

**UTHSC Faculty Senate Annual Business Meeting
June 11, 2018, 4:00 PM GEB A104**

Recording:

<https://mediaserver.uthsc.edu/uthscms/Play/3a7dd4eac8d64905b08cf99b9ce455d81d?catalog=283793f9-234c-42db-bdf5-52b0ef554cf3>

Awards

Presidential Citation – Lori Gonzalez

Exceptional Meritorious Achievement Certificate – CTN2 Team

Certificates of Appreciation

Lisa Zeigler

Tim Florence

Kiela Person

Faculty Senator of the Year – Terry Cooper

Administrator of the Year – Cindy Russell

**Current Officers and University Faculty Council (UFC)
Officers UFC**

President-elect – George Cook • Terry Cooper – Board of Trustees

President – Martin Donaldson • Phyllis Richey – Campus UFC Representative

Past President – Terry Cooper

Martin Donaldson -President

Secretary – Jennifer Langford

Executive Committee Members

College of Dentistry – Jay Ragain

College of Health Professions – Carol Likens

College of Medicine Basic Sciences – R.K. Rao

College of Medicine Clinical- Mack Land and Thad Wilson

College of Nursing – Peg Hartig

College of Pharmacy – Frank Park

Library and Unaffiliated Units – Jennifer Langford

Committee Reports

Budget and Benefits – Duane Schafer (COD)

Clinical Affairs – Mack Land (COM Clinical)

Education and Academic Affairs – Peg Hartig (CON), CASA Representative

Faculty Affairs – Richard Smith (COM Clinical), FAWG Representative

Faculty Research – RK Rao (COM Basic)

Faculty Computing and Technology – Phyllis Richey (COM Clinical)

Legislative Resource – Carol Likens (COHP)

Handbook – Terry Cooper (COM Basic)

Budget and Benefits

FY19 Budget Recap: 2109 budget forwarded to governor in April but still not signed – no indication he will not but no sure why the delay. Still on track for 2.5% faculty increase.

FY18 Budget Review: key points include clarification of Direct vs Indirect revenue, Unrestricted vs Restricted funds, defining “Orange” dollars, and providing transparency with the

General Operating Budget. A historical budget review demonstrated unparalleled financial support from the state starting in FY2005 with continuation through FY2017.

Retirement benefit changes: the state legislature voted to remove the state of Tennessee imposed 50% maximum withdrawal of retirement funds at end of employment with UTHSC. POC's: for TIAA it's Bryan Nanney; for VOYA it's Calvin Reed; for VALIC it's Scot Brothers

Beneficiary Update Campaign: At death you are eligible for 1 months' salary + \$ value of sick leave + \$ value of annual leave balance. Several recent employee deaths where spouse preceded them and so no living beneficiary L CALL Benefits office: (901) 448-5601 to update your beneficiary information.

Post hire survey: designed by HR ACUITY, is customizable and new employees will be contacted by email. Feedback is given to HR and then to business managers. UTHSC holds new employee orientation 2x per month and focuses on minimizing hardships.

Exit interview survey: surveys are collected prior to employee leaving the campus. Current survey has been in place for 18 months so a wealth of data has been collected. Some findings have led to investigations.

Compensation Project Update: goal is to create consistency along job titles and responsibilities, and pay grades across the state campuses. On occurrence that an employee falls below the new minimum pay threshold, they will get an automatic increase. Human Resources at UTHSC will use four different median metrics (ex., National, Southern, Public, etc.) to compare against salary of every individual employee on campus.

Tuition increases: statewide tuition increases averaged 1.8%, which is the smallest increase since 1984. On this campus, as part of the preliminary UTHSC budget will range from 1-2% on in-state tuition only. Specifically, Dentistry (2%), Medicine (2%), Nursing (1%), Health Professions (2%), Pharmacy (1%), and Graduate Programs (0%). This will provide

Campus growth and construction: State Building Commission effect on campus -delay in eventual \$20M purchase of Vivarium, surrounding land, and parking lot – will continue lease and renegotiate once moratorium is lifted. Historic Quad renovation project up and running – no more delays anticipated. Dental building next in line for construction start.

Concur Travel implementation: a streamlined travel tool is moving forward with implementation. It should be a huge savings in effort for all travelers from booking to reimbursement.

Facilities Management Services/JLL contract: campus specific contract voted down. In past ten years with local resourcing the custodial and landscaping upkeep has greatly improved. JLL would have kept current staff for one-year per contract and then revisited manning needs (potential loss of jobs). Mechanical, electrical, and elevator contracting is still outsourced.

Clinical Affairs

The Clinical Affairs Committee of the Faculty Senate met in October 2017. The members present voted to submit a Resolution to the Senate regarding the relationship among the Clinical Faculty, the Healthcare Partners and the University. This Resolution was presented to the Faculty Senate Executive Committee but did not advance to the full Senate.

Education and Academic Affairs

Chair represented the Faculty Senate/EAAC on the following committees:

Committee on Academic and Student Affairs (CASA) -meets 1-2 times/month

Reviews current policies for any necessary updates

Creates new policies related to academic and student activities (e.g., grading policies)

Advisory to Associate Vice Chancellor for Academic, Student and Faculty Affairs

Learning Management System (LMS) Review Committee (September 2017 – May 2018)

Developed RFP for LMS submissions

Reviewed all submissions and joined in discussion of considerations

Advised administration in selection of preferred LMS

Quality Enhancement Project (QEP)

Full Steering Committee

Proposal Development Committee

Co-Curricular Committee

The EAAC committee members also participated in developing an updated text-matching system policy

Addresses Safe-Assign use

Faculty Affairs

The first objective of the Faculty Affairs Committee (FAC) for the year was to finish compiling and examine information on faculty evaluation processes from across campus with emphasis on consistency and transparency of faculty appointments, evaluations and advancement practices across the colleges. The faculty evaluation materials and processes were compiled, distributed among the committee members and discussed. There was some discussion on materials that were actual metrics or digital, and those materials that were lists. For instance, the College of Medicine (COM) educational worksheet actually provides a quantifiable number at the end that can be used to show percent effort in teaching. Most of the materials from the Colleges mainly provide a listing of accomplishments and work done without any digital quantification. Another issue discussed was how much the new Faculty Productivity Reporting System will impact the APPR materials and processes. The new system will be Activity Insights from Digital Measures and it is hoped that the evaluation measures can be incorporated into this system. Issues of how intellectual property is incorporated or counted in the APPR were also discussed, including patents and patents that are also licensed. The FAC had no particular problems with the current materials and processes used for faculty evaluations with no comments or concerns identified. The second objective was examining how the Faculty Senate (FS) administers the upward evaluation (UE) of campus administrators. The FAC along with Dr. Allen Dupont administer the UE through Qualtrics (an independent commercial site) to be as secure and confidential as possible.

Based on the outcomes (resource questions) from the previous UE, many ideas were put forth including but not limited to, separating out the COM clinical faculty and providing them with a second survey with questions that better fit their situation within the academic community, the use of clickers at some departmental meetings to ensure that the faculties participate, having an alternative to the UE based upon what the faculty would like to see accomplished in the coming year by their administrators, and administering the UE by hand. The main emphasis this year has been 'educating' the faculty on the importance of participation, especially among the COM clinical departments. This education including going to various faculty meetings across campus and addressing concerns of privacy and ease of use. Also a cover email has been developed and approved by the FAC that will provide information as to how the UE is set up, the importance of participation, how the survey is set up and explicit instructions for completing the UE.

The third objective was to continue developing a fair, sensitive and equitable plan to share outcomes of the upward evaluation. The FAC has discussed what information could be disseminated back to the faculty with upper administration and have provided participation data for all the colleges from last year's UE.

The fourth objective was participation in the Faculty Affairs Working Group (FAWG) policy development activities and reporting these to the FSEC. The FAC Chair has meet with the FAWG monthly and duly reported the activities in written reports to the FSEC and the FAC.

Faculty Research

We had 7 new members in the committee this year.

New goals were set for the year are as follows: Develop faculty research resources database; continue to pursue formation of grant review committee; address MTA and invention disclosure issues; review progress of OSPR; support for established investigator; survey faculty to identify impediments to research at UTHSC.

Building a faculty research resources database was discussed in several meetings. Agreements were made with Quartzly to use it as the mechanism to build the database. Quartzly agreed to provide this service at no cost. The methods and tools were discussed by the committee, and currently a test site is created on Quartzly site.

Committee members are reviewing these to fine tune the database. Once finalized a request will be sent to all UTHSC faculty to provide with the excel format file containing the list of reagents and materials available in their labs.

Dr. Goodman suggested that we first meet with each Dean to describe the need for a grant review committee and allowance of fixed effort for this service. This is an on-going process, and likely to be completed by June.

Committee discussed the issues involved in MTA processing and invention disclosure. Mr. Richard Magid addressed the committee and described the current processes and mechanisms involved in submitting invention disclosure. He assured that applications will be processed in as short time as possible. Delay in MTA processing remains to be addressed.

Dr. Goodman presented us with the progress made so far on the OSPR and Dr. Tiffany Seagrove presented the changes made to the UTHSC core services.

Committee discussed the potential requirement of additional support for established investigators who have spent 15 years more. These investigators are faced with unique issues of ageing instruments, an impediment to continued research. Although it was thought that this is a college level issue, it was agreed that it is worth an attempt to bring it to Chancellor's attention. This mission is in working.

