

Faculty Handbook
June 1993
As Amended July 2009

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PREFACE

The 1993 edition of The University of Tennessee at Martin *Faculty Handbook* was the culmination of over two years dedication by the Senate Personnel Policies Committee, working with campus and

system administrators to ensure conformity with policies established by the Board of Trustees. It was approved by the Board of Trustees on June 24, 1993. Since then, selected portions of the *Handbook* have been revised in accordance with Faculty Senate and UT Board procedures. This reprint edition incorporates these revisions plus a number of editorial changes as of December 1, 1997 and changes resulting from reorganization of the University and the Martin Campus effective July 1, 2000.

The *Faculty Handbook* should be read carefully by all members of the faculty. It is the best and most convenient source of information regarding University policies and procedures in such areas as hiring and promotion, leaves, holidays, insurance coverage, retirement, and compensated outside services.

While policy statements contained in the *Faculty Handbook* are current at the time of Board of Trustees approval, regulations and policies are set by the Board of Trustees and are subject to change. The Senate Personnel Policies Committee initiates changes to the *Faculty Handbook* for submission to the Senate. If accepted by the Chancellor and approved by the Board of Trustees, a copy of the revised section will be sent to all offices which maintain a printed text so that the *Faculty Handbook* can be kept current.

The University maintains a copy of the *Faculty Handbook* on the Web. It may be accessed from the UTM Martin homepage. Faculty and staff will be notified electronically every time the *Handbook* is revised.

The *Faculty Handbook* is divided into different sections based on a decimal code as can be seen in the Table of Contents. Instead of using consecutive page numbers, each section (that is to one decimal place) is numbered separately and begins with the appropriate decimal number. For example, the first page of Section 1.3 (Governance Structure) is numbered 1.3-1. The remaining pages devoted to Section 1.3 are numbered 1.3-2, 1.3-3, etc. The first page of Section 1.4 (Committee Structure) reverts to 1, that is 1.4-1.

1.0 HISTORY, MISSION, GOVERNANCE AND ORGANIZATION

1.1 HISTORY

The University of Tennessee, founded in 1794, is a state-aided, comprehensive university with a land-grant tradition. It aims, through its several campuses and programs, to provide programs of high quality in instruction, research, and public service to a wide and varied constituency.

The University is composed of three institutions: The University of Tennessee (campuses at Knoxville and Memphis and institutes of agriculture, public service, and space), The University of Tennessee at Martin, and The University of Tennessee at Chattanooga.

The University of Tennessee at Martin, a part of the University since 1927, is located nearer the county seats of 16 West Tennessee counties than any other public four-year institution in Tennessee and serves a student body of about 6,000 students. The institution traces its origin to the Hall-Moody Institute, established in 1900. In 1927, the state legislature passed a bill stipulating that the campus be established and operated by The University of Tennessee as a junior college. UT Junior College became a senior college in 1951. Named The University of Tennessee Martin Branch, it first offered bachelor's degree programs in agriculture and home economics. During the 1960s, the number of academic programs was increased rapidly. In 1967, the institution officially became The University of Tennessee at Martin, one of four primary campuses of The University of Tennessee. Approximately fifty different undergraduate degree programs and several graduate programs are offered through the five colleges of the campus.

1.2 MISSION

1.2.1 EDUCATIONAL ASSUMPTIONS/OUTCOME

The primary purpose of The University of Tennessee at Martin is to provide a quality undergraduate education in a traditional collegiate atmosphere characterized at all levels by close relationships among students and faculty. In addition, the graduate and distributed learning programs meet life-long educational needs for all seeking knowledge. Appropriate technologies support research, scholarship, and creative endeavors which enhance teaching and expand knowledge. The University is committed to public service and applied research efforts to enhance the economic, educational, aesthetic and cultural life to the region.

As it pursues all activities in support of its mission, the University is committed to Affirmative Action and other programs which contribute to cultural and ethnic diversity of the campus. (Approved by the Board of Trustees February 5, 1992)

1.2.2 ACCREDITING

The University of Tennessee at Martin is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools (1866 Southern Lane, Decatur, Georgia 300334097, Telephone number 404-679-4500) to award bachelor's and master's degrees.

The University of Tennessee at Martin places great importance on achieving accreditation for all eligible academic programs from their appropriate governing bodies. These programs are recognized as maintaining high standards that qualify graduates for the best job opportunities. UT Martin holds accreditation from the following agencies:

- the Accrediting Board for Engineering and Technology-Engineering Accreditation

- Commission
- the Accrediting Council on Education in Journalism and Mass Communications
- the American Chemical Society
- the Association to Advance Collegiate Schools of Business, AACSB International
- the Commission on Accreditation for Dietetics Education of the American Dietetic Association
- the Council for Accreditation of the American Association of Family and Consumer Sciences
- the Council on Social Work Education
- the National Association of Schools of Music
- the National Council for the Accreditation of Teacher Education
- the National League for Nursing Accrediting Commission

1.3 GOVERNANCE STRUCTURE

1.3.1 THE UNIVERSITY OF TENNESSEE SYSTEM GOVERNANCE

1.3.1.1 Charter Provisions of The University of Tennessee

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| <i>NAME</i> | Article I |
| | <i>The name of the institution is The University of Tennessee. (1879 Tennessee Public Acts ch. 75 (hereinafter Tenn. Pub. Acts))</i> |
| <i>DURATION AND SEAL</i> | Article II |
| | <i>The University shall have perpetual existence and a corporate seal. (1807 Tenn. Pub. Acts ch. 64:1)</i> |
| <i>OFFICES</i> | Article III |
| | <i>The principal office of the University shall be in Knoxville. Other offices may be maintained at the places where the University shall carry on any of its activities. (Id. at :8)</i> |
| <i>OBJECT</i> | Article IV |
| | <i>The object of the University shall be 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 degrees 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. (Id. at :5; 1840 Tenn. Pub. Acts ch. 98:5; 1869 Tenn. Pub. Acts ch. 12)</i> |
| <i>POWERS OF THE UNIVERSITY</i> | Article V |
| <i>Sue and be Sued</i> | <i>SECTION 1. The University, under its corporate name, may sue and be sued in any court of law or equity in this state, or elsewhere; however such power is not a waiver of sovereign immunity. (1807 Tenn. Pub. Acts ch 64:1; Tennessee Code Annotated: 20-13-102(b)(hereinafter T.C.A.))</i> |
| <i>Purchase, Hold, and Dispose of</i> | <i>SECTION 2. The University, under its corporate name, shall be capable in law, to purchase, receive and hold to it and its successors forever, or for any less estate, any lands, tenements, goods, or chattels, which shall be given, granted, devised to it or</i> |

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| <i>Property</i> | <i>purchased by it to the use of the University; and to use, sell, exchange, assign, transfer, convey, or dispose of any of the real or personal estate of the University, by deed or otherwise, in such manner as a majority of the Trustees of the University shall deem most advantageous for the use of the University, and shall have the power of eminent domain.(1807 Tenn. Pub. Acts ch. 64:1,7)</i> |
| <i>Eminent Domain</i> | <i>SECTION 3. The University shall have the power to condemn and appropriate such lands, property, property rights, privileges and easements of others as in the judgment of its Board of Trustees or Executive Committee may be necessary or proper for the purpose of providing buildings and other facilities, building sites, campus grounds, commons, streets, walkways, rights-of-way for utilities and other improvements, and for any extension, enlargement or improvement therefore, for the use and operation of the University and its various units and branches throughout the state. (T.C.A.: 29-17-301)</i> |
| <i>Borrow Money</i> | <i>SECTION 4. With prior approval of the state school bond authority, the University shall have full authority to borrow money for the purpose of erecting buildings, purchasing real estate, or cooperating with agencies of the United States, and to issue evidences of indebtedness therefore which shall be exempt from taxation but which shall not constitute indebtedness of the State of Tennessee. (T.C.A. : 49-9-103(b))</i> |
| <i>Trustee of Charitable Trusts</i> | <i>SECTION 5. The University shall have express authority and power to act as trustee of charitable trusts created pursuant to an agreement, deed of gift, or will under or by which the University is a beneficiary or trustee of a charitable trust. (T.C.A. : 49-9-107(a))</i> |
| <i>Admission of Students</i> | <i>SECTION 6. The Board of Trustees of the University is empowered to make rules and regulations and requirements for admission of students to the University and to programs of instruction offered by the University. (T.C.A. : 49-7-101)</i> |
| <i>Confer Degrees</i> | <i>SECTION 7. The University by and through its President and professors, with the advice and consent of a majority of the Trustees, shall have full power and authority, at any session of the Board of Trustees, to confer on any student in the University, or any other person deemed proper, (See bylaws, Article V, Section 6, concerning the policy of the Board of Trustees governing the granting of honorary degrees.) any degree known and used in colleges or universities in any of the United States. (1807 Tenn. Pub. Acts ch. 64 : 5; 1840 Tenn. Pub. Acts ch. 98 : 5)</i> |
| <i>Election of Officers and Fixing of Salaries</i> | <i>SECTION 8. The Board of Trustees of the University shall have the authority to elect a president and such faculty and other officers of the University as they may judge necessary and to fix and regulate their respective salaries. (1807 Tenn. Pub. Acts ch. 64 : 3,5)</i> |
| <i>Bylaws, Rules and Regulations</i> | <i>SECTION 9. The University may make such bylaws, rules, and regulations for government of the University, and the promotion of education therein, as may be expedient or necessary as long as such bylaws, rules, and regulations are not inconsistent with the constitution and laws of the United States or of the State of Tennessee. (Id. at : 3)</i> |
| <i>General Powers</i> | <i>SECTION 10. The University shall have, use and enjoy all rights, privileges and powers usually conferred upon universities.(1840 Tenn. Pub. Acts ch. 98:5)</i> |
| BOARD OF TRUSTEES: | <i>Article VI SECTION 1: (a) The Board of Trustees of The University of Tennessee shall consist of <i>ex officio</i> members and nineteen appointed members. (T.C.A. : 49-9-202)</i> |

Composition of the Board

(b) The *ex officio* members of the Board of Trustees shall be the Governor, the Commissioner of Agriculture, the Commissioner of Education, the President of the University, and the Executive Director of the Tennessee Higher Education Commission, a non-voting member. (T.C.A. : 49-9-201)

(c) The nineteen appointed members shall be appointed in the following manner: (T.C.A. : 49-9-202(a))

(1) One member shall be appointed from each congressional district, except that for the eighth congressional district an additional member shall be appointed for a term of six years beginning June 1, 1990, and expiring May 31, 1996. (If the office of the additional member from the eighth congressional district is vacated for any reason, the term of that office will expire immediately.) Each such member shall reside within the congressional district from which he or she is appointed as such district is apportioned at the time of the appointment. Appointments from reapportioned congressional districts shall be made as vacancies occur. No incumbent shall be removed from his or her seat prior to expiration of the current term as a result of changes in congressional districts occasioned by reapportionment.

