

Faculty Handbook

University of Tennessee Health Science Center

Recommendations discussed and approved
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Undergoing review by Campus – Not yet approved by Campus,
System or Board of Trustees

UNDERGOING FURTHER REVIEW

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Section 1 Introduction

1.1 The University of Tennessee

Founded in 1794, The University of Tennessee (the University) is a statewide, multi-campus, land grant university providing comprehensive, postsecondary educational experiences. The University is a corporate agency of the State of Tennessee. The purpose of the University is "to engage in the governmental function of affording an education primarily to the youth and citizens of the State of Tennessee and to instruct and train them in those subjects leading to the degrees of bachelor of arts, master of arts, medical degrees or any other degree known and used in any college or university in any of the United States; also to be a leading research institution devoted to research and instruction in agriculture, the arts and sciences, law, medicine, business, education, architecture, and the other disciplines."

The University's governing body is the Board of Trustees (Board), made up of certain *ex officio* members as well as certain members appointed by the Governor of Tennessee. The chief executive officer of the University is the President who reports to the Board. The table of organization and organizational chart of the University can be accessed from a link that is listed in *Appendix A*.

1.2 The University of Tennessee Health Science Center

Established in 1911, the University of Tennessee Health Science Center (UTHSC) is the University's comprehensive academic health science center. The mission of the University of Tennessee Health Science Center is to bring the benefits of the health sciences to the achievement and maintenance of human health, with a focus on the citizens of Tennessee and the region, by pursuing an integrated program of education, research, clinical care, and public service. The chief executive officer is the Chancellor, who reports to the President. The table of organization and organizational chart, showing the principal administrative officers of UTHSC are contained in *Appendix A*.

1.3 The Faculty of UTHSC

The faculty of UTHSC is the society of scholars appointed by The University to collectively teach, investigate, and perform patient care and other public and institutional service to further the mission of UTHSC. The specific academic assignment of the individual faculty member is determined cooperatively by the faculty member and the University, with appropriate regard given to the expertise and academic interests of the faculty member and the academic needs of The University (*Section 5*). All members of the faculty, regardless of rank, seniority, or tenure status, are expected to continually maintain expertise and seek additional knowledge in their fields of study and to use that expertise and knowledge to benefit others.

The UTHSC faculty is organized into colleges, as well as certain non-collegiate academic units, based primarily on the health sciences professions and the curricula. The colleges and non-collegiate academic units are further subdivided into departments, divisions, etc., when warrant-

ed by the size of the college or unit. The colleges and non-collegiate academic units of UTHSC are the:

1. College of Health Professions,
2. College of Dentistry,
3. College of Graduate Health Sciences,
4. College of Medicine,
5. College of Nursing,
6. College of Pharmacy, and
7. Library and Biocommunications Center.

1.4 The Faculty Handbook

The UTHSC Faculty Handbook (Faculty Handbook) is a collaborative effort involving committees of the Faculty Senate, UTHSC and UT system level administrators with responsibility for Faculty Affairs, and the Office of the General Counsel. The *Faculty Handbook* is intended to be a general reference to University guidelines and policies, applying to all faculty members and administrators at the University of Tennessee Health Science Center. The material it contains supersedes all collegiate and departmental bylaws, which must conform to this *Handbook*. Further, the Faculty Handbook must conform to approved policies of the The University of Tennessee Board of Trustees (<http://bot.tennessee.edu/policies.html>). If there are conflicts between a provision in the Handbook and The University of Tennessee Board of Trustees' Policy, the approved Board of Trustees' policies prevail.

When official University policies and procedures are changed by action of the Board of Trustees, or other duly constituted authority, such changes become effective on the date designated at the time of their adoption and supersede any provision of the *Faculty Handbook* to the contrary. Notification of such changes is forwarded by email to collegiate and departmental offices and to individual faculty members.

The most recently Board of Trustees-approved version of the *Faculty Handbook* is available on the Faculty Senate home page at: http://www.uthsc.edu/Facsenate/fac_handbook.php
Current administrative policies are listed at: <http://www.uthsc.edu/policies/>
University-wide policies are located on The University of Tennessee home page at: <http://policy.tennessee.edu>. The Table of Contents for each of these websites appear as appendices to this Handbook.

The Faculty Evaluation Calendar is published at the beginning of each academic year on the Academic Affairs web site (<https://academic.uthsc.edu/faculty/info.php>), and is intended as a guide-

line. This calendar contains the timelines and reporting deadlines described in the Faculty Handbook.

1.4.1 Faculty Handbook Revision

Revisions to the *Faculty Handbook* are undertaken in a manner reflective of UTHSC's commitment to shared academic governance (*Section 2.1*). Any suggestions for changes or improvements for future editions are always welcomed and should be forwarded to the UTHSC Chief Academic Officer and the President of the Faculty Senate. Requested revisions to the *Faculty Handbook* are received by the Faculty Senate Executive Committee, which can at its discretion, forward it to the Faculty Affairs Committee and/or other appropriate Faculty Senate Committees. Recommendations must be reviewed and approved by the Faculty Senate Executive Committee prior to a vote by the full Faculty Senate. The document is then submitted to the UTHSC Chief Academic Officer who will discuss proposed edits with the Chancellor. The document is either accepted as is or referred back to the Faculty Senate Executive Committee for additional discussion and potential revision. The revised Faculty Handbook draft is then reviewed by the Faculty Senate Executive Committee, and if approved, presented to the full Faculty Senate for a vote. Once revisions have received approval by the UTHSC administration and a positive vote by the full Faculty Senate, the agreed upon document is forwarded to the UT System Office of Academic Affairs and Student Success for action and subsequently to the Board of Trustees for their consideration and disposition.

Section 2 Academic Governance

2.1 Definition of Academic Governance

Academic governance is the system through which the Board, the University administrators, and the University faculties participate in developing policy on academic matters. Because the University is an academic institution, any and all policies adopted by the University to guide and control its activities may be broadly interpreted to constitute policies on academic matters. For the purpose of this *UTHSC Faculty Handbook*, however, the term "academic policies" shall generally refer to those policies that either: (a) guide and control the education, research, clinical care and public service functions of the University faculty or (b) deal with the rights and responsibilities of the individual faculty member. Thus University policies that direct alumni affairs, non-faculty personnel issues, financial matters, hospital management, etc. are not considered "academic policies" except in those cases, such as the planning function, where their partial inclusion is required by their close relationship to academic governance.

2.2 Academic Governance of the University

2.2.1 The Role of the Board of Trustees

The Board of Trustees is the final institutional authority on academic policy. The Board may establish or revise University policy on any academic matter other than the planning and development of the curricula. The University Bylaws specifically reserve to the Board certain authority, including:

1. Establish policies controlling the scope of the educational opportunities to be offered by the University and also policies determining its operation in general; however, the planning and development of curricula shall be the function of the faculties;
2. To determine and control the activities and policies of all organizations and activities that bear, or that may be carried under, the name of the University;
3. Grant tenure to eligible members of the faculty upon the positive recommendation of the President;
4. Prescribe admission, progression, and retention requirements for the University and particular programs of instruction;
5. Approve mission statements for the system and each campus or institute;
6. Approve strategic and long-range academic plans;
7. Approve proposals concerning the development of new academic programs and the significant revision of existing programs relating to instruction, research, and service;
8. Establish new academic organizations, such as major campuses, institutes, colleges or schools, and academic departments;
9. Evaluate existing academic programs and their administrative structures;
10. Terminate programs and structures that no longer are needed;
11. Approve admission, progression, retention, and graduation standards;
12. Approve the University's Policies Governing Academic Freedom, Responsibility, and Tenure, campus implementing procedures, and any other faculty personnel policy requiring Board approval;
13. Approve proposals and any necessary policies concerning information technology;
14. Approve proposals and any necessary policies concerning system-wide use of academic services including libraries and computer labs;
15. Approve University rules concerning student conduct, rights, and responsibilities to be promulgated under the Tennessee Administrative Procedures Act;
16. Approve proposals and any necessary policies related to the non-academic aspects of student life, including student services and student conduct; and

17. Approve proposals and any necessary policies related to campus enrollment and facilities capacity.

(The University of Tennessee Bylaws Art. I, § 2 and Art III., § 7, as amended through Oct. 9, 2009.) For a complete and up-to-date description of the Board's responsibilities, please refer directly to the Bylaws (see <http://bot.tennessee.edu/bylaws.html>).

2.2.2 The Role of the President

The President is the chief executive officer of The University of Tennessee System and exercises complete executive authority over all component parts of the University, subject to the discretion and control of the Board of Trustees. The President has ultimate responsibility for leading the University academically, administratively, and financially. The President is the principal spokesperson for the University. The President is responsible for:

1. Identifying and recommending to the Board of Trustees individuals for election as Vice Presidents, Chancellors, and other officers of the University as defined in the bylaws;
2. Promoting the general welfare and development of the University in its several parts and as a whole. The President decides all questions of jurisdiction not otherwise defined among the several parts of the University;
3. Presentation of policies, recommendations, and other matters to the Board of Trustees, the Governor, the General Assembly, and other state and federal offices;
4. Prompt and effective execution of all laws relating to the University and of all resolutions, policies, rules, and regulations adopted by the Board of Trustees;
5. Preparation of the University budget and its presentation to the Tennessee Higher Education Commission, the Governor and the Department of Finance and Administration, the General Assembly, and the Board of Trustees;
6. Exercising ultimate control over the budgets of all parts of the University and must approve major budgetary revisions;
7. Development and execution of fundraising and alumni programs for the University;
8. Oversee the University's intercollegiate athletics programs through the chancellors at the Knoxville, Chattanooga and Martin campuses.

The President performs such other duties as may be delegated to that office by the Board of Trustees or by any standing or special committee of the Board. In the execution of the President's duties and responsibilities, the President may delegate powers and duties to subordinate officers. In accordance with applicable University policies and procedures, the President delegates to Chancellors and Vice Presidents powers and duties to supervise and administer academic and budgetary units reporting to them, under the general direction and control of the President.

These delegations do not reduce the President's ultimate responsibility as chief executive officer of the University. (*Source*: The University of Tennessee Bylaws, Art. IV, § 3, as amended through Oct. 9, 2009.)

2.2.3 The Role of the University Faculties

The faculties of the various University campuses and institutes have, for their respective units, the specifically reserved and sole authority to plan and develop the curricula (*Source*: The University of Tennessee Bylaws, Art. I. § 2 as amended through Oct. 9, 2009.) Furthermore, the faculties must authorize the University to award academic degrees. The faculties are represented on the Board of Trustees as set out in Tennessee Code Annotated § 49-9-202.

2.3 Academic Governance of UTHSC

2.3.1 General Policy

Effective academic governance is a hallmark of a mature educational institution. Therefore, all participants have the duty to strive to make academic governance:

1. A cooperative process that demands a joint effort between the Chancellor and the faculty of UTHSC with appropriate participation by students, alumni, and staff;
2. An open process that is characterized by a courteous, free-flowing exchange of information and opinions between all interested parties;
3. A respectful process that gives increased weight to the opinions of participants who are accountable for the matters under consideration;
4. A comprehensive process that assumes that any issue may be relevant to the academic enterprise;
5. A bilateral process that produces policies that apply to UTHSC as a whole, and policies that apply only to one college or non-collegiate academic unit; and
6. A responsible process that is subordinate to governmental authority, the final institutional authority of the Board, and the delegated authority of the President.

The level of participation by the faculty in academic governance varies.

1. Consultation - A body of faculty members who discuss with and inform the administrator with authority and responsibility for the decision. Such a committee is not a deliberative body; there is no vote. Rather the members express their views to inform an administrator's decision.
2. Advice or Recommendation - A deliberative body of faculty members who recommend policies or actions to an administrator who is authorized to make decisions. There is a vote. The

administrator is not bound by the recommendation and accepts responsibility for the decision.

3. Shared Responsibility - A deliberative body of faculty members who make recommendations concerning policies or actions to an administrator who is authorized to make decisions. There is a vote. If the administrative and the deliberative body cannot agree and a decision is needed, the recommendation of the administrator and the deliberative body will be submitted in writing to the next higher administrative level for resolution.
4. Delegated Authority - A deliberative body of the faculty is authorized to make decisions on specified matters. There is a vote. Such decisions are subject to administrative review, but will be altered only in rare circumstances.

2.3.2 UTHSC Academic Policies-Definition

UTHSC academic policies are those that apply to two or more colleges and/or non-collegiate academic units at UTHSC.

2.3.3 Collegiate Academic Policies - Definition

Collegiate academic policies are policies that apply to only one college or non-collegiate academic unit. Hereinafter, unless otherwise noted, the terms *college* and *collegiate* refer to the non-collegiate academic units as well as to the colleges.

Collegiate academic policies include, but are not limited to, policies contained in the collegiate sections of the *UTHSC Catalog*, and bylaws developed by the colleges to govern their internal academic matters.

2.3.4 Organization of the Faculty for Academic Governance

2.3.4.1 General

On both the UTHSC and the collegiate levels, the UTHSC faculty is represented in academic governance by faculty leaders who are either elected by faculty members or appointed by, or with the approval of, the Chancellor.

2.3.4.2 Elected UTHSC Faculty Leadership: The Faculty Senate

On the UTHSC level, the UTHSC Faculty Senate represents the faculty as its sole elected body. The Faculty Senate operates under bylaws that are approved by the Board, is made up of voting Senators who are elected by faculty members and nonvoting Senators who serve *ex officio*, and is led by Faculty Senate officers who are elected by the voting Senators. Appendix B contains the *Bylaws of the Faculty Senate*.

2.3.4.3 Appointed UTHSC Faculty Leadership: Chief Officers and UTHSC Committees

There are a number of chief officers and UTHSC committees, appointed by the Chancellor, to provide advice and recommendations on activities and services. A complete listing of these

chief officers and UTHSC committees, including committee functions and memberships can be found on the UTHSC web site at https://www.uthsc.edu/policies/w932_document_list.php?app=ADM. The membership of UTHSC committees must include faculty members, and may also include students, and staff members, with most non-*ex-officio* faculty committee seats being held by faculty members who are nominated for appointment by the Faculty Senate leadership.

2.3.4.4 Elected Collegiate Organization: Faculty Organizations

The faculty of each college has its own faculty organization. The bylaws of each college must (a) provide an effective mechanism for participation by the collegiate faculty in the academic governance of the college, (b) provide for faculty organization officers who are elected by the collegiate faculty members, and (c) be approved by the Chancellor. The structure of the collegiate faculty organizations varies, depending on the size and complexity of the college. The purposes of a collegiate faculty organization include, but are not limited to, the following:

1. Promote and facilitate communication among the members of the faculty, the elected faculty leadership, and the appointed faculty leadership of the college;
2. Afford faculty members opportunities to propose, review, and discuss policies and programs of the college; and
3. Foster development of an environment that will enhance faculty participation in academic governance of the college.

2.3.4.5 Appointed Collegiate Faculty Leadership

The Chancellor, with the approval of the President, appoints one member of the faculty of each college and non-collegiate academic unit to serve as the executive dean, dean, or director of that college or unit. Hereinafter, unless otherwise noted, the term *dean* refers to the executive dean and director as well as to the deans. The selection of a dean is described in *Section 2.3.7.5*. The dean or director is the academic, as well as administrative leader, of the college or unit. The colleges of all three College of Medicine units are headed by deans. The Library and Biocommunications Center is headed by a Director.

The deans, with the approval of the Chancellor, appoint faculty members to serve as chairs of the collegiate departments. The selection of a Chair is described in *Section 2.3.7.6*. The chairs are the academic, as well as the administrative, leaders of their respective academic units.

The deans, with the approval of the Chancellor, also may appoint faculty members of their colleges to serve as assistants to the dean. These positions have titles such as Assistant or Associate Dean. The roles of these individuals vary according to the needs of the colleges.¹

¹ Certain positions in this category, for example Assistant Dean for Administration, may be held by non--faculty staff members.

The deans and chairs may also appoint standing or *ad hoc* faculty committees to advise on academic matters. At the collegiate level, deans are encouraged to include faculty members nominated by collegiate faculty organizations as committee members.

2.3.5 The UTHSC Academic Governance

2.3.5.1 Proposals for UTHSC Academic Policies

New or revised UTHSC academic policies may be proposed by the Faculty Senate or the Chancellor. Also, any individual faculty member may request a new or revised UTHSC academic policy by presenting the request to the Faculty Senate, to the Chief Academic Officer, and/or to the Chancellor.

2.3.5.2 Review and Recommendations Concerning UTHSC Academic Policies

Proposals for new and revised UTHSC academic policies must be reviewed by the Faculty Senate. If a proposal for a new or revised policy originates in the Faculty Senate, the Senate will review the proposal and either approve or not approve. If the policy is not approved, no further action will be taken; if it is approved, however, the Senate will recommend its acceptance to the Chancellor. If the Chancellor initiates a new or revised academic policy, the Chancellor will forward it to the Faculty Senate for review and recommendation. The President of the Senate is responsible for ensuring that the appropriate Senate procedures are followed to review new or revised academic policies.

2.3.5.3 Decision by the Chancellor on UTHSC Academic Policies

After review and recommendation by the Faculty Senate, the Chancellor decides to either accept or reject the proposed new or revised academic policy. If the Chancellor's decision is not in agreement with the recommendation of the Faculty Senate, and the decision is to reject the proposal, the Chancellor will make every effort to reach consensus before making the final decision. However, if the Chancellor's decision is to accept the policy and the policy requires approval by the President or the Board, the usual UTHSC policies and procedures will be followed.

2.3.6 The UTHSC Collegiate Academic Governance

Each college has its own process for developing new or revised collegiate academic policies (*Section 2.3.4.4*). However, the curriculum cannot be changed without the approval of the collegiate faculty. The dean has the authority, delegated by the President and Chancellor, to make decisions on other collegiate academic matters in consultation with the collegiate faculty. The process used by the individual college depends on the size and complexity of that college; however, the process used by any college must:

1. Provide that new or revised academic policies may be proposed by the collegiate faculty organization, the appointed collegiate faculty leadership, or any individual faculty member;

2. Provide for review and recommendations of proposed academic policies by the collegiate faculty organization and the appointed faculty leadership; and
3. Provide that the dean must accept or reject proposed academic policies in a timely manner.

However, in the event of a disagreement between the dean and the faculty, the dean will make every effort to reach consensus before making a final decision. If the dean's decision is to accept the policy and the policy requires further approval (i.e., at the UTHSC, UT System, and/or Board levels), the usual UTHSC policies and procedures will be followed.

2.3.7 Special Issues in Academic Governance of UTHSC

2.3.7.1 Planning and Development of the Curricula

The Board determines the instructional programs to be offered at UTHSC. Proposals for such programs may be originated through the academic governance process described in Sections 2.3.5 and 2.3.6 above; however, the Board retains the right of final approval. The UTHSC faculty has the specifically reserved and sole authority to plan and develop the curricula for instructional programs. For the purpose of this *Faculty Handbook*, the terms *curricula* and *curricular* refer to the subject matter, method of instruction, and grading policy in all courses offered by UTHSC; the sets of courses required for degrees offered by UTHSC; and the aspects of student life that relate to the instructional process.

Curricular matters that involve the faculty of only one college are decided by the faculty of that college, under the leadership of the dean. Curricular matters that involve the faculties of more than one college are decided collectively by the faculties of the affected colleges. In these cases, the UTHSC Chief Academic Officer, in consultation with the appropriate Faculty Senate standing committee, will establish a process to be followed.

2.3.7.2 Additional Responsibilities of the Chancellor in Academic Governance

In addition to the responsibilities of the Chancellor in academic governance, the Chancellor is responsible for:

1. Establishing and maintaining lines of communication among all parties participating in academic governance;
2. Implementing and enforcing the academic policies of the Board and the President; and
3. Monitoring both the UTHSC and the collegiate academic governance policies described in Section 2.3 for the purposes of: (a) assuring adherence to such policies, and (b) providing *ad hoc* procedures to resolve academic governance issues not covered by the policies of this Section 2.3.

2.3.7.3 The Critical Nature of Planning UTHSC and Collegiate Goals and Objectives

The University's Charter and Bylaws provide that the faculty must actively participate in the determination of the strategic directions of the campuses. UTHSC has a comprehensive planning process to identify and prioritize UTHSC and collegiate goals and objectives, determine strategies to accomplish the goals and objectives, and recommend allocation of resources to implement the strategies. Each college maintains a collegiate planning process in harmony with the UTHSC plan. The planning process provides for extensive participation by the UTHSC faculty. Faculty members are routinely invited and encouraged to provide comments on the plans and to suggest improvements.

2.3.7.4 Selection of the Chancellor

The Chancellor is elected by the Board upon the recommendation of the President. In the event of a vacancy or notice of an impending vacancy in the Office of the Chancellor, the President must appoint an advisory committee that includes UTHSC faculty representation to assist in identifying and screening candidates for the position.

2.3.7.5 Selection of Vice Chancellors and Deans

Vice chancellors and deans are appointed by the Chancellor. In the event of a vacancy or notice of impending vacancy in the Office of a Vice Chancellor or Dean, the Chancellor must appoint an advisory committee that includes Faculty Senate Executive Committee representation to assist in identifying and screening candidates for the position. If the vacancy is a dean, the advisory committee must also include faculty representation from the college that has the vacancy.

2.3.7.6 Selection of Department Chairs

Department chairs are appointed by the responsible dean. In the event of a vacancy or notice of impending vacancy in the office of a department chair, the dean must appoint an advisory committee that ordinarily should include faculty representation from the department with the vacancy. The dean should also consult with the faculty members who hold regular appointments in the affected department prior to the selection. The faculty members who hold regular appointments in the affected department should have the opportunity to meet with and evaluate the candidates.

2.3.7.7 Selection of Other Appointed Faculty Leaders and Campus and Collegiate Administrators

If advisory committees are appointed to assist in identifying appointed faculty leaders other than deans and chairs or administrators other than the Chancellor and the Vice Chancellors, such advisory committees must include Faculty Senate representation. In any case, consultation with appropriate faculty representatives must occur prior to the selection.

2.3.7.8 Evaluation of Campus Administrators and Appointed Collegiate Faculty Leaders

The Faculty Senate Executive Committee is responsible for the establishment and implementation of a process to provide for faculty evaluation of the performance of the Chancellor, vice chancellors, deans, chairs, and associate and assistant deans. The evaluation process should be developed in consultation with the Chancellor.

2.3.7.9 General Faculty Meetings

At least once annually, all individuals holding faculty appointments at UTHSC are invited to a general faculty meeting called the Annual Faculty Meeting. Usually this meeting precedes the annual business meeting of the Faculty Senate. The Faculty Senate President presides over the Annual Faculty Meeting and presents the annual report of the Faculty Senate to the faculty. Additional general faculty meetings may be called by the Chancellor or the Faculty Senate President.

Section 3 Rights and Responsibilities of the Faculty

3.1 The University of Tennessee Policies Governing Academic Freedom, Responsibility, and Tenure

On June 18, 1998, the Board of Trustees adopted The University of Tennessee System Policies Governing Academic Freedom, Responsibility, and Tenure (see <http://www.tennessee.edu/system/academicaffairs/docs/BdTenurePolicy.pdf>).

Accordingly, the Board of Trustees requires that the *UTHSC Faculty Handbook* include those policies. This Section contains the portion of those policies related to academic freedom and responsibility.

The Board of Trustees is constituted by statute of the State of Tennessee as the governing body of The University of Tennessee, with complete and full authority over the organization and administration of the University and its constituent parts and over the granting of tenure to members of the faculty.

The principal mission of the University is the discovery and dissemination of truth through teaching, research and service. The Board of Trustees recognizes that freedom of inquiry and expression is indispensable for this purpose and believes that it and the administration and faculty should cooperate to that end. In the University's program of teaching, research and service, it is essential that the Board, administration, and faculty cooperate voluntarily, each contributing freely, according to his or her qualifications, in a mutually beneficial exchange of information and ideas.

The following statement by the Board of Trustees is intended to record the policy and procedures of the University with respect to academic freedom and responsibility (*Sections 3.1.1 and 3.1.2*). The policies and procedures of UTHSC with respect to tenure are found in the *Sections 5 and 8*. The Board of Trustees considers these principles (i.e., academic freedom, responsibility, and

tenure) compatible with its statutory authority and responsibilities and the constitutional guarantee of freedom of speech and inquiry to each citizen of the United States.

3.1.1 Academic Freedom and Responsibility of the Faculty Member

A healthy tradition of academic freedom and tenure is essential to the proper functioning of UTHSC. Indeed, all faculty members - tenured, tenure track, and non-tenure track - at all ranks are entitled to academic freedom. At the same time, membership in a society of scholars (i.e., the faculty) enjoins upon a faculty member certain obligations to colleagues, to UTHSC, and to the State that guarantees academic freedom.

1. The primary responsibility of a faculty member is to use the freedom of his or her office in an honest, courageous, and persistent effort to search out and communicate the truth that lies in the area of his or her competence.
2. A faculty member is entitled to full freedom in research and in publication of the results, subject to the adequate performance of his or her other academic duties, but research for pecuniary gain either within or beyond the scope of his or her employment must be based upon an understanding with the University administration, according to the University's policies (e.g., Appendices D and E).
3. A faculty member should maintain a high level of personal integrity and professional competence, as demonstrated in teaching, research, clinical care, and service. Academic freedom does not exempt a faculty member from an evaluation by colleagues and administration of his or her qualifications for continued membership in their society.
4. A faculty member is entitled to freedom in the classroom in discussing the subject, but the faculty member should use care in expressing personal views in the classroom and should be careful not to introduce controversial matters that have no relation to the subject taught, and especially matters in which he or she has no special competence or training and in which, therefore, the faculty member's views cannot claim the authority accorded his or her professional statements.
5. A faculty member should recognize that the right of academic freedom is enjoyed by all members of the academic community. He or she should be prepared at all times to support actively the right of the individual to freedom of research and communication as defined herein.
6. In addition to the normal responsibilities of a citizen of the state and nation, including the duty to uphold their Constitutions and obey their laws, a faculty member also should conduct himself or herself professionally with colleagues. He or she should strive to maintain the mutual respect and confidence of his or her colleagues. He or she should endeavor to understand the customs, traditions, and usages of the academic community.
7. When, as a citizen, a faculty member speaks outside the classroom or writes for publication, he or she should be free, as a citizen, to express his or her opinions. Each faculty member

should conduct himself or herself professionally, should be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make clear that he or she speaks for himself or herself and not for the University.

3.1.2 Academic Freedom and Responsibility of the University Administration

1. The University is committed to recruiting, appointing, retaining and promoting faculty members by processes which are thorough, thoughtful, equitable, and in which the professional judgments of faculty members are of major importance.
2. Administrative officers should actively foster within the University a climate favorable to freedom of teaching and research. In its pursuit of excellence, UTHSC should reward its outstanding faculty members.
3. The administration is responsible for enforcing all Board and UTHSC policies applicable to faculty members. It is the duty of the administration - beginning with department chairs, deans, and the UTHSC Chief Academic Officer - to remove from the faculty any faculty member who has been found, through proper procedures, seriously derelict in his or her responsibilities as a member of the academic community.
4. The Board of Trustees requires that UTHSC and its constituent academic units (i.e., colleges, departments, and divisions) develop appropriate policies and procedures necessary to implement the Board of Trustees policies. The UTHSC and academic unit documents must be approved by the Board of Trustees as required by the University of Tennessee Bylaws and the Board of Trustees Policy on Faculty Handbook Revisions (see <http://bot.tennessee.edu/docs/FacultyHandbookRevis.pdf>).

3.2 Statement of Professional Ethics of the UTHSC Faculty

Statements below outline the philosophy of ethical behavior of a faculty member at UTHSC.

1. Membership in the UTHSC academic community imposes on students, faculty members, and administrators, an obligation to respect the dignity of others, to acknowledge their right to express differing opinions, and to foster and defend intellectual honesty, freedom of inquiry and instruction, and free expression on and off campus. Students and professional trainees are entitled to an atmosphere conducive to learning and to even-handed treatment in all aspects of the teacher-student relationship. It is the mastery that faculty members have of their subjects and their own scholarship that entitles them to their faculty rank and their classrooms and to freedom in the presentation of their subjects. Because academic freedom has traditionally included the faculty member's full freedom as a citizen, most faculty members face no insoluble conflicts between the claims of politics, social action, and conscience, on the one hand, and the claims and expectations of their students, colleagues, and UTHSC, on the other. Accordingly, the use of UTHSC stationery, telephones, and other resources for personal or extramural activities of any extended nature should be avoided, as should the use of the faculty member's university position or title in connection with the expression of purely personal views.

2. Plans for ensuring compliance with UTHSC academic norms should emphasize preventive as well as disciplinary action. Toward this end every faculty member should take the initiative, working with the administration and other components of UTHSC, to develop and maintain an atmosphere of freedom, commitment to academic inquiry, and respect for the academic rights of others. There is a need for the faculty to assume a positive role as guardian of academic values against unjustified assaults from any source, including its own members. The traditional faculty function in disciplinary proceedings has been to ensure academic due process and meaningful faculty participation in the imposition of discipline by the administration. While this function should be maintained, faculty members should recognize their stake in promoting adherence to norms essential to the academic enterprise of UTHSC. In addition, systematic attention should be given to questions related to sanctions other than dismissal, such as warnings and reprimands, in order to provide a more versatile body of academic sanctions in the event of academic misconduct by a faculty member.
3. The following points describe the obligations and responsibilities of faculty members and general academic norms of conduct for faculty members at UTHSC.
 - a. Guided by deep conviction of the worth and dignity of the advancement of knowledge, UTHSC faculty members recognize that special responsibilities are placed on them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end, faculty members devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although faculty members may follow subsidiary interests, these interests must never seriously hamper or compromise their adherence to these responsibilities, obligations, or practices.
 - b. As teachers, UTHSC faculty members encourage the free pursuit of learning in students and professional trainees. They hold before them the best scholarly and ethical standards of their discipline. Faculty members demonstrate respect for students and professional trainees as individuals and adhere to their proper roles as intellectual guides and counselors. Faculty members make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students and professional trainees reflect each individual's true merit. They protect the academic freedom of their students and professional trainees. They acknowledge significant academic or scholarly assistance from them. Faculty members who have the guidance of students or professional trainees as their responsibility must exercise the greatest care not to misappropriate the student's or professional trainee's ideas, research, or presentation to their own professional benefit; to do otherwise is to abuse power and trust. In dealing with graduate students or professional trainees, faculty members must demonstrate by precept and example the necessity of rigorous honesty in the use of sources and of utter respect for the work of others. The same expectations apply to the guidance of undergraduate professional students, with a special obligation to acquaint stu-

dents with the world of higher education in a health science center, including its standards and procedures for ensuring intellectual honesty.

- c. As colleagues, UTHSC faculty members have obligations that derive from common membership in the community of scholars. Faculty members do not discriminate against or harass colleagues or other employees. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas, faculty members show due respect for the opinions of others. Faculty members acknowledge academic debt - for ideas, methods, and expressions - by means appropriate to the form of communication and strive to be objective in their professional judgment of others. Faculty members must make clear the respective contributions of colleagues on a collaborative project. Faculty members accept their share of faculty responsibilities for the governance of UTHSC.
- d. As members of an academic institution, UTHSC faculty members seek above all to be effective teachers and scholars. Although faculty members observe the stated regulations of UTHSC, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision of such regulations. Faculty members give due regard to their paramount responsibilities within UTHSC in determining the amount and character of work done outside the University. When considering the interruption or termination of their service, faculty members recognize the effect of their decision on academic programs of UTHSC and give due notice of their intentions. The departure of a faculty member always requires changes and may entail major adjustments on the part of faculty colleagues, the administration, and students. A faculty member's acceptance of an appointment elsewhere should be followed by prompt notice to UTHSC.
- e. As members of their community, UTHSC faculty members have the rights and obligations of other citizens. Faculty members should measure the urgency of these obligations in light of their responsibilities to their subject, to their students, to their profession, and to UTHSC. When they speak or act as private persons, they should avoid creating the impression of speaking or acting for their college or UTHSC. As citizens engaged in a profession that depends on freedom for its health and integrity, faculty members have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

3.3 Misrepresentation of Academic Credentials

Misrepresentation of academic credentials is a Class A misdemeanor in Tennessee. A person commits the offense of misrepresentation of academic credentials who, knowing that the statement is false and with the intent to secure employment at or admission to an institution of higher education in Tennessee, represents, orally or in writing, that such person: (1) has successfully completed the required course work for and has been awarded one or more degrees or diplomas from an accredited institution of higher education; (2) has successfully completed the required course work for and has been awarded one or more degrees or diplomas from a particular institu-

tion of higher education; or (3) has successfully completed the required course work for and has been awarded one or more degrees or diplomas in a particular field or specialty from an accredited institution of higher education.

3.4 Intellectual Property

The University's intellectual property policy is contained in its "Statement of Policy on Patents, Copyrights, Licensing, and Other Intellectual Property" (see <http://bot.tennessee.edu/counsel-copyright.html>).

3.5 Plagiarism and Other Misconduct in Research and Service

Plagiarism is a form of academic misconduct. Faculty members and all other scholars must give full and fair recognition to the contributors to that enterprise, both for the substance and for the formulation of their findings and interpretations. UTHSC conforms to the University's "Statement of Policy on Misconduct in Research and Service" with respect to plagiarism and all other forms of misconduct defined therein (see *Appendix C*). The definition of misconduct and the process for addressing allegations of misconduct can be found in Appendix C.

3.6 Conflict of Interests and Compensated Outside Services

UTHSC requires all salaried faculty members to disclose potential conflicts of interests between their duties and responsibilities as employees and their interests outside the scope of their University employment. The policies and procedures used by UTHSC with regard to conflict of interests and compensated outside services are contained in Appendices D and E, respectively.

3.7 University Code of Conduct

UTHSC faculty members are required to adhere to the "University Code of Conduct," (see http://policy.tennessee.edu/hr_policy/hr0580/). The code of conduct provides general guidelines for conduct and behavior to promote a harmonious, safe, and collaborative work environment at the University. Disagreements between faculty members concerning issues not covered by the University Code of Conduct, should be handled through normal grievance procedures (*Sections 7.2 and 7.3*).

3.8 Faculty-Student Relationships

The UTHSC student handbook, *The CenterScope*, contains detailed information on such matters as faculty-student relationships, standards of behavior, and student conduct. Faculty members should familiarize themselves with its provisions.

The responsibility to teach and to learn depends upon appropriate standards of behavior for the learning environment; be that in the classroom, on-line, in the clinical setting, on the campus of UTHSC, or in the larger community. To promote an effective learning environment, an atmosphere of mutual respect and collegiality among the faculty and students is essential. The responsibilities to secure and to respect general conditions conducive to effective learning are shared by

all members of the academic community. Each college shall develop procedures that provide for and safeguard mutual respect of faculty and students in the learning environment.

3.8.1 Relationship in Classes and Clinics

In classes and in clinical settings, UTHSC faculty members should encourage free discussion, inquiry, and expression. A primary duty of a faculty member is encouraging responsible, professional attitudes and conduct on the part of students and professional trainees.

1. **Freedom of Expression.** Free and pertinent discussion is welcome at UTHSC. Students and professional trainees are free to take reasonable exception to the information offered in their courses and to reserve judgment about matters of opinion. Nonetheless, students and professional trainees are responsible for learning the content of the courses in which they are enrolled.
2. **Academic Evaluation.** Faculty members must evaluate the performance of students and professional trainees solely on an academic and professional basis, not on opinions or conduct in matters unrelated to academic or professional standards. To this end, faculty members should make honest, professional judgments on the academic and professional performance of their students and professional trainees. Furthermore, faculty members should state clearly and explicitly the basis for academic or professional evaluation in their courses, thereby minimizing the possibility of misunderstandings on the part of the student, the professional trainee, or the faculty member.
4. **Protection Against Improper Disclosure.** Information about views, beliefs, and political associations, held by any student or professional trainee, and which faculty members acquire in the course of their work (i.e., as course directors, instructors, advisors, preceptors, counselors, etc.) should be considered confidential. Protection against improper disclosure is a serious professional obligation. Judgments of ability and character may be provided under appropriate circumstances, normally with the knowledge or consent of the student or professional trainee.

