

UTHSC FACULTY HANDBOOK

LAST REVISED AUGUST 2018



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August 2018 UTHSC Faculty Handbook Revision

This August 2018 revision of the UTHSC Faculty Handbook has undergone the following changes:

1. Inclusion of edits required for the replacement of the Cumulative Performance Review [CPR] with the Enhanced Post-Tenure Performance Review [EPPR] (UTHSC revisions approved administratively by the President, August 2018)
2. Insertion of language for revised campus tenure review procedures to comply with the new requirements of Appendix A of the Board of Trustees Tenure Policy (UTHSC revisions approved by the Board, June 2018)
3. Insertion of language for anonymous voting throughout the document (UTHSC revisions approved by the Board, March, 2018)
4. Revision of language for Visiting Professors and Distinguished Visiting Professors that integrates Faculty Handbook language with a stand-alone policy which is no longer valid (UTHSC revisions approved by the Board, November, 2017)

To clearly delineate this August 2018 revision of the Faculty Handbook from the most recent December 2015 revision, the document now has:

1. Updated last revision date of August 2018, in italics, on the right-hand side of the footer
2. Font of Calibri 11, versus Times New Roman 12
3. A new cover page

Other items of note:

1. The document now contains an Appendix M
2. There is no Faculty Evaluation Manual. Whenever a reference appears to that item, refer to the relevant appendix (J, K, L, M, or N)

It is also very important to note that there are other areas in the Handbook that are currently being worked on to align them with the requirements of the most recent Board of Trustees *Policies on Academic Freedom, Responsibility and Tenure*. As noted in Section 1.4 of the UTHSC Faculty Handbook, *When official University policies and procedures are changed by action of the Board of Trustees, or other duly constituted authority, such changes become effective on the date designated at the time of their adoption and supersede any provision of the Faculty Handbook to the contrary without need for further notice. Notification of such changes is regularly given to collegiate and departmental offices and (on some topics) to individual faculty members.*

Link to the most recent Board of Trustees *Policies on Academic Freedom, Responsibility and Tenure*:
<https://universitytennessee.policytech.com/docview/?docid=318&public=true>

Revised: August 2018 (see above for approval sources)
 December 10, 2015 (administrative approval)
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SECTION 1 INTRODUCTION

1.1 The University of Tennessee

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

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

1.2 The University of Tennessee Health Science Center

Established in 1911, the University of Tennessee Health Science Center (UTHSC) is the University's comprehensive academic health science center. The mission of UTHSC is “to improve human health through education, research, and public service,” with an emphasis on improving the health of Tennesseans.” The chief executive officer is the Chancellor, who reports to the President. The table of organization and organizational chart, showing the principal administrative officers of UTHSC are contained in Appendix A.

1.3 The Faculty of UTHSC

The faculty of UTHSC is the society of scholars appointed by The University to collectively teach, investigate, and perform patient care and other public and institutional service to further the mission of UTHSC. The specific academic assignment of the individual faculty member is determined cooperatively by the faculty member and the University, with appropriate regard given to both the academic interests of the faculty member and the academic needs of The University (Section 4); however, the final decision regarding the faculty member's specific academic assignment rests with the Chair and/or Dean (Section 4.3.1). All members of the faculty, regardless of rank, seniority, or tenure status, are expected to continually maintain expertise and seek additional knowledge in their fields of study and to use that expertise and knowledge to benefit others.

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

The colleges and non-collegiate academic units of UTHSC are the:

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

1.4 The Faculty Handbook

The *UTHSC Faculty Handbook (Faculty Handbook)* is intended to be a general reference to University guidelines and policies. This *Faculty Handbook* supersedes all collegiate and departmental bylaws, which must conform to this *Handbook*.

When official University policies and procedures are changed by action of the Board of Trustees, or other duly constituted authority, such changes become effective on the date designated at the time of their adoption and supersede any provision of the *Faculty Handbook* to the contrary without need for further notice. Notification of such changes is regularly given to collegiate and departmental offices and (on some topics) to individual faculty members. The most recently revised version of the *Faculty Handbook* is available on the Faculty Senate home page at:

<http://physio1.utm.edu:8080/cocoon/Facsenate/page.handbook.Handbook/facsenate/handbook>.

Current administrative policies are listed at:

http://www.uthsc.edu/policies/w932_document_list.php?app=ADM.

University-wide policies are located on The University of Tennessee home page at:

https://my.tennessee.edu/portal/page?_pageid=34,34235&_dad=portal&_schema=PORTAL.

This *Faculty Handbook* has been designed for the use of the faculty. Any suggestions for changes or improvements for future editions are always welcomed and should be forwarded to the UTHSC Chief Academic Officer and/or the President of the Faculty Senate.

SECTION 2 ACADEMIC GOVERNANCE

2.1 Definition of Academic Governance

Academic governance is the system through which the Board, the University administrators, and the University faculties participate in developing policy on academic matters.

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

2.2 Academic Governance of the University

2.2.1 The Role of the Board of Trustees

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

1. Establish policies controlling the scope of the educational opportunities to be offered by the University and also policies determining its operation in general; however, the planning and development of curricula shall be the function of the faculties;
2. To determine and control the activities and policies of all organizations and activities that bear, or that may be carried under, the name of the University;
3. Grant tenure to eligible members of the faculty upon the positive recommendation of the President;
4. Prescribe admission, progression, and retention requirements for the University and particular programs of instruction;
5. Approve mission statements for the system and each campus or institute;
6. Approve strategic and long-range academic plans;
7. Approve proposals concerning the development of new academic programs and the significant revision of existing programs relating to instruction, research, and service;
8. Establish new academic organizations, such as major campuses, institutes, colleges or schools, and academic departments;
9. Evaluate existing academic programs and their administrative structures;

10. Terminate programs and structures that no longer are needed;
11. Approve admission, progression, retention, and graduation standards;
12. Approve the University's Policies Governing Academic Freedom, Responsibility, and Tenure, campus implementing procedures, and any other faculty personnel policy requiring Board approval;
13. Approve proposals and any necessary policies concerning information technology;
14. Approve proposals and any necessary policies concerning system-wide use of academic services including libraries and computer labs;
15. Approve University rules concerning student conduct, rights, and responsibilities to be promulgated under the Tennessee Administrative Procedures Act;
16. Approve proposals and any necessary policies related to the non-academic aspects of student life, including student services and student conduct; and
17. Approve proposals and any necessary policies related to campus enrollment and facilities capacity.

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

2.2.2 The Role of the President

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

1. Identifying and recommending to the Board of Trustees individuals for election as Vice Presidents, Chancellors, and other officers of the University as defined in the bylaws;
2. Promoting the general welfare and development of the University in its several parts and as a whole. The President decides all questions of jurisdiction not otherwise defined among the several parts of the University;
3. Presentation of policies, recommendations, and other matters to the Board of Trustees, the Governor, the General Assembly, and other state and federal offices;
4. Prompt and effective execution of all laws relating to the University and of all resolutions, policies, rules, and regulations adopted by the Board of Trustees;
5. Preparation of the University budget and its presentation to the Tennessee Higher Education Commission, the Governor and the Department of Finance and Administration, the General Assembly, and the Board of Trustees;

6. Exercising ultimate control over the budgets of all parts of the University and must approve major budgetary revisions;
7. Development and execution of fundraising and alumni programs for the University;
8. The University's intercollegiate athletics programs at the Knoxville campus and, through the Chancellors, at the Chattanooga and Martin campuses.

The President performs such other duties as may be delegated to that office by the Board of Trustees or by any standing or special committee of the Board. In the execution of the President's duties and responsibilities, the President may delegate powers and duties to subordinate officers. In accordance with applicable University policies and procedures, the President delegates to Chancellors and Vice Presidents powers and duties to supervise and administer academic and budgetary units reporting to them, under the general direction and control of the President. These delegations do not reduce the President's ultimate responsibility as chief executive officer of the University. (The University of Tennessee Bylaws, Art. IV, § 3, as amended through Oct. 9, 2009.)

2.2.3 The Role of the University Faculties

The faculties of the various University campuses and institutes have, for their respective units, the specifically reserved and sole authority to plan and develop the curricula (The University of Tennessee Bylaws, Art. I. § 2 as amended through Oct. 9, 2009.) Furthermore, the faculties must authorize the University to award academic degrees. The faculty are represented on the Board of Trustees as set out in Tennessee Code Annotated § 4-9-202.

2.3 Academic Governance of UTHSC

2.3.1 General Policy

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

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

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

1. Consultation – A body of faculty members who discuss with and inform the administrator with authority and responsibility for the decision. Such a committee is not a deliberative body; there is no vote. Rather the members express their views to inform an administrator’s decision.
2. Advice or Recommendation – A deliberative body of faculty members who recommend policies or actions to an administrator who is authorized to make decisions. There is a vote. The administrator is not bound by the recommendation and accepts responsibility for the decision.
3. Shared Responsibility – A deliberative body of faculty members who make recommendations concerning policies or actions to an administrator who is authorized to make decisions. There is a vote. If the administrative and the deliberative body cannot agree and a decision is needed, the recommendation of the administrator and the deliberative body will be submitted in writing to the next higher administrative level for resolution.
4. Delegated Authority – A deliberative body of faculty is authorized to make decisions on specified matters. There is a vote. Such decisions are subject to administrative review, but will be altered only in rare circumstances.

2.3.2 Campus-Wide Academic Policies — Definition

Campus-wide academic policies apply to two or more colleges and/or non-collegiate academic units at UTHSC. These include, but are not limited to, campus-wide academic policies that are contained in this *UTHSC Faculty Handbook*, the UTHSC Strategic Plan, and the *UTHSC Administrative Manual*.

2.3.3 Collegiate Academic Policies — Definition

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

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

2.3.4 Organization of the Faculty for Academic Governance

2.3.4.1 General

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

2.3.4.2 Elected Campus-Wide Faculty Leadership: The Faculty Senate

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

2.3.4.3 Appointed Campus-Wide Faculty Leadership: Chief Officers and Campus-Wide Committees

There are a number of chief officers and campus-wide committees, appointed by the Chancellor, to provide advice and recommendations on activities and services. A complete listing of these chief officers and campus-wide committees, including committee functions and memberships, is contained in the *UTHSC Administrative Manual*. The membership of campus-wide committees may include faculty members, students, and staff members, with most non-*ex-officio* faculty committee seats being held by faculty members who are nominated for appointment by the Faculty Senate leadership.

2.3.4.4 Elected Collegiate Organization: Faculty Organizations

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

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

2.3.4.5 Appointed Collegiate Faculty Leadership

The Chancellor, with the approval of the President, appoints one member of the faculty of each college and non-collegiate academic unit to serve as the Executive Dean, Dean, or Director of that college or unit. Hereinafter, unless otherwise noted, the term *Dean* refers to the Executive Dean and Director as well as to the Deans. The process for selection of a Dean is described in Section 2.3.7.5. The Dean or Director is the academic, as well as administrative leader, of the college or unit. The colleges of all three College of Medicine Units are headed by Deans. The Health Sciences Library is headed by a Director.

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

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

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

2.3.5 The Campus-Wide Academic Governance Process

2.3.5.1 Proposals for Campus-Wide Academic Policies

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

2.3.5.2 Review and Recommendations Concerning Campus-Wide Academic Policies

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

2.3.5.3 Decision by the Chancellor on Campus-Wide Academic Policies

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

2.3.6 The UTHSC Collegiate Academic Governance Process

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

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

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

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

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

2.3.7 Special Issues in Academic Governance of UTHSC

2.3.7.1 Planning and Development of the Curricula

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

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

2.3.7.2 Additional Responsibilities of the Chancellor in Academic Governance

In addition to the responsibilities of the Chancellor in academic governance otherwise described in Section 2.3, the Chancellor is responsible for:

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

2.3.7.3 The Critical Nature of the Planning Process

The University's Bylaws provide that the faculty must actively participate in the determination of the strategic directions of the campuses. UTHSC has a comprehensive planning process to identify and prioritize campus-wide and collegiate goals and objectives, determine strategies to accomplish the goals and objectives, and recommend allocation of resources to implement the strategies. Each college maintains

a collegiate planning process in harmony with the campus-wide plan. The planning process provides for extensive participation by the UTHSC faculty. Faculty members are routinely invited and encouraged to provide comments on the plans and to suggest improvements.

2.3.7.4 Selection of the Chancellor

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

2.3.7.5 Selection of Vice Chancellors and Deans

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

2.3.7.6 Selection of Department Chairs

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

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

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

2.3.7.8 Evaluation of Campus Administrators and Appointed Collegiate Faculty Leaders

The Faculty Senate Executive Committee is responsible for the establishment and implementation of a process to provide for faculty evaluation of the performance of the Chancellor, Vice Chancellors, Deans, Chairs, and Associate and Assistant Deans. The evaluation process should be developed in consultation with the Chancellor.

2.3.7.9 General Faculty Meetings

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

SECTION 3 RIGHTS AND RESPONSIBILITIES OF THE FACULTY

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

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

Accordingly, the Board of Trustees requires that the *UTHSC Faculty Handbook* include those policies. This Section 3.1 contains the portion of those policies related to academic freedom and responsibility.

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

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

The following statement by the Board of Trustees is intended to record the policy and procedures of the University with respect to academic freedom and responsibility (Sections 3.1.1 and 3.1.2). The policies and procedures of UTHSC with respect to tenure are found in Sections 4 and 8. The Board of Trustees considers these principles (i.e., academic freedom, responsibility, and tenure) compatible with its statutory authority and responsibilities and the constitutional guarantee of freedom of speech and inquiry to each citizen of the United States.

3.1.1 Academic Freedom and Responsibility of the Faculty Member

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

1. The primary responsibility of a faculty member is to use the freedom of his or her office in an honest, courageous, and persistent effort to search out and communicate the truth that lies in the area of his or her competence.
2. A faculty member is entitled to full freedom in research and in publication of the results, subject to the adequate performance of his or her other academic duties, but research for pecuniary gain either within or beyond the scope of his or her employment must be based upon an understanding with the University administration, according to the University's policies (e.g., Appendices D and E).
3. A faculty member should maintain a high level of personal integrity and professional competence, as demonstrated in teaching, research, and service. Academic freedom does not exempt a faculty member from an evaluation by colleagues and administration of his or her qualifications for continued membership in their society.

4. A faculty member is entitled to freedom in the classroom in discussing the subject, but the faculty member should use care in expressing personal views in the classroom and should be careful not to introduce controversial matters that have no relation to the subject taught, and especially matters in which he or she has no special competence or training and in which, therefore, the faculty member's views cannot claim the authority accorded his or her professional statements.
5. A faculty member should recognize that the right of academic freedom is enjoyed by all members of the academic community. He or she should be prepared at all times to support actively the right of the individual to freedom of research and communication as defined herein.
6. In addition to the normal responsibilities of a citizen of the state and nation, including the duty to uphold their Constitutions and obey their laws, a faculty member also should conduct himself or herself professionally with colleagues. He or she should strive to maintain the mutual respect and confidence of his or her colleagues. He or she should endeavor to understand the customs, traditions, and usages of the academic community.
7. When, as a citizen, a faculty member speaks outside the classroom or writes for publication, he or she should be free, as a citizen, to express his or her opinions. Each faculty member should conduct himself or herself professionally, should be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make clear that he or she speaks for himself or herself and not for the University.

3.1.2 Academic Freedom and Responsibility of the University Administration

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

3.2 Statement of Professional Ethics of the UTHSC Faculty²

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

1. Membership in the UTHSC academic community imposes on students, faculty members, and administrators, an obligation to respect the dignity of others, to acknowledge their right to express differing opinions, and to foster and defend intellectual honesty, freedom of inquiry and instruction, and free expression on and off campus. Students and professional trainees are entitled to an atmosphere conducive to learning and to even-handed treatment in all aspects of the teacher-student relationship. It is the mastery that faculty members have of their subjects and their own scholarship that entitles them to their faculty rank and their classrooms and to freedom in the presentation of their subjects. Because academic freedom has traditionally included the faculty member's full freedom as a citizen, most faculty members face no insoluble conflicts between the claims of politics, social action, and conscience, on the one hand, and the claims and expectations of their students, colleagues, and UTHSC, on the other. Accordingly, the use of UTHSC stationery, telephones, and other resources for personal or extramural activities of any extended nature should be avoided, as should the use of the faculty member's university position or title in connection with the expression of purely personal views.
2. Plans for ensuring compliance with UTHSC academic norms should emphasize preventive as well as disciplinary action. Toward this end every faculty member should take the initiative, working with the administration and other components of UTHSC, to develop and maintain an atmosphere of freedom, commitment to academic inquiry, and respect for the academic rights of others. There is a need for the faculty to assume a positive role as guardian of academic values against unjustified assaults from any source, including its own members. The traditional faculty function in disciplinary proceedings has been to ensure academic due process and meaningful faculty participation in the imposition of discipline by the administration. While this function should be maintained, faculty members should recognize their stake in promoting adherence to norms essential to the academic enterprise of UTHSC. In addition, systematic attention should be given to questions related to sanctions other than dismissal, such as warnings and reprimands, in order to provide a more versatile body of academic sanctions in the event of academic misconduct by a faculty member.
3. The following points describe the obligations and responsibilities of faculty members and general academic norms of conduct for faculty members at UTHSC.
 - a. Guided by deep conviction of the worth and dignity of the advancement of knowledge, UTHSC faculty members recognize that special responsibilities are placed on them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end, faculty members devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although faculty members may follow subsidiary interests, these interests must never seriously hamper or compromise their adherence to these responsibilities, obligations, or practices.
 - b. As teachers, UTHSC faculty members encourage the free pursuit of learning in students and professional trainees. They hold before them the best scholarly and ethical standards of their

² This statement of Professional Ethics of the UTHSC Faculty was adopted by the UTHSC Faculty Senate on November 8, 1994.

discipline. Faculty members demonstrate respect for students and professional trainees as individuals and adhere to their proper roles as intellectual guides and counselors. Faculty members make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students and professional trainees reflect each individual's true merit. They protect the academic freedom of their students and professional trainees. They acknowledge significant academic or scholarly assistance from them. Faculty members who have the guidance of students or professional trainees as their responsibility must exercise the greatest care not to misappropriate the student's or professional trainee's ideas, research, or presentation to their own professional benefit; to do otherwise is to abuse power and trust. In dealing with graduate students or professional trainees, faculty members must demonstrate by precept and example the necessity of rigorous honesty in the use of sources and of utter respect for the work of others. The same expectations apply to the guidance of undergraduate professional students, with a special obligation to acquaint students with the world of higher education in a health science center, including its standards and procedures for ensuring intellectual honesty.

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

3.3 Misrepresentation of Academic Credentials

Misrepresentation of academic credentials is a Class A misdemeanor in Tennessee. A person commits the offense of misrepresentation of academic credentials who, knowing that the statement is false and with the intent to secure employment at or admission to an institution of higher education in Tennessee, represents, orally or in writing, that such person: (1) has successfully completed the required course work for and has been awarded one or more degrees or diplomas from an accredited institution of higher education; (2) has successfully completed the required course work for and has been awarded one or more degrees or diplomas from a particular institution of higher education; or (3) has successfully completed the required course work for and has been awarded one or more degrees or diplomas in a particular field or specialty from an accredited institution of higher education.

3.4 Intellectual Property

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

3.5 Plagiarism and Other Misconduct in Research and Service

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

3.6 Conflict of Interests and Compensated Outside Services

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

3.7 University Code of Conduct

UTHSC faculty members are required to adhere to the "University Code of Conduct," (see https://my.tennessee.edu/portal/page?_pageid=34,140536&_dad=portal&_schema=PORTAL&p_policy=HR0580).

The code of conduct provides general guidelines for conduct and behavior to promote a harmonious, safe, and collaborative work environment at the University. Disagreements between faculty members concerning not covered by Appendix D, should be handled through normal administrative channels (i.e., Chair, Dean, UTHSC Chief Academic Officer, and Chancellor) (Section 7.2) or through the Faculty Senate grievance procedure (Section 7.3).

