Appendix A – Organizational Charts

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

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

An Organizational Chart for UTHSC is shown below.
Appendix B – Bylaws of UTHSC Faculty Senate

Revised September 14, 1993
Amended February 11, 1997
Amended April 13, 1999
Amended Nov 14, 2006

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

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

Article III. Members
Section 1. Membership Categories
The two categories of members are voting elected and nonvoting ex officio. Ex officio members are the President of The University of Tennessee; the Chancellor of the University of Tennessee Health Science Center; the Chief Academic and Student Affairs Officers or the equivalent; Deans of all colleges or the equivalent; and presidents of the faculty organizations of the colleges or the equivalent.

Section 2. Eligibility for Membership
Faculty members with regular full-time, part-time, or emeritus appointments are eligible to be senators. The number of senators representing a department or the equivalent is based on the total number of faculty with primary appointments in the department, excluding those with volunteer, affiliated, adjunct and emeritus appointments. Each department or the equivalent has one elected senator for every fifteen full-time faculty members or fraction thereof. In each department or the equivalent, the total number of full-time faculty members equals the number of regular part-time faculty members multiplied by the mean percentage effort of part-time faculty in the relevant college or the equivalent plus the number of regular full-time faculty members.

Each college or the equivalent has at least eight elected senators. A college with fewer than eight departments or the equivalent elects the additional senators as members at large. No more than one departmental chairperson may be elected from a college or the equivalent.

Each college or the equivalent may elect one chairperson as an additional member at large.

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

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

Section 3. Election of Senators and Term of Office
Senators are elected at least one month prior to the annual business meeting of the Faculty Senate for a term of three years beginning at the regularly scheduled date of the annual business meeting of the Faculty Senate. A senator can serve no more than three consecutive terms. Each college must stagger elections so that no more than half its senators are elected annually.

Section 4. Penalties
A senator who is absent from three consecutive meetings without appointing a substitute may be removed from the Faculty Senate. For this purpose, a substitute is defined as a faculty member from that senator's electoral unit who actually attends the Faculty Senate meeting.

Section 5. Vacancies
In case of a vacancy in the Faculty Senate due to resignation, leave of absence, or other cause, the appropriate department or college faculty elects a successor to serve as senator for the unexpired term.

Section 6. Senators Outside Shelby County
Unless their presence is specifically requested, senators based outside Shelby County are not required to attend Faculty Senate meetings.

Article IV. Officers

Section 1. Titles and Responsibilities
The four officers of the Faculty Senate are the President, President-Elect, immediate Past President, and Secretary-Treasurer. Their responsibilities are as follows:

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

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

Past President
1. Serves as an advisor to the President and the Executive Committee.
**Secretary-Treasurer**

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

**Section 2. Nomination, Election, and Term of Office**

Candidates for President-Elect and Secretary-Treasurer are nominated by the Executive Committee of the Faculty Senate approximately one month prior to the annual business meeting of the Faculty Senate. The slate of candidates is submitted to all faculty senators at least ten days before the election. Nominations are also accepted from the floor prior to the election. Officers are elected by majority vote in a secret ballot at the annual business meeting of the Faculty Senate. Term of office for the four officers is for one year from the annual business meeting of the Faculty Senate.

**Section 3. Restrictions on Holding Office**

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

**Section 4. Vacancies**

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

**Article V. Meetings**

**Section 1. Regular Meetings and Annual Business Meeting**

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

**Section 2. Special Meetings**

Special meetings of the Faculty Senate are called by the President or Executive Committee or by written request of ten senators. A minimum notice of three days must be given for a special meeting except in an emergency. The purpose of the meeting must be stated in the call, and the meeting must be limited to the stated purpose.
Section 3. Voting and Quorum
Voting at meetings of the Faculty Senate is by show of hands or voice unless the majority present request a vote by secret ballot. All elections are conducted by secret ballot. A quorum comprises twenty elected members of the Faculty Senate. If a senator cannot attend a meeting, the chosen substitute has all the rights, powers, and privileges of the absentee member, including voting rights.

Article VI. Executive Committee

Section 1. Members
The Executive Committee is comprised of the elected officers of the Faculty Senate and at least one representative from each of the colleges or the equivalent. A college or the equivalent with more than fifteen departments elects an additional representative for each additional fifteen departments or fraction thereof. The Executive Committee elects as their chairperson either the immediate Past President or the President of the Faculty Senate. The President of The University of Tennessee and the Chancellor of the University of Tennessee Health Science Center are *ex officio* members.