3.8.2 Services for Students with Disabilities

UTHSC is committed to a learning environment that is accessible to otherwise qualified individuals who may have a disability that can be reasonably accommodated. UTHSC, its faculty, administration, and students share responsibility for achieving this goal. UTHSC intends for this policy to conform to § 504 of the Rehabilitation Act and the Americans with Disabilities Act, as those statutes are amended and interpreted.

3.8.3 Student Records

Access to information in student education records is governed by FERPA, the Family Educational Rights and Privacy Act. FERPA is a federal law that protects the privacy of information contained in student "education records." Such education records include any record directly related to a student and maintained by the University or any other person acting on behalf of the

University. FERPA restricts the release of information contained in student education records and access to those records. Unauthorized disclosure of FERPA-protected information, or unauthorized access to such information, is a form of misconduct. More details regarding FERPA compliance are provided in Appendix F and *The CenterScope*, the student handbook.

3.8.4 The Honor Code

The text of the Honor Code of UTHSC is included in *The CenterScope* (see <http://www.uthsc.edu/centerscope/>). All colleges follow honor systems for the conduct of examinations and the observance of high moral and ethical standards. College honor councils, with elected representation from each class, have the responsibility of investigating and adjudicating infractions of the Honor Code and recommending disciplinary action to the dean.

Nothing in the Honor Code shall be construed or interpreted to inhibit or otherwise constrain the faculty from properly discharging their professional duty and responsibility to assess student learning. Faculty members may be present to supervise the room arrangement for the examination, to supervise or conduct the distribution of the examination itself, to provide information and instructions at the beginning of the test period, and to terminate the examination and collect exam papers at the end of the test period. Faculty presence during tests or examinations is determined by individual college policy. Although the primary responsibility for enforcing the Honor Code lies with the students, faculty members should report Honor Code violations of which they have personal knowledge to the Honor Council of the appropriate college.

3.8.5 Faculty Responsibilities in Relation to the Honor Code

According to the Honor Code, faculty members "participate in the Honor Code by endorsing and supporting the principles of the Code and by applying its rules and procedures." The following are the responsibilities and guidelines for this role.

1. To be an active participant, faculty members must understand the Code and its implementation. The Student Honor Code not only applies to tests and examinations but also to "oral, written, or practical reports that are part of a student's academic and research program; clinical and laboratory experiences; scientific research; and other student activities relating to the academic, clinical, and research programs of UTHSC." Upon appointment, all new faculty members must be informed in writing of the existence of the Honor Code and that acceptance of a position at UTHSC indicates a willingness to cooperate with the students in complying with the Honor Code. Each year an orientation program should be conducted for all new faculty members; topics covered should include the faculty's role and responsibilities in relation to the Honor Code, copies of which should be distributed and orientation held for all faculty members.
2. Faculty members should state clearly and explicitly in advance what, if any, assistance is allowed in completing assignments (e.g., other faculty members, other students, reference materials, etc.).

3. Faculty members are expected to demonstrate and promote integrity in implementing and documenting patient care and in conducting and reporting of research.
4. Faculty members should discuss professional ethical conduct with students under their supervision.
5. Faculty members are expected to teach proper documentation of scholarly work and demonstrate this in their practice.
6. Faculty members are expected and obligated to report observed violations of the Honor Code to a member of the appropriate college Honor Council. The complaint must be written and signed. Faculty members may not use their own sanctions as substitutes for reporting violations.
7. Each college has its own policy, listed in the Honor Code document, regarding proctoring of examinations. Faculty members are expected to follow the guidelines of the appropriate college.
8. Faculty members are expected to participate in the investigation of an alleged violation by providing information to the Honor Code investigator. A faculty member may also be asked to provide testimony to the Honor Court.
9. Faculty members are appointed as advisors to college Honor Councils to provide advice and counsel.

3.8.6 Faculty Responsibilities in Relation to the Ethical and Professional Standards for Students

The text of the Ethical and Professional Standards of Students of UTHSC is included in *The CenterScope*. A faculty member reports an alleged violation of the ethical and professional standards to the department chair, who sends the report to the dean of the appropriate college. The dean notifies the UTHSC Student Affairs Officer who implements procedures of the Student Judicial System. For alleged acts of misconduct in research or service, faculty members follow the policy and procedures described in Appendix C Statement of Policy on Misconduct in Research and Service.

Section 4 Faculty Ranks and Classifications of Appointments

4.1 Faculty Ranks, Titles, and Guidelines for Appointment

At UTHSC criteria for appointment to the various faculty ranks are complex. They reflect the rigorous preparation necessary for university teaching, research, service, and, if applicable, clinical care. They also reflect the varied expectations directed to the faculty of a major university; and the diversity of missions performed by academic units at a health science center. Expectations of non-tenure track faculty members must focus on the reasons for which they were hired and as such are not as general as they are for tenure track faculty. Given this complexity, it is

recognized that each of the colleges within the University of Tennessee Health Science Center will need to review, refine and adapt the following guidelines to best serve their specific needs, while adhering to the general principles described below. The ranks and criteria for appointment of faculty members at these ranks are shown below.

4.1.1 Instructor

The rank of Instructor may be granted to tenure track and non-tenure track faculty; however, a faculty member may not be tenured as an Instructor. Depending on the distinctive requirements contained in the letter of appointment (*Section 5.7.2*), a faculty member with the rank of Instructor is usually expected to:

1. hold a terminal degree of the discipline or equivalent training and experience appropriate to the particular appointment;
2. exhibit a commitment to the University's mission;
3. have obtained an excellent scholastic record as a student; and
4. have the ability to relate effectively to students and/or professional colleagues.

4.1.2 Assistant Professor

The rank of Assistant Professor may be granted to tenure track or non-tenure track faculty members. Depending on the distinctive requirements contained in the letter of appointment (*Section 5.7.2*), a tenure track faculty member with the rank of Assistant Professor is expected to:

1. hold the doctorate or other terminal degree of the discipline or equivalent training and experience appropriate to the particular appointment;
2. demonstrate potential for excellence in teaching;
3. demonstrate potential for excellence in research/creative and/or scholarly activity;
4. demonstrate potential for excellence in service;
5. have demonstrated ability to relate effectively to students and/or professional colleagues;
6. demonstrate potential for excellence in clinical care when applicable; and
7. hold board certification in his/her discipline when applicable.

Expectations for non-tenure track faculty are those described in the faculty member's initial appointment letter or last performance evaluation and reappointment letter.

4.1.3 Associate Professor

The rank of Associate Professor may be granted to tenure track or non-tenure track faculty members. Depending on the distinctive requirements contained in the letter of appointment (*Section 5.7.2*), a faculty member with the rank of tenure track Associate Professor is expected to:

1. hold the doctorate or other terminal degree of the discipline or equivalent training and experience appropriate to the particular appointment;
2. demonstrate significant contributions as a teacher and a strong likelihood of continuing effectiveness;
3. demonstrate significant contributions as a researcher and/or scholarly or professional attainment, and a strong likelihood of continuing effectiveness;
4. demonstrate significant contributions to service and a strong likelihood of continuing effectiveness;
5. have demonstrated ability to relate effectively to students and/or professional colleagues;
6. participate actively in professional associations;
7. have held the rank of Assistant Professor at UTHSC or other reputable academic institutions for at least four (4) years. (earlier promotions may be recommended in exceptional cases, however);
8. demonstrate significant contributions to clinical care when applicable; and
9. be board certified when applicable.

Expectations for non-tenure track faculty are those described in the faculty member's initial appointment letter or last performance evaluation and reappointment letter.

4.1.4 Professor

The rank of Professor may be granted to tenure track or non-tenure track faculty members. Depending on the distinctive requirements contained in the letter of appointment (*Section 5.7.2*), a faculty member with the rank of Professor is expected to:

1. hold the doctorate or other terminal degree of the discipline or have equivalent training and experience appropriate to the particular appointment;
2. demonstrate a clear and convincing record of a high level of sustained effectiveness as a teacher;

3. demonstrate a clear and convincing record of a high level of sustained effectiveness in research and/or scholarly activity;
4. demonstrate a clear and convincing record of a high level of sustained effectiveness in service;
5. demonstrate the ability to relate effectively to students and/or professional colleagues;
6. have a national or international reputation in the discipline;
7. have held the rank of Associate Professor at UTHSC or other reputable academic institutions for at least five (5) years (earlier promotion may be recommended in exceptional cases, however);
8. demonstrate a clear and convincing record of high level of sustained effectiveness in clinical care when applicable; and
9. be board certified when applicable.

4.1.5 Endowed Chairs and Endowed Professors

Selection as an endowed chair or endowed professor is one of the highest honors that can be bestowed on a faculty member. Typical requirements for appointment as an endowed chair or endowed professor include:

- a. meeting the qualifications as specified in the Memorandum of Understanding and/or Administrative Provisions establishing the endowment,
- b. consistent national and international recognition as an authority in his or her field,
- c. current appointment at the professor level, and
- d. demonstrated commitment to excellence in his or her field.

4.1.6 Distinguished Professors

The title of Distinguished Professor may be awarded to a full-time UTHSC faculty member who has served with excellence for 10 or more years and who plans to continue in service to UTHSC. The specific criteria for these appointments may vary by college; however, such appointments are initiated by the dean. Annually, each dean can nominate one or more faculty members from his/her college to be considered for this honorific title. The dean's recommendation will be considered by the Chancellor; and, if approved by the Chancellor, the UT System Vice President for Academic Affairs will be notified for endorsement of the appointment.

4.2 Classification of Faculty Appointments

4.2.1 Tenure Track Appointments

The tenure track is normally reserved for full time faculty members who are committed to significant efforts and accomplishments in at least three of the four missions of UTHSC (teaching, research/creative and other scholarly activity, service and clinical care where applicable), of which two must be teaching and research/creative and other scholarly activity. The base salary is the only portion of a faculty member's salary that is protected by tenure.

There are two types of tenure track appointments -- traditional appointments and coordinated appointments.

4.2.1.1 Traditional Appointments. The total salary of the faculty member is paid from UTHSC funds with outside compensation permitted as specified in the initial and subsequent appointment letter (*Section 5.7.2*). Appointees are eligible for participation in group insurance, retirement plans, and other standard University benefits.

4.2.1.2 Coordinated Appointment. Only a portion of the faculty member's income is paid from UTHSC funds, but UTHSC has knowledge and control over the faculty member's total income received for academic and professional activities. A Professional Activity Allowance Agreement is executed between the faculty member and The University as specified in the initial appointment letter (*Section 5.7.2*). Appointees are eligible for participation in standard University benefits with such benefits being calculated on the faculty member's UTHSC salary only.

4.2.2 Non-tenure Track Appointments

The non-tenure track is normally reserved for faculty members whose efforts and accomplishments are limited to one or two of the missions of UTHSC. Non-tenure track faculty members are eligible for UTHSC benefits but are not eligible for tenure (*Section 5.5*). As with tenure track appointments, non-tenure track appointments may be paid solely from funds administered by UTHSC or by joint funding arrangements in which UTHSC provides part of the funding but has knowledge and control over the remaining portion of the faculty member's income. Generally, each non-tenure track faculty member meets annually with the chair or supervisor for the Annual Performance and Planning Review (*Section 5.14.3.2*).

There are three types of non-tenure track appointments - clinician educator appointments, research track appointments and limited-term appointments.

4.2.2.1 Clinician Educator Appointment - This appointment is provided to a faculty member whose major contributions to the missions of UTHSC are in clinical care and/or education. The appointment is for one year and may be renewed annually based on need, mutual interest, satisfactory performance, and availability of funding.

4.2.2.2 Research Appointment - This appointment is provided to a faculty member whose major contributions are in research. The appointment is contingent upon salary funding for the posi-

tion that is provided by sources outside the University (e.g., grants, contracts, etc.) and expectations for that faculty member are those associated with the source providing salary funding. When the funding for the position expires, the faculty member's employment will be discontinued. If the Research faculty member is later appointed to the tenure track (*Section 5.9.2*), all Equal Employment Opportunity and Affirmative Action requirements must be fulfilled prior to offering a tenure track appointment to this faculty member as this will be considered a new position. In addition, if the tenure track appointment is proposed at a higher rank than the current appointment, it is considered a promotion and must be processed as such within the college.

4.2.2.3 Limited Duration Appointment - This appointment is for a period of at least one month, but not more than one year. Limited Duration appointments may be renewed, but the total length of the initial appointment plus re-appointments cannot exceed three years. A faculty member who has held a Limited Duration appointment for three years is usually not eligible for an additional Limited Duration appointment. At the end of the appointment term, the faculty member's employment will be discontinued, if the appointment has not been renewed.

4.2.3 Part-Time Non-tenure Track Appointments

Part-time non-tenure track appointments are for those faculty members who devote less than full time effort to the mission and programs of UTHSC. Appointees may be either salaried for routinely recurring service or receive special payments for services performed on an irregular basis. Part-time faculty members may be eligible for some University benefits, depending on their percentage of effort. Each part-time faculty member meets annually with the chair for the Annual Performance and Planning Review (*Section 4.14.3.2*). At the end of the appointment term, the faculty member's employment will be discontinued if the appointment has not been renewed.

4.2.4 Administrative Appointments

Administrative appointments are for those individuals who are primarily employed by The University as non-faculty members of the UTHSC executive, administrative, or professional staff, but who also devote a portion of their effort to service on the UTHSC faculty. Appointees must be qualified to hold academic rank based on their qualifications and experience (*Section 5.1*). Appointees are eligible for University benefits based on their non-faculty positions and are not eligible for tenure (*Section 5.5*). Individuals with administrative appointments are entitled to the rights and privileges of faculty members only with respect to their faculty activities but not with respect to their non-faculty activities. This faculty appointment is evaluated annually. At the end of the appointment term, the faculty appointment will be discontinued unless it is renewed.

4.2.5 Affiliated Appointments

Affiliated appointments are for those faculty members who are employed by an institution that has a formal UTHSC affiliation but who devote a portion of their effort to service on the UTHSC faculty, generally without monetary compensation from UTHSC. Appointees receive group insurance, retirement plans, or other standard benefits through the affiliated institution. Appointees are not eligible for tenure (*Section 5.5*). Appointees are assigned standard faculty rank based on their qualifications and experience (*Section 5.1*). If a staff member of an affiliated in-

stitution is awarded a faculty appointment at UTHSC, that individual is responsible to the chair of the appointing department for his or her activities as a faculty member in that department, whether those activities are carried out in the affiliated institution or elsewhere. Each affiliated faculty member is evaluated and reappointed every three years relative to his or her continuing role in the department. If the faculty appointment is not renewed, the appointment will be discontinued at the end of the appointment term.

4.2.6 Volunteer Appointments

The University of Tennessee Health Science Center has had a strong and long established tradition of volunteer faculty participation in its missions. Indeed, volunteer faculty members play a major role in educating our students in their chosen professions. UTHSC recognizes that our students would be less proficient in their chosen field without exposure to these professionals. Volunteer appointments are for faculty members who devote a portion of their effort to serve on the UTHSC faculty without monetary compensation or benefits from UTHSC or from an affiliated institution. If an individual is awarded a volunteer faculty appointment at UTHSC, that individual is responsible to the chair of the appointing department for his or her activities as a faculty member in that department. Volunteer faculty members are not eligible for tenure, but are eligible for appointment and promotion to the various faculty ranks with the prefix of "*Clinical*" for those with a professional degree or "*Adjunct*" for those not eligible to treat patients (e.g., Clinical Associate Professor or Adjunct Associate Professor). Appointments to the volunteer faculty members will be evaluated for renewal no less frequently than every 3 years. A volunteer faculty appointment that is not renewed within 3 years after being granted is deemed terminated without the need for notice or other action by UTHSC.

4.2.6.1 Appointment Criteria for Volunteer Faculty

Given the diversity of roles, qualifications and expectations of the volunteer faculty members who contribute to the academic missions of the colleges of UTHSC, it is difficult to establish specific criteria for the appointment and promotion of volunteer faculty members that would be appropriate in every division/department or college. Thus, discretion is left to each academic unit as to the appointment, continuation, and promotion of volunteer faculty members in order meet the individual needs of the unit while conforming to established guidelines for faculty appointments and titles.

Criteria for appointment of volunteer faculty members at the various ranks are included below. Since the criteria for promotion of volunteer faculty members are less well defined than for full-time paid faculty members, the initial rank should be carefully considered when the individual is appointed.

1. **Instructor** - The qualifications and potential for supporting at least one of the missions of the University must be used for evaluating appointments.

2. **Assistant Professor**

- a. For basic science faculty members, postdoctoral experience or equivalent experience is required.
- b. Except under extraordinary circumstances, physicians and other health professionals are required to maintain an active license and obtain board certification.
- c. There must be demonstrated interest and participation in the goals of the division/department and/or college.

3. Associate Professor

- a. There must be demonstration of continued interest in and commitment to the division/department or college and to UTHSC prior to consideration.
- b. Candidates should demonstrate exceptional leadership qualities and achievements so as to be valued highly by colleagues at the local and/or state level.

4. Professor

There must be demonstration of continued interest in and commitment to the division/department and/or college and to UTHSC prior to consideration. The primary consideration for promotion to Professor is substantial evidence of regional, national, and/or international recognition in one of the three areas of teaching, research/creative and other scholarly activities, or clinical care. There should be a long-term record of distinguished university service/outreach and/or contributions locally.

4.2.7 Emeritus Appointments

UTHSC may award emeritus status to faculty members at or after the time of retirement. A faculty member with emeritus status holds an honorary faculty appointment at a specified rank. Emeritus status is granted to those individuals who have distinguished themselves in service to UTHSC and who have received recognition for their academic contributions. The status is not granted automatically upon retirement of a faculty member but rather upon the recommendation of the faculty member's chair, with the endorsement of the dean, and subsequent approval of the Chancellor. The status is usually reserved for individuals retiring at the rank of full or named endowed chair professor and such individuals are designated as Emeritus Professor or Named Endowed Chair Professor Emeritus, respectively. An administrator retiring with the rank of dean or above usually is designated Dean Emeritus, etc. An individual retiring at a lower rank may be granted the status of emeritus at that rank, this award being based on the length and quality of service to UTHSC.

4.3 Joint Appointments

4.3.1 Interdepartmental or Intercollegiate Joint Appointments

Joint appointments involve the faculty member's participation in the activities of two or more departments. The "base" department is the principal department to which the faculty member is attached. The "primary" appointment is the appointment to the base department. Any appointment in another department or academic unit is called a "secondary" appointment. Thus, a faculty member may have faculty appointments in two or more departments; collectively, these appointments are called "joint" appointments. On personnel matters for a faculty member with joint appointments, there must be appropriate consultation between the base department and the chair(s) and faculty of the secondary academic unit(s). In the unusual situation where joint appointments involve equal time divided between two or more departments, the faculty member must elect one of the departments to be the base department.

In the case of joint appointments, the faculty member who is to receive joint appointments should have documented credentials in the discipline of each department. In addition, the joint appointee should have a documented bona fide role in each department. The chairs of the departments involved have shared responsibilities to reach an agreement on the joint appointments and should work in concert in developing recommendations to the dean(s) concerning such appointments, with the agreement of the faculty member involved. The academic rank need not be the same in each department and, if different, generally is higher in the base department. In considering joint appointments, each chair should bear in mind the value of the faculty member's contribution to UTHSC or the college, not just his or her own department. An individual, holding joint appointments in two or more departments, should be evaluated regularly by the respective chairs for his or her contributions to each respective department, with the frequency of such evaluations depending on the classification of the joint appointments (*Section 4.2*).

4.3.2 Intercampus Joint Appointments

Intercampus academic appointments are joint faculty appointments, involving UTHSC and either another UT campus or a non-UT college or university. Intercampus academic appointments are sometimes authorized when a faculty member at one university campus has expertise that qualifies him/her for participating in the work of a department on another university campus and when the other department has need of his/her services. The definition and extent of such inter-campus participation is determined by mutual agreement among the faculty member, the department chairs in consultation with appropriate faculty of the academic units involved, and the respective deans or other campus officers. In such cases, the following guidelines are observed:

1. The appointment is usually without salary or tenure in the cooperating or second department (i.e., the unit awarding the intercampus appointment), and tenure status (if any) and salary continue to be linked with the base department.
2. In the cooperating department on the other campus, the title of the faculty member is determined by mutual agreement between that department chair and the faculty member, subject to approval by the appropriate campus officers.

3. Following informal discussion or negotiation, the department chair of the base department recommends the intercampus appointment to the department chair of the cooperating department.
4. The appointment is made by the cooperating department, subject to the standard approvals of the other campus.

4.4 Adjunct Appointments at Other Institutions

A UTHSC faculty member may accept an adjunct or volunteer faculty appointment in a non-UT college or university. An adjunct appointment must be approved by the faculty member's chair.

4.5 Graduate Faculty Appointments

The Graduate Faculty is composed of faculty members at UTHSC who direct graduate courses, serve on graduate advisory committees, or direct master's theses or doctoral dissertations in the College of Graduate Health Sciences.

The College of Graduate Health Science bylaws state: "Any paid, affiliated, or adjunct faculty member at UTHSC who holds an earned doctorate or the highest degree appropriate to the field and has demonstrated an interest in research may be nominated by a Chair for appointment to the CGHS faculty." (<http://www.uthsc.edu/grad/FacultyInfo/index.php?page=Appointment>).

Appointment to the College is required before a faculty member may (1) direct a graduate course and serve on thesis or dissertation committees, or (2) supervise the research of students working toward degrees awarded through the CGHS. Applications for appointment to the faculty (pdf or doc) are reviewed by the Credentials Committee twice each year. Recommendation for appointment to the faculty are made by the Committee to the Graduate Studies Council.

To be certified to direct student research, faculty must have served on a thesis or dissertation committee or supervised postdoctoral students for a year. Approval to direct Ph.D. research also requires that the mentor have an independent research program.

4.6 Visiting Professors

A Visiting Professor is an individual whose appointment is necessary in a specific college because of exceptional professional qualifications. Visiting Professor appointments are handled as limited-term faculty appointments. The term of appointment may not be less than one month and, generally, does not exceed one year in duration.

Distinguished Visiting Professorships are created in accordance with stipulations set forth in the Memorandum of Agreement establishing an endowment fund for that purpose. Thus, a Distinguished Visiting Professor is an individual appointed to a designated professorship in accordance with the respective Memorandum of Agreement and administrative provisions. Such pro-

fessorships involve a minimum stay of two days by the visiting professional and publication of the lecture delivered by the visiting scholar.

Both types of visiting professorships are approved by the dean in response to a letter of recommendation from the department chair or faculty member who is serving as host for the visiting professor.

Section 5 Selection, Appointment, Tenure and Career Development of Tenure Track Faculty Members

5.1 Tracks Available to Full Time Faculty

Full time faculty members at the UTHSC can be hired either on the tenure-track or the non-tenure track. Tenure track faculty members are hired with an expectation that they will contribute in a full range of faculty activities, including teaching, research/scholarly activity, and service, as well as patient care where appropriate. Non-tenure track faculty members are hired for a more limited scope of activities, with a major emphasis on clinical care, teaching or research/scholarly activity and at least minimal contributions in one of the other missions of the university. (See *Section 5* for additional information relating to non-tenure track appointments). Faculty members on either track can be promoted based on their accomplishments in their assigned missions; however, non-tenure track faculty members are not eligible for tenure. A transfer between tracks can occur under some circumstances (See *Section 5.9.2*).

5.2 Definition of Tenure

Tenure is a principle that entitles a faculty member to continuation of his or her annual appointment until relinquishment or forfeiture of tenure or until termination of tenure for adequate cause, financial exigency, or academic program discontinuance. The burden of proof that tenure should be awarded rests with the faculty member. Tenure is acquired only by positive action of the Board of Trustees, and is awarded in a particular unit, department, school, college, or other department of a campus. The award of tenure shifts the burden of proof concerning the faculty member's continuing appointment from the faculty member to the University.

5.3 The UTHSC Tenured and Tenure Track Faculty

Faculty members on the tenure track are initially appointed as probationary for tenure. After the completion of a successful probationary period, such faculty members are granted annual appointments that are continuous with tenure. Tenured faculty members may be terminated by UTHSC only for forfeiture of tenure (*Section 9.1.4*), adequate cause (*Sections 9.2 and 9.3*), or under extraordinary circumstances of bona fide financial exigency at UTHSC (*Section 9.1.3*).

The selection and the ongoing career development of the tenured and tenure track faculty members individually and collectively, are essential to the fulfillment of the mission of UTHSC. The Chancellor, the Chief Academic Officer, the dean, the chair, and the full time faculty share the

responsibilities of selecting faculty members wisely and promoting their professional development.

5.4 Selection and Career Development of Tenure Track Faculty

5.4.1 Role of the Department Chair

The department chair is the academic and administrative leader of the department's faculty. The chair is responsible for the management of the department's activities, including direction of the work of the faculty. The fair and equitable apportionment of faculty workloads and work sites is the responsibility of the chair, in consultation with the faculty member. The equitable apportionment of faculty responsibilities assures that an appropriate balance of time and effort is committed within the department to teaching, research, service, and, if applicable, patient care. The chair will distribute to the department (or division in the case of a large department) faculty members a spreadsheet containing the percentage effort and location of service devoted by each faculty member to teaching, research, service and clinical care. The chair is responsible for overseeing the career development of all faculty members in the department. In a large department the chair may delegate some of these responsibilities to division chiefs (See Section 5.16.3).

5.4.2 Role of the Tenured Faculty of the Department and/or College

Faculty membership on advisory committees concerned with faculty appointment, promotion, the award of tenure, and termination of tenured faculty members for adequate cause is normally limited to the tenured faculty members within a given academic unit/college. [Note: in large departments the relevant academic unit may be a Division.] Moreover all tenured faculty members within these units, with the exception of the dean, make recommendations to the chair (or, in large departments, to the division chief) on such matters. Recommendations from non-tenure track faculty members may also be solicited by the chair/division chief when their expertise is deemed relevant.

The mechanism for the tenured faculty members' participation in these activities is described in the collegiate and/or departmental bylaws. If a department does not have at least three tenured faculty members (excluding the dean and chair), the collegiate and/or departmental bylaws shall specify that the College Promotion and Tenure Committee (*Section 5.4.3*) will perform some of these activities, while also providing for the tenured faculty's participation in the Final Probationary Review and vote concerning the award of tenure (*Sections 5.14.3.4 and 5.15.1*), participation as members of a CPR Committee, and participation in the procedures for termination for adequate cause (*Sections 8.3.1 and 8.3.2*). Bylaws for departmental governance, where such documents exist, shall contain appropriate policies, procedures, guidelines, and criteria for which the Board has delegated authority and specific responsibility to the departments. If departmental bylaws exist, they shall include and be consistent with relevant policies, procedures, guidelines, or criteria of the Board, UTHSC Faculty Handbook, and the department's college.

Collegiate and/or departmental bylaws, where departmental bylaws exist, must contain the rules governing (a) any more-specific criteria for tenure than those of UTHSC or the department's college; (b) guidelines and criteria for the Annual Performance and Planning Review which are appropriate to the college and/or department; and (c) the tenured faculty's participation in (1) the

appointment or promotion of a tenured or tenure track faculty member, (2) the Interim and Final Reviews of a tenure track faculty member during his /her probationary period, (3) the Cumulative Performance Review of a tenured faculty member, and (4) the termination for adequate cause of a tenured, tenure track or non-tenure track faculty member. These bylaws shall provide for participation of the tenured departmental faculty for these purposes. In addition, these bylaws shall also include a mechanism for reasonably notifying and accommodating tenured faculty members, shall provide for the manner of taking and recording a formal vote, and shall establish the minimum number of votes necessary to constitute a positive or a negative recommendation. A quorum shall be a minimum of fifty percent (50%) of the faculty members eligible to vote on a given candidate or issue, and a positive or negative recommendation shall be decided by a simple majority of the faculty members synchronously participating (this includes participation via audio- and/or video-conferencing). Bylaws may limit peer reviewers for appointments, promotions, and Cumulative Performance Reviews to those tenured faculty members holding faculty rank(s) equal to or higher than the faculty member. Other matters having to do with college and/or departmental governance, including rules for amending the bylaws, may be included in these bylaws. After approval by the dean, the UTHSC Chief Academic Officer, and the Chancellor, these bylaws shall be published and forwarded to every full time faculty member in the college and/or department and placed on the web site of the Faculty Senate. They shall also be provided to each newly appointed member at the time of appointment.

5.4.3 Composition and Role of the Collegiate Promotion and Tenure Committee

Each college must have a Collegiate Promotion and Tenure Committee (CPT Committee). The membership of the CPT committee shall be appointed by the dean and must include at least four tenured faculty members, in addition to the committee chair. The collegiate academic officer shall serve ex officio as a non-voting member. A quorum shall be fifty percent (50%) of the faculty members eligible to vote on a given candidate or issue, and a positive or negative recommendation shall be decided by a simple majority of those faculty members synchronously participating (this includes participation via audio-conferencing and/or video-conferencing).

The CPT Committee shall be advisory to the dean and be responsible for:

1. reviewing and recommending policies and procedures in the area of appointments, promotions, and tenure;
2. implementing and evaluating procedures on appointments, promotion, and tenure; and
3. reviewing and recommending to the dean action on all individual nominations by the department chairs for appointments, promotion, and the award of tenure, and other matters as assigned by the dean.

Collegiate bylaws must contain appropriate policies, procedures, guidelines, and criteria for which the Board has delegated authority and responsibility to the colleges. These bylaws must also specify what documents are necessary for the various reviews by the CPT Committee, provide for the manner of taking and recording a formal vote of the CPT Committee, and establish the minimum number of votes necessary to constitute a positive or a negative recommendation to

the dean. Copies of these bylaws must be published and easily accessible to every full time faculty member in the college and placed in the office of the Chief Academic Officer, the associate dean for academic affairs of each college, the office of each chairperson, and on the website of each college and of the Faculty Senate. In addition, when changes are made to collegiate bylaws, all faculty members of the college must be provided with the updated bylaws via email.

5.5 Eligibility for Tenure Consideration

Eligibility for tenure consideration shall be subject to the following minimum standards:

1. Tenure track faculty appointments at the academic rank of assistant professor, associate professor, or professor are eligible for tenure;
2. Instructors are not eligible for tenure;
3. Temporary, term, and part time appointments are not eligible for tenure (*Sections 4.2.2 and 4.2.3*); and
4. Faculty members pursuing degrees at UTHSC are not eligible for tenure. However, tenure track faculty members pursuing a degree at UTHSC may elect to have their tenure clock stopped during this period of time. To choose this option, they must inform their chair, dean and the UTHSC Chief Academic Officer before the completion of the first semester that they are enrolled in the degree curriculum. Their tenure clock will be restarted once they receive their degree, or during a semester in which they fail to enroll in any degree-related coursework.

No faculty member shall be appointed initially with tenure except by positive action of the Board of Trustees upon the recommendation of the President and after review by the tenured faculty of the department and chair, the dean, UTHSC Chief Academic Officer, and Chancellor. The process for an expedited review can be found on the Board of Trustees web site: <http://bot.tennessee.edu/policies-acad.html>.

At UTHSC, the following individuals are NOT eligible for tenure and will be so notified in their initial faculty appointment agreement forms and letters of reappointment:

1. individuals who are appointed to UTHSC in administrative positions with academic rank and who are notified in writing that such service is not applicable to consideration for tenure;
 2. individuals with secondary faculty appointments whose primary appointments are non-faculty; and
 3. volunteer faculty members or individuals from other categories of Faculty (i.e., affiliated) who are not salaried through UTHSC (*Sections 4.2.5 and 4.2.6*).
4. Faculty holding non-tenure track appointments.

5.6 Selection Criteria for Tenure Track Faculty Members

5.6.1 Selection of Tenure Track Faculty Members

Individuals who are selected as tenure track faculty members receive an appointment that is probationary for tenure. Each such individual is selected because he or she appears to:

1. fulfill the basic criteria for appropriate faculty rank as outlined in Section 4.1;
2. fulfill the distinctive requirements established by the department for the faculty position to be filled; and
3. possesses documentation of academic achievement and credentials (acquired as a student, a faculty member, a postdoctoral appointee, research associate, or during a fellowship or residency) that strongly indicate that the performance as a faculty member will be outstanding throughout his or her future academic career.

Proper credentials are the primary criteria for appointment. Credentials include, but are not limited to, academic degrees, postdoctoral training, residency, fellowship, licensure and certifications, and other appropriate education and experience. The original appointment of an individual to a specific faculty rank must be based on credentials documented through the institutions from which they were obtained. See UTHSC Procedure for documentation and recognition of faculty degrees at https://academic.uthsc.edu/policy_docs/faculty_credentials.php

5.6.2 Selection of Tenure Track Faculty Members

1. On the basis of a demonstrated need of the department's academic program and availability of money for the position, the chair requests that a new or replacement tenure track faculty position be filled.
2. The tenure track faculty will be provided with an opportunity to meet and confer with candidates for the position and vote by secret ballot on a recommendation to support or deny support for the appointment of the candidate.
3. The dean authorizes the new or replacement tenure track faculty position to be filled.
4. Chair prepares a description of the open position and initiates the appropriate UTHSC recruitment process to identify candidates.
5. The chair may appoint a search advisory committee.
6. The chair shall consult with the tenured/tenure track departmental faculty of equal or higher ranks to that of the prospective appointee before nominations are forwarded. Final responsibility for the departmental recommendation rests with the chair.
7. The chair selects the candidate to be recommended for the position.

8. The chair holds informal discussions with the selected candidate concerning rank, salary, and other conditions of employment, and the candidate's willingness to accept such conditions, if a formal offer is made by UTHSC.
9. If the selected candidate is willing to accept the conditions of employment, the chair proceeds to the appointment process described in Sections 5.7.1 and 5.7.2.

5.6.3 Nepotism

The University permits the employment of relatives as defined by Human Resources Policy HR0115 regarding Employment of Relatives (http://policy.tennessee.edu/hr_policy/hr0115/), but they must not be placed in the same direct line of supervision, thereby being able to determine the appointment, retention, salary, promotion, or other aspects of the employment of their relatives. Where faculty members are in a position of responsibility affecting a relative, they must waive authority and defer to the next higher administrative officer.

5.6.4 Certification of Effective Communication in English

An individual who is a candidate for an appointment to a teaching position or for tenure in such a position and whose native language is not English is evaluated by the chair regarding the ability to communicate effectively with students in the English language (www.uthsc.edu/policies/w932_document_show.php?p=229).

The method of evaluation shall be noted and must provide for consistent, thorough, and effective evaluation. If the chair finds the individual's ability acceptable, he or she so certifies in writing to the dean, indicating the method of assessment that was employed.

5.7 Initial Faculty Appointment

5.7.1 Approval by the Dean

After a candidate who is willing to accept the conditions of employment is selected, the initial appointment process is as follows:

1. The chair makes a recommendation for appointment at a particular rank, including the faculty vote on its recommendation concerning the appointment to the Dean.
2. The dean may request the CPT Committee to review the candidate's credentials and make a recommendation concerning the appointment and rank.
3. The dean may (a) agree with the chair's recommendations concerning both appointment and rank; (b) agree with the chair's recommendation for appointment but disagree with the recommendation concerning rank and direct the chair to modify the appointment; or (c) disagree with the chair's recommendation for appointment and direct the chair to continue the selection process.