(2) Two members shall be appointed from Knox County.

(3) Two members shall be appointed from Shelby County.

(4) One member shall be appointed from Weakley County.

(5) One member shall be appointed from Hamilton County.

(6) One member shall be appointed from Davidson County.

(7) One member shall be appointed from Anderson, Bedford, Coffee, Franklin, Lincoln, Moore, or Warren County.

(8) One member shall be a student appointed on an annually rotating basis from the four campuses of the University.

(9) At least one appointed member shall be a woman.

(10) At least one-third of the appointed members shall be members of the principal minority political party in the state.

(11) At least one-third of the appointed members shall be alumni of The University of Tennessee.

(12) In making appointments to the Board of Trustees, the Governor shall strive to ensure that at least one person appointed is sixty years of age or older and that at least one person appointed is a member of a racial minority.

Appointments

SECTION 2. All appointed members shall be appointed by the Governor subject to confirmation by the Senate, but appointments shall be effective until adversely acted upon by the Senate. (T.C.A. : 49-9-202(a)(11))

Term of Office

SECTION 3. Commencing with the successive expiration of the present terms, the term of office of each appointed member, except the student member, shall be six years beginning June 1 of the year of the appointment.(T.C.A. : 49-9-203(a)) The

term of the student member shall be one year beginning July 1 of the year of appointment. (T.C.A. : 49-9-203(a)(12)(A)) All members, except the student member, shall be eligible to succeed themselves. (T.C.A. : 49-9-203(b))

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| <i>Vacation of Office and Cause for Removal</i> | SECTION 4. The removal of any Trustee from the county or congressional district which he or she represents, <i>ipso facto</i> , shall vacate the position. The failure of a Trustee to attend three regular meetings of the Board in succession shall be cause for removal and shall authorize the Board to call on the Governor to appoint a successor. (T.C.A. : 49-9-204(b)) |
| <i>Filling of Vacancies</i> | SECTION 5. In case of a vacancy on the Board for any cause, the Governor shall appoint a successor to fill the unexpired term. (T.C.A. : 49-9-204(a)) |
| <i>Oath of Office</i> | SECTION 6. Each Trustee, before acting in the appointment, shall take before some judge or justice of the peace an oath faithfully, honestly, and impartially to discharge the duties of the appointment, and that in all votes as a Trustee, the Trustee will vote as in his or her judgment will best promote the interests of the University and education therein. (1807 Tenn. Pub. Acts ch. 64:6) |
| <i>Encouragement of Loyalty</i> | SECTION 7. The Trustees shall always foster, encourage and inculcate loyalty to both the state and national governments in the general administration of the University as well as in the discipline of students. (1869 Tenn. Pub. Acts ch. |
| <i>Conflicts of Interest and Nepotism</i> | SECTION 8. No Trustee shall be financially interested in any contract of transaction affecting the interest of the university, nor procure or be a party in any way to procuring the appointment of any relative to any position of trust or profit connected with the University. Violation of this provision shall subject the Trustee so offending to removal by the Governor or by the Board. (T.C.A. : 49-9-207) |
| <i>Executive Committee and Other Committees</i> | SECTION 9. The Board may appoint an executive committee which shall have full power to transact all business of the Board specifically committed to it and any other necessary business which is in harmony with the general policy of the Board made and determined at stated or called meetings. The Board may also appoint such other committees as it deems advisable for the transaction of the business of the University. (T.C.A. : 49-9-206) |
| <i>Meetings</i> | SECTION 10. The Board shall hold at least one stated meeting annually and such called meetings as may be necessary. Seven members shall constitute a quorum and be empowered to transact any business. The Board shall have authority to transact at any called meeting any business it is authorized to transact at stated meetings. |

1.3.1.2 Bylaws of The University of Tennessee

Article I

SECTION 1. THE BOARD OF TRUSTEES, which is the governing body of The University of Tennessee, shall have full and complete control over its organization and administration, also over its constituent parts and its financial affairs. All Trustees, both ex officio and appointed, (except the Executive Director of the Tennessee Higher Education Commission, who is a non-voting member), shall have a vote on matters coming before the Board, or before any committee thereof of which they are members.

SECTION 2. THE BOARD OF TRUSTEES SHALL:

- a. 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;
- b. Have full authority to determine and to control the activities and policies of all organizations and activities that bear, or that may be carried under, the name of the University;
- c. Not undertake to direct matters of administration or of executive action except through the President;
- d. Control the election and removal of the senior administrative officers of the University and the fixing of their compensation. The Board shall elect and fix the compensation of the President and the senior administrative officers of the University at the annual meeting except when a vacancy occurs at another time. All such elections shall be for one year unless otherwise specified. At the annual meeting the Board shall also approve the compensation of the faculty and of all other employees it may deem necessary for the proper operation and management of the University;
- e. Approve the University's proposed annual operating and capital outlay budgets and appropriation requests prior to their submission to other state agencies or officials. After the General Assembly has enacted annual appropriations for the University, the Board shall adopt final operating and capital outlay budgets for the next fiscal year;
- f. Grant tenure to eligible members of the faculty upon the positive recommendation of the President; and
- g. Prescribe admission, progression, and retention requirements for the University and particular programs of instruction.

SECTION 3. EACH TRUSTEE, so far as time will permit, shall keep informed as to the work of the University and its several campuses, colleges, schools, departments and activities, both educational and business.

SECTION 4. THE OFFICERS OF THE BOARD shall be a Chairman, a Vice Chairman, and a Secretary.

- a. The Chairman and Vice Chairman shall be members of the Board and shall be elected by the Board at the annual meeting to serve for two years, beginning July 1 of the year elected. In the event of a vacancy before expiration of the term, a successor shall be elected to fill the unexpired term at the next meeting of the Board following creation of the vacancy. The Vice Chairman shall not be eligible to succeed himself after serving a two-year term except upon the affirmative three-fourth (3/4) vote of the entire Board.
- b. The Chairman shall preside when present at meetings of the Board and shall be the spokesman for the Board. The Chairman shall perform such other duties as may, from time to time, be prescribed by the Board and by these bylaws.
- c. In the absence of the Chairman, the Vice Chairman shall preside at meetings of

the Board and otherwise perform the duties of the Chairman.

d. In the absence of the Chairman and the Vice Chairman, the chairman of the Executive Committee shall preside at meetings of the Board; in the absence of all three, the senior member of the Board shall preside.

e. The Secretary of the Board of Trustees shall be elected by the Board at its annual meeting to serve for two years or during the pleasure of the Board. The Secretary need not be a member of the Board and may be the General Counsel and the Secretary of the University also. In the event of a vacancy in this office, the Board shall elect a successor at the next meeting of the Board. The Board may elect Assistant Secretaries who shall serve under the direction of the Secretary.

SECTION 5. THE SECRETARY of the Board shall perform the following duties:

a. Attend all meetings of the Board and take and preserve in a proper minute book the minutes of all Board meetings; also send promptly to each member of the Board a copy of the minutes of each meeting.

b. Attend all meetings of the standing committees of the Board and of all other committees appointed by the Board, and shall be, ex officio, the Secretary of all committees; send promptly to each member of the Board a copy of the minutes of each meeting of the Executive Committee.

c. Assist the President and the Vice Chairman in preparing an agenda for every meeting of the Board of Trustees, listing in outline each matter to be considered at every meeting, a copy of which when practicable shall accompany the notice of the meeting, but if impracticable it shall be sent before the meeting; and prepare a like agenda, when practicable, for each of the Executive Committee and for meetings of other committees, when requested by the committee chairman.

d. Record all calls for meetings of the Board and of the Executive Committee; notify all members of the Board and of that committee of each meeting; notify the members of other committees of the Board of any committee meeting whenever requested so to do by the chairman of the committee; notify promptly the members of all special committees created by the Board of their appointment; and give written notice to each Trustee or officer of the University of any special service assigned to the Secretary by the Board or a committee, promptly after the adoption of the resolution prescribing the service, together with a copy of the pertinent resolution.

e. Keep a special book entitled "Bylaws" into which shall be copied the bylaws of the University and which shall be kept up to date by also copying therein all amendments to existing bylaws and new bylaws adopted; make pertinent notation at the proper place in the original bylaws of all changes or additions and the date of the change or addition; and, likewise, note therein any bylaw that may be repealed and the date of repeal.

f. Keep, in a proper book, a record of the names of all the Trustees, the dates of their appointments and the dates of the expirations of their terms of office.

g. Secure and preserve a copy of each written report made by the committees of the Board of Trustees.

h. Preserve all record books, correspondence and papers belonging or pertaining to

the business of the Board, except as otherwise provided.

i. Assist the President in seeing that all orders and resolutions of the Board of Trustees and of the Executive Committee shall be made effective.

j. Perform such other services and keep such additional records as may be directed by the Board of Trustees, the Chairman, the Vice Chairman, the Executive Committee, or the President of the University; and assist the Board of Trustees, its officers and committees, and the President in discharging their duties.

SECTION 6. IN THE ABSENCE OF THE SECRETARY and the Assistant Secretary of the Board from any meeting of the Board or of any committee, a Secretary pro tempore may be appointed by the Board or by the committee, which Secretary pro tempore shall be charged with the duty of sending copies of the minutes to the members of the Board or of the committee, as the case may be, as required of the Secretary in Section 5 above.

Article II

SECTION 1. THE BOARD OF TRUSTEES shall hold three (3) stated meetings annually (Tenn. Code Ann. § 49-9-205(a)), namely, the annual meeting to be held in June, a fall meeting, and a winter meeting which shall be held on the campus at Knoxville or at such other place as the Board shall determine.

SECTION 2. SPECIAL MEETINGS of the Board as may be necessary may be called (a) by its Chairman, (b) by its Vice Chairman, (c) by the President of the University, or (d) by the Secretary of the Board upon the written request of three (3) or more of its members. The call for every special meeting shall state the business to be considered.

SECTION 3. THE BOARD MAY ADJOURN any stated or special meeting to any date that it may set for such adjournment. (Tenn. Code Ann. § 49-9-205(a)) Any stated or special meeting of the Board, if a quorum be not present, may be adjourned by the members attending from time to time until a quorum shall be present.