Section 2. Responsibilities
The Executive Committee nominates officers for the annual elections of the Faculty Senate, recommends and reviews assignments to standing committees with the consent of the Faculty Senate, and establishes special committees. It represents the Faculty Senate in meetings with the administration and off-campus groups and handles emergency and interim business between Faculty Senate meetings. Specific responsibilities of the Executive Committee are as follows:

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

Section 3. Election and Term of Office
Each Executive Committee member representing a college or the equivalent is elected for a term of one year at a meeting of the faculty senators who represent the pertinent college or the equivalent. This election should be held during the month preceding the annual election of Faculty Senate officers.

Section 4. Vacancies
Vacancies on the Executive Committee occurring during the term of office are filled for the unexpired portion of the term by election at a meeting of the faculty senators who represent the pertinent college or the equivalent.
Article VII. Committees

Section 1. Standing Committees
The Executive Committee of the Faculty Senate appoints the members of the standing committees for confirmation at a regularly scheduled meeting of the Faculty Senate. All members of the standing committees are elected faculty senators.

Section 2. Special Committees
The Executive Committee appoints special committees when the need arises.

Article VIII. Parliamentary Authority

Section 1. Parliamentarian
A Parliamentarian is appointed annually by the President and approved by the Faculty Senate.

Section 2. Reference for Rules of Order
The rules contained in the current edition of Robert’s Rules of Order Newly Revised govern the Faculty Senate in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Faculty Senate may adopt.

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

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

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

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

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

Whereas a need exists for more effective channels through which the Administration may seek the counsel and judgment of the Faculty about matters of concern to the University;
It is therefore resolved that a Faculty Senate of the [University of Tennessee Health Science Center] be organized, subject to the following stipulations:

1. That the Senate operate in accordance with the bylaws which are hereby approved;
2. That the Senate include authorized administrative officers of The University of Tennessee Health Science Center and of its various academic divisions;

3. That the Senate include elected representatives from each academic division, to be elected in such numbers and by such means as are set forth in the Bylaws.

4. That the Senate may consider any subject pertaining to interests of the [University of Tennessee Health Science Center ]and make recommendations to the Chancellor and the Board of Trustees in regard thereto. Decisions of the Senate with respect to matters within its jurisdiction shall constitute the binding action of the [UTHSC] faculties. Jurisdiction over academic policies shall reside in the faculties of the several schools and colleges; but, insofar as actions by these several faculties affect [UTHSC] policy as a whole, or schools or colleges other than the one in which they originate, they shall be brought before the Senate.

5. That the Senate shall elect annually a Committee on Committees which shall make nominations for elective members of such educational committees as the bylaws may provide and such other committees as the Senate may authorize, and that following such nominations the Senate shall elect such committees;

6. That the Senate shall have no management or administrative functions either in itself or through its committees, administrative matters being expressly reserved to the Chancellor of the [UTHSC] and the President of the University, as delegated by the Board of Trustees;

7. That a copy of this resolution be appended to the Bylaws, and be considered a part of the constituting document of the Faculty Senate of [UTHSC].
Appendix C – Statement of Policy on Misconduct in Research and Service


Appendix D – General Policies on Conflict of Interests

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

Appendix E – General Policies on Compensated Outside Services

http://www.tennessee.edu/system/academicaffairs/docs/CompOutsideServ.pdf
Appendix F – Guidelines for Compliance with FERPA, Family Education Rights and Privacy Act

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

Definitions

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

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

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

“Directory information” is limited to a student’s name, address, telephone number, e-mail address, major field of study, date and place of birth, participation in officially recognized activities, dates of attendance, classification, degrees and awards received, most recent previous educational institution attended, and current enrollment status. Neither a student’s social security number nor a student identification number is directory information.

Release of Student Information

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

When a student reaches the age of 18 or begins attending the University (regardless of age), FERPA rights transfer from the parent to the student. Accordingly, parents, spouses, and other family members may require written consent from the student to release education records

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members do not have a right to receive information from a student’s education records without the student’s written consent. Faculty members should refer all inquiries from parents or other family members to the Office of the Registrar, who will obtain or confirm the existence of a valid written consent from the student to release information to the parent or other family member. Faculty members should also encourage family members to speak with the student directly.

