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Tufts professors sue over new fund-raising requirements

By **Deirdre Fernandes** Globe Staff, December 12, 2019, **an hour ago**



Six of the tenured professors who are suing Tufts (from left): Emmanuel Pothos, Henry Wortis, Brent Cochran, Amy Yee, David Greenblatt, and Michael Malamy. JESSICA RINALDI/GLOBE STAFF

Eight tenured professors at Tufts Medical School have filed a lawsuit alleging that the university is trying to force them out, violating their lifetime work contracts.

The professors, who teach and conduct research on cancer, autism, and addiction, among other topics, have been at Tufts for decades. But Tufts' current requirement that professors in the basic sciences get large outside grants is threatening their employment, according to the complaint filed in Middlesex County Superior Court last week.

The professors allege that when they were first offered tenure at Tufts, there was no requirement that they raise a certain amount of funding, but since 2017 the university has required them to support at least 40 percent of their salary with research funding from outside sources, such as federal government grants.

That's a breach of their contract and chips away at the idea of tenure, which provides professors academic freedom and guarantees them economic security, said Kevin Peters, an attorney representing the faculty members.

All of the professors have been at Tufts between 20 and 50 years and many have had award-winning careers at the university, but they aren't necessarily focused on topics that generate a lot of federal research funding, such as tick-borne illness, Peters said.

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Tenure traditionally has protected professors from having to study only topics that generate money, Peters said.

“Tenure is a lifetime contract,” Peters said “You don’t throw them to the curb when they’ve outlived their usefulness when they can’t get funding.”

Tufts officials said they just became aware of the lawsuit on Friday, but defended the university’s tenure policy.

The requirements “are equitable, transparent, and reward quality research and related productivity, which is integral to the school’s mission,” said Patrick Collins, a spokesman.

The policy is in line with the university’s commitment to tenure and academic freedom, Collins said.

According to court documents, professors who haven’t been able to meet the requirements of outside funding are seeing their hours cut, their pay reduced, and their laboratories closed or downsized. The moves have caused significant problems for the professors, the complaint alleges.

The professors, Henry Wortis, Amy Yee, Theoharis Theoharides, Ana Soto, Emmanuel Pothos, Michael Malamy, David Greenblatt, and Brent Cochran are concerned that they won’t be able to pay their mortgages, get additional funding to continue their research, and secure their retirements, according to court documents.

Theoharides, who has been doing work on autism, is worried about what will happen to the rare brain samples of children on the autism spectrum disorder when his laboratory shuts down, as is scheduled to happen in February, according to the complaint.

Soto, whose salary of \$214,569 in 2017 has been cut by nearly 30 percent in the past three years, is spending the funding she does receive from agencies such as the National Institutes of Health to pay for her lab employees, instead of using it to cover her own salary, according to the complaint.

“Tenured basic science faculty members do not have unfettered academic freedom if they are punished financially solely because they conduct research that is not sufficiently lucrative from Tufts’ or [Tufts University School of Medicine’s] perspectives,” court documents state.

To reduce costs and to help them be more nimble, colleges and universities are increasingly moving away from tenure.

Nearly three-quarters of the instructional staff at higher education institutions nationwide are not on the tenure track. These include adjunct professors, clinical faculty, post-doctoral candidates, and lecturers, according to the American Association of University Professors.

These jobs have less financial security and fewer protections for academic freedom.

Medical schools have increasingly required their faculty to bring in outside grants to help supplement their pay and offset the university’s costs.

The Association of American Medical Colleges, a trade organization, declined to comment on the Tufts legal dispute. But the organization said that to meet accreditation requirements, schools must have clear policies.

The issue in this case, Peters said, is whether professors given tenure long before the new funding requirements took affect should have to meet them, and if those new rules infringe on their ability to research the topics they want.

The professors in the lawsuit are asking the court to rule that Tufts’ recent compensation and lab space allocation plan does not apply to those granted tenure before 2017.

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