 3) potential for future contributions and institutional needs and resources; 4) three letters of recommendations; and 5) additional departmental and college/school criteria will be published and distributed to Office of Provost.
  4. **Professor:** Appointment as a professor requires that a candidate be recognized by colleagues, previous supervisors and students as a capable teacher, scholar and researcher. The following minimum requirements apply: 1) earned doctorate or terminal degree in field or related field from a regionally accredited institution of higher education or present evidence of comparable professional distinction in his or her field; 2) demonstrated professional competence (relative to teaching, research/scholarly/creative activity, service); 3) potential for future contributions and institutional needs and resources; 4) five letters of recommendations; and 5) additional departmental and college/school criteria will be published and distributed to Office of Provost.

**Clinical Faculty and Ranks:** The initial appointment of non-tenure track clinical faculty will be to one of four ranks that mirror those of tenure track faculty (UNC Code 610, Section IV, A. 1.): Clinical Instructor, Clinical Assistant Professor, Clinical Associate Professor, and Clinical Professor. Appointment to all ranks requires: a) evidence of instructional or supervisory competence, b) current licensure in the area of clinical assignment as applicable; and c) a graduate degree commensurate with accreditation of the academic program. Because national specialty certification is not common and is an indicator of the excellence of the faculty member and lends esteem to the program, school and university, additional consideration will be given to those documenting national certification as a clinical specialist, as applicable. The following minimum criteria apply to candidates being considered for initial, full-time appointment at the various ranks.

1. **Clinical Instructor:** Appointment as instructor is based on potential. Candidates must meet the following ~~minimum~~ requirements: 1) Master's degree and demonstration of beginning level of teaching or relevant clinical experience appropriate to the assignment; 2) An agreement between the faculty member and the department will specify the clinical practice skills and certifications that must be maintained throughout the contract.
2. **Clinical Assistant Professor:** Appointment as a clinical assistant professor is based on potential and prior professional experience. Candidates must meet the following ~~minimum~~ requirements: 1) terminal degree and



minimum of two (2) years of relevant clinical experience appropriate to the assignment is required; 2)The faculty member must show evidence of at least one of the following: a) university or clinical teaching experience; b) effort to incorporate evidence-based processes in teaching and/or clinical practice; c) involvement in professional, community-based, or advisory organization(s); d) present evidence of collaboration on presentations at the local or regional level in the area of clinical expertise or teaching assignment; 3)An agreement between the faculty member and the department will specify the clinical practice skills and certifications that must be maintained throughout the contract.

**3. Clinical Associate Professor:** Appointment as a clinical associate professor is based on actual professional experience as well as future potential. Minimum requirements are as follows: 1) terminal degree and minimum of five (5) years of teaching or relevant clinical experience appropriate to the assignment; 2) The faculty member must show evidence of at least two of the following: a) mastery of classroom or clinical teaching as defined by the hiring department; b) consistently incorporates evidence-based processes in all teaching and clinical practice; c) leadership in local or regional professional, community-based, or advisory organization(s); d) present evidence of collaboration in seeking local or regional funding for development of facilities, community service, or technological enhancements in the clinical specialty area; e) present evidence of investigation of problems relevant to specialty and/or teaching area; f) provide evidence of presentations and publications or disseminations at local or regional level in area of clinical assignment; 3)–An agreement between the faculty member and the department will specify the clinical practice skills and certifications that must be maintained throughout the contract.

**4. Clinical Professor:** Appointment as a clinical professor requires that a candidate be recognized by colleagues, previous supervisors and students as a capable teacher in the area of practice. The following minimum requirements apply: 1) terminal degree and minimum of ten (10) years of teaching or relevant clinical experience appropriate to the assignment; 2) The faculty member must show evidence of at least three of the following: a) mastery of classroom or clinical teaching as defined by the hiring department; b) mastery of a clinical specialty area as defined by the hiring department; c) consistently incorporates evidence-based processes in all teaching or clinical practice; d) leadership in curriculum development and program and/or clinical evaluation; e) leadership in local, regional or national professional, community-based, or advisory organization(s); f) provide evidence of presentations and publications or disseminations at local, regional, national, or international level(s) in area of clinical assignment; g) present evidence of collaboration in seeking local, regional or national funding for development of facilities, community service, or technological enhancements in the clinical specialty area; 3) An agreement between the faculty member and the department will specify the clinical practice skills and certifications that must be maintained throughout the contract.

#### **D. Procedures for Initial Appointment**

Each department shall establish search committees, appointed by the department chair, to review and screen applications for full-time faculty positions. Following input from the search committee, the department chair shall provide a recommendation to the dean along with the rationale and documentation for the decision. The chair and dean shall consult with the Provost prior to making a final offer to the candidate. The dean shall forward a recommendation for the faculty appointment to the provost, who shall have the final authority to approve all faculty appointments.

Search committee documents and records are confidential personnel information and should only be reviewed by the members of the search committee and other authorized university personnel. Deliberations of the search committee concerning a faculty appointment are to be held in closed session.

#### **E. Decisions Not to Reappoint Upon Expiration of Tenure-Track Terms**

The final decision not to reappoint when a Tenure-Track appointment as assistant professor, associate professor, or professor expires shall be made by the provost. This decision is final except as it may later be reviewed in accordance with the provisions of Section VI of this document. The provost shall provide Formal Notice to the Faculty Member of the decision not to reappoint and shall include the rationale for the decision including strengths and weaknesses of the application in the areas of teaching, research, and/or service. Each such decision shall be communicated for information through the administrative channels prescribed for review had the decision been to reappoint.