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

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

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

FERPA and Grades

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

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

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

E-Mail

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

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

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

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

Letters of Recommendation

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

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

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

Emergencies

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

For questions about FERPA, please contact the Office of the Registrar or the Office of the General Counsel.
Appendix G – Honor Code of The University of Tennessee Health Science Center

See http://www.uthsc.edu/centerscope/.
Appendix H – Financial Exigency Policies and Procedures

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

Definition

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

Determination of Financial Exigency

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

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

Procedures Following the Declaration of Financial Exigency

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

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

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

**Guidelines for the Financial Exigency Committee**

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

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

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

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

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

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

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

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

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

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

**Guidelines for Recommendations for Terminations of Personnel**

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

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

1. Full-time employees will be retained in preference to part-time ones.

2. Individuals with regular appointments will be retained in preference to term, multiple-year contract, or probationary ones.

3. Tenured faculty members will be retained in preference to non-tenured ones.
4. Among tenured faculty members, those of higher rank will be retained in preference to those of lower rank. Within rank, seniority will be considered.

5. In determining retention of non-tenured faculty members, appropriate weight shall be given to seniority and to performance.

6. Among exempt and nonexempt staff, the same seniority and performance rules shall apply as in 5, above.

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

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

1. adversely affect the continuance of that unit's effectiveness;

2. undermine the institution's capability to meet its goals; or

3. unduly affect the institution's Affirmative Action Plan.

**Notification**

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

**Appeal**

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

A Faculty Hearing Committee shall consist of the President-Elect of the Faculty Senate, the appropriate Associate Dean for Academic Affairs, and five faculty members elected by the Faculty Senate. The President-Elect of the Faculty Senate shall be the chair of this committee.

A Staff Hearing Committee shall consist of the UTHSC Chief Academic Officer, the appropriate department or unit head, and five staff members elected to the committee by the Employee Relations Committee or the Exempt Employee Council wherever appropriate. The UTHSC Chief Academic Officer shall be the chair of this committee.
Any faculty or staff member receiving a notice of termination has the right to appeal the termination. The Hearing Committee shall insure a prompt and expeditious hearing that is fair and unbiased, although procedural requirements of formal adjudication shall not be required.

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

**Continuing Rights of Persons Terminated**

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

The University of Tennessee has developed a system-wide Procedural Framework for Academic Program Discontinuance (Framework). This document is intended to supplement the Framework with procedures specific to UTHSC. In the event of any conflict, the Framework as approved by the Board of Trustees controls.

The review of academic programs and functions is essential to the effective operation of the campus and the University as a whole, and all programs and functions should be reviewed on a periodic basis to determine their success in serving the core missions of the school, campus and university at large. This assessment should be broad-based and employ a rigorous evaluation process. Based on such analyses and on an assessment of available financial resources, the University may recommend discontinuance or substantive reorganization of academic units, programs or functions that are no longer central to the campus missions or that consume resources needed to support other, more mission-critical units.

Because the discontinuation of a program or function may require the termination of tenured faculty within the affected unit, the campus has established a thorough review process that affords appropriate opportunities for faculty input and that protects the rights of faculty to due process. This process, described below, was developed in consultation with senior campus administrators, with the Faculty Senate and with the Vice President for Academic Affairs and Student Success. This process has also been reviewed by system legal counsel and will be submitted to the Board of Trustees for its review and approval.

Faculty input is essential not only when programs are closed and discontinued, but also in the development of proposals for program reorganization. Closures, mergers, consolidations and other forms of program reorganization should always be carried out in accord with principles of shared governance. Deans, directors and department heads should actively solicit and consider the concerns of affected faculty while developing reorganization proposals, and should give these faculty adequate notice, information and time to enable them to evaluate those proposals and make their concerns known.