5.7.2 Initial Appointment Letter

1. Notification of initial appointment to the selected candidate is made by letter from the dean and the chair. A checklist of topics to be included in the initial appointment letter can be found in *Appendix K, Form 8*. The letter should state the precise terms and conditions of the appointment including, but not limited to:
 - a. the classification of the appointment, e.g., tenure track or non-tenure track; if the former, the letter should also state that the faculty appointment is probationary for tenure;
 - b. the rank, salary, and related financial conditions;
 - c. the length of the probationary period (Section 5.8) and the academic year in which the faculty member must be considered for tenure if he or she has met the minimum eligibility requirements;
 - d. the initial specific academic expectations of the appointee during the probationary period, including the percent effort that should be devoted to each of the assigned missions;
 - e. the general expectation that the appointee will abide by the rules and regulations of UTHSC, including the provisions of this *Faculty Handbook* and the principles of the Honor Code of UTHSC; and
 - f. a statement that the letter contains the complete appointment agreement between UTHSC and the appointee and that any previous discussions or correspondence are not binding on UTHSC.
2. The initial appointment letter must include the Internet addresses of the UTHSC *Faculty Handbook*, the Honor Code and University, UTHSC and college policies.
3. The selected candidate's written acceptance of the provisions of the initial appointment letter, together with the execution of a faculty appointment agreement, a personnel action form, and other UTHSC employment forms, completes the initial agreement of employment between the new faculty member and UTHSC. Execution of a faculty appointment agreement requires documentation of the candidate's credentials (including a copy of his/her diploma and official transcripts) and evidence of licensure and certification, where appropriate.
4. The base salary is the only portion of a faculty member's salary that is protected by tenure. The initial appointment letter must specify the base salary and indicate the terms and limitations regarding any additional funding that might be provided for other specified duties (e.g., additional compensation for service as chair, institute director, program director, dean).

5.8 Probationary Period

5.8.1 Length of Probationary Period

A tenure track faculty member must serve a probationary period prior to being considered for tenure. The probationary period at UTHSC shall be no less than one and no more than seven academic years; however, for good cause, the President, upon the recommendation of the Chancellor, may approve a probationary period of less than one academic year. If a faculty member has served in a tenure-track appointment at another institution, his or her total probationary service may extend beyond seven years.

The original appointment letter shall state the length of the faculty member's probationary period and the academic year in which he or she must be considered for tenure if he or she has met the minimum eligibility requirements for consideration (Section 5.11.1). The review date for the award of tenure usually occurs during the year preceding the last year of the probationary period. The stipulation in the original appointment letter of the length of the probationary period and the year of mandatory tenure consideration does not guarantee retention until that time.

For good cause related to procedural error (e.g., lack of due process), UTHSC and a tenure track faculty member may agree in writing to extend a seven-year probationary period for a maximum of two additional years. The proposed extension must be approved in advance by the UTHSC Chief Academic Officer, the Chancellor, the Vice President for Academic Affairs and Student Success (or designee), and the General Counsel (or designee).

5.8.2 Suspension of Probationary Period

The UTHSC Chief Academic Officer shall decide whether the probationary period will be suspended when the faculty member:

1. accepts a part time faculty position;
2. accepts an administrative position; or
3. is granted a leave of absence.

The UTHSC Chief Academic Officer shall give the faculty member written notice of the decision concerning suspension of the probationary period and the reasons for it. If the UTHSC Chief Academic Officer approves a suspension of the probationary period, an extension of that period will be granted.

5.9 Transfer of Appointments

5.9.1 Transfers from Part Time to Full Time Appointments

If a part time faculty member later becomes a full time faculty member on the tenure track, the process of a tenure track appointment must be followed (*Sections 5.6 and 5.7*). This includes adherence to all Equal Opportunity and Affirmative Action requirements as this will be considered

a new position for affirmative action purposes. The time period during which the individual held a part-time faculty position may be considered as part of a probationary period after which a recommendation for awarding tenure may be made. Such credit for the earlier appointment is determined by the faculty member, the chair, and the dean prior to the appointment to a tenure track position.

5.9.2 Transfers Between Tracks

A non-tenure track UTHSC faculty member may be appointed to a tenure track appointment on recommendation of a department chair, with the approval of the dean and after consultation with the tenured and tenure track faculty of that department. In such cases, the process for a standard academic appointment must be followed (Sections 5.6 and 5.7). In addition, such appointments must conform to all Equal Opportunity and Affirmative Action requirements as this will be considered a new position for affirmative action purposes. When such transfers are approved, the newly appointed tenure-track faculty member can request that his/her full time effort prior to the transfer be applied to the probationary period; such credit towards tenure must be agreed upon in writing by the chair, the dean, the Chief Academic Officer, and the faculty member.

A tenure track faculty member may request transfer to the non-tenure track on the recommendation of his/her department chair, with the approval of the dean. Such transfer shall not normally be refused for faculty members in good standing.

Only one transfer between non-tenure and tenure tracks would normally be considered.

5.10 Notice of Non-Renewal

Notice that a tenure track faculty member's appointment will not be renewed for the next year shall be made in writing by the UTHSC Chief Academic Officer, upon the recommendation of the chair and dean, according to the following schedule:

1. In the first year of the probationary period, not less than three months in advance;
2. In the second year of the probationary period, not less than six months in advance; and
3. In the third and subsequent years of the probationary period, not less than twelve months in advance.

These notice requirements relate only to service in a probationary period with UTHSC. Credit for prior service shall not be considered in determining the required notice. Notice of non-renewal shall be effective upon personal delivery or upon mailing, postage prepaid, to the faculty member's residential address of record at UTHSC.

The procedure for appeal of a decision for non-renewal of a faculty appointment is described in Section 8.

5.11 Criteria for Tenure

Tenure is awarded after a thorough review that culminates in the University acknowledging a reasonable presumption of the faculty member's professional excellence, and the likelihood that excellence will contribute substantially over a considerable period of time to the mission and anticipated needs of the academic unit in which tenure is granted. Professional excellence is reflected in the faculty member's teaching, research, and service including the faculty member's ability to interact appropriately with colleagues and students. The relative weights of these factors will vary according to the fit between the faculty member and the mission of the academic unit in which he or she is appointed.

5.11.1 General Criteria for Tenure at UTHSC

The basic criterion for tenure for a tenure track faculty member at UTHSC is fulfilling the distinctive requirements established in writing by the department for the faculty position. The relative weighting is determined at the time of initial appointment but may be changed during the probationary period by the chair and the faculty member during the Annual Performance and Planning Review(s). These distinctive requirements may include performance in teaching, research, and service. Thus, the minimum criteria for a positive recommendation for the award of tenure at UTHSC include the following:

1. fulfillment of the distinctive requirements established in writing by the department for the faculty position, and
2. in possession of a record of academic achievement at UTHSC that strongly indicates that his or her performance as a tenure track faculty member will meet the expectations and goals of the department throughout his or her future academic career.

The Board's policy on tenure states that a college or a department may establish more-specific criteria for tenure in that unit. The Board requires that, after approval by the dean, the UTHSC Chief Academic Officer, and the Chancellor, these criteria for tenure shall be published in the bylaws of that academic unit. The Board also requires that the tenure criteria for a department shall include and be consistent with the criteria stated in the Board's policy, as well as any criteria established by the department's college and UTHSC. College and/or department-specific criteria for tenure must be communicated to the faculty member, in writing, at the time of initial appointment.

5.11.2 Candidate's Supporting Documentation

The burden of proof that tenure should be awarded rests with the faculty member. At least three months before the deadline for review by the tenured departmental faculty, the chair shall counsel the faculty member with respect to updating his or her curriculum vitae and identifying supporting documentation to be submitted for this faculty review. The faculty member, in consultation with the chair, shall compile a dossier containing all documents to be submitted for review and forward them to the chair, who will make the documents available for review. The chair shall determine what deadlines are observed, provided these are consistent with UTHSC and the department's college deadlines. The following items must be included in the dossier; however,

the tenured faculty in the candidate's department and the chair may request that additional items be included:

- a. Current curriculum vita, in the form required by UTHSC;
- b. The initial appointment letter and annual reappointment letters with all figures related to salary or income completely obscured or redacted;
- c. Annual accomplishments and goals, written by the candidate, since accepting a tenure track faculty appointment at UTHSC;
- d. Summaries of Annual Performance and Planning Reviews, written by the chair and the faculty member's responses, if any, that correspond to the annual accomplishments and goals of item c above;
- e. Documents pertaining to the candidate's Interim Performance Review (*Section 5.14.3.3*), if relevant.

The faculty member may also include in the dossier any other documents that he or she believes may assist the tenured faculty in its review or be relevant to a positive recommendation. Such documents may include, but are not limited to, sample publications; summaries of student teaching evaluations or other indicators of teaching performance; or letters of evaluation. A letter of evaluation contains a subjective peer-evaluation of a candidate's accomplishments and professional standing. For any candidate the maximum number of requested letters of evaluation is six. Within a department the number and nature of required letters should be uniformly applied to every faculty member. Any letters of evaluation should be directed to the chair.

Faculty members are encouraged to contact their chair, the chair of their CPT Committee, or the Faculty Senate for assistance with documenting performance relative to the criteria for the award of tenure.

5.12 Locus of Tenure

Tenure at The University of Tennessee is granted in a particular academic unit (e.g., department, college) of a specific campus in a position appropriate to the faculty member's qualifications. Reorganizations that result in the merger or splitting of departments do not affect the tenure or probationary status of the faculty members involved.

If a tenured faculty member voluntarily transfers from one UT campus to another, his or her tenured status is not transferred. However, a review by the responsible administrators in consultation with the tenured faculty of the receiving department may result in an immediate recommendation to the Board of Trustees that tenure at the new campus be granted to the transferred individual; on the other hand, a new probationary period in the receiving unit may be established. There shall be no involuntary transfer of faculty members between campuses.

Transfers from another UT campus to UTHSC follow the procedures outlined for all new appointments (*Sections 5.6 and 5.7*). All aspects of the new appointment - title, rank, terms of employment, and tenure - are re-negotiated. This re-negotiation does not jeopardize the faculty member's participation in group insurance, retirement plans, or other standard faculty benefits. Prior to the effective date of the transfer, all conditions relating to tenure must be documented and accepted in writing by the transferring faculty member.

Transfers of tenure between departments within UTHSC do not require Board approval, but must be approved by the responsible campus administrators in consultation with the tenured faculty of the receiving unit(s), with notice to the Board of Trustees provided by notifying the System Vice President with responsibility for Academic Affairs. In any event, prior to the effective date of the transfer all conditions relating to tenure must be documented and accepted, in writing, by the transferring faculty member. If a non-tenured, tenure track faculty member transfers from one existing department to another, a new probationary period must be established and documented under the same guidelines that would be followed if the faculty member came from another institution. All conditions relating to the new probationary period must be documented and accepted, in writing, by the transferring faculty member.

If a tenured faculty member accepts a part time faculty position or an administrative position with UTHSC or the UT System, neither of which can carry tenure, the faculty member retains tenure in the full-time faculty position he or she vacated.

5.13 Faculty-Initiated Changes in Clinical Practice Affiliation

A faculty member who proposes to change his/her clinical practice affiliation while maintaining an academic appointment must re-negotiate the terms of the academic appointment with the chair and dean. The faculty member must initiate such negotiations in advance of the proposed change to allow time for adequate discussion by all parties and for written response from the dean. If, after consultation with the chair and the faculty member, it is the opinion of the dean that the faculty member can continue to fulfill all of his/her assigned UTHSC missions and otherwise fulfill the needs of the University within the proposed clinical practice affiliation, there may be no need for substantive changes to the faculty member's academic appointment, compensation, and/or tenure status. If not, after negotiation, the faculty member would be advised in writing, in a timely manner, that the proposed change in clinical practice affiliation would require a change in academic appointment, compensation, and/or tenure status. The nature of this change would be determined on a case-by-case basis. Negotiations regarding such changes must be carried out in good faith by the faculty member, the chair, and dean, recognizing the long-standing commitment of the tenured faculty member. Ultimately any change in the clinical practice affiliation must meet the needs of the college and UTHSC. Changing clinical practice affiliation without the prior written approval of the chair and dean constitutes resignation of a faculty member's academic appointment and consequently, relinquishment of tenure (*Section 9.1.1*). The faculty member may appeal the dean's decision through the normal grievance process in Section 8. Any such appeal should be filed prior to the date of resignation from his/her current practice affiliation.

5.14 Career Development and Evaluation of Tenure Track Faculty Members

5.14.1 General

Promotion in academic rank and the award of tenure are separate issues at The University of Tennessee. It is the prerogative of UTHSC to undertake a series of reviews of a tenure track faculty member in his/her probationary period to determine whether retention is in order before the end of the probationary period stipulated.

The performance of each tenure track faculty member must be evaluated by the chair and the faculty member's tenured colleagues. At UTHSC, for a faculty member on a tenure track, formal review of the individual's accomplishments is undertaken by the chair annually. In addition, interim and final retention evaluations of each tenure track faculty member are conducted by the chair, with advice from and vote of the tenured faculty of the department in which the candidate holds his or her position. The primary basis for a recommendation of retention is fulfillment of the distinctive requirements established in writing by the department for the faculty position that a tenure track faculty member fills.

5.14.2 Expectations Regarding Career Development of Tenure Track Faculty Members

Throughout their probationary period tenure track faculty members are expected to develop and progress in their academic accomplishments. Faculty career development for a tenure track faculty member during the probationary period is the progression from initial appointment to the attainment of tenure. Successful career development is primarily the responsibility of the individual faculty member; however, guidance shall be provided by the faculty member's chair in consultation with the tenured faculty of the department.

5.14.3 Career Development and Evaluation for Tenure Track Faculty Members

The career development and evaluation of tenure track faculty members in the probationary period is a series of meetings, involving the faculty member and the chair. The purposes of these meetings are to:

- 1 mutually establish academic (e.g., teaching, research, service, and/or patient care) goals for the faculty member;
- 2 evaluate the faculty member's performance in achieving previously established academic goals and assess whether intervening events beyond the faculty member's control require revision of those goals to be consistent with prevailing circumstances and where justified make such revisions;
- 3 provide the faculty member with a routine opportunity to seek and receive advice and guidance from the Chair and the tenured faculty of the department; and
- 4 assess the faculty member's progress towards attainment of tenure.

The tenured faculty members of the department also participate in the processes described below. Any faculty member who feels aggrieved by the career development and evaluation process as applied to him or her may appeal through the provisions of Section 8.

Career development and evaluation are as follows.

5.14.3.1 Initial Meeting with the Chair

In his or her annual reappointment letter, the tenure-track faculty member is advised in writing of the schedule for tenure and the final review date. As soon as possible after arriving at UTHSC but no longer than 30 days, the new tenure track faculty member must meet with the chair to review the terms of the appointment, to mutually establish the academic goals to be achieved by the faculty member during the first academic year (or partial year). At this time the chair will give the tenure track faculty member copies of the Faculty Handbook, collegiate and departmental bylaws (where such exist), including guidelines for the award of tenure.

5.14.3.2 Annual Performance and Planning Review For Tenure-Track Faculty

Each faculty member and his or her department chair, or responsible supervisor, will engage in a formal Annual Performance and Planning Review, examining the current fiscal/academic year's activities and planning what should occur during the coming fiscal/academic year. The planning aspects of these annual academic year reviews also should take place in the context of longer-term goals for the campus, college, and department. Each faculty member's annual review should proceed from guidelines and criteria which are appropriate to the department, college and campus, and this annual review should be a key element in merit pay or performance-based salary adjustments. College and department bylaws (if department bylaws exist) should make clear the contexts, criteria, and procedures to be followed for these reviews, including specific evaluation criteria for each level of performance.

The forms relating to this review can be found in Appendix K, Forms 1 and 2. Annually, each full-time tenure track faculty member in his/her probationary period must meet with the chair to:

1. review the faculty member's performance in achieving previously mutually agreed upon academic goals,
2. determine whether the preceding year's goals were appropriate, based on previously unidentified additional duties or circumstances beyond the faculty member's control require revision of those goals to be consistent with prevailing circumstances and where justified make such changes,
3. mutually establish the individual faculty member's goals and expectations for the coming year, as well as for the long range,
4. provide the faculty member with a routine opportunity to seek and receive advice and guidance from the Chair (or responsible supervisor),

5. recognize areas of exceptional performance and/or areas of performance that deserve additional effort by the faculty member, and
6. provide an objective basis for determining salary and promotion recommendations.

In addition, each year the chair advises the faculty member concerning how much probationary time is left and how the quality of his or her performance is likely to be assessed. A document summarizing the review - including a summary rating of the faculty member's performance and faculty member's response (where such exists) - must be signed by the faculty member (to acknowledge receipt of the review document) and the chair (see *Appendix K, Forms 1 and 2*). Copies of these Annual Performance and Planning Reviews are given to the faculty member and placed in the faculty member's central personnel file.

5.14.3.3 Interim Probationary Review

For each tenure track faculty member whose probationary period is four or more years, an Interim Review will be conducted. The purpose of the Interim Review is to establish a mutual understanding between the faculty member and the chair regarding his or her progress towards attainment of tenure. If the probationary period is four years, the Interim Review occurs in the second year. If the probationary period is five, six, or seven years, the Interim Review occurs during the third year. A sample document summarizing this review can be found in Appendix K, Form 2.

This two-part review will be conducted by the tenured faculty at equal or higher rank in the department, and by the chair at the same time as the Annual Performance and Planning Review. After reviewing each tenure track faculty member's dossier (*Section 5.11.2*), the tenured faculty will record a formal vote on the individual's progress towards tenure.

A report will be written to the faculty member's chair and will contain the following: a list of the participating tenured faculty members; all suggestions; the majority and minority views, and the summary vote. The chair will present and discuss the tenured faculty's report, as well as his or her own assessment, with the faculty member during the Annual Performance and Planning Review; this meeting with the chair constitutes the second part of the Interim Review. The chair will certify in the summary of the Annual Performance and Planning Review that the Interim Review by the tenured faculty has been completed and note the results thereof. Copies of these interim review documents are given to the faculty member and placed in his or her central personnel file.

A favorable Interim Review does not commit the department or the college to a subsequent recommendation for the award of tenure. A negative Interim Review by either the tenured departmental faculty or the chair should place the candidate on notice of deficiencies that must be corrected before the award of tenure could be recommended. In response to a negative review, the chair and the faculty member must collaborate to develop a written plan whereby the faculty member can meet the departmental expectations for tenure. This plan must be attached to Appendix K, Form 2. Alternatively, an unfavorable review may lead to a notice of non-renewal (*Section 5.10*).

At any time during the probationary period, the chair may request that the tenured faculty review the faculty member's progress.

5.14.3.4 Final Probationary Review for the award of tenure

5.14.3.4.1 General Information about the Final Probationary Review

The Final Probationary Review begins with a two-part process involving (1) the tenured departmental faculty or the Collegiate Promotion and Tenure Committee (CPT Committee), if appropriate, and (2) the chair (*Sections 5.15.1, 5.15.2*). Note: if the chair is a candidate for tenure, this review will be handled by the dean. If a department does not have at least three tenured faculty members (excluding the dean and chair), the CPT Committee (*Section 5.4.3*) will perform this review; however, any departmental tenured faculty members will have the opportunity to review the candidate's dossier and vote on the recommendation to award tenure. In large departments (e.g., Medicine, Pediatrics, etc.), the chair may create a representative subcommittee of the tenured faculty and must inform and invite all the tenured faculty members of the department to participate in carrying out this review.

Each year the UTHSC Chief Academic Officer publishes and distributes a detailed schedule for the Final Probationary Reviews. Generally, a faculty member's preparation for this review begins in July of the penultimate year of their probationary period. However, in cases of exceptional progress this review may occur earlier than this. Each candidate will prepare a dossier, as described below. External (outside UT system) review of the dossier is required. Each candidate will prepare a dossier, containing the documents required for this review by the tenured departmental faculty (*Section 5.11.2*). A sample document for the Final Probationary Review is provided in the Appendix K, Form 5.

In large departments, the department chair may delegate his or her responsibility for the Final Probationary Review to the faculty member's responsible supervisor.

5.14.3.4.2 Preparation of a Dossier

The chair shall counsel the faculty member to update his or her curriculum vita and to identify supporting documentation required (*Section 5.11.2*). The faculty member, in consultation with the chair, should compile a dossier containing all documents to be submitted for review. Although each department's tenured faculty and chair determine what additional items are required for a candidate's dossier, the dossier should include at least the following items (:

- a. Current curriculum vita, in the form required by UTHSC;
- b. The initial appointment letter and annual reappointment letters with all figures related to salary or income completely obscured;
- c. Annual accomplishments and goals, written by the candidate, since accepting a tenure-track faculty appointment at UTHSC;

- d. Summaries of Annual Performance and Planning Reviews, written by the chair and the faculty member's responses, if any, that correspond to the annual mutually agreed upon goals; and
- e. Documents pertaining to the candidate's Interim Probationary Review.

The faculty member may also include in the dossier any other documents that he or she believes may assist the tenured faculty in its review or be relevant to a positive recommendation. Such documents may include, but are not limited to: sample publications; summaries of student teaching evaluations, or other indicators of teaching performance; and letters of evaluation. A letter of evaluation contains a subjective peer-evaluation of a candidate's accomplishments and professional standing. For any candidate the maximum number of requested letters of evaluation is six. Within a department the number and nature of required letters should be uniformly applied to every faculty member. Any letters of evaluation should be directed to the chair.

5.14.3.4.3 External Peer Evaluations

As part of this review, external peer evaluations are obtained for each faculty member being considered for tenure. To obtain such letters, the faculty member, usually in consultation with the chair, requests that the department chair or the Chair of the CPT Committee solicit letters from at least three external peers who are qualified to assess the faculty member's contributions in his/her field during the period of review. Such external reviewers should be objective individuals of senior, established status who have not been a mentor, student, collaborator or co-investigator within the past 3 years. Colleges may establish more specific criteria for identifying such individuals. These department/college criteria must be filed with the Office of Academic, Faculty, and Student Affairs and should appear in the bylaws of the college. However, within a department the number and nature of required letters should be uniformly applied to every faculty member (*Section 5.11.2*). Faculty members will also be given an opportunity to identify external reviewers who should not be contacted for reviews.

External reviewers should be asked to submit letters that evaluate the candidate's contributions to the academic missions of UTHSC: education, research/scholarly activity, clinical care, and service, as applicable (see *Appendix K, Form 10* for a checklist of materials to be sent to reviewers and suggestions as to the content of the evaluation letter). These letters should provide an assessment of the candidate's current and projected contributions to the candidate's field of scholarship. Note that in cases where a faculty member is being considered for both promotion and tenure, these letters can address both actions.

Prior to one year before the end of the probationary period, the tenured departmental faculty members conduct a thorough review of the dossier. The faculty member's case will be initially presented to the faculty by a designated advocate chosen by the faculty member. Following the review of each candidate's dossier, the participating tenured faculty will meet and record a formal vote on the recommendation to award or not award tenure. The tenured faculty report to the chair shall contain the following: a list of the participating tenured faculty members; the majority and minority views, if relevant; and the summary vote. A copy of this report must accompany the

request for the award of tenure forwarded to the CPT Committee, the dean, the UTHSC Chief Academic Officer, and the Chancellor.

The chair reviews the dossier(s) and considers the recommendation(s) of the tenured departmental faculty as well as those of the external reviewers. Then, the chair makes a recommendation concerning each faculty member under consideration

Some faculty members may be recommended for the award of tenure earlier than one year before the end of their probationary period. However, this is an exceptional request that must be accompanied by a separate letter of explanation from the chair and the dean to the UTHSC Chief Academic Officer in addition to the dossier and letters of recommendation from the tenured departmental faculty, external peers, and the chair. Individuals recommended for the award of tenure at this time will be evaluated primarily on their accomplishments prior to arrival at UTHSC and on the value of the faculty member to UTHSC in the future.

5.15 Consideration and Grant of Tenure

The UTHSC procedures for considering a faculty member for tenure include and are consistent with the minimum components stated in The University of Tennessee Policies Governing Academic Freedom, Responsibility, and Tenure (see <http://bot.tennessee.edu/policies-acad.html>).

5.15.1 Review and Recommendation by the Tenured Departmental Faculty

According to the Board's policy on tenure, an adequate evaluation of a tenure candidate's qualifications, professional contributions, potential, and determination of whether he or she should be accepted as a tenured member of the UTHSC academic community requires the judgment of both the candidate's faculty colleagues and the responsible administrators. Thus, although recommendations for tenure are administrative actions that must be approved by the Board of Trustees, there should be no positive recommendation for tenure without formal consultation with the tenured faculty of the department in which the candidate holds his or her position. At UTHSC this formal consultation with the tenured faculty in the candidate's department is contained in the Interim and Final Probationary Reviews of the candidate's performance by the tenured faculty of his or her department (Sections 5.14.3.3 and 5.14.3.4).

Tenure resides in a community of scholars competent to evaluate a candidate's professional contributions and to determine whether, on the basis of past and potential contributions, he or she should be accepted as a permanent member of that community. The Board requires that each college and/or department shall adopt bylaws governing the tenured faculty's consideration of a candidate for tenure. These bylaws shall provide for a meeting of the tenured faculty to debate and discuss the tenure candidacy. The bylaws shall also provide for the manner of taking and recording a formal vote of the tenured faculty on whether the candidate should be recommended for tenure and shall establish the minimum number of votes necessary to constitute a positive recommendation. At UTHSC the tenured faculty recommendation and formal vote is contained in the report of Final Probationary Review (Section 5.14.3.4).

The tenured departmental faculty (or CPT Committee, if appropriate) will review the dossier and the external peer evaluations and meet for the purpose of recording a formal vote on the recommendation to award (or not award) tenure (*Section 5.14.3.4*). If a department does not have at least three tenured faculty members (excluding the dean and chair), the College Promotion and Tenure (CPT) Committee (*Section 5.4.3*) will perform this review; however, any departmental tenured faculty members will have the opportunity to review the candidate's dossier and vote on the candidate's tenure recommendation. In large departments (e.g., Medicine, Pediatrics, etc.), the chair may create a representative subcommittee of the tenured faculty and must inform and invite all the tenured faculty members of the department to carry out this review. A quorum shall be fifty percent (50%) of the tenured faculty members eligible to vote on a given candidate or issue, or, in large departments, 50% of the subcommittee members, and a positive or negative recommendation shall be decided by a simple majority of those tenured faculty members synchronously participating (this includes via audio- or video-conferencing) (*Sections 5.4.2 and 5.4.3*). The tenured faculty's report to the chair shall contain the following: a list of the participating tenured faculty members, the majority and minority views, and the summary of the vote. A copy of this report must accompany the request for the award of tenure forwarded to the CPT Committee, the dean, the UTHSC Chief Academic Officer, and the Chancellor (*Section 5.14.3.4*).

5.15.2 Review and Recommendation by the Department Chair

The vote of the tenured faculty is advisory to the department chair. After making an independent judgment on the tenure candidacy, the chair shall submit his or her recommendation to the dean with a written summary of his or her judgment along with the reasoning for it (*Section 5.14.3.4*). If the chair's recommendation differs from the recommendation of the tenured faculty, the summary must explain the reasons for the differing judgment, and the chair must provide a copy of the summary to the tenured faculty. The tenured faculty may forward a dissenting report to the next level of review (*Section 5.14.3.4*). In the case of a negative recommendation from the chair, the tenured faculty majority (and minority if it exists) report(s) and the chair's recommendation to the dean are forwarded in writing to the faculty member.

The chair reviews the dossier, comments provided by external and internal peers and the recommendation(s) of the tenured departmental faculty (or CPT Committee). The chair makes a recommendation concerning each tenure candidate (*Sections 5.14.3.4 and 5.15.2*).

Where the chair recommends in favor of granting tenure, he/she prepares a letter of recommendation to the dean including the following information:

- a. Name of the faculty member;
- b. Date of the original appointment;
- c. Date of any prior promotion;
- d. Date on which the recommended award of tenure would become effective;

- e. The faculty member's professional discipline or field;
- f. Examples of important and specific accomplishments in teaching, scholarly activities, service, and clinical care, as appropriate for the individual faculty member;
- g. If a chair is recommending an early tenure review, the chair's recommendation should include the rationale for this recommendation;
- h. If the chair recommends an individual for the award of tenure over the negative recommendation of the tenured faculty, he/she should include the reasons in the recommendation letter.

If the chair recommends against the awarding of tenure, he/she submits a letter to the dean giving the reason(s) for the negative recommendation and provides a copy to the faculty member.

Whenever the recommendation of the chair differs from that of the tenured departmental faculty (or CPT Committee), the chair must notify the tenured faculty members and provide them with a copy of his/her recommendation letter. The tenured faculty must meet again to consider whether a dissenting report should be developed, forwarded to the department chair, and attached to Appendix K, Form 5 (*Sections 5.14.3.4 and 5.15.2*).

5.15.3 Review and Recommendation by the Dean

All tenure recommendations of the department chair, whether positive or negative, shall be reviewed by the dean of the college. The dean shall use the CPT Committee as advisory to his/her decisions. The CPT committee is described in Section 5.4.3.

All required documents of candidates for the award of tenure (Appendix K, Form 5 and all attachments) must be forwarded from the department to the collegiate academic officer and the CPT Committee by the end of January (.).

Extra time may be required for reviews at higher levels or for appeal by the faculty member. In addition, summary information on all candidates for the award of tenure should be sent from the department to the collegiate academic officer. Recommendations (Appendix K, Form 5 and all attachments) are presented by the collegiate academic officer to the CPT Committee.

The committee will vote on each recommendation, thereby making a positive or a negative recommendation on each candidate to the dean. A quorum shall be fifty percent (50%) of the tenured faculty members eligible to vote on a given candidate, and a positive or negative recommendation shall be decided by a simple majority of those tenured faculty members synchronously participating (this includes via videoconferencing, adobe connect, telephone). If the CPT Committee renders a negative recommendation, the department chair and faculty member will be informed in writing of the reason(s) for the recommendation. The department chair, in consultation with the faculty candidate, may then provide additional supporting arguments to the dean to be considered as he/she makes a final recommendation. The CPT Committee vote and reasoning,

as well as any dissenting report from a tenured departmental faculty member, must be included with the supporting documents and forwarded to the dean and the UTHSC Chief Academic Officer, and the Chancellor.

The dean will make a recommendation based on advice of the CPT Committee, the department chair and the tenured departmental faculty, as well as on the basis of other circumstances, including personal knowledge of individuals and the needs of the college. In the case of a positive recommendation by the dean, he or she will advise the chair. In a case of any negative recommendation by the dean, the dean will provide the individual faculty member and the chair with written notice that includes detailed reasons for that recommendation. The faculty member must also be informed of his or her right to consult with the UTHSC Chief Academic Officer prior to or at the same time as the dean forwards the recommendation to the next level of review. After making an independent judgment on the tenure candidacy, the dean shall forward his or her recommendation to the UTHSC Chief Academic Officer. (Appendix K, Form 5 and all attachments)

5.15.4 Recommendation of the UTHSC Chief Academic Officer

All tenure recommendations of the dean, whether positive or negative, shall be reviewed by the UTHSC Chief Academic Officer. Any negative or controversial recommendation should be forwarded from the dean to the UTHSC Chief Academic Officer as soon as possible, but not later than the end of March. Extra time may be required for reviews at higher levels or for appeal by the faculty member. By the beginning of April all recommendations and required supporting documents must be forwarded to the UTHSC Chief Academic Officer. The UTHSC Chief Academic Officer, in consultation with the Chancellor, evaluates the college recommendations in light of the needs of UTHSC. During March and April, the UTHSC Chief Academic Officer prepares a consolidated report. After making an independent judgment on the tenure candidacy, the UTHSC Chief Academic Officer, shall forward his or her recommendation to the Chancellor. In the case of a negative decision, reasoning for the independent negative judgement will be forwarded to the Chancellor and the faculty member.

5.15.5 Chancellor's Recommendation

During April, all tenure recommendations of the UTHSC Chief Academic Officer, whether positive or negative, shall be reviewed by the Chancellor. After making an independent judgment on the tenure candidacy, the Chancellor shall forward only positive recommendations to the President by the beginning of May. Summary information on each faculty member being considered for tenure should be sent to the system vice president with responsibility for Academic Affairs.

If the Chancellor reverses a negative recommendation, he or she will advise the Chief Academic Officer, the dean, the chair, and the faculty member. If the Chancellor does not reverse a negative recommendation, the faculty member will be provided with all recommendations associated with his/her case and reasoning behind them in writing and advised regarding the Faculty Senate appeal process (*Section 8*).

The Chancellor may decide that the best interests of UTHSC are not served by the award of tenure to a faculty member. In case of a negative recommendation by the Chancellor reversing a

positive recommendation, the Chancellor must meet with the faculty member, the UTHSC Chief Academic Officer, the dean, and the chair to explain the reason(s) for the adverse recommendation. The Chancellor must provide the faculty member with written notice of the recommendation, giving the reason(s) for that recommendation, and stating that the faculty member may appeal the recommendation in accordance with the provisions of Section 8.

5.15.6 Review and Recommendation by the President

If the President concurs in the positive recommendation of the Chancellor, he or she shall submit the recommendation for tenure to the Board of Trustees. However, the President may decide that the best interests of The University would not be served by the award of tenure to a faculty member. In such a case, the President will notify the Chancellor, who will inform the Chief Academic Officer, the dean, the chair, and the faculty member in writing, stating the reasons for doing so.

5.15.7 Action by the Board of Trustees

No person shall acquire or be granted tenure except by positive action of the Board of Trustees upon the recommendation of the President. The Board of Trustees acts only on positive recommendations. After positive action by the Board of Trustees, the Chancellor and dean shall give the faculty member written notice of the effective date of tenure.

5.16 Career Development and Evaluation of Tenured Faculty Members

5.16.1 General

Faculty career development for tenured faculty members is the progression from the attainment of tenure to the attainment of the rank of professor, and, following these milestones, to an ongoing career of continually increasing academic achievement. Successful career development is primarily the responsibility of the individual faculty member; however, guidance shall be provided by the faculty member's chair. For a tenured faculty member, formal review of the individual's accomplishments is undertaken annually by the chair as part of the faculty member's Annual Performance and Planning Review.

Competent teaching is a crucial responsibility for faculty members with teaching assignments, and the effective use of appropriate instructional evaluation (including departmental files of class syllabi and related materials, student evaluation, and peer evaluation) is important to all objective review processes. Faculty members with research responsibilities should have the quantity and quality of their work fairly assessed. Each faculty member's service contributions, if applicable, should be evaluated impartially. At UTHSC this evaluation primarily emphasizes professional career development and usually integrates developmental goals of faculty members with departmental mission and priorities.

5.16.2 Career Development Planning and Evaluation of Tenure Track Faculty Members

The career development and evaluation of tenure track faculty members is a series of meetings, usually carried out in conjunction with the Annual Performance and Planning Review, involving the faculty member and the chair. During this review, the chair reviews the faculty member's progress during the previous fiscal year and fairly and equitably apportions faculty workloads and work sites for the coming fiscal year.

5.16.3 Annual Performance and Planning Review For Tenured Faculty

The Board's policy on tenure states that each faculty member and his or her department chair will engage in a formal Annual Performance and Planning Review, examining the current fiscal/academic year's activities and planning what should occur during the coming fiscal/academic year. The Board's policy also stipulates that each faculty member's Annual Performance and Planning Review should proceed from guidelines and criteria which are appropriate to the department, college, and UTHSC campus. A document summarizing the review - including an objective rating of the faculty member's performance - must be signed by the faculty member (to acknowledge receipt of the review document) and the chair; a copy must be sent to the dean. Copies of the summary document and the Annual Performance and Planning Review are given to the faculty member and placed in his or her personnel file. An example of the summary document and details regarding the evaluation procedure can be found in *Appendix K, Form 1*.