SECTION 4. SEVEN (7) MEMBERS of the Board shall constitute a quorum. (Tenn. Code Ann. § 49-9-205(b))

SECTION 5. AT LEAST FIVE (5) DAYS written notice of the stated meetings of the Board shall be sent by the Secretary of the Board to all Trustees. (Tenn. Code Ann. § 49-9-205(a))

SECTION 6. SPECIAL MEETINGS of the Board may be called on less than five (5) days notice and, if urgent, by telegram or telephone to each Board member, who must be advised of the purpose or purposes of the meeting.

SECTION 7. MATTERS NOT APPEARING ON THE AGENDA of the stated annual, fall, and winter meetings, or stated in the call for a special meeting, may be considered only upon an affirmative vote which shall represent a majority of the entire Board.

SECTION 8. INDIVIDUALS desiring to appear at any Board meeting to present in

person any matter shall make written application to the Secretary of the Board, setting out the matter to be presented, at least thirty (30) days before the date set for the meeting so that the matter to be presented can be placed upon the agenda for the meeting; otherwise the request of any individual to appear before the Board will not be granted except upon favorable majority vote of the Trustees present at the meeting.

SECTION 9. ALL MEETINGS of the Board shall be open to the public except those which fall outside the provisions of the Tennessee Open Meetings Act, Tennessee Code Annotated, title 8, chapter 44, or within a judicially recognized exception to the Act.

Article III

SECTION 1. (a) THE STANDING COMMITTEES (Tenn. Code Ann. § 49-9206(b)) of the Board of Trustees shall be the following:

- Executive Committee
- Academic Programs and Planning Committee
- Finance and Administration Committee
- The University of Tennessee at Chattanooga Liaison Committee
- The University of Tennessee at Martin Liaison Committee

(b) The Executive, Academic Programs and Planning, and Finance and Administration Committees shall be composed of members of the Board of Trustees appointed by the Board upon the recommendation of the Vice Chairman, with the advice and consent of the Executive Committee. The size and composition of these committees is described more specifically in subsequent sections outlining the jurisdiction of each committee. Appointments shall be made at the annual meeting, and each member shall serve a two-year term. The chairman of each committee shall be designated by the Board for a two-year term upon the recommendation of the Vice Chairman, with the advice and consent of the Executive Committee. Preference of Trustees, seniority on the Board, and seniority on committees will be considered in committee and chairmanship appointments. No Trustee shall serve more than two consecutive two-year terms as chairman of a committee. If a vacancy occurs on these committees prior to expiration of the two-year term, the Board may appoint a Trustee to fill the remainder of the term upon the recommendation of the Vice Chairman, with the advice and consent of the Executive Committee.

(c) The Liaison Committees for The University of Tennessee at Chattanooga and The University of Tennessee at Martin shall be composed of the following members:

The University of Tennessee at Chattanooga Liaison Committee

- Trustee appointed from the Third Congressional District
- Trustee appointed from Hamilton County
- Vice Chairman of the Board
- President of the University
- Chancellor of The University of Tennessee at Chattanooga
- Faculty representative
- Student representative
- Three residents of the Chattanooga area

The University of Tennessee at Martin Liaison Committee

- Trustee appointed from the Eighth Congressional District
- Trustee appointed from Weakley County
- Vice Chairman of the Board
- President of the University
- Chancellor of The University of Tennessee at Martin
- Faculty representative
- Student representative
- Three residents of the Martin area

The area Trustee members of the liaison committees shall serve for the duration of their Trustee terms. The faculty, student, and area resident members shall be appointed for one- or two-year terms by the Board upon the recommendation of the Vice Chairman, with the advice and consent of the Executive Committee. Appointments shall be made at the annual meeting. If a vacancy occurs in the faculty, student, or area resident membership, the Board may appoint another member for the remainder of the term upon the recommendation of the Vice Chairman, with the advice and consent of the Executive Committee.

The chairman of each liaison committee shall be a Trustee member designated by the Board for a two-year term upon the recommendation of the Vice Chairman, with the advice and consent of the Executive Committee. A Trustee may serve no more than two consecutive two-year terms as chairman of a liaison committee.

SECTION 2. (a) THE EXECUTIVE COMMITTEE shall be composed of at least five members and shall include the Vice Chairman of the Board and the President of the University.

(b) The Executive Committee shall act for the Board between its meetings and shall have full power to transact all business of the Board specifically committed to it and any other necessary business in harmony with the general policy of the Board made and determined at stated or special meetings. (Tenn. Code Ann. § 49-9-206(a)(1)) It shall have power to approve the condemnation or purchase by the University of properties at all locations which in its judgment shall be advantageous for the University to acquire and at such prices and on such terms as it may consider satisfactory. The officers of the University, after such approval, shall consummate each such acquisition by doing the necessary acts and executing the necessary papers. The Executive Committee shall also have power to approve conveyance of the University's interest in real property by sales in fee, easements, or rights-of way.

(c) This committee shall meet on the call of the President, its Chairman, or the Vice Chairman of the Board at such time and place as shall be designated in the call.

(d) Four (4) members of this committee shall constitute a quorum, (Tenn. Code Ann. § 49-9-206(a)(2)) but a less number attending may adjourn the meeting until a quorum shall be present.

(e) An agenda prepared pursuant to Article I, Section 5(c) shall accompany the notice of every meeting of this committee when practicable, but if impracticable the notice shall state the purpose or purposes for which the meeting is called. Matters not set forth on the agenda or in the notice shall be considered only on affirmative vote which shall represent a majority of the entire committee.

(f) If by reason of urgency notice of this committee cannot be given pursuant to Article I, Section 5(d), notice may be given by the Secretary of the Board by telegram or telephone to the committee members, who must be advised of the purpose or purposes of the meeting.

SECTION 3. (a) THE FINANCE AND ADMINISTRATION COMMITTEE shall be composed of the following members:

- Vice Chairman of the Board
- President of the University
- Nine appointed Trustees

(b) The Finance and Administration Committee shall formulate policies and recommend their adoption by the Board of Trustees or the Executive Committee in all matters relating to finance, business, and administration, including the investment of University funds.

- i. This committee shall approve and recommend to the Board the University's proposed annual operating and capital outlay budgets and requests for operating and capital outlay appropriations prior to their submission to other state agencies and officials. After the General Assembly has enacted annual appropriations for the University, this Committee shall approve and recommend to the Board the final operating and capital outlay budgets for the next fiscal year.
- ii. This committee shall approve and recommend tuition and fee rates for adoption by the Board or the Executive Committee.
- iii. This committee shall serve as the University's compensation committee. It shall recommend to the Board or the Executive Committee the compensation for the President and other senior administrative officers of the University named in Article IV, Section 1, each year after their initial appointment.
- iv. This committee shall approve and recommend to the Board or the Executive Committee that construction of specific buildings and other capital improvements, and the naming of buildings.
- v. This committee shall approve and recommend to the Board or the Executive Committee the facilities master plan for each campus.
- vi. This committee shall approve and recommend to the Board or to the Executive Committee the acquisition of any interest in real property, including acquisition by gift or devise if the acquisition obligates the University or the State of Tennessee to expend state funds for capital improvements or continuing operating expenditures.
- vii. This committee shall approve and recommend to the Board or to the Executive Committee conveyance of the University's interest in real property by sale in fee, easement or right-of-way; provided, however, that in the case of an interest acquired by gift or devise, the President, upon recommendation of the appropriate vice president, shall have authority to approve the sale at or above the appraised value. All sales of real property acquired by gift or devise shall be reported annually to the Finance Committee, which in turn shall report the sales in its annual report to the Board of Trustees.
- viii. All matters involving ordinary repairs, changes, adjustments and improvements for the purpose of putting and keeping in good condition the buildings, grounds and equipment of the University, wherever located, for their efficient use are committed to the President of the University.

- ix. This committee shall approve and recommend to the Board or the Executive Committee policies and proposals concerning faculty and staff benefits, employee rights and responsibilities, and any other personnel policy matter requiring Board approval.
- x. This committee shall approve and recommend to the Board or the Executive Committee University rules promulgated under the Tennessee Uniform Administrative Procedures Act, including rules governing student rights and responsibilities.

SECTION 4. (a) THE ACADEMIC PROGRAMS AND PLANNING COMMITTEE shall be composed of the following members:

- Vice Chairman of the Board
- President of the University
- Commissioner of Agriculture
- Commissioner of Education
- Nine appointed Trustees
- Executive Director of the Tennessee Higher Education Commission

(b) The Academic Programs and Planning Committee shall approve and recommend to the Board or the Executive Committee the following:

- i. The mission statement for each campus and institute of the University;
- ii. strategic and long-range academic plans;
- iii. proposals concerning the development of new academic programs and the revision of existing programs relating to instruction, research, and service;
- iv. establishment of new academic organizations, such as major campuses, colleges, and institutes;
- v. admission, progression, and retention standards;
- vi. the University's policy on Academic Freedom, Responsibility, and Tenure, campus implementing procedures, and any other faculty personnel policy requiring Board approval;
- vii. policies and proposals concerning information technology.

SECTION 5. THE UNIVERSITY OF TENNESSEE AT CHATTANOOGA LIAISON COMMITTEE shall approve and recommend to the Board, the Executive Committee, or other appropriate committee of the Board policies and proposals implementing the mission of The University of Tennessee at Chattanooga and any other matter specifically committed to it by the Board.

SECTION 6. THE UNIVERSITY OF TENNESSEE AT MARTIN LIAISON COMMITTEE shall approve and recommend to the Board, the Executive Committee, or other appropriate committee of the Board, policies and proposals implementing the mission of The University of Tennessee at Martin and any other matter specifically committed to it by the Board.

SECTION 7. In addition to the standing committees, the Chairman or Vice Chairman, when presiding at any meeting of the Board, may appoint special

committees for specific assignments. The chairman of any special committee shall be designated at the time of appointment.

SECTION 8. The Board shall establish the Advancement and Outreach Council and the Faculty and Student Council as described below. The Councils shall provide a forum for highlighting specific programs, activities, and interests. Councils may make recommendations to a standing committee of the Board concerning matters requiring Board approval.