Although committee had a long discussion on the value of the surveys with less than 40% participation, it was agreed that faculty survey would be a worthwhile an effort to pursue to identify current impediments for research. This is in progress and a survey is likely to happen in a couple of months.

Faculty Computing and Technology

Committee communicated faculty concerns to the Vice Chancellor of Informational Technology, Dr. van der Aa, throughout the year and received prompt feedback and support on faculty concerns.

The Vice Chancellor van der Aa (IT), Assistant Vice Chancellor Baduoud (Communications and Marketing) and Associate Vice Chancellor of Faculty Affairs, Russell (AFSA) attended the committee's meetings and together we identified technologies and resources relevant to faculty needs that IT, Communications and the TLC could prioritize and/or address.

Committee provided input on various technologies including Activity Insight (Digital Measures), Blackboard Canvas, Banner, D2L, Qualtrics, MediaSite, OU campus website management system, migration of campus websites, air printing from mobile devices, encryption.

Committee provided input on QEP objectives and is specifically involved with the QEP Technology Committee charge with ensuring the appropriate technology in place to support the QEP objectives.

Regarding policies and procedures covering procurement of electronic resources, the committee reviewed existing policies and recommended that additional examination by administration is warranted to ensure future purchases are properly vetted for security and network compliance as well as fiscal responsibility to eliminate redundancy of systems.

Regarding Electronic Information Systems, this year, and over the past several years, the committee has continuously provided support for various faculty documentation needs (e.g. annual evaluation/promotion and tenure documentation, biosketch, etc.)

The UT has implemented a System-wide project for such a solution on all campuses. Going forward, at UTHSC, Activity Insight will allow these systems to be integrated into such a reporting structure to meet several of these needs.

To help facilitate efficient transition of faculty scholarship information, the Committee has recommended that all faculty be issued an ORCID and is collaborating with AFSA and the UTHSC Library to bring this process to fruition.

Legislative Resource

The Committee has been working with UTHSC Government Relations and Advocacy, Mr. David Mills, on plans to host a gubernatorial forum and reception ahead of the mid-term elections.

The forum and reception are scheduled for Thursday, July 12, 5:30-8:30, in the GEB. Invitations have gone out to candidates. We have secured a moderator who is not affiliated with UTHSC, and are working on questions to present to the candidates.

Committee members: Carol Likens, Bruce Hamilton, Jie Zhang, Tammam ElAbiad, Elisha McCoy, Stephanie Nikbakht.

UTHSC Faculty Handbook Revision

Section 4

Required documents in promotion and tenure dossiers

External letters and procedure for mutual agreement of evaluators between chair and candidate

Explanations of reasoning for tenure, promotion decisions by chair or dean (no longer summary explanations)

Provision of documents to all pertinent parties, faculty member, chair, dean, CAO

Chancellor makes final decisions on all standard 6-year tenure applications

BOT makes decisions on all early tenure application

Section 4

Vote: 100% approve (30 total votes)

Appendix B

Greater transparency as described for Section 4 and provision of documents to all pertinent parties

Section B

Vote: 93% approve (29 total votes)

Appendix C

Greater transparency as described for Section 4 and provision of documents to all pertinent parties

Appendix C

Vote: 92% approve (31 total votes)

Gavin Townsend Resolution – George Cook

Whereas the University of Tennessee, Chattanooga (UTC) and the broader University of Tennessee community lost a valued faculty member and leader on June 3, 2018 with the death of Dr. Gavin Townsend;

Whereas Dr. Townsend was a tireless and outspoken advocate of academic freedom and intellectual individuality in the University of Tennessee System;

Whereas Dr. Townsend was a faculty member in art history for more than 30 years at the University of Tennessee, Chattanooga, had a long-standing commitment to research and teaching, and inspired countless students, preparing them to become effective leaders;

Whereas Dr. Townsend served with distinction as Faculty Senate President at UTC from 2006 to 2008;

Whereas Dr. Townsend was an enthusiastic supporter of the University of Tennessee System Faculty Council (UFC) in their work with the University of Tennessee President, serving as the UTC representative to the UFC from 2012 to 2018;

Whereas Dr. Townsend's sense of humor, kindness, energy and graciousness enriched those fortunate enough to know and work with him;

Whereas, the passing of Dr. Townsend has left us deeply saddened; he will be missed but not forgotten; now, therefore, be it

Resolved, that the Faculty Senate of the University of Tennessee Health Science Center, on behalf of its senators and other faculty members, celebrates the service and recognizes the many contributions of Professor Gavin Edward Townsend over the course of his distinguished career, mourns his death and extends its sincerest condolences to his family and friends.

Gavin Resolution – George Cook

Vote: 93% approve (27 total votes)

Memorial to those who retired and passed

As part of the annual meeting last year, Terry Cooper published a list of faculty who had retired and those who has passed in the past. Martin Donaldson has started this project and will continue to work on and will report over the summer.

Training of New Senators

Martin Donaldson is working with Dr. Lori Gonzalez to supply a training session for new senators. • There will be more information on this next week . First we will survey current senators about what information would have helped them when they first became a senator

New Committee Chairs – George Cook

I. ACTIONS AND PROGRAMS

1. Increased visibility of the Faculty Senate through headline communications of pertinent Senate and campus information to faculty via listserv.

2. Redeveloped the Upward Evaluation to increasing ease of participating and faculty anonymity.

3. Renovated and Updated the Faculty Senate Website.
4. Established Senate memorial for departed UTHSC Community members.
5. Changed future Senate member term limits, now 7-1 to 6-30.
6. Introduced anonymous voting on tenure, promotion & termination – goal, to be applied campus-wide in the Faculty Handbook.
7. Achieved Senate-Administration consensus on 8 policies with 3 integrated into the Faculty Handbook. First policies to be forwarded to System for Board of Trustees approval in 4 years.
8. Survey on 4 vs. 5 APPR performance categories.
9. Answer to faculty question about working on campus.
10. Survey on external letters for faculty tenure and promotion procedures.
11. Recognition of faculty and staff who have retired.
12. Senator elections completed ahead of schedule.

II.RESOLUTIONS PASSED CONCERNING:

- 1.Enhanced post-tenure performance review
2. Supporting mandatory faculty supervisor training
3. Increased transparency for APPR, EPPR & grievance data
- 4.Opposing student firearms carry
5. Credit allocation for research grants
6. Support for campus space policy
7. Anonymous balloting
8. Revision of the Faculty Handbook to integrate the EPPR Policy
9. Support of library resources and services

10. Faculty Handbook integration -Appointment of visiting & distinguished visiting professors

11. Faculty Handbook revision & integration -Faculty Senate Bylaws on term limits

12. Faculty and staff cost of living salary increases (Vote pending)

III.14 SENATE PRESENTATIONS ON 16 TOPICS:

9-13-16

Vice-President Katie High

New Enhanced Post-Tenure Performance Review Policy Elements

10-11-17

Vice-Chancellor Lori Gonzalez

Open access (to relevant faculty member) to faculty promotion and tenure documents

Executive Vice-Chancellor Kennard Brown

Gun policies on UTHSC Campus

11-8-17

Chancellor Stephen Schwab

The New Enhanced Post-Tenure Performance Review & Mandatory Evaluator Training

Vice-Chancellor Tony Ferrara

Policy Website – Capabilities, Advantages & Use

12-13-17

Vice-Chancellor Jan van der Aa

Future of IT at UTHSC

Assist. Vice-Chancellor – Communications & Marketing, Sally Badoud

Vision for Our Social Media Strategy, Staffing Changes, Website Revisions, Listserv emails, etc.

1-10-17

Vice-Chancellor Lori Gonzalez

Debrief of UTHSC Administrator's Retreat [Improving administrator-faculty interactions for ranks chair & above]

Allen DuPont

Security in the Faculty's upward evaluation of UTHSC Administrators

2-10-17

Vice-Chancellor Steven Goodman

Allocation of credit for externally funded research grant awards Memphis Research Consortium proposal: Adverse Childhood Experiences

3-14-17

Director Teresa Britt

Into The Future of UTHSC Medical Education
Professor Peg Hartig UTHSC Committee on Academic and Student Affairs (CASA)
UTHSC Quality Enhancement Plan

4-11-17

Library Associate Director – Randall Watts

You Want to Do What? A Brief Introduction to Best Practices in the Utilization of
Copyrighted Materials by Educators

5-9-17

Vice-Chancellor Tony Ferrara

The State and UT Budgets -How They Affect UTHSC

Executive Vice-Chancellor Kennard Brown

A Look at the UTHSC Campus of the Future (re-scheduled to fall, 2017)

Faculty participation in the Upward Evaluation of campus administrators

College	Participants/Members	2017%	2015 %
COM <u>Chatt.</u>	4/100	4%	3%
COM Knoxville	8/226	3.5%	1.4%
*COM Memphis	125/751	16.6%	15.5%
Dentistry	72/161	44.7%	16%
Health Professions	31/63	49.2%	40.3%
Non-college	9/20	45%	25.9%
Nursing	24/75	32%	15.2%
Pharmacy	25/68	36.8%	42%

*COM Basic Science only 23.5%

Richard Smith - Chair

4. Approval of the Minutes

Minutes of the May 8, 2018 meeting were approved unanimously

5. Election of Senate President-elect and Secretary

Nominated by Executive Committee:

President-Elect – Peg Hartig

Secretary – Jami Flick

Nominations from the floor: (None)

Vote Both officers elected unanimously (show of hands)

6. Approval of Senate Committees: Tabled until the September meeting

8. Transition of Office; Passing of Gavel to George Cook– Term begins July 1.

9. Adjournment

The meeting was adjourned at 4:52PM.