3.8 Faculty-Student Relationships

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

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

3.8.1 Relationship in Classes and Clinics

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

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

3.8.2 Services for Students with Disabilities

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

3.8.3 Student Records

Access to information in student education records is governed by FERPA, the Family Educational Rights and Privacy Act. FERPA is a federal law that protects the privacy of information contained in student “education records.” Such education records include any record directly related to a student and maintained by the University or any other person acting on behalf of the University. FERPA restricts the release of information contained in student education records and access to those records. Unauthorized disclosure of FERPA-protected information, or unauthorized access to such information, is a form of misconduct. More details regarding FERPA compliance are provided in Appendix F and *The CenterScope*, the student handbook. Topics covered in the appendix include:

- A more detailed definition of an “education record;”
- Limitations on the release of student information;
- Limitations on posting grades;
- Use of e-mail to transmit FERPA-protected information;
- Letters of recommendation;
- Emergencies; and
- Information about how to obtain further assistance on FERPA-related questions.

3.8.4 The Honor Code

The text of the Honor Code of UTHSC is included in *The CenterScope* and in Appendix G. All colleges follow honor systems for the conduct of examinations and the observance of high moral and ethical standards. College honor councils, with elected representation from each class, have the responsibility of investigating and adjudicating infractions of the Honor Code and recommending disciplinary action to the Dean.

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

3.8.5 Faculty Responsibilities in Relation to the Honor Code

According to the Honor Code, faculty members “participate in the Honor Code by endorsing and supporting the principles of the Code and by applying its rules and procedures.” The following are the responsibilities and guidelines for this role³:

1. To be an active participant, faculty members must understand the Code and its implementation. The Student Honor Code not only applies to tests and examinations but also to “oral, written, or practical reports that are part of a student’s academic and research program; clinical and laboratory experiences; scientific research; and other student activities relating to the academic,

³ This statement of Faculty Responsibilities in Relation to the Honor Code was adopted by the UTHSC Faculty Senate on December 13, 1994.

clinical, and research programs of UTHSC.” Upon appointment, all new faculty members must be informed in writing of the existence of the Honor Code and that acceptance of a position at UTHSC indicates a willingness to cooperate with the students in complying with the Honor Code. Each year an orientation program should be conducted for all new faculty members; topics covered should include the faculty’s role and responsibilities in relation to the Honor Code, copies of which should be distributed and orientation held for all faculty members.

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

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

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

SECTION 4 SELECTION, APPOINTMENT, TENURE AND CAREER DEVELOPMENT OF TENURE TRACK FACULTY MEMBERS

4.1 Tracks Available to Full Time Faculty

Full time faculty at the UTHSC can be hired either on the tenure-track or the nontenure track. Tenure track faculty are hired with an expectation that they will contribute in a full range of faculty activities, including teaching, research/scholarly activity, and service, as well as patient care where appropriate. Nontenure track faculty are hired for a more limited scope of activities, with a major emphasis on clinical care, teaching or research/scholarly activity and at least minimal contributions in one of the other missions of the university. (See Section 5.2.2 for additional information relating to nontenure track appointments). Faculty on either track can be promoted based on their accomplishments in their assigned missions; however, nontenure track faculty are not eligible for tenure. A transfer between tracks can occur under some circumstances (Section 4.9).

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.

4.3 The UTHSC Tenured and Tenure Track Faculty

Faculty members on the tenure track are initially appointed as probationary for tenure. After the completion of a successful probationary period, such faculty members are granted annual appointments that are continuous with tenure. Tenured faculty members may be terminated by UTHSC only for forfeiture of tenure (Section 8.1.4), adequate cause (Sections 8.2 and 8.3), or under extraordinary circumstances because of academic program discontinuance or bona fide financial exigency at UTHSC (Section 8.1.3).

The selection and the ongoing career development of the tenured and tenure track faculty individually and collectively, are essential to the fulfillment of the mission of UTHSC. The Chancellor, the Chief Academic Officer, the Dean, the Chair, and the full time faculty share the responsibilities of selecting faculty members wisely and promoting their professional development.

4.4 Selection and Career Development of Tenure Track Faculty

4.4.1 Role of the Department Chair

The Department Chair is the academic and administrative leader of the department's faculty. The Chair is responsible for the management of the department's activities, including direction of the work of the faculty. The assignment of faculty workloads and work sites is the responsibility of the Chair, in consultation with the Dean when appropriate. The Chair is responsible for the equitable assignment of faculty responsibilities and assures that an appropriate balance of time and effort is committed within the department to teaching, research, service, and, if applicable, patient care. The Chair is responsible for

overseeing the career development of all faculty members in the department. In a large department the Chair may delegate some of these responsibilities to Division Chiefs.

4.4.2 Role of the Tenured Faculty of the Department

Faculty membership on advisory committees concerned with faculty appointment, promotion, the award of tenure, and termination of tenured faculty for adequate cause is normally limited to the tenured faculty members within a given academic unit/college. [Note: in large departments the relevant academic unit may be a Division.] Moreover all tenured faculty within these units, with the exception of the Dean, the Chair (Section 8.3) make recommendations to the Chair (or, in large departments, to the Division Chief) on such matters. Recommendations from non-tenure track faculty may also be solicited by the Chair/Division Chief when their expertise is deemed relevant.

The mechanism for the tenured faculty's participation in these activities is described in the collegiate and/or departmental bylaws. If a department does not have at least three tenured faculty members (excluding the Dean and Chair), the departmental bylaws shall specify that the College Promotion and Tenure Committee (Section 4.4.3) will perform some of these activities, while also providing for the tenured faculty's participation in the Final Probationary Review and anonymous vote concerning the award of tenure (Sections 4.14.3.4 and 4.15.1), participation as members of an Enhanced Post-Tenure Performance Review (EPPR) Peer Review Committee (Section 4.16.4), and participation in the procedures for termination for adequate cause (Sections 8.3.1 and 8.3.2). Bylaws for departmental governance shall contain appropriate policies, procedures, guidelines, and criteria for which the Board has delegated authority and specific responsibility to the departments. These bylaws shall include and be consistent with relevant policies, procedures, guidelines, or criteria of the Board, UTHSC, and the department's college.

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 Enhanced Post-Tenure 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 Enhanced Post-Tenure 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.

4.4.3 Composition and Role of the Collegiate Promotion and Tenure Committee

Each college must have a Collegiate Promotion and Tenure Committee (CPT Committee). The membership of the CPT committee shall be appointed by the Dean and must include ³²at least four tenured faculty

members, in addition to the committee chair. The collegiate academic officer shall serve ex officio as a voting member. A quorum shall be 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 those faculty members present.

The CPT Committee shall be advisory to the Dean and be responsible for

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

Collegiate bylaws must contain appropriate policies, procedures, guidelines, and criteria for which the Board has delegated authority and responsibility to the colleges. These bylaws must also specify what documents are necessary for the various reviews by the CPT Committee, provide for the manner of taking and recording a formal, anonymous vote of the CPT Committee, and establish the minimum number of votes necessary to constitute a positive or a negative recommendation to the Dean. Copies of these bylaws must be published and easily accessible to every full time faculty member in the college and placed in the office of the Chief Academic Officer, the Associate Dean for Academic Affairs of each college, the office of each chairperson, and on the website of each college and of the Faculty Senate.

4.5 Eligibility for Tenure Consideration

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

1. Tenure track faculty appointments at the academic rank of assistant professor, associate professor, or professor are eligible for tenure;
2. Instructors are ineligible unless they are recommended for promotion to assistant professor at the same time that they are recommended for tenure;
3. Temporary, term, and part time appointments are not eligible for tenure (Sections 6.2.2 and 6.2.3); and
4. Faculty members pursuing degrees at UTHSC are not eligible for tenure.

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

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

1. individuals who are appointed to UTHSC in administrative positions with academic rank and who are notified in writing that such service is not applicable to consideration for tenure (Section 6.2.4);
2. individuals with secondary faculty appointments whose primary appointments are non-faculty (Section 6.2.4); and
3. volunteer faculty members or individuals from other categories of Faculty (i.e., affiliated) who are not salaried through UTHSC (Sections 6.2.5 and 6.2.6).

4.6 Selection Criteria for Tenure Track Faculty Members

4.6.1 Selection of Tenure Track Faculty Members

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

1. fulfill the basic criteria for appropriate faculty rank as outlined in Section 6.1 of this *Faculty Handbook*;
2. fulfill the distinctive requirements established by the department for the faculty position to be filled; and
3. possess documentation of academic achievement and credentials (acquired as a student, a faculty member, a postdoctoral appointee, research associate, or during a fellowship or residency) that strongly indicate that the performance as a faculty member will be outstanding throughout his or her future academic career.

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

4.6.2 Selection Process for Tenure track Faculty Members

1. On the basis of a demonstrated need of the department's academic program and availability of money for the position, the Chair requests that a new or replacement tenure track faculty position be filled.
2. The Dean authorizes the new or replacement tenure track faculty position to be filled.
3. Chair prepares a description of the open position and initiates the appropriate UTHSC recruitment process to identify candidates.
4. The Chair may appoint a search advisory committee.
5. The Chair shall consult with the tenured/tenure track departmental faculty of equal or higher ranks to that of the prospective appointee before nominations are forwarded. Final responsibility for the departmental recommendation rests with the Chair.

6. The Chair selects the candidate to be recommended for the position.
7. The Chair holds informal discussions with the selected candidate concerning rank, salary, and other conditions of employment, and the candidate's willingness to accept such conditions, if a formal offer is made by UTHSC.
8. If the selected candidate is willing to accept the conditions of employment, the Chair proceeds to the appointment process described in Sections 4.7.1 and 4.7.2.

4.6.4 Nepotism

The University permits the employment of relatives as defined by Human Resources Policy HR0115 regarding Employment of Relatives

(https://my.tennessee.edu/portal/page?_pageid=34,140536&_dad=portal&_schema=PORTAL&p_policy=HR0115), but they must not be placed in the same direct line of supervision, thereby being able to determine the appointment, retention, salary, promotion, or other aspects of the employment of their relatives. Where faculty members are in a position of responsibility affecting a relative, they must waive authority and defer to the next higher administrative officer.

4.6.5 Certification of Effective Communication in English

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

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

4.7 Initial Faculty Appointment Process

4.7.1 Approval by the Dean

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

1. The Chair makes a recommendation for appointment at a particular rank to the Dean (Section 6.1).
2. The Dean may request the CPT Committee to review the candidate's credentials and make a recommendation concerning the appointment and rank.
3. The Dean may (a) agree with the Chair's recommendations concerning both appointment and rank; (b) agree with the Chair's recommendation for appointment but disagree with the recommendation concerning rank and direct the Chair to modify the appointment; or (c) disagree with the Chair's recommendation for appointment and direct the Chair to continue the selection process.

4.7.2 Initial Appointment Letter

1. Notification of initial appointment to the selected candidate is made by letter from the Dean and the Chair. Sample letters of appointment are included in the Faculty Evaluation Manual. The letter should state the precise terms and conditions of the appointment including, but not limited to:
 - a. the classification of the appointment, e.g., tenure track or nontenure track; if the former, the letter should also state that the faculty appointment is probationary for tenure;
 - b. the rank, salary, and related financial conditions;
 - c. the length of the probationary period (Section 4.8) and the academic year in which the faculty member must be considered for tenure if he or she has met the minimum eligibility requirements;
 - d. the initial specific academic expectations of the appointee during the probationary period, including the percent effort that should be devoted to each of the assigned missions;
 - e. the general expectation that the appointee will abide by the rules and regulations of UTHSC, including the provisions of this *Faculty Handbook* and the principles of the Honor Code of UTHSC; and
 - f. a statement that the letter contains the complete appointment agreement between UTHSC and the appointee and that any previous discussions or correspondence are not binding on UTHSC.
2. The initial appointment letter must include the internet address of the UTHSC home page and information concerning how to access the *Faculty Handbook* and the Honor Code through the home page.
3. The selected candidate's written acceptance of the provisions of the initial appointment letter, together with the execution of a faculty appointment agreement, a personnel action form, and other UTHSC employment forms, completes the initial agreement of employment between the new faculty member and UTHSC. Execution of a faculty appointment agreement requires documentation of the candidate's credentials (including a copy of his/her diploma and transcripts) and evidence of licensure where appropriate.
4. The base salary is the only portion of a faculty member's salary that is protected by tenure. The initial appointment letter must specify the base salary and indicate the terms and limitations regarding any additional funding that might be provided for other specified duties (e.g., additional compensation for service as Chair, institute director, program director, dean).

4.8 Probationary Period

4.8.1 Length of Probationary Period

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. If a faculty member has served in a tenure-track appointment at another institution, his or her total probationary service may extend beyond 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 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 six-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 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.

4.9 Transfer of Appointments

4.9.1 Transfers from Part Time to Full Time Appointments

If a part time faculty member later becomes a full time faculty member on the tenure track, the process of a tenure track appointment must be followed (Sections 4.6 and 4.7). This includes adherence to all Equal Opportunity and Affirmative Action requirements as this will be considered a new position for affirmative action purposes. The time period during which the individual held a part-time faculty position may be considered as part of a probationary period after which a recommendation for awarding tenure may be made. Such credit for the earlier appointment is determined by the faculty member, the Chair, and the Dean prior to the appointment to a tenure track position.

4.9.2 Transfers Between Tracks

A nontenure track UTHSC faculty member may be appointed to a tenure track appointment on recommendation of a Department Chair, with the approval of the Dean and after consultation with the tenured and tenure track faculty of that department. In such cases, the process for a standard academic appointment must be followed (Sections 4.6 and 4.7). In addition, such appointments must conform to all Equal Opportunity and Affirmative Action requirements as this will be considered a new position for affirmative action purposes. When such transfers are approved, the newly appointed tenure-track faculty member can request that his/her full time effort prior to the transfer be applied to the probationary period; such credit towards tenure must be agreed upon in writing by the Chair, the Dean, the Chief Academic Officer, and the faculty member.

A tenure track faculty member may request transfer to the nontenure track on the recommendation of his/her Department Chair, with the approval of the Dean. Such transfer shall not normally be refused for faculty in good standing.

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

4.10 Notice of Non-Renewal

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

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

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

The procedure for appeal of a decision for non-renewal of a faculty appointment is described in Section 7.

4.11 Criteria for Tenure

Tenure is awarded after a thorough review that culminates in the University acknowledging a reasonable presumption of the faculty member's professional excellence, and the likelihood that excellence will contribute substantially over a considerable period of time to the mission and anticipated needs of the academic unit in which tenure is granted. Professional excellence is reflected in the faculty member's teaching, research, and service including the faculty member's ability to interact appropriately with colleagues and students. The relative weights of these factors will vary according to the fit between the faculty member and the mission of the academic unit in which he or she is appointed. Thus, a positive recommendation for the awarding of tenure is based not only on the individual's professional excellence

but also may include consideration of the anticipated needs of the academic programs of UTHSC. Consequently, a recommendation not to award tenure is not a judgment of incompetence.

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 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.

4.11.2 Candidate's Supporting Documentation

The Chair shall determine what deadlines are observed, provided these are consistent with UTHSC and the department's college deadlines. 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 the identification of supporting documentation to be submitted to the tenured departmental or divisional faculty (or CPT Committee). The faculty member, in consultation with the Chair, shall 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:

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.

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.

1. Instructor to Assistant Professor: 3 internal letters of evaluation required
2. Assistant Professor to Associate Professor without tenure: 2 external and 3 internal letters of evaluation required
3. Assistant Professor to Associate Professor with tenure: 3 external and 2 internal letters of evaluation required
4. Associate Professor to Professor with or without tenure: 3 external and 2 internal letters of evaluation required
5. 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. Date when letter of evaluation must be received during the review cycle
 - i. 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).
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.

4.12 Locus of Tenure

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

If a tenured faculty member voluntarily transfers from one UT campus to another, his or her tenured status is not transferred. However, a review by the responsible administrators in consultation with the tenured

faculty of the receiving department may result in an immediate recommendation to the Board of Trustees that tenure at the new campus be granted to the transferred individual; on the other hand, a new probationary period in the receiving unit may be established. There shall be no involuntary transfer of faculty members between campuses.

Transfers from another UT campus to UTHSC follow the procedures outlined for all new appointments in Sections 4.6 and 4.7. All aspects of the new appointment – title, rank, terms of employment, and tenure – are re-negotiated. This re-negotiation does not jeopardize the faculty member's participation in group insurance, retirement plans, or other standard faculty benefits. Prior to the effective date of the transfer, all conditions relating to tenure must be documented and accepted in writing by the transferring faculty member.

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

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

4.13 Faculty-Initiated Changes in Clinical Practice Affiliation

A faculty member who proposes to change his/her clinical practice affiliation while maintaining an academic appointment must re-negotiate the terms of the academic appointment with the Chair and Dean. The faculty member must initiate such negotiations in advance of the proposed change to allow time for adequate discussion by all parties and for written response from the Dean. If, after consultation with the Chair and the faculty member, it is the opinion of the Dean that the faculty member can continue to fulfill all of his/her assigned UTHSC missions and otherwise fulfill the needs of the University within the proposed clinical practice affiliation, there may be no need for substantive changes to the faculty member's academic appointment, compensation, and/or tenure status. If not, after negotiation, the faculty member would be advised in writing, in a timely manner, that the proposed change in clinical practice affiliation would require a change in academic appointment, compensation, and/or tenure status. The nature of this change would be determined on a case-by-case basis. Negotiations regarding such changes must be carried out in good faith by the faculty member, the Chair, and Dean, recognizing the long-standing commitment of the tenured faculty member. Ultimately any change in the clinical practice affiliation must meet the needs of the college and UTHSC. Changing clinical practice affiliation without the prior written approval of the Chair and Dean constitutes resignation of a faculty member's academic appointment and consequently, relinquishment of tenure (Section 8.1.1). The faculty member may appeal the Dean's decision through the normal grievance process in Section 7. Any such appeal should be filed prior to the date of resignation from his/her current practice affiliation.

4.14 Career Development and Evaluation of Tenure Track Faculty Members

4.14.1 General

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

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

4.14.2 Expectations Regarding Career Development of Tenure Track Faculty Members

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

4.14.3 Career Development and Evaluation Process for Tenure Track Faculty Members

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

1. mutually establish academic (e.g., teaching, research, service, and/or patient care) goals for the faculty member;
2. evaluate the faculty member's performance in achieving these previously established academic goals;
3. provide the faculty member with a routine opportunity to seek and receive advice and guidance from the Chair and the tenured faculty of the department; and
4. assess the progress towards attainment of tenure.

The tenured faculty of the department also participate in the processes described below. Any faculty member who feels aggrieved by the career development and evaluation process as applied to him or her may appeal through the provisions of Section 7. The career development and evaluation process is as follows:

4.14.3.1 Initial Meeting with the Chair

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

4.14.3.2 Annual Performance and Planning Review

The procedure for these reviews and forms relating to this review can be found in the Faculty Evaluation Manual. Annually, each regular full-time tenure track faculty member in his/her probationary period must meet with the Chair to review his or her performance in achieving previously established academic goals, to receive the work assignment, and to mutually establish the academic goals to be achieved by the faculty member during the coming year. In addition, each year the Chair advises the faculty member concerning how much probationary time is left and how the quality of his or her performance is likely to be assessed. A document summarizing the review - including a summary rating of the faculty member's performance - must be signed by the faculty member (to acknowledge receipt of the review document) and the Chair (see Faculty Evaluation Manual). Copies of these Annual Performance and Planning Reviews are given to the faculty member and placed in the faculty member's personnel file.

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 chair's sole discretion). 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.

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). Extra-departmental review of the dossier may be permitted in any case and required when sufficient expertise is lacking among the tenured departmental faculty.

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.

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 4.14.3.3 and 4.14.3.4).

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 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 4.14.3.4).

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 explanation of his or her judgment, with a copy provided to the tenure candidate and the departmental tenured faculty at the same time (Section 4.14.3.4). If the Chair's recommendation differs from the recommendation of the tenured faculty, he/she must explain the reasons for the differing judgment, and the Chair must provide a copy of the 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.

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 4.4.3.

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, 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 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.

4.15.7 Action by the Board of Trustees when Required

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 President shall give the faculty member written notice of the effective date of tenure.