Annually, each tenured faculty member must meet with the chair to:

1. review the faculty member's performance during the current academic year in achieving previously established academic goals;
2. determine whether the preceding year's goals were appropriate, based on previously unidentified additional duties or circumstances beyond the faculty member's control require revision of those goals to be consistent with prevailing circumstances and where justified make such revisions;
3. mutually establish within the faculty member's area(s) of expertise the individual faculty member's goals and expectations for the coming academic year, as well as for the long range;
4. provide the faculty member with a routine opportunity to seek and receive advice and guidance from the chair (or responsible supervisor);
5. recognize areas of exceptional performance and/or areas of performance that deserve additional effort by the faculty member; and
6. provide an objective basis for determining salary, promotion, and tenure recommendations.

At any time the chair or faculty member may request that the tenured departmental faculty also review the faculty member's performance.

- a. Prior to the review, the chair requests from each faculty member:
- i. a summary of activities and accomplishments for the current fiscal/academic year that began July 1, year, and are anticipated through June 30 of the current year
 - ii. a summary of the faculty member's proposed academic goals for the next fiscal/academic year beginning July 1
 - iii. completion of the Outside Interests Disclosure form and
 - iv. an updated curriculum vita.
- b. The chair discusses with each faculty member his or her performance in teaching, scholarly activities, service, and/or clinical care (if applicable). The chair should comment in a balanced way upon both successful and outstanding performances, as well as ways in which the performance can be improved. Finally, the chair should assess the overall performance of the faculty member and assign one of the performance ratings listed in Section 5.16.5. In assigning this rating, the chair should use the following sample criteria, as applicable:
- i. Teaching Performance
 - a) Actively participates in the teaching of students (e.g., lecturing, laboratory, clinical setting, conferences, counseling, experiential oversight, student committees)
 - b) Communicates information and concepts in a clear and well organized manner
 - c) Provides timely updates to teaching materials
 - d) Accepts criticism and responds appropriately to feedback regarding quality and effectiveness of teaching
 - e) Maintains broad, detailed, and current knowledge of the subject matter
 - f) Serves as a formal or informal mentor for students
 - g) Participates in inter-departmental/inter-professional teaching activities when requested
 - h) Experiments with new and innovative teaching approaches
 - i) Encourages innovation
 - j) Writes clear test questions designed to assess major concepts and prepare students for professional careers

- k) Provides evidence of the success of former students when applicable (e.g., residents, post-doctoral fellows, graduate students)
- l) Serves as a professional role model for students
- m) Receives recognized UTHSC/UT system, statewide, national or international honors and awards for education activities
- n) Participates regularly in continuing education activities to remain current in his/her specialty

ii. Research/Creative and Other Scholarly Activities

- a) Demonstrates ability to conceive, execute, and report on research investigations (from proposal to publication)
- b) Exhibits a creative and innovative approach to research and scholarship
- c) Publishes research in appropriate discipline-specific/discipline-related journals
- d) Collaborates with other faculty members in research projects where appropriate
- e) Develops and disseminates practice guidelines and/or health policy briefs
- f) Publishes clinical case studies, reports for the lay press, patient brochures
- g) Shows continuity in research and perseverance in achieving research goals
- h) Obtains and maintains adequate external and/or internal funding for scholarly activities
 - i) Responds appropriately and in a timely manner to grant reviews
 - j) Pursues opportunities to convert results of research into practical applications having societal or commercial value (e.g., obtains patents)
- k) Serves as an invited expert at agencies, institutes, study sections, journal manuscript reviews, other universities, etc.
- l) Participates as an invited speaker for research symposia, seminars, and special lectures

- m) Receives recognized UTHSC/UT system, statewide, national or international honors and awards for research activities
- n) Participates regularly in continuing education activities to remain current in his/her specialty

iii. Service

- a) Serves on departmental, college, and UTHSC/UT system committees
- b) Serves on local, regional, national, or international committees
- c) Serves on committees to review research grant proposals in the area of expertise (e.g., NIH, American Cancer Society, American Heart Association)
- d) Serves as a journal editor, on editorial boards of journals or as a referee for manuscripts
- e) Participates in department, college, and UTHSC/UT system activities (e.g., seminars, graduate student seminars, grand rounds, conferences, faculty, senate or town-hall meetings)
- f) Speaks to local/regional external groups (e.g., civic groups) on issues in health care
- g) Participates in departmental functions
- h) Is a member of, and holds offices in, professional societies
- i) Participates in interdepartmental/inter-professional teaching, research, and seminar programs
- j) Makes special contributions as recognized by peers and chair
- k) Participates in local health care boards or provides leadership for local health-related volunteer organizations
- l) Serves as a member of boards/committees for hospitals or other health care organizations
- m) Receives recognized UTHSC/UT system, statewide, national or international honors and awards for service activities
- n) Responsible for supervision of departmental and/or college core research facilities

- o) Faculty Senate as senator, committee member, officer, etc.

iv. Clinical Care

- a) Manages clinical care responsibilities to meet agreed-upon expectations as to the numbers of patients and procedures expected in the discipline and in the particular setting
- b) Provides clinical care that is viewed as competent by peers and other health care providers
- c) Acquires and maintains board certification and applicable professional licensure in his/her field, where appropriate
- d) Participates in relevant professional societies
- e) Participates regularly in continuing education activities to remain current in his/her specialty
- f) Provides "in service" education at a clinical practice site.
- g) Receives recognized UTHSC, UT system, statewide, national or international honors and awards for clinical care activities

5.16.4 Resolution of disagreements between chair and faculty member on goals for the coming year

In instances where the faculty member and chair are unable to mutually agree on the goals and expectations for the coming academic year, the chair (or division chief in the case of large departments) will convene and chair a department (or division in the case of large departments) faculty meeting. A quorum for voting shall be fifty percent (50%) of the department's (division's) faculty members; and a positive or negative recommendation shall be decided by a simple majority of those faculty members participating synchronously (this includes participation via video or audio connections). Prior to the meeting, the chair and faculty member will distribute position statements describing their disagreement and desired outcome to the faculty. Work load distribution spreadsheets described in Section 5.4.1 and credible and sufficient evidence of equitable apportionment of the department (division) work load shall also be made available to the faculty prior to the meeting. The faculty can recommend accepting the chair's or faculty member's distributed position statement or alternatively propose a compromise position. If a compromise position is elected, the faculty will identify one of its members acceptable to both the chair and faculty member to draft it for faculty approval. The faculty vote and compromise position (if such exists) should determine the next year's goals and expectations for the faculty member and become part of the faculty member's annual performance review summary forwarded to the dean. If either the chair or faculty member remain unsatisfied with the outcome arrived at in

this manner, they are free to petition the dean or Faculty Senate for resolution of the dispute using normal grievance procedures.

5.16.5 Rating Scale to be Applied in Evaluating Faculty Performance

Faculty performance must be evaluated in a manner consistent with all applicable campus, college, and/or departmental policies, procedures, and bylaws.

At UTHSC, Performance ratings for annual reviews shall be as follows and college and department bylaws (if department bylaws exist) must clarify the means and metric for each chair to employ in conducting these reviews.

Outstanding for Rank: This rating designates that the individual achieved and consistently exhibited uncommon and highly meritorious levels of performance beyond the mutually agreed-upon goals and objectives in his or her field and makes meaningful and significant contributions to the mission, goals and objectives of the department, college, and/or UTHSC. Individuals provided with this rating are eligible for highest levels of merit pay or performance-based salary adjustment that is consistent with UTHSC, college and departmental fiscal situations.

Exceeds Expectations for Rank: This rating designates that during the evaluation period the individual achieved highly meritorious levels of performance beyond the mutually agreed-upon goals and objectives. Individuals provided with this rating are eligible for significant merit pay or performance-based salary adjustment that is consistent with campus, college and department fiscal situations;

Meets Expectations for Rank: This rating designates that during the evaluation period the individual met the mutually agreed-upon goals and objectives. Individuals provided with this rating are eligible for minimum merit pay or performance-based salary adjustment that is consistent with campus, college, and department fiscal situations;

Needs Improvement for Rank: This rating designates that during the evaluation period, the individual exhibited a level of performance that did not meet all the mutually agreed upon goals and objectives. This rating will be assigned to an individual who may require some assistance or feedback in achieving and sustaining a level of professional performance necessary to meet the mutually agreed-upon goals and objectives. This rating is intended primarily as a means of formally communicating that a special effort must be made in addressing specific performance deficiencies. This rating is a negative rating. A faculty member whose performance is rated as "needs improvement" is not eligible for merit pay or performance-based salary adjustment and required to implement an Annual Review Improvement Plan.

Unsatisfactory for Rank: This rating designates that during the evaluation period, the individual exhibited a level of performance that:
Significantly and consistently failed to demonstrate professional competence in teaching, research, clinical care or service; or
significantly and consistently failed to perform satisfactorily the mutually agreed upon goals and objectives for that faculty member. This rating is a negative rating.

A faculty member whose performance is rated as "unsatisfactory" is not eligible for any salary adjustment and required to implement an Annual Review Improvement Plan

Within 30 days of the annual review, any faculty member rated "Needs Improvement for Rank" or "Unsatisfactory for Rank" must collaborate with the chair to develop an Annual Review Improvement Plan that will be forwarded to the dean. The faculty member must provide the chair with a mid-point Interim Progress Report of remedial steps taken on his or her performance in area(s) noted as "Needs Improvement for Rank" or "Unsatisfactory for Rank", and the chair must provide a written response within 30 days, with copies forwarded to the dean. The next year's annual review must include a progress report that clearly describes improvements in any area(s) noted as Needs Improvement for Rank or Unsatisfactory for Rank.

5.16.6 Recognition of Excellence

Whenever feasible, UTHSC should recognize and seek to reward faculty members who receive "Outstanding" or "Exceeds Expectations" ratings on their Annual Performance and Planning Review. Such rewards may include, but need not be limited to the following: (a) a financial reward; (b) additional research or clerical support; (c) special travel funds; (d) provision of opportunities for participating in professional enrichment conferences or seminars; and (e) UTHSC recognition of individual faculty members for outstanding achievement.

5.16.7 Performance Evaluation for Chairs and Others Reporting to Deans

Similarly, the dean meets and evaluates the performance of the chairs and other full time faculty who report directly to the dean. Copies of Annual Performance and Planning Reviews are given to those reviewed and placed in their personnel files.

5.16.7.1 Situations requiring specific discussions

For individuals with tenure-track appointments, the Annual Performance and Planning Review must include a discussion of the faculty member's progress toward tenure consideration along with mentoring advice and assistance (*Section 5.14.3.2*).

If this review coincides with the Mandatory Interim Probationary Review, the chair should discuss the review of the individual's dossier by the tenured departmental faculty (or College Promotion and Tenure Committee [CPT Committee], if appropriate) (*Section 5.14.3.3*).

For individuals who were rated "Needs Improvement for Rank" or "Unsatisfactory for Rank" during the previous Annual Performance and Planning Review, the next year's annual review must include a progress report that clearly describes improvements in any area(s) noted as Needs Improvement for Rank or Unsatisfactory for Rank.

5.16.7.2 Narrative Summary Compiled by Department Chair

The chair prepares a narrative summary of the discussion, including assessment in each mission, and his or her agreed upon expectations of the faculty member for the next academic year. For faculty members with tenure-track appointments, the narrative should document the faculty member's progress toward tenure consideration (*Section 5.14.3.2*).

The chair must attach the narrative summary to one of the following summary documents:

- a. For the usual Annual Performance and Planning Review, the chair uses Form 1; or
- b. If this review coincides with the mandatory Interim Probationary Review for tenure track faculty, the chair uses Appendix K, Forms 1 and 2.

As soon as possible after the discussion, the faculty member should be provided with the chair's review, including summary document (Appendix K, Form 1 and, when appropriate, Appendix K, Form 2), narrative summary, next year's mutually agreed upon goals and expectations. A period of ten business days is suggested as a guideline for this requirement.

5.16.7.3 Optional Response from Faculty Member

The faculty member may prepare an optional response to the chair's review and expectations. The response may include an amendment to the previously submitted annual performance report as applicable to update for end of the year activities and areas of discussion omitted in the chair's summary. The response is due by June 30 or 10 business days after the written Annual Performance and Planning Review from the chair is received by the faculty member, whichever is later. This response, if any, should be attached to the summary document, and forwarded to the dean.

5.16.7.4 Improvement Plan, When Required

In response to a negative rating (Needs Improvement for Rank or Unsatisfactory for Rank), the chair and the faculty member must collaborate to develop a written agreed upon Annual Review Improvement Plan, whereby the faculty member can meet the departmental expectations within the next year. This plan should be developed within 30 days after the Annual Performance and Planning Review and should be attached to the summary of the Annual Performance and Planning Review.

5.16.7.5 Plans for Next Academic Year

The mutually established goals for the next academic year, with the chair's comments, if required, and the faculty member's optional response, if any, should be attached to the summary document (Appendix K, Form 1).

5.16.7.6 Acknowledgement of Receipt of Narrative Summary

The narrative summary (Appendix K, Form 1 and/or 2), with all attachments (e.g., faculty response, remedial plan, and goals), must be signed by both the chair and faculty member. Signa-

ture by the faculty member acknowledges receipt of the evaluation but does not connote agreement with the chair's assessment (*Sections 5.14.3.2 and 5.16.3*). The faculty member may, if desired, enter a self-evaluation in the column headed "Faculty Member," on Appendix K, Form 1 and/or Form 2. The original narrative summary with attachments will be retained in the departmental office with complete copies provided to the dean, the chief academic officer, and the faculty member in accordance with the timelines indicated on the Faculty Evaluation Calendar.

5.16.7.7 Certification of Faculty Review

Upon completion of the review process the chair should forward to the dean and the UTHSC Chief Academic Officer a signed Certification of Faculty Review (Appendix K, Form 4) along with a complete copy of each faculty member's original narrative summary with all attachments.

5.16.7.8 Review of Distinguished Professors

Normally, Distinguished Professors are appointed for three years. Faculty members receiving this title are subject to annual performance reviews in the same manner as other faculty members. However, every third year following the initial appointment the annual review will also include an additional discussion with the dean regarding continuation of this title. The use of the title may be discontinued by the dean if the faculty member ceases to perform in an exemplary manner (as evidenced by an evaluation of 'needs improvement' or 'unsatisfactory') or is no longer performing at the level expected of an individual holding this title.

5.16.7.9 Review of Endowed Chairs and Endowed Professors

Holders of an endowed position undergo the normal Annual Performance and Planning Review associated with being a faculty member of the University of Tennessee Health Science Center. In addition to the usual materials provided to his/her responsible supervisor as part of the Annual Performance and Planning Review, individuals holding an endowed position should provide a narrative description of how the goals of the endowed chair/professorship have been met and a description of expenditure of endowment funds. The narrative description of the goals of the position should be submitted by the responsible supervisor to the Chancellor, Office of Development, and, where specified, to the Donor.

To ensure that the goals of the position are being met and that the individual holding the position is fulfilling the expectations for sustained high performance, holders of an endowed position will undergo a formal review every 5 years. A UTHSC committee composed of full professors and distinguished faculty members who are appointed by the Chancellor will conduct this quinquennial review, providing advice to the Chancellor regarding the suitability of the endowed chair holder to continue his/her appointment. The committee will review the summary documents from the preceding yearly Annual Performance and Planning Reviews as well as the narrative description of how the goals of the endowed chair/professorship have been met in order to evaluate the extent to which the holder of the position is demonstrating the expected level of performance. The committee will conduct a vote to recommend one of the following courses of action (1) continuation in the position without suggestions, (2) continuation in the position with guidance for improvement, or (3) removal of endowed status.

Removal of an endowed status may occur if the quinquennial review indicates that the holder no longer demonstrates the expected level of excellence and performance. Alternatively, this honorific title may be removed from the holder of the endowed chair if he/she has 1) misappropriated or misused endowment funds or 2) engaged in personal and/or professional misconduct detrimental to the reputation of the University of Tennessee Health Science Center. The decision to remove the privileges related to the endowed chair is made by the Chancellor and is not subject to appeal.

5.16.7.10 Cumulative Performance Review and Career Remediation

The Cumulative Performance Review allows an under-performing faculty member to improve with collegial and institutional support. In a case in which this review indicates need for improvement, UTHSC will provide the faculty member opportunities to improve his or her performance. These opportunities may include, but are not limited to the following: (a) consultation with colleagues for purposes of assisting in problem areas; (b) appropriate reallocation of departmental assignments to facilitate updating and improving the faculty member's teaching or research; (c) access to a program for improvement; or (d) access to a program for personal counseling.

5.16.7.10.1 Cumulative Performance Review (CPR)

A comprehensive, formal, cumulative performance review is triggered for the following tenured faculty members:

1.a faculty member whose annual review is Unsatisfactory in any two of five consecutive years; or

2.a faculty member whose annual review is any combination of Unsatisfactory or Needs Improvement in any three of five consecutive years.

5.16.7.10.2 Formation of the CPR (Cumulative Performance Review) Committee

The following procedures conform to those described in the Board of Trustees Policies Governing Academic Freedom, Responsibility, and Tenure [<http://www.tennessee.edu/system/academicaffairs/docs/BdTennurePolicy.pdf>].

Within thirty days of being triggered, a CPR Committee shall be convened by the Dean, who shall determine its chair. This committee shall be composed of appropriate, same or higher rank, tenured departmental faculty members (excluding the departmental chair), and appropriate faculty (same or higher rank) from outside the department. The faculty member being reviewed and the chair may each name a campus tenured faculty member (same or higher rank) to the committee, which normally should have at least five (5) members including the CPR Committee chair, and at least two additional faculty members nominated by the Faculty Senate Executive Commit-

tee (one departmental faculty member and one non-departmental faculty member [same or higher rank]). The dean shall not replace faculty members nominated by the Faculty Senate Executive Committee

5.16.7.10.3 Initial Evaluation by the CPR Committee

The CPR Committee chair shall forward the committee consensus recommendation and the reasoning behind it (Appendix K, Form 3) to the faculty member, chair, Dean, and UTHSC Chief Academic Officer. Performance ratings for cumulative reviews shall be:

a.Satisfies Expectations for Rank

b.Fails to Satisfy Expectations for Rank

5.16.7.10.4 Actions Following a CPR Committee Decision of Satisfies Expectations for Rank

If the CPR Committee consensus rates the faculty member's performance as Satisfies Expectations for Rank, the Committee must forward its justification/rationale to the Dean. The Dean must recommend one of the following three actions by the UTHSC Chief Academic Officer:

- a. concur that the faculty member's performance has been Satisfies Expectations for Rank, that his/her personnel file should show that both the CPR Committee and the Dean concur in a Satisfactory CPR rating, and that a new five-year period annual review cycle will begin; or
- b. find that the faculty member's performance has been Fails to Satisfy Expectations for Rank (including a rationale for that ranking), and recommend that the UTHSC Chief Academic Officer should require that the CPR Committee develop with the affected faculty member a written CPR Improvement Plan (which may include, but shall not be limited to, skill-development, leave of absence, intensive mentoring, curtailment of outside services, change in load/responsibilities), normally of up to one calendar year, and a means to assess its efficacy; or
- c. find that the faculty member's performance has been Fails to Satisfy Expectations for Rank (including a rationale for that ranking), and recommend to the Chancellor that he/she initiate proceedings, as specified in the *Faculty Handbook*, to terminate the faculty member for adequate cause after the Chancellor has consulted with the Faculty Senate President and the Faculty Senate Executive Committee (which may delegate its responsibility to the appropriate Faculty Senate committee).

The outcome of the decision and reasoning by the CPR Committee, the Dean, and UTHSC Chief Academic Officer (5.16.7.10.4.a, b, or c) must be communicated in writing by the UTHSC Chief Academic Officer to the faculty member within 15 days. If the outcome is 6.3.b, then section 6.4 is followed. If the outcome is 6.3.c, the faculty member shall have 30 days to consider options before any further administrative action is taken.

5.16.7.10.5 Actions at the Conclusion of the Improvement Plan Period Following a CPR Committee Decision of Satisfies Expectations for Rank

At the end of the time allotted for a CPR Improvement Plan, the chair, CPR Committee, Dean, and UTHSC Chief Academic Officer shall send a written consensus report (Appendix K, Form 3) to the campus Chancellor, recommending:

a. that the faculty member's performance is Satisfies Expectations for Rank and no other action need be taken at this time; or

b.that the faculty member's performance has improved sufficiently to allow for up to one additional year of monitoring of improvement, after which the chair, CPR Committee, Dean, and UTHSC Chief Academic Officer must by consensus determine if the faculty member's performance is Satisfies Expectations for Rank or recommend that the Chancellor initiate Proceedings, as specified in the *Faculty Handbook*, to terminate the faculty member for adequate cause after the Chancellor has consulted with the Faculty Senate President and the Faculty Senate Executive Committee (which may delegate its responsibility to the appropriate Faculty Senate committee);
or

c.that the Chancellor initiate proceedings, as specified in the *Faculty Handbook*, to terminate the faculty member for adequate cause after the Chancellor has consulted with the Faculty Senate President and the Faculty Senate Executive Committee (which may delegate its responsibility to the appropriate Faculty Senate committee).

d. The outcome of the decision by the CPR Committee, the Dean, and UTHSC Chief Academic Officer (6.4.a, b, or c) along with the reasons behind it must be communicated in writing by the UTHSC Chief Academic Officer to the faculty member within 15 days. If the outcome is 6.4.c but with termination, or if the outcome is 6.4.c, the faculty member shall have 30 days to consider options before any further administrative action is taken.

5.16.4.5 Actions Following a CPR Committee Decision of Fails to Satisfy Expectations for Rank

If the CPR Committee consensus rates the faculty member's performance as Fails to Satisfy Expectations for Rank, it may develop with the affected faculty member and department chair a written CPR Improvement Plan (which may include, but shall not be limited to, skill-development leave, of absence, intensive mentoring, curtailment of outside services, change in load/responsibilities), normally of up to one calendar year, and a means to assess its efficacy, with the plan to be reviewed by the Dean and approved by the UTHSC Chief Academic Officer; or the committee may recommend to the Dean and UTHSC Chief Academic Officer that the Chancellor initiate proceedings, as specified in the *Faculty Handbook*, to terminate the faculty member for adequate cause after the Chancellor has consulted with the Faculty Senate President and the Faculty Senate Executive Committee (which may delegate its responsibility to the appropriate Faculty Senate committee).

The CPR Committee must forward its justification/rationale to the Dean. The Dean must recommend one of the following three actions by the UTHSC Chief Academic Officer:

- a. disagree with the CPR Committee's finding and conclude that the faculty member's performance has been Satisfies Expectations for Rank, that his/her personnel file should show that both the CPR Committee and the Dean concur in a Satisfactory CPR rating, and that a new five-year period annual review cycle will begin; or
- b. concur that the faculty member's performance has been Fails to Satisfy Expectations for Rank (including a rationale for that decision) and recommend that the UTHSC Chief Academic Officer should require that the CPR Committee develop with the affected faculty member a written CPR Improvement Plan (which may include, but shall not be limited to, skill-development leave of absence, intensive mentoring, curtailment of outside services, change in load/responsibilities), normally of up to one calendar year, and a means to assess its efficacy; or
- c. find that the faculty member's performance has been Fails to Satisfy Expectations for Rank (including a rationale for that ranking), and recommend to the Chancellor that he/she initiate proceedings, as specified in the *Faculty Handbook*, to terminate the faculty member for adequate cause after the Chancellor has consulted with the Faculty Senate President and the Faculty Senate Executive Committee (which may delegate its responsibility to the appropriate Faculty Senate committee).

The outcome of the decision and reasoning by the CPR Committee, the Dean, and UTHSC Chief Academic Officer (6.5.a, b, or c) must be communicated in writing to the faculty member by the UTHSC Chief Academic Officer. If the outcome is 6.5.c, the faculty member shall have 30 days to consider options before any further administrative action is taken.

Section 6 Promotion in Rank

6.1 Guidelines for Promotion in Rank

Promotion in rank is not only an acknowledgement of past achievement but also an expression of confidence that the individual will continue to provide meritorious service and assume increasing campus responsibilities. At UTHSC the promotion process is to be objective, equitable, impartial, and to recognize merit.

In general, the guidelines for promotion in rank are the same as those for appointment to the various ranks (*Section 4.1*) and the activities that are evaluated for promotion are the same as those described above for the annual faculty evaluation (Sections 5.14.3.2 and 5.16.3). Generally promotion from one rank to another requires evidence of sustained contributions in the faculty member's assigned areas; thus a minimum period of service in rank is normally required before consideration for promotion to the next rank. Colleges may establish more specific criteria for promotion to various ranks. However, criteria for promotion of a non-tenure track faculty member must specifically focus on the purpose of and restrictions applied to the non-tenure track appointment of that faculty member. Further, these criteria must be consistent with the UTHSC

guidelines and be published in the collegiate bylaws. If a department establishes any more-specific criteria for promotion than those of UTHSC or the department's college, these must be published in the department's bylaws, after approval by the dean and provided to the non-tenure track faculty member at the time of his or her appointment.

Recommendations for promotion are usually initiated by the chair, followed by a review of the candidate's qualifications and achievements by departmental faculty peer reviewers (*Section 5.4.2*). In the case of a faculty member who holds joint appointments in two or more departments, promotion may take place in one department without its occurrence in the other department(s). In the case of a chair's promotion, the recommendation is initiated by the dean, followed by a review of the candidate's qualifications and achievements by the College Promotion and Tenure Committee [CPT Committee] (*Section 5.4.3*). Bylaws of colleges or departments (if department bylaws exist) should limit peer reviewers to members of the faculty holding rank(s) equal or higher than the rank of the proposed promotion. When permitted by the bylaws of colleges or departments, non-tenure track, part-time, affiliated, or volunteer faculty members with appointments in that department may also serve as reviewers on promotions (in addition to the tenured departmental faculty, if any). Such faculty members must be at the same or higher rank as that being sought by the candidate for promotion.

6.2 Supporting Dossier

Generally, a faculty member's preparation for this review begins in July. To assist in the evaluation, each candidate prepares a dossier, containing the documents required for this review by the departmental faculty reviewers (*Sections 5.11.2*). The contents of the dossier will vary depending on whether the faculty member's appointment is (1) probationary for tenure with or without a concurrent request for the award of tenure, (2) tenured, or (3) non-tenure-track. For non-tenure-track faculty appointments, the faculty member's dossier must focus on the requirements of the position for which he/she was hired and include at least a current Curriculum Vitae, in the form required by UTHSC. For tenured or tenure-track appointments, the dossier must include at least the following items: current curriculum vitae, in the form required by UTHSC (see Appendix K, Form 12); annual accomplishments and goals, written by the faculty member; complete copies of the Annual Performance and Planning Reviews since the last promotion, as well as copies of the faculty member's responses, if any; and copies of any reappointment letters since the last promotion. The faculty member may also include in the dossier any other documents that he or she believes may assist the faculty peers in their reviews or be relevant to a positive recommendation. Such documents may include, but are not limited to, sample publications; summaries of student teaching evaluations, as well as other indicators of teaching performance; or letters of evaluation. Mentoring by the department chair or his/her designee shall be made available to the candidate during preparation of the dossier.

6.3 External and Peer Evaluations

In addition to this dossier, external evaluations from outside UTHSC are obtained for each faculty member being considered for promotion. To obtain such letters, the faculty member, usually in consultation with the chair, requests that the department chair or the chair of the CPT Committee solicit letters from at least three external individuals who are qualified to assess the faculty member's contributions in his/her field during the period of review. Such external reviewers should be objective individuals of senior, established status who, in the past 3 years, were not mentors, students, collaborators or co-investigators. Faculty members will also be given an opportunity to identify individuals who should not be contacted for reviews. Colleges and departments may establish more specific criteria for identifying such individuals. These department/college criteria must be filed with the Office of Academic, Faculty, and Student Affairs and should appear in the bylaws of the college and departments (if department bylaws exist).

Up to three peer evaluations from within UTHSC may also be included in the dossier. However, within a department the number and nature of required letters should be uniformly applied to every faculty member.

External reviewers should be asked to submit letters to the department chair (or to the chair of the CPT Committee, as appropriate) that evaluate the candidate's contributions to the academic missions of UTHSC: education, research/scholarly activity, clinical care, and public service, as applicable (See Appendix K, Form 10 for a checklist of materials to be sent to reviewers and suggestions as to the content of the evaluation letter). These letters should provide an assessment of the candidate's current and projected contributions to the candidate's field of scholarship.

6.4 Additional Documentation for All Reviewers

The candidate will also provide additional details as to his/her contributions in each assigned mission. For example, a candidate will provide documentation of the final percent effort assigned to each of the academic missions for each of the years since the last promotion. The candidate also will provide information about teaching activities, such as teaching formats, role in the courses taught, teaching innovations, and contact hours. Similarly, a candidate will list all service activities and provide an estimate as to the amount of time devoted to each activity. Research activities should also be documented by providing a synopsis of research interests and a list of all peer-reviewed and non-peer-reviewed publications since the last promotion along with a list of all funding that was obtained during that period. Where relevant, candidates will also provide some context for assessing clinical care activities, listing agreed-upon goals such as number of patients served, number of weekly clinics and/or number of procedures expected, etc., and providing evidence that these goals were accomplished. In addition, if there was a substantive change in the percent effort devoted to the various missions since last promotion, the candidate shall describe the change and the timing for this change.

6.5 Review and Recommendation by the Department Faculty

Recommendations for promotion are usually initiated by the chair, followed by a review of the candidate's qualifications and achievements by the departmental faculty (*Section 5.4.2*). In the case of a faculty member who holds joint appointments in two or more departments, promotion may take place in one department without its occurrence in the other department(s). In the case of a chair's promotion, the recommendation is initiated by the dean, followed by a review of the

candidate's qualifications and achievements by the CPT Committee (*Section 5.4.3*). Bylaws of colleges or departments should limit peer reviewers to members of the faculty holding rank(s) equal or higher than that to which the candidate is seeking promotion. When permitted by the bylaws of colleges or departments, non-tenure track, part-time, affiliated, or volunteer faculty members with appointments in that department may also serve as reviewers on promotions (in addition to the tenured departmental faculty, if any). Such faculty members must be at the same or higher rank as that being sought by the candidate for promotion.

The departmental promotion committee will review the candidate's dossier and derive a numerical evaluation using the scoring system described below. If a department does not have at least three (3) faculty members of the same or higher rank being sought (excluding the department chair and dean) the CPT Committee will perform some of these duties; however, any departmental tenured faculty members (at the rank sought and above) will have the opportunity to review the candidate's dossier and vote for or against promotion. All scores awarded must be justified by statements in the chair's letter and by the documentation provided by the candidate as part of the dossier. Following this review, the departmental faculty reviewers will record a formal secret ballot vote on the promotion and write a report to the faculty member's chair. A quorum shall be fifty percent (50%) of the faculty members eligible to vote on a given candidate, and a positive or negative recommendation shall be decided by a simple majority of the synchronously participating faculty members (including audio- or video-conference). This report shall contain the following: a list of the faculty members in attendance; the majority and minority views, if relevant; a copy of the numerical score that was provided by the committee; and the summary vote. A copy of this report must accompany a request for promotion forwarded to the collegiate academic officer, CPT Committee, dean, UTHSC Chief Academic Officer, and Chancellor.

6.6 Performance Metrics Used for Promotion

The evaluation involves a systematic collection, analysis, and interpretation of information about the activities and outcomes of an individual faculty member by faculty peers and administrators to make judgments about specific and overall aspects of what and how an individual faculty member progressing toward agreed-upon mutually established goals and whether he/she merits promotion in rank. Generally promotion from one rank to another requires evidence of sustained contributions in the faculty member's mutually agreed upon responsibilities; thus a minimum period of service in rank is normally required before consideration for promotion to the next rank (*Section 4.1*).

The evaluation of each faculty member must be based on the minimum criteria for rank and the level of accomplishment of the goals and objectives that were agreed-upon at the time of appointment and at each of the yearly Annual Performance and Planning Reviews. Evaluations must specifically assess performance in each of the following missions: teaching, research/creative and other scholarly activities, along with, where applicable, clinical care and service/outreach. At UTHSC, the evaluation for promotion involves a cumulative assessment of performance since the last promotion and employs performance metrics to help ensure a systematic review and reduce subjectivity.

One of the most important functions of a chair is to maintain program excellence and to attract quality faculty members. The chair is obligated to assess the progress and performance of faculty members and to decide, with the appropriate advice from faculty peers, whether the faculty member should be promoted or rewarded for their past performance or apprised that their performance needs improvement. In terms of considering a potential promotion, the chair, the faculty peers, and the CPT Committee should independently score the faculty member's performance since his/her past promotion.

While no promotion should be made solely based on points, the point system defines a minimum level of accomplishment that must be met by all faculty members at UTHSC. For each candidate, the department chair must provide a letter explaining the promotion proposed and justifying the overall score awarded. For promotion to Associate or Full Professor, the candidate must also be evaluated by both the departmental faculty at or above the rank sought and by the CPT Committee (*Section 5.4.3*). If a department does not have the minimum number (3) of faculty members required to conduct such an evaluation, then only the CPT Committee (*Section 5.4.3*) will perform the evaluation.

The candidate's overall contributions to the missions of the department and the college should also be considered during this evaluation.

If candidates meet the minimum point requirements, they must also meet the specific, minimum career-track requirements of the rank to which they are seeking promotion (*Section 4.1*).

Each category (teaching, research/creative and other scholarly activities, clinical care, and service/outreach) has a possible total of 9 points divided among three subcategories. Note: For non-tenure track faculty there will be fewer relevant categories and the calculations should be adjusted accordingly. Points for each subcategory should be awarded on a 0-3 scale (whole numbers only), where 0 reflects no contribution in a particular area, 1 reflects minimal contribution with respect to quality and quantity, and a score of 2 reflects moderate or satisfactory contributions with respect to quality and quantity. A score of 3 should be awarded only for exceptional contributions, both with respect to quality and quantity; when such score is awarded, it must be justified by statements in the chair's letter and by the documentation provided by the candidate as part of the dossier. Similarly, for those given a score of 1 an explanation should be provided. A similar review should be used by the departmental and CPT committees. The latter assessment (i.e. by the CPT Committee) ensures uniform application of the scoring guidelines across departments within the college. An example for assessing the points in each category can be found in Appendix K, Form 7.

Mission 1: Teaching (maximum of 9 points)

Activities that should be considered in allocating points for teaching are shown below. Note that these are examples only and are not intended as an exhaustive list. The score for these activities should reflect both the effectiveness (quality) and the level of contribution (quantity) in each subcategory.

Course leadership: Course/program director; clerkship coordinator; residency training director; Other teaching duties e.g. student and resident teaching in a clinical or practice setting, class-

room or online education, laboratory teaching; research mentor/member of thesis or research oversight committee; student advising;

Acknowledged excellence in teaching: Student or peer evaluations; teaching honors and awards; awards to students mentored by faculty members;

Innovation in teaching: Major course revisions; curriculum redesign; introduction of new technologies in the teaching setting.

Mission 2: Research/Creative and Other Scholarly Activities (maximum of 9 points)

Examples of activities that should be considered in allocating points for research/creative and other scholarly activities are shown below. The score awarded for these activities should reflect both the quantity of these activities as well as the quality of the contributions in this category.

Publications: peer-reviewed and non-peer-reviewed articles in professional journals, textbooks, book chapters, and health care reports for the lay press. Publications in peer-reviewed, high impact journals should be given the highest scores. Evaluators should note, however, that some disciplines may regularly report their work in more narrowly focused journals and that a simple assessment of the impact factor of these journals may underestimate the significance of the publications for these disciplines.

Extramural funding: grants from federal agencies (NIH, NSF, AHRQ, DOD, HRSA, etc.), foundations and institutes (American Heart Association, Muscular Dystrophy Association, National Cancer Society, etc.), pharmaceutical companies, training grants, inter-professional grants, and other grants and contracts.

Other scholarly activities: manuscripts under review; invited lectures; patents; licensing agreements; presentations at national or international meetings; submitted abstracts; featured presentations at grand rounds, local and regional societies, or local special interest groups; service on editorial boards (note that the latter indicator may be used in this research category or in the service category, but it cannot count for both); or development of new procedures, protocols, or devices that improve health and/or raise standards of care.