Future Senate Meetings:

Next Faculty Senate Meeting – Sept. 11, 4:00 PM, GEBA204

Executive Committee Meeting – Jun. 19, 8:00 AM, 407 Hyman

PLEASE SIGN IN!

Faculty Senate June 12, 2018

- Boughter, John
- Brown, Jami
- Callahan III, William
- Choby, Beth
- Christian, James
- Clark, MaryAnn
- Clark, Ricketta
- Colvert, Dawson. S.
- Cook, George
- Cooper, Terry
- Dabbs, William
- Dabney, Cindi
- Diaz-Thomas, Alicia
- Donaldson, Martin E.
- Dragatsis, Ioannis
- EIAbiad, Tammam
- Fischer, Peter
- Flick, Jami
- Freier, Amado
- George, Lekha
- Gonzalez, Lori
- Grandas, Oscar
- Haberman, Brent
- Hamby, Ellen
- Hamilton, Bruce
- Hamilton, David
- Hartig, Margaret
- Hastings, Colleen
- Hatten, Marie
- Head, Penny
- Hohmeier, Kenneth
- Hori, Rod
- Howden, Colin
- Ibeguogu, Uzoma

Jami Flick

Bruce Hamilton

PLEASE SIGN IN!

Jain, Vinay

Jones, Vickie

Joshi, Vijay

Kabra, Rajesh

Kedzierski, Rafal

Kovesdy, Csaba

Kumar, Aneel

Kumar, Sajeesh

Land, Mack

Langford, Jennifer

Ledbetter, Chris

Levi-D'Ancona, Roberto

Likens, Carol

Lisner, Morgan

Lowe, Tao

Malakoff, Gary

Mandal, Nawajes

McClinton, Tracy

McCoy, Elisha

McDonald, Mike

Moses-Simmons, Linda

Mulligan, Megan K

Mutrie, Lauren

Myers, Dayna

Nelson, Eric

Nikbakht, Stephanie

Park, Frank

Pattanaik, Debendra

Phebus, Jeff

Ragain, Jay

Rao, R.K.

Reed, Laura

Richey, Phyllis

Mack Land

Chris Ledbetter

Carol Likens

Dayna Myers

Jay Ragain

PLEASE SIGN IN!

Rogers, David P.	_____
Rowe, A. Shaun	_____
Russell, Cindy	_____
Saltuklaroglu, Tim	_____
Schafer, Duane Robert	_____ <i>D. Schafer</i>
Scroggs, Reese S.	_____
Self, Tim	_____
Shafi, Nadeem	_____
Sharp, Chris	_____
Sharp, Jackie	_____
Sheyn, Anthony	_____
Smith, Richard	_____
Spivey, Christina	_____
Steinberg, Helmut	_____ <i>HS</i>
Sun, Wen Lin	_____
Surbrook, Michelle	_____
Thomas, Fridtjof	_____
Towbin, Jeffery	_____
Vanatta, Jason	_____
Vidal, Gregory	_____
Vinall, Craig V.	_____
Williams, Regan F.	_____
Williams, Richard	_____
Williamson, Wes	_____ <i>Wes Williamson</i>
Wilson, Thad	_____
Wu, Zhaohui (Sunny)	_____
Yates, Ryan	_____
Zhang, Jie	_____
Zhang, Yanhui	_____

PLEASE SIGN IN!

Faculty Senate June 12, 2018

- Boughter, John
Brown, Jami
Callahan III, William
Choby, Beth
Christian, James
Clark, MaryAnn
Clark, Ricketta
Colvert, Dawson. S.
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Dabbs, William
Dabney, Cindi
Diaz-Thomas, Alicia
Donaldson, Martin E.
Dragatsis, Ioannis
ElAbiad, Tammam
Fischer, Peter
Flick, Jami
Freier, Amado
George, Lekha
Gonzalez, Lori
Grandas, Oscar
Haberman, Brent
Hamby, Ellen
Hamilton, Bruce
Hamilton, David
Hartig, Margaret
Hastings, Colleen
Hatten, Marie
Head, Penny
Hohmeier, Kenneth
Hori, Rod
Howden, Colin
Ibeguogu, Uzoma

George Cook

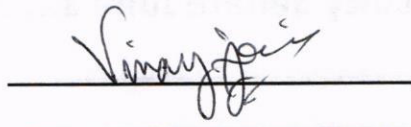
Martin Donaldson

David Hartig

Rod Hori

PLEASE SIGN IN!

Jain, Vinay



Jones, Vickie

Joshi, Vijay

Kabra, Rajesh

Kedzierski, Rafal

Kovesdy, Csaba

Kumar, Aneel

Kumar, Sajeesh

Land, Mack

Langford, Jennifer

Ledbetter, Chris

Levi-D'Ancona, Roberto

Likens, Carol

Lisner, Morgan

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Malakoff, Gary

Mandal, Nawajes



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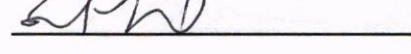


Mulligan, Megan K

Mutrie, Lauren

Myers, Dayna

Nelson, Eric



Nikbakht, Stephanie

Park, Frank

Pattanaik, Debendra

Phebus, Jeff

Ragain, Jay

Rao, R.K.

Reed, Laura

Richey, Phyllis

PLEASE SIGN IN!

Rogers, David P. _____
Rowe, A. Shaun _____
Russell, Cindy Cindy Russell
Saltuklaroglu, Tim _____
Schafer, Duane Robert _____
Scroggs, Reese S. _____
Self, Tim _____
Shafi, Nadeem _____
Sharp, Chris _____
Sharp, Jackie _____
Sheyn, Anthony _____
Smith, Richard RS
Spivey, Christina _____
Steinberg, Helmut Helmut Steinberg
Sun, Wen Lin _____
Surbrook, Michelle _____
Thomas, Fridtjof _____
Towbin, Jeffery _____
Vanatta, Jason _____
Vidal, Gregory _____
Vinall, Craig V. _____
Williams, Regan F. _____
Williams, Richard Richard Williams
Williamson, Wes _____
Wilson, Thad Thad Wilson
Wu, Zhaohui (Sunny) _____
Yates, Ryan _____
Zhang, Jie _____
Zhang, Yanhui _____

Sharon Little Sharon Little

APPENDIX B: TERMINATION PROCEDURES FOR UNSATISFACTORY PERFORMANCE IN TEACHING, RESEARCH, OR SERVICE

The following procedures shall apply to termination of a tenured faculty appointment, or termination of a tenure-track appointment before expiration of the annual term, for unsatisfactory performance in teaching, research, or service within the definition of Adequate Cause.

1. 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 chief academic officer may suspend a faculty member with pay, or change his or her assignment of duties, pending completion of the University's termination proceedings described in this appendix and in campus procedures incorporating this appendix. The chief academic officer may combine action under this paragraph with any other procedures in this appendix.

2. Tenured Faculty's Recommendation

The department head shall direct the tenured departmental faculty to consider the faculty member's performance in teaching, research, and service and, by an anonymously cast vote taken in accordance with applicable department or college bylaws, to make a recommendation on the question of whether the faculty member's performance constitutes Adequate Cause for termination. The faculty recommendation shall be advisory to the department head. If an Enhanced Post-Tenure Performance Review (EPPR) has been completed in the preceding four years, the report of the EPPR peer committee shall be provided to the tenured faculty, along with any other evaluative information provided for their review. The faculty member under review shall be provided with a copy of the material provided to the tenured faculty and shall be given a reasonable opportunity to submit responsive written materials before the vote of the tenured faculty.

3. Department Head's Recommendation

The department head shall consider the faculty member's performance in teaching, research, and service, and the recommendation of the tenured departmental faculty, and make a recommendation on the question of whether the performance constitutes Adequate Cause for termination. The department head shall forward his or her recommendation and the reasoning supporting the recommendation to the dean, together with the history of efforts to encourage the faculty member to improve his or her performance and a report of the recommendation of the tenured faculty (including the

anonymously cast vote tally) on the question of whether the faculty member's performance constitutes Adequate Cause for termination.

4. Dean's Recommendation

The dean shall consider the faculty member's performance in teaching, research, and service, and the recommendation of the tenured departmental faculty and department chair, and make a recommendation on the question of whether the performance constitutes Adequate Cause for termination. The dean shall forward his or her recommendation and the reasoning supporting the recommendation to the chief academic officer, together with the recommendations of the tenured faculty and the department head.