The first step in assessing a proposal for discontinuance of an academic program is delineating the boundaries of the program or function. Whenever possible, UTHSC will refer to programs or functions already defined by the National Center for Education Statistics as codes for Classification of Instructional Programs, commonly known as CIP codes. A description of the CIP codes is available at http://nces.ed.gov/pubs2002/cip2000/. In other cases, the functional unit may be a “department,” “college,” “school” or “division,” or a unique program with an identifiable function within a department or division. Such a unique program includes units with specialized functions such that the faculty members in the unit would not normally cross from that unit to another. In any case an academic program or function must serve as an entity for which there may be an expectation for an evaluation of the entity’s function and performance as a whole, separate and distinct from the annual evaluation(s) of the member(s) of the entity.
PROCEDURE

1. Initiating a Formal Review and Collecting Relevant Information

The campus Chief Academic Officer is responsible for overseeing the process for discontinuance of a program or function at UTHSC. The Chief Academic Officers shall consult with the Chancellor before initiating program discontinuance procedures. The Chief Academic Officer shall also consult with the Faculty Senate President, one other faculty representative designated by the Faculty Senate and a student representative. The Chief Academic Officers shall continue to consult with the Faculty Senate President, the designated faculty representative, and the student representative throughout the faculty consultation process.

When the Chief Academic Officer or Dean of a College believes it is necessary to pursue the discontinuance of a program or function, the Dean overseeing that program or function will be asked to prepare a written summary documenting the academic contributions of this unit. This documentation should include the following:

A. Overview of the program or function (hereafter referred to as ‘unit’), including the college in which it is housed, role of the unit in (the) degree-granting program(s) administered by the college, and information regarding the faculty assigned to the unit:

B. Criteria by which the unit was initially identified as a candidate for discontinuation:

C. Contribution of unit to each of the missions of the campus and to the University as a whole;

D. Role of the unit in the campus and College strategic plan;

E. The importance of the unit as a support for, or as an integral part of, other academic programs or importance for accreditation;

F. Performance data related to the unit, including data on research and educational productivity; and/or on ability to generate income;

G. Role in the retention, progression, and graduation of students, demand within the state and nationwide for graduates of the program, and evidence of success in preparing graduates for employment;

H. Impact of unit on external community in the area or across the state;

I. Program uniqueness or possible duplication or competition with other educational programs within the UT system, the Board of Regents system, or other higher education systems;

J. National or international reputation of the unit/unit;

7 In cases where the discontinuance is the discontinuance of a college or school, the Chancellor will perform the duties assigned to the Dean in this document.

8 The report from any recent academic program review, accreditation documents, or other source of existing data should be included.
K. Current revenues and costs of the unit including both direct and indirect costs with focus on potential cost savings or losses from elimination of the unit; efficiency of unit, for examples student/faculty ratio, revenue/cost, or cost/FTE;

L. Feasibility of various opportunities to minimize impact of unit discontinuance on the external community, currently enrolled students, faculty, and staff; and

M. Results of a due diligence review to determine if discontinuance of the unit will impact any contractual or other third-party commitments concerning the unit. In conducting this review, the Chief Academic Officer shall consult with all appropriate campus/institute and system offices (e.g., business offices, research offices, Treasurer’s Office, General Counsel’s Office).

2. Consultation with Affected Faculty
The Chief Academic Officer shall meet with the Dean and appropriate Associate Deans to review the documentation in support of discontinuance. He/she will then consult with the Chancellor. If there is support for further consideration of discontinuation, the Chief Academic Officer shall ask the Dean and appropriate Associate Deans to meet with the faculty of the academic unit being considered for discontinuance. At this meeting:

A. The Dean should explain the reasons for considering discontinuance.

B. The Dean should also request that the faculty provide information in support of continuation of the academic unit, for example a detailed description of their contributions to clinical care and service as well as their contributions in education and in research. Faculty will also be encouraged to suggest alternative ways to maintain the unit. This information may be conveyed in an expeditious manner to the dean orally and/or in writing, individually or in groups.

3. Consultation with other Faculty in the College Housing the Affected Unit

A. In cases where either the Chief Academic Officer or the Dean recommends further consideration of discontinuance, the Chief Academic Officer shall convene (a) meeting(s) with other campus constituents, including the appropriate College level faculty committee as well as a representative from the student government.

B. The Dean recommending discontinuance shall participate along with appropriate Associate Dean(s) and the Chief Academic Officer. At these meetings the Dean shall convey the reasons for considering discontinuance, along with all responses received from step 2 above. The purpose of such meetings is to provide opportunity to identify consequences within the College that may have been overlooked. These meetings are to be specially called for this purpose and should be scheduled expeditiously. Members of these groups who are also faculty in the academic unit under consideration for discontinuance may not attend unless as the identified observer as noted in 3C below. The head of the affected unit or elected representative of the unit may sit in as an observer at these meeting.
C. The Office of Academic Affairs shall maintain a copy of the materials provided by the Dean and any written response(s) by campus constituents.

4. Consultation with the Faculty of Other Colleges
In cases where either the Chief Academic Officer or the Dean recommends further consideration of discontinuance, the Chief Academic Officer shall convene a meeting with the Executive Committee of the Faculty Senate. The Dean recommending discontinuance shall participate along with appropriate Associate Dean(s) and the Chief Academic Officer.

A. At these meetings the Dean shall convey the reasons for considering discontinuance, along with all responses received from steps 2 and 3 above. The purpose of such meetings is to provide opportunity to identify consequences within and between Colleges that may have been overlooked.

B. These meetings are to be specially called for this purpose and should be scheduled expeditiously. Members of these groups who are also faculty in the academic unit under consideration for discontinuance may not attend unless as the identified observer as noted in 4C below.

C. The head of the affected unit or elected representative of the unit may sit in as an observer at these meetings.

D. The Office of Academic Affairs shall maintain a copy of the materials provided by the Dean and any written response(s) by campus constituents.

5. Consultation with the Campus At-Large
If, after receiving any responses from the groups in Steps 2-4 above, the Dean or the Chief Academic Officer recommends discontinuance, the Chief Academic Officer shall provide an opportunity for community constituents to raise questions or concerns about a proposed discontinuation.

6. Chief Academic Officer’s Recommendation to the Chancellor
After completing the consultation outlined above, the Chief Academic Officer shall make a written report to the Chancellor summarizing the input of the unit faculty, the appropriate college committee, the appropriate Faculty Senate committee, the Dean, and the community. This report shall include a recommendation for or against discontinuance of the unit. A copy of this recommendation and all materials that have been gathered that support or negate this recommendation shall be available in the Office of Academic Affairs.

7. Chancellor’s Recommendation to the President
After reviewing the Chief Academic Officer’s recommendation and the related documentation, the Chancellor shall decide whether to submit the proposal for unit discontinuance to the President. If so, the Chancellor shall forward the recommendation for discontinuance to the President through the Vice President for Academic Affairs and Student Success. This recommendation will include all information, materials, and advice regarding the proposed discontinuance that has been offered by
individuals or groups. The Vice President for Academic Affairs and Student Success shall then review the proposal and provide it to the Vice President and General Counsel for review. The Vice President for Academic Affairs shall then forward the proposal, along with his/her own recommendation regarding the proposed discontinuance, to the President.

8. President’s Recommendation to the Board
The President shall consult with the Vice President for Academic Affairs and the Vice President and General Counsel in deciding whether to submit the proposal for unit discontinuance to the Board of Trustees. If he/she agrees that the unit should be discontinued, the President will submit the proposal for discontinuance to the Board of Trustees through the Academic Affairs and Student Success Committee. The President’s recommendation will include all information, materials, and advice regarding the proposed discontinuance that has been offered by individuals or groups.

9. Action by the Board of Trustees
If the Board of Trustees approves the discontinuance of the unit, and if the unit discontinuance would result in termination of tenured faculty, the campus Chief Academic Officer shall consult with the Vice President for Academic Affairs and the Vice President and General Counsel to ensure compliance with all notice requirements and other requirements of Board policy and the Faculty Handbook.

10. Notification of Affected Faculty
If the Board of Trustees approves the discontinuance of the unit, each affected faculty member should be given notice as quickly as possible using the notice provisions in the Faculty Handbook based on the type of faculty appointment held.

   A. Before final termination of a degree program, every reasonable effort will be made to allow students to complete their degree program.

   B. If formal approval of discontinuance is given by the Board of Trustees, staff members should be given notice as soon as possible and in accordance with UT system and UTHSC Human Resources policies.

11. Rights of Tenured Faculty:
If termination of tenured faculty positions becomes necessary due to discontinuance of a program or function, UT policy and the UTHSC faculty handbook provide these rights:

   A. “[C]ampus administration shall attempt to place each displaced tenured faculty member in another suitable position. This does not require that a faculty member be placed in a position for which he or she is not qualified, that a new position be created where no need exists, or that a faculty member (tenured or non-tenured) in another department be terminated in order to provide a vacancy for a displaced tenured faculty member.

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

   C. Faculty Members notified of termination due to program discontinuance retain the appeal and grievance rights as provided in the UTHSC faculty handbook.