Mission 3: Clinical Care (maximum of 9 points)

Examples of activities that should be considered in allocating points for clinical care are shown below.

Productivity/patient load/scheduling: Evaluation should be based on success in clinical care with respect to number of new and returning patients, number of procedures, number of clinic sessions per week, etc. Targets may differ depending on the site of care delivery and the specific discipline.

Quality of care and patient satisfaction: Evaluation should be based on results of standardized evaluations carried out by practice setting, peers and other health care providers, chart reviews, etc.

Professional recertification and continuing education: Acquires and maintains board certification/licensure by regular participation in professional societies and in continuing education programs in the candidate's field and/or by participation in special training programs.

Mission 4: Service/Outreach (maximum of 9 points)

Examples of activities and material that should be considered in allocating points for service/outreach are shown below:

Institutional service: Participating on committees for the UT System, UTHSC, college, or department; presenting continuing education programs for department, college or UTHSC; organization of seminar programs; supervision of departmental or campus core research facilities (e.g., flow cytometry, confocal or electron microscopy facilities); coordinating searches for faculty members, deans, senior administrators.

Professional service: Participation in local, state, regional, national, or international organizations or professional societies, service on editorial boards as a reviewer for professional journals or funding agencies (note that service on editorial boards may be considered under service or research but cannot count for both).

Community service/outreach: Presentations to civic groups or other local organizations, participating in outreach activities in area schools, organization or delivery of community health initiatives, providing educational, scientific or clinical services in community settings (e.g., health care fairs).

6.7 Point Requirements for Promotion

After careful review and assigning of points in the appropriate categories, the expectations for promotion are shown below. A sample template and a grid for calculating the points earned appears in Appendix K, Form 6.

For promotion to Assistant Professor, the candidate should normally receive a total score of 3.5 points if he/she does not have a clinical practice and 4.0 points if he/she has clinical care responsibilities.

For promotion to Associate Professor, the candidate should normally receive a minimum of 6 points from activities since appointment or last promotion.

For promotion to Professor, the candidate should normally receive a minimum of 7.5 points from activities since appointment or last promotion.

6.8 Review and Recommendation by the Department Chair

The chair reviews the recommendation(s) of the departmental faculty reviewers, and determines whether he/she agrees with the numerical evaluation of the candidate's credentials and with the committee's recommendation. If the departmental faculty reviewers and the chair rec-

ommend the candidate for promotion, the chair prepares a letter of nomination to the dean containing the following items: Name of the faculty member;

1. Name of the faculty member;
2. Date of the original appointment;
3. Date of any prior promotion;
4. Date on which the promotion would become effective, if endorsed;
5. The faculty member's professional discipline or field;
6. The recommendations (positive or negative) of the departmental faculty committee and the department chair along with Board approved performance metric forms (*Appendix K, Form 7*), completed by each group; and
7. For positive recommendations, examples of important and specific accomplishments in teaching, scholarly activities, service, and/or clinical care, as appropriate for the individual faculty member.

If recommendation of the chair is negative, the chair does not send a letter to the dean; however, the chair must inform the candidate in writing within 10 business days of the decision, indicating the reasons for the chair's negative decision and stating that the faculty member may appeal the negative decision to the dean.

If the departmental faculty voted for the promotion, the Chair is obligated to provide this information, along with the written report, to the faculty member for possible use in the appeal. In addition, UTHSC requires a record of the name of any candidate not recommended by the Chair to the Dean for promotion (*Appendix K, Form 7*); explanations for such a negative recommendation must be provided to the faculty member, dean and chief academic officer

If the chair recommends an individual for promotion in contrast to a negative recommendation of the departmental faculty, this fact must be noted in the chair's nominating letter and the reason(s) for the chair's action must be explained.

In any case in which the recommendation of the chair differs from that of the departmental faculty, the chair will notify the departmental faculty reviewers of reasons for a decision contrary to their recommendation.

In the case of a faculty member who holds appointments in two or more departments, nominations must be submitted, either individually or jointly, by the chairs of all departments in which a promotion is requested.

Some faculty members may be recommended early for promotion in rank. However, this is an exceptional request that must be accompanied by letters of explanation from the chair to the dean and from the dean to the UTHSC Chief Academic Officer.

6.9 Recommendation of the College Promotion and Tenure Committee

All required documents of candidates for promotion must be forwarded to the collegiate academic officer and the College Promotion and Tenure (CPT) Committee, unless the faculty member chooses to halt the process. College bylaws specify what documents are required by the dean and the CPT Committee. Recommendations (see *Appendix K, Form 6* for the appropriate form) are presented by the collegiate academic officer to the CPT Committee. The committee will determine a performance score for each candidate using the metric system (*Appendix K, Form 7*), discuss the candidate's dossier and then vote to approve or reject the recommendations from the chair, thereby making a positive or a negative recommendation on each candidate to the dean. A quorum for voting shall be fifty percent (50%) of the faculty members eligible to vote on a given candidate or issue; and a positive or negative recommendation shall be decided by a simple majority of those faculty members synchronously participating (this includes participation via video or audio connections). This summary vote must be included with the supporting documents and forwarded to the dean, the UTHSC Chief Academic Officer, and the Chancellor. If the CPT Committee renders a negative recommendation, the departmental chair and faculty candidate will be informed in writing of the reason(s) for the recommendation within 15 business days of the meeting. The chair may appeal to the dean before the decision at the college level is made.

6.10 Dean's Recommendation

The dean will make a decision on each recommendation based on the faculty member's dossier, the advice of the CPT Committee, the departmental chair, the departmental faculty reviewers, and on the basis of other circumstances. In the case of a positive decision by the dean, he or she will advise the chair. In a case of any negative decision by the dean, the dean will provide the individual faculty member and the chair with written notice of the decision, the reasons behind it and a statement that the faculty member may appeal a negative decision through the Faculty Senate in accordance with provisions in Grievance Section 8.

6.11 Recommendation of the UTHSC Chief Academic Officer

After making an independent judgment on the candidates for promotion, the dean shall forward all recommendations and required supporting documents to the UTHSC Chief Academic Officer. The UTHSC Chief Academic Officer, in consultation with the Chancellor, will specify what documents are required and evaluates the college recommendations. In cases of recommendations against promotion, the UTHSC Chief Academic Officer will inform the dean, chair and faculty member in writing as to the basis for the recommendation. During March and April, the Office of the UTHSC Chief Academic Officer prepares a consolidated report.

6.12 Review and Recommendation by the Chancellor

All recommendations for promotion by the UTHSC Chief Academic Officer are reviewed by the Chancellor, who forwards positive recommendations to the President by the beginning of May. Summary information on each faculty member being considered for promotion should be sent to the Office of the System Vice President with responsibility for Academic Affairs.

6.13 Action by the President

The Chancellor or Vice President forwards to the President only positive recommendations for promotion. The President either grants or denies the promotion, and the Chancellor and dean are responsible for notifying the chair and faculty member in writing of the President's decision regarding promotion.

Section 7. Selection, Appointment, and Career Development of Non-tenure Track Faculty Members

Non-tenure track faculty members are hired for a limited scope of faculty activities, with a primary role in clinical care, teaching or research/scholarly activity and at least a minimal contribution in one other missions of the university. The three types of non-tenure track appointment are Clinician Educator, Research Appointment, Limited Duration Appointment. In addition all part time faculty appointments are non-tenure track. As with tenure track faculty members, the selection and the ongoing career development of non-tenure track faculty members are essential to the fulfillment of the mission of UTHSC.

7.1 Selection of Non-tenure Track Faculty Members

7.1.1 Criteria for Selecting Non-tenure Track Faculty Members

Appropriate candidates for non-tenure track faculty appointment include those who:

1. fulfill the basic criteria for appropriate faculty rank as outlined in Section 4.1,
2. fulfill the distinctive requirements established by the department for the faculty position to be filled, and
3. possess documentation of academic achievement and credentials (acquired as a student, a faculty member, a postdoctoral appointee, research associate, or during a fellowship or residency) that strongly indicate that the performance as a full-time faculty member will be outstanding throughout his or her future academic career.

Proper credentials are the primary criteria for non-tenure track faculty appointments. Credentials include, but are not limited to, academic degrees, postdoctoral training, residency, fellowship, certification, and other appropriate education and experience. The initial appointment of an individual to a specific faculty rank must be based on credentials documented through the institutions from which they were obtained.

7.1.2 Selection of Non-tenure Track Faculty Members

1. On the basis of a demonstrated need of the unit's academic, clinical, or research program and availability of funding, the chair, division chief or principal investigator submits a written request to the dean for a new or replacement faculty position.
2. The dean authorizes the new or replacement non-tenure track faculty position to be filled.
3. The chair, division chief, or principal investigator prepares a description of the open position and initiates the appropriate UTHSC recruitment process to identify candidates.
4. When a search advisory committee is required by campus search procedures, the chair, division chief, or principal investigator may appoint the committee.
5. The chair, division chief, or principal investigator may consult with the departmental faculty of equal or higher academic rank than that of the prospective appointee before the nomination is forwarded.
6. The chair, division chief, or principal investigator selects the candidate to be recommended for the position.
7. The chair, division chief, or principal investigator holds informal discussions with the selected candidate concerning rank, salary, and other conditions of employment, and the candidate's willingness to accept such conditions, if a formal offer is made by UTHSC.
8. If the selected candidate is willing to accept the conditions of employment, the chair proceeds to the appointment process described in Sections 5.7.1 and 5.7.2.

7.1.3 Role of the Department Chair

The department chair is the academic and administrative leader of the department's faculty. The chair is responsible for the management of the department's activities, including direction of the work of the faculty. The fair and equitable apportionment of faculty workloads and work sites is the responsibility of the chair, in consultation with the faculty member. The equitable apportionment of faculty responsibilities assures that an appropriate balance of time and effort is committed within the department to teaching, research, service, and, if applicable, patient care. The chair is responsible for overseeing the career development of all faculty members in the department. In a large department the chair may delegate some of these responsibilities to division chiefs.

7.1.4 Role of the Non-tenure Track Faculty of the Department

Non-tenure track faculty members are entitled to academic freedom and are encouraged to participate in a broad range of UTHSC activities. Some faculty committees, such as those concerned with promotion of tenure track faculty, the award of tenure, and termination of tenured faculty for adequate cause, are limited to faculty with tenure, and therefore formal participation may not be appropriate for non-tenure track faculty. Nonetheless, a department chair or divi-

sion chief may informally solicit recommendations from non-tenure track faculty when their expertise is deemed relevant. Non-tenure track faculty may also serve as formal, full-voting members of other departmental, college, or UTHSC committees depending on their expertise, interest, and availability.

7.1.5 Nepotism

The University permits the employment of relatives as defined in Tennessee Code Annotated §8-31-103 (see www.tennessee.gov/attorneygeneral/op/2005/op/op104.pdf), but they must not be placed in the same direct line of supervision, thereby being able to determine the appointment, retention, salary, promotion, or other aspects of the employment of their relatives. Where faculty members are in a position of responsibility affecting a relative, they must waive authority and defer to the next higher administrative officer.

7.1.6 Certification of Effective Communication in English

An individual who is a candidate for an appointment to a teaching position and whose native language is not English is evaluated by the chair regarding the ability to communicate effectively with students in the English language (Policy on Certification of Effective Communication in English (see http://www.uthsc.edu/policies/w932_document_show.php?p=229)). The method of evaluation shall be noted in the college bylaws and must provide for consistent, thorough, and effective evaluation. If the chair finds the individual's ability acceptable, he or she so certifies in writing to the dean, indicating the method of assessment that was employed.

7.2 Transfers between Tracks

A non-tenure track faculty member may request transfer to the tenure track, or vice-versa, on recommendation of a department chair, with the approval of the dean, and after consultation with the tenured and tenure track faculty of the department.

In such cases, the process for a tenure track appointment must be followed (*Sections 5.6 and 5.7*). In addition, such an appointment must conform to all Equal Opportunity and Affirmative Action requirements, as this will be considered a new position for affirmative action purposes. When such a transfer is approved, the newly appointed tenure-track faculty member can request that his/her full-time effort prior to the transfer be applied to the probationary period. Such credit toward tenure must be agreed upon in writing by the department chair, the dean, the UTHSC Chief Academic Officer, and the faculty member.

A tenure track faculty member may request transfer to the non-tenure track on the recommendation of his/her department chair, with the approval of the dean. Such transfer shall not normally be refused for faculty members in good standing.

Only one transfer between non-tenure and tenure tracks would normally be considered.

7.3 Career Development and Evaluation of Non-tenure Track Faculty

7.3.1 Career Development

Career development for non-tenure track faculty members includes continually increasing academic achievement as marked by the progression to the rank of professor. Guidelines for promotion in academic rank are similar for both non-tenure track and tenure track faculty members (*Section*). However, the requirements for promotion are fewer than those of tenure track faculty because the award of tenure is not involved.

Career development is the responsibility of the individual faculty and the faculty member's chair or designated supervisor. The focus of career development depends on the nature of the non-tenure track appointment.

For faculty members hired as teachers, the assessment will focus on the faculty member's success as an educator; and the individual conducting the assessment shall review the instructional materials that were created by the faculty member, including class syllabi and related course materials, as well as the evaluations of teaching effectiveness obtained from students and peers. For faculty members hired primarily for research, the evaluation should be carried out by the appropriate supervisor and focus on the quantity and quality of the research for which the faculty member was hired.

7.3.2 Evaluation through the Annual Performance and Planning Review

Each non-tenure track faculty member must meet with his/her chair or relevant supervisor at least once a year for a formal Annual Performance and Planning Review. Details related to this review can be found in Section 5.16.3.2.

A document summarizing the review must be prepared, including an objective rating of the faculty member's performance relative to his/her peers as "Outstanding for rank", "Exceeds Expectations for Rank," "Meets Expectations for Rank," "Needs Improvement for Rank," or is "Unsatisfactory for Rank."

This summary must be signed by the faculty member (to acknowledge receipt of the review document) and by the chair or relevant supervisor, with a copy to the dean. Copies of the summary document, the faculty member's optional response (where such exists) and any other appropriate documents are given to the faculty member and placed in appropriate files - e.g. the faculty member's Academic Affairs files. An example of the summary document and details regarding the evaluation procedure can be found in Appendix K, Form 1.

Any faculty member who disagrees with the outcome of the evaluation can avail themselves of the grievance process described in Section 8.

7.3.3 Outstanding Performance to be Rewarded When Feasible

Whenever feasible, UTHSC should recognize and seek to reward faculty members who receive "Outstanding" or "Exceeds Expectations" ratings on their Annual Performance and Planning Review. Such rewards may include, but need not be limited to the following: a financial reward;

additional research or clerical support; special travel funds; provision of opportunities for participating in professional enrichment conferences or seminars; and UTHSC recognition of individual faculty members for outstanding achievement.

7.3.4 Performance Rated "Needs Improvement" or "Unsatisfactory"

Any non-tenure track faculty member whose performance is rated "Needs Improvement for Rank" is not eligible for merit pay or performance-based salary adjustment. Any non-tenure track faculty member whose performance is rated "Unsatisfactory for Rank" is not eligible for any salary adjustment. In such cases, the chair or supervisor may recommend an improvement plan to correct areas of poor performance. Alternatively, the chair or supervisor may recommend non-renewal of the appointment for the upcoming year (or other appointment period).

A faculty member on an improvement plan must provide to the chair or supervisor a written interim progress report of remedial steps taken with copies forwarded to the dean. Such reports must be submitted by the midpoint of the upcoming appointment period. If, in the opinion of the chair or relevant supervisor, sufficient progress towards remediation has not been made, he/she may recommend that the appointment be terminated for adequate cause (as defined in Section 9.2) under the procedure described in Section 7.5 below.

7.4 Renewal of Non-tenure Track Appointments and Notice Requirements for Non-Renewal.

Notice for nonrenewal of non-tenure track faculty appointments is determined by the type of faculty appointment held (e.g. clinician educator, research, or limited duration appointment, of Section 4.2).

When notice of nonrenewal is required for a non-tenure track appointment, such notice that an appointment will not be renewed for the next year shall be made in writing by the Chief Academic Officer, upon the recommendation of the department chair and dean. Notice of non-renewal shall be effective upon personal delivery or upon mailing, postage prepaid, to the faculty member's residential address of record at UTHSC.

Clinician educator appointments are normally renewed annually assuming continuing need, mutual interest, satisfactory performance and availability of funding. For such appointments, notice of non-renewal shall be provided no less than three months before the expiration of the current annual appointment.

Failure to provide notice at least three months before the expiration of the current annual appointment shall not entitle the faculty member to a new one-year appointment as long as notice is provided at some point before expiration of the current annual appointment. In that event, either the appointment shall be extended to permit three months' notice, or the faculty member shall be provided some combination of notice and salary equivalent to a total of three months' notice. If notice of non-renewal is not provided to a Clinician Educator before the expiration of the current appointment, a new one-year appointment is created.

A Research appointment is, by its definition, funding-limited. A Research appointment automatically expires when funding lapses. Whenever feasible, however, the faculty member on a Research appointment should receive no less than one month's notice of the funding lapse. If less than one month's notice of the funding lapse is provided, the appointment shall be extended for the duration required or the faculty member will be provided with some combination of notice and salary equivalent to one month's notice of the termination of the faculty member's employment.

Limited Duration Appointments are not renewed automatically and notice of non-renewal is not provided to a faculty member holding such an appointment. Rather, a Limited Duration Appointment expires by its own terms unless it has been expressly renewed in writing before the expiration of the term. The total length of a Limited Duration Appointment cannot exceed three years.

Part time faculty appointments are not renewed automatically. At the end of the appointment term, the faculty member's employment will be discontinued, if the appointment has not been renewed.

7.5 Termination of a Non-tenure Track Faculty Member for Adequate Cause

During an appointment year (or other specified appointment term), a non-tenure track appointment may be terminated for adequate cause (as defined in Section 9.2) prior to the end of the appointment term. Non-tenure track faculty members may also be terminated for adequate cause prior to the end of their appointment period. In the event that a department chair recommends to the dean and UTHSC Chief Academic Officer that a non-tenure track faculty member should be terminated for cause, the department chair, dean, and UTHSC Chief Academic Officer shall meet with the faculty member to present the reasons for the recommended termination and to permit the faculty member to respond. If, after this meeting, the UTHSC Chief Academic Officer concludes that adequate cause for the termination exists, the UTHSC Chief Academic Officer shall inform the faculty member of that decision and reasons for it in writing. A non-tenure track faculty member whose appointment has been terminated for adequate cause shall be notified of his/her right to a post-termination hearing under the Tennessee Uniform Administrative Procedures Act (see Tenn. Code Ann. § 4-5-10 ([Contact](#) Office of General Counsel)).

7.6 Promotion of Volunteer Faculty

Recommendation for promotion will be made by the chair and approved by the dean of the college prior to proceeding to the Chief Academic Officer and higher administrators. The impetus for such recommendations should be provided by the chair and be based on the needs of the department and the candidate's desire and ability to advance the teaching, research/creative and other scholarly activities, clinical care, and service/outreach missions of UTHSC. Specific areas of review for promotion shall include an assessment of the candidate's success in accomplishing his/her assigned duties. The magnitude and the quality of the contributions, and/or specific services rendered shall be considered, and the evaluations of students, residents, patients, and peers shall be taken into consideration when applicable. General University rules apply to these faculty

members so that, for example, the interval between promotions in the volunteer faculty track should be at least the same as full-time paid faculty members, and promotion should be based primarily on accomplishments since appointment or last promotion.

Section 8 Faculty Grievances

8.1 General Appeal Procedures

The best safeguard against a proliferation of grievance petitions is the observance of sound principles and procedures of academic freedom and tenure and of academic governance at the departmental and collegiate levels. Faculty members are entitled to fair, impartial, and prompt resolution of problems that may arise in relation to their employment. Accordingly, UTHSC subscribes to certain principles and follows certain practices to ensure that such resolutions occur judiciously and within a reasonable period of time. In the following description, the term complainant(s) refers to the faculty member(s) with the complaint or grievance; and the term respondent(s) refers to the individual(s), usually an administrator(s), faculty member(s), or other UTHSC employee(s), whose decision(s) or action(s) is/are the basis of the complaint.

Complaints or grievances should be addressed at the earliest possible or reasonable time and at the administrative level closest to the locus of the complaint. Before putting grievances into written form, every effort should be made to resolve such matters informally, by conversation between the complainant, and the chair, dean, or others as appropriate.

There are two routes for such appeals: (a) through the Administration (see *Section 8.2 below*), and (b) through the Faculty Senate (*Section 8.3 below*). The Faculty Senate process is most commonly employed in cases relating to academic freedom and in cases involving termination of non-tenured faculty members or denial of promotion/tenure where review by faculty peers may be particularly helpful. The administrative route is more commonly used to address issues relating to unequal treatment, retaliation or discrimination since such matters may be covered by federal and/or state laws that require institutional review and response. That being said, faculty members who initiate a grievance through one "route" can switch to the other route at any level in the process prior to appeal to the Chancellor.

8.2 Appeal Through Administrative Channels

Administrative review involves consideration of the faculty member's grievance at successively higher levels of administration until the complaint is resolved or until all levels of review have been exhausted. These levels include department chair, dean, UTHSC Chief Academic Officer, Chancellor, and President of The University. To initiate a grievance through administrative channels, the faculty member must write a letter requesting a meeting with the official at the administrative level at which the grievance occurred. That letter should (a) notify the administrator that a grievance or complaint is being filed, (b) outline the nature of the grievance, and (c) state the desired action. [Note: cases involving allegations of discrimination or harassment or any violation of civil rights laws or campus or University-wide diversity policies are addressed by the Office of Equity and Diversity (OED); university policy requires that the Office of Equity and Diversity be notified promptly of any complaint involving such matters.] If there is no resolution of the issue at the initial level within 30 days, the faculty member should write a letter to the of-

ficial at the next level. This letter should be sent within 10 working days and should: (a) notify the administrator that the grievance or complaint has not been resolved, (b) outline the nature of the grievance or complaint, and (c) reiterate the resolution that is being sought. As the appeal begins and progresses along the administrative route, the faculty member's chair, collegiate academic officer, or dean must inform the faculty member of current procedures and personnel responsible for handling such matters. Throughout the administrative appeal process, the faculty member may have another member of the UTHSC faculty assist him or her with the preparation, but not the presentation, of his or her grievance. Upon receipt of a negative decision by an administrator at one level, the faculty member has 10 days to initiate an appeal to the next level. At each successive level, the administrator communicates his/her decision and reasoning in a timely manner in writing to the faculty member; this opinion must be provided to both the faculty member and to the administrative officer(s) whose decision is being contested or to any other party whose action is being appealed.

A probationary faculty member who alleges that his or her non-reappointment constitutes a violation of academic freedom may appeal administratively. The Chancellor must ask the Faculty Senate Grievance Committee to review the matter to determine whether the notice of non-renewal does establish a violation of academic freedom.

8.3 Appeal Through the Faculty Senate

The purpose of the Faculty Senate Appeal Process is to provide a mechanism whereby a faculty member may have a grievance heard and evaluated in an unbiased manner by a committee of fellow faculty members. The Faculty Senate Grievance Committee (FSG Committee) has no power to reverse an administrative decision or impose any sanction for an inappropriate or improper action. The FSG Committee can only make recommendations for a reconsideration of any administrative decision that it believes was reached improperly or unfairly. Similarly, the FSG Committee can only make recommendations concerning an appropriate resolution of the dispute. The purpose of the FSG Committee is not to serve as a court of law. Participation by legal counsel on behalf of either party in any phase of the appeal process is contrary to the nature and spirit of peer inquiry, evaluation, and mediation. Therefore, attendance and participation by legal counsel in FSG Committee activities are not allowed.

8.3.1 The Faculty Senate Grievance Committee (FSG Committee)

The Executive Committee of the Faculty Senate serves as a Faculty Senate Grievance Committee (FSG Committee) to hear individual faculty member's complaints regarding matters of alleged violations of due process or academic freedom; unequal treatment; discrimination; denial of promotion, tenure, or traditional privileges; and related matters. Regardless of the expiration of any member's elected term, the membership of the FSG Committee remains unchanged throughout an active appeal (i.e., after receipt of a grievance petition). Generally, the President-Elect of the Faculty Senate serves as the chair of the FSG Committee. If the President-Elect is not available (e.g., because of absence or recusal), the Executive Committee will choose one of its members as the chair of the FSG Committee (see *Section 8.3.7 below*). If the chair's term of office expires during an active appeal, that individual will continue to preside over the FSG Committee for all meetings involving that appeal.

The FSG Committee, through its chair, exercises complete control over all steps of the appeal process. In keeping with the principles of impartiality and equity, the committee determines, among other things: (a) the appropriateness of all questions; (b) what additional information or documentation, if any, should be requested; (c) the order of and procedure for questioning the principal parties and witnesses, if any; (d) the order of testimony by witnesses; and (e) who may be allowed to be present during any part of the hearing. Hearings are not open to spectators.

8.3.2 Appeal through the Faculty Senate

8.3.2.1 Initiating an Appeal

A course of appeal through the UTHSC Faculty Senate begins with an appeal request written by a faculty member to the Faculty Senate President. The request must be filed within three months of the date on which the event(s) or action(s) cited in the appeal request occurred. This filing deadline can be extended only if, in the judgment of the FSG Committee, there are significant extenuating circumstances.

8.3.2.2 Informal Stage of the Appeal

The informal portion of the Faculty Senate appeal process begins when the Faculty Senate President receives the faculty member's appeal request. This appeal request is brief, containing only a statement about the nature of the grievance and the name and position of the individual against whom the grievance is directed. Within three days or as soon thereafter as possible, the President delivers the appeal request to the President-Elect (who will chair the FSG Committee in the event it is convened).

All members of the Executive Committee involved in the informal portion of the appeal must refrain from discussing or revealing any particular circumstance of the appeal with uninvolved parties, except when required by law to make disclosure. At the next scheduled meeting, the President must inform the Faculty Senate Executive Committee that a faculty member has made an appeal request. Initially, the President will reveal only the general nature of the grievance. Until the FSG Committee is formally convened, only those individuals who are involved directly in the informal portion of the appeal process may have access to information identifying the parties or any particular circumstances of the appeal.

The Faculty Senate President, together with Secretary-Treasurer of the Faculty Senate or another designated member of the Executive Committee, begins efforts to resolve the grievance. If the President is not available (e.g., because of absence or recusal), the Past President performs this task. If neither is available, the Executive Committee appoints one of its other members for this task. Initially, these two Executive Committee members attempt to resolve the grievance with the faculty complainant and other parties, as they deem necessary. Their efforts are directed at helping the parties clarify and resolve the issue(s) of the appeal. It should be stressed that both Executive Committee members should be present at all interviews, discussions, inquiries, or other sessions involving the appeal.

8.3.2.3 Request for a Hearing

The faculty complainant may fail to obtain a satisfactory result after the two members of the Executive Committee have attempted to resolve the grievance. After such attempts have failed or at any time during the informal process, the complainant may formally request in writing to the Faculty Senate President that the FSG Committee be convened to hear the matter. In the petition to convene the FSG Committee, the faculty member should set forth in detail the nature of the grievance and state the name and position of the individual against whom the grievance is directed. The petition should also contain any factual data that the faculty member deems pertinent to the case, as well as any supporting materials and relevant correspondence between the disputants. The chair of the FSG Committee provides copies of this petition, including any supporting materials, to each person whose decision or action is being contested. The respondents' responses to the grievance and any factual data received will be forwarded in writing to the Faculty Senate Grievance Committee and the complainant.

8.3.2.4 Formal Stage of the Appeal

The formal portion of the appeal begins when the President receives the formal written petition from the faculty complainant and response from the respondent. Within three days or as soon thereafter as possible, the President delivers the appeal petition to the chair of the FSG Committee. The FSG Committee will make every reasonable effort to meet within one month of the date that the petition was received. At its next scheduled meeting, the President requests that the Executive Committee of the Faculty Senate convene as the FSG Committee to evaluate the appeal. Neither the complainant nor the respondent is present at this meeting. A majority of the committee must be present at: (a) the meeting described in *paragraph Section 8.3.2.6*, and (b) the hearing described in *Section 8.3.2.9*. All proceedings of the committee will be as confidential as possible, but are subject to the Tennessee Open Records Act. All members of the FSG Committee involved in the formal portion of the appeal must refrain from discussing or revealing any particular circumstances of the appeal with uninvolved parties, except when required by law to make disclosure. The annual report of the Faculty Senate President to the faculty contains only the number and general nature of the appeals considered by the FSG Committee during the year.

8.3.2.5 Establishing the Composition of the Grievance Committee

At the beginning of this meeting, the chair (President-Elect of the Faculty Senate) asks each member of the FSG Committee about any possible conflicts of interest or biases of which he or she may be aware. Members deeming themselves disqualified for conflict of interest or bias must remove themselves from the case, either at the reasonable request of a party or on their own initiative. In the event of irresolvable differences, the FSG Committee is the final arbiter.

8.3.2.6 Establishing Jurisdiction

During the initial meeting of the FSG Committee, the committee will consider: (a) the matter of jurisdiction, and (b) if jurisdiction is determined to be proper, whether there is a valid basis for the grievance. For matters that lie within the scope of the committee's jurisdiction, the committee considers only whether or not decisions or actions were made according to university poli-

cies, procedures, and regulations. The scope of the committee's jurisdiction with respect to promotion and tenure decisions is limited to a review of complaints that applicable procedures were not followed.

In reviewing the faculty member's formal petition, the respondent's response and supporting materials, the committee will attempt to view these materials in as favorable a light for the faculty complainant as is reasonable (i.e., the faculty member is afforded the benefit of doubt). If, after a review of the formal petition and supporting materials, the committee determines that it has jurisdiction and the complainant has a valid basis for filing an appeal with the FSG Committee, the committee will proceed to hear the matter. After review, the committee may determine that the faculty complaint lacks a valid basis or that the grievance does not lie within the jurisdiction of the committee; then the matter will be dismissed. If the FSG Committee dismisses the grievance, the committee chair gives written notice within five days of that decision and the reasons to the faculty member, all other appropriate parties, and the Chancellor. All records of these proceedings and any supporting documentation will be preserved by the Faculty Senate President or a designee.

8.3.2.7 Scheduling the Hearing

If the committee proceeds to hear the appeal, the committee schedules a hearing within a month or as soon thereafter as possible. Both the complainant and the respondent must attend the hearing. Initially, the committee sets the date. Alternative dates may have to be determined because of conflicting schedules. The hearing will be chaired by the same member who chaired the committee when the issues of jurisdiction and valid basis were determined. The chair of the FSG Committee sends formal notification of the hearing date and location to all appropriate parties and the members of the committee. The notice sent to the disputants also contains the names of all members of the FSG Committee. Any objection to the review procedures or composition of the FSG Committee must be made in writing to the chair of the FSG Committee. All objections are reviewed by the committee and its decision is final.

The FSG Committee ensures that all appropriate parties are notified of its review and given the opportunity to present to the committee any evidence that they deem appropriate. Specifically, any administrator(s) whose decision is being contested is given an opportunity to present to the committee any evidence that he or she deems appropriate. Likewise, any faculty member or other UTHSC employee whose actions are the basis for the complaint is given an opportunity to present his or her response to the complaint. The disputants should present all evidence and responses to the committee at least 10 days before the scheduled hearing, but this time requirement can be waived. As soon as possible, the FSG Committee provides the disputants with copies of any evidence submitted by either party. If this response or evidence comes later than 10 days before the hearing, postponements may be granted by the FSG Committee.

8.3.2.8 Faculty Advisors

Although it is not necessary for either the complainant or the respondent to have a faculty advisor present at the hearing, it is often helpful for the complainant to have the assistance of a UTHSC faculty colleague as an advisor. The complainant must inform the committee in writing

if he or she wishes to have a UTHSC faculty colleague present at the hearing as an advisor. Likewise, the respondent must inform the committee in writing if he or she wishes to have a UTHSC faculty colleague present as an advisor. The complainant or respondent must identify that person at least two weeks before the hearing. If only one party plans to have an advisor, the other party will be notified; if he or she then decides to have an advisor, the committee must be informed in writing at least five days before the hearing. A faculty advisor may not participate in the hearing, but he or she may communicate with the advisee.

8.3.2.9 Relevance of Evidence

The FSG Committee is not bound by strict rules of evidence and may admit any information that it deems pertinent. Furthermore, the committee may have access to any available information that it considers relevant. The committee, through its chair, determines whether information or testimony is material and relevant to the issues involved in the appeal. Before any hearsay evidence is admitted as evidence, the source of that information must be revealed so that the committee may request the person(s) to appear for questioning. With a majority vote of the committee members, the chair may rule that certain information not be considered and be removed from the records. None of the original materials admitted as evidence, including any written documents, photographs, audio-recordings, and video-materials, will be returned to the complainant or respondent; all evidence and supporting documentation will be forwarded by the FSG Committee to the Chief Academic Officer and to the Chancellor. These materials will be returned to the Office of the Faculty Senate and stored in a locked file cabinet for the length of time prescribed by the Office of Records Management. The Administration will cooperate with the FSG Committee in making available UTHSC documents and other evidence. The faculty member should have the aid of the FSG Committee, when needed, in requesting the attendance of witnesses; however, witnesses cannot be compelled to attend.

After reviewing the materials submitted by the various parties, the FSG Committee sets time limits for each oral presentation. As noted above, each party may have another UTHSC faculty colleague present as an advisor at the hearing. For unusual circumstances, the FSG Committee may permit other individuals to attend the hearing, but their participation will be limited to specified activities. The committee's decision regarding additional individuals and their activities is final. The hearing, involving only the principals to the dispute, will be conducted as follows:

1. Oral presentation by faculty complainant and his or her witnesses, if any;
2. Oral response to faculty complainant by the other involved party or parties and appropriate witnesses, if any;
3. Rebuttal or summary by faculty complainant; and
4. Questions or comments by FSG Committee members at any time as allowed by the chair of the FSG Committee.

8.3.2.10 Testimony

The principal parties have the right to testify, to examine all documents and other information considered by the committee, to present testimony of witnesses and other evidence, and to hear and question witnesses. However, neither the complainant nor the respondent may question each other. If a witness cannot appear in person, and the committee determines that he or she should be heard, the committee may arrange to receive his or her information in the form of written testimony and, via telecommunications, to facilitate questioning by both parties. So long as it does not substantially delay the hearing, the committee may call a recess for the purpose of assuring that reasonable time is provided for the examination of all information and for the preparation of appropriate responses. Such recess is usually only called after either party makes a valid claim of surprise.

8.3.2.11 Questioning of Witnesses

The FSG hearing is not a court of law and the FSG Committee, through its chair, will prevent any attempt to conduct the hearing as such. The FSG Committee has the prerogative to determine the appropriateness of all questions and the method of questioning. Because hostile questioning of witnesses and emotional outbursts by the principal parties may stifle the spirit of inquiry and resolution, the chair will maintain strict control over the nature and conduct of the hearing. All records of the hearing, including committee members' notes, will be preserved.

8.3.3.12 Recommendations of the Grievance Committee

After review and deliberation on the substance of the appeal, the committee will: (a) find that it can offer no options regarding the problem, or (b) make specific recommendations. Within 10 days after the hearing or as soon thereafter as possible, the President of the Faculty Senate will forward written findings and recommendations of the FSG Committee, as well as all documents and other materials submitted by either party to the Chancellor and Chief Academic Officer. The Chief Academic Officer and Chancellor shall then discuss the recommendation of the FSG Committee prior to the Chancellor making a ruling on the matter for UTHSC. Copies of the findings and recommendations will be forwarded to the complainant, the respondent, and the FSG Committee. The committee's recommendations are not binding on the Chancellor. Any notes or materials generated by committee members relative to any matter that comes before it for resolution will be preserved, as required by state law, by the President of the Faculty Senate.