4.16 Career Development and Evaluation of Tenured Faculty Members

4.16.1 General

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

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

4.16.2 Career Development Planning and Evaluation Process for Tenured Faculty Members

Generally, the career development and evaluation process for tenured faculty members is a series of meetings, involving the faculty member and the Chair. The objectives of these meetings are:

1. to mutually establish academic goals for the faculty member (i.e., distinctive requirements of the faculty position in teaching, research, service, and/or patient care);
2. to evaluate the faculty member's performance in achieving these previously established academic goals; and
3. to provide the faculty member with a routine opportunity to seek and receive advice and guidance from the Chair.

Any faculty member who feels aggrieved by the career development and evaluation process as applied to him or her may appeal through the provisions of Section 7.

4.16.3 Annual Performance and Planning Review

The Board's policy on tenure states that each faculty member and his or her Department Chair will engage in a formal Annual Performance and Planning Review, examining the previous year's activities and planning

what should occur during the coming year. The procedure for the Annual Performance and Planning Reviews at UTHSC is found in Appendix J. The Board's policy also stipulates that each faculty member's Annual Performance and Planning Review should proceed from guidelines and criteria which are appropriate to the department, college, and UTHSC (Section 4.4.2). A document summarizing the review – including an objective rating of the faculty member's performance – must be signed by the faculty member (to acknowledge receipt of the review document) and the Chair; a copy must be sent to the Dean. Copies of the summary document and the Annual Performance and Planning Review are given to the faculty member and placed in his or her personnel file.

Annually, each tenured faculty member must meet with the Chair. The purpose of this meeting is three-fold:

1. to review the faculty member's performance in achieving previously established academic goals;
2. to receive the work assignment for the coming academic year; and
3. to mutually establish the academic goals to be achieved by the faculty member during the coming year.

At any time the Chair or faculty member may request that the tenured departmental faculty also review the faculty member's performance. At UTHSC, summary ratings indicate that during the past year the faculty member's performance was "Exceeds Expectations for Rank," "Meets Expectations for Rank," "Needs Improvement for Rank" or "Unsatisfactory for Rank". UTHSC should recognize and seek to reward faculty members, who receive "Exceeds Expectations for Rank" ratings (Section 4.15.6).

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

4.16.4 Enhanced Post-Tenure Performance Review (EPPR)

Enhanced Post-Tenure Performance Review (EPPR) is an expanded and in-depth performance evaluation conducted by a committee of tenured peers and administered by the chief academic officer. Procedures for conducting an EPPR are detailed in Appendix M.

This policy recognizes that the work of a faculty member is not neatly separated into academic or calendar years. To ensure that performance is evaluated in the context of ongoing work, the period of performance subject to enhanced review is the five most recent annual performance review cycles. UTHSC campus administration must collect and maintain sufficient data regarding annual performance reviews to implement this policy effectively.

An Enhanced Post-Tenure Performance Review must be initiated when the chief academic officer determines that a faculty member has:

- requested an EPPR, after at least four annual performance review cycles since the last enhanced review (such as a previous EPPR or a review in connection with tenure or promotion);
- received one overall annual performance rating of "Unsatisfactory"; or

- received two overall annual performance ratings of “Needs Improvement” during any four consecutive annual performance review cycles.

a. Administration of the EPPR by the Chief Academic Officer⁴

The EPPR process will be administered under the direction and oversight of the UTHSC chief academic officer. As with any performance evaluation, the chief academic officer may overrule a performance rating assigned by a department chair or dean during the annual review process. This practice ensures that when an EPPR process is activated by one or more negative performance ratings (4.16.3 above), the chief academic officer is aware of existing concerns.

The task of administering the EPPR requires implementation of this policy and the procedures detailed in Appendix M, as well as any additional steps the chief academic officer finds necessary to comply with the policy objectives. For example, the chief academic officer may be required to adapt the implementation of this policy to satisfy legal requirements (such as limitations on disclosure of student information) or respond to unexpected events (such as replacement of a committee member who becomes unable to serve).

b. Peer Review Committee’s Charge

The peer review committee is charged to review the information relevant to the faculty member’s performance during the review period and to conclude whether or not that performance has satisfied the expectations for the faculty member’s discipline and academic rank.

As detailed in Appendix M, the expectations for faculty performance may differ by college, department, and even among sub-disciplines within a department or program. Those expectations may be commonly-held standards in the discipline or sub-discipline. Those expectations may be stated explicitly in the faculty member’s own past annual performance reviews, work assignments, goals or other planning tools (however identified), as well as department or college bylaws, the UTHSC Faculty Handbook, the Board of Trustees Policies Governing Academic Freedom, Responsibility, and Tenure, and in other generally-applicable policies and procedures (for example, fiscal, human resources, safety, research, or information technology policies and procedures).

The peer review committee must reach a conclusion as to whether or not the performance has satisfied the expectations for the faculty member’s discipline and academic rank. If the peer review committee concludes that the faculty member’s performance has not met the expectations for the discipline and academic rank, the committee must also recommend either that an EPPR improvement plan be developed as detailed in Appendix M, or that tenure be terminated for Adequate Cause under the UTHSC Faculty Handbook (§8.3) and the UT Board of Trustees Policies Governing Academic Freedom, Responsibility, and Tenure.

The committee must report its conclusions and recommendations in writing, including an explanation for each conclusion or recommendation, and enumerating the anonymously cast vote and dissenting explanation for any conclusion or recommendation that is not adopted unanimously. The faculty member must have an opportunity to review and respond to the committee’s report.

⁴ Where indicated in Appendix M, the chief academic officer may delegate tasks, but not decisions, associated with the EPPR to an associate or assistant vice chancellor for academic affairs, or other appropriate campus administrator, but will remain responsible for making any decisions assigned to the chief academic officer.

All written conclusions, reasoning upon which they are based, and recommendations of the peer review committee must be reviewed and considered by the chief academic officer and the Chancellor.

c. Review and Action by the Chancellor

The Chancellor may accept the peer review committee's conclusions and recommendations or make different conclusions in a written explanation provided to the faculty member with copies to the chief academic officer, dean, department chair, and members of the peer review committee. Based on those conclusions, the Chancellor may take further action as deemed appropriate, including (without limitation) actions described in the Board of Trustees Policies Governing Academic Freedom, Responsibility, and Tenure, in the UTHSC Faculty Handbook, or in any other policy and procedures generally applicable to faculty.

If the Chancellor concludes (based on the recommendation of a peer review committee or based on independent review of the EPPR materials) that an EPPR improvement plan is warranted, the Chancellor will promptly direct the chief academic officer to oversee development of the plan (Appendix M).

d. Final Review and Action Following Any EPPR Improvement Plan

If an EPPR improvement plan is implemented, the peer review committee must reconvene to review performance under the plan and to decide whether or not performance under the plan satisfies the expectations for the faculty member's discipline and academic rank. The committee must report its conclusions and recommendations in writing, as described in Appendix M. The chief academic officer and the Chancellor must review all conclusions and recommendations of the peer review committee. The Chancellor may: (1) accept the committee's conclusions and recommendations; (2) provide a written explanation of different conclusions, provided to the faculty member with copies to the chief academic officer, dean, department chair, and members of the peer review committee; or (3) take further action deemed appropriate, including (without limitation) actions described in the Board of Trustees Policies Governing Academic Freedom, Responsibility, and Tenure, in the UTHSC Faculty Handbook, or any other policy and procedures generally applicable to faculty.

e. Coordination of APPR and EPPR Review Process

For a faculty member whose past performance is being reviewed under the EPPR process, an alternate form of APPR (documented on the appropriate form as noted in Appendix J) must be used in lieu of the normal APPR form to evaluate the faculty member's ongoing performance. This alternate form of APPR results in an overall performance rating for the faculty member for the purposes of considering eligibility for annual salary adjustments (including across-the-board and other raises). See Appendix J.

4.16.5 Career Remediation Program

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

to a program for personal counseling; or (e) resources to improve teaching or perform research as appropriate.

4.16.6 Recognition of Excellence

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

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SECTION 5 SELECTION, APPOINTMENT, AND CAREER DEVELOPMENT OF NONTENURE TRACK FACULTY MEMBERS

Nontenure track faculty members are hired for a limited scope of faculty activities, with a primary role in clinical care, teaching or research/scholarly activity and at least a minimal contribution in one or more of the other missions of the university. The three types of nontenure track appointment are defined in Section 6.2.2 – Clinician Educator, Research Appointment, Limited Duration Appointment. In addition all part time faculty appointments are nontenure track. As with tenure track faculty members, the selection and the ongoing career development of nontenure track faculty members are essential to the fulfillment of the mission of UTHSC.

5.1 Selection of Nontenure Track Faculty Members

5.1.1 Criteria for Selecting Nontenure Track Faculty Members

Appropriate candidates for nontenure track faculty appointment include those who:

1. fulfill the basic criteria for appropriate faculty rank as outlined in Section 6.1 of this *Faculty Handbook*,
2. fulfill the distinctive requirements established by the department for the faculty position to be filled, and
3. possess documentation of academic achievement and credentials (acquired as a student, a faculty member, a postdoctoral appointee, research associate, or during a fellowship or residency) that strongly indicate that the performance as a full-time faculty member will be outstanding throughout his or her future academic career.

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

5.1.2 Process for Selecting Nontenure Track Faculty Members

1. On the basis of a demonstrated need of the unit’s academic, clinical, or research program and availability of funding, the Chair, Division Chief or Principal Investigator submits a written request to the Dean for a new or replacement faculty position.
2. The Dean authorizes the new or replacement nontenure track faculty position to be filled.
3. The Chair, Division Chief, or Principal Investigator prepares a description of the open position and initiates the appropriate UTHSC recruitment process to identify candidates.
4. When a search advisory committee is required by campus search procedures, either the Chair, Division Chief, or Principal Investigator may appoint the committee.

5. The Chair, Division Chief, or Principal Investigator may consult with the departmental faculty of equal or higher academic rank to that of the prospective appointee before nominations are forwarded.
6. The Chair, Division Chief, or Principal Investigator selects the candidate to be recommended for the position.
7. The Chair, Division Chief, or Principal Investigator holds informal discussions with the selected candidate concerning rank, salary, and other conditions of employment, and the candidate's willingness to accept such conditions, if a formal offer is made by UTHSC.
8. If the selected candidate is willing to accept the conditions of employment, the Chair proceeds to the appointment process described in Sections 4.7.1 and 4.7.2.

5.1.3 Role of the Department Chair

The Department Chair is the academic and administrative leader of the department's faculty. The Chair is responsible for managing the department and for general oversight of faculty activities. The Chair is responsible for overseeing the career development of all faculty members in the department. The Chair may delegate some of these responsibilities to a Division Chief or to the relevant supervisor of the nontenure track faculty member.

5.1.4 Role of the Nontenure Track Faculty of the Department

Nontenure track faculty members are entitled to academic freedom and are encouraged to participate in a broad range of campus activities. Some faculty committees, such as those concerned with promotion of tenure track faculty, the award of tenure, and termination of tenured faculty for adequate cause, are limited to faculty with tenure, and therefore formal participation may not be appropriate for nontenure track faculty. Nonetheless, a Department Chair or Division Chief may informally solicit recommendations from nontenure track faculty when their expertise is deemed relevant. Nontenure track faculty may also serve as formal, full-voting members of other departmental, college, or campus committees depending on their expertise, interest, and availability.

5.1.5 Nepotism

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

5.1.6 Certification of Effective Communication in English

An individual who is a candidate for an appointment to a teaching position and whose native language is not English is evaluated by the Chair regarding the ability to communicate effectively with students in the English language (Policy on Certification of Effective Communication in English (see http://www.uthsc.edu/policies/w932_document_show.php?p=229.) The method of evaluation shall be noted in the college bylaws and must provide for consistent, thorough, and effective evaluation. If the Chair

finds the individual's ability acceptable, he or she so certifies in writing to the Dean, indicating the method of assessment that was employed.

5.2 Transfer from a Nontenure Track to a Tenure Track Appointment

A nontenure track faculty member may request transfer to the tenure track on recommendation of a Department Chair, with the approval of the Dean, and after consultation with the tenured and tenure track faculty of the department.

In such cases, the process for a tenure track appointment must be followed (Sections 4.6 and 4.7). In addition, such an appointment must conform to all Equal Opportunity and Affirmative Action requirements, as this will be considered a new position for Affirmative Action purposes. When such a transfer is approved, the newly appointed tenure-track faculty member can request that his/her full-time effort prior to the transfer be applied to the probationary period. Such credit toward tenure must be agreed upon in writing by the Department Chair, the Dean, the Chief Academic Officer, and the faculty member.

A tenure track faculty member may request transfer to the nontenure track on the recommendation of his/her Department Chair, with the approval of the Dean. Such transfer shall not normally be refused for faculty in good standing.

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

5.3 Career Development and Evaluation of Nontenure Track Faculty

5.3.1 Career Development

Career development for nontenure track faculty members includes continually increasing academic achievement as marked by the progression to the rank of professor. Guidelines and process for promotion in academic rank are the same for both nontenure track and tenure track faculty members (Sections 6.8 and 6.9).

Career development is primarily the responsibility of the individual faculty member; however, guidance should be provided by the faculty member's Chair or designated supervisor. The focus of career development depends on the nature of the nontenure track appointment.

For faculty hired as teachers, the assessment will focus on the faculty member's success as an educator; and the individual conducting the assessment shall review the instructional materials that were created by the faculty member, including class syllabi and related course materials, as well as the evaluations of teaching effectiveness obtained from students and peers.

For faculty hired primarily for research, the evaluation should be carried out by the appropriate supervisor and should focus on the quantity and quality of the research assigned.

5.3.2 Evaluation through the Annual Performance and Planning Review

Each faculty member must meet with his/her Chair or relevant supervisor at least once a year for a formal Annual Performance and Planning Review. In addition, either the Chair or the faculty member may at any time request that the tenured departmental faculty review his/her performance.

That Annual Performance and Planning Review is based on criteria and guidelines appropriate to the specific department, college, and campus, and the meeting serves at least four purposes:

1. To review and discuss the faculty member's performance in achieving previously established goals;
2. To convey the faculty member's work assignment for the upcoming year or other appointment period;
3. To discuss and establish the academic goals to be achieved by the faculty member during the upcoming year or other appointment period; and
4. To provide the faculty member with a routine opportunity to seek and receive advice and guidance.

A written summary of the review must be prepared, including the following ratings designed to indicate whether the faculty member's performance "Exceeds Expectations for Rank," "Meets Expectations for Rank," "Needs Improvement for Rank," or is "Unsatisfactory for Rank."

This summary must be signed by the faculty member (to acknowledge receipt of the document) and by the Chair or relevant supervisor, with a copy to the Dean. Copies of the summary document and any other appropriate documents are given to the faculty member and placed in appropriate files – e.g. the faculty member's Human Resources and Academic Affairs files. An example of the summary document and details regarding the evaluation procedure can be found in the Faculty Evaluation Manual.

Any faculty member who feels aggrieved by the career development and evaluation process as applied to him or her may appeal through the provisions of Section 7.

5.3.3 Outstanding Performance to be Rewarded When Feasible

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

5.3.4 Performance Rated "Needs Improvement" or "Unsatisfactory"

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

A faculty member on an improvement plan must provide to the Chair or supervisor a written interim progress report of remedial steps taken with copies forwarded to the Dean. Such reports must be submitted by the midpoint of the upcoming appointment period. If, in the opinion of the Chair or relevant supervisor, sufficient progress towards remediation has not been made, he/she may recommend that the appointment be terminated for adequate cause (as defined in Section 8.2) under the procedure described in Section 5.5 below.

5.4 Renewal of Nontenure Track Appointments and Notice Requirements for Non-Renewal

Notice for nonrenewal of nontenure track faculty appointments is determined by the type of faculty appointment held (e.g. Clinician Educator, Research, or Limited Duration Appointment, Section 6.2.2).

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

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

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

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

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

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

5.5 Termination of a Nontenure Track Faculty Member for Adequate Cause

During an appointment year (or other specified appointment term), a nontenure track appointment may be terminated for adequate cause (as defined in Section 8.2) prior to the end of the appointment term.

Nontenure track faculty members may also be terminated for adequate cause prior to the end of their appointment period. In the event that a Department Chair recommends to the Dean and Chief Academic Officer that a nontenure track faculty member should be terminated for cause, the Department Chair, Dean, and Chief Academic Officer shall meet with the faculty member to present the reasons for the recommended termination and to permit the faculty member to respond. If, after this meeting, the Chief

Academic Officer concludes that adequate cause for the termination exists, the Chief Academic Officer shall inform the faculty member of that decision in writing. A nontenure track faculty member whose appointment has been terminated for adequate cause shall be notified of his/her right to a post-termination hearing under the Tennessee Uniform Administrative Procedures Act (see Tenn. Code Ann. § 4-5-10 (www.michie.com/tennessee/lpext.dll?f=templates&fn=main-h.htm&cp=tncode)).

SECTION 6 FACULTY RANKS, CLASSIFICATIONS OF APPOINTMENTS, AND PROMOTION

6.1 Faculty Ranks, Titles, and Guidelines for Appointment

At UTHSC criteria for appointment to the various faculty ranks are complex. They reflect the rigorous preparation necessary for university teaching, research, service, and, if applicable, patient care. They also reflect the varied expectations directed to the faculty of a major university; and the diversity of missions performed by academic units at a health science center. Given this complexity, it is recognized that each of the colleges within the University of Tennessee Health Science Center will need to review, refine and adapt the following guidelines to best serve their specific needs, while adhering to the general principles described below. The ranks and criteria for appointment of faculty at these ranks are shown below.

6.1.1 Instructor

The rank of Instructor may be granted to tenure track and nontenure track faculty. Depending on the distinctive requirements contained in the letter of appointment (Section 4.7.2), a faculty member with the rank of Instructor is usually expected to:

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

6.1.2 Assistant Professor

The rank of Assistant Professor may be granted to tenure track or nontenure track faculty. Depending on the distinctive requirements contained in the letter of appointment (Section 4.7.2), a faculty member with the rank of Assistant Professor is expected to:

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

6.1.3 Associate Professor

The rank of Associate Professor may be granted to tenure track or nontenure track faculty. Depending on the distinctive requirements contained in the letter of appointment (Section 4.7.2), a faculty member with the rank of Associate Professor is expected to:

1. hold the doctorate or other terminal degree of the discipline or equivalent training and experience appropriate to the particular appointment;
2. demonstrate significant contributions as a teacher and a strong likelihood of continuing effectiveness.

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

6.1.4 Professor

The rank of Professor may be granted to tenure track or nontenure track faculty.

Depending on the distinctive requirements contained in the letter of appointment (Section 4.7.2), a faculty member with the rank of Professor is expected to:

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

6.2 Classification of Faculty Appointments

6.2.1 Tenure Track Appointments

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

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

1. **Traditional Appointments.** The total salary of the faculty member is paid from UTHSC funds with outside compensation permitted as specified in the initial and subsequent appointment letter (Section 4.7.2). Appointees are eligible for participation in group insurance, retirement plans, and other standard University benefits.

2. **Coordinated Appointment.** Only a portion of the faculty member’s income is paid from UTHSC funds, but UTHSC has knowledge and control over the faculty member’s total income received for academic and professional activities. A Professional Activity Allowance Agreement is executed between the faculty member and The University as specified in the initial appointment letter (Section 4.7.2). Appointees are eligible for participation in standard University benefits with such benefits being calculated on the faculty member’s UTHSC salary only.

6.2.2 Nontenure Track Appointments

The nontenure track is normally reserved for faculty whose efforts and accomplishments are limited to one or two of the missions of the University. Nontenure track faculty members are eligible for University benefits but are not eligible for tenure (Section 4.5). As with tenure track appointments, nontenure track appointments may be paid solely from funds administered by UTHSC or by joint funding arrangements in which UTHSC provides part of the funding but has knowledge and control over the remaining portion of the faculty member’s income. Generally, each nontenure track faculty member meets annually with the Chair for the Annual Performance and Planning Review (Section 5.3.2 and Faculty Evaluation Manual).