5. Decision by the Chief Academic Officer

a. Review by the Chief Academic Officer

- (1) If the chief academic officer concludes that Adequate Cause for termination may exist, he or she shall call the faculty member to a meeting to discuss the possibility of a mutually satisfactory resolution of the matter.
- (2) If a mutually satisfactory resolution is not achieved within 30 calendar days, the chief academic officer shall ask the Faculty Senate (or appropriate committee or Executive Council of the Senate) to make a recommendation as to whether Adequate Cause for termination exists. The recommendation of the Faculty Senate, along with the supporting reasoning, shall be provided to the chief academic officer within 30 calendar days of the request and shall be advisory to the chief academic officer.
- (3) If the chief academic officer concludes that Adequate Cause does not exist, then the chief academic officer shall provide the faculty member with written notice of the conclusion (with a copy to the dean and the department head), and shall include in the notice any further instructions regarding the matter as may be necessary.

b. Sanctions Less than Termination for Adequate Cause

- (1) If the chief academic officer concludes Adequate Cause exists but that a sanction other than termination or suspension without pay should be imposed, then the chief academic officer may impose the lesser sanction. The faculty member may appeal the lesser sanction to the Chancellor, whose decision shall be final and not appealable to the President.

- (2) If the chief academic officer concludes Adequate Cause exists but that the sanction should be suspension without pay rather than termination, the chief academic officer shall employ the procedures set forth in paragraph 5c of this appendix and in campus procedures incorporating this appendix, all as appropriately tailored to reflect that the proposed sanction is suspension without pay rather than termination. If the faculty member wishes to contest the suspension without pay, the procedures shall be those set forth in paragraph 7 of this appendix and in campus procedures incorporating this appendix, all as appropriately tailored to reflect that the proposed sanction is suspension without pay rather than termination.

c. Termination for Adequate Cause

(1) Notice of Adequate Cause and Opportunity to Respond

Before deciding that the faculty member's appointment should be terminated for Adequate Cause, the chief academic officer shall give the faculty member written notice, including a statement of the grounds for termination, framed with reasonable particularity, and the opportunity to respond to the stated grounds and the proposed termination in a meeting with the chief academic officer. The faculty member may choose to respond in writing instead of, or in addition to, a meeting with the chief academic officer. Any written response must be submitted to the chief academic officer within 10 calendar days of delivery of the written statement of the grounds for termination.

(2) Notice of Termination

If, after considering any information provided by the faculty member and after consulting with the Chancellor and the President, the chief academic officer concludes that the faculty member's appointment should be terminated for Adequate Cause, the chief academic officer shall provide written notice of termination to the faculty member (1) providing a statement of the grounds for termination, framed with reasonable particularity, and the date on which the termination will become effective unless the faculty member elects to contest the termination in a pre-termination hearing before a hearing tribunal (paragraph 7a of this appendix); (2) providing notice of the faculty member's right to contest the proposed termination in a pre-termination hearing before a tribunal, as described below, or in a post-termination hearing conducted under the provisions of the Uniform Administrative Procedures Act; and (3) providing notice that the faculty member has 15 calendar days after receipt of the written notice to elect in writing to contest the termination and to elect in writing the form of hearing. Selection of one type of hearing waives the opportunity to contest the termination through the other type of hearing. The chief academic officer shall send a copy of the written notice to the Faculty Senate at the same time.

6. Failure to Contest Termination

If the faculty member does not contest the charge(s) in writing and make the required hearing election within 15 calendar days after receipt of the written notice described in paragraph 5c(2) of this appendix, the faculty member shall be terminated, and no appeal of the matter will be heard within the University.

7. Options to Contest Termination

The rights provided in this paragraph 7 are in lieu of any other rights of grievance or appeal in the applicable faculty handbook or any appeal to the President.

a. Pre-Termination Hearing before a Tribunal and Final Decision by the Chancellor

If the faculty member makes a timely election to contest the charge(s) through a hearing by a University tribunal, the faculty member must confirm in writing the decision to waive the right to a hearing under the Uniform Administrative Procedures Act, and the Chancellor shall ask the Faculty Senate, or a designated committee of the Faculty Senate, to appoint a tribunal within 15 calendar days and shall notify the faculty member of this action. The matter then shall proceed in accordance with the tribunal procedures described below, with the faculty member's termination stayed pending the conclusion of those procedures.

(1) Composition of the Tribunal

The University tribunal shall consist of members of the faculty and the administration. Either the Chancellor or the faculty member may challenge the appointment of a tribunal member on the ground of bias or conflict of interest. A challenge shall be judged by the Faculty Senate, or a designated committee of the Faculty Senate, whose decision on the challenge shall be final and not subject to appeal.

(2) Notice of Hearing

The Chancellor shall give the faculty member written notice of the hearing date at least 2030 calendar days in advance. The Chancellor shall issue a scheduling order to ensure that the tribunal's written findings, reasoning, and conclusions are submitted to the Chancellor within 120 calendar days from the date the faculty member has been provided with written notice of termination under paragraph 5c(2) of this appendix. A scheduling order shall not be modified except by leave of the Chancellor upon a showing of good cause.

(3) Representation

If the University 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 tribunal chairperson within 10 calendar 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 the University's request.

(4) 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.

(5) Pre-Hearing Preparation

The faculty member and the University shall have a reasonable opportunity prior to the hearing to obtain witnesses, specific documents, or other specific evidence reasonably related to the charge(s).

(6) 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 the campus and/or other comparable institutions of higher education.

(7) Confrontation and Cross-Examination of Witnesses

The faculty member and the University shall have the right to confront and cross-examine all 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.

(8) Adjournments

The tribunal shall grant adjournments to allow either party to investigate evidence to which a valid claim of surprise is made. The tribunal may grant one such adjournment for a period of no more than five calendar days. If the tribunal wishes to grant an adjournment for more than five calendar days, or wishes to grant more than one adjournment, the tribunal shall notify the Chancellor of the proposed adjournment, provide an explanation of the need for the adjournment, and provide a recommendation regarding the length of the adjournment. If the Chancellor concurs in the tribunal's recommendation that an adjournment be granted, the Chancellor shall give the faculty member written notice of the date on which the hearing will resume.

(9) Burden of Proof

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

(10) Findings and Conclusions

The tribunal shall make written findings and conclusions and shall provide a copy to the faculty member at the time of submission to the Chancellor.

(a) If the tribunal concludes Adequate Cause for termination has not been established, it shall so report to the Chancellor, with supporting reasons. In the case of a split decision, a minority report should be included.

(b) 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. In the case of a split decision, a minority report should be included.

(c) 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, with supporting reasons. In the case of a split decision, a minority report should be included.

(11) Transcript of the Hearing

A verbatim record of the hearing shall be made, and a transcript shall be provided to the faculty member and the Chancellor at the time of the tribunal's submission of its findings, reasoning, and conclusions.

(12) Final Decision by the Chancellor

Upon receipt of the tribunal's findings, reasoning, and conclusions, the Chancellor shall provide an opportunity for written argument by the parties and may provide the parties an opportunity to present oral argument. After considering the tribunal's findings, reasoning, and conclusions and any arguments of the parties, the Chancellor will determine whether Adequate Cause has been established and whether termination is the appropriate sanction.

If the Chancellor concludes that Adequate Cause has not been established, the Chancellor shall provide the faculty member with written notice of the conclusion (with a copy to the tribunal, Chief Academic Officer, dean, and department head), and shall include in the notice any further instructions regarding the matter as may be necessary.

If the Chancellor concludes that Adequate Cause has been established but that a sanction other than termination should be imposed, including without limitation suspension without pay, the Chancellor may impose the lesser sanction by written notice to the faculty member (with a copy to the tribunal, Chief Academic Officer, dean, and department head). The notice shall include the date on which the sanction will become effective. The decision of the Chancellor shall be final and not appealable to the President.

If the Chancellor concludes that Adequate Cause has been established and that termination is the appropriate sanction, the Chancellor shall provide the faculty member with a written notice of termination stating the grounds for termination (with a copy to the tribunal, Chief Academic Officer, dean, and department head). The notice of termination may include or adopt the written findings and conclusions of the tribunal if applicable to the Chancellor's decision. The notice shall include the date on which termination will become effective. The decision of the Chancellor shall be final and not appealable to the President.

b. Post-Termination Hearing and Final Decision under the Uniform Administrative Procedures Act

(1) Contested Case Procedures

If the faculty member makes a timely election to contest the charge(s) under the Uniform Administrative Procedures Act (UAPA), the Chancellor shall appoint an administrative judge, the faculty member's employment will be terminated on the date specified in the notice provided under paragraph 5c(2), and the matter shall proceed post-termination in accordance with the contested case procedures promulgated by the University under the UAPA. The UAPA contested case procedures are published in the Compiled Rules and Regulations of the State of Tennessee, Tenn. Comp. R. & Regs. § 1720-1-5.

(2) Initial Order

In accordance with the UAPA contested case procedures, upon completion of the hearing, the administrative judge shall render an initial order, which either party may appeal to the Chancellor within 15 calendar days. In addition, the Chancellor, on his or her own motion, may elect within 15 calendar days to review the administrative judge's initial order.

(3) Final Order

The administrative judge's initial order shall become the final order unless review is sought by either party or the Chancellor within the fifteen-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 UAPA 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 University's final order is favorable to the faculty member and concludes that the faculty member's employment should not have been terminated for Adequate Cause, then full restitution of salary, academic position and tenure lost during the termination will be made.

(4) 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 Uniform Administrative Procedures Act.

APPENDIX C: TERMINATION PROCEDURES FOR MISCONDUCT

The following procedures shall apply to termination of a tenured faculty appointment, or termination of a tenure-track appointment before expiration of the annual term, for misconduct within the definition of Adequate Cause.

1. Suspension or Reassignment Pending Completion of Termination Proceedings

The chief academic officer may combine action under this paragraph with any other procedures in this appendix.

a. Suspension with Pay or Reassignment of Duties

After consultation with the President of the Faculty Senate or the Faculty Senate Executive Committee, the chief academic officer may suspend a faculty member with pay, or change his or her assignment of duties, pending completion of the University's termination proceedings described in this appendix and in campus procedures incorporating this appendix.

b. Suspension without Pay

After consultation with the Chancellor, the President, and the President of the Faculty Senate or the Faculty Senate Executive Committee, the chief academic officer may suspend a faculty member without pay pending completion of termination proceedings only for the following types of alleged misconduct and only in accordance with the procedures outlined in paragraph 8 of this appendix entitled "Expedited Procedure for Termination or Suspension Without Pay in Certain Cases of Misconduct:"

- (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.

If the University's final determination after either a UAPA proceeding or an ad hoc hearing committee proceeding is favorable to the faculty member and concludes both that the faculty member's employment should not be terminated for Adequate Cause and that the faculty member should not have been suspended without pay pending completion of termination proceedings, then full restitution of salary, academic position and tenure lost during the suspension without pay will be made.

2. Consultation with Tenured Faculty

The department head shall consult with the departmental tenured faculty before making a recommendation regarding whether a faculty member's alleged misconduct constitutes Adequate Cause for termination.

3. Department Head's Recommendation

If the department head concludes that a faculty member's alleged misconduct constitutes Adequate Cause for termination, he or she shall forward a recommendation **and the reasoning supporting the recommendation** to the dean. The recommendation shall include a report of the head's consultation with the tenured faculty.

4. Dean's Recommendation

If the dean concludes that a faculty member's alleged misconduct constitutes Adequate Cause for termination, he or she shall forward a recommendation **and the reasoning supporting the recommendation** to the chief academic officer.

5. Decision by the Chief Academic Officer

a. Review by the Chief Academic Officer

- (1) If the chief academic officer concludes that Adequate Cause for termination may exist, he or she shall call the faculty member to a meeting to discuss the possibility of a mutually satisfactory resolution of the matter.
- (2) If the chief academic officer concludes that Adequate Cause does not exist, the chief academic officer shall provide the faculty member with written notice of the conclusion (with a copy to the dean and the department head), and shall include in the notice any further instructions regarding the matter as may be necessary.

b. Sanctions Less than Termination for Adequate Cause

- (1) If the chief academic officer concludes Adequate Cause exists but that a sanction other than termination or suspension without pay should be imposed, the chief academic officer may impose the lesser sanction. The faculty member may appeal the lesser sanction to the Chancellor, whose decision shall be final and not appealable to the President.

- (2) If the chief academic officer concludes Adequate Cause exists but that the sanction should be suspension without pay rather than termination, the chief academic officer shall employ the procedures set forth in paragraph 5c of this appendix and in campus procedures incorporating this appendix, all as appropriately tailored to reflect that the proposed sanction is suspension without pay rather than termination. If the faculty member wishes to contest the suspension without pay, the procedures shall be those set forth in paragraph 7 of this appendix and in campus procedures incorporating this appendix, all as appropriately tailored to reflect that the proposed sanction is suspension without pay rather than termination.

c. Termination for Adequate Cause

(1) Notice of Adequate Cause and Opportunity to Respond

Before deciding that the faculty member's appointment shall be terminated for Adequate Cause, the chief academic officer shall give the faculty member written notice, including a statement of the grounds for termination, framed with reasonable particularity, and the opportunity to respond to the stated grounds and the proposed termination in a meeting with the chief academic officer. The faculty member may choose to respond in writing instead of, or in addition to, a meeting with the chief academic officer. Any written response must be submitted to the chief academic officer within 10 calendar days of delivery of the written statement of the grounds for termination.

(2) Notice of Termination

If, after considering any information provided by the faculty member, and after consulting with the Chancellor and the President, the chief academic officer concludes that the faculty member's appointment should be terminated for Adequate Cause, the chief academic officer shall provide written notice to the faculty member (1) providing a statement of the grounds for termination, framed with reasonable particularity, and the date on which the termination will become effective unless the faculty member elects to contest the termination in a pre-termination hearing before an ad hoc hearing committee (paragraph 7a of this appendix); (2) notice of the faculty member's right to contest the proposed termination in a pre-termination hearing before an ad hoc hearing committee (paragraph 7a of this appendix) or in a post-termination hearing under the provisions of the Uniform Administrative Procedures Act; and (3) notice that the faculty member has 15 calendar days after receipt of the written notice to elect in writing to contest the termination. Selection of one type of hearing waives the opportunity to contest the termination through the other type of hearing. The chief academic officer shall send a copy of the written notice to the Faculty Senate at the same time.

6. Failure to Contest

If the faculty member does not contest the charge(s) of misconduct in writing within 15 calendar days after receipt of the written notice described in paragraph 5c2 of this appendix, the faculty member shall be terminated, and no appeal of the matter will be heard within the University.

7. Options to Contest the Termination

The rights provided in this paragraph 7 are in lieu of any other rights of grievance or appeal in the applicable faculty handbook or any appeal to the President.

a. Pre-Termination Hearing before an Ad Hoc Hearing Committee and Final Decision by the Chancellor

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 UAPA, the faculty member must confirm in writing the decision to waive the right to a hearing under the UAPA, and the Chancellor shall appoint an ad hoc hearing committee to conduct an informal hearing on the charges, with the faculty member's termination stayed pending the conclusion of the procedures set forth in this paragraph 7a.

The Chancellor shall give the faculty member written notice of the hearing date at least 30 calendar days in advance. The Chancellor shall issue a scheduling order to ensure that the hearing committee's written findings, reasoning, and conclusions are submitted to the Chancellor within 120 calendar days from the date the faculty member has been provided with written notice of termination under paragraph 5c(2) of this appendix. A scheduling order shall not be modified except by leave of the Chancellor upon a showing of good cause.

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 10 calendar 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 the University's request.

The hearing committee shall grant adjournments to allow either party to investigate evidence to which a valid claim of surprise is made. The hearing committee may grant one such adjournment for a period of no more than five calendar days. If the hearing committee wishes to grant an adjournment for more than five calendar days, or wishes

to grant more than one adjournment, the hearing committee shall notify the Chancellor of the proposed adjournment, provide an explanation of the need for the adjournment, and provide a recommendation regarding the length of the adjournment. If the Chancellor concurs in the hearing committee's recommendation that an adjournment be granted, the Chancellor shall give the faculty member written notice of the date on which the hearing will resume.

The hearing committee shall make a written report of its findings, reasoning, and conclusions to the Chancellor. In the case of a split decision, a minority report should be included.

Upon receipt of the hearing committee's findings, reasoning, and conclusions, the Chancellor shall provide the opportunity for written argument by the parties and may provide the parties an opportunity to present oral argument. After considering the hearing committee's findings, reasoning, and conclusions and any arguments of the parties, the Chancellor will determine whether Adequate Cause has been established and whether termination is the appropriate sanction.

If the Chancellor concludes that Adequate Cause has not been established, the Chancellor shall provide the faculty member with written notice of the conclusion (with a copy to the hearing committee, Chief Academic Officer, dean, and department head), and shall include in the notice any further instructions regarding the matter as may be necessary.

If the Chancellor concludes that Adequate Cause has been established but that a sanction other than termination should be imposed, including without limitation suspension without pay, the Chancellor may impose the lesser sanction by written notice to the faculty member (with a copy to the hearing committee, Chief Academic Officer, dean, and department head). The notice shall include the date on which the sanction will become effective. The decision of the Chancellor shall be final and not appealable to the President.

If the Chancellor concludes that Adequate Cause has been established and that termination is the appropriate sanction, the Chancellor shall provide the faculty member with a written notice of termination stating the grounds for termination (with a copy to the hearing committee, Chief Academic Officer, dean, and department head). The notice of termination may include or adopt the written findings, reasoning, and conclusions of the ~~tribunal~~ hearing committee if applicable to the Chancellor's decision. The notice shall include the date on which termination will become effective. The decision of the Chancellor shall be final and not appealable to the President.

b. Post-Termination Hearing and Final Decision under the Uniform Administrative Procedures Act

(1) Contested Case Procedures

If the faculty member makes a timely election to contest the charge(s) under the Uniform Administrative Procedures Act (UAPA), the Chancellor shall appoint an administrative judge, the faculty member's employment will be terminated on the date specified in the notice provided under paragraph 5c(2), and the matter shall proceed post-termination in accordance with the contested case procedures promulgated by the University under the UAPA. The UAPA contested case procedures are published in the Compiled Rules and Regulations of the State of Tennessee, Tenn. Comp. R. & Regs. § 1720-1-5.

(2) Initial Order

In accordance with the UAPA contested case procedures, upon completion of the hearing, the administrative judge shall render an initial order, which either party may appeal to the Chancellor within 15 calendar days. In addition, the Chancellor, on his or her own motion, may elect within fifteen calendar days to review the hearing officer's initial order.

(3) Final Order

The administrative judge's initial order shall become the final order unless review is sought by either party or the Chancellor within the fifteen-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 UAPA 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 University's final order is favorable to the faculty member and concludes that the faculty member's employment should not have been terminated for Adequate Cause, then full restitution of salary, academic position and tenure lost during the termination will be made.

(4) 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 Uniform Administrative Procedures Act.

8. Expedited Procedure for Termination or Suspension without Pay in Certain Cases of Misconduct

In the following cases of alleged misconduct by a faculty member, the chief academic officer, after consulting with the Chancellor, the President, and the President of the Faculty Senate or the Faculty Senate Executive Committee, may invoke an expedited procedure to accomplish termination or suspension without pay, with comprehensive due process procedures to be offered after termination or suspension without pay:

- a. alleged misconduct involving (i) acts or credible threats of harm to a person or University property, including, without limitation, sexual harassment or other sexual misconduct; or (ii) theft or misappropriation of University funds, property, services, or other resources; or
- b. 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:

- (1) notice of the charges;
- (2) an explanation of the evidence; and
- (3) an informal opportunity to refute the charges in a meeting with the 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 as set forth in paragraph 7 of this appendix, except that the termination or suspension without pay shall not be stayed pending the outcome of an ad hoc hearing committee if the faculty member elects that method of contesting the action. If the University's final determination after either a UAPA proceeding or an ad hoc hearing committee proceeding is favorable to the faculty member and concludes that the faculty member should not have been suspended without pay or that the faculty member's employment should not have been/should not be terminated for Adequate Cause, then full restitution of salary, academic position and tenure lost during the suspension without pay or termination will be made.

~~Section 2 — 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. **In cases where only the Board is authorized to grant tenure, g**Grant tenure to eligible members of the faculty upon the positive recommendation of the President;~~

~~....~~

Section 4 Selection, Appointment, Tenure and Career Development of Tenure Track Faculty Members

....

4.2 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 [President or 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.

....

4.4.2 Role of the Tenured Faculty of the Department

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Departmental bylaws 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 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 nontenure 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, anonymous 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 eligible to vote on a given candidate or issue, and a positive or negative recommendation shall be decided by a simple majority of the participating faculty members. Bylaws may limit peer reviewers for appointments, promotions, and Cumulative Performance Reviews to those tenured faculty members holding faculty rank(s) equal or higher to that being sought by the candidate. Other matters having to do with 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 made available to every full time faculty member in the department and placed on the web site of the Faculty Senate.

....

4.8 Probationary Period

4.8.1 Length of Probationary Period

A-Except as otherwise provided in the Board's Policies Governing Academic Freedom, Responsibility and Tenure, a tenure track faculty member must serve a probationary period prior to being considered for tenure. The probationary period at UTHSC shall be six years. The faculty member will apply for tenure during the sixth year, and if tenure is not granted, the faculty member will be permitted to serve a seventh year as a terminal year. If a faculty member begins employment after July 1 and before January 1, the remaining term of the faculty member's initial appointment will count as the first year of the probationary period, so that what is treated as the first year of a faculty member's probationary period will not be shorter than six months. ~~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~~six 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 4.11.1). ~~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.

A faculty member may request an early consideration for tenure before the sixth year of his or her probationary period but no sooner than the next regular tenure cycle after completion of the first year of the probationary period.

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 ~~sevensix~~-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 ~~Senior Vice~~-President (or designee), and the General Counsel (or designee).

4.8.2 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 or modified duties assignment.

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

....

4.11 Criteria for Tenure

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4.11.1 ~~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. fulfilling the distinctive requirements established in writing by the department for the faculty position, and~~
- ~~2. possessing 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.~~

~~Furthermore, no faculty member at the rank of Instructor shall be recommended for the award of tenure without a concurrent recommendation and a positive action for promotion to the rank of Assistant Professor.~~

~~The Board's policy on tenure states that each department shall establish bylaws governing the tenured faculty's consideration of a candidate for tenure that are consistent with applicable college or campus bylaws but may be more restrictive. The departmental bylaws shall be effective upon approval by the dean and the UTHSC Chief Academic Officer and shall be published in the bylaws of the department. Departmental bylaws for tenure consideration shall not be required, however, if the college dean and the UTHSC Chief Academic Officer have approved application of the procedures established in college bylaws in lieu of departmental procedures. Each department must certify in writing to the college dean and the UTHSC Chief Academic Officer whether they will or will not establish departmental bylaws and procedures. The certification will be posted on the UTHSC Chief Academic Officer's website. 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.~~

Edits to be reviewed by UTHSC Faculty Senate 6/12/18, based on Handbook last approved 12/10/15

4.11.2 Candidate's Supporting Documentation

The burden of proof that tenure should be awarded rests with the faculty member. At least one month before the deadline for review by the tenured departmental faculty, the Chair shall counsel the faculty member concerning 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. ~~A listing of the items that are required in the dossier can be found in the Faculty Evaluation Manual; note however, that the tenured faculty in the candidate's department and the Chair may request that additional items be included.~~

The Chair should counsel the faculty member concerning updating his or her curriculum vitae and the identification of supporting documentation to be submitted to the tenured departmental or divisional faculty (or CPT Committee) (Faculty Handbook, Section 4.11.2). 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 must include at least the following items (Faculty Handbook, Section 4.11.2):

1. Current Curriculum Vitae, in the form required by UTHSC;
2. The initial appointment letter and annual reappointment letters with all figures related to salary or income completely obscured;
3. Annual accomplishments and goals, written by the candidate, since accepting a tenure-track faculty appointment at UTHSC;
4. 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 3 above;
5. Documents pertaining to the candidate's Interim Review, if relevant;
6. External reviews (Faculty Handbook, Section 4.11.2.1); and
7. Peer review of teaching (Faculty Handbook, Section 4.11.2.2).

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, as well as 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.

4.11.2.1 External Reviews

In addition to internal letters of evaluation, external letters of evaluation must be obtained for all reviews for promotion and for the final probationary review for the award of tenure.

a. Qualifications of Evaluators

1. Definitions for each category of evaluators are:
 - a. External evaluators are individuals who are not employed by or affiliated with UTHSC or UTHSC's affiliated institutions.
 - b. Internal evaluators are individuals who are employed by or affiliated with the college, UTHSC, or UTHSC's affiliated institutions.
2. External evaluators should be distinguished individuals in the candidate's field who are in a position to provide an assessment of the candidate's current and projected contributions to the candidate's field of scholarship and to comment on their significance for the discipline.
3. Evaluators must be (a) at or above the candidate's current rank (or equivalent), in the case of tenure review only, or (b) at or above the rank (or equivalent) to which the candidate aspires to be promoted. Appropriate evaluators should have sufficient expertise to evaluate the candidate's contributions in their areas of effort: teaching, research/scholarship, service, and, if applicable, clinical care. Evaluators providing reviews for tenure must themselves hold tenure if offered at their institution or the equivalent if tenure is not offered.
4. Letters should not be solicited from evaluators who would be considered to hold any conflict of interest, as defined in the National Institutes of Health (NIH) definition of conflict of interest, or who would be in any professional or personal relationship with the candidate that could reduce objectivity. Questions as to the appropriateness of any external or internal evaluator should be referred to the Dean's office, with further review by UTHSC's Chief Academic Officer if needed.
5. College bylaws may specify more explicit criteria for identifying potential evaluators.

b. Number of Required Letters

While college bylaws may specify more than the number of required external and internal letters of evaluation noted here, the following are the minimum requirements by rank. The candidate and the chair should separately create a list of names of potential evaluators that is double the minimum number of required letters.

- a. Instructor to Assistant Professor: 3 internal letters of evaluation required
- b. Assistant Professor to Associate Professor without tenure: 2 external and 3 internal letters of evaluation required

- c. Assistant Professor to Associate Professor with tenure: 3 external and 2 internal letters of evaluation required
- d. Associate Professor to Professor with or without tenure: 3 external and 2 internal letters of evaluation required
- e. Instances of tenure at any rank without promotion: 3 external and 2 internal letters of evaluation required

c. Selection of Evaluators

All potential evaluators are to be identified by mutual agreement of the candidate and the chair. College bylaws, and departmental bylaws if they exist, must specify the number (beyond the minimum, if applicable) and general criteria for identifying potential evaluators.

In selecting evaluators, a candidate may prospectively reject the names of up to three proposed evaluators without cause. In instances where the candidate and the chair cannot mutually agree on a potential evaluator within five business days of receiving each other's' lists, the candidate and chair should present their views to the departmental faculty who will then decide the disposition of the issue by anonymous balloting within five business days. A simple majority vote prevails.

d. Solicitation of Letters of Evaluation

The individual responsible for this process at the collegiate level should normally solicit twice the number of minimum required letters of evaluation, using the following guidance. A standard form letter must be used for all candidate members within a college.

1. Materials to be sent to evaluators:
 - a. Candidate's current curriculum vitae
 - b. Relevant supporting materials from the candidate's dossier, e.g., teaching portfolio, sample publications (generally no more than 2), summary of student and/or peer evaluations of teaching, etc.
 - c. College and (if applicable) departmental bylaws and UTHSC Faculty Handbook statements of criteria for the specific action(s) (e.g., promotion, tenure, or both)
 - d. Materials requested to be included by the candidate.
2. General information to provide to evaluators in the request for evaluation:
 - a. Candidate's name
 - b. Nature of the specific action(s) under consideration (e.g., promotion, tenure, or both)
 - c. Request for reviewer to comment on the candidate's academic progress based on materials provided and/or on the evaluator's personal knowledge of the scientific and/or professional contributions of the candidate
 - d. Request for reviewer to provide a frank appraisal of (1) the candidate's research abilities and creative achievements, including papers given at scholarly meetings; (2) the quality of his/her publications or other creative work; (3) his/her reputation or standing in the field; and (4) his/her potential for further growth and achievement. Reviewers may also be asked to rate the candidate's contributions in comparison with others they have known at the same stage of professional development.
 - e. Request for reviewer to state the nature of any association with the candidate

- f. Request for reviewer to state precisely what the letter of evaluation covers (e.g., promotion, tenure, or both)
 - g. Request for letters to be submitted on institutional letterhead with the evaluator's signature that includes rank as well as tenure status
 - h. Disclosure of Tennessee Public Records Act, TCA §10-7-501 et seq. and access to letters of evaluation
 - i. Date when letter of evaluation must be received during the review cycle
 - j. Thank you
3. All letters should be addressed to the individual responsible for this process at the collegiate level.
 4. Letters may be submitted via postal mail or email.
 5. Whenever possible, external letters should be sought from (a) individuals at UTHSC's comparable or aspirational peer institutions or (b) from an outside institution similar to UTHSC (e.g., academic health science center or research-intensive institution).
 - 4.6. All letters solicited and received, even if more than the required minimum number, must be included in the dossier unless the UTHSC Chief Academic Officer approves their removal from the review process.

Within a department the number and nature of required letters should be uniformly applied to every faculty member.

4.11.2.2. Peer Review of Teaching

Peer review of teaching is required for all tenure candidates. This requirement applies to tenure candidates who will be reviewed in the tenure review cycle ending June 2020.

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4.14.3.3 Interim Probationary Review

For each tenure track faculty member, the department and the Chair will conduct an enhanced review to assess and inform the faculty member of his or her progress toward the grant of tenure during the third or fourth year of the probationary period (with the year to be determined in the department head's sole discretion). 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 and the process for the review can be found in the Faculty Evaluation Manual.

This two-part review will be conducted by the tenured faculty 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 4.11.2), the tenured faculty will record a formal, anonymous 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, if relevant; 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 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 should develop a written plan whereby the faculty member can meet the departmental expectations; this plan must be contained in the summary of the Annual Performance and Planning Review. Alternatively, an unfavorable review may lead to a notice of non-renewal (Section 4.10).

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

4.14.3.4 Final Probationary Review

Each year the UTHSC Chief Academic Officer publishes and distributes a detailed schedule for the Final Probationary Reviews and the process related to the recommendation of the award of tenure. Generally, a faculty member's preparation for this review begins in September. Each candidate will prepare a dossier, containing the documents required for this review by the tenured departmental faculty (Section 4.11.2). ~~External-Extra-departmental~~ review of the dossier may be permitted in any case and required when sufficient expertise is lacking among the tenured departmental faculty. ~~A sample document summarizing this review and the process for the review can be found in the Faculty Evaluation Manual.~~

Prior to one year before the end of the probationary period, the tenured departmental faculty make a thorough review of the dossier. Following the review of each candidate's dossier, the participating tenured faculty will meet and record a formal, anonymous 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. In a case in which the recommendation of the Chair and the tenured departmental faculty coincide, the Chair prepares a letter of nomination to the Dean. The format for a letter of nomination is described in the collegiate guidelines related to the award of tenure. If the Chair's recommendation differs from the recommendation of the tenured~~

~~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. Whenever the recommendation of the Chair differs from that of the tenured faculty, the Chair must notify the tenured faculty and provide them with a copy of the recommendation letter. The tenured faculty will meet again to consider whether a dissenting report should be developed and forwarded to the chair of the CPT Committee. The tenured faculty will provide a copy of any dissenting report to the Department Chair.~~

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 and the Chair. Individuals recommended for the award of tenure at this time will be evaluated primarily on their accomplishments at UTHSC and on the value of the faculty member to UTHSC in the future.

4.15 Procedures for 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>).

4.15.1 Tenured Faculty's Recommendation

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 [President or 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 4.~~13~~[14](#).3.3 and 4.~~13~~[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 department shall ~~establish bylaws~~ [adopt bylaws](#) governing the tenured faculty's consideration of a candidate for tenure [that are consistent with applicable college or campus bylaws but may be more restrictive. Departmental bylaws for tenure consideration shall not be required, however, if the college dean and the UTHSC Chief Academic Officer have approved application of the procedures established in college bylaws in lieu of departmental procedures. Each department must certify in writing to the college dean and the Chief Academic Officer whether they will or will not establish departmental bylaws and procedures. The certification will be posted on the UTHSC Chief Academic Officer's website.](#) 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. The vote shall be cast anonymously. At UTHSC the tenured faculty recommendation and formal, anonymous vote is contained in the report of Final Probationary Review (Section 4.13.3.4).

4.15.2 Department Chair's Recommendation

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 explanation of his or her judgment, with a copy provided to the tenure candidate and the departmental tenured faculty at the same time (Section 4.13.3.4). If the Chair's recommendation differs from the recommendation of the tenured faculty, ~~the summary he/she~~ must explain the reasons for the differing judgment, and the Chair must provide a copy of the summary explanation to the tenure candidate and the departmental tenured faculty. The tenured faculty will meet again to consider whether a dissenting report should be developed and forwarded to the Chair of the CPT Committee, with a copy provided to the Department Chair, the Dean, and the tenure candidate at the same time. may forward a dissenting report to the next level of review (Section 4.13.3.4).

4.15.3 Dean's Recommendation

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 4.34.3.

Recommendations and supporting documents for each candidate for the award of tenure will be forwarded to the collegiate academic officer by the Department Chair. Recommendations are presented by the collegiate academic officer to the CPT Committee. The committee will vote anonymously on each recommendation, thereby making a positive or a negative recommendation on each candidate to the Dean. The summary vote of the CPT Committee, as well as any dissenting report from a tenured departmental faculty, must be included with the supporting documents and forwarded to the Dean and the UTHSC Chief Academic Officer, and the Chancellor.

If the CPT Committee renders a negative recommendation, the Department Chair will be informed in writing of the reason(s) for the recommendation. The Department Chair may appeal to the Dean before the recommendation at the college level is made.

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 of that recommendation. The faculty member must be notified about the negative recommendation and must 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 [and explanation for the recommendation](#) to the UTHSC Chief Academic Officer, [with a copy provided to the tenure candidate at the same time](#).

4.15.4 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. The UTHSC Chief Academic Officer, in consultation with the Chancellor, evaluates the college recommendations in light of general knowledge of individuals and 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 [and summary explanation for the recommendation](#) to the Chancellor, [with a copy provided to the tenure candidate at the same time](#).

4.15.5 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, [with a summary explanation for the recommendation](#) to the President, [with a copy provided to the tenure candidate at the same time](#) 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 advised regarding the appeal process (Section 7).

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 Chief Academic Officer, the Dean, and the Chair to explain the reason(s) for the adverse recommendation. At the faculty member's request, the Chancellor must provide the faculty member with written notice of the recommendation (Section 4.10), giving the reason(s) for that recommendation, and stating that the faculty member may appeal the recommendation in accordance with the provisions of Section 7.

4.15.6 President's [Action or Recommendation](#)

[The President acts only on the Chancellor's positive recommendation for tenure.](#) If the President concurs in the positive recommendation ~~of the Chancellor~~, he or she shall [grant tenure if he or she is authorized to do so, and the Chancellor shall give the faculty member written notice of the effective date of tenure. If only the Board is authorized to grant tenure, the President shall](#) submit the recommendation ~~for to grant~~ [tenure, and summary explanation for the recommendation](#), to the Board of Trustees. [If the President does not concur in the positive recommendation of the Chancellor, the Chancellor shall give the faculty member, Chair, Dean, and Chief Academic Officer written notice that tenure will not be awarded. 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.~~

4.15.7 Action by the Board of Trustees when Required

~~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. Only the Board of Trustees is authorized to grant tenure in certain cases specified in Article III.B. of the Board of Trustees' Policies Governing Academic Freedom, Responsibility, and Tenure. In those cases, the Board of Trustees acts only on the President's positive recommendations for tenure. After positive action by the Board of Trustees to grant tenure, the Chancellor and Dean~~President shall give the faculty member written notice of the effective date of tenure.

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Appendix L – Procedure for the Final Probationary Review for the Award of Tenure

General Information about the Final Probationary Review

The Final Probationary Review is a two-part review by (1) the tenured departmental or divisional faculty (or the Collegiate Promotion and Tenure Committee (CPT Committee), if appropriate) and (2) the Chair (*Faculty Handbook*, Section 4.14.3.4). 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 (*Faculty Handbook*, Section 4.15.1). Thus, although recommendations for tenure are administrative actions that must be approved by the [President or 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 (*Faculty Handbook*, Section 4.15.1). 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 (*Faculty Handbook*, Sections 4.14.3.3, 4.14.3.4 and 4.15.1). If a department does not have at least three tenured faculty members (excluding the Dean and Chair), the CPT Committee (Section 4.4.2) will perform this review; however, any departmental tenured faculty members will have the opportunity to review the candidate's dossier and vote anonymously on the recommendation to award tenure. In large departments (e.g., Medicine, Pediatrics, etc.), the Chair may divide the tenured departmental faculty by divisions in order to form several committees composed of five or more tenured faculty members.