#### **F. Terms and Conditions of Appointment**

The terms and conditions of each initial appointment and of each reappointment to the faculty shall be set out in writing. A copy of the terms, signed by the provost shall be delivered to the Faculty Member and the provost shall retain a copy.

Any special terms and conditions shall be clearly stated in the written appointment. No special terms or conditions may be included that vary from the general terms and conditions stated therein. The responsibility for initiating the inclusion of special terms and conditions in documents of appointment is with the department chair or the hiring manager who recommends the appointment.

#### **G. Joint Appointments**

A Faculty Member may only hold one full-time appointment at the university. The appointment may be held between or among two or more departments or units or by holding an administrative appointment concurrent with a faculty appointment. These Faculty Members shall be considered for promotion or Permanent Tenure by the same standards applied to other faculty as outlined in Section III of this document.

#### **H. Leaves of Absence**

A Faculty Member may receive an **academic leave of absence** from full-time employment responsibilities for a fixed period, for no more than one year at a time for a maximum of two years, upon recommendation of the department chair and the dean and by written agreement signed by the provost and the Faculty Member. The agreement shall specify the effect of the leave on the timetable for consideration of reappointment, promotion, and/or Permanent Tenure and shall specify whether the leave will be with or without pay. If the leave is with pay, the agreement shall contain the promise of the

Faculty Member to return to the university for a period at least equal to that of the leave granted, or to repay the value of salary and fringe benefits received during the leave period, unless the university agrees in writing to some other understanding concerning the obligation of the Faculty Member to return or repay. The Faculty Member taking a leave of absence should consult with the Department of Human Resources before beginning the leave to ensure that any arrangements pertaining to benefits have been implemented.

Medical leave will be calculated using current university policies, University of North Carolina policies, and State and Federal regulations. **Medical leaves of absences** may be taken under the Disability Policy for Nine Month Employees, the Family and Medical Leave Act and the State Family Illness Leave Policy. Under the Disability Policy for Nine Month Employees, eligible Faculty Members are eligible for continuation of salary (paid leave) for a minimum of 60 calendar days within a single semester and up to a maximum of one academic semester in cases of extraordinary illnesses, major disability and for parental purposes. The policy is posted on the Office of Legal Affairs website.

The effect of any medical leave on the timetable for consideration of reappointment, promotion, and/or permanent tenure is subject to written agreement with the Dean and Provost.

#### **I. Retreat to a Faculty Position**

An administrator who holds a concurrent tenured faculty appointment may return to that appointment with all the rights and responsibilities of faculty in the home department, unless a proceeding is initiated to discharge or demote the administrator from the faculty position. If there has been an administrative stipend during the appointment, that stipend shall be removed. Except for those faculty members in disciplines with 12-month appointments, the salary will be adjusted from a 12-month salary to a 9-month salary that is commensurate with the salaries of comparable Faculty Members. At the chancellor's discretion, the chancellor may provide for a reasonable period of time with full administrative salary to provide an opportunity for the employee to prepare for teaching and research responsibilities. The reasonable period of time should be related to the time spent in administrative duties, except that if the chancellor proposes to pay the administrator full administrative pay after the termination of the administrator's administrative duties for longer than one year, the agreement must be approved by the Board of Trustees.

#### **J. Resignation and Retirement**

A Faculty Member who has decided to resign or retire from Winston-Salem State University shall give prompt written notice with its effective date to the department chair, who will then notify the dean, who in turn will notify the provost who then will report the resignation or retirement to the Chancellor.

Each Faculty Member may retire in accordance with the provisions of Chapter 135 of the North Carolina General Statutes or if eligible, according to the university's phased retirement plan.

#### **K. Continued Availability of Special Funding**

The appointment, reappointment or promotion of a Faculty Member to a position funded in whole or in substantial part from sources other than continuing state budget funds or permanent trust funds shall specify in writing that the continuance of the Faculty

Member's services, whether for a specified term or for Permanent Tenure, shall be contingent upon continuing availability of such funds. The contingency shall not be included in a Faculty Member's contract in the following situation:

In a promotion to a higher rank if, before the effective date of that promotion, the Faculty Member had Permanent Tenure and no such condition was attached to the tenure.

**L. Provisions for Less than Full-time Employment**

Special terms for less than full-time employment with commensurate compensation, or for relief from all employment obligations to any faculty rank may be added by a written memorandum of amendment during the term of an appointment. For compelling reasons, such terms may, with the concurrence of the Faculty Member, include extensions of the period of a current Tenure-Track term of appointment to coincide with the extent and duration of the relief from the full-time employment obligation. Such special terms must be expressly stated in initial appointment documents or, if added by a memorandum of amendment, must be approved by signature of the provost and the Faculty Member, with a copy to be retained by each. Except as may be otherwise expressly provided in the documents of appointment, all appointments to any faculty rank are made on the basis of a full-time employment obligation and confer the full incidents of Tenure pertinent to the particular appointment.

These provisions do not apply to informal temporary adjustments of the regularly assigned duties of Faculty Members by the department chair who is responsible for their direct supervision, or to the university's granting of extended leaves of absence with or without compensation.