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

1. **Clinician Educator Appointment** – This appointment is provided to a faculty member whose major contributions to the missions of UT are in clinical care and/or education. The appointment is for one year and may be renewed annually based on need, mutual interest, satisfactory performance, and availability of funding.
2. **Research Appointment** – This appointment is provided to a faculty member whose major contributions are in research. The appointment is contingent upon salary funding for the position that is provided by sources outside the University (e.g., grants, contracts, etc.) When the funding for the position expires, the faculty member’s employment will be discontinued. If the Research faculty member is later appointed to the tenure track (Section 4.8.2), all Equal Employment Opportunity and Affirmative Action requirements must be fulfilled prior to offering a tenure track appointment to this faculty member as this will be considered a new position. In addition, if the tenure track appointment is proposed at a higher rank than the current appointment, it is considered a promotion and must be processed as such within the college.
3. **Limited Duration Appointment** – This appointment is for a period of at least one month, but not more than one year. Limited Duration appointments may be renewed, but the total length of the initial appointment plus re-appointments cannot exceed three years. A faculty member who has held a Limited Duration appointment for three years is usually not eligible for an additional Limited Duration appointment. At the end of the appointment term, the faculty member’s employment will be discontinued, if the appointment has not been renewed.

6.2.3 Part-Time Nontenure Track Appointments

Part-time nontenure track appointments are for those faculty members who devote less than full time effort to the mission and programs of UTHSC. Appointees may be either salaried for routinely recurring service or receive special payments for services performed on an irregular basis. Part-time faculty members may be eligible for some University benefits, depending on their percentage of effort. Each part-time faculty member meets annually with the Chair for the Annual Performance and Planning Review

(Section 4.15.3 and Faculty Evaluation Manual). At the end of the appointment term, the faculty member's employment will be discontinued if the appointment has not been renewed.

6.2.4 Administrative Appointments

Administrative appointments are for those individuals who are primarily employed by The University as non-faculty members of the UTHSC executive, administrative, or professional staff, but who also devote a portion of their effort to service on the UTHSC faculty. Appointees must be qualified to hold academic rank based on their qualifications and experience (Section 5.1). Appointees are eligible for University benefits based on their non-faculty positions and are not eligible for tenure (Section 4.5). Individuals with administrative appointments are entitled to the rights and privileges of faculty members only with respect to their faculty activities but not with respect to their non-faculty activities. This faculty appointment is evaluated annually. At the end of the appointment term, the faculty appointment will be discontinued unless it is renewed.

6.2.5 Affiliated Appointments

Affiliated appointments are for those faculty members who are employed by an institution that has a formal UTHSC affiliation but who devote a portion of their effort to service on the UTHSC faculty, generally without monetary compensation from UTHSC. Appointees receive group insurance, retirement plans, or other standard benefits through the affiliated institution. Appointees are not eligible for tenure (Section 4.5). Appointees are assigned standard faculty rank based on their qualifications and experience (Section 6.1). If a staff member of an affiliated institution is awarded a faculty appointment at UTHSC, that individual is responsible to the Chair of the appointing department for his or her activities as a faculty member in that department, whether those activities are carried out in the affiliated institution or elsewhere. Each affiliated faculty member is evaluated and reappointed every three years relative to his or her continuing role in the department. If the faculty appointment is not renewed, the appointment will be discontinued at the end of the appointment term.

6.2.6 Volunteer Appointments

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

6.2.6.1 Appointment Criteria for Voluntary Faculty

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

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

1. **Instructor** – The qualifications and potential for supporting at least one of the missions of the University must be used for evaluating appointments.
2. **Assistant Professor**
 - a. For basic science faculty, postdoctoral experience or equivalent experience is required.
 - b. Except under extraordinary circumstances, physicians and other health professionals are required to maintain an active license and obtain board certification.
 - c. There must be demonstrated interest and participation in the goals of the division/department and/or college.
3. **Associate Professor**
 - a. There must be demonstration of continued interest in and commitment to the division/department or college and to UTHSC prior to consideration.
 - b. Candidates should demonstrate exceptional leadership qualities and achievements so as to be valued highly by colleagues at the local and/or state level.
4. **Professor**
 - a. There must be demonstration of continued interest in and commitment to the division/department and/or college and to UTHSC prior to consideration.
 - b. The primary consideration for promotion to Professor is substantial evidence of regional, national, and/or international recognition in one of the three areas of teaching, research/creative and other scholarly activities, or patient care. There should be a long-term record of distinguished university service/outreach and/or contributions locally.

6.2.6.2 Promotion of Volunteer Faculty

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

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

6.2.7 Emeritus Appointments

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

6.3 Joint Appointments

6.3.1 Interdepartmental or Intercollegiate Joint Appointments

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

In the case of joint appointments, the faculty member who is to receive joint appointments should have documented credentials in the discipline of each department. In addition, the joint appointee should have a documented bona fide role in each department. The Chairs of the departments involved have shared responsibilities to reach an agreement on the joint appointments and should work in concert in developing recommendations to the Dean(s) concerning such appointments, with the agreement of the faculty member involved. The academic rank need not be the same in each department and, if different, generally is higher in the base department. In considering joint appointments, each Chair should bear in mind the value of the faculty member's contribution to UTHSC or the college, not just his or her own department. An individual, holding joint appointments in two or more departments, should be evaluated regularly by the respective Chairs for his or her contributions to each respective department, with the frequency of such evaluations depending on the classification of the joint appointments (Section 6.2).

6.3.2 Intercampus Joint Appointments

Intercampus academic appointments are joint faculty appointments, involving UTHSC and either another UT campus or a non-UT college or university. Intercampus academic appointments are sometimes authorized when a faculty member at one university campus has expertise that qualifies him/her for participating in the work of a department on another university campus and when the other department

has need of his/her services. The definition and extent of such intercampus participation is determined by mutual agreement among the faculty member, the Department Chairs in consultation with appropriate faculty of the academic units involved, and the respective deans or other campus officers. In such cases, the following guidelines are observed:

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

6.4 Adjunct Appointments at Other Institutions

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

6.5 Graduate Faculty Appointments

The Graduate Faculty is composed of faculty members at UTHSC who direct graduate courses, serve on graduate advisory committees, or direct master's theses or doctoral dissertations in the College of Graduate Health Sciences. The criteria and appointment process for a faculty member to join the graduate faculty are available on the Internet home page of the College of Graduate Health Sciences.

6.6 Visiting Professors and Distinguished Visiting Professors

UTHSC recognizes the value of hosting scholars from other institutions. The two types of visiting scholars have unique selection and approval procedures, which are detailed below.

6.6.1 Visiting Professors

A **Visiting Professor** is an individual whose appointment is necessary in a specific college because of exceptional professional qualifications. The title of Visiting Professor should be restricted to those individuals who have made substantive contributions in their field and whose knowledge and skills would be of value to a particular college/academic program at UTHSC.

Selection of a candidate to serve as a Visiting Professor is normally initiated by the Dean or his/her designee at the request of a department chair in consultation with his/her faculty using the procedure below:

1. Colleges wishing to host a scholar from another institution will inform the Office of Academic Affairs, indicating the time frame of the proposed visit.

2. A Visiting Professor appointment will be handled as a limited term faculty appointment with waiver of letters of reference and the Faculty Appointment Agreement Form, based upon justification by the appropriate Dean and department chair.
3. The term of appointment may not be less than one month nor exceed one year in duration. Extensions beyond one year require approval of the UTHSC Chief Academic Officer.
4. Following appropriate collegiate consideration, the Dean will submit the proposed appointment with proper documentation to the UTHSC Chief Academic Officer.

If approved, the UTHSC Chief Academic Officer will initiate a letter of appointment for signature by the appropriate Dean. A copy of the appointment letter, curriculum vita and supporting documents will be maintained on file in the Office of Academic Affairs.

6.6.2 Distinguished Visiting Professors

In partnership with the Office of Development and Alumni Affairs, UTHSC supports short-term visits from renowned scholars from other universities to serve as a Distinguished Visiting Professor. The Office of Development and Alumni Affairs provides oversight of endowment funds that have been established for the purpose of sponsoring Distinguished Visiting Professors. These endowments sponsor the visit of experts in an area stipulated by the donor as part of the Memorandum of Agreement establishing the fund or as specified in the administrative procedures relating to the fund. Scholars selected as Distinguished Visiting Professors are normally asked to deliver a lecture and participate in other activities related to the Professorship during a short-term visit (usually two days). Distinguished Visiting Professorships are not considered regular faculty appointments and are not processed through the Chief Academic Officer. Financial obligations related to the Professorship must be covered by the income from the principal of the endowment for the specific professorship, except when the Dean has granted prior approval for use of supplemental funding.

The Office of Development and Alumni Affairs will maintain a comprehensive listing of all Distinguished Visiting Professorships as well as a listing of the responsibilities that will be carried out by the individual selected for each specific professorship.

Selection of a candidate to serve as a Distinguished Visiting Professor is normally initiated by the Dean or his/her designee at the request of a department chair in consultation with his/her faculty using the procedure below.

The Dean or designee will:

1. select the speaker, topic and date with input from an appointed advisory committee as needed;
2. provide the selected speaker with an offer letter and a contract between UTHSC and the Distinguished Visiting Professor;
3. advise the Office of Development and Alumni Affairs of the speaker selection;
4. work with the office of Development and Alumni Affairs to plan and facilitate activities related to the lecture; and,

5. maintain a record of individuals who have served as the Distinguished Visiting Professor and permanent files including pertinent correspondence, curriculum vitae and supporting documentation.

6.7 Guidelines for Promotion in Rank

Promotion in rank is not only an acknowledgement of past achievement but also an expression of confidence that the individual will continue to provide meritorious service and assume increasing campus responsibilities. The policy of UTHSC is to grant promotions objectively, equitably, impartially, and in recognition of merit.

In general, the guidelines for promotion in rank are the same as those for appointment to the various ranks (Section 6.1) and the activities that are evaluated for promotion are the same as those described above for the annual faculty evaluation (see list of activities below and the Faculty Evaluation Manual). Generally promotion from one rank to another requires evidence of sustained contributions in the faculty member's assigned areas; thus a minimum period of service in rank is normally required before consideration for promotion to the next rank. Colleges may establish more specific criteria for promotion to various ranks; these criteria must be consistent with the UTHSC guidelines and be published in the collegiate bylaws (Section 4.4.2). If a department establishes any more-specific criteria for promotion than those of UTHSC or the department's college, these must be published in the department's bylaws, after approval by the Dean (Section 4.4.2).

The evaluation process involves a systematic collection, analysis, and interpretation of information about the activities and outcomes of an individual faculty by faculty peers and administrators to make judgments about specific and overall aspects of what and how an individual faculty is progressing toward agreed-upon goals and, when appropriate, how he/she can improve performance.

One of the most important functions of a Chair is to maintain program excellence and to attract quality faculty. The Chair is obligated to assess the progress and performance of faculty members and to decide, with the appropriate advice from faculty peers, whether they should be promoted or rewarded for their past performance or apprised that their performance needs improvement.

The evaluation of each faculty member must be based on the minimum criteria for rank and the level of accomplishment of the goals and objectives that were agreed-upon at the time of appointment or at the last annual performance and planning review. Evaluations must specifically assess performance in each of the following missions: teaching, research/creative and other scholarly activities, along with, where applicable, patient care and university service/outreach.

In addition to individual efforts, each faculty member is expected to function as part of a departmental team and to demonstrate a sense of collegiality. As such, he/she should show an interest in the success of the department as a whole by accepting assignments, actively serving on departmental, college, University, or national committees; attending departmental/college functions; and actively participating in community-based service projects. In addition, each faculty member should demonstrate the ability to relate, cooperate, and interact well with peers. The value of such attributes is difficult to assess tangibly, but their importance is without question. Thus, these collegial contributions as well as contributions in the missions of teaching, research/creative and other scholarly activities, patient care, and service/outreach activities are all important in assessing faculty performance.

The activities outlined below are to be used as examples of criteria in evaluating all full-time tenured/tenure track and nontenure track faculty.

6.7.1 Teaching Performance

Examples of criteria that should be used to evaluate teaching performance are:

1. Actively participates in the teaching of students (e.g., lecturing, laboratory, conferences, counseling, experiential oversight, student committees);
2. Communicates information and concepts in a clear and well organized manner;
3. Provides timely updates to teaching materials;
4. Accepts criticism and responds appropriately to feedback regarding quality and effectiveness of teaching;
5. Maintains broad, detailed, and current knowledge of the subject matter;
6. Serves as a formal or informal mentor for students;
7. Participates in interdepartmental / interprofessional teaching activities when requested;
8. Experiments with new and innovative teaching approaches;
9. Encourages innovation;
10. Writes clear test questions designed to assess major concepts and prepare students for professional careers;
11. Provides evidence of the success of former students when applicable (e.g. residents, post-doctoral fellows, graduate students); and
12. Serves as a professional role model for students.

6.7.2 Research/Creative and Other Scholarly Activities

All faculty at UTHSC are expected to contribute to their professional discipline by participating in research/creative and other scholarly activities. Such activities can be broadly defined and encompass a wide range of activities, as can be seen in the examples below. The results of such activities must be disseminated to the wider community through discipline-specific/discipline-related publications. Examples of criteria that should be used to evaluate research/creative and other scholarly activities:

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

6.7.3 Service to the Department, College, University, and Community Outreach

Examples of criteria that should be used to evaluate service are:

1. Serves on departmental, college, and University committees;
2. Serves on local, regional, national, or international committees;
3. Serves on committees to review research grant proposals in the area of expertise (e.g., NIH, American Cancer Society, American Heart Association);
4. Serves as a journal editor, on editorial boards of journals or as a referee for manuscripts;
5. Participates in department, college, and University activities (e.g., seminars, conferences, faculty meetings);
6. Speaks to local/regional external groups (e.g., civic groups) on current issues in health care;
7. Participates in departmental functions;
8. Is a member of, and holds offices in, professional societies;
9. Participates in interdepartmental/interprofessional teaching, research, and seminar programs;
10. Makes special contributions as recognized by peers and Chair;
11. Participates in local health care boards or provides leadership for local health-related volunteer organizations; and
12. Serves as a member of boards/committees for ~~on~~ hospitals or other health care organizations.

6.7.4 Patient Care

Examples of criteria that should be used to evaluate patient care effectiveness are

1. Manages patient care responsibilities to meet agreed-upon expectations as to the numbers of patients and procedures expected in the discipline and in the particular setting;
2. Provides clinical care that is viewed as competent by peers and other health care providers;
3. Acquires and maintains board certification and applicable professional licensure in his/her field, where appropriate;
4. Participates in relevant professional societies;
5. Participates regularly in continuing education activities to remain current in his/her specialty; and
6. Provides "in service" education at a clinical practice site.

6.8 Process for Effecting Promotions

The process for reviewing candidates and making recommendations for promotion is similar to that for the award of tenure; the absence of mandatory reviews of negative departmental recommendations at higher levels is the major difference. Each college may establish and implement a process for effecting promotions in rank, provided that process is consistent with the UTHSC process described below and the procedure contained in the Faculty Evaluation Manual.

6.8.1 Departmental Faculty's Recommendation

Recommendations for promotion are usually initiated by the Chair, followed by a review of the candidate's qualifications and achievements by departmental faculty peer reviewers (Section 4.4.2). In the case of a faculty member who holds joint appointments in two or more departments, promotion may take place in one department without its occurrence in the other department(s). In the case of a Chair's promotion, the recommendation is initiated by the Dean, followed by a review of the candidate's qualifications and achievements by the CPT Committee (Section 6.9.3). Bylaws of colleges or departments should limit peer

reviewers to members of the faculty holding rank(s) equal or higher than that to which the candidate is seeking promotion (Sections 4.4.2). When permitted by the bylaws of colleges or departments, nontenure track, part-time, affiliated, or voluntary faculty with appointments in that department may also serve as reviewers on promotions (in addition to the tenured departmental faculty, if any) (Section 4.4.2). Such faculty must be at the same or higher rank as that being sought by the candidate for promotion.

Details as to the process for review at the level of the departmental faculty can be found in the Faculty Evaluation Manual; this manual also details the types of materials that should be included in the faculty member's dossier and provides guidelines for evaluation by external peers.

6.8.2 Department Chair's Recommendation

The Chair reviews the recommendation(s) of the departmental faculty reviewers. Then, the Chair makes a recommendation on each faculty member under consideration. If the departmental faculty reviewers and the Chair recommend the candidate for promotion, the Chair prepares a letter of nomination to the Dean containing 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 promotion would become effective, if endorsed;
5. The faculty member's professional discipline or field;
6. The recommendations (positive or negative) of the departmental faculty committee and the Department Chair; and
7. For positive recommendations, 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 promotion in contrast to a negative recommendation of the departmental faculty reviewers, this fact must be noted in the Chair's nominating letter and the reason(s) for the Chair's action must be explained. If recommendation of the Chair is negative, the Chair does not send a letter to the Dean; however, the Chair must inform the candidate in writing of the decision, stating that the faculty member may appeal a negative decision to the Dean. In any case in which the recommendation of the Chair differs from that of the departmental faculty reviewers, the Chair will notify the departmental faculty reviewers of reasons for a decision contrary to their recommendation. In addition, UTHSC requires a record of the name, sex, and race of any candidate not recommended by the Chair to the Dean for promotion; explanations must be provided, if requested. In the case of a faculty member who holds appointments in two or more departments, nominations must be submitted, either individually or jointly, by the Chairs of all departments in which a promotion is requested.

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

6.8.3 Recommendation of the College Promotion and Tenure Committee

All required documents (see Faculty Evaluation Manual) of candidates for promotion must be forwarded to the collegiate academic officer and the College Promotion and Tenure (CPT) Committee. College bylaws specify what documents are required by the Dean and the CPT Committee. Recommendations (see Faculty Evaluation Manual for the appropriate forms) are presented by the collegiate academic officer to the CPT

Committee (Faculty Handbook, Section 6.10.3). The committee will vote anonymously on each candidate, thereby making a positive or a negative recommendation on each candidate to the Dean. A quorum for voting shall be fifty percent (50%) of the faculty eligible to vote on a given candidate or issue; and a positive or negative recommendation shall be decided by a simple majority of those faculty members present (Faculty Handbook, Section 4.4.3). This summary vote must be included with the supporting documents and forwarded to the Dean, the UTHSC Chief Academic Officer, and the Chancellor. If the CPT Committee renders a negative recommendation, the Departmental Chair will be informed in writing of the reason(s) for the recommendation. The Chair may appeal to the Dean before the decision at the college level is made.

6.8.4 Dean's Recommendation

The Dean will make a decision on each recommendation based on the advice of the CPT Committee, the Departmental Chair, and the departmental faculty reviewers and on the basis of other circumstances, including personal knowledge of individuals. In the case of a positive decision by the Dean, he or she will advise the Chair. In a case of any negative decision by the Dean, the Dean will provide the individual faculty member and the Chair with written notice of the decision, stating that the faculty member may appeal a negative decision through the Faculty Senate in accordance with provisions in Section 7.

6.8.5 Recommendation of the UTHSC Chief Academic Officer

After making an independent judgment on the candidates for promotion, the Dean shall forward all recommendations and required supporting documents to the UTHSC Chief Academic Officer. The UTHSC Chief Academic Officer, in consultation with the Chancellor, will specify what documents are required. The UTHSC Chief Academic Officer, in consultation with the Chancellor, evaluates the college recommendations in light of general knowledge of individuals. During March and April, the Office of the UTHSC Chief Academic Officer prepares a consolidated report.

6.8.6 Chancellor's Recommendation

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

6.8.7 The President's Recommendation and Action by the Board of Trustees

The President forwards his recommendations for promotions to the Board for final action. The Chancellor and Dean are responsible for notifying the Chair and faculty member in writing of action taken on a recommendation for promotion by the Board.

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SECTION 7 FACULTY GRIEVANCES

7.1 General Appeal Procedures

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

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

There are two routes for such appeals: (a) through the Administration (Section 7.2), and (b) through the Faculty Senate (Section 7.3). The Faculty Senate process is most commonly employed in cases relating to academic freedom and in cases involving termination of nontenured faculty or denial of promotion/tenure where review by faculty peers may be particularly helpful. The administrative route is more commonly used to address issues relating to unequal treatment, retaliation or discrimination since such matters may be covered by federal and/or state laws that require institutional review and response. That being said, faculty who initiate a grievance through one “route” can switch to the other route at any level in the process prior to appeal to the Chancellor.

7.2 Appeal Through Administrative Channels

Administrative review involves consideration of the faculty grievance at successively higher levels of administration until the complaint is resolved or until all levels of review have been exhausted. These levels include Department Chair, Dean, UTHSC Chief Academic Officer, Chancellor, and President of The University. To initiate a grievance through administrative channels, the faculty member must write a letter requesting a meeting with the official at the administrative level at which the grievance occurred. That letter should (a) notify the administrator that a grievance or complaint is being filed, (b) outline the nature of the grievance, and (c) state the desired action. [Note: cases involving allegations of discrimination or harassment or any violation of civil rights laws or campus or University-wide diversity policies are addressed by the Office of Equity and Diversity (OED); university policy requires that the Office of Equity and Diversity be notified promptly of any complaint involving such matters.] If there is no resolution of the issue at the initial level within 30 days, the faculty member should write a letter to the official at the next level. This letter should be sent within 10 working days and should: (a) notify the administrator that the grievance or complaint has not been resolved, (b) outline the nature of the grievance or complaint, and (c) reiterate the resolution that is being sought. As the appeal begins and progresses along the administrative route, the faculty member’s Chair, collegiate academic officer, or Dean must inform the faculty member of current procedures and personnel responsible for handling such matters. Throughout the administrative appeal process, the faculty member may have another member of the UTHSC faculty assist him or her with the preparation, but not the presentation, of his or her grievance. Upon receipt of a negative decision by an administrator at one level, the faculty member has 10 days to initiate an appeal to the next level. At each successive level, the administrator communicates his/her decision in a timely manner in writing to the

faculty member; this opinion must be provided to both the faculty member and to the administrative officer(s) whose decision is being contested or to any other party whose action is being appealed. A probationary faculty member who alleges that his or her non-reappointment constitutes a violation of academic freedom may appeal administratively. The Chancellor must ask the Faculty Senate Grievance Committee to review the matter to determine whether the notice of non-renewal does establish a violation of academic freedom.

7.3 Appeal Through the Faculty Senate

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

7.3.1 The Faculty Senate Grievance Committee (FSG Committee)

The Executive Committee of the Faculty Senate serves as a Faculty Senate Grievance Committee (FSG Committee) to hear individual faculty complaints regarding matters of alleged violations of due process or academic freedom; unequal treatment; discrimination; denial of promotion, tenure, or traditional privileges; and related matters. Regardless of the expiration of any member's elected term, the membership of the FSG Committee remains unchanged throughout an active appeal (i.e., after receipt of a grievance petition). Generally, the President-Elect of the Faculty Senate serves as the chair of the FSG Committee. If the President-Elect is not available (e.g., because of absence or recusal), the Executive Committee will choose one of its members as the chair of the FSG Committee (Section 7.3.7). If the chair's term of office expires during an active appeal, that individual will continue to preside over the FSG Committee for all meetings involving that appeal.

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

7.3.2 The Process of Appeal through the Faculty Senate

7.3.2.1 Initiating an Appeal

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

7.3.2.2 Informal Stage of the Appeal Process

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

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

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

7.3.2.3 Request for a Hearing

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

7.3.2.4 Formal Stage of the Appeal Process

The formal portion of the appeal process begins when the President receives the formal written petition from the faculty complainant. Within three days or as soon thereafter as possible, the President delivers the appeal petition to the chair of the FSG Committee. The FSG Committee will make every reasonable effort to meet within one month of the date that the petition was received. At its next scheduled meeting, the President requests that the Executive Committee of the Faculty Senate convene as the FSG Committee to evaluate the appeal. Neither the complainant nor the respondent is present at this meeting. A majority of the committee must be present at: (a) the meeting described in paragraph 6.3.7.4, and (b) the hearing described in paragraphs 6.3.7.5 and 6.3.7.9. All proceedings of the committee will be as confidential as possible, but are subject to the Tennessee Open Records Act. All members of the FSG Committee involved in the formal portion of the appeal must refrain from discussing or revealing any particular circumstances of

the appeal with uninvolved parties, except when required by law to make disclosure. The annual report of the Faculty Senate President to the faculty contains only the number and general nature of the appeals considered by the FSG Committee during the year.

7.3.2.5 Establishing the Composition of the Grievance Committee

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

7.3.2.6 Establishing Jurisdiction

During the initial meeting of the FSG Committee, the committee will consider: (a) the matter of jurisdiction (as designated in Section 7.3.1), and (b) if jurisdiction is determined to be proper, whether there is a valid basis for the grievance. For matters that lie within the scope of the committee's jurisdiction, the committee considers only whether or not decisions or actions were made according to university policies, procedures, and regulations. The scope of the committee's jurisdiction with respect to promotion and tenure decisions is limited to a review of complaints that applicable procedures were not followed.

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

7.3.2.6 Scheduling the Hearing

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

The FSG Committee ensures that all appropriate parties are notified of its review and given the opportunity to present to the committee any evidence that they deem appropriate. Specifically, any administrator(s) whose decision is being contested is given an opportunity to present to the committee any evidence that he or she deems appropriate. Likewise, any faculty member or other UTHSC employee whose actions are the basis for the complaint is given an opportunity to present his or her response to the complaint. The

disputants should present all evidence and responses to the committee at least 10 days before the scheduled hearing, but this time requirement can be waived. As soon as possible, the FSG Committee provides the disputants with copies of any evidence submitted by either party. If this response or evidence comes later than 10 days before the hearing, postponements may be granted by the FSG Committee.

7.3.2.7 Faculty Advisors

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

7.3.2.8 Relevance of Evidence

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

After reviewing the materials submitted by the various parties, the FSG Committee sets time limits for each oral presentation. As noted above, each party may have another UTHSC faculty colleague present as an advisor at the hearing (Section 7.3.3). For unusual circumstances, the FSG Committee may permit other individuals to attend the hearing, but their participation will be limited to specified activities. The committee's decision regarding additional individuals and their activities is final. The hearing, involving only the principals to the dispute, will be conducted as follows:

1. Oral presentation by faculty complainant and his or her witnesses, if any;
2. Oral response to faculty complainant by the other involved party or parties and appropriate witnesses, if any;
3. Rebuttal or summary by faculty complainant; and

4. Questions or comments by FSG Committee members at any time as allowed by the chair of the FSG Committee.

7.3.2.9 Testimony

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

7.3.2.10 Questioning of Witnesses

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

7.3.3.11 Recommendations of the Grievance Committee

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

7.4 Appeal

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

SECTION 8 TERMINATION OF A TENURED FACULTY MEMBER AND PROCEDURES FOR TERMINATION OF A TENURED FACULTY MEMBER FOR ADEQUATE CAUSE⁵

8.1 Termination of a Tenured Faculty Member's Appointment

The appointment of a tenured faculty member may be terminated because of: (a) resignation; (b) retirement; (c) death (d) extraordinary circumstances due to financial exigencies or discontinuance of a program or function; (e) forfeiture of tenure; or (f) adequate cause. Adequate cause is defined in Section 8.2, and the procedures for termination of employment for adequate cause are contained in Section 8.3.

In every case of termination by UTHSC, the tenured faculty member may have the issue(s) reviewed by the Faculty Senate Grievance Committee (FSG Committee) (Section 7.3). For a tenured faculty member, the burden of proof in appealing such a termination action is on UTHSC to justify why such action should be taken.

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

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

Changing clinical practice affiliation without the prior written approval of the Chair and Dean constitutes resignation of a faculty member's academic appointment and consequently, relinquishment of tenure (See Section 4.13).

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

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

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

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

In the case of financial exigency, the criteria and procedures outlined in the Board-approved Financial Exigency Plan for each campus shall be followed. The UTHSC Financial Exigency Plan is contained in Appendix G. Financial exigencies affecting UTHSC may require the termination of services of one or more

⁵ Notice requirements for non-renewal of a tenure track faculty member's appointment are provided in Section 4.10. Non-renewal of a tenure track appointment may be appealed through the grievance process (Section 7). Termination of a tenure track faculty member for adequate cause before the expiration of the annual term of appointment is governed by the procedures applicable to termination of a tenured faculty member for adequate cause (Section 8.3).

tenured faculty members. In every case of financial exigency resulting in the termination of a tenured faculty appointment, the faculty member concerned will be given notice as soon as possible, and every effort will be made to give not less than twelve months' notice or twelve months' salary.

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

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

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

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

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

8.2 Adequate Cause – Definition

Adequate cause refers to the types of permissible reasons for termination of the employment of a tenured faculty member.⁶ Adequate cause includes the following and similar types of reasons:

1. **Category A: Unsatisfactory Performance in Teaching, Research, or Service**
 - a. Failure to demonstrate professional competence in teaching, research, or service;
 - b. failure to perform satisfactorily the duties or responsibilities of the faculty position, including but not limited to: (1) failure to comply with a lawful directive of the Chair, Dean, or UTHSC Chief Academic Officer with respect to the faculty member's duties or responsibilities; or (2) inability to perform an essential function of the faculty position, given reasonable accommodation, if requested;

⁶ The same definition of adequate cause applies to termination of a tenure track faculty member before the expiration of the annual term of appointment (Section 8.3).

- c. loss of professional licensure if licensure is required for the performance of the faculty member's duties; or with respect to Health Sciences faculty, failure to be granted or loss of medical staff membership and privileges at affiliated teaching hospitals; or
- d. dishonesty or other serious violation of professional ethics or responsibility in teaching, research, or service; or serious violation of professional responsibility in relations with students, other faculty members, employees, or members of the community.

2. Category B: Misconduct

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

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

Termination procedures for UTHSC incorporate and are consistent with the provisions cited in The University of Tennessee Policies Governing Academic Freedom, Responsibility and Tenure. Unless waived by the faculty member, the UTHSC procedures for terminating for adequate cause the employment of a tenured faculty member are those described in Sections 8.3.1, 8.3.2, and 8.3.3.

Except for such simple announcements as may be required, covering the time of the hearing and similar matters, all individuals involved in a case of termination of the employment of a faculty member for adequate cause – Tribunal or Special Committee members (Sections 8.3.1 and 8.3.2), the faculty member, the tenured departmental faculty, the administrative officers, and/or the counsels – will avoid making public statements or release publicity about the case, until the proceedings have been completed, including consideration by the Board of Trustees.

If the final decision is against termination or a lesser sanction, the faculty member will not ultimately suffer the loss of normal pay and other compensations.

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

Note: The phrase “teaching, research or service” in this section includes scholarly activity and clinical practice.

1. Preliminary Steps – The following preliminary steps shall be followed in cases of termination for unsatisfactory performance in teaching, research, or service, unless the faculty member has been under an EPPR improvement plan as described in the Enhanced Post-Tenure Performance Review section of Board policy. If a faculty member has been under an EPPR improvement plan and the peer review committee, Dean, UTHSC Chief Academic Officer, and Faculty Senate President or Faculty Senate Executive Committee recommend initiation of termination proceedings, the Chancellor shall proceed to consult with the President and to decide whether to initiate termination proceedings without following these preliminary steps. During this time, the Chair, the Division Chief, if appropriate, and Dean will counsel the faculty member with a view toward a mutually satisfactory resolution. A written summary of these discussions shall be prepared for the faculty member and his or her personnel file.
2. Tenured Faculty's Recommendation – The Chair shall direct the tenured departmental faculty to review the faculty member's performance in teaching, research, and service and to vote anonymously on the question of whether termination proceedings should be initiated (Section 4.4.2). The tenured departmental faculty will write a report to the Chair. This report shall contain the following: a list of the tenured faculty members in attendance, the majority and minority views, if relevant, and the summary vote. The faculty vote shall be advisory to the Chair.
3. Chair's Recommendation – If the Chair concludes termination proceedings should be initiated, he or she shall forward a recommendation simultaneously to the Dean and the UTHSC Chief Academic Officer. The Chair's recommendation shall include the history of efforts to encourage the faculty member to improve his or her performance and the anonymous vote of the tenured faculty on the question of whether proceedings should be initiated.
4. Dean's Recommendation – If the Dean concludes termination proceedings should be initiated, he or she shall forward a recommendation to the UTHSC Chief Academic Officer.
5. UTHSC Chief Academic Officer's Recommendation –
 - a. If the UTHSC Chief Academic Officer concludes termination proceedings should be initiated, he or she shall call the faculty member to a meeting to discuss a mutually satisfactory resolution of the matter.
 - b. If a mutually satisfactory resolution is not achieved, the UTHSC Chief Academic Officer shall within 30 days ask the Faculty Senate Grievance (FSG) Committee to conduct an informal inquiry and make a recommendation to him or her within 30 days as to whether termination proceedings should be initiated. The recommendation of the FSG Committee shall be advisory to the UTHSC Chief Academic Officer.
 - c. After considering the recommendation of the FSG Committee, the UTHSC Chief Academic Officer shall make a recommendation to the Chancellor as to whether termination proceedings should be initiated. If appropriate, step 7 below may be combined with this step.

6. Chancellor's Decision to Initiate Termination Proceedings – If, after consulting with the President, the Chancellor decides to initiate termination proceedings, he or she shall give the faculty member written notice, including
 - a. a statement of the grounds for termination, framed with reasonable particularity;
 - b. notice of the faculty member's right to contest the proposed termination in a hearing before a Tribunal, as described below, or in a hearing conducted under the provisions of the Tennessee Uniform Administrative Procedures Act; and
 - c. notice that the faculty member has 10 days after receipt of the written notice to elect in writing to contest the termination and to elect in writing the form of hearing. The Chancellor shall send a copy of the written notice to the President of the Faculty Senate at the same time.
7. Suspension With Pay or Reassignment Pending Completion of Termination Proceedings – After consultation with the President of the Faculty Senate or the Faculty Senate Executive Committee, the Chancellor may suspend the faculty member with pay, or change his or her assignment of duties, pending completion of The University's termination proceedings. This step may be combined with step 5(c) above. The faculty member's salary will continue during the period of the suspension.
8. Failure to Contest – If the faculty member does not contest the charge(s) in writing and make the required request for a hearing within 10 days after receipt of the written notice, the faculty member shall be terminated, and no appeal of the matter will be heard within The University.
9. Hearing under the Tennessee Uniform Administrative Procedures Act –
 - a. Contested Case Procedures – If the faculty member makes a timely election to contest the charge(s) under the Tennessee Uniform Administrative Procedures Act (TUAPA), the Chancellor shall appoint a hearing examiner, and the matter shall proceed in accordance with the contested case procedures promulgated by The University under the TUAPA. The TUAPA contested case procedures are published in the Rules and Regulations of the State of Tennessee (<http://state.tn.us/sos/rules/1720/1720-01/1720-01-05.pdf>) and are available in the UTHSC Health Sciences Library and in the Office of the General Counsel.
 - b. Initial Order – In accordance with the TUAPA contested case procedures, upon completion of the hearing, the hearing examiner shall render an initial order, which either party may appeal to the Chancellor within 10 days. In addition, the Chancellor, on his or her own motion, may elect within 10 days to review the hearing officer's initial order.
 - c. Final Order – The hearing examiner's initial order shall become the final order unless review is sought by either party or the Chancellor within the 10-day period. If review is sought, the Chancellor shall review the initial order and issue a final order in accordance with applicable provisions of the TUAPA contested case procedures. The final order, whether rendered by the Chancellor or by virtue of neither party appealing the initial order, shall be the final decision on the charge(s) within The University. If the allegations are not upheld, full restitution of normal pay and other compensations lost during the termination or suspension will be made.

- d. Judicial Review – If the final order is unfavorable to the faculty member, he or she is entitled to judicial review of the final order in accordance with applicable provisions of the Tennessee Uniform Administrative Procedures Act.
10. Hearing Before a Tribunal – If the faculty member makes a timely election to contest the charge(s) and to waive the right to a hearing under the Tennessee Uniform Administrative Procedures Act, the Chancellor shall ask the Faculty Senate President to appoint a hearing Tribunal within 15 days and shall notify the faculty member of this action. The President of the Faculty Senate will appoint this Tribunal, with the advice and consent of the Executive Committee of the Faculty Senate. The matter then shall proceed in accordance with the tribunal procedures described below.
- a. Composition of the Tribunal – A UTHSC Tribunal shall consist of at least seven members of the Faculty and the Administration not concerned previously with the case. The members of the Tribunal should be chosen on the basis of their reputations for objectivity and competence and the regard in which the academic community holds them. The Tribunal elects its own chair. The Tribunal should determine the order of proof, should normally conduct questioning of witnesses, and, if necessary, secure the presentation of evidence important to the case. Either the Chancellor or the faculty member may challenge the appointment of a Tribunal member on the ground of bias or conflict of interest. Members of the Tribunal deeming themselves disqualified for bias or interest shall remove themselves from the case, either at the request of a party to the dispute or on their own initiative. In addition, each party will have a maximum of two challenges without stated cause. A challenge shall be judged by the Faculty Senate Executive Committee, whose decision on the challenge shall be final and not subject to appeal. The Executive Committee of the Senate will fill vacancies on the Tribunal resulting from disqualification, challenge without stated cause, illness, resignation, or any other reason.
 - b. Notice of Hearing – The Chancellor shall give the faculty member written notice of the hearing date at least 20 days in advance. The Committee, in consultation with the President of the Senate and the faculty member, will exercise its judgment as to whether the hearing should be private.
 - c. Representation – If UTHSC intends to be represented by legal counsel, the written notice of the hearing date shall so advise the faculty member. The written notice shall also state the faculty member's right to be represented by legal counsel or other representative of his or her choice. If the faculty member intends to be represented by legal counsel, he or she must notify the chair of the Tribunal within 10 days of receipt of the written notice of the hearing date. If the faculty member fails to give timely notice of legal representation, the hearing date shall be postponed at UTHSCs' request.
 - d. Waiver of Hearing – If, at any time prior to the hearing date, the faculty member decides to waive his or her right to a hearing and respond to the charges only in writing, the Tribunal shall proceed to evaluate all available evidence and rest its recommendation upon the evidence in the record.
 - e. Pre-Hearing Preparation – The faculty member and UTHSC shall have a reasonable opportunity prior to the hearing to obtain witnesses, specific documents, or other specific evidence reasonably related to the charge(s). The Administration will cooperate with the Tribunal in securing witnesses and making available documentary and other evidence. The faculty

member should have the aid of the Tribunal, when needed, in securing the attendance of witnesses.

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

- f. Evidence – The Tribunal is not bound by legal rules of evidence and may admit any evidence of probative value in determining the issues. The Tribunal shall make every reasonable effort, however, to base its recommendation on the most reliable evidence. If the charge is "failure to demonstrate professional competence in teaching, research, or service," the evidence shall include the testimony of qualified faculty members from this and/or other comparable institutions of higher education. All evidence should be duly recorded. If any facts are in dispute, the testimony of witnesses or other evidence should be received.
- g. Confrontation and Cross-Examination of Witnesses – The Board's policy states that the faculty member and UTHSC shall have the right to confront and cross-examine all witnesses. During a hearing at UTHSC, the faculty member, the Administration, or their respective counsels will have the right, within reasonable limits, to question all witnesses who testify orally. The faculty member will have the opportunity to question all adverse witnesses. If a witness cannot or will not appear, but the Tribunal determines that his or her testimony is necessary to a fair adjudication of the charge(s), the Tribunal may admit as evidence the sworn affidavit of the witness. In that event, the Tribunal shall disclose the affidavit to both parties and allow both parties to submit written interrogatories to the witness. In addition, the Tribunal should give opportunity to the faculty member, the Administration, or the respective counsels to argue orally before it. The Tribunal may request written briefs and proposed findings of fact and conclusions of law.
- h. Adjournments – The Tribunal shall grant adjournments to allow either party to investigate evidence to which a valid claim of surprise is made.
- i. Burden of Proof – The burden of proof that adequate cause exists rests with UTHSC and shall be satisfied only by clear and convincing evidence in the record considered as a whole.
- j. Findings and Conclusions – The Tribunal should reach its decision in conference on the basis of the hearing and/or the evidence in the record. The Tribunal may proceed to decision promptly, without having the record of the hearing transcribed, where it feels that a just decision can be reached by this means; or it may await the availability of a transcript of the hearing if its decision would be aided thereby. The Tribunal should make explicit findings with respect to each of the grounds of removal presented, and a reasoned opinion may be desirable. 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.
 - (1) If the Tribunal concludes adequate cause for termination has not been established, it shall so report to the Chancellor.

- (2) If the Tribunal concludes adequate cause for termination has been established but that a sanction other than termination should be imposed, it shall so recommend to the Chancellor, with supporting reasons.
 - (3) If the Tribunal concludes adequate cause for termination has been established and that termination is the appropriate sanction, it shall so report to the Chancellor.
- k. Transcript of the Hearing – A verbatim record of the hearing shall be made, and a transcript shall be provided to the faculty member without cost and to the Chancellor at the time of the Tribunal's submission of its findings and conclusions.

11. Chancellor's Recommendation on Termination –

- a. If the Chancellor concludes adequate cause has been established and that termination is the appropriate sanction, he or she shall transmit the hearing record and his or her recommendation to the Board of Trustees through the President. In addition, he or she shall notify the Tribunal and the faculty member in writing of this decision. However, if the conclusion of the Chancellor differs from that of the Tribunal, the Chancellor shall give the Tribunal and the faculty member a written statement of reasons and shall allow the faculty member an opportunity to respond before transmitting the case to the President and Board of Trustees.
- b. If the Chancellor concludes adequate cause has been established but that a sanction other than termination should be imposed, the Chancellor may impose the lesser sanction (Section 78.4). He or she shall notify the Tribunal and the faculty member in writing of this decision. The faculty member may appeal the lesser sanction to the President.

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

8.3.2 Termination Procedure for Category B Adequate Cause: Misconduct

1. Preliminary Steps – During this time, the Chair, the Division Chief, if appropriate, and Dean will counsel the faculty member with a view toward a mutually satisfactory resolution. A written summary of these discussions shall be prepared for the faculty member and his or her personnel file.
 - a. Consultation with Tenured Faculty –The Department Chair shall consult with the tenured faculty before making a recommendation that termination proceedings be initiated against a tenured faculty member for alleged misconduct within the Category B definition of adequate cause (Section 4.4.2). After reviewing the charges and evidence presented by the Department Chair, the tenured departmental faculty will write a report to the faculty member's Chair. This report shall contain the following: a list of the faculty members in attendance, the majority and

minority views, if relevant, and the summary, anonymous vote. The committee vote shall be advisory to the Chair.

- b. Chair's Recommendation – If the Department Chair concludes termination proceedings should be initiated, he or she shall forward a recommendation simultaneously to the Dean and the UTHSC Chief Academic Officer. The recommendation shall include a report of the Chair's consultation with the tenured faculty.
 - c. Dean's Recommendation – If the Dean concludes termination proceedings should be initiated, he or she shall forward a recommendation to the UTHSC Chief Academic Officer.
 - d. UTHSC Chief Academic Officer's Recommendation –
 - (1) If the UTHSC Chief Academic Officer concludes termination proceedings should be initiated, he or she shall call the faculty member to a meeting to discuss a mutually satisfactory resolution of the matter.
 - (2) If a mutually satisfactory resolution is not achieved, the UTHSC Chief Academic Officer may at his or her discretion within 30 days ask the Faculty Senate Grievance Committee (FSG Committee) to conduct an informal inquiry and make a recommendation to him or her within 30 days as to whether termination proceedings should be initiated. The recommendation of the FSG Committee shall be advisory to the UTHSC Chief Academic Officer. After considering the recommendation of the FSG Committee, the UTHSC Chief Academic Officer shall make a recommendation to the Chancellor as to whether termination proceedings should be initiated. If appropriate, step 3 below may be combined with this step.
2. Chancellor's Decision to Initiate Termination Proceedings – If, after consultation with the President, the Chancellor decides to initiate termination proceedings, he or she shall give the faculty member written notice, including
 - a. a statement of the grounds for termination, framed with reasonable particularity;
 - b. notice of the faculty member's right to contest the proposed termination in a hearing under the provisions of the Tennessee Uniform Administrative Procedures Act (TUAPA);
 - c. notice of the faculty member's right to waive a hearing under TUAPA and be heard by a Special Committee composed of members of the UTHSC Faculty and Administration; and
 - d. notice that the faculty member has 10 days after receipt of the written notice to elect in writing to contest the termination and select the type of hearing. The Chancellor shall send a copy of the written notice to the President of the Faculty Senate at the same time.
 3. Suspension or Reassignment Pending Completion of Termination Proceedings –
 - a. Suspension With Pay – After consultation with the President of the Faculty Senate or the Faculty Senate Executive Committee, the Chancellor may suspend the faculty member with pay, or change his or her assignment of duties, pending completion of UTHSC's termination

proceedings. This step may be combined with step 1(d) above. The faculty member's salary will continue during the period of the suspension.

- b. Suspension Without Pay – After consultation with the President of The University and the President of the Faculty Senate or the Faculty Senate Executive Committee, the Chancellor may suspend the faculty member without pay only for the following types of alleged misconduct and only in accordance with the procedures outlined in the section entitled "Expedited Procedure for Termination or Suspension Without Pay in Certain Cases of Misconduct" (Section 8.3.3):
 - (1) alleged misconduct involving:
 - a. acts or credible threats of harm to a person or University property; or
 - b. theft or misappropriation of University funds, property, services, or other resources;
 - (2) indictment by a state or federal grand jury, or arrest and charge pursuant to state or federal criminal procedure, for:
 - a. a felony; or
 - b. a non-felony directly related to the fitness of a faculty member to engage in teaching, research, service, or administration.

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

4. Failure to Contest – If the faculty member does not contest the charge(s) of misconduct in writing within 10 days after receipt of the written notice, the faculty member shall be terminated, and no appeal of the matter will be heard within The University.
5. Waiver of Hearing Under the Tennessee Uniform Administrative Procedures Act – If the faculty member contests the charge(s) of misconduct but elects to waive his or her right to formal hearing under the contested case procedures of the TUAPA, the Chancellor shall appoint a Special Committee to conduct an informal hearing on the charges. The faculty member may be represented before the hearing committee by legal counsel or other representative of his or her choice. If the faculty member intends to be represented by legal counsel, he or she must notify the committee chairperson within 10 days of the hearing date. If the faculty member fails to give timely notice of legal representation the hearing date shall be postponed at the request of UTHSC.
 - a. Composition of the Special Committee – The Special Committee is composed of at least seven members of the Faculty and Administration not concerned previously with the case. The members of the Special Committee should be chosen on the basis of their reputations for objectivity and competence and the regard in which the academic community holds them. The Special Committee elects its own chair. Members of the Special Committee deeming themselves disqualified for bias or interest shall remove themselves from the case, either at the request of a party to the dispute or on their own initiative. Each party will have a maximum of two challenges without stated cause. The Chancellor will fill vacancies on the Special Committee resulting from disqualification, challenge without stated cause, illness, resignation, or any other reason.
 - b. Notice of Hearing by a Special Committee – Service of notice of hearing with specific charges in writing will be made at least 20 days prior to the hearing. The Special Committee, in

- consultation with the President of the Senate and the faculty member, will exercise its judgment as to whether the hearing should be private.
- c. Waiver of Hearing by a Special Committee – The faculty member may waive a hearing or may respond to the charges in writing at any time before the hearing. If the faculty member waives a hearing, but denies the charges against him or her or asserts that the charges do not support a finding of adequate cause, the Special Committee will evaluate all available evidence and rest its recommendation upon such evidence.
 - d. Representation – During the proceedings the faculty member will be permitted to have an academic advisor and counsel of his choice.
 - e. Prehearing Meetings – The Special Committee may, with the consent of the parties concerned, hold joint prehearing meetings with the parties in order to (a) clarify the issues; (b) effect stipulations of facts; (c) provide for the exchange of documentary or other information; or (d) achieve such other appropriate prehearing objectives as will make the hearing fair, effective, and expeditious.
 - f. Witnesses and Evidence – The faculty member will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The Administration will cooperate with the Special Committee in securing witnesses and making available documentary and other evidence. The faculty member should have the aid of the Special Committee, when needed, in securing the attendance of witnesses. The Special Committee will not be bound by strict rules of legal evidence, and may admit any evidence, which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available. All evidence should be duly recorded. If any facts are in dispute, the testimony of witnesses or other evidence should be received.
 - g. Conduct of Hearing – The Special Committee should determine the order of proof, should normally conduct questioning of witnesses, and, if necessary, secure the presentation of evidence important to the case.
 - h. Questioning of Witnesses – The faculty member, the Administration, and/or their respective counsels will have the right, within reasonable limits, to question all witnesses who testify orally. The faculty member will have the opportunity to question all adverse witnesses. Where unusual and urgent reasons move the Special Committee to withhold this right, the identity of witnesses, as well as the statements of the witness, should nevertheless be disclosed to the faculty member. Where the witnesses cannot or will not appear, but the Committee determines that the interest of justice requires admission of their statements, the Committee will identify the witnesses, disclose their statements, and if possible, provide for interrogatories.
 - i. Oral or Written Arguments – The Special Committee should give opportunity to the faculty member, the Administration, or the respective counsels to argue orally before it. The Special Committee may request written briefs and proposed findings of fact and conclusions of law.
 - j. Adjournments – The Special Committee will grant adjournments to enable either party to investigate evidence for which a valid claim of surprise is made.

- k. Burden of Proof – The burden of proof that adequate cause exists rests with UTHSC and shall be satisfied only by clear and convincing evidence of record considered as a whole.
 - l. Record of the Hearing(s) – A verbatim record of the hearing or hearings will be taken and a copy will be made available to the faculty member without cost.
 - m. Report of the Special Committee – The Special Committee shall make a written report of its findings and conclusions to the Chancellor. The findings of fact and the decision will be based on the hearing record and/or the evidence in the record. The Chancellor and the faculty member will be notified of the decision in writing and will be given a copy of the record of the hearing, if any. If the Special Committee concludes that adequate cause for termination has not been established by the evidence in the record, it will so report to the Chancellor. If the Special Committee concludes that adequate cause for administrative action has been established, but that an academic penalty less than termination would be more appropriate, it will so recommend with the supporting reasons to the Chancellor.
 - n. Decision of the Chancellor – If the Chancellor decides adequate cause for termination of tenure and employment has been established, he or she shall submit a written recommendation of termination to the Board of Trustees through the President. In addition, the Chancellor shall notify the Special Committee and the faculty member in writing.
 - o. Review by the President and the Board of Trustees – The Chancellor will transmit the hearing record and his recommendations to the President and the Board of Trustees. The Board of Trustees shall review a recommendation of termination for adequate cause on the record of the Special Committee hearing. The Board shall provide an opportunity for oral and written argument by the parties. The faculty member and UTHSC may be represented before the Board by legal counsel or other representative. If the Board concludes adequate cause has been established and that the faculty member's tenure and employment should be terminated, the Board shall set the effective date of termination. If the allegations are not upheld, full restitution of normal pay and other compensations lost during the termination or suspension will be made.
 - p. Imposition of a Lesser Sanction than Termination – If the Chancellor decides a lesser sanction should be imposed, he or she may impose the sanction. The faculty member may appeal the lesser sanction to the President.
6. Hearing under the Tennessee Uniform Administrative Procedures Act –
- a. Contested Case Procedures – If the faculty member makes a timely election to contest the charge(s) under the Tennessee Uniform Administrative Procedures Act (TUAPA), the Chancellor shall appoint a hearing examiner, and the matter shall proceed in accordance with the contested case procedures promulgated by the University under the TUAPA. The TUAPA contested case procedures are published in the Rules and Regulations of the State of Tennessee (<http://state.tn.us/sos/rules/1720/1720-01/1720-01-05.pdf>) and are available in the UTHSC Health Sciences Library and in the Office of the General Counsel.
 - b. Initial Order – In accordance with the TUAPA contested case procedures, upon completion of the hearing, the hearing examiner shall render an initial order, which either party may appeal

to the Chancellor within 10 days. In addition, the Chancellor, on his or her own motion, may elect within 10 days to review the hearing officer's initial order.

- c. Final Order – The hearing examiner's initial order shall become the final order unless review is sought by either party or the Chancellor within the 10-day period. If review is sought, the Chancellor shall review the initial order and issue a final order in accordance with applicable provisions of the TUAPA contested case procedures. The final order, whether rendered by the Chancellor or by virtue of neither party appealing the initial order, shall be the final decision on the charge(s) within The University.
- d. Judicial Review – If the final order is unfavorable to the faculty member, he or she is entitled to judicial review of the final order in accordance with applicable provisions of the Tennessee Uniform Administrative Procedures Act. If the allegations are not upheld, full restitution of normal pay and other compensations lost during the termination or suspension will be made.

8.3.3 Expedited Procedure for Termination or Suspension Without Pay in Certain Cases of Misconduct⁷

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

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

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

8.4 Disciplinary Sanctions Other than Termination for Adequate Cause

Disciplinary sanctions other than termination may be imposed against a faculty member for conduct within or outside the definition of *adequate cause*. If the proposed sanction is suspension without pay for a definite term (no more than one year), the procedures applicable to termination shall be offered prior to suspension, except (a) suspension without pay for a definite term (no more than one year) may be imposed as a sanction by the Chancellor without review by the President and the Board of Trustees; and (b) the

⁷ The procedures for termination of a tenured faculty member for adequate cause also apply to termination of a tenure track faculty member for adequate cause before the expiration of the annual term of appointment.

Chancellor may determine that the expedited procedure for suspension without pay is applicable to the conduct (Section 8.3.3).

If the proposed sanction does not involve suspension without pay, the Department Chair shall make a recommendation to the Dean, and the Dean shall make a recommendation to the UTHSC Chief Academic Officer. The UTHSC Chief Academic Officer shall give the faculty member written notice of the proposed sanction and the supporting reason(s) and shall offer him or her an opportunity to respond both in writing and in person. The faculty member may appeal the proposed sanction through established appeal procedures of the Faculty Senate (Section 7.3), and the sanction shall be held in abeyance until conclusion of the appeal.

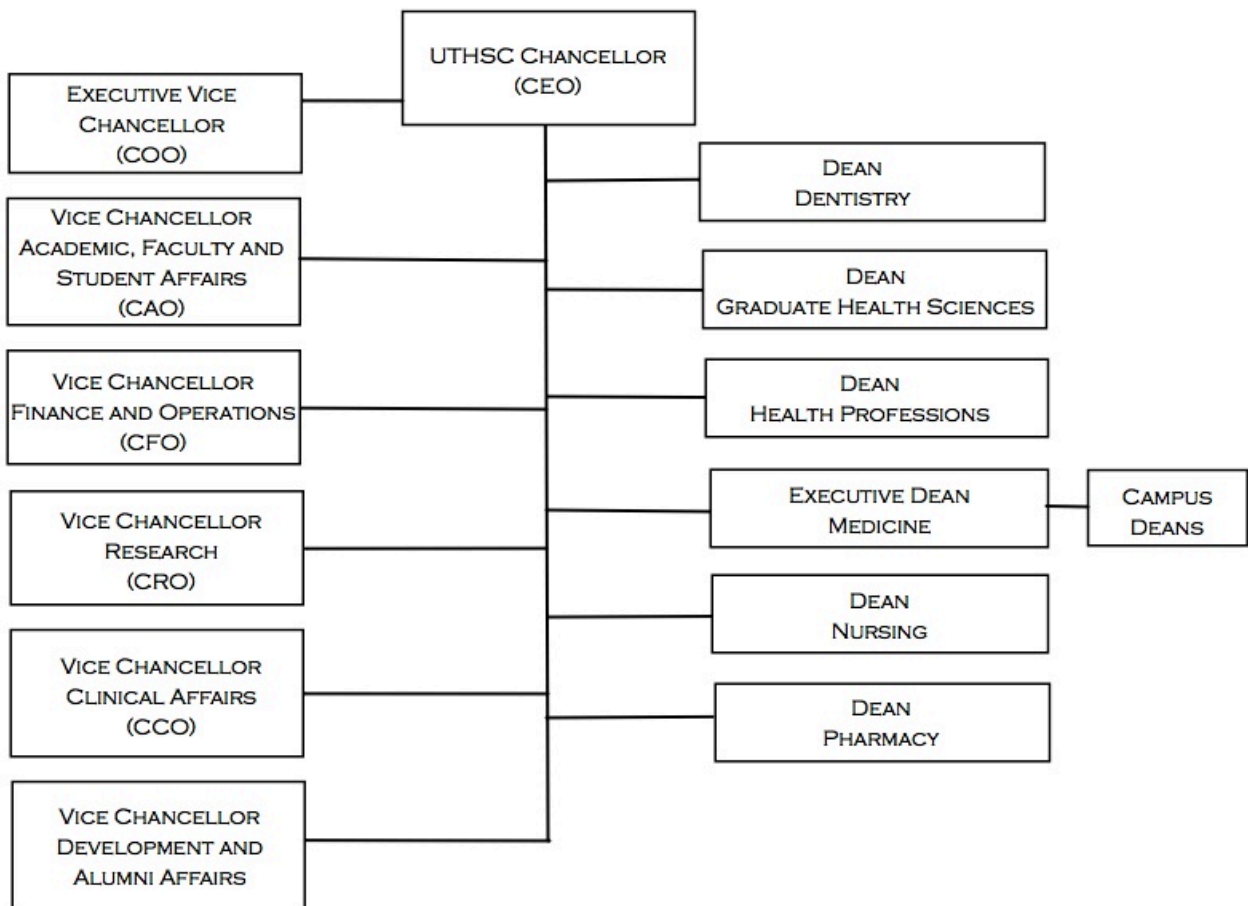
Appendices

APPENDIX A – ORGANIZATIONAL CHARTS

UT System Administration Table of Organization can be viewed at www.tennessee.edu/system/administration/.

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 other campus 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

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

APPENDIX D – GENERAL POLICIES ON CONFLICT OF INTERESTS

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

APPENDIX E – GENERAL POLICIES ON COMPENSATED OUTSIDE SERVICES

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

APPENDIX F – GUIDELINES FOR COMPLIANCE WITH FERPA, FAMILY EDUCATION RIGHTS AND PRIVACY ACT

The Family Educational Rights and Privacy Act (“FERPA”) is a federal law that protects the privacy of information contained in students’ education records. FERPA restricts the release of information contained 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 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 Health Professions); 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 College⁸ 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 unit⁹;
- 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;
- 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

⁸ 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.

⁹ The report from any recent academic program review, accreditation documents, or other source of existing data should be included

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 discontinuance, 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.

APPENDIX J – PROCEDURE FOR THE ANNUAL PERFORMANCE-AND-PLANNING REVIEW

General Information

The assignment of faculty workloads is the delegated responsibility of the Department Chair. The Chair is responsible for the equitable assignment of faculty responsibilities and assures an appropriate balance of time and effort committed to teaching, research, public service, and if applicable, patient care (Faculty Handbook, Section 4.4.1). It is expected that faculty will devote full-time to their academic duties, unless released time is officially approved.

Each spring, the Chair and individual faculty member agree upon the faculty member’s goals and the Chair’s expectations during the upcoming year (Faculty Handbook, Sections 4.14.3.2; 5.3.2). This process and these expectations are documented as part of the annual faculty evaluation [i.e., Annual Performance-and-Planning Review]. Specific teaching assignments are usually made on a semester basis by the Department Chair.

Educational activities in a health science center necessarily involve patient care, sophisticated research, and teaching of rapidly-changing and complex biomedical sciences. As is customary in most health science centers, faculty at UTHSC are assigned to specific duties consonant with their individual expertise in teaching, research, or patient care. Faculty are expected to engage in research (or equivalent scholarly activities), patient care, or both as necessary elements of health science education.

Faculty Performance Ratings

EXCEEDS EXPECTATIONS FOR RANK: This rating designates that during the evaluation period the individual achieved and consistently exhibited unique and highly meritorious levels of professional performance **beyond the agreed-upon goals and objectives**. This rating will be assigned to an individual who achieves **uncommon levels** of meritorious performance in his or her field; and makes meaningful and significant contributions to the mission, goals and objectives of the department, college, and university, as well as to his or her professional field. Eligible for significant merit pay or performance-based salary adjustment that is consistent with campus, college, and department fiscal situations.

MEETS EXPECTATIONS FOR RANK: This rating designates that during the evaluation period, the faculty member achieved and consistently exhibited the level of the expected performance **on the agreed-upon goals and objectives** and who has contributed to the mission, goals and objectives of the department, college and university, as well as to his or her professional field. Eligible for minimum merit pay or performance-based salary adjustment that is consistent with campus, college, and department fiscal situations.

NEEDS IMPROVEMENT FOR RANK: This rating designates that during the evaluation period, the individual exhibited a level of performance **that did not consistently meet all the agreed-upon goals and objectives**. This rating will be assigned to an individual who may require some assistance or feedback in achieving and sustaining a level of professional performance necessary to meet the agreed-upon goals and objectives. This rating is intended primarily as a means of formally communicating that a special effort must be made in addressing specific performance deficiencies. When this rating is given, it should be accompanied by a commitment by the Department Chair to assist the individual in identifying the mechanisms for overcoming the detected deficiencies, as deemed appropriate.

This rating is a negative rating. A faculty member whose performance is rated as “Needs Improvement for Rank” is not eligible for merit pay or performance-based salary adjustment. The Dean must immediately notify the UTHSC Chief Academic Officer of all faculty members whose performance is rated as Needs Improvement for Rank.

Actions required for faculty members who receive a rating of Needs Improvement for Rank vary by tenure status, as noted below.

- a. Tenured faculty – If this is the first Needs Improvement for Rank rating during any four consecutive annual performance review cycles, within 30 days of the annual review a tenured faculty member who receives this rating must collaborate with the Chair on an Annual Review Improvement Plan to be reviewed by the Chair and recommended by him/her to the Dean for review and approval/denial. If this is the second overall annual performance rating of Needs Improvement for Rank during any four consecutive annual review cycles an Enhanced Post-Tenure Performance Review must be initiated.
- b. Tenure-track faculty – A tenure-track faculty member who receives a rating of Needs Improvement for Rank is required to implement an Annual Review Improvement Plan unless the faculty member receives a notice of non-renewal of his or her reappointment as provided in §4.16.3.
- c. Non-tenure track faculty – The Chair or relevant supervisor may recommend an improvement plan to correct areas of poor performance for a non-tenure track faculty member who receives a rating of Needs Improvement for Rank as provided in §5.3.4. Alternatively, the Chair or relevant supervisor may recommend non-renewal of the non-tenure track faculty member’s appointment for the upcoming year (or other appointment period). Prior to issuing a reappointment letter for the coming fiscal/academic year for any non-tenure track faculty member who receives a rating of Needs Improvement for Rank, the Chair should consult with the Dean and contact the UTHSC Chief Academic Officer.

UNSATISFACTORY FOR RANK: Unsatisfactory Performance in Teaching, Research, or Service is defined as adequate cause for termination of a faculty member’s appointment and includes the following:

- a. Failure to demonstrate professional competence in teaching, research, or service; or
- b. Failure to perform satisfactorily the duties or responsibilities of the faculty position, including but not limited to (1) failure to comply with a lawful directive of the Chair, Dean, or UTHSC Vice Chancellor for Academic Affairs with respect to the faculty member's duties or responsibilities; or (2) inability to perform an essential function of the faculty position, given reasonable accommodation, if requested.

This rating is a negative rating. A faculty member whose performance is rated as "Unsatisfactory for Rank" is not eligible for any salary adjustment. The Dean must immediately notify the UTHSC Chief Academic Officer of all faculty members whose performance is rated as Unsatisfactory for Rank.

Actions required for faculty members who receive a rating of Unsatisfactory for Rank vary by tenure status, as noted below.

- a. Tenured faculty – A rating of Unsatisfactory for Rank for a tenured faculty member requires an Enhanced Post-Tenure Performance Review.
- b. Tenure-track faculty – A tenure-track faculty member who receives a rating of Unsatisfactory for Rank is required to implement an Annual Review Improvement Plan, unless the faculty member receives a notice of non-renewal of his or her reappointment as provided in §4.16.3 or is undergoing the process for termination of a faculty member for adequate cause.
- c. Non-tenure track faculty – The Chair or relevant supervisor may recommend an improvement plan to correct areas of poor performance for a non-tenure track faculty member who receives a rating of Unsatisfactory for Rank as provided in §5.3.4. Alternatively, the Chair or relevant supervisor may recommend non-renewal of the non-tenure track faculty member's appointment for the upcoming year (or other appointment period) or termination for adequate cause. Prior to issuing a reappointment letter for the coming fiscal/academic year for any non-tenure track faculty member who receives a rating of Unsatisfactory for Rank, the Chair should consult with the Dean and contact the UTHSC Chief Academic Officer.

Procedure for the Annual Performance-and-Planning Review

In large departments responsibilities delegated to the Chair may be delegated to other individuals. Annually, the Chair or designee must review the performance of all full and part time faculty members. Examples of the summary documents for the Annual Performance-and-Planning Review (Forms 1 and 4) are attached. Annual Performance-and-Planning Reviews must be completed no later than June [day], [year].

The goals of this review are the following:

- a. To facilitate communication between the faculty member and the Chair (or designee);
- b. To clarify the individual faculty member's goals and expectations for the coming year, as well as for the long range;
- c. To clarify departmental goals and the faculty member's role according to the Chair's expectations;
- d. To recognize areas of exceptional performance by the faculty member;
- e. To identify areas of performance that deserve additional effort by the faculty member; and
- f. To develop documentation that will facilitate objective determination of salary, promotion, and tenure recommendations.

The review procedure should include the following elements:

- a. The Chair requests from each faculty member: (1) a summary of activities and accomplishments for the current fiscal/academic year beginning July 1, [year], and (2) a summary of the faculty member's proposed academic goals for the coming fiscal/academic year beginning July 1, [year]; these are to be completed by May [day], [year].
- b. Annually, during May and June, each faculty member must meet with the Chair. The purpose of this meeting is three-fold: (1) to review the faculty member's performance in achieving previously established academic goals, (2) to receive the work assignment for the coming academic year, and (3) to mutually establish the academic goals to be achieved by the faculty member during the

coming year. The Chair discusses with each faculty member his or her performance in teaching, scholarly activities, service, and/or patient care (if applicable). The Chair should, when appropriate, comment upon outstanding performance, or ways in which the performance can be improved. Finally, the Chair should assess the overall performance of the faculty member and assign one of the performance ratings listed above. In this review, the Chair should consider the following criteria, if appropriate:

Teaching — Quality of instruction and instructional materials, interaction with students, level of participation, number of courses, number of contact hours, caseloads, etc. Review should be obtained from all programs (both intra- and inter-collegiate) in which the faculty member participates;

Patient Care — (if applicable) Quality and quantity of patient care, consultant role, etc.;

Scholarly Activities — Research completed, research in progress, grants received, presentations delivered, papers published, continuing education activities, etc.; and/or

Service — Committee participation, administrative assignments, consultantships, assistance of colleagues in research activities, offices held, etc.

- c. The following situations require specific discussions:
1. For individuals with tenure-track appointments, this discussion must include the faculty member's progress toward tenure (Faculty Handbook, Section 4.14.3.2).
 2. If this review coincides with the Mandatory Interim Review, the Chair must discuss the review of the individual's dossier by the tenured departmental faculty (or Collegiate Promotion and Tenure Committee, if appropriate) (Faculty Handbook, Section 4.14.3.3).
 3. For tenured faculty members who were rated "Needs Improvement for Rank" during the previous APPR and who did not have an EPPR triggered, this annual review must include a progress report that clearly describes improvements in any area(s) noted in the previous Annual Performance and Planning Review as Needs Improvement for Rank or Unsatisfactory for Rank. For tenure-track and non-tenure track faculty members who were rated "Needs Improvement for Rank" or "Unsatisfactory for Rank" during the previous Annual Performance and Planning Review, this annual review must include a progress report that clearly describes improvements in any area(s) noted as Needs Improvement for Rank or Unsatisfactory for Rank.
 4. For tenured faculty members whose past performance is being reviewed under the EPPR process, this annual review must include (a) a progress report that clearly describes performance in the area(s) identified for the EPPR improvement plan and (b) a review of the additional area(s) of the faculty member's performance necessary to meet the agreed-upon goals and objectives (Faculty Handbook, Section 4.16.4.3).
- d. The Chair prepares a narrative summary of the discussion, including assessment in each category, and his or her expectations of the faculty member for the next academic year beginning July 1. For faculty members with tenure-track appointments, the narrative should document the faculty member's progress toward tenure consideration.

- e. The Chair must attach the narrative summary to one of the following summary documents:
 - 1. For the usual Annual Performance-and-Planning Review, the Chair uses Form 1.
 - 2. If this review coincides with the Mandatory Interim Review, the Chair also uses Form 2.
 - 3. If this review coincides with an EPPR process, the Chair uses Form 3.
- e. As soon as possible after the discussion, the faculty member should be provided with the Chair's review, including summary document (Form 1 or 2), narrative summary, and next year's goals and expectations.
- f. The faculty member may prepare an optional response to the Chair's review and expectations; this response, if any, should be attached to the summary document.
- g. In response to a negative rating that does not trigger an Enhanced Post-Tenure Performance Review (EPPR) see §4.16.3), the Chair and the faculty member should collaboratively develop a written plan (Annual Review Improvement Plan) with a specific time frame, whereby the faculty member can meet the departmental expectations within the next year. This plan must be attached to the narrative summary (Faculty Handbook, Sections 4.12.3.2 and 4.14.3). Alternatively, for a non-tenured faculty member an unsatisfactory rating may lead to additional consequences, including issuance of a non-renewal or termination for adequate cause (Faculty Handbook, Section 7.2), and for a tenure-track faculty member, an unsatisfactory rating on the Mandatory Interim Review may lead to a notice of non-renewal (Faculty Handbook, Section 4.12.3.3).
- h. The mutually established goals for the next academic year, with the Chair's comments, if required, should be attached to the summary document (Form 1, or 3).
- i. The summary document (Form 1 or 3), with all attachments, must be signed by both the Chair and faculty member (to acknowledge receipt of the review document). Signature by the faculty member acknowledges receipt of the evaluation but does not connote agreement with the Chair's assessment (Faculty Handbook, Sections 4.14.3.2, 4.16.3, 5.3.2) The faculty member may, if desired, enter a self-evaluation in the column headed "Faculty Member". The original should be retained in the departmental office with complete copies provided to the Dean and the faculty member by June [day].
- j. Upon completion of the review process, and no later than July [day], the Chair should forward to the UTHSC Chief Academic Officer a signed Certification of Faculty Review (Form 4).

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

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APPENDIX K – PROCEDURE FOR THE INTERIM PROBATIONARY REVIEW FOR THE AWARD OF TENURE**General Information about the Mandatory Interim Probationary Review**

For each tenure-track faculty member whose probationary period is four or more years, a Mandatory Interim Review will be conducted (*Faculty Handbook*, Section 4.14.3.3). This two-part review will be conducted (1) by the tenured faculty in the department (or division) or the College Promotion and Tenure Committee (CPT Committee), if appropriate, and (2) by the Chair at the same time as the Annual Performance-and-Planning Review. An example of the summary document for the Mandatory Interim Review (Form 2) is attached. If the probationary period is four years, the Mandatory Interim Review occurs in the second year (*Faculty Handbook*, Section 4.14.3.3). If the probationary period is five, six, or seven years, the Mandatory Interim Review occurs during the third year (*Faculty Handbook*, Section 4.14.3.3). Annually, the time line for completing this review is the same as that for the Annual Performance-and-Planning Review (*Faculty Handbook*, Section 4.14.3.3).

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 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. 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.

Definitions and Applications of Faculty Performance Ratings

[See Appendix J]

Procedure for the Mandatory Interim Review

The Department Chair may delegate his or her responsibility for the Mandatory Interim Review to other individuals. The purpose of the Mandatory Interim Review is to establish a mutual understanding between the faculty member and the Chair regarding the faculty member's progress towards attainment of tenure (*Faculty Handbook*, Section 4.14.3.3). The procedure for the Interim 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, if appropriate) (*Faculty Handbook*, Section 4.14.3.3). 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; and
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.

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 individual's progress towards tenure (*Faculty Handbook*, Section 4.14.3.3). 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). A report will be written to the faculty member's Chair and will contain the following: a list of the tenured faculty members in attendance; all suggestions; the majority and minority views, if relevant; and the summary vote.
- c. The Chair requests from each probationary faculty member for whom the Mandatory Interim Review is required: (1) a summary of activities and accomplishments for the previous academic year beginning July 1, [year], and (2) a summary of the faculty member's proposed academic goals for the year beginning July 1, [year]; these are to be completed by May [day], [year].
- d. During May and June [year], each faculty member must meet with the Chair (*Faculty Handbook*, Sections 4.14.3.2 and 4.14.3.3). This meeting with the Chair constitutes the second part of the Mandatory Interim Review. The purpose of this meeting is four-fold: (1) to review the faculty member's performance in achieving previously established academic goals during the probationary period, including the preceding academic year; (2) to present and discuss the tenured faculty's report; (3) to receive the work assignment for the coming academic year; and (4) to mutually establish the academic goals to be achieved by the faculty member during the coming year (*Faculty Handbook*, Sections 4.14.3.2 and 4.14.3.3). The Chair discusses with each faculty member his or her performance in teaching, scholarly activities, service, and/or patient care (if applicable). This discussion must include the faculty member's progress toward tenure consideration (*Faculty Handbook*, Section 4.14.3.2). The Chair should, when appropriate, comment upon outstanding performance, or ways in which the performance can be improved. Finally, the Chair should assess

the overall performance of the faculty member and assign one of the performance ratings listed above. In this review, the Chair should consider the following criteria, if appropriate:

Teaching — Quality of instruction and instructional materials, interaction with students, level of participation, number of courses, number of contact hours, caseloads, etc. Review should be obtained from all programs (both intra- and inter-collegiate) in which the faculty member participates;

Patient Care — (if applicable) Quality and quantity of patient care, consultant role, etc.;

Scholarly Activities — Research completed, research in progress, grants received, presentations delivered, papers published, continuing education activities, etc.; and/or

Service — Committee participation, administrative assignments, consultantships, assistance of colleagues in research activities, offices held, etc.

- e. In addition, the Chair should include in the performance review a discussion of the *General Information* from Appendix J dealing with faculty workload.
- f. The Chair prepares a narrative summary of the discussion, including assessment in each category, and his or her expectations of the faculty member for the next academic year beginning July 1, [year]. The narrative must document the faculty member's progress toward tenure consideration (Faculty Handbook, Section 4.14.3.2). The Chair attaches the narrative summary to Form 2.
- g. As soon as possible after the discussion, the faculty member should be provided with the Chair's review, including summary document (Form 2), narrative summary, and next year's goals and expectations. A period of five days is suggested as a guideline for this requirement. The faculty member may prepare an optional response to the Chair's review and expectations; this response, if any, should be attached to the summary document. A period of five days is also suggested as a guideline for this requirement, if applicable.
- h. In response to a negative rating, the Chair and the faculty member should develop a written plan with a specific time frame, whereby the faculty member can meet the departmental expectations within the next year; this plan must be attached to the narrative summary (*Faculty Handbook*, Section 4.14.3.3). Alternatively, an unsatisfactory rating on the Mandatory Interim Review may lead to a notice of non-renewal (*Faculty Handbook*, Section 4.14.3.3).
- i. The mutually established goals for the next academic year, with the Chair's comments, if required, should be attached to the summary document (Form 2).
- k. The summary document (Form 2), with all attachments, must be signed by both the Chair and faculty member (to acknowledge receipt of the review document) (*Faculty Handbook*, Section 4.14.3.2). The faculty member may, if desired, enter a self-evaluation in the column headed "Faculty Member." The original should be retained in the departmental office with complete copies provided to the Dean and the faculty member by June [day], [year].
- l. Upon completion of the review process, and no later than July [day], [year], the Chair should forward to the UTHSC Chief Academic Officer a signed Certification of Faculty Review (Form 4).

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

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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). 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).

Procedure for the Final Probationary Review

The Department Chair may delegate his or her responsibility for the Final Probationary Review to other individuals.

- a. 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).

- b. 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 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. 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.

- c. 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 differing judgment and the Chair must provide a copy of the 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 (*Faculty Handbook*, Sections 4.14.3.4 and 4.15.2), with a copy provided to the tenure candidate at the same time.
- d. 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). 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.

- e. 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.
- f. 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.
- g. 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.
- h. 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).

- i. The President acts only on the Chancellor's positive recommendation for tenure. If the President concurs in the positive recommendation, 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 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.
- j. 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 President shall give the faculty member written notice of the effective date of tenure.

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

APPENDIX M - PROCEDURES FOR CONDUCTING THE ENHANCED POST-TENURE PERFORMANCE REVIEW (EPPR)

1. Objectives of the Enhanced Post-Tenure Performance Review (EPPR)

The EPPR policy and procedures provide a thorough, fair, and transparent process for:

- Coordinating peer evaluation of a tenured faculty member's performance across a five-year period;
- Facilitating cooperation between a tenured faculty member and administrators in identifying effective strategies to assist the faculty member in meeting the expectations for the relevant discipline and academic rank; and
- Distinguishing those unusual situations in which (despite efforts to facilitate improvement) the faculty member's performance fails to satisfy expectations for the discipline and academic rank, and which may lead to disciplinary action, up to and including proceedings to consider termination of tenure.

2. Review by the Chief Academic Officer To Determine Whether EPPR is Warranted

The chief academic officer must review any annual performance evaluation that would result in EPPR.

- If the chief academic officer overrules the performance rating and determines that EPPR is not warranted, the faculty member may choose to proceed with EPPR.
- If the chief academic officer determines that an EPPR is warranted, the chief academic officer should meet promptly with the faculty member to explain the decision and review the EPPR process. The chief academic officer must also provide written notice of this decision (copied to the department chair, dean, and faculty senate president) that an EPPR will be conducted.

3. Appointment of the Peer Review Committee

Within 45 days of the written notice that an EPPR will be conducted, the chief academic officer (or designee) must appoint the peer review committee in the manner described below and meet with the committee to review its charge.

Every member of the peer review committee must be tenured; hold the same or higher academic rank as the faculty member undergoing review; and have some familiarity with the relevant performance expectations for faculty in that discipline and academic rank. In the unusual event that an appropriate peer review committee cannot be assembled using these criteria, the chief academic officer must provide to the faculty member a written explanation for the deviation from the prescribed criteria.

Consistent with the criteria for service stated above, the chief academic officer (or designee) must appoint the peer review committee using the following nomination process:

- The dean nominates one faculty member to serve both as chair and as a voting member of the peer review committee;
- The department chair nominates three faculty members who meet the criteria above, from whom one committee member is appointed;

- The faculty member undergoing review nominates three faculty members who meet the criteria above, from whom one committee member is appointed;
- The faculty senate president nominates three faculty members who meet the criteria above, from whom one committee member is appointed; and
- If a college promotion and tenure committee exists, that committee nominates three actively serving members who meet the criteria above, from whom one committee member is appointed. If no college promotion and tenure committee exists, the faculty member under review selects a department other than his/her own from which the chief academic officer selects a final committee member, consistent with the criteria above.

To ensure diverse perspectives among members of the peer review committee, the chief academic officer should solicit nominations from faculty serving in different roles. When feasible, nominations to the peer review committee should include:

- faculty members whose tenure lies in the same department as the faculty member undergoing review or, in a small department, faculty members who hold tenure in the same college as the faculty member undergoing review;
- at least one faculty member whose tenure resides in a different department than the faculty member undergoing review; and
- at least one faculty member who currently serves (or who served during the most recent cycle) on a college promotion and tenure review committee, if such a committee exists.

4. Collection of Records for Review by the Peer Review Committee

The chief academic officer (or designee) must collect the following records with respect to the faculty member under review:

- all annual performance reviews for the past five annual performance review cycles, including materials submitted by the faculty member (or an administrator) or developed as part of the evaluation process;
- written performance expectations, which may have been established in the past five annual performance reviews, in department or college bylaws, in the faculty handbook, or in Board of Trustees, fiscal, human resources, research, safety, or information technology policies or procedures; and
- any work assignments, goals, or other plans (however identified) that were described in previous performance evaluations during the review period.

The faculty member undergoing review may submit additional written materials relevant to the review period for the committee's consideration. Such materials must be submitted to the chief academic officer (or designee) for distribution to the committee. The peer review committee may also request that the chief academic officer (or designee) collect and provide additional written materials. Reasonable requests for relevant records will be honored when permitted by law and University policy.

5. Conclusions and Recommendations by the Peer Review Committee

The peer review committee is charged to review the available performance information and to conclude (based on that information) whether or not performance during the review period has satisfied the expectations for the faculty member's discipline and academic rank. This review should be completed (and written report completed) within 75 days from the chief academic officer's charge to the peer review committee.

Interviews — The peer review committee may conduct a reasonable number of interviews in person or electronically. If the committee chooses to conduct interviews, both the faculty member undergoing review and the administrator who assigned the negative rating(s) must be given the opportunity to be interviewed. All interviews must be conducted separately. Unavailability of the faculty member or administrator for an interview does not constitute grounds for an extension of time to complete the EPPR.

Voting — Voting must be conducted by anonymous ballots. No member of the committee may abstain or recuse him/herself from voting. All conclusions and recommendations are adopted upon the vote of a simple majority, except a recommendation that the Chancellor initiate tenure termination proceedings, which requires the support of at least four members of the peer review committee.

a. Conclusions Regarding Performance and Recommended Action(s)

All conclusions and recommendations of the peer review committee must be made in writing, with copies to all parties (faculty member, department chair, dean, and chief academic officer). Minority reports may be attached. While the committee is not permitted to share written materials directly with the faculty senate, the faculty member under review remains free to do so.

Based on the judgment of its members, the peer review committee must conclude either:

- (1) that the performance satisfies the expectations for the faculty member's discipline and academic rank; or
- (2) that the performance does not satisfy the expectations for the faculty member's discipline and academic rank. In such a case, the committee must recommend either:
 - that an EPPR improvement plan be developed and implemented; or
 - by a vote of at least four committee members, that the Chancellor should initiate proceedings to consider termination of tenure based on Adequate Cause (Unsatisfactory Performance in Teaching, Research, or Service) as defined in III.I. of the Board of Trustees Policies Governing Academic Freedom, Responsibility and Tenure and the procedures detailed in Appendix B of the above-referenced Board of Trustees Policies.

b. Review and Responses to the Peer Review Committee's Report

The committee's written conclusions and recommendations must be distributed to the faculty member, department chair, and dean for simultaneous review, who must submit any written responses to the chief academic officer within 14 days.

c. Conclusions and Recommendations of the Chief Academic Officer

The chief academic officer will review the committee’s report and all timely written responses and will make an independent evaluation of the faculty member’s performance. Within 28 days of the distribution of the peer review committee’s report (14 days for review and comment by others and 14 days for independent review by the chief academic officer), the chief academic officer must provide to the Chancellor copies of the committee’s report, all timely responses to the report, and any additional conclusions or recommendations based on the chief academic officer’s independent review of the material. The entire report, including any materials added by the faculty member, department chair, dean, and chief academic officer, must be copied to the faculty member, peer review committee, department chair, and dean.

6. Review and Action by the Chancellor

The Chancellor will make an independent evaluation of the faculty member’s performance and must provide to the faculty member (copied to the department chair, dean, chief academic officer, and members of the peer review committee) a written explanation of the rationale for any conclusions, decisions, or further actions to be taken.

If the Chancellor concludes that the performance under review has satisfied the expectations for the faculty member’s discipline and academic rank, the EPPR process is concluded. In doing so, the Chancellor may overrule previous performance ratings and may adjust the faculty member’s salary to reflect any across-the-board raises.

If the Chancellor concludes that the performance under review does not satisfy the expectations for the faculty member’s discipline and academic rank, the Chancellor may take further action as deemed appropriate. For example (without limitation):

- The Chancellor may require that an EPPR improvement plan be implemented for a period of up to 18 months, as further described below.
- The Chancellor may propose disciplinary action, up to and including proceedings to consider tenure termination based on Adequate Cause (Unsatisfactory Performance in Teaching, Research, or Service) as defined in III.I. of the Board of Trustees Policies Governing Academic Freedom, Responsibility and Tenure and the procedures detailed in Appendix B of the above-referenced Board of Trustees Policies.

7. Development and Implementation of an Improvement Plan (When Applicable)

a. Written Notice to All Parties

If the Chancellor concludes that an EPPR improvement plan should be developed, the Chancellor must promptly instruct the chief academic officer to develop and implement an improvement plan using the process detailed below. The chief academic officer must promptly notify in writing the faculty member under review that the Chancellor has determined that an EPPR improvement plan must be implemented (with copies to the department chair, dean, and peer review committee). Only one improvement plan may be offered to a faculty member during a given EPPR process; however, the EPPR process may be

implemented more than once during a faculty member's career. An EPPR improvement plan may extend no more than 18 months from the time it is implemented by the chief academic officer.

b. Development of the EPPR Improvement Plan

The department chair is responsible for drafting the EPPR improvement plan in close collaboration with the peer review committee, dean, and chief academic officer. In drafting the improvement plan, the department chair should attempt to address any written concerns raised by the faculty member during the relevant annual review cycles.

Within 30 days of notice that an improvement plan must be developed, the department chair is expected to produce a plan supported by the dean, chief academic officer, and a majority of the peer review committee. Once such an improvement plan is developed, the chief academic officer shall forward the proposed plan to the faculty member.

If the department chair fails to produce within 30 days an improvement plan supported by the chief academic officer, dean, and majority of the peer review committee, then the committee must assume responsibility for drafting an improvement plan. In such a case, the committee must complete the plan within 14 additional days. Upon approval by a majority of the peer review committee, the proposed plan must be provided to the dean and chief academic officer for review and approval.

In either case, the chief academic officer must ensure that an improvement plan acceptable to the chief academic officer, dean, and majority of the peer review committee is developed and must send the proposed plan to the faculty member for review and response. The faculty member under review must be given one opportunity to review and respond to the proposed improvement plan (within 14 days). The peer review committee must review and consider the faculty member's response, including any modifications requested by the faculty member (within another 14 days). In its discretion, the peer review committee may revise the proposed plan after considering the faculty member's response. The committee must then forward the proposed improvement plan to the chief academic officer for review and, if approved, implementation (with copies to the dean, department chair, and faculty member).

c. Committee Review after an EPPR Improvement Plan

At the end of the time allotted for the EPPR improvement plan, the peer review committee must reconvene to review performance under the plan, and to determine whether or not such performance (in the context of the EPPR review period) has satisfied expectations for the faculty member's discipline and academic rank. The peer review committee must vote anonymously and provide a written report of its conclusions and recommendations, including majority and minority reports (if applicable), to the faculty member, department chair, and dean, who may respond in writing within 14 days.

The chief academic officer must review the committee's report and any timely written responses and must independently evaluate performance under the improvement plan. The chief academic officer must then submit the reconvened committee's report, all written responses, and his/her own conclusions and recommendations to the Chancellor, with copies to the faculty member, peer review committee, department chair, and dean.

d. Chancellor’s Review and Action after an EPPR Improvement Plan

The Chancellor will make an independent evaluation of the performance under the EPPR improvement plan (in the context of the EPPR review period) and must provide to the faculty member (copied to the department chair, dean, chief academic officer, and members of the peer review committee) a written explanation of the rationale for any conclusions, decisions, or further actions to be taken.

8. Timeline for Conducting the EPPR

All EPPR deadlines are counted in calendar days rather than business days, except when the last day of the time period falls during a holiday or administrative closure lasting five business days or longer (such as the administrative closure between fall and spring semesters or an extended weather-related closure). The following table summarizes key events in the EPPR process that have deadlines.

| Event begins | Days | Event ends |
|--|------|--|
| Written notice from the chief academic officer that EPPR is warranted | 45 | Chief academic officer charges the peer review committee |
| Chief academic officer charges the peer review committee | 75 | Committee report is distributed for review by the faculty member, department chair, and dean |
| Committee report is distributed for review by the faculty member, department chair, and dean | 14 | Faculty member, department chair, and dean submit written responses to the chief academic officer |
| Chief academic officer reviews timely responses to the report and makes an independent evaluation | 14 | Chief academic officer submits to the Chancellor the committee’s report, all timely responses, and any additional conclusions and recommendations based on the chief academic officer’s independent evaluation |
| If the Chancellor requires implementation of an EPPR improvement plan, the chief academic officer provides written notice to all parties | 30 | Department chair submits to the chief academic officer a proposed improvement plan supported by the dean, chief academic officer, and a majority of the peer review committee |
| If the department chair fails to produce an improvement plan supported by the dean, chief academic officer, and a majority of the committee, then the peer review committee assumes responsibility for drafting a plan | 14 | Peer review committee submits the proposed improvement plan to the dean and chief academic officer for review and approval |
| Upon approval by the chief academic officer, the proposed improvement plan is sent to the faculty member for review | 14 | Faculty member submits to the peer review committee any written response (including any requested modifications to the improvement plan) |
| Peer review committee considers faculty member’s response and may revise the proposed improvement plan | 14 | Peer review committee submits the proposed improvement plan to the chief academic officer for review and approval |
| Chief academic officer reviews the proposed plan, responds to the committee as needed, and approves a final improvement plan | 14 | Chief academic officer sends the approved plan to the faculty member and others for implementation |

On a case-by-case basis, the chief academic officer (or designee) may approve a written request from the peer review committee for an extension of time to complete the initial review. Only one extension may be granted to the peer review committee during a single EPPR, and the chief academic officer (or designee) will determine the length of the extension.

Concurrent Appeals or Grievances — While appeal of an annual performance rating (or other procedure) may overlap in time with the five-year review period, the EPPR is purposefully different from the annual performance review process. To the extent provided under the applicable faculty handbook or other campus policies or practices, the faculty member may choose to initiate or maintain an appeal of the most recent annual performance rating while EPPR is underway. Any appeal or other process must be conducted without interference or influence from the EPPR, and vice versa. Faculty senate leaders should take care to ensure the integrity of all procedures by confirming that no person serves in multiple proceedings related to the same faculty member. Except as may be required by law (for example, under regulatory requirements or a judicial order) any such appeal, grievance, or other University process must proceed simultaneously with the EPPR and must have no impact on the timing or procedures described in this policy.

This policy became effective on July 1, 2017. Any faculty member who was engaged in a Cumulative Performance Review (CPR) on October 14, 2016 must complete the CPR process under the then-applicable CPR policy. Otherwise, the following implementation schedule applies.

| Date of annual performance review meeting | Overall rating of Needs Improvement | Overall rating of Unsatisfactory |
|---|--|----------------------------------|
| On or before June 30, 2017 | CPR policy applies | CPR policy applies |
| July 1, 2017 – June 30, 2018 | Performance ratings are reviewed by the chief academic officer, who decides whether CPR or EPPR should be applied. | EPPR policy applies |
| July 1, 2018 or later | EPPR policy applies | EPPR policy applies |

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APPENDIX N – PROCEDURE FOR EFFECTING PROMOTION IN RANK

General Information about the Guidelines and Process for Effecting Promotions in Rank

Promotion in rank is not only a recognition of past achievement but also a recognition of promise and a sign of confidence that the individual is capable of greater responsibilities (*Faculty Handbook*, Section 6.7). The policy of UTHSC is to grant promotions objectively, equitably, impartially, and in recognition of merit (*Faculty Handbook*, Section 6.7). In the case of a faculty member who holds joint appointments in two or more departments, promotion may take place in one department without its concurrence in the other department(s) (*Faculty Handbook*, Section 6.8.1).

The process for reviewing candidates and making recommendations for promotion is similar to that for the award of tenure; the absence of mandatory reviews of negative departmental recommendations at higher levels is the major difference (*Faculty Handbook*, Section 6.8). An example of the summary document for a positive recommendation for promotion in rank (Form 5) is attached.

In general, the guidelines for promotion in rank are the same as those for appointment to the various ranks (*Faculty Handbook*, Section 6.7). Generally, these guidelines are assigned varying degrees of weight. Deficiencies in some aspect may be counterbalanced adequately by superiority in others; in certain fields of endeavor, some of these guidelines may be replaced by others. Thus, promotion from one rank to the next will depend on the distinctive requirements contained in the Annual Performance-and-Planning Reviews for the period under consideration (*Faculty Handbook*, Section 6.7). A minimum period of service in rank is normally required before consideration for promotion to the next rank (*Faculty Handbook*, Section 6.7). Colleges may establish more specific criteria for promotion to various ranks; these criteria must be consistent with the UTHSC guidelines and be published in the collegiate bylaws (*Faculty Handbook*, Section 6.7). If a department establishes any more-specific criteria for promotion than those of UTHSC or the department's college, these must be published in the department's bylaws, after approval by the Dean (*Faculty Handbook*, Section 6.7).

Each year the UTHSC Chief Academic Officer publishes and distributes a detailed schedule for the process related to the review for promotion in rank. 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 departmental faculty peers (*Faculty Handbook*, Section 6.7). Bylaws of colleges or departments should limit peer reviewers to members of the departmental faculty holding rank(s) equal or superior to that to which the candidate is seeking promotion (*Faculty Handbook*, Section 6.8.1). 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. In addition, bylaws of colleges or departments may permit faculty members with nontenure track, part-time, affiliated, or volunteer appointments in that department to serve as reviewers on promotions (in addition to the tenured departmental faculty, if any) (*Faculty Handbook*, Section 6.8.1). External review of the dossier may be permitted in any case and required when sufficient expertise is lacking among the departmental faculty (*Faculty Handbook*, Section 6).

Procedure for the Review for Promotion in Rank

The Department Chair may delegate his or her responsibility for recommending promotions to other individuals. The procedure for the Review for Promotion in Rank 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 faculty peers (*Faculty Handbook*, Section 5.9.1). The faculty member, in consultation with the Chair, should compile a dossier containing all documents to be submitted for review. The contents of the dossier will vary depending on whether the faculty member's appointment is (1) probationary for tenure with or without a concurrent request for the award of tenure, (2) tenured, or (3) non-tenure-track. For non-tenure-track faculty appointments the faculty member's dossier must include at least a current Curriculum Vitae, in the form required by UTHSC. For tenured or tenure-track appointments, the dossier must include at least the following items:
 1. Current Curriculum Vitae, in the form required by UTHSC;
 2. Annual accomplishments and goals, written by the candidate, that are relevant to the period related to this promotion (a period generally not longer than five years); and
 3. 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 2 above.

For a faculty member with a tenure-track appointment who is making a concurrent request for the award of tenure, the dossier must contain additional items (see Appendix L).

Candidates for promotion will provide additional details as to his/her contributions (final percent effort) in each assigned mission for each of the years since the last promotion. The provision of information for teaching, research/scholarship, clinical care, and service will enable a more accurate assessment of the faculty member's contributions using the promotion metric. If there was a substantive change in the percent effort devoted to the various missions since the last promotion, the candidate should describe the change and the timing for this change.

The faculty member may also include in the dossier any other documents that he or she believes may assist the faculty peers in their reviews or be relevant to a positive recommendation (*Faculty Handbook*, Section 6.7). 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. The faculty member may request that a maximum of six peers submit letters of evaluation to the Chair. Particular attention should be given to identifying individuals, either on or off campus, qualified to judge the faculty member's most important contributions over the period (*Faculty Handbook*, Section 6.7). 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, even in the case of a faculty member's concurrent candidacy for the award of tenure. 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 departmental faculty peers (or Collegiate Promotion and Tenure Committee if no departmental committee exists) will review the dossier, derive a numerical evaluation using the promotion metric scoring system (see *UTHSC Scoring System for Promotion* and the *Metric Matrix*), and meet for the purpose of recording a formal, anonymous vote on the recommendation for promotion in rank (*Faculty Handbook*, Section 6.8.1). A quorum shall be 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 those faculty members present. The faculty peers' report to the Chair shall contain the following: a list of the faculty peers in attendance; the majority and minority views, if relevant; and the summary vote. A copy of this report must accompany the request for promotion in rank forwarded to the Collegiate Promotion and Tenure Committee, the Dean, the UTHSC Chief Academic Officer, and the Chancellor (*Faculty Handbook*, Section 6).

- c. The Chair reviews the dossier(s) and considers the recommendation(s) of the faculty peers. Then, the Chair makes a recommendation concerning each faculty member under consideration (*Faculty Handbook*, Section 6.8.2). Whenever the recommendation of the Chair differs from that of the faculty peers, the Chair must notify them of the reasons for a decision contrary to their recommendation (*Faculty Handbook*, Section 6.8.2).
- d. In a case in which the promotion in rank is recommended, the Chair prepares a letter of nomination to the Dean (*Faculty Handbook*, Section 6.8.2). 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 promotion would become effective;
 5. The faculty member's professional discipline or field;
 6. The recommendations (positive or negative) of the departmental faculty committee and the Department Chair; and
 7. 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 promotion in rank in contrast to a negative recommendation of the faculty peers, 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 6.8.2).

- e. Some faculty members may be recommended early for promotion in rank. However, this is an exceptional request that must be accompanied by letters of explanation from the Chair to the Dean and from the Dean to the UTHSC Chief Academic Officer.
- f. If the recommendation of the Chair is negative, the Chair does not send a letter to the Dean. However, the Chair must inform the candidate in writing of the decision, stating that the faculty member may appeal such a negative decision to the Dean (*Faculty Handbook*, Section 6.8.2).
- g. All required documents (Form 5 and all attachments) must be forwarded from the department to the collegiate academic officer and the College Promotion and Tenure Committee (CPT Committee) by the end of January (*Faculty Handbook*, Section 6.8.3).

Recommendations (Form 5 and all attachments) are presented by the collegiate academic officer to the CPT Committee (*Faculty Handbook*, Section 6.8.3). The committee will derive a numerical evaluation using the promotion metric scoring system (see *UTHSC Scoring System for Promotion* and the *Metric Matrix*) and 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 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 faculty members present (*Faculty Handbook*, Section 4).

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 6.8.3). The Department Chair may appeal to the Dean before the recommendation at the college level is made.

- h. All positive recommendations of the Department Chair must be reviewed by the Dean of the College. The Dean will make a recommendation based on advice of the CPT Committee, the Department Chair, and the faculty peers, as well as on the basis of other circumstances, including personal knowledge of individuals (*Faculty Handbook*, Section 6.8.4). 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 appeal a negative decision through the Faculty Senate (*Faculty Handbook*, Section 6.8.4).
- i. After making an independent judgment on the candidacy, the Dean shall forward all recommendations to the UTHSC Chief Academic Officer (Form 5 and all attachments) (*Faculty Handbook*, Section 6.8.4).

All recommendations of the Dean shall be reviewed by the UTHSC Chief Academic Officer (*Faculty Handbook*, Section 6.8.5). The UTHSC Chief Academic Officer, in consultation with the Chancellor, evaluates the college recommendations in light of general knowledge of individuals. During March and April, the UTHSC Chief Academic Officer prepares a consolidated report. The UTHSC Chief Academic Officer forwards all recommendations for promotion to the Chancellor.

- j. During April, all positive recommendations of the UTHSC Chief Academic Officer shall be reviewed by the Chancellor (*Faculty Handbook*, Section 6.8.6). After making an independent judgment on the candidacy, the Chancellor shall forward only positive recommendations to the President by the beginning of May. Summary information on each faculty member being considered for promotion in rank should be sent to the System Vice President with responsibility for Academic Affairs.
- k. Subsequent to positive action by the President, the Chancellor and Dean shall give the faculty member and Chair written notice of the effective date of the promotion in rank.

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