- i. The Advancement and Outreach Council shall focus on the following matters: development, alumni relations, University relations, governmental relations, agricultural extension and other agricultural service programs, Institute for Public Service programs, and continuing education programs. The Council shall be composed of the following members:
 - Vice Chairman of the Board
 - President of the University
 - Commissioner of Agriculture
 - Appointed Trustees
 - Administrative staff representatives
 - One faculty representative
 - One student representative

- ii. The Faculty and Student Council shall focus on the following matters: faculty and student programs and activities; and faculty and student life concerns. The Council shall be composed of the following members:
 - Vice Chairman of the Board
 - President of the University
 - Appointed Trustees
 - Administrative staff representatives
 - One faculty representative from each campus
 - One student representative from each campus

- iii. Members of these councils shall be appointed by the Board upon the recommendation of the Vice Chairman, with the advice and consent of the Executive Committee. Appointments shall be made at the annual meeting, and each member shall serve a two-year term, except that student members may serve for a one- or two-year term. The chairman of each council shall be designated by the Board for a two-year term upon the recommendation of the Vice Chairman, with the advice and consent of the Executive Committee. Preference of Trustees, seniority on the Board, and seniority on committees will be considered in council and chairmanship appointments. No Trustee shall serve more than two consecutive two-year terms as chairman of a council. If a vacancy occurs on these councils prior to expiration of the two-year term, the Board may appoint a Trustee to fill the remainder of the term upon the recommendation of the Vice Chairman, with the advice and consent of the Executive Committee.

SECTION 9. (a) A MEETING OF ANY COMMITTEE may be called by the Chairman of the Board, the Vice Chairman, the President, or by the committee chairman, and shall be called by the Secretary of the Board upon the written request of two

members of the committee.

(b) Unless otherwise provided, a majority of the members of each standing or special committee shall constitute a quorum.

(c) All meetings of all committees authorized to make decisions for or recommendations to the Board shall be open to the public except those which fall outside the provisions of the Tennessee Open Meetings Act, Tennessee Code Annotated, title 8, chapter 44, or within a judicially recognized exception to the Act.

SECTION 10. INTERCOLLEGIATE ATHLETICS, like all other programs offered by the University, are subject to the governance of the Board of Trustees. The Board of Trustees has established an Athletics Board for each campus of the University which offers intercollegiate athletics programs. These Boards shall serve in an advisory capacity with respect to intercollegiate athletics. Members of the Board of Trustees shall be appointed to the Athletics Boards in the same manner as Trustees are appointed to standing committees. Trustee members of the Athletics Boards, together with the University administration, shall maintain a liaison between the University's intercollegiate athletics programs and the Board of Trustees. Any change in the structure or function of the Athletics Boards shall be subject to the approval of the Board of Trustees.

Article IV

SECTION 1. OFFICERS OF THE UNIVERSITY. The officers of The University of Tennessee shall be the following:

- President
- Executive Vice President
- Vice President for Agriculture
- Vice President for Development and Alumni Affairs
- Vice President, General Counsel and Secretary
- Vice President for Health Affairs
- Vice President and Provost
- Vice President for Research and Information Technology
- Vice President and Treasurer
- Chancellor of The University of Tennessee at Chattanooga
- Chancellor of The University of Tennessee at Martin
- Chancellor of The University of Tennessee New College

The Board shall have authority, from time to time, to create and fill additional University Officers and to abolish at its pleasure any office so created.

SECTION 2. ELECTION OF UNIVERSITY OFFICERS. The University Officers shall be elected annually by the Board at the annual meeting and shall serve at the pleasure of the Board, subject to the terms of any written employment contract. A vacancy in one of the offices may be filled by election at any stated or special meeting of the Board after compliance with the following procedures:

(a) Election of the President. In the event of a vacancy, or notice of an impending vacancy, in the office of the President, the Chairman, or in the Chairman's absence the Vice Chairman, shall recommend to the Board the appointment of a search committee composed of appointed members of the Board of Trustees. The search committee shall take appropriate action to prepare and submit for consideration of the Board a panel of nominees for the position of President. The number of nominees shall be determined by the Board upon the recommendation of the search

committee.

In carrying out its duties, the search committee may appoint an advisory committee composed of University faculty, staff, and students, as well as alumni and other representatives of the University's external constituencies, to assist and advise during the search process. The search committee may adopt such rules and procedure as it deems necessary in performing its duties and shall comply with all applicable legal requirements.

(b) Election of the Chancellors, Vice President for Agriculture, Vice President for Health Affairs, and Vice President and Provost. These University Officers shall be elected by the Board upon the recommendation of the President. In the event of a vacancy, or notice of an impending vacancy in one of these offices, the President shall appoint an advisory committee composed of faculty, staff, students, alumni, and representatives of the external constituencies of the particular unit where the vacancy exists to assist in identifying and screening candidates for the position. Members of the Board of Trustees may also be appointed by the President to serve on the advisory committee. Appointment of an advisory committee shall not diminish the President's ultimate authority and responsibility for recommending a candidate to the Board of Trustees. In identifying and screening candidates, the President and the advisory committee shall comply with all applicable legal requirements.

(c) Election of the Executive Vice President and Other University Officers. The Executive Vice President and all other University Officers not named in items (a) and (b) above shall be elected by the Board upon the recommendation of the President. In the event of a vacancy, or notice of an impending vacancy in one of these offices, the President shall identify and recommend to the Board a candidate for the vacant position. The President may appoint an advisory committee to assist in identifying and screening candidates. Members of the Board of Trustees may serve on any advisory committee so appointed. Appointment of an advisory committee shall not diminish the President's ultimate authority and responsibility for recommending candidates to the Board of Trustees. In identifying and screening candidates, the President and any advisory committee appointed by the President shall comply with all applicable legal requirements.

SECTION 3. DUTIES OF UNIVERSITY OFFICERS.

(a) Duties of the President. The President shall be the chief executive officer of The University of Tennessee and shall exercise complete executive authority over the institutions comprising The University of Tennessee system, subject to the direction and control of the Board of Trustees. As chief executive, the President shall be responsible for the presentation of all University policies and recommendations to the Board, the Governor, the General Assembly, and other governmental offices. In the execution of the President's duties and responsibilities, the President may delegate to subordinate officers portions of those duties, but this action shall not reduce the President's responsibility. The President shall perform such specific duties as from time to time may be prescribed by the Board, or by any standing or special committee of the Board, including the securing of such reports and statements on the activities of the University as may be requested.

(b) Duties of the Executive Vice President. The Executive Vice President shall be the chief operating officer of The University of Tennessee. In the absence or unavailability of the President, the Executive Vice President shall assume the duties of the President, unless otherwise directed by the President. The Executive Vice President shall be directly responsible to the President and shall perform such specific duties as from time to time may be prescribed by the President, the Board,

or by any standing or special committee of the Board.

(c) Duties of the Chancellors, Vice President for Agriculture, and Vice President for Health Affairs. These officers shall be the chief operating officers of their respective units and shall be fully responsible for administration and management of the unit, subject to the general supervision of the President. These officers shall be directly responsible to the President and shall perform such specific duties as from time to time may be prescribed by the President, the Board, or by any standing or special committee of the Board.

(d) Duties of the Secretary. The Vice President and General Counsel shall serve as Secretary of the corporate legal entity known as The University of Tennessee. In addition to the Board-related duties prescribed in Articles I and II, the duties of the Secretary shall include the following and similar duties related to the legal and corporate status of the University:

(1) Attest all instruments of legal obligation requiring the Seal of the University and affix thereto the Seal, of which the Secretary shall be the custodian.

(2) Countersign, by facsimile signature, all diplomas and certificates granted by the University.

The Secretary shall also perform such specific duties as may be prescribed from time to time by the President, the Board, or any standing or special committee of the Board.

(e) Duties of the Vice President and Treasurer. The Vice President and Treasurer shall act under the direction of and shall be immediately responsible to the Executive Vice President. The Vice President and Treasurer shall receive and shall have custody of all monies which shall come to the University for the purposes of the University and shall be responsible for the proper handling of such funds in accordance with applicable state statutes and with the policies fixed by the Board of Trustees and by the Executive Committee. The Vice President and Treasurer shall give bond in an amount designated by the Board of Trustees, the premium on which shall be paid by the University. The Vice President and Treasurer shall perform the following duties:

(1) Deposit all moneys and funds belonging to the University, or over which the Vice President and Treasurer has control, in such accounts and depositories and upon such conditions and regulations as shall be prescribed by state law, the Board of Trustees or the Executive Committee.

(2) Disburse the funds of the University as authorized by the Board of Trustees on checks or warrants drawn on any of the depositories of the University, to be signed and countersigned as directed by the Board, and carefully preserve as vouchers all warrants and checks after payment.

(3) Maintain an adequate record of receipts and disbursements and such other accounting records as may be authorized by the Board of Trustees, and present to the President for transmission to the Board at its annual meeting a statement of all receipts and disbursements for the preceding fiscal year and of the current financial condition of the University. Also, present to the Board of Trustees, the Executive Committee, the Finance Committee, the President or the Budget Officer whenever requested, such statements relative to the finances of the University as any of them may request, and to whom the records in the office of the Vice President and Treasurer shall be open to

inspection.

(4) Under the general supervision of the Executive Vice President, the Vice President and Treasurer will be responsible for accounting, disbursing, and reporting for the University.

(5) Perform such other specific duties as from time to time may be prescribed by the President, Executive Vice President, the Board, or by any standing or special committee of the Board.

(f) Duties of Other University Officers. The other University Officers shall be directly responsible to the President, shall assist the President in the active management of the University, and shall perform such specific duties as from time to time may be prescribed by the President, the Board, or by any standing or special committee of the Board.

SECTION 4. STAFF VICE PRESIDENTS. The President of the University is authorized to appoint staff vice presidents in the areas of budget and finance, campus operations, chief of staff operations, diversity and equity, public and governmental relations, and such other areas as the President deems necessary for the efficient administration of the University. Staff vice presidents shall be directly responsible to the President or another University Officer and shall perform such specific duties as from time to time may be prescribed by the President or other University Officer.

SECTION 5. EXECUTION OF LEGAL INSTRUMENTS. Subject to compliance with any applicable policies concerning legal and fiscal review, the President and other University Officers named in Section 1 of this Article IV shall have the power and authority to sign documents, instruments, contracts, bonds, notes, or other papers in connection with the operation of the business of the University; and, in addition to the Secretary, any assistant secretary shall have the power and authority to attest and place the University's Seal on all said documents, instruments, contracts, bonds, notes, or other papers.

Subject to fiscal policies and procedures issued from time to time, administrative personnel on each campus, such as purchasing agents and business managers, shall have the power and authority to sign and issue purchase orders and conduct ordinary business affairs on behalf of the University. In addition, University fiscal policies and procedures issued from time to time may delegate to campus administrative personnel the authority to sign certain other instruments that do not warrant prior legal and fiscal review. Except in the case of purchase orders and other instruments executed by campus personnel under the delegation authorized by this section, all contracts, bonds, mortgages, notes, deeds, leases and other instruments of legal obligation shall be executed by the President or another University Officer after any required legal and fiscal review. A copy of every instrument of legal obligation executed on behalf of the University, except purchase orders, shall be filed in the official files of the University in the Office of the Vice President and Treasurer.