8.4 Appeal

The faculty member may appeal the Chancellor's decision to the President of The University within 30 days of receipt of the Chancellor's decision. An appeal to the President must be in writing.

Section 9 Termination of a Tenured Faculty Member and Procedures for Termination of a Tenured Faculty Member for Adequate Cause²

9.1 Termination of a Tenured Faculty Member's Appointment

The appointment of a tenured faculty member may be terminated because of: (a) resignation; (b) retirement; (c) death (d) extraordinary circumstances due to financial exigencies or discontinuance of a program or function; (e) forfeiture of tenure; or (f) adequate cause. Adequate cause is defined in *Section 9.2 below*, and the procedures for termination of employment for adequate cause are contained in *Section 9.3 below*.

In every case of termination by UTHSC, the tenured faculty member may have the issue(s) reviewed by the Faculty Senate Grievance Committee (FSG Committee) (*Section 8.3*). For a tenured faculty member, the burden of proof in appealing such a termination action is on UTHSC to justify why such action should be taken.

9.1.1 Termination of a Tenured Faculty Member's Appointment Due to Resignation

Notification of resignation should be made early enough to obviate embarrassment or inconvenience to UTHSC. Faculty members who wish to resign should make their resignations effective at the end of the academic year, or under exceptional circumstances, at the end of an academic semester. A tenured faculty member relinquishes tenure upon resignation from UTHSC. Thus, for a tenured faculty member, his or her appointment term is considered to end or expire on the date of resignation.

Changing clinical practice affiliation without the prior written approval of the chair and dean constitutes resignation of a faculty member's academic appointment and consequently, relinquishment of tenure (*Section 5.13*).

9.1.2 Termination of a Tenured Faculty Member's Appointment Due to Retirement

Policies and procedures governing retirement, including disability retirement, are found in Personnel Policies and Procedures (§305, §375, §380, §385, §390, and §397). A tenured faculty member relinquishes tenure upon retirement from UTHSC. Thus, for a tenured faculty member, his or her appointment term is considered to end or expire on the date of retirement.

9.1.3 Termination of a Tenured Faculty Member's Appointment Due to Extraordinary Circumstances

² Notice requirements for non-renewal of a tenure track faculty member's appointment are provided in Section 5.10. Non-renewal of a tenure track appointment may be appealed through the grievance process (*Section 8*). Termination of a tenure track faculty member for adequate cause before the expiration of the annual term of appointment is governed by the procedures applicable to termination of a tenured faculty member for adequate cause (*Section 9.3, below*).

Extraordinary circumstances warranting termination of tenure may involve either financial exigency or academic program discontinuance.

In the case of financial exigency, the criteria and procedures outlined in the Board-approved Financial Exigency Plan for each campus shall be followed. The UTHSC Financial Exigency Plan is contained in Appendix G. Financial exigencies affecting UTHSC may require the termination of services of one or more tenured faculty members. In every case of financial exigency resulting in the termination of a tenured faculty appointment, the faculty member concerned will be given notice as soon as possible, and every effort will be made to give not less than twelve months' notice or twelve months' salary.

In the case of academic program discontinuance, the termination of tenured faculty members may take place only after consultation with the faculty through appropriate committees of the department, the college, and the Faculty Senate in accordance with the UTHSC policy on academic discontinuance (*Appendix H*) unless this decision is made by an authority outside The University. In every case of academic program discontinuance affecting tenured faculty members the administration shall exert every effort to make suitable reassignments of personnel; if reassignments are not feasible and terminations of appointment are required, the tenured faculty member(s) concerned will be given notice as soon as possible, and never less than twelve months' notice or twelve months' salary.

According to the Board's policy, if termination of tenured faculty positions becomes necessary because of financial exigency or academic program discontinuance, the UTHSC Administration shall attempt to place each displaced tenured faculty member in another suitable position. This does not require that a faculty member be placed in a position for which he or she is not qualified, that a new position be created where no need exists, or that a faculty member (tenured or non-tenured) in another department be terminated in order to provide a vacancy for a displaced tenured faculty member. The position of any tenured faculty member displaced because of financial exigency or academic program discontinuance shall not be filled within three years, unless the displaced faculty member has been offered reinstatement and a reasonable time in which to accept or decline the offer.

9.1.4 Termination of a Tenured Faculty Member's Appointment Due to Forfeiture of Tenure

A tenured faculty member forfeits tenure upon taking an unauthorized leave of absence or failing to resume the duties of his or her position following an approved leave of absence.

Forfeiture results in automatic termination of employment. The UTHSC Chief Academic Officer shall give the faculty member written notice of the forfeiture of tenure and termination of employment.

9.2 Adequate Cause - Definition

Adequate cause refers to the types of permissible reasons for termination of the employment of a tenured faculty member.³ "Adequate cause" includes the following and similar types of reasons:

1. Category A: Unsatisfactory Performance in Teaching, Research, or Service

- a. Failure to demonstrate professional competence in teaching, research, or service;
- b. failure to perform satisfactorily the duties or responsibilities of the faculty position, including but not limited to: (1) failure to comply with a lawful directive of the dean, or UTHSC Chief Academic Officer with respect to the faculty member's duties or responsibilities; or (2) inability to perform an essential function of the faculty position, given reasonable accommodation, if requested;
- c. loss of professional licensure if licensure is required for the performance of the faculty member's duties; or with respect to Health Sciences faculty, failure to be granted or loss of medical staff membership and privileges at affiliated teaching hospitals; or
- d. dishonesty or other serious violation of professional ethics or responsibility in teaching, research, or service; or serious violation of professional responsibility in relations with students, other faculty members, employees, or members of the community.

2. Category B: Misconduct

- a. Failure or persistent neglect to comply with University policies, procedures, rules, or other regulations, including but not limited to violation of The University's policies against discrimination and harassment;
- b. falsification of a University record, including but not limited to information concerning the faculty member's qualifications for a position or promotion;
- c. theft or misappropriation of University funds, property, services, or other resources;
- d. admission of guilt or conviction of: (1) a felony; or (2) a non-felony directly related to the fitness of a faculty member to engage in teaching, research, service, or administration;
or
- e. any misconduct directly related to the fitness of the faculty member to engage in teaching, research, service, or administration.

9.3 Termination of a Tenured Faculty Member's Appointment for Adequate Cause

³ The same definition of adequate cause applies to termination of a tenure track faculty member before the expiration of the annual term of appointment (*Section 9.3*).

Termination procedures for UTHSC incorporate and are consistent with the provisions cited in The University of Tennessee Policies Governing Academic Freedom, Responsibility and Tenure. Unless waived by the faculty member, the UTHSC procedures for terminating the employment of a tenured faculty member for adequate cause are those described in *Sections 9.3.1, 9.3.2, and 9.3.3 below.*

Except for such simple announcements as may be required, covering the time of the hearing and similar matters, all individuals involved in a case of termination of the employment of a faculty member for adequate cause - Tribunal or Special Committee members (*Sections 9.3.1 and 9.3.2*), the faculty member, the tenured departmental faculty, the administrative officers, and/or the counsels - will avoid making public statements or release publicity about the case, until the proceedings have been completed, including consideration by the Board of Trustees. If the final decision is against termination or a lesser sanction, the faculty member will not ultimately suffer the loss of normal pay and other compensations.

9.3.1 Termination Procedure for Category A - Adequate Cause: Unsatisfactory Performance in Teaching, Research or Service

Note: The phrase "teaching, research or service" in this section includes scholarly activity and clinical care.

1. Preliminary Steps

The following preliminary steps shall be followed in cases of termination for unsatisfactory performance in teaching, research, or service, unless the faculty member has been under a remediation plan as described in the Cumulative Performance Review section of Board policy (see <http://www.tennessee.edu/system/academicaffairs/docs/BdTenurePolicy.pdf>). If a faculty member has been under a remediation plan and the Review Committee, dean, UTHSC Chief Academic Officer, and Faculty Senate President or Faculty Senate Executive Committee recommend initiation of termination proceedings, the Chancellor shall proceed to consult with the President and to decide whether to initiate termination proceedings without following these preliminary steps. During this time, the chair, the division chief, if appropriate, and dean will counsel the faculty member with a view toward a mutually satisfactory resolution. A written summary of these discussions shall be prepared for the faculty member and his or her personnel file.

A. Tenured Faculty's Recommendation

The chair shall direct the tenured departmental faculty to review the faculty member's performance in teaching, research, and service and to vote on the question of whether termination proceedings should be initiated (Section 5.4.2). The vote shall be by secret ballot. The tenured departmental faculty will write a report to the chair. This report shall contain the following: a list of the tenured faculty members in attendance, the majority and minority reasoning and the summary vote. The faculty vote shall be advisory to the chair.

B. Chair's Recommendation

If the department chair concludes termination proceedings should be initiated, he or she shall forward a recommendation simultaneously to the dean and the UTHSC Chief Academic Officer. The chair's recommendation shall include the history of efforts to encourage the faculty member to improve his or her performance and the vote of the tenured faculty on the question of whether proceedings should be initiated.

C. Dean's Recommendation

If the dean concludes termination proceedings should be initiated, he or she shall forward a recommendation to the UTHSC Chief Academic Officer.

D. UTHSC Chief Academic Officer's Recommendation

- (1) If the UTHSC Chief Academic Officer concludes termination proceedings should be initiated, he or she shall call the faculty member to a meeting to discuss a mutually satisfactory resolution of the matter.
- (2) If a mutually satisfactory resolution is not achieved, the UTHSC Chief Academic Officer shall within thirty (30) days ask the Faculty Senate Grievance Committee to conduct an informal inquiry and make a recommendation to him or her within thirty (30) days as to whether termination proceedings should be initiated. The recommendation of the Faculty Senate Grievance Committee shall be advisory to the UTHSC Chief Academic Officer.
- (3) After considering the recommendation of the Faculty Senate Grievance Committee, the UTHSC Chief Academic Officer shall make a recommendation to the Chancellor as to whether termination proceedings should be initiated. If appropriate, Step 3 below may be combined with this step.

2. Chancellor's Decision to Initiate Termination Proceedings

If, after consulting with the President, the Chancellor decides to initiate termination proceedings, he or she shall give the faculty member written notice, including

- a. a statement of the grounds for termination, framed with reasonable particularity;
- b. notice of the faculty member's right to contest the proposed termination in a hearing before a Tribunal, as described below, or in a hearing conducted under the provisions of the Tennessee Uniform Administrative Procedures Act; and
- c. notice that the faculty member has ten (10) days after receipt of the written notice to elect in writing to contest the termination and to elect in writing the form of hearing. The Chancellor shall send a copy of the written notice to the President of the Faculty Senate at the same time.

3. Suspension With Pay or Reassignment Pending Completion of Termination Proceedings

After consultation with the President of the Faculty Senate or the Faculty Senate Executive Committee, the Chancellor may suspend the faculty member with pay, or change his or her assignment of duties, pending completion of The University's termination proceedings.

This step may be combined with step 1.D.3 above. The faculty member's salary will continue during the period of the suspension.

4. Failure to Contest

If the faculty member does not contest the charge(s) in writing and make the required hearing election within ten (10) days after receipt of the written notice, the faculty member shall be terminated, and no appeal of the matter will be heard within The University.

5. Hearing under the Tennessee Uniform Administrative Procedures Act

A. Contested Case Procedures

If the faculty member makes a timely election to contest the charge(s) under the Tennessee Uniform Administrative Procedures Act (TUAPA), the Chancellor shall appoint a hearing examiner, and the matter shall proceed in accordance with the contested case procedures promulgated by The University under the TUAPA. The TUAPA contested case procedures are published in the Rules and Regulations of the State of Tennessee (<http://state.tn.us/sos/rules/1720/1720-01/1720-01-05.pdf>) and are available in the UTHSC Library and in the Office of the General Counsel.

B. Initial Order

In accordance with the TUAPA contested case procedures, upon completion of the hearing, the hearing examiner shall render an initial order, which either party may appeal to the Chancellor within ten (10) days. In addition, the Chancellor, on his or her own motion, may elect within ten (10) days to review the hearing officer's initial order.

C. Final Order

The hearing examiner's initial order shall become the final order unless review is sought by either party or the Chancellor within the ten-day period. If review is sought, the Chancellor shall review the initial order and issue a final order in accordance with applicable provisions of the TUAPA contested case procedures. The final order, whether rendered by the Chancellor or by virtue of neither party appealing the initial order, shall be the final decision on the charge(s) within The University. If the allegations are not upheld, full restitution of normal pay and other compensations lost during the termination or suspension will be made.

D. Judicial Review

If the final order is unfavorable to the faculty member, he or she is entitled to judicial review of the final order in accordance with applicable provisions of the Tennessee Uniform Administrative Procedures Act.

6. Hearing Before a Tribunal

If the faculty member makes a timely election to contest the charge(s) and to waive the right to a hearing under the Tennessee Uniform Administrative Procedures Act, the Chancellor shall ask the Faculty Senate President to appoint a hearing Tribunal within 15 days and shall notify the faculty member of this action. The President of the Faculty Senate will appoint this Tribunal, with the advice and consent of the Executive Committee of the Faculty Senate. The matter then shall proceed in accordance with the tribunal procedures described below.

A. Composition of the Tribunal

A UTHSC Tribunal shall consist of at least seven members of the faculty and the administration not concerned previously with the case. The members of the Tribunal should be chosen on the basis of their reputations for objectivity and competence and the regard in which the academic community holds them. The Tribunal elects its own chair. The Tribunal should determine the order of proof, should normally conduct questioning of witnesses, and, if necessary, secure the presentation of evidence important to the case.

Either the Chancellor or the faculty member may challenge the appointment of a tribunal member on the ground of bias or conflict of interest. Members of the Tribunal deeming themselves disqualified for bias or interest shall remove themselves from the case, either at the request of a party to the dispute or on their own initiative. In addition, each party will have a maximum of two challenges without stated cause. A challenge shall be judged by the Faculty Senate Executive Committee, whose decision on the challenge shall be final and not subject to appeal. The Executive Committee of the Senate will fill vacancies on the Tribunal resulting from disqualification, challenge without stated cause, illness, resignation, or any other reason.

B. Notice of Hearing

The Chancellor shall give the faculty member written notice of the hearing date at least 20 days in advance. The Committee, in consultation with the President of the Senate and the faculty member, will exercise its judgment as to whether the hearing should be private.

C. Representation

If UTHSC intends to be represented by legal counsel, the written notice of the hearing date shall so advise the faculty member. The written notice shall also state the faculty member's right to be represented by legal counsel or other representative of his or her choice. If the

faculty member intends to be represented by legal counsel, he or she must notify the chair of the Tribunal within ten (10) days of receipt of the written notice of the hearing date. If the faculty member fails to give timely notice of legal representation, the hearing date shall be postponed at UTHSCs' request.

D. Waiver of Hearing

If, at any time prior to the hearing date, the faculty member decides to waive his or her right to a hearing and respond to the charges only in writing, the Tribunal shall proceed to evaluate all available evidence and rest its recommendation upon the evidence in the record.

E. Pre-Hearing Preparation

The faculty member and UTHSC shall have a reasonable opportunity prior to the hearing to obtain witnesses, specific documents, or other specific evidence reasonably related to the charge(s). The Administration will cooperate with the Tribunal in securing witnesses and making available documentary and other evidence. The faculty member should have the aid of the Tribunal, when needed, in securing the attendance of witnesses.

With the consent of the parties concerned, the Tribunal may hold joint prehearing meetings with the parties in order to (a) clarify the issues; (b) effect stipulations of facts; (c) provide for the exchange of documentary or other information; or (d) achieve such other appropriate prehearing objectives as will make the hearing fair, effective, and expeditious.

F. Evidence

The Tribunal is not bound by legal rules of evidence and may admit any evidence of probative value in determining the issues. The Tribunal shall make every reasonable effort, however, to base its recommendation on the most reliable evidence. If the charge is "failure to demonstrate professional competence in teaching, research, or service," the evidence shall include the testimony of qualified faculty members from this and/or other comparable institutions of higher education. All evidence should be duly recorded. If any facts are in dispute, the testimony of witnesses or other evidence should be received.

G. Confrontation and Cross-Examination of Witnesses

The Board's policy states that the faculty member and UTHSC shall have the right to confront and cross-examine all witnesses. During a hearing at UTHSC, the faculty member, the Administration, or their respective counsels will have the right, within reasonable limits, to question all witnesses who testify orally. The faculty member will have the opportunity to question all adverse witnesses.

If a witness cannot or will not appear, but the Tribunal determines that his or her testimony is necessary to a fair adjudication of the charge(s), the Tribunal may admit as evidence the sworn affidavit of the witness. In that event, the Tribunal shall disclose the affidavit to both parties and allow both parties to submit written interrogatories to the witness.

In addition, the Tribunal should give opportunity to the faculty member, the Administration, or the respective counsels to argue orally before it. The Tribunal may request written briefs and proposed findings of fact and conclusions of law.

H. Adjournments

The Tribunal shall grant adjournments to allow either party to investigate evidence to which a valid claim of surprise is made.

I. Burden of Proof

The burden of proof that adequate cause exists rests with UTHSC and shall be satisfied only by clear and convincing evidence in the record considered as a whole.

J. Findings and Conclusions

The Tribunal should reach its decision in conference on the basis of the hearing and/or the evidence in the record. The Tribunal may proceed to decision promptly, without having the record of the hearing transcribed, where it feels that a just decision can be reached by this means; or it may await the availability of a transcript of the hearing if its decision would be aided thereby. The Tribunal shall make written findings with respect to each of the grounds presented for removal, and provide its reasoned opinions for each item. The Tribunal shall provide a copy to the faculty member at the time of submission to the Chancellor.

- (1) If the Tribunal concludes adequate cause for termination has not been established, it shall so report to the Chancellor.
- (2) If the Tribunal concludes adequate cause for termination has been established but that a sanction other than termination should be imposed, it shall so recommend to the Chancellor, with supporting reasons.
- (3) If the Tribunal concludes adequate cause for termination has been established and that termination is the appropriate sanction, it shall so report to the Chancellor.

K. Transcript of the Hearing

A verbatim record of the hearing shall be made, and a transcript shall be provided to the faculty member without cost and to the Chancellor at the time of the Tribunal's submission of its findings and conclusions.

7. Chancellor's Recommendation on Termination

- A. If the Chancellor concludes adequate cause has been established and that termination is the appropriate sanction, he or she shall transmit the hearing record and his or her recommendation to the Board of Trustees through the President. In addition, he or she shall notify the

Tribunal and the faculty member in writing of this decision. However, if the conclusion of the Chancellor differs from that of the Tribunal, the Chancellor shall give the Tribunal and the faculty member a written statement of reasons and shall allow the faculty member an opportunity to respond before transmitting the case to the President and Board of Trustees.

- B. If the Chancellor concludes adequate cause has been established but that a sanction other than termination should be imposed, the Chancellor may impose the lesser sanction (*Faculty Handbook, Section 8.4*). He or she shall notify the Tribunal and the faculty member in writing of this decision. The faculty member may appeal the lesser sanction to the President.

8. Review by the Board of Trustees

The Board of Trustees shall review a recommendation of termination for adequate cause on the record of the Tribunal hearing. The Board shall provide an opportunity for oral and written argument by the parties. The faculty member and UTHSC may be represented before the Board by legal counsel or other representative. If the Board concludes adequate cause has been established and that the faculty member's tenure and employment should be terminated, the Board shall set the effective date of termination. If the allegations are not upheld, full restitution of normal pay and other compensations lost during the termination or suspension will be made.

9.3.2 Termination Procedure for Category B Adequate Cause: Misconduct

1. Preliminary Steps

During this time, the chair, the division chief, if appropriate, and dean will counsel the faculty member with a view toward a mutually satisfactory resolution. A written summary of these discussions shall be prepared for the faculty member and his or her personnel file.

A. Consultation with tenured faculty members

The department chair shall consult with the tenured faculty before making a recommendation that termination proceedings be initiated against a tenured faculty member for alleged misconduct within the Category B definition of adequate cause. After reviewing the charges and evidence presented by the department chair, the tenured departmental faculty will vote by secret ballot and write a report to the faculty member's chair. This report shall contain the following: a list of the faculty members in attendance, the majority and minority views, if relevant, and the summary vote. The committee vote shall be advisory to the chair.

B. Chair's Recommendation

If the department chair concludes termination proceedings should be initiated, he or she shall forward a recommendation simultaneously to the dean and the UTHSC Chief Academic Officer. The recommendation shall include a report of the chair's consultation

with the tenured faculty. The report will also include results of the faculty vote on the issue. The report shall also be provided to the faculty member.

C. Dean's Recommendation

If the dean concludes termination proceedings should be initiated, he or she shall forward a recommendation to the UTHSC Chief Academic Officer. This recommendation shall contain the reasons behind it and be provided to the faculty member as well as the UTHSC Chief Academic Officer.

D. UTHSC Chief Academic Officer's Recommendation

(1) If the UTHSC Chief Academic Officer concludes termination proceedings should be initiated, he or she shall call the faculty member to a meeting to discuss a mutually satisfactory resolution of the matter.

(2) If a mutually satisfactory resolution is not achieved, the UTHSC Chief Academic Officer will within 30 days ask the Faculty Senate Grievance Committee to conduct an informal inquiry and make a recommendation to him or her within 30 days as to whether termination proceedings should be initiated. The recommendation of the FSG Committee shall be advisory to the UTHSC Chief Academic Officer. After considering the recommendation of the Faculty Senate Grievance Committee, UTHSC Chief Academic Officer shall make a recommendation to the Chancellor as to whether termination proceedings should be initiated. If appropriate, step 3 below may be combined with this step.

2. Chancellor's Decision to Initiate Termination Proceedings

If, after consultation with the President, the Chancellor decides to initiate termination proceedings, he or she shall give the faculty member written notice, including

- a. a statement of the grounds for termination, framed with reasonable particularity;
- b. notice of the faculty member's right to contest the proposed termination in a hearing under the provisions of the Tennessee Uniform Administrative Procedures Act (TUAPA);
- c. notice of the faculty member's right to waive a hearing under TUAPA and be heard by a Special Committee composed of members of the UTHSC Faculty and Administration;
and
- d. notice that the faculty member has ten (10) days after receipt of the written notice to elect in writing to contest the termination and select the type of hearing. The Chancellor shall send a copy of the written notice to the President of the Faculty Senate at the same time.

3. Suspension or Reassignment Pending Completion of Termination Proceedings

a. Suspension With Pay

After consultation with the President of the Faculty Senate or the Faculty Senate Executive Committee, the Chancellor may suspend the faculty member with pay, or change his or her assignment of duties, pending completion of UTHSC's termination proceedings. This step may be combined with step 1(D) above. The faculty member's salary will continue during the period of the suspension.

b. Suspension Without Pay

After consultation with the President of The University and the President of the Faculty Senate or the Faculty Senate Executive Committee, the Chancellor may suspend the faculty member without pay only for the following types of alleged misconduct and only in accordance with the procedures outlined in the section entitled "Expedited Procedure for Termination or Suspension Without Pay in Certain Cases of Misconduct" (Section 9.3.3):

- (1) alleged misconduct involving:
 - (2)
 - a. acts or credible threats of harm to a person or University property; or
 - b. theft or misappropriation of University funds, property, services, or other resources; or
 - (3) indictment by a state or federal grand jury, or arrest and charge pursuant to state or federal criminal procedure, for:
 - a. a felony; or
 - b. a non-felony directly related to the fitness of a faculty member to engage in teaching, research, service, or administration.

This step may be combined with step 1(D) above. If the allegations are not upheld, full restitution of normal pay and other compensations lost during the suspension will be made.

4. Failure to Contest

If the faculty member does not contest the charge(s) of misconduct in writing within ten (10) days after receipt of the written notice, the faculty member shall be terminated, and no appeal of the matter will be heard within The University.

5. Waiver of Hearing Under the Tennessee Uniform Administrative Procedures Act

If the faculty member contests the charge(s) of misconduct but elects to waive his or her right to formal hearing under the contested case procedures of the TUAPA, the Chancellor shall appoint a Special Committee to conduct an informal hearing on the charges. The faculty member may be represented before the hearing committee by legal counsel or other representative of his or her choice. If the faculty member intends to be represented by legal counsel, he or she must notify the committee chairperson within ten (10) days of the hearing date. If the faculty member fails to give timely notice of legal representation the hearing date shall be postponed at the request of UTHSC.

a. Composition of the Special Committee

The Special Committee is composed of at least seven members of the Faculty and Administration not concerned previously with the case. The members of the Special Committee should be chosen on the basis of their reputations for objectivity and competence and the regard in which the academic community holds them. The Special Committee elects its own chair. Members of the Special Committee deeming themselves disqualified for bias or interest shall remove themselves from the case, either at the request of a party to the dispute or on their own initiative. Each party will have a maximum of two challenges without stated cause. The Chancellor will fill vacancies on the Special Committee resulting from disqualification, challenge without stated cause, illness, resignation, or any other reason.

b. Notice of Hearing by a Special Committee

Service of notice of hearing with specific charges in writing will be made at least 20 days prior to the hearing. The Special Committee, in consultation with the President of the Senate and the faculty member, will exercise its judgment as to whether the hearing should be private.

c. Waiver of Hearing by a Special Committee

The faculty member may waive a hearing or may respond to the charges in writing at any time before the hearing. If the faculty member waives a hearing, but denies the charges against him or her or asserts that the charges do not support a finding of adequate cause, the Special Committee will evaluate all available evidence and rest its recommendation upon such evidence.

d. Representation

During the proceedings the faculty member will be permitted to have an academic advisor and/or legal counsel of his/her choice.

e. Prehearing Meetings

The Special Committee may, with the consent of the parties concerned, hold joint prehearing meetings with the parties in order to (a) clarify the issues; (b) effect stipulations

of facts; (c) provide for the exchange of documentary or other information; or (d) achieve such other appropriate prehearing objectives as will make the hearing fair, effective, and expeditious.

f. Witnesses and Evidence

The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The Administration will cooperate with the Special Committee in securing witnesses and making available documentary and other evidence. The faculty member should have the aid of the Special Committee, when needed, in securing the attendance of witnesses. The Special Committee will not be bound by strict rules of legal evidence, and may admit any evidence, which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available. All evidence should be duly recorded. If any facts are in dispute, the testimony of witnesses or other evidence should be received.

g. Conduct of Hearing

The Special Committee should determine the order of proof, should normally conduct questioning of witnesses, and, if necessary, secure the presentation of evidence important to the case.

h. Questioning of Witnesses

The faculty member, the Administration, and/or their respective counsels will have the right, within reasonable limits, to question all witnesses who testify orally. The faculty member or his/her legal counsel will have the opportunity to question all adverse witnesses. Where unusual and urgent reasons move the Special Committee to withhold this right, the identity of witnesses, as well as the statements of the witness, should nevertheless be disclosed to the faculty member. Where the witnesses cannot or will not appear, but the Committee determines that the interest of justice requires admission of their statements, the Committee will identify the witnesses, disclose their statements, and if possible, provide for interrogatories.

i. Oral or Written Arguments

The Special Committee should give opportunity to the faculty member, the Administration, or the respective counsels to argue orally before it. The Special Committee may request written briefs and proposed findings of fact and conclusions of law.

j. Adjournments

The Special Committee will grant adjournments to enable either party to investigate evidence for which a valid claim of surprise is made.

k. Burden of Proof

The burden of proof that adequate cause exists rests with UTHSC and shall be satisfied only by clear and convincing evidence of record considered as a whole.

l. Record of the Hearing(s)

A verbatim record of the hearing or hearings will be taken and a copy will be made available to the faculty member without cost.

m. Report of the Special Committee

The Special Committee shall make a written report of its findings and conclusions to the Chancellor. The findings of fact and the decision will be based on the hearing record and/or the evidence in the record. The Chancellor and the faculty member will be notified of the decision in writing and will be given a copy of the record of the hearing. If the Special Committee concludes that adequate cause for termination has not been established by the evidence in the record, it will so report to the Chancellor. If the Special Committee concludes that adequate cause for administrative action has been established, but that an academic penalty less than termination would be more appropriate, it will so recommend with the supporting reasons to the Chancellor.

n. Decision of the Chancellor

If the Chancellor decides adequate cause for termination of tenure and employment has been established, he or she shall submit a written recommendation of termination to the Board of Trustees through the President. In addition, the Chancellor shall notify the Special Committee and the faculty member in writing.

o. Review by the President and the Board of Trustees

The Chancellor will transmit the hearing record and his recommendations to the President and the Board of Trustees. The Board of Trustees shall review a recommendation of termination for adequate cause on the record of the Special Committee hearing. The Board shall provide an opportunity for oral and written argument by the parties. The faculty member and UTHSC may be represented before the Board by legal counsel or other representative. If the Board concludes adequate cause has been established and that the faculty member's tenure and employment should be terminated, the Board shall set the effective date of termination. If the allegations are not upheld, full restitution of normal pay and other compensations lost during the termination or suspension will be made.

p. Imposition of a Lesser Sanction than Termination

If the Chancellor decides a lesser sanction should be imposed, he or she may impose the sanction. The faculty member may appeal the lesser sanction to the President.

6. Hearing under the Tennessee Uniform Administrative Procedures Act

a. Contested Case Procedures

If the faculty member makes a timely election to contest the charge(s) under the Tennessee Uniform Administrative Procedures Act (TUAPA), the Chancellor shall appoint a hearing examiner, and the matter shall proceed in accordance with the contested case procedures promulgated by the University under the TUAPA. The TUAPA contested case procedures are published in the Rules and Regulations of the State of Tennessee (<http://state.tn.us/sos/rules/1720/1720-01/1720-01-05.pdf>) and are available in the UTHSC Library and in the Office of the General Counsel.

b. Initial Order

In accordance with the TUAPA contested case procedures, upon completion of the hearing, the hearing examiner shall render an initial order, which either party may appeal to the Chancellor within ten (10) days. In addition, the Chancellor, on his or her own motion, may elect within ten (10) days to review the hearing officer's initial order.

c. Final Order

The hearing examiner's initial order shall become the final order unless review is sought by either party or the Chancellor within the ten-day period. If review is sought, the Chancellor shall review the initial order and issue a final order in accordance with applicable provisions of the TUAPA contested case procedures. The final order, whether rendered by the Chancellor or by virtue of neither party appealing the initial order, shall be the final decision on the charge(s) within The University.

d. Judicial Review

If the final order is unfavorable to the faculty member, he or she is entitled to judicial review of the final order in accordance with applicable provisions of the Tennessee Uniform Administrative Procedures Act. If the allegations are not upheld, full restitution of normal pay and other compensations lost during the termination or suspension will be made.

9.3.3 Expedited Procedure for Termination or Suspension Without Pay in Certain Cases of Misconduct⁴

In the following cases of alleged misconduct by a faculty member, the Chancellor, after consulting with the President of The University and the President of the Faculty Senate or the Faculty Senate Executive Committee, may invoke an expedited procedure to accomplish termination or

⁴ The procedures for termination of a tenured faculty member for adequate cause also apply to termination of a tenure track faculty member for adequate cause before the expiration of the annual term of appointment.

suspension without pay, with comprehensive due process procedures to be offered after termination or suspension without pay:

1. alleged misconduct involving:
 - i. acts or credible threats of harm to a person or University property; or
 - ii. theft or misappropriation of University funds, property, services, or other resources; or
2. indictment by a state or federal grand jury, or arrest and charge pursuant to state or federal criminal procedure, for:
 - i. a felony; or
 - ii. a non-felony directly related to the fitness of a faculty member to engage in teaching, research, service, or administration.

Under the expedited procedure, the faculty member shall be offered the following process before termination or suspension without pay: (a) notice of the charges; (b) an explanation of the evidence; and (c) an informal opportunity to refute the charges in a meeting with the UTHSC Chief Academic Officer. After termination or suspension without pay, the faculty member shall be offered the full range of due process options available to faculty members in other adequate cause proceedings. If the allegations are not upheld, full restitution of normal pay and other compensations lost during the termination or suspension will be made.

9.4 Disciplinary Sanctions Other than Termination for Adequate Cause

Disciplinary sanctions other than termination may be imposed against a faculty member for conduct within or outside the definition of *adequate cause*.

If the proposed sanction is suspension without pay for a definite term (no more than one year), the procedures applicable to termination shall be offered prior to suspension, except (a) suspension without pay for a definite term (no more than one year) may be imposed as a sanction by the Chancellor without review by the President and the Board of Trustees; and (b) the Chancellor may determine that the expedited procedure for suspension without pay is applicable to the conduct (Section 9.3.3).

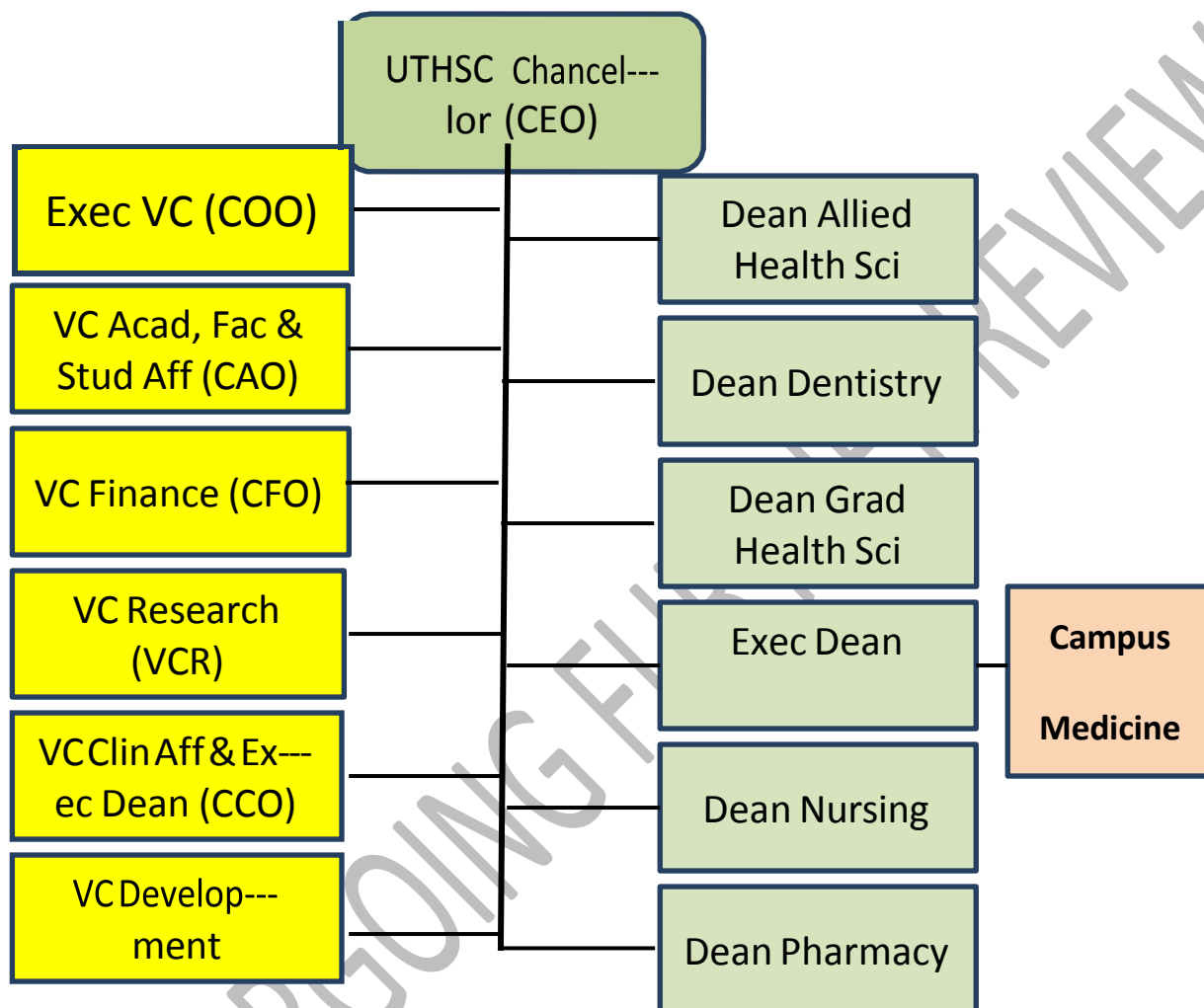
If the proposed sanction does not involve suspension without pay, the department chair shall make a recommendation to the dean, and the dean shall make a recommendation to the UTHSC Chief Academic Officer. The UTHSC Chief Academic Officer shall give the faculty member written notice of the proposed sanction and the supporting reason(s) and shall offer him or her an opportunity to respond both in writing and in person. The faculty member may appeal the proposed sanction through established appeal procedures of the Faculty Senate (Section 8.3), and the sanction shall be held in abeyance until conclusion of the appeal.

Appendix A - Organizational Charts

UT System Administration Table of Organization can be viewed at <http://president.tennessee.edu/docs/OrgChart021210.pdf>.

UTHSC Listing of Administrative units can be found at www.uthsc.edu/administration/.

An Organizational Chart for UTHSC is shown below.



Appendix B - Bylaws of UTHSC Faculty Senate

Revised September 14, 1993

Amended February 11, 1997

Amended April 13, 1999

Amended Nov 14, 2006

Article I. Name

The name of this organization is the Faculty Senate of The University of Tennessee Health Science Center (hereafter called *Faculty Senate*).

Article II. Purpose

The Faculty Senate exists to represent the faculty as its sole elected body and to provide a systematic means for faculty participation in the affairs of The University of Tennessee.

Article III. Members

Section 1. Membership Categories

The two categories of members are voting elected and nonvoting *ex officio*. *Ex officio* members are the President of The University of Tennessee; the Chancellor of the University of Tennessee Health Science Center; the Chief Academic and Student Affairs Officers or the equivalent; deans of all colleges or the equivalent; and presidents of the faculty organizations of the colleges or the equivalent.

Section 2. Eligibility for Membership

Faculty members with regular full-time, part-time, or emeritus appointments are eligible to be senators. The number of senators representing a department or the equivalent is based on the total number of faculty members with primary appointments in the department, excluding those with volunteer, affiliated, adjunct and emeritus appointments. Each department or the equivalent has one elected senator for every fifteen full-time faculty members or fraction thereof. In each department or the equivalent, the total number of full-time faculty members equals the number of regular part-time faculty members multiplied by the mean percentage effort of part-time faculty members in the relevant college or the equivalent plus the number of regular full-time faculty members.

Each college or the equivalent has at least eight elected senators. A college with fewer than eight departments or the equivalent elects the additional senators as members at large.

No more than one departmental chairperson may be elected from a college or the equivalent. Each college or the equivalent may elect one chairperson as an additional member at large.

Administrative faculty members above the level of chairperson are not eligible for election to the Faculty Senate.

Faculties at the Graduate School of Medicine, Knoxville and the Chattanooga unit each have two senators elected as members-at-large.

Faculty members of The University of Tennessee College of Social Work, Memphis Location have one senator elected as a member at large; this senator has all the rights and privileges of a voting member, except eligibility for election as an officer or a member of the Executive Committee.

Section 3. Election of Senators and Term of Office

Senators are elected at least one month prior to the annual business meeting of the Faculty Senate for a term of three years beginning at the regularly scheduled date of the annual business meeting of the Faculty Senate. A senator can serve no more than three consecutive terms. Each college must stagger elections so that no more than half its senators are elected annually.

Section 4. Penalties

A senator who is absent from three consecutive meetings without appointing a substitute may be removed from the Faculty Senate. For this purpose, a substitute is defined as a faculty member from that senator's electoral unit who actually attends the Faculty Senate meeting.

Section 5. Vacancies

In case of a vacancy in the Faculty Senate due to resignation, leave of absence, or other cause, the appropriate department or college faculty elects a successor to serve as senator for the unexpired term.

Section 6. Senators Outside Shelby County

Unless their presence is specifically requested, senators based outside Shelby County are not required to attend Senate meetings.

Article IV. Officers

Section 1. Titles and Responsibilities

The four officers of the Faculty Senate are the President, President-Elect, immediate Past President, and Secretary-Treasurer. Their responsibilities are as follows:

President

1. Presides at all meetings of the Faculty Senate.
2. Is the chief spokesperson and representative for the Faculty Senate and faculty of the University of Tennessee Health Science Center.
3. Serves as an *ex officio* member of all committees of the Faculty Senate.
4. Presents the annual report at the annual business meeting of the Faculty Senate.
5. Oversees the budget and, together with the Secretary-Treasurer, may authorize expenditures.

President-Elect

1. Acts as President in the absence of the President.
2. Prepares the budget of the Faculty Senate for the succeeding year.
3. Maintains current copies of the bylaws and procedures manual.
4. Presides over meetings of the Executive Committee when the Executive Committee deals with grievances.

Past President

1. Serves as an advisor to the President and the Executive Committee.

Secretary-Treasurer

1. Prepares and distributes meeting notices and agendas for Executive Committee and Faculty Senate meetings.
2. Prepares, distributes, and maintains the minutes of all actions taken by the Faculty Senate and the Executive Committee.
3. Prepares the annual report and other reports as appropriate.
4. Maintains current lists of senators and committee members.
5. Together with the President, may authorize expenditures.
6. Assists the President-Elect in preparing the succeeding year's budget.
7. Records attendance at Executive Committee and Faculty Senate meetings.
8. Distributes updated copies of the bylaws or procedures manual to the senators whenever appropriate.

Section 2. Nomination, Election, and Term of Office

Candidates for President-Elect and Secretary-Treasurer are nominated by the Executive Committee of the Faculty Senate approximately one month prior to the annual business meeting of the

Faculty Senate. The slate of candidates is submitted to all faculty senators at least ten days before the election. Nominations are also accepted from the floor prior to the election. Officers are elected by majority vote in a secret ballot at the annual business meeting of the Faculty Senate. Term of office for the four officers is for one year from the annual business meeting of the Faculty Senate.

Section 3. Restrictions on Holding Office

The President and President-Elect cannot be from the same college. For this purpose, faculty members in the basic science departments and in the clinical medicine departments of the College of Medicine are regarded as being in separate colleges.

Section 4. Vacancies

If the office of President becomes vacant, the President-Elect fills this vacancy. If the office of President-Elect becomes vacant for this or other cause, the Executive Committee nominates replacement candidates, and an election is held at the next meeting of the Faculty Senate. If the office of Secretary-Treasurer becomes vacant, the Executive Committee appoints a replacement to serve as acting Secretary-Treasurer until confirmation as Secretary-Treasurer by the Faculty Senate. Only elected Senators or current officeholders can be elected or appointed to office.

Article V. Meetings

Section 1. Regular Meetings and Annual Business Meeting

The Faculty Senate holds a business meeting for the election of officers and at least five regular meetings annually.

Section 2. Special Meetings

Special meetings of the Faculty Senate are called by the President or Executive Committee or by written request of ten senators. A minimum notice of three days must be given for a special meeting except in an emergency. The purpose of the meeting must be stated in the call, and the meeting must be limited to the stated purpose.

Section 3. Voting and Quorum

Voting at meetings of the Faculty Senate is by electronic keypad, show of hands or voice unless the majority present requests a vote by secret ballot. All elections are conducted by secret ballot via electronic keypad. A quorum comprises twenty elected members of the Faculty Senate. If a senator cannot attend a meeting, the chosen substitute has all the rights, powers, and privileges of the absentee member, including voting rights.

Article VI. Executive Committee

Section 1. Members

The Executive Committee is comprised of the elected officers of the Faculty Senate and at least one representative from each of the colleges or the equivalent. Faculty members who hold an administrative position at or above the level of division chief/department chair are ineligible to serve as an executive committee member. A college or the equivalent with more than fifteen departments elects a representative for each fifteen departments or fraction thereof. The President of the Faculty Senate serves as the chairperson. The President of The University of Tennessee and the Chancellor of the University of Tennessee Health Science Center are *ex officio* members.

Section 2. Responsibilities

The Executive Committee nominates officers for the annual elections of the Faculty Senate, recommends and reviews assignments to standing committees with the consent of the Faculty Senate, and establishes special committees. It represents the Faculty Senate in meetings with the administration and other campus and off-campus groups and handles emergency and interim busi-

ness between Faculty Senate meetings. Specific responsibilities of the Executive Committee are as follows:

1. Faculty Senate bylaws, goals, committee assignments, and reports.
2. Faculty Senate liaison to the administration.
3. Interaction with the state legislature and lobbyists.
4. *Faculty Handbook* of The University of Tennessee Health Science Center.
5. Faculty grievances. (Counsels, arbitrates, or intercedes on behalf of faculty members, as described in the *Faculty Handbook*.)
6. Assistance in recruiting and screening administrators for campus or system appointments. (Lends its counsel to the development of criteria and procedures for recruiting and screening candidates and assists in the selection of its faculty representatives on search committees.)

Section 3. Election and Term of Office

Each Executive Committee member representing a college or the equivalent is elected for a term of one year at a meeting of the faculty senators who represent the pertinent college or the equivalent. This election should be held during the month preceding the annual election of Faculty Senate officers.

Section 4. Vacancies

Vacancies on the Executive Committee occurring during the term of office are filled for the unexpired portion of the term by election at a meeting of the faculty senators who represent the pertinent college or the equivalent.

Article VII. Committees

Section 1. Standing Committees

The Executive Committee of the Faculty Senate appoints the members of the standing committees for confirmation at a regularly scheduled meeting of the Faculty Senate. All members of the standing committees are elected faculty senators.

Section 2. Special Committees

The Executive Committee appoints special committees when the need arises.

Article VIII. University of Tennessee System Faculty Council Representation

There shall be a representative of the UTHSC campus faculties elected by the Faculty Senate to serve a three-year term on the University of Tennessee System Faculty Council (UTFC). The representative must be a full-time tenured faculty member and cannot hold an administrative position at or above the level of division chief/department chair. The representative's term of office begins on July 1 following his or her election. The representative will attend and report on the meetings of the University Faculty Council to the Faculty Senate Executive Committee and the Faculty Senate. If for any reason a representative is not able to complete his or her term, the Faculty Senate Executive Committee shall appoint an individual to complete the remainder of the current three-year term.

Article IX. Parliamentary Authority

Section 1. Parliamentarian

A Parliamentarian is appointed annually by the President and approved by the Faculty Senate.

Section 2. Reference for Rules of Order

The rules contained in the current edition of *Robert's Rules of Order Newly Revised* govern the Faculty Senate in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Faculty Senate may adopt.

Article X. Amendment of Bylaws

These bylaws may be amended by a vote of two-thirds of the elected members of the Faculty Senate present at any regular or special meeting. Proposed amendments must be distributed in writing to the faculty senators at least ten days in advance of the meeting.

Enabling Resolution

The enabling resolution for the Faculty Senate of the [University of Tennessee Health Science Center] was passed by the Board of Trustees of The University of Tennessee in September 1971. This enabling resolution represents the constituting document under which the Faculty Senate was established and currently operates.

RESOLUTION

FACULTY SENATE OF THE [UNIVERSITY OF TENNESSEE HEALTH SCIENCE CENTER]

Whereas the separate Faculties of [The University of Tennessee Health Science Center] have exercised through faculty meetings and committees of the several colleges certain functions related to the development of the educational policies of the University;

Whereas these functions can be more effectively performed through a smaller, more formally organized group than the Faculty as a whole; and

Whereas a need exists for more effective channels through which the Administration may seek the counsel and judgment of the Faculty about matters of concern to the University;

It is therefore resolved that a Faculty Senate of the [University of Tennessee Health Science Center] be organized, subject to the following stipulations:

1. That the Senate operate in accordance with the bylaws which are hereby approved;
2. That the Senate include authorized administrative officers of The University of Tennessee Health Science Center and of its various academic divisions;
3. That the Senate include elected representatives from each academic division, to be elected in such numbers and by such means as are set forth in the Bylaws.
4. That the Senate may consider any subject pertaining to interests of the [University of Tennessee Health Science Center] and make recommendations to the Chancellor and the Board of Trustees in regard thereto. Decisions of the Senate with respect to matters within its jurisdiction shall constitute the binding action of the [UTHSC] faculties. Jurisdiction over academic policies shall reside in the faculties of the several schools and colleges; but, insofar as actions by these several faculties affect [UTHSC] policy as a whole, or schools or colleges other than the one in which they originate, they shall be brought before the Senate.
5. That the Senate shall elect annually a Committee on Committees which shall make nominations for elective members of such educational committees as the bylaws may provide and such other committees as the Senate may authorize, and that following such nominations the Senate shall elect such committees;
6. That the Senate shall have no management or administrative functions either in itself or through its committees, administrative matters being expressly reserved to the Chancellor of the [UTHSC] and the President of the University, as delegated by the Board of Trustees;
7. That a copy of this resolution be appended to the Bylaws, and be considered a part of the constituting document of the Faculty Senate of [UTHSC].

Appendix C - Statement of Policy on Misconduct in Research and Service

http://www.tennessee.edu/system/academicaffairs/docs/Misconduct_Research_Service_2005.pdf

Appendix D - General Policies on Conflict of Interests

https://my.tennessee.edu/portal/page?_pageid=34,140536&_dad=portal&_schema=PORTAL&p_policy=FI0125

Appendix E - General Policies on Compensated Outside Services

<http://www.tennessee.edu/system/academicaffairs/docs/CompOutsideServ.pdf>

Appendix F - Guidelines for Compliance with FERPA, Family Education Rights and Privacy Act

The Family Educational Rights and Privacy Act ("FERPA") is a federal law that protects the privacy of information contained in students' education records. FERPA restricts the release of information contained in students' education records and access to those records. Unauthorized disclosure of information from students' education records or unauthorized access to that information is a form of misconduct.

Definitions

An "education record" is a record that is directly related to a student and is maintained by the University of Tennessee (or a party acting on the University's behalf). An education record can exist in any medium (e.g., e-mail, typewritten, handwritten, audiotape). Education records do not include "sole possession records," which are records kept in the sole possession of the maker, used as a personal memory aid, and not revealed to others (e.g., a faculty member's notes). Education records also do not include employment records, unless employment is conditional upon the individual being a student (e.g., graduate assistants' employment records are education records protected by FERPA).

A "student" is any person who is or has been in attendance at the University. For purposes of FERPA, a person becomes a student when the student has been admitted to the University and attends classes (either on-campus or via distance learning). FERPA does not apply to records containing information created after the person is no longer a student if the information is not directly related to the individual's attendance as a student.

"Written consent" means a printed document, voluntarily signed and dated by the student, that specifies the records to be disclosed, the purpose of the disclosure, and the party to whom the disclosure may be made.

"Directory information" is limited to a student's name, e-mail address (university-supplied), college, major field of study, participation in officially recognized activities and student organizations, dates of attendance, classification, degrees and awards received, most recent previous educational institution attended, current enrollment status and electronic thesis and dissertation(s) (ETD). A student's social security number is not directory information.

A "University Official" is a person employed by the University in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); contractors, consultants, volunteers and other outside parties to whom the institution has outsourced institutional services or functions instead of using University employees or officials (such as an attorney, auditor, alumni foundation or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her task.

"Legitimate Educational Interest" does not include simply having a curiosity about the academic record or disciplinary proceedings with regard to a student without some legitimate academic reason. Thus, all records of all students are not open to all faculty or staff at the University. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his/her professional responsibilities for the University. Upon request, the University also discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

Annual Notice to Students

The University of Tennessee Health Science Center provides bi-annual notification to staff and students about student rights with respect to education records. There are three primary rights at stake in FERPA:

- 1) Access. The first category deals with situations where the student has requested access to their own records. Although it seems obvious that they have a right to their own information it's not always so cut and dried-such as when the record deals with another student's protected information.
- 2) Amendment. Under certain circumstances, the student has the right to seek a change to his or her academic records.
- 3) Disclosure. This part of the statute addresses how officials should handle third-party requests - for example, from a financial aid provider, such as the Veteran's Administration, or another school official, such as a professor.

FERPA Annual Notice to Reflect Possible Federal and State Data Collection and Use

As of January 3, 2012, the U.S. Department of Education's FERPA regulations expand the circumstances under which student education records and personally identifiable information (PII) contained in such records - including a students' Social Security Number, grades, or other private information - may be accessed without student consent. First, the U.S. Comptroller Gen-

eral, the U.S. Attorney General, the U.S. Secretary of Education, or state and local education authorities ("Federal and State Authorities") may allow access to student records and PII without consent to any third party designated by a Federal or State Authority to evaluate a federal - or state-supported education program. The evaluation may relate to any program that is principally well as any program that is administered by an education agency or institution. Second, Federal and State Authorities may allow access to a student's education records and PII without their consent to researchers performing certain types of studies, in certain cases even when we object to or do not request such research. Federal and State Authorities must obtain certain use-restriction and data security promises from the entities that they authorize to receive your PII, but the Authorities Longitudinal Data Systems, State Authorities may collect, and they may track your participation in education and other programs by linking such PII to other personal information about you that they obtain from other Federal or State data sources, including workforce development, unemployment insurance, child welfare, juvenile justice, military service, and migrant student records systems.

Release of Student Information

The University of Tennessee shall not disclose information contained in a student's education records to a third party without the student's written consent, except under certain limited conditions. Highly sensitive information includes students' social security numbers, race, ethnicity, gender, nationality, academic performance, disciplinary records, and grades.

When a student reaches the age of 18 or begins attending the University (regardless of age), FERPA rights transfer from the parent to the student. Accordingly, parents, spouses, and other family members do not have a right to receive information from a student's education records without the student's written consent. Faculty members should refer all inquiries from parents or other family members to the Office of the Registrar, who will obtain or confirm the existence of a valid written consent from the student to release information to the parent or other family member. Faculty members should also encourage family members to speak with the student directly.

The University may disclose information contained in a student's education records without the student's consent to University officials with "legitimate educational interests." A University official has a legitimate educational interest if the official needs to review a student's education record in order to fulfill his or her professional responsibilities to the University. Faculty members who request another University employee to release information from a student's education records shall demonstrate a legitimate educational interest in accessing the information (e.g., to fulfill the duties of an academic advisor). Access to education records shall not be used for any other purpose (e.g., casual conversations among faculty members about students' grades or other information in students' education records).

The University may disclose a student's "directory information" to a third party unless the student has chosen to restrict the disclosure of directory information by completing a form in the Office of the Registrar.

Requests for information from a student's education records from anyone other than the student or a University official with a legitimate educational interest should be directed to the Office of the Registrar.

FERPA and Grades

FERPA prohibits faculty members from publicly posting grades by a student's name, a student's ID number, a student's social security number (even the last 4 digits), or any other information that would personally identify the student, without a student's written consent. This includes posting on websites, bulletin boards, or office doors. A faculty member may post grades by using randomly assigned numbers known only by the faculty member and the individual student as long as the grades are not listed in alphabetical order.

Mailing grades to students is only acceptable if the grades are enclosed in a sealed envelope. Grades shall not be mailed via postcards.

When returning students' tests or papers, faculty members shall use a system designed to prevent the release of a student's information to another student. Faculty members shall not leave students' tests or papers where third parties can view the tests or papers (e.g., leaving tests in a stack for students to sort through).

E-Mail

E-mail is an official means of University communication. FERPA does not prohibit the use of e-mail for transmitting FERPA-protected information to a student or authorized third-party. However, like information disclosed over the telephone or via U.S. mail, information disclosed via e-mail can be inadvertently be disclosed to someone other than the intended recipient. The University would be held responsible for an inadvertent disclosure.

Faculty members should use e-mail with the amount of caution appropriate to (1) the level of sensitivity of the information being disclosed, (2) the likelihood of inadvertent disclosure to someone other than the intended recipient, and (3) the consequences of inadvertent disclosure to someone other than intended recipient.

As a general rule, e-mail should contain the least amount of FERPA-protected information as possible. The subject line of an e-mail should not include FERPA-protected information. The body of an e-mail should not contain highly sensitive FERPA-protected information, such as a student's social security number.

When using e-mail, faculty members should use their official University e-mail account to transmit FERPA-protected information to students. When sending e-mails, faculty members should send e-mails to students' official University e-mail addresses.

Letters of Recommendation

Written consent of the student is required before a faculty member writes a letter of recommendation for the student if any information included in the letter comes from the student's education records (grades, GPA, etc.).

Letters of recommendation that are based solely on a faculty member's personal knowledge or observation do not require the written consent of the student.

If a letter of recommendation is kept on file by the person writing the recommendation, then it becomes a part of the student's education record, and the student has the right under FERPA to read the letter unless the student specifically waived that right.

Emergencies

If the University determines that there is an articulable and significant threat to the health or safety of an individual, the institution may disclose information from education records "to any person whose knowledge of the information is necessary to protect the health or safety" of the individual. The Vice Chancellor for Academic, Faculty, and Student Affairs shall make this determination.

The Right to File a Complaint

Students have a right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901

For questions about FERPA, please contact the Office of the Registrar or the Office of the General Counsel. Additional information may be obtained at <http://www.uthsc.edu/registrar/documents/FERPA-FacultyAndStaff-Notice.pdf> or www.aacrao.org.

Appendix G - Honor Code of The University of Tennessee Health Science Center

See <http://www.uthsc.edu/centerscope/>.

Appendix H - Financial Exigency Policies and Procedures

The policy and procedures on financial exigency was approved by The University of Tennessee Board of Trustees on July 19, 1980.

Definition

Financial exigency is the formal recognition by the Board of Trustees of The University of Tennessee that the budget for the University of Tennessee Health Science Center can only be balanced by extraordinary means, including the termination of existing and continuing academic and non-academic appointments.

Determination of Financial Exigency

Early indications that adverse financial conditions may face UTHSC should be reported to the UTHSC community as soon as possible.

Financial exigency is a circumstance, the existence of which is declared only after careful consideration and wide consultation. When a situation of financial exigency is thought to exist or to be imminent, the Chancellor of UTHSC presents at a meeting of the Faculty Senate documentation for the necessity of a declaration of financial exigency. After discussion with the Faculty Senate and with whomever else the Chancellor deems it necessary and desirable to consult, if the Chancellor remains convinced that a financial exigency is imminent, he or she shall present the documentation to a meeting of the full faculty for review and discussion. If a formal declaration is determined to be necessary, all pertinent documentation will be submitted by the Chancellor to the President of The University for review by the appropriate University officials. The President, following confirmation of the need for a formal declaration of financial exigency, will recommend to the Board of Trustees that a state of financial exigency officially be declared for UTHSC.

Procedures Following the Declaration of Financial Exigency

After the Board of Trustees has officially declared a state of financial exigency, the UTHSC Administration shall take appropriate action with the active participation of the Financial Exigency Committee.

Financial exigency procedures shall be recommended by a Financial Exigency Committee of 17 voting members: 10 faculty members with the rank of associate or full professor, elected by the faculty (five from the College of Medicine, two from the College of Dentistry, and one each from the College of Pharmacy, College of Nursing, and College of Allied Health); one faculty member elected by the faculty of the Health Sciences Library and Education Center and other interdisciplinary programs; the President of the Faculty Senate; the President of the Student Government Association; one representative from the UTHSC Employee Relations Council; the UTHSC Chief Academic Officer; Vice Chancellor for Business and Finance, and the Vice Chancellor for Research. The academic deans shall serve as *ex officio* nonvoting members. The committee will elect its own chair who retains voting privileges.

The committee shall be convened initially by the Chancellor and shall report its recommendations to the Chancellor.

The committee shall develop and recommend a general plan of reduction. Specific plans of reduction for each unit of UTHSC shall then be developed through the normal budget-making channels consistent with the general plan.

Guidelines for the Financial Exigency Committee

Paramount importance shall be given to preserving the institution's capability to meet its goals. The Financial Exigency Committee should include, but not be limited to, the following guidelines in its deliberations.

1. All units of UTHSC, academic and non-academic, shall be considered.
2. The committee or one of its subcommittees shall consult with heads of budgetary units before issuing recommendations concerning those units.
3. Reduction need not be uniform throughout UTHSC. Some services or programs may be eliminated completely. However, some reductions may be applied on a UTHSC-wide basis.
4. Non-academic reductions will be favored over academic ones whenever possible.
5. Reduction in operating budgets will be favored over reductions in personnel budgets.
6. If recommendations for personnel reductions are deemed necessary, the committee will establish guideline standards including considerations of the following:
 - a. workload (appropriate to the discipline) per faculty member;
 - b. ratios between faculty and administrative personnel; and
 - c. ratios between nonexempt and exempt staff.

Guidelines for Developing Specific Plans of Reduction in the Event of Financial Exigency

Each unit of UTHSC has the responsibility to develop a specific plan to allow that unit to comply with the overall plan of reduction for UTHSC and to recommend specific budget cuts for itself through the normal budget-making channels. Large units should develop a committee for this purpose. The unit head will make recommendations after discussions with the members of the unit.

In developing specific plans in non-academic units, heads of units will consult with members of the unit and will be responsible for making recommendations to the Financial Exigency Committee.

Each academic unit (e.g., departments) will consider its reduction plan by meeting as a committee of the whole, chaired by the chair, to make recommendations to its dean, who in turn will make recommendations to the Financial Exigency Committee. The academic unit chair will note when there are substantial differences of agreement about his or her recommendations.

Specific plans will follow the guidelines recommended by the Financial Exigency Committee and approved by the Chancellor.

Specific plans for reduction may include, but are not limited to, such alternatives to personnel terminations as:

1. Cutbacks in operating budgets, e.g., supplies and equipment;
2. Voluntary early retirements;
3. Voluntary transfers to other units (with approval of the receiving units);
4. Voluntary temporary leaves without salary;
5. Voluntary reductions in salary;
6. Projects to attract additional students;
7. Outside funding;
8. Modification of teaching loads;
9. Voluntary teaching overloads without additional salary;
10. Elimination of released time; and
11. Voluntary changes in appointment types and work schedules by exempt and nonexempt staff.

Specific unit plans should include a determination of the minimum staff and budget necessary for the continued operation of those programs which are deemed viable. The plan should include a determination of the minimum number of staff reductions necessary to meet the general reduction plan. The plan shall set forth by category the savings to be achieved by the plan.

Guidelines for Recommendations for Terminations of Personnel

The Financial Exigency Committee will review specific plans submitted, reconcile differences, and reach a conclusion about the number of terminations, if any, necessary in each unit and will report its recommendations to the Chancellor.

Selections of specific persons to be terminated shall in general follow the considerations below. Highest priority shall be given to retaining persons necessary to maintain essential programs, both academic and non-academic. Attention will be given to the possibility of temporarily merging or eliminating certain administrative positions. When the issue of maintaining an essential program is not at stake, then the following guidelines are proposed.

1. Full-time employees will be retained in preference to part-time ones.
2. Individuals with regular appointments will be retained in preference to term, multiple-year contract, or probationary ones.
3. Tenured faculty members will be retained in preference to non-tenured ones.
4. Among tenured faculty members, those of higher rank will be retained in preference to those of lower rank. Within rank, seniority will be considered.
5. In determining retention of non-tenured faculty members, appropriate weight shall be given to seniority and to performance.
6. Among exempt and nonexempt staff, the same seniority and performance rules shall apply as in 5, above.

Faculty or staff members for whom termination has been recommended by the plan of the unit shall have an opportunity to appeal to their unit (or its committee). A written summary will be kept of all such proceedings.

Variations from the above guidelines regarding tenure, rank, or seniority are allowed if the head of the unit involved and the Financial Exigency Committee agree that the termination of a particular person or the loss of that person's specific expertise would:

1. adversely affect the continuance of that unit's effectiveness;
2. undermine the institution's capability to meet its goals; or
3. unduly affect the institution's Affirmative Action Plan.

Notification

Written notification of termination will be sent by the Chancellor. In all cases of termination of appointment because of financial exigency, every effort shall be made to give notice not less than that prescribed by standard personnel procedures and procedures presented in the Faculty Handbook. Any person receiving a termination notice may request and receive from the Chancellor a written statement outlining the reasons for termination and the basis of his or her selection for termination.

Appeal

No member of the Financial Exigency Committee or other group which recommends specific terminations shall subsequently serve on a hearing committee dealing with the appeal of a faculty or staff member receiving a notice of termination.

A Faculty Hearing Committee shall consist of the President-Elect of the Faculty Senate, the appropriate associate dean for academic affairs, and five faculty members elected by the Faculty Senate. The President-Elect of the Faculty Senate shall be the chair of this committee.

A Staff Hearing Committee shall consist of the UTHSC Chief Academic Officer, the appropriate department or unit head, and five staff members elected to the committee by the Employee Relations Committee or the Exempt Employee Council wherever appropriate. The UTHSC Chief Academic Officer shall be the chair of this committee.

Any faculty or staff member receiving a notice of termination has the right to appeal the termination. The Hearing Committee shall insure a prompt and expeditious hearing that is fair and unbiased, although procedural requirements of formal adjudication shall not be required.

The Hearing Committee shall evaluate whether established procedures were followed and appropriate criteria applied in arriving at the decision to terminate. The Hearing Committee shall not review the decision concerning the declaration of financial exigency or the decisions allocating necessary funding reductions. A recommendation will be sent from the Hearing Committee to the Chancellor to uphold or reverse the action of termination, and the Chancellor shall announce a final decision. Further appeal can be made to the Board of Trustees.

Continuing Rights of Persons Terminated

No academic vacancy caused by a termination due to financial exigency shall be filled for a period of three years from the time of the notice of termination without first offering the position to the person terminated. Recall of non-academic employees is to be governed by the university policy on "Restoration of Force" as set forth in The University of Tennessee Personnel Policies and in effect at the time of issuance of the formal declaration of financial exigency. UTHSC shall make every reasonable effort to assist persons in finding other employment.

Appendix I - UTHSC Procedures for Academic Program Discontinuance

The University of Tennessee has developed a system-wide Procedural Framework for Academic Program Discontinuance. Procedures for program discontinuance are those described in the Board of Trustees approved document below, (<http://bot.tennessee.edu/docs/AcademicProgDisc.pdf>).

The University of Tennessee Procedural Framework for Academic Program Discontinuance

Purpose and Application

This procedural framework sets out the minimum procedures to be followed by any campus or institute proposing discontinuance of an academic program. For this purpose, a program includes any academic unit or discipline identified by the National Center for Education Statistics Classification of Instructional Programs (CIP codes) and any unit with a unique and identifiable function within such an academic unit or discipline. The latter includes units with such unique specializations that the faculty would not normally cross from that unit to another within the larger academic unit or discipline. A program is not limited to degree-granting programs and may include non-instructional units such as laboratories and research programs. In any case an academic program or function must serve as an entity for which there may be an expectation for an evaluation of the entity's function and performance as a whole, separate and distinct from the annual evaluation(s) of the member(s) of the entity.

Guiding Principles

Academic program discontinuance is a natural and essential component of effective functioning of the University. Decisions about program discontinuance should be made only after careful review of the mission and effectiveness of the program as compared with the needs and goals of the campus/institute, the University, and the State. These difficult decisions require a frank examination of relevant information and appropriate consultation with faculty.

The Bylaws of the Board of Trustees require that the Board approve the termination of academic programs upon the recommendation of the Academic Affairs and Student Success Committee.

When program discontinuance may impact tenured faculty, Board policy specifically requires

that "termination of tenured faculty may take place only after consultation with the faculty through appropriate committees of the department, the college, and the Faculty Senate."

The Board will consider a proposal for discontinuance of an academic program only after the campus/institute has followed Board-approved campus/institute procedures and has provided the Board with appropriate documentation described in this procedural framework.

Campus/Institute Procedures

Each campus/institute must develop its own procedures for accomplishing the required consultation with faculty when discontinuance of an academic program may result in termination of tenured faculty. Campus/institute procedures must be consistent with the procedural framework outlined below and must be approved by the Board.

Timeframe

Recommendations to discontinue academic programs typically will be considered by the Board of Trustees at the Annual Meeting in June of each year. The procedures outlined in this framework for incorporation in campus/institute procedures should be implemented in a deliberate but timely manner facilitating presentation of proposals at the Annual Meeting. As a general rule, the procedures should be completed within four months.

Procedural Framework

- I. The campus/institute Chief Academic Officer is responsible for overseeing academic program discontinuance procedures. When discontinuance of a program is proposed, the Chief Academic Officer shall collect appropriate documentation related to the proposal. The Chief Academic Officer shall consult with the Chancellor/Vice President before initiating program discontinuance procedures. The Chief Academic Officer shall also consult with the Faculty Senate President, one other faculty representative designated by the Faculty Senate, and a student representative. The Chief Academic Officer shall continue to consult with the Faculty Senate President, the designated faculty representative, and the student representative throughout the faculty consultation process.
 - A. The proposal and related documentation should address the following factors, at a minimum, or explain why a factor is not applicable:
 1. Overview of the program including any corresponding degree, the mission and stated objectives of the program, and information regarding the faculty assigned to the program ;;
 2. Contribution to the core mission of the campus and University as a whole and general educational value;;
 3. Contribution to accreditation;;

4. Relevance to retention, progression, and graduation of students;;
5. Impact of research, scholarship, and creative activity by program faculty;;
6. Demand within the state and nationwide for graduates of the program and evidence of success in preparing graduates for employment;;
7. Impact of program on external community in the area or across the state;;
8. National or international reputation of the program;;
9. Program uniqueness or possible duplication or competition with other educational programs within the UT system, the Board of Regents system, or other higher education systems;;
10. Costs (financial and otherwise) associated with the program as compared to these factors as well as projected financial savings and timetable for realization of any projected savings;;
11. Impact of program discontinuance on currently enrolled students;;
12. Impact of program discontinuance on faculty and staff;;
13. Feasibility of various opportunities to minimize impact of program discontinuance on the external community, currently enrolled students, faculty, and staff;; and
14. Results of a due diligence review to determine if discontinuance of the program will impact any contractual or other third-party commitments concerning the program. In conducting this review, the Chief Academic Officer shall consult with all appropriate campus/institute and system offices (e.g., business offices, research offices, Treasurer's Office, General Counsel's Office).

The proposal and related documentation shall be presented at each step of the faculty consultation process described below and shall be supplemented with any new information added at any step.

- B. After consulting with the Chancellor/Vice President, the Chief Academic Officer shall meet with the appropriate Dean and the program faculty to discuss the proposal for program discontinuance. Program faculty should provide (either before or after this meeting) further information supporting either continuation of the program or discontinuance of the program. For example, the faculty might provide details about the program's contribution to the campus mission or suggest reorganization or other ways to maintain the program.
- C. If either the Chief Academic Officer or the Dean then recommends further consideration of program discontinuance, the program faculty shall be given an opportunity to object in writing to the proposed discontinuance. The Chief Academic Officer shall then convene and consult with an appropriate committee of faculty from the affected college.
- D. If either the Chief Academic Officer or the Dean then recommends further consideration of the proposal for program discontinuance, the Chief Academic Officer shall consult with an appropriate committee of the Faculty Senate.