Each year the UTHSC Chief Academic Officer publishes and distributes a detailed schedule for the Final Probationary Reviews and the process related to the recommendation of the award of tenure. Generally, a faculty member's preparation for this review begins in September. Each candidate will prepare a dossier, containing the documents required for this review by the tenured faculty (*Faculty Handbook*, Sections 4.11.2 and 4.14.3.4). [External-Extra-departmental](#) review of the dossier may be permitted in any case and required when sufficient expertise is lacking among the tenured departmental faculty (*Faculty Handbook*, Section 4.14.3.4). [An example of the summary document for the Final Probationary Review \(Form 5\) is attached.](#)

Procedure for the Final Probationary Review

The Department Chair may delegate his or her responsibility for the Final Probationary Review to other individuals. [The procedure for the Final Probationary Review should include the following elements:](#)

- ~~a. The Chair should counsel the faculty member concerning updating his or her curriculum vitae and the identification of supporting documentation to be submitted to the tenured departmental or divisional faculty (or CPT Committee) (*Faculty Handbook*, Section 4.11.2). 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 must include at least the following items (*Faculty Handbook*, Section 4.11.2):~~
 - ~~1. Current Curriculum Vitae, in the form required by UTHSC;~~

- ~~2. The initial appointment letter and annual reappointment letters with all figures related to salary or income completely obscured;~~
- ~~3. Annual accomplishments and goals, written by the candidate, since accepting a tenure track faculty appointment at UTHSC;~~
- ~~4. 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 3 above; and~~
- ~~5. Documents pertaining to the candidate's Interim Review, if relevant.~~
- ~~6. External reviews; and~~
- ~~7. Peer review of teaching.~~

~~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 (*Faculty Handbook*, Section 4.11.2). 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. 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 (*Faculty Handbook*, Section 4.11.2). 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.~~

- b. The tenured departmental or divisional faculty (or CPT Committee, if appropriate) will review the dossier and meet for the purpose of recording a formal, anonymous vote on the recommendation to award (or not award) tenure (*Faculty Handbook*, Section 4.14.3.4). A quorum shall be fifty percent (50%) of the tenured faculty eligible to vote on a given candidate or issue, and a positive or negative recommendation shall be decided by a simple majority of those tenured faculty members present (*Faculty Handbook*, Sections 4.4.2 and 4.4.3). Following the review of the candidate's dossier, the tenured faculty will record a formal, anonymous vote on the recommendation (*Faculty Handbook*, Section 4.14.3.4). The tenured faculty's report to the Chair shall contain the following: a list of the tenured faculty members in attendance; 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 Collegiate Promotion and Tenure Committee, the Dean, the UTHSC Chief Academic Officer, and the Chancellor (*Faculty Handbook*, Section 4.14.3.4).
- c. The Chair reviews the dossier(s) and considers the recommendation(s) of the tenured departmental or divisional faculty (or CPT Committee). Then, the Chair makes an independent judgment on the tenure candidacy of a recommendation concerning each faculty member under consideration (*Faculty Handbook*, Sections 4.14.3.4 and 4.15.2). In a case in which the award of tenure is recommended, the Chair shall submit his or her recommendation to the dean with a written explanation of his or her judgment, with a copy provided to the tenure candidate and the

~~tenured departmental faculty at the same time prepares a letter of nomination to the Dean.~~ The letter of nomination must contain the following items:

1. Name of the faculty member;
2. Date of the original appointment;
3. Date of any prior promotion;
4. Date on which the recommended award of tenure would become effective;
5. The faculty member's professional discipline or field; and
6. Examples of important and specific accomplishments in teaching, scholarly activities, service, and/or patient care, as appropriate for the individual faculty member.

If the Chair recommends an individual for the award of tenure in contrast to a negative recommendation of the tenured faculty, this fact must be noted in the Chair's nominating letter and the reason(s) for the Chair's action must be explained (*Faculty Handbook*, Section 4.14.3.4). In a case in which the award of tenure is not recommended, the Chair prepares a letter in which he or she states the reason(s) for the non-recommendation.

~~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 letters of explanation from the Chair to the Dean and from the Dean to the UTHSC Chief Academic Officer. Individuals recommended for the award of tenure at this time will be evaluated primarily on their accomplishments at UTHSC and on the value of the faculty member to UTHSC in the future (*Faculty Handbook*, Section 4.14.3.4).~~

- d. Whenever the recommendation of the Chair differs from that of the tenured departmental or divisional faculty (or CPT Committee), ~~the Chair's recommendation must explain the reasons for the differing judgment and~~ the Chair must ~~notify the tenured faculty and provide them with a copy of the recommendation summary explanation letter to the tenure candidate and the departmental tenured faculty.~~ The tenured faculty will meet again to consider whether a dissenting report should be developed and forwarded to the chair of the CPT Committee (*Faculty Handbook*, Sections 4.14.3.4 and 4.15.2), ~~with a copy provided to the tenure candidate at the same time.~~
- e. All tenure recommendations of the Department Chair, whether positive or negative, must be reviewed by the Dean of the College (*Faculty Handbook*, Section 4.15.3). ~~Except in colleges without subdivisions, each college with regular faculty has a CPT Committee (*Faculty Handbook*, Section 4.4.3).~~ The recommendation of the CPT Committee is advisory to the Dean (*Faculty Handbook*, Section 4.15.3).

All required documents of candidates for the award of tenure (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. Any negative or controversial recommendation should be forwarded to the collegiate academic officer as soon as possible, but not later than 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 (Form 6) on all candidates for the award of tenure should be sent from the department to the collegiate academic officer.

Recommendations (Form 5 and all attachments) are presented by the collegiate academic officer to the CPT Committee (*Faculty Handbook*, Section 4.15.3). The committee will vote anonymously 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 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 present (*Faculty Handbook*, Section 4.4.3).

If the CPT Committee renders a negative recommendation, the Department Chair will be informed in writing of the reason(s) for the recommendation (*Faculty Handbook*, Section 4.15.3). The Department Chair may appeal to the Dean before the recommendation at the college level is made.

- f. The Dean will make a recommendation based on advice of the CPT Committee, the Department Chair and the tenured faculty, as well as on the basis of other circumstances, including personal knowledge of individuals and the needs of the college (*Faculty Handbook*, Section 4.15.3). 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 of that recommendation [and explanation for the recommendation](#). The faculty member must be notified about the negative recommendation and must 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.
- g. After making an independent judgment on the tenure candidacy, the Dean shall forward his or her recommendation [and explanation for the recommendation](#) to the UTHSC Chief Academic Officer, [with a copy provided to the tenure candidate at the same time](#) (Form 5 and all attachments) (*Faculty Handbook*, Section 4.15.3). 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 February. 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.
- h. All tenure recommendations of the Dean, whether positive or negative, shall be reviewed by the UTHSC Chief Academic Officer (*Faculty Handbook*, Section 4.15.4). The UTHSC Chief Academic Officer, in consultation with the Chancellor, evaluates the college recommendations in light of general knowledge of individuals and 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 [and summary explanation for the recommendation](#) to the Chancellor, [with a copy provided to the tenure candidate at the same time](#).
- i. During April, all tenure recommendations of the UTHSC Chief Academic Officer whether positive or negative, shall be reviewed by the Chancellor (*Faculty Handbook*, Section 4.15.5). After making an independent judgment on the tenure candidacy, the Chancellor shall forward only positive recommendations, [with a summary explanation for the recommendation](#), to the President by the beginning of May, [with a copy provided to the tenure candidate at the same](#)

time. Summary information on each faculty member being considered for tenure should be sent to the Office of the System Vice President with responsibility for Academic Affairs.

If the Chancellor reverses a negative recommendation by the Dean, he or she will advise the Dean, the Chair, and the faculty member. If the Chancellor does not reverse a negative recommendation by the Dean, the faculty member will be advised regarding the appeal process (*Faculty Handbook*, Section 7).

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 by the Dean, the Chancellor must meet with the faculty member, the Chief Academic Officer, the Dean, and the Chair to explain the reason(s) for the adverse recommendation. At the faculty member's request, 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 the *UTHSC Faculty Handbook* (Section 7).

- j. The President acts only on the Chancellor's positive recommendation for tenure. If the President concurs in the positive recommendation ~~of the Chancellor~~, he or she shall grant tenure if he or she is authorized to do so, and the Chancellor shall give the faculty member written notice of the effective date of tenure. If only the Board is authorized to grant tenure, the President shall submit the recommendation ~~for to grant tenure, and summary explanation for the recommendation~~ to the Board of Trustees (*Faculty Handbook*, Section 4.15.6). 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 shall give the faculty member, Chair, Dean, and Chief Academic Officer written notice that tenure will not be awarded. ~~will inform the Chief Academic Officer, the Dean, the Chair, and the faculty member.~~
- k. No person shall acquire or be granted tenure except by positive action of the Board of Trustees upon the recommendation of the President (*Faculty Handbook*, Section 4.15.7). Only the Board of Trustees is authorized to grant tenure in certain cases specified in Article III.B. of the Board of Trustees' Policies Governing Academic Freedom, Responsibility, and Tenure. In those cases, the Board of Trustees acts only on the President's positive recommendations for tenure. ~~The Board of Trustees acts only on positive recommendations.~~ After positive action by the Board of Trustees to grant tenure, the ~~Chancellor and Dean~~President shall give the faculty member written notice of the effective date of tenure.

See: <https://academic.uthsc.edu/docs/Faculty-Evaluation-Calendar.pdf>