SECTION 6. ALL EMPLOYEES RESPONSIBLE TO PRESIDENT. All employees of the University, however designated, shall be responsible to the President, directly or through their next superior officer, for the efficient operation of the organizational unit or functions for which they are responsible.

SECTION 7. RECEIPT OF MONEY BY EMPLOYEES. All employees whose duties require them to receive money, or who receive donations or bequests made to the University, shall pay it promptly to the Vice President and Treasurer with a statement of the amount paid, the date of the payment and the purpose for which paid; except in those cases where money belonging to the University and its accounting to the Vice President and Treasurer by the collecting agency has been provided for otherwise by the Finance Committee with the approval of the President.

SECTION 8. STUDENT WELFARE. The Board of Trustees is vitally interested in the welfare, safety, and conduct of the students at all campuses and facilities of The University of Tennessee and is dedicated to the maintenance of an environment which preserves conditions conducive to the normal education processes and to the welfare and safety of students and others. To implement these concepts, the Board of Trustees vests in the President and the respective Chancellors and Vice Presidents the authority to prescribe and enforce policies, rules and regulations concerning rights, responsibilities, conduct and discipline of students at the various campuses and facilities of the University. The President, Chancellors, and Vice Presidents are authorized to take any lawful action necessary to assure the protection of life and property at the several campuses and facilities.

Each Chancellor and Vice President may appoint an administrative council or other similar body and delegate to it certain functions, including approval and control of student organizations, adoption of rules of conduct and discipline of students, and the conduct of disciplinary proceedings involving misconduct or delinquencies of students attending the colleges and schools under its jurisdiction. However, each Chancellor and Vice President shall retain ultimate control and authority and shall be responsible to the President and the Board of Trustees for all final actions and decisions in these areas.

Article V

SECTION 1. GENERAL PARLIAMENTARY RULES shall be observed in conducting the business of the Board of Trustees except as they may be modified by rules and regulations adopted by the Board.

SECTION 2. IN THE INTEREST OF CLEARNESS, to prevent misapprehension and to secure accuracy of record, each important motion or resolution (except informal or parliamentary motions) shall be presented in writing by the offerer at the time the motion is made, or the offerer may be granted the privilege of reducing such motion to writing and of presenting it to the Secretary of the Board before adjournment of the meeting.

SECTION 3. A RECORD VOTE OF THE BOARD OF TRUSTEES shall be required on all motions providing for any revision of the bylaws, the adoption of a new bylaw or the repeal of an existing bylaw. On any other motion, a record vote shall be taken if required by law or if a Board member present demands a record vote before the announcement of a vote otherwise taken.

SECTION 4. IF AT ANY TIME THE PRESIDENT of the University or any person or persons connected with the University having the power to make appointment to, or a contract of employment for, a position of trust or profit connected with the University, contemplates the appointment to, or the employment for, such position of a relative of a Trustee, such intention shall be reported to the Board, or to the Executive Committee, stating the position to be filled or contract to be made, the name of the person to be appointed or employed, the person's relationship to the member or members of the Board and the qualifications of such person for the

duties to be performed; and also whether or not the related member of the Board has been a party to an effort to procure such appointment or employment. (Tenn. Code Ann. § 49-9-207)

SECTION 5. AT ALL MEETINGS of the Board of Trustees, the order of business shall be prescribed by the President after consultation with the Vice Chairman.

SECTION 6. THE POLICY OF THE BOARD OF TRUSTEES GOVERNING THE GRANTING OF HONORARY DEGREES authorizes the granting of such degrees in cases the Board finds to be exceptionally meritorious. The Board shall exercise its authority in this regard with exceeding care.

SECTION 7. ANY EMPLOYEE OR STUDENT of the University who feels that he or she may have a grievance against the University shall have the right of appeal through the appropriate Chancellor or Vice President to the President of the University.

SECTION 8. A MOTION TO RECONSIDER must be made at the same meeting by a member who voted with the prevailing side; it may be seconded by any member.

Article VI

SECTION 1. THESE BYLAWS SHALL BE EFFECTIVE upon adoption (The bylaws published in the present form were adopted by the Board of Trustees on September 29, 1989, and amended on October 19, 1990, and February 19, 1993.) and shall supercede all bylaws previously adopted by the Board.

SECTION 2. THESE BYLAWS MAY BE CHANGED by amendment, by adoption of a new Bylaw or by repeal of an existing Bylaw at any regular meeting of the Board of Trustees, or at a special meeting called for that purpose, by a majority vote of record of the entire membership of the Board as constituted by law at the time, provided that a copy of the amendment or new bylaw to be offered or notation of the bylaw to be repealed shall be furnished each Board member in writing at least five (5) days in advance of the meeting.

1.3.2 THE UNIVERSITY OF TENNESSEE AT MARTIN GOVERNANCE

1.3.2.1 The Faculty Voice

The voice of the faculty in University governance is indispensable. Its advice cannot be lightly given or lightly received. Everything depends upon the mutual respect and sensitivity of the faculty and the administrative officers. The principle of this relation is *collegiality*. The officers are colleagues who have been assigned specific administrative responsibilities. The faculty are colleagues whose advice and counsel must influence the exercise of those responsibilities. The relation of the faculty to the officers is not that of employees to employers or that of administrative inferiors to administrative superiors since the faculty member is by definition not an administrative officer at all. The employer both of faculty and of officers is the Board of Trustees, which has delegated to each a set of specific responsibilities that can be successfully discharged only with the support and counsel of the other.

The most direct responsibility of the faculty in University governance is to determine the shape of the academic programs. A less direct, but no less important role of the faculty, is to advise the officers whose duties are described above about certain administrative matters that are intrinsically related to the vitality and credibility of the

University. These matters include:

1. The Appointment, Retention, Tenure, and Promotion of the Faculty. The chairperson is expected to consult with faculty in a full and reasonable manner before he/she:
 - a. undertakes a search for new faculty or authorizes such a search by a departmental committee;
 - b. recommends the appointment of new faculty; or
 - c. recommends the retention, termination, promotion, or tenure of faculty.

Details of the procedure for faculty involvement in tenure and promotion decisions are found in Sections 2.8 and 2.9 of this *Faculty Handbook*. In these decisions, the chairperson is obligated to take very seriously the recommendations of the faculty. In the event of disagreement, the chairperson must explain to them frankly and openly the decision he/she has reached; and the chairperson must give them an opportunity to submit, along with his/her recommendation, a dissenting report if they so desire. In any event, the faculty vote must be reported and explained to the dean.

2. The Assessment of Faculty Performance. Faculty members are expected to have a direct role in the construction or revision of evaluation forms and procedures pertaining to faculty performance. This involvement generally is effected through the Faculty Senate.
3. The Resolution of Grievances in Faculty Affairs. The faculty is often asked by administrators or faculty colleagues to give help in the resolution of faculty conflicts, grievances, and complaints at various levels. (See Section 2.16 of this *Faculty Handbook* for formal grievance procedures.)
4. The Selection and Evaluation of University Administrators. Participation in the selection and evaluation of administrators is one of the most important ways in which faculty judgment influences the governance of the University. Faculty participation is essential because all administrators who have responsibilities touching or affecting the academic programs of the University must understand and respect the values of the academic profession and its commitment to freedom in open and objective inquiry. Faculty committees are created to render advice to the campus administration and University-wide administration about appointments. In addition, the faculty of each academic unit plays an important role in the evaluation of its administration.
5. The Determination of University Priorities and Budgeting. Faculty members are involved in establishing major institutional priorities and goals. This particular participation occurs through the Faculty Senate and through special committees appointed for the task. The Senate, through its committees on curricula, recommends to the Chancellor the establishment or termination of programs. Faculty judgments about the costs of these programs affect this deliberation and, in turn, are affected by the judgments of the faculty as to the pedagogical and intellectual soundness of such proposals.

RESOLUTION

Faculty Senate of The University of Tennessee at Martin (Approved by the Board of Trustees on June 15, 1972)

Whereas the faculty of The University of Tennessee at Martin has exercised through faculty meetings and committees 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 at Martin 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 at Martin;
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 shall consider policies affecting the academic activities of the institution, faculty welfare, academic administrative relationships and procedures, scholarship, curriculum development, awarding of degrees, and such other matters as may maintain and promote the best academic interests of the institution. The senate shall recommend to the Chancellor the establishment of new policies or changes in existing policies;
5. that the elected President of the *Faculty Senate* shall preside over all meetings, provided that in the absence of the President the Vice President shall serve as President;
6. that the senate *Executive Committee* 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;
7. that the senate shall have advisory functions either in itself or through its committees, administrative matters being expressly reserved to the Chancellor of the Martin campus and the President of the University and delegated by the Board of Trustees;
8. 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 The University of Tennessee at Martin.

1.3.2.2 Faculty Senate

The faculty delegates to the *Faculty Senate* the transacting of much of its business. The senate, composed of elected faculty representatives and *ex officio* administrators, is the main vehicle by which the faculty influences campus-wide governance. The senate considers issues relating to curriculum, admission, retention, degrees, promotion, tenure, economic concerns, instructional practices,

faculty grievances, and legislative relations. While final administrative judgment on the campus is reserved to the Chancellor, the recommendations of the senate are regarded with the utmost care and seriousness by all administrative officers.

The Bylaws of the *Faculty Senate* include:

Preamble

Article I: Power and Duties of the Senate

Article II: *Faculty Senate* Organization

Article III: *The Executive Committee*

Article IV: Other Standing and *ad hoc* Committees

Article V: Election and Duties of Officers

Article VI: Amendments

Note: Throughout these Bylaws, the use of the word committee means senate committee unless otherwise specified.

1.3.2.2.1 Bylaws Of The Faculty Senate Of The University Of Tennessee At Martin

Preamble

In order that a systematic means be established for the effective participation of the faculty in the affairs of The University of Tennessee at Martin and in order that adequate channels be provided for the seeking by the administration of the counsel and judgment of the faculty about matters of concern to the University, it is desirable to establish a *Faculty Senate* of The University of Tennessee at Martin.

Article I

Powers and Duties of the Senate

Section 1. The *Faculty Senate* of The University of Tennessee at Martin shall have those powers and duties which have been and which may be delegated to it by the Trustees of The University of Tennessee at Martin. (Hereinafter all references to "the University" shall be to "The University of Tennessee at Martin".)