- E. If either the Chief Academic Officer or the Dean then recommends further consideration of the proposal for program discontinuance, the Chief Academic Officer shall make arrangements for a period of public notice preceding a public forum - electronic or otherwise - through which community constituents can present relevant information, raise questions, or express concerns about discontinuance of the program.
- F. After completing the consultation outlined above, the Chief Academic Officer shall make a written report to the Chancellor/Vice President summarizing the input of the program faculty, the appropriate college committee, the appropriate Faculty Senate committee, the Dean, and the community. Attaching all documentation gathered in this process, the Chief Academic Officer shall recommend to the Chancellor/Vice President whether to forward the proposal for program discontinuance to the President.
- G. After reviewing the Chief Academic Officer's recommendation and the related documentation, the Chancellor/Vice President shall decide whether to submit the proposal for program discontinuance to the President. If so, the Chancellor/Vice President shall submit the proposal and the supporting documentation to the President through the Vice President for Academic Affairs.
- II. . The Vice President for Academic Affairs shall review the proposal for program discontinuance and then provide it to the Vice President and General Counsel for review. The Vice President for Academic Affairs shall then forward the proposal to the President, together with his/her own recommendation and any recommendation of the Vice President and General Counsel.
- III. After consulting with the Vice President for Academic Affairs and the Vice President and General Counsel, the President shall decide whether to submit the proposal for program discontinuance to the Board of Trustees. If so, the President shall submit the proposal and related documentation to the Board through the Academic Affairs and Student Success Committee.
- IV. If the Board of Trustees approves the program discontinuance, and if the program discontinuance may result in termination of tenured faculty, the campus Chief Academic Officer shall consult with the Vice President for Academic Affairs and the Vice President and General Counsel to ensure compliance with all notice requirements and other requirements of Board policy and the Faculty Handbook, including the following specific requirements of Board policy:
1. "[C]ampus administration shall attempt to place each displaced tenured faculty member in another suitable position. This does not require that a faculty member be placed in a position for which he or she is not qualified, that a new position be created where no need exists, or that a faculty member (tenured or non--tenured) in another department be terminated in order to provide a vacancy for a displaced tenured faculty member."⁵

2. "The position of any tenured faculty member displaced because of . . . academic program discontinuance shall not be filled within three years, unless the displaced faculty member has been offered reinstatement and a reasonable time in which to accept or decline the offer."⁶

¹ University of Tennessee Board of Trustees Bylaws, Article III, Section 7(a)(6). ² Board of Trustees Policy Governing Academic Freedom, Responsibility and Tenure, Section H(1)(b) at p. 11. ³ Campus/institute procedures must be submitted to the Vice President for Academic Affairs for review and approval before being presented to the Board through the Academic Affairs and Student Success Committee.

Board of Trustees Policy Governing Academic Freedom, Responsibility and Tenure H(1) at pp. 11--12.

APPENDIX J - LINKS TO BOARD OF TRUSTEES POLICIES

Board of Trustees Policies Governing Academic Freedom, Responsibility, and Tenure

Contents

- [Academic Freedom & Responsibility of the Faculty Member](#)
- [Academic Freedom & Responsibility of The University Administration](#)
- [Definition of Tenure](#)
- [Eligibility for Tenure Consideration](#)
- [Probationary Period](#)
- [Criteria for Tenure](#)
- [Procedures for Consideration & Grant of Tenure](#)
- [Locus of Tenure](#)
- [Evaluation of Tenured Faculty Members](#)
- [Termination of Tenure](#)
- [Disciplinary Sanctions Other than Termination for Adequate Cause](#)
- [Appendix A--Procedures for Consideration & Grant of Tenure](#)
 - [Tenured Faculty's Recommendation](#)
 - [Department Head's Recommendation](#)

Dean's Recommendation

Chief Academic Officer's Recommendation

Chancellor's Recommendation

President's Recommendation

Action by the Board of Trustees

- Appendix B--Termination Procedures for Category A Adequate Cause: Unsatisfactory Performance in Teaching, Research, or Service

Preliminary Steps

Chancellor's Decision to Initiate Termination Proceedings

Suspension With Pay or Reassignment Pending Completion of Termination Proceedings

Failure to Contest

Hearing Under TUAPA

Hearing Before a Tribunal

Chancellor's Recommendation on Termination

Review by the Board of Trustees

- Appendix C--Termination Procedures for Category B Adequate Cause: Misconduct

Preliminary Steps

Chancellor's Decision to Initiate Termination Proceedings

Suspension or Reassignment Pending Completion of Termination Proceedings

Failure to Contest

Waiver of Hearing Under TUAPA

Hearing Under TUAPA

Expedited Procedure for Termination or Suspension Without Pay in Certain Cases of Misconduct

- Appendix D--Expedited Procedures for Considering and Granting Tenure by UT Board of Trustees

- Appendix E--Exception to Policy Requiring Full-Time Status for Eligibility for Tenure

- [Members](#)
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- [Minutes](#)
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APPENDIX K - FORMS AND CHECKLISTS

UNDERGOING FURTHER REVIEW

Appendix K: Form 1 - Summary of Annual Performance and Planning Review of Faculty

Form 1 University of Tennessee Health Science Center

Summary of ANNUAL PERFORMANCE AND PLANNING REVIEW of Faculty
For the academic year ending June 30th

Name: _____ Rank: _____

Department: _____ Full-time: _____ % Part-time: _____ %

College: _____ Circle the appropriate designation:

Tenured Tenure Track Non-tenure Track

- Date of interview between Chair and Faculty Member: _____
- Is the Chair's (or responsible supervisor's) narrative summary, based upon the goals and expectations agreed upon for the current evaluation period attached? Yes ___ No ___
Does the narrative include a statement of progress toward tenure consideration, if the faculty member is on tenure-track? Yes ___ No ___ N/A ___ N/A ___
If required, is the Improvement Plan attached to the narrative summary? Yes ___ No ___
Are the agreed upon goals and expectations for the next evaluation period attached? Yes ___ No ___

Has the Chair reviewed the faculty member's completed Outside Interests Disclosure form? Yes No

- Chair's interview summary and evaluation was provided to the faculty member on _____.

- Is faculty member's optional response to the Chair's evaluation attached? Yes ___ No ___ N/A ___

- Overall performance rating:

Rating	Faculty Member	Chair
OUTSTANDING FOR RANK	_____	_____
EXCEEDS EXPECTATIONS FOR RANK	_____	_____
MEETS EXPECTATIONS FOR RANK	_____	_____
NEEDS IMPROVEMENT FOR RANK*	_____	_____
UNSATISFACTORY FOR RANK*	_____	_____

- Percent Effort Allocation by Assigned Mission for Upcoming Academic Year

Mission	Assigned Percent Effort	Check if Not Applicable
Teaching	_____	_____
Research/Creative & Other Scholarly Activities	_____	_____
Clinical Care	_____	_____
Service/Outreach	_____	_____

- We have discussed the contents of this document. By signing below, I acknowledge that I have participated in the review and have received a copy of this review (*without implying agreement or disagreement*). I understand that I have the right to disagree with this evaluation and to respond in writing within ten (10) business days from the date I received this form in accordance with **Section 5.16.7.6**.

Faculty Member _____

Date _____

Chair (or responsible supervisor)

Date

*Requires an Improvement plan to be attached.

Distribution: Faculty Member
Department Files
Dean
Chief Academic Officer

Order of Attachments:

- 1-Chair's narrative summary of previously established academic goals
- 3-Improvement Plan, if required
- 4-Work assignment for next year
- 5-Mutually established academic goals for next year
- 2-Faculty member's response (optional)

UNDERGOING FURTHER REVIEW

Appendix K: Form 2 - Summary of the Interim Probationary Review of Tenure-Track Faculty

Form 2 University of Tennessee Health Science Center

Summary of the INTERIM PROBATIONARY REVIEW of Tenure-Track Faculty
For the academic year ending June 30th

Name: _____ Rank: _____
Department: _____
College: _____ Tenure Review Date _____

1. Date of interview between Chair and Faculty Member: _____
2. Is the Chair's (or responsible supervisor's) narrative summary, based upon the goals and expectations agreed upon for the current probationary evaluation period attached? Yes ___ No ___
Does the narrative summary contain a statement about the review by tenured departmental or divisional faculty or CPT Committee? Yes ___ No ___
Does the narrative include a statement of Chair's (or responsible supervisor's) opinion regarding progress toward tenure consideration? Yes ___ No ___
If required, is the Improvement Plan attached to the narrative summary? Yes ___ No ___ N/A ___
Is the letter from the departmental or divisional tenured faculty or the CPT Committee attached? Yes ___ No ___
3. Is the faculty member's progress toward tenure satisfactory? Yes ___ No ___
4. Chair's interview summary and evaluation was provided to the faculty member on _____.
5. Is faculty member's optional response to the Chair's evaluation attached? Yes ___ No ___ N/A ___
6. Overall cumulative performance rating for the Interim Probationary Period:

<u>Rating</u>	<u>Faculty Member</u>	<u>Chair</u>
OUTSTANDING FOR RANK	_____	_____
EXCEEDS EXPECTATIONS FOR RANK	_____	_____
MEETS EXPECTATIONS FOR RANK	_____	_____
NEEDS IMPROVEMENT FOR RANK*	_____	_____
UNSATISFACTORY FOR RANK*	_____	_____

7. We have discussed the contents of this document. By signing below, I acknowledge that I have participated in the review and have received a copy of this review (*without implying agreement or disagreement*). I understand that I have the right to disagree with this evaluation and to respond in writing within ten (10) business days from the date I received this form in accordance with the *Section 5.16.7.6*.

Faculty Member _____ Date _____
Chair (or responsible supervisor) _____ Date _____

*Requires an Improvement plan to be attached.

Order of Attachments:

- | | |
|---|--|
| Distribution:
Faculty Member
Department Files
Dean
Chief Academic Officer | Chair's narrative summary of previously established academic goals
Improvement Plan, if required
Letter from tenured departmental or divisional faculty or CPT Committee |
|---|--|

Faculty member's response (optional)

UNDERGOING FURTHER REVIEW

Appendix K: Form 3- Summary of Cumulative Performance Review of Tenured Faculty

Form 3 University of Tennessee Health Science Center

Summary of CUMULATIVE PERFORMANCE REVIEW of Tenured Faculty
For the academic year ending June 30th

Name: _____ Rank: _____
Department: _____
College: _____ Date Tenure Awarded _____

1. Date of meeting of the CPR Committee: _____

2. Performance rating agreed upon by the CPR Committee

SATISFIES EXPECTATIONS FOR RANK Yes _____ No _____

FAILS TO SATISFY EXPECTATIONS FOR RANK* Yes _____ No _____

3. If the committee's assessment is that the faculty member's performance was satisfactory for rank, has the committee provided an explanation for its assessment to the Vice Chancellor for Academic Affairs?

Yes _____ No _____

4. If the committee's assessment is that the faculty member's performance was unsatisfactory, does the committee recommend that the individual, with input from the committee, craft a performance improvement plan that would allow the faculty member to meet his/her expectations for rank within the next year?

Yes _____ No _____

5. Alternatively, does the committee recommend that termination proceedings be initiated by the Chancellor?

Yes _____ No _____

6. Was this meeting convened to review progress on a performance improvement plan agreed upon previously?

Yes _____ No _____

Chair of the CPR

Date

Chair (or responsible supervisor)

Date

*Requires an Improvement Plan to be attached.

Distribution: Faculty Member
Department Files
Dean
Chancellor

Order of Attachments:
Copies of Annual Performance Reviews for the past 5 years
Faculty member's response (optional)

Appendix K: Form 4- Certification of Annual Performance and Planning Review

Form 4 University of Tennessee Health Science Center

CERTIFICATION OF ANNUAL PERFORMANCE AND PLANNING REVIEW

I have evaluated the faculty within my department and have completed the procedures prescribed for the Annual Performance and Planning Review of Faculty.

Discussions with the individual faculty members included the following:

- a. Discussions of faculty goals and expectations in accordance with *Section 5.16.3*;
- b. Discussions with all tenure-track faculty members concerning progress toward tenure consideration (*Section 5.14.3.2*); and
- c. Discussions concerning faculty-peer reviews with all tenured faculty members for whom a Cumulative Performance Review is required.

Each faculty member has been provided with a copy of the completed Faculty Performance and Planning Summary relative to the faculty member's activities during this evaluation period (*Sections 5.14.3.2 and 5.16.3*).

Chair

Department/College

Date

THIS FORM SHOULD BE FORWARDED TO THE UTHSC CHIEF ACADEMIC OFFICER NO LATER THAN July 15th. THANK YOU.

Distribution: Office of Academic Affairs
 Departmental Files
 Dean

Appendix K: Form 5-Tenure Checklist: Summary of Final Probationary Review of Tenure-Track Faculty

Form 5 University of Tennessee Health Science Center

TENURE CHECKLIST
Summary of FINAL PROBATIONARY Review of Tenure-Track Faculty

Name _____ Preferred First Name _____
 Department _____ College _____
 Personnel Number _____ Highest Degree _____
 Home Address _____
 Home City _____ Home State _____ Home Zip Code _____
 First UTHSC Appointment: Date _____ Rank _____
 Current UTHSC Appointment: Date _____ Rank _____
 Total Years Faculty* _____ Total Years UTHSC Faculty _____
 Years in Present Rank (at UTHSC)* _____
 Departmental Committee Votes** : Yes _____ No _____ Abstained _____
 College Committee Votes** : Yes _____ No _____ Abstained _____
 Dean's Vote: Yes _____ No _____
 Comments _____

Attachments: Chair's Letter _____
 Dean's Letter _____
 Reference Letters (all) _____
 CV _____
 Justification Statements (if applicable) _____
 Departmental Committee Letter (if applicable) _____
 Dissenting Report (if applicable) _____
 College Committee Letter (if applicable) _____

*Round to nearest half year as of July 1 (Example: 8.5 = eight years as of July 1)

**Indicate number of positive and negative recommendations and number of abstentions. If no departmental or college committee convened, please indicate.

Prepared By _____ Date _____
 For Academic Affairs Office Only:
 Approved by Chief Academic Officer _____
 Approved by Chancellor _____
 Entered P & T Database _____

Appendix K: Form 6- Promotion Checklist

Form 6 University of Tennessee Health Science Center

PROMOTION CHECKLIST

Name _____ Preferred First Name _____
 Tenure Status: 1. Tenure Track _____ Tenure Review Date _____
 2. Tenured _____ Date Tenure Awarded _____
 3. Not eligible _____ Reason _____
 Department _____ College _____
 Personnel Number _____ Highest Degree _____
 Home Address _____
 Home City _____ Home State _____ Home Zip Code _____
 First UTHSC Appointment: Date _____ Rank _____
 Current UTHSC Appointment: Date _____ Rank _____
 Total Years Faculty* _____ Total Years UTHSC Faculty _____
 Years in Present Rank (at UTHSC)* _____
 Departmental Committee Votes** : Yes _____ No _____ Abstained _____
 College Committee Votes** : Yes _____ No _____ Abstained _____
 Dean's Vote: Yes _____ No _____
 Comments _____

Attachments: Chair's Letter _____
 Dean's Letter _____
 Reference Letters (all) _____
 CV _____
 Justification Statements (if applicable) _____
 Departmental Committee Letter (if applicable) _____
 Dissenting Report (if applicable) _____
 College Committee Letter (if applicable) _____

*Round to nearest half year as of July 1 (Example: 8.5 = eight years as of July 1)

**Indicate number of positive and negative recommendations and number of abstentions. If no departmental or college committee convened, please indicate.

Prepared By _____ Date _____
 For Academic Affairs Office Only:
 Approved by Chief Academic Officer _____
 Approved by Chancellor _____
 Entered P & T Database _____

AppendixK, Form 7: Assessing Performance Metrics

7.a. Grid for assessing performance metrics

7.b. Sample calculating performance metrics

7.c. Example grid demonstrating the application of the performance metrics

UNDERGOING FURTHER REVIEW

Form 7.a. Grid for assessing performance metrics*

Mission	Categories	Score (0-3)	% Effort	Result
1. Teaching	a. Course Leadership: Course director, Clerkship coordinator, Residency training director; other teaching duties e.g. student and resident teaching in a clinical or practice setting, classroom or online education, laboratory teaching; Research mentor/member of thesis or research oversight committee; Student advising;	a. _____		
	b. Acknowledged excellence in teaching: Student or peer evaluations, Teaching honors and awards, Awards to students mentored by faculty	b. _____		
	c. Innovation in teaching: Major course revisions, Curriculum redesign, Introduction of new technologies in the teaching setting	c. _____		
	<i>Subtotal for Teaching Mission</i>	Sum (9 max) _____	X _____	% _____ = _____
2. Research/ Creative & Other Scholarly Activities	a. Publications: peer-reviewed, and non peer-reviewed articles in professional journals, textbooks, book chapters, health care articles for the lay press, etc.	a. _____		
	b. Extramural funding: including grants from federal agencies (NIH, NSF, AHRQ, DOD, HRSA, etc.), foundations and institutes (American Heart Association, Muscular Dystrophy Association, National Cancer Society, etc.), pharmaceutical companies; training grants; inter-professional grants; other grants and contracts, or program/teaching grants.	b. _____		
	c. Other scholarly activities: manuscripts under review, invited lectures, patents, licensing agreements, presentations at national/international meetings, submitted abstracts, featured presentations at grand rounds, at local or regional societies, or for local special interest groups, service on editorial boards (if used here Editorial board activities cannot be used in "Service")	c. _____		
	<i>Subtotal for Research/Creative & Other Scholarly Activities Mission</i>	Sum (9 max) _____	X _____	% _____ = _____
3. Clinical Care	a. Productivity/patient load/scheduling: evaluated based on RVU targets and other agreed-upon clinical care goals with respect to numbers of new and returning patients, numbers of procedures, numbers of clinic sessions per week, etc.	a. _____		
	b. Quality of care/Patient satisfaction: as evidenced by standardized evaluations carried out by practice setting, by evaluations of peers/other health care providers, by chart reviews, etc.	b. _____		
	c. Professional recertification/enhancement of knowledge base for clinical care: acquires and maintains board certification/licensure by regular participation in professional societies and in continuing education programs in his/her field, and/or by participation in special training programs	c. _____		
	<i>Subtotal for Clinical Care Mission</i>	Sum (9 max) _____	X _____	% _____ = _____
4. Service / Outreach	a. Institutional service: Participation on committees for the UT system, Health Science Center, College, and/or department; presentation of continuing education programs for department, college or campus; organization of seminar programs, coordination of searches for faculty, deans, senior administrators	a. _____		
	b. Professional service: Participation in local, state, regional, national, or international organizations or professional societies, service on editorial boards, as a reviewer for professional journals or funding agencies (note that service on editorial boards may be considered under service or research but cannot count for both).	b. _____		
	c. Community service/outreach: Presentation to civic groups or other local organizations, participation in outreach activities in area schools, organization and/or delivery of community health initiatives, providing clinical services in community settings (health care fairs)	c. _____		
	<i>Subtotal for Service/Outreach Mission</i>	Sum (9 max) _____	X _____	% _____ = _____
				TOTAL = _____

* Note: Only whole numbers should be used in applying scores

Using the following, calculate a subtotal for each relevant mission:

- Assign a score of 0-3 in each category
- Sum the scores (add a, b, c) - the maximum possible score is 9
- Multiply the sum of the scores by the assigned percent effort in that mission to arrive at a subtotal

Calculate the Total Score by summing the subtotals of each relevant mission.

Form 7.b. Sample Calculating Performance Metrics

Each candidate must provide information as to the average percentage of effort that he/she devoted to each of his/her assigned missions. For this example, assume the following distribution:

50%	Research/Creative and Other Scholarly Activities
30%	Teaching
10%	Clinical Care
10%	Service/Outreach

Assume further that the evaluators scored the activities in these categories as follows:

9	Research/Creative and Other Scholarly Activities
7	Teaching
7	Clinical Care
6	Service/Outreach

The overall score for this person would be

{% of effort X category score (Research) + % of effort X category score (Teaching) + % of effort category score (Clinical Care) + % of effort X category score (Service/Outreach)} = N

In other words:

$$(0.50 \times 9) + (0.30 \times 7) + (0.10 \times 7) + (0.10 \times 6) = 7.9$$

In this case, the score exceeds the minimum requirement for promotion to full professor (7.5 points).

Form 7.c. Example grid demonstrating the application of the performance metrics

Mission	Categories	Score (0-3)	% Effort	Result
1. Teaching	a. Course Leadership: Course director, Clerkship coordinator, Residency training director; Other teaching duties, e.g., student and resident teaching in a clinical or practice setting, classroom or online education, laboratory teaching; Research mentor/member of thesis or research oversight committee; Student advising	a. 2		
	b. Acknowledged excellence in teaching: Student or peer evaluations, Teaching honors and awards, Awards to students mentored by faculty	b. 2		
	c. Innovation in teaching: Major course revisions, Curriculum redesign, Introduction of new technologies in the teaching setting	c. 3		
	Subtotal for Teaching Mission	Sum (9max)=7	X	30%
2. Research/ Creative & Other Scholarly Activities	a. Publications: peer-reviewed, and non peer-reviewed articles in professional journals, textbooks, book chapters, health care articles for the lay press, etc.	a. 3		
	b. Extramural funding: including grants from federal agencies (NIH, NSF, AHRQ, DOD, HRSA, etc.), foundations and institutes (American Heart Association, Muscular Dystrophy Association, National Cancer Society, etc.), pharmaceutical companies; training grants; inter-professional grants; other grants and contracts, or program/teaching grants.	b. 3		
	c. Other scholarly activities: manuscripts under review, invited lectures, patents, licensing agreements, presentations at national/international meetings, submitted abstracts, featured presentations at grand rounds, at local or regional societies, or for local special interest groups, service on editorial boards (if used here, editorial board activities cannot be used in "Service")	c. 3		
	Subtotal for Research/Creative & Other Scholarly Activities Mission	Sum (9max)=9	X	50%
3. Clinical Care	a. Productivity/patient load/scheduling: evaluated based on RVU targets and other agreed-upon clinical care goals with respect to numbers of new and returning patients, numbers of procedures, numbers of clinic sessions per week, etc.	a. 2		
	b. Quality of care/Patient satisfaction: as evidenced by standardized evaluations carried out by practice setting, by evaluations of peers/other health care providers, by chart reviews, etc.	b. 2		
	c. Professional recertification/enhancement of knowledge base for clinical care: acquires and maintains board certification/licensure by regular participation in professional societies and in continuing education programs in his/her field, and/or by participation in special training programs	c. 3		
	Subtotal for Clinical Care Mission	Sum (9max)=7	X	10%
4. Service / Outreach	a. Institutional service: Participation on committees for the UT system, Health Science Center, College, and/or department; presentation of continuing education programs for department, college or campus; organization of seminar programs, coordination of searches for faculty, deans, senior administrators	a. 2		
	b. Professional service: Participation in local, state, regional, national, or international organizations or professional societies, service on editorial boards, as a reviewer for professional journals or funding agencies (note that service on editorial boards may be considered under service or research but cannot count for both).	b. 2		
	c. Community service/outreach: Presentation to civic groups or other local organizations, participation in outreach activities in area schools, organization and/or delivery of community health initiatives, providing clinical services in community settings (health care fairs)	c. 2		
	Subtotal for Service/Outreach Mission	Sum (9max)=6	X	10%
			TOTAL	=7.9

Appendix 8: Checklist of Topics to be included in Initial Appointment Letters

1. Nature and locus of position
 - a. college,
 - b. department
 - c. track e.g. tenure track or non-tenure track. For **tenure track**, specify the time when the candidate would be considered for tenure (no later than 7 years from hire date - see *Faculty Handbook, Section 4.8.1* and provide link where this can be viewed); for senior hires, may include reference to an expedited review (*Faculty Handbook, Section 4.5*). For **non-tenure track**, specify the type of non-tenure track position (clinical educator, research, or limited duration) and refer to the *Faculty Handbook, Section 5* for additional details.
2. Proposed rank (letter should indicate that final rank requires additional review and approval by college committees)
3. Proposed Salary
4. Source of benefits (UT, practice group, other) and web site where additional information on benefits can be obtained
5. Sources of funding for position including the campus base salary (*Faculty Handbook, Section 4.7.2*), compensation for administrative duties, etc., and a listing of contingencies that might affect total compensation and/or continuation of appointment
6. Anticipated start date and date when offer letter will expire
7. Period of initial appointment
8. Expected effort (in percentages) devoted to each of the assigned campus missions
9. Statement indicating any specific requirements that may apply to this position such as:
 - a. Professional licensure,
 - b. board certification,
 - c. membership in a campus practice plan, and
 - d. satisfactory completion of a criminal background check.
10. Statement of required documentation via official transcript and/or credential evaluation of highest earned degree (and other relevant degrees) and postgraduate training upon initial appointment
11. Statement that appointment is made subject to the applicable State and Federal laws and the statutes and regulations of the UTHSC and to the Bylaws and Policies of the Board of Trustees of the University of Tennessee.
12. Statement that the appointee will abide by the rules and regulations of UTHSC, including the provisions of the *Faculty Handbook* and the principles of the Honor Code of UTHSC.
13. Statement about misrepresentation of academic credentials as required by TCA § 49-7-133 (exact verbiage as below is required):
 - Misrepresentation of academic credentials is a Class A misdemeanor in Tennessee. A person commits the offense of misrepresentation of academic credentials who, knowing that the statement is false and with the intent to secure employment at or admission to an institution of higher education in Tennessee, represents, orally or in writing, that such person: (1) has successfully completed the required course work for and has been awarded one or more degrees or diplomas from an accredited institution of higher education; (2) has successfully completed the required course work for and has been awarded one or more degrees or diplomas from a particular institute of higher education; or (3) has successfully completed the required course work for and has

been awarded one or more degrees or diplomas in a particular field or specialty from an accredited institution of higher education.

14. A statement that the letter contains the complete appointment agreement between UTHSC and the appointee and that any previous discussions or correspondence are not binding on UTHSC.

15. Include links to the UTHSC home page, pages providing access to the *Faculty Handbook* as well as a link to the UT BOT web site.

16. Forms:

- Faculty Appointment Agreement (FAA),
- Consumer Authorization & Disclosure Statement forms
- Personal Data Form
- Conflict of Interest Form (Outside Interests Disclosure Form)

17. Return address for response to the offer

UNDERGOING FURTHER REVIEW

Appendix K, Form 9: Checklist of Other Annual Communications from Chairs to Faculty

1. Written Feedback from the Annual Performance and Planning Review

Use the following items to compose a brief synopsis of the Annual Performance and Planning Review meeting. Where possible, use a bullet point or numbered list format. This document should be attached to/accompany the faculty member's review (Form 1/Form 2). It will be known as the "*Narrative Summary and Evaluation*," currently referred to on Forms 1 and 2.

a. Make a statement assessing the faculty member's performance during the current academic year in each relevant mission:

- Education/Teaching
- Research/Creative & Other Scholarly Activities
- Service/Outreach
- Clinical Care

b. List the next academic year's mutually established goals and expectations (work assignment) in each relevant mission, along with percent effort:

- Education/Teaching
- Research/Creative & Other Scholarly Activities
- Service/Outreach
- Clinical Care

c. Indicate the overall performance rating (Exceeds expectations for rank; Meets expectations for rank; Needs improvement for rank; Unsatisfactory for rank)

d. Provide justification for any performance rating other than "Meets expectations for rank"

e. Make a statement of progress toward tenure consideration, where applicable (faculty member on tenure track)

2. Reappointment Letters for Tenure Track and Non-tenure Track Faculty

a. Reappointment letters are used only for tenure track and non-tenure track faculty.

b. Reappointment letters for tenure track and non-tenure track faculty will include the following components:

- Include a statement that the faculty member is signing to acknowledge receipt of the letter.
- The letter may be (a) brief or (b) may cover the items noted in item #1 above (written feedback from the Annual Performance and Planning Review).

3. Salary Memo

a. Each year, when campus and college budgets are finalized, an email will be sent from the department chair notifying faculty members of their annual salary information. This salary information would include a breakdown of all salary sources and amounts as well as compensation for additional duties.

b. If changes in compensation amount or source occur outside of the annual review cycle, the Office of the UTHSC Chief Academic Officer will forward a copy of the Personnel Information Form detailing the funding change to the faculty member.

AppendixK, Form 10: Checklist for External Peer Review

Materials for reviewers

- Current CV
- Other relevant materials from dossier, e.g., teaching portfolio, sample publications (no more than 2), summary of student and/or peer evaluations of teaching, etc)

Content of evaluation letter

- Name of the candidate and nature of the specific action under consideration (e.g. promotion, tenure or both)
- Criteria expected for the promotion/change in status at UTHSC (extracted from the *Faculty Handbook*)
- Request for reviewer to comment on candidate's academic progress based on materials provided and on the reviewer's personal knowledge of the scientific and/or professional contributions of the candidate
- Request for comparison to individuals seeking comparable changes in rank or status at the reviewer's home institution.
- Disclosure of Tennessee Public Records Act, TCA § 10-7-501 et seq. and access to letters of evaluation
- Date when letter of evaluation must be received during the review cycle
- Thank you

Appendix K, Form 11: General Timelines for Reviews

General Timeline for Annual Performance and Planning Review	General Schedule for Promotion and Tenure
<p>Note: The period of review is the academic year.¹</p> <p>February: UTHSC Chief Academic Officer sends email to department chairs and deans to trigger the APPR.</p> <p>May 10: Faculty complete document for Annual Performance and Planning Review; this document includes (1) a summary of activities and accomplishments for the previous academic year beginning July 1 and (2) a summary of the faculty member's proposed academic goals for the next academic year beginning July 1</p> <p>May and June: Chair (or supervisor) meets with faculty for evaluation, assignment of duties and development of goals for the next year</p> <p>July 1: Chair forwards to the UTHSC Chief Academic Officer a signed Certification of Faculty Review (Form 4) and a signed copy of each faculty member's summary document (Form 1 or 2).</p> <p>April 1 - June 30: UTHSC Chief Academic Officer. Issue letter(s) of notification of 3 month till non-renewal, if applicable (<i>Faculty Handbook, Sections 4.10 [tenure-track] and 5.4 [non-tenure track]</i>)</p> <p>After July 1: Contracts are automatically renewed for a year unless notice of nonrenewal has been provided.</p>	<p>September: UTHSC Chief Academic Officer prepares and emails promotion and tenure instructions to Deans, Department Chairs, and Directors.</p> <p>October: Departments initiate a defined process for reviewing each faculty member from standpoint of promotion* and/or tenure. The process is established by each department in accord with the provisions of the <i>Faculty Handbook</i> and campus policies; each faculty member should be advised, in writing, that he or she is being evaluated and should be given an opportunity to submit information pertaining to the review of performance and future promise.</p> <p>November-January: Departmental chairs and directors prepare recommendations for promotion and awarding of tenure and forward them to the Dean. The due date for receipt of these recommendations will be made at the discretion of each college dean.</p> <p>No later than March 15: Departments should review budgets and their needs for non-tenure track faculty and submit a list of faculty who may be subject to nonrenewal to the Vice Chancellor for Academic Affairs.</p> <p>No later than March 15: Deans review the recommendations for promotion and tenure and forward the final recommendations to the UTHSC Chief Academic Officer.</p> <p>By April 1: The UTHSC Chief Academic Officer reviews recommendations and prepares a consolidated report for the Chancellor.</p> <p>Before May: The consolidated recommendations approved by the Chancellor are forwarded to Knoxville.</p> <p>May: The President reviews and prepares recommendations for the UT Board of Trustees.</p> <p>June: The UT Board of Trustees acts on these recommendations at its June meeting.</p> <p>July 1 or soon thereafter: The Chancellor notifies faculty members of action taken by UT Board of Trustees regarding approved promotions and awards of tenure.</p> <p>* This schedule applies to all faculty promotions for all appointments including tenure, tenure track (traditional, coordinated), non-tenure track (clinician educator, research, limited duration), part-time non-tenure track, primarily administrative, affiliated, and volunteer categories.</p>

Appendix K Form 12: Sample Format for Preparation of Curriculum Vitae

Note: This format is intended as a guide. Names of categories may be changed as needed by individuals. Not all categories may be applicable to all individuals; inapplicable ones should be omitted. The list of categories is not all-inclusive; some individuals may need to add other categories.

Date of Preparation _____

CURRICULUM VITAE
NAME:

EDUCATION:

Undergraduate:

College or university attended, dates (month, year), degree, date of degree

Graduate/Professional School:

College or school attended, dates (inclusive months, years), degree, date of degree

Internship:

Type, hospital(s), dates (inclusive months, years)

Residency:

Type, hospital(s), dates (inclusive months, years)

Postgraduate Training

Type, hospital(s), dates (inclusive months, years)

College or school attended (inclusive months, years)

HONORS/AWARDS:

Honorary Organizations

Institutional, regional, national, or international awards — may be grouped according to educational (e.g., undergraduate, or graduate) and/or professional subcategories.

MILITARY SERVICE:

Branch, dates served, training in service, current status

BOARD CERTIFICATION:

Board name, date of certification

LICENSURE:

Profession, state, number, date issued, status

SOCIETY MEMBERSHIPS:

UNIVERSITY (AND COLLEGE) APPOINTMENTS:

Chronological order from most recent to earliest - type and rank of appointment, University or College name, location, dates (inclusive months, years)

For UTHSC list primary appointment, followed by secondary appointment(s) and specify type of each

HOSPITAL/CLINICAL APPOINTMENTS:

Chronological order from the most recent to earliest - name of institution, type of appointment, (active, consultant), offices held

PRACTICE/PROFESSIONAL EXPERIENCE:

For those with any time in administration or in clinical practice (not as a faculty member)
List chronologically from most recent to earliest

OTHER ACADEMIC APPOINTMENTS:

Adjunct or affiliated appointments at other academic institutions

PRIVATE SECTOR APPOINTMENTS:

For those with relevant experience in the private sector
List chronologically from most recent to earliest

GOVERNMENT SECTOR APPOINTMENTS:

For those with relevant experience in the government sector
List chronologically from most recent to earliest

TEACHING EXPERIENCE:

Title of course, course number – May be subcategorized as appropriate for different colleges and/or academic institutions

Actual student contact hours or credit hours, numbers of students taught.
As applicable, indicate roles as course director, designer of course, lecturer, etc.

VISITING PROFESSORSHIPS AND INVITED LECTURES:

List dates and locations - May be subcategorized as international, national, regional, or local

EDITORIAL APPOINTMENTS:

Books, journals – Type of appointment
Name of book/journal, publisher, dates of appointment or date of publication)

COMMITTEES AND OFFICES HELD:

Include dates of service
May be subcategorized by departmental and institutional committees, grant advisory committees, study sections, journal review assignments, offices held in organizations, national and regional committees and offices, consultant appointments and board examiner or member appointments, etc.

OTHER PROFESSIONAL AFFILIATIONS AND ACTIVITIES: (OPTIONAL)

RESIDENTS/FELLOWS/GRADUATE STUDENTS TRAINED:

Name; degree; inclusive dates; degree awarded, if any, as a result of this training; title of thesis or dissertation
May be subcategorized by institution

RESEARCH AND OTHER EXTERNAL SUPPORT:

List agency from which support was received, title of the project or program, dollar amount and inclusive dates; include role in research and percent effort
May be subcategorized by role on project or program

BOOKS AND BOOK CHAPTERS:

Numbered in chronological sequence - Choose a citation style and be consistent throughout
Authors in exact order (your name may be underlined, in bold, italics), title of the paper, editors, location of publisher, date of publications, inclusive pages

PEER-REVIEWED JOURNAL ARTICLES:

Numbered in chronological sequence - Choose a citation style and be consistent throughout
Authors in exact order, title of paper, name of journal, volume, inclusive pages, date of publication; note if letter

OTHER PUBLICATIONS: (OPTIONAL) or other appropriate category

Subcategorize as appropriate — proceedings (full papers), relevant popular press articles, research reports (usually peer reviewed), manuals, internal publications, abstracts presented and published, abstracts presented but not published, abstracts published but not presented, computer programs and software, videos, interactive videos, educational media, computer-aided instructional materials, tutorials, etc.

Choose a citation style and be consistent throughout a subcategory

RECENT PRESENTATIONS

Subcategorize as appropriate (invited, peer-reviewed), limit to the most recent past 5 or 10 years

Provide title, date, location and host institution or organization

Also consider grand rounds, in-service education at a health care facility, and training programs

PATENT APPLICATIONS AND AWARDS

Provide title, date, and patent number and co-authors

CONSULTATION ACTIVITIES

Subcategorize as appropriate, limit to the most recent past 5 or 10 year.