Section 2. Reports. All actions by the *Faculty Senate* shall be reported to the faculty (a) through distribution of copies of the actions of each senate meeting within a reasonable period of time and (b) upon request at any special meeting of the faculty. Such action shall be subject to revision or alteration by the faculty provided that no rights or acts of third parties shall be affected by such revision or alteration.

It is the responsibility of the President of the senate to transmit to the Chancellor within five working days any senate recommendations requiring the approval of that office. The Chancellor's response, either approving or

disapproving the actions, explaining the response, and indicating how approved proposals will be acted upon, will be communicated in writing to the President of the senate within ten working days.

Article II

Faculty Senate Organization

Section 1. Members: Number, Classification, and Terms of Office. The membership in the *Faculty Senate* shall be divided into two classes--elected members, who are voting members, and *ex officio* members, who are non-voting members.

- A. Ex Officio Members. *Ex officio* members are the Chancellor; the Vice Chancellor for Academic Affairs; the Registrar and one representative of the Academic Council to be selected annually by the council.
- B. Elected Members: Criteria, Election, and Term of Office. Members of the *Faculty Senate* shall be elected from those members of the faculty meeting the following criteria at the time of election: (1) the holding of full-time appointment with academic rank, (2) the performance of academic duties totaling at least half-time teaching or professional library service, and (3) employment at UT Martin such that three (3) years service in a tenure track position will be completed prior to the beginning of the term of office (with the exception of faculty in the Department of Military Science). If there are no faculty members within representative schools or independent departments who meet the three years of service requirement then faculty members who have completed at least one year of full-time appointment in a tenure track position at UTM shall be considered for election to the Faculty Senate.

The faculty of each college or department of the University shall elect its representatives to the senate by February 1 of each year.

The term of office for elected members shall be three years. The terms of newly elected members shall begin on July 1 following election. No representative shall be elected immediately to succeed himself/herself following a full term of office or more than one-half of a full term.

The department which has the *Faculty Senate* President as a representative shall elect a new representative for a one-year term to coincide with the term of office of the President.

1. Apportionment. Elective seats shall be apportioned among the respective colleges and independent departments by the Secretary of the *Faculty Senate* January 15 of each year on the basis of the following formula: (a) There shall be a minimum of one elected member for each non-departmentalized college and academic department; (b) Each non-departmentalized college and academic department shall elect one member for any 5 full-time faculty members or major fraction thereof.
2. Classification. The term of office for elected members shall be

three years. Initial representatives of colleges or departments having three or more elective seats shall be classified with respect to the time for which they shall severally hold office, by dividing them into three classes, each class consisting of one-third of the elected representatives of each college or department. The representatives of the first class shall be elected for a term of one year; the representatives of the second class shall be elected for a term of two years; the representatives of the third class shall be elected for a term of three years. Thereafter, at each annual election the successors to the representatives whose terms shall expire in that year shall be elected to hold office for a term of three years in order that the term of office of one class of representatives shall expire each year. (Revised November 1995)

3. Increase in Apportionment. In case of an increase in the number of elected representatives authorized for any college or department by three or any multiple of three, one-third of the additional representatives provided for shall be elected for the term of one year, one-third for the term of two years, and one-third for the term of three years, in order that each class of representatives shall be increased equally.

In the event one or two additional elected representatives are authorized for any college or department, their term shall be adjusted by the *Faculty Senate* to obtain the best distribution by years.

4. Decrease in Apportionment. In the event of a decrease in the base of representation for any college or department, the decrease in representation shall be made at the next expiration of the term of an elected member or by occurrence of a vacancy.
5. Senate Class Distribution. If an unequal distribution in senate classes should develop and if the imbalance cannot be corrected by increases or decreases in apportionment (see Items 3 and 4 above), the *Executive Committee* will recommend for senate approval a plan to bring the class back into balance. (Revised November 1995)
6. Student Representation. The senate may by resolution provide for student representation in its membership. (Revised November 1995)

Section 2. In case of any vacancy in the *Faculty Senate* through death, resignation, or appointment to an administrative position involving less than 50 percent teaching or where a representative ceases to be a member of the faculty electing him/her, or is absent on leave for at least one semester, or is disqualified for other causes, the faculty of the college or department thus losing its representative shall elect a successor to fill the unexpired term.

If, however, an elected member of the *Faculty Senate* is to be absent from a meeting of the *Faculty Senate*, he/she shall ask a faculty colleague to represent the academic unit at the meeting. When the faculty member who is to substitute for the senator is unable to attend the senate meeting, then he/she shall arrange for another faculty colleague to represent the academic

unit. Such appointment shall be certified by the Secretary of the *Faculty Senate*. Such substitute, at the meeting for which he/she is appointed, shall have all the privileges and power of the absentee member he/she replaces.

Section 3. Meetings. The senate shall normally meet on the fifth, tenth, and fifteenth Tuesdays of each semester or at the call of the Chancellor or President of the *Faculty Senate* on his/her own initiative or pursuant to a petition signed by ten members of the senate. If a *Faculty Senate* meeting is cancelled due to an unscheduled closure of the university, the Senate President shall reschedule the meeting as soon as possible.

Section 4. Operation of the Senate.

- A. Quorum. A majority of the elected members shall constitute a quorum for the transaction of business.
- B. Voting. The affirmative vote of the majority of those members present and voting shall be necessary for the passage of any resolution or motion except where otherwise provided in these Bylaws. Voting will be by standard methods unless, in particular instances, one-fourth of the members present desire a secret ballot.
- C. Order of Business. At the meetings of the *Faculty Senate* the normal order of business shall be as follows:
 - 1. the meeting shall be called to order by the President
 - 2. minutes of the last meeting shall be approved or amended;
 - 3. unfinished business;
 - 4. report of standing committees;
 - 5. report of *ad hoc* committees;
 - 6. new business;
 - 7. adjournment.

This order of business may be altered at the discretion of the President providing there is no objection from the floor.

- D. An original topic (i.e., a topic that introduces a substantive question as a new subject) may be placed upon the agenda in the following ways:
 - 1. The *Executive Committee* (Article III) may place a topic on the agenda through its own initiative.
 - 2. A faculty member or group of faculty members may submit a topic in writing to the *Executive Committee*. The *Executive Committee* may ask the person(s) submitting the topic to testify. The *Executive Committee* will place the topic on the agenda for the next senate meeting, refer it to committee, or refuse to consider the topic.
 - 3. A majority report of any committee will automatically be placed upon the agenda.
 - 4. A minority report of any committee will be placed upon the agenda at the request of at least one-fifth of the committee.
 - 5. A motion to place an item on the agenda may be made from the floor of the senate by any senate member and will pass if a simple majority of the senators present vote in favor of hearing it.
 - 6. A motion by a member of the senate must be placed on the agenda

if submitted to the *Executive Committee* and seconded in writing by five senate members.

- E. In all senate meetings, the simple motion to refer shall imply referral to the *Executive Committee*, which will assign the matter to an appropriate committee.
- F. The senate will operate according to the most recent edition available of *Robert's Rules of Order* unless the Bylaws specify otherwise.

Section 5. Terms. The term of all senate officers, including all committee chairpersons and all members of senate committees, shall begin on July 1. A person serving in either capacity shall serve until a successor is elected or appointed.

Article III

The Executive Committee

Section 1. The *Executive Committee* represents the senate in meetings with the administration and other groups, including UT System administrators, members of higher education agencies or the state legislature. It prepares the senate for debates and action by establishing the agenda. It coordinates the work of all committees and has power to assign to committees matters of relevance to their functions. It may recommend to the senate the creation or abolition of any committee.

The *Executive Committee* provides faculty counsel in long-range strategic planning and assessment.

The *Executive Committee* handles necessary business on an emergency and interim basis between senate meetings. Meetings for this purpose may be called by the President of the senate or any three members of the *Executive Committee*. Three-fourths of this group shall constitute a quorum for such action. All actions of this group must be reported to and, when appropriate, acted on by the senate at the next regular senate meeting following such actions.

When central-level campus or system administrative appointments are to be filled and where it is appropriate for faculty to be of assistance in the recruitment and screening of candidates, the *Executive Committee* assists in the selection of the faculty members of such screening committees and lends its counsel to the development of procedures for recruitment and screening of such candidates.

Section 2. The *Executive Committee* shall be chaired by the President of the senate and shall be composed of the President, President-elect, secretary, and chairpersons of the *Undergraduate Council*, *Graduate Council*, *Personnel Policies Committee*, *Budget and Economic Concerns Committee*, and *Instruction Committee*. The Chancellor and immediate past President of the senate shall be non-voting *ex officio* members. (Revised September 1993)

Section 3. The *Executive Committee* shall prepare the agenda for all meetings of the *Faculty Senate* and, except in the case of unscheduled closure, shall submit the agenda for each senate meeting to the individual

senators at least ten days in advance of that meeting.

Section 4. The *Executive Committee* shall nominate members for all standing committees except the *Library Committee* and *Faculty Relations Committee*, which are formed as noted in Article IV. Additional nominations may be made from the floor. All elected faculty members of standing committees, other than the two exceptions noted above, shall be current members of the senate. The *Executive Committee* shall survey senators for their committee preferences and attempt to make nominations accordingly.

Article IV

Other Standing and Ad Hoc Committees

Section 1.

- A. Each standing committee shall consist of members of the teaching faculty (faculty members who annually teach at least 50 percent of a normal teaching load), members of the professional library staff holding academic rank, students, and *ex officio* members as noted. The *Executive Committee* shall specify the number of faculty and student members of each committee, subject to the requirement that members of the teaching faculty shall constitute a majority on each committee. Faculty, administrators, or students may be requested to attend meetings of any committee for the purpose of giving advice or information.
- B. Standing committees shall be nominated in accordance with Article III, Section 4 of these Bylaws and shall be elected by the senate at its second spring meeting. One-third of each committee shall be elected each year. Each committee member shall serve for a term of three years.
- C. The President and President-elect, who are voting members of the *Executive Committee*, shall be non-voting *ex officio** members of other senate committees as specified in Sections 3-8 of this Article. *The President-elect shall retain his/her voting status as a member of his/her appointed committee in the event he/she is a current Senate member.
- D. The chairperson of each standing committee shall regularly inform the *Executive Committee* of its progress and shall notify the *Executive Committee* when the committee is ready to report to the senate. Committee chairpersons at the end of the academic year shall send a brief report of each member's committee service to academic supervisors for use in annual evaluations. Similarly, the senate President will report on the service of committee chairpersons to their supervisors.

Section 2. Unless otherwise specified in these Bylaws, each standing committee shall annually in the spring semester elect a chairperson from among the members who will remain on the committee. In the event the chair of a committee vacates office during his/her term, the committee will elect an interim chair to finish the term from among its eligible members.

Section 3. There shall be an *Undergraduate Council*. The council is

concerned with standards for admission, retention, and graduation of undergraduates; with curriculum in the undergraduate program; and with the approval of new programs. The council shall study policies and procedures concerning student recruitment; admissions, including Qualified Admissions students; retention; advanced standing; and degrees requirements. It shall recommend changes as needed to maintain academic standards in a manner consistent with the mission and goals of the University. The council shall study the undergraduate curriculum; consider all requests for curriculum and course changes; initiate suggestions designed to improve the curriculum; study intercollege, interdepartmental, extension, and summer programs; consider what undergraduate programs are academically wise and financially practicable; and recommend to the senate policies concerning such programs. Individual student petitions concerning deviation from degree requirements will ordinarily be heard by degrees committees (See note following Section) in the individual colleges. The council will hear only those petitions which a college committee has approved and which involve University-wide policies. However, the colleges will report all actions taken on petitions to the council, which will study them and report persistent patterns of variance from degree requirements to the senate.

The *Undergraduate Council* shall be composed of eleven representatives. The members will be allocated among the colleges according to the previous fall semester's percentage of declared majors. However, each college will be allocated at least one member on the council. The Vice Chancellor for Academic Affairs, the Registrar, the President of the senate, and the President-elect of the senate shall be non-voting *ex officio* members of the council, with the Vice Chancellor providing the services of executive secretary. The chair of this committee shall serve on the Online and University Studies Council as *ex officio* member.

NOTE: Each dean shall be responsible for appointing a college degrees committee, having a membership representative of the disciplines and consisting of no fewer than three members. Petitions which are denied by the college degrees committee may be resubmitted to the committee for reconsideration. Deans shall be responsible for informing the student of the negative decision of the college degrees committee. Deans shall forward approved petitions to the Registrar's Office. The Registrar will be responsible for forwarding to the Undergraduate Council the approved petitions which require action by that body and will notify students of the outcome. If the petition does not need approval by the Undergraduate Council, the Registrar will inform the student of the positive decision by the college committee.

Section 4. There shall be a *Committee On Instruction*. This committee shall study problems of instruction at both undergraduate and graduate levels, including teaching load, class size, use of teaching assistants, testing, grading practices, attendance policies, evaluation of instruction, advising, academic integrity, and other pedagogical problems. It shall strive to keep a proper balance between teaching and research and shall seek methods of improving instruction. The Vice Chancellor for Academic Affairs, the Vice Chancellor for Student Affairs, the President of the senate, and the President-elect of the senate shall be non-voting *ex officio* members of this committee, with the Vice Chancellor for Student Affairs providing the services of executive secretary.

Section 5. There shall be a *Graduate Council*. The council is concerned with

standards for admission, retention, and graduation of graduate students; with curriculum in the graduate program; and with the approval of new programs. The council shall study policies and procedures concerning graduate student recruitment, admissions, retention, and degrees requirements. It shall recommend changes as needed to maintain academic standards in a manner consistent with the mission and goals of the University. The council shall study the graduate curricula; consider all requests for curriculum and course changes; initiate suggestions designed to improve the curriculum; study intercollege, interdepartmental, extension, and summer programs; consider what graduate programs are academically wise and financially practicable and recommend to the senate policies concerning such programs; and take action on all nominations for graduate faculty status. Individual student petitions concerning deviation from degree requirements will ordinarily be heard by degrees committees (See Note following Section) in the individual colleges. The council will hear only those petitions which a college has approved and which involve University-wide policies. However, the colleges will report all actions taken on petitions to the council, which will study them and report persistent patterns of variance from degree requirements to the senate.

The *Graduate Council* membership shall consist of the graduate coordinators of each graduate program as *ex officio* voting members, graduate faculty representatives of all colleges represented on the graduate faculty, and a graduate student. The Vice Chancellor for Academic Affairs, the Dean of Graduate Studies, the President of the senate, and the President-elect of the senate shall be non-voting *ex officio* members, with the Dean of Graduate Studies providing the services of executive secretary.

NOTE: Each dean shall be responsible for appointing a college degrees committee, having a membership representative of the disciplines and consisting of no fewer than three members. Faculty membership on the college committee shall be members of the graduate faculty who have been approved for regular membership by the Graduate Council. Petitions which are denied by the college degrees committee may be resubmitted to this committee for reconsideration. Deans shall be responsible for informing the student of the negative decision of the college degrees committee. Deans shall forward approved petitions to the Graduate Office. The Graduate Office will be responsible for forwarding to the Graduate Council the approved petitions which require action by that body and will notify students of the outcome. If the petition does not need approval by the Graduate Council, the Graduate Office will inform the student of the positive decision by the college committee.

Section 6. There shall be a Library Committee. It shall include one representative of each academic department and one professional librarian. These members of the Library Committee shall be elected or selected in a manner to be determined by each unit for terms of one to three years. A member is eligible to serve successive terms. Membership in the Faculty Senate is not a prerequisite to membership on the Library Committee. The Library Committee shall also include one undergraduate student appointed by the SGA President, one graduate student appointed by the graduate student representative of the Graduate Council, and two community representatives selected by the Library Committee. The Director of the Library, the President of the Senate, and the President-Elect of the Senate shall be non-voting *ex-officio* members of the Library

Committee, and the Director of the Library shall provide the services of Executive Secretary. The Library Committee shall provide a forum in which an exchange of ideas related to the full scope of the library and its operations shall occur. The Library Committee shall also serve as an advisory board for the University Museum. The Library Committee shall annually report the state of the library and its activities to the Faculty Senate.

Section 7. There shall be a *Budget and Economic Concerns Committee*. This committee shall provide for faculty participation in the University budgeting process. The responsibilities of the committee are: (1) to study the budgeting process of the University and the financial aspects of higher education funding in Tennessee; (2) to meet regularly with representatives of the administration in order to be informed on current budget practices and policy; (3) to present faculty views to the administration on budget priorities, faculty salary levels and raises, and broader budgetary matters that affect the educational function of the institution; (4) to examine fringe benefits, including leaves of absence, insurance, and retirement, and to recommend changes and additions as appropriate; (5) to initiate intra-system faculty communications on matters of multi-campus economic concerns; and (6) to inform the faculty, through the senate, concerning budget matters. The Vice Chancellor for Academic Affairs, the Vice Chancellor for Business and Finance, the President of the senate, and the President-elect of the senate shall be non-voting *ex officio* members of the committee. The Vice Chancellor for Business and Finance shall provide the services of executive secretary.

Section 8. There shall be a *Personnel Policies Committee*. This committee shall be empowered to prepare and recommend revisions of the *Faculty Handbook*, cooperating with other committees when appropriate. The committee will be responsible for gathering information and recommendations concerning *Faculty Handbook* revision and ensuring appropriate campus-wide discussion of proposed revisions. All proposals for *Faculty Handbook* revisions must be considered by this committee. The committee will be able to update the organizational chart to reflect the current organizational structure as needed and to make grammatical and typographical changes without approval from the Faculty Senate. The committee will review procedures concerning appointment, promotion, tenure, and evaluation of faculty. It will recommend changes in these procedures, with particular attention to any disparities in the application of established guidelines. This committee shall also have oversight of the content of the Senate web pages. The composition of the committee shall, in so far as feasible, reflect the proportion of the faculty according to degree and rank, and include representatives of each academic college. The Vice Chancellor for Academic Affairs, the President of the senate, and the President-elect of the senate shall be non-voting *ex officio* members of the committee, with the Vice Chancellor for Academic Affairs providing the services of executive secretary.

Section 9.

- A. There shall be a *Faculty Relations Committee* composed of eleven faculty members elected at large by all UT Martin employees holding academic rank. Any full-time tenured employee holding academic

rank may be elected to serve on the committee except those persons whose current assignments involve line administrative responsibility in academic administrative units. Each year five members shall be elected by the faculty members for two-year terms and shall not succeed themselves. The President-elect shall have the responsibility for polling the faculty members for nominations and conducting the election of members. Nominations should be received during February with the election completed by April.

- B. One member shall be selected by majority vote of the committee membership during the spring semester of his/her second year to serve an additional one-year term in the position of *ex officio* committee chairperson who will vote in the event of a tie.
- C. The committee shall be empowered to consider faculty-initiated grievances between the following parties: (a) faculty-administration and (b) faculty. This committee will also hear cases involving the termination of tenured faculty members for adequate cause. Procedures for consideration of grievances and terminations for cause are detailed in Section 2.17 of this *Faculty Handbook*.
- D. During the last regularly scheduled spring semester meeting of the Faculty Senate, the chairperson shall make an annual report of the areas considered by the *Faculty Relations Committee*.

Section 10. There shall be a *Past Presidents' Advisory Board*. This board shall meet only if called upon by the President of the senate or by the *Executive Committee* to consult with the President of the senate or the *Executive Committee*. The composition of the board shall be the three immediate past Presidents of the senate. (Revised September 1993)

Section 11. There shall be *ad hoc* committees as specified by the senate or by the *Executive Committee*. An *ad hoc* committee may be created or abolished at any time. All *ad hoc* committee members shall be appointed by the President of the senate subject to the approval of the senate.

Section 12. The University of Tennessee at Martin shall participate in the University of Tennessee System Faculty Council (UFC). This council brings together representatives of the faculties of the University of Tennessee Knoxville, University of Tennessee Chattanooga, University of Tennessee Martin, and the University of Tennessee Health Sciences to address system-wide matters of interest. UTM shall have two representatives. The President of the Senate shall serve as a representative during his or her term of office. An additional faculty member elected by the faculty shall serve a three-year term as representative beginning July 1 in the year elected. Any full-time tenured employee holding academic rank may be elected to serve. Elections shall be held in the spring semester prior to the beginning of the term, with the first election being held in the spring of 2008. The President-elect shall have the responsibility for polling the faculty members for nominations and conducting the election. Should the faculty representative be unable to complete the three-year term, the President of the Senate, at his or her discretion, may appoint a replacement or request another election to complete the three-year term.

Article V

Election and Duties of Officers

Section 1. Officers. The senate shall elect a president, a vice president (president-elect), and a secretary from the elected members of the senate. The officers shall be elected for a one-year term beginning July 1 of each year.

Section 2. Nomination of Officers.

- A. The *Nominating Committee* shall be composed of elected members of the *Executive Committee*. The committee shall elect a committee chairperson from its membership.
- B. The *Nominating Committee* shall send a list of all members of the senate who are eligible for the senate offices to all members of the senate with request for nominations.
- C. From the nominations received and from nominations from the committee members, the *Nominating Committee* shall prepare a slate of candidates for the senate offices. The committee should make sure that each candidate would serve in the office for which he/she is being nominated if elected. At least two candidates shall be nominated for each office by the *Nominating Committee* except the office of President unless the President-elect is unable to serve as President of the *Faculty Senate*. No person shall be nominated for more than one office.
- D. At least ten days before the second senate meeting of the fall semester, the list of nominees shall be sent to all members of the senate. At the second senate meeting of the fall semester, additional nominations may be made from the floor provided the proposed nominee has given permission.

Section 3. Election of Officers. Voting shall be by mail ballot to be sent to all members of the senate within thirty days after the second fall meeting. Elections shall be by majority of the ballots returned to the chairperson. If, for any office, no candidate receives a majority of the ballots cast, a run-off election shall be held to choose between the two candidates with the highest number of votes.

Section 4. Duties of the Officers.

- A. The President shall preside at all meetings of the *Faculty Senate*. The President shall appoint a parliamentarian each year to assist him/her in the conduct of the business of the senate. The President shall receive three hours released time from normal teaching duties in each regular term.
- B. The Vice President shall preside at the meetings of the *Faculty Senate* in the absence of the President. The Vice President shall be in charge of liaison between the *Executive Committee* and the other *Faculty Senate Committees*. In the absence of both the President and the Vice President, a President *pro tempore* shall be appointed by either the President or Vice President prior to the meeting. The Vice President is the President-elect of the senate.
- C. The Secretary or his/her designee shall keep the minutes of all actions taken by the *Executive Committee* and the *Faculty Senate*.

Copies of the minutes of all senate meetings shall be made available to all members of the faculty within a reasonable time after each meeting. (There will be no verbatim recording of remarks or discussions and professional titles will not be recorded). The Secretary or his/her designee shall send advance notice of the time, place, and agenda for all *Faculty Senate* meetings to each senate members.

Section 5. Replacing the President or President-Elect

Should the President resign or become unable to serve for any reason, the President-Elect shall complete the remainder of the President's incomplete term and then, serve the term to which he or she has been elected.

Should the President-Elect resign or become unable to serve for any reason after his or her replacement has been elected, the person so elected shall become the President-Elect and a replacement shall be elected at the first senate meeting for which a fifteen-day nomination period is available. If the President-Elect's replacement has yet to be decided, then a replacement shall be elected at the first senate meeting for which a fifteen-day nomination period is available.

Article VI

Amendments

The *Faculty Senate* shall have the power to make, amend, and repeal the Bylaws by a vote of two-thirds of those members present at any regular or special meeting of the senate, provided that any proposed changes have been submitted in writing to the members of the faculty at least twenty-five days prior to the meeting at which the vote shall be taken.

1.4 COMMITTEE STRUCTURE (revised October 2000)

1.4.1 ADMINISTRATIVE COMMITTEES

Administrative committees play an important role in the governance of the University. These committees, composed of students, faculty, and staff, are appointed yearly by the Chancellor on the advice of the *Administrative Committee on Committees*. They assist in the development of institutional policy, procedure, and practice.

The Senate recommends to the *Administrative Committee on Committees* the following guidelines concerning administrative committee formation and service:

1. survey the faculty for preferred committee assignments, and attempt to make assignments accordingly;
2. consult with the faculty member and academic supervisor on committee assignment;
3. make committee assignments early enough to permit faculty to know their upcoming assignments by the end of the prior academic year;
4. establish a set length of term of service on all committees;
5. distribute committee assignments evenly across the faculty, so that most faculty

will have one assignment before additional ones are made;

6. exempt current Senate members from service on administrative committees when possible, since they will be serving on one or more Senate committees;
7. establish a procedure for committee chairs at the end of the academic year to send a brief report of each member's committee service to academic supervisors for use in annual evaluations.

Currently, the administrative committees are:

1.4.1.1 Administrative Committee on Committees

Purpose: The Administrative Committee on Committees is responsible for recommending faculty and staff representatives to standing *Administrative Committees* where appropriate.

Composition: Chancellor, Vice Chancellors, Executive Assistant to the Chancellor, Director of University Relations, Director of Intercollegiate Athletics, Equity and Diversity Officer, President of *Faculty Senate*, and six faculty members. (Three faculty members are nominated and elected for two-year terms by the faculty-at-large each spring). The chair of the Committee is elected by the outgoing Committee.

Reporting Channel: Chancellor

1.4.1.2 Appeals Committee on Undergraduate Readmission

Purpose: The Appeals Committee on Undergraduate Readmission addresses the appeals of a student academically suspended for failing to meet the minimum academic requirements for continuation at The University of Tennessee at Martin. Readmission may be obtained upon approval by this Committee after presentation of adequate evidence of ability, maturity, and motivation. No student refused readmission may re-enter the University until the approval of this Committee has been obtained.

Composition: Director of Admissions; two staff members from Student Affairs; a representative from Student Success Center; a representative from the Division of Academic Affairs; a representative from the Faculty Senate; Assistant Director of Admissions; Admissions Counselor; and one representative serving a two-year term from each of the academic colleges: Agriculture and Applied Sciences; Business and Public Affairs; Education and Behavioral Sciences; Engineering and Natural Sciences; and Humanities and Fine Arts. For each hearing on an individual student, the dean of that student's college (or the dean's designee) sits on the Committee. The Director of Admissions will serve as chair.

Reporting Channel: Vice Chancellor for Student Affairs

1.4.1.3 Athletics Board

Purpose: The Athletics Board advises the UT Martin Chancellor, UT President, and UT Board of Trustees on the status and projected needs of intercollegiate athletics at UT Martin; expands the base of financial and public support among several constituencies, including Trustees, UT System administration, alumni, faculty, staff, legislators, students, and the general public, particularly in the State of Tennessee; and reviews periodically and advises the Chancellor and Office of Intercollegiate

Athletics on matters such as personnel, budget, ticket policies, student fees, schedules, conference memberships, recruitment policies, facilities, and public relations.

Composition: Two representatives of the UT Board of Trustees; UT President; UT Executive Vice President; UT Martin Chancellor; Vice Chancellors; Director of University Relations; Faculty Senate President; Faculty Senate Vice President; Director of Intercollegiate Athletics; Senior Woman Administrator-Intercollegiate Athletics; Registrar; Coordinators of Mathematics, Reading, and Writing Laboratories; Development Committee Chair or designee; Alumni Council President; Weakley County Alumni Chapter President; Skyhawk Club President; Student Government Associate President; Cheerleader representative; and Undergraduate Alumni Council representative.

A UT Martin faculty member appointed by the Chancellor shall be chair. In addition to the chair, there shall be five faculty members appointed for three-year terms with at least one member rotating off each year, one Employee Relations Council representative, one administrative staff representative, one alumni representative, and two each men's and women's player representatives. The Chancellor, as appointing authority, shall ensure adequate minority representation on the Athletics Board.

Reporting Channel: Chancellor

1.4.1.4 Equity and Diversity Advisory Council

Purpose: The *Equity and Diversity Advisory Council* is a standing committee whose members are appointed by the *Administrative Committee on Committees*:

1. to review the Affirmative Action Plan;
2. to recommend implementation procedures which may result in improved operation or expedite achievement of goals in hiring;
3. to actively participate in communicating the purpose of affirmative action to the university community;
4. to carry out any specific charges given by the Chancellor;
5. to provide a subcommittee to hear appeals as specified in the Affirmative Action Plan; and if necessary, appeals concerning Americans with Disabilities Act.

Composition: Equity and Diversity Officer (non-voting), Director of Human Resources, Intercollegiate Athletics representative, Employee Relations Council representative, Personnel Policies Committee representative, a Persons with Disabilities representative, a Vietnam Era Veteran representative, four faculty members serving two-year terms, Student Government Association representative, exempt staff representative, and non-exempt representative. The Committee will be chaired by the Equity and Diversity Officer.

Reporting Channel: Chancellor

1.4.1.5 Employee Relations Council

Purpose: The UT Martin Employee Relations Council is established under the general provisions of Personnel Policies and Procedures Statement No. 4, August 1, 1975. The Council provides a direct channel of communication between support employees and university officials for the interchange of information concerning plans and programs pertinent to employees. The Council also serves as an advisory body to the Chancellor with respect to personnel policies, programs, practices, and matters and conditions affecting employees. As required, a grievance subcommittee is formed from the Council to hear and assist with resolution of grievances which cannot be resolved between employee and supervisor. One employee representative from the Council is elected annually to represent UT Martin on the Employee Relations Advisory Board, which serves as an advisory group to the University President on personnel policies, programs, and practices.

Composition: Chancellor, Vice Chancellor for Finance and Administration, and Director of Human Resources (acts as secretary), and elected employee representatives (20).

Reporting Channel: Chancellor

1.4.1.6 Extenuating Circumstances Admissions and Residency Appeals Committee

Purpose: The Extenuating Circumstances Admissions and Residency Appeals Committee determines and maintains a written record of its deliberations whether an applicant's high school GPA, ACT scores, and other pertinent data justify admitting someone who does not meet regular admissions criteria. The Committee also hears appeals of residency classifications determined by the Director of Admissions on the basis of Board of Trustees guidelines and forwards the recommendations to the Chancellor for approval.

Composition: The Committee will be composed of the Director of Admissions, the Vice Chancellor for Student Affairs, the Assistant Vice Chancellor for Academic Affairs, the Director of Business Affairs, and three faculty members chosen by the Administrative Committee on Committees. Each member will serve a three-year term with one rotating off each year. The Director of Admissions will serve as chair and secretary of the Committee.

Reporting Channel: Vice Chancellor for Student Affairs

1.4.1.7 Faculty Research and Development Committee

Purpose: The Faculty Research and Development Committee prepares guidelines, evaluates applications, and recommends recipients for grants designed to provide faculty members an opportunity to engage in organized study programs and/or introduce course innovations. The Committee also encourages participation in and support of research by faculty and students and serves as the University review board for research proposals involving human subjects and for proposals submitted to the Faculty Research Grant Program. The Committee makes possible the interaction of representatives from many areas and programs and provides a means of emphasizing the role of research in the University's mission.

Composition: Two faculty representatives from each academic college with at least five faculty representing academic areas involved in human subject research and one from the Paul Meek Library are selected for two-year overlapping terms. In addition, for purposes of reviewing research proposals involving human subjects, a representative of the local community will be added to the Committee membership for

a one-year term. This individual will be appointed as follows: The members of the Committee shall compile a list of nominees acceptable to the full Committee and submit it to the Director of Research, Grants, and Contracts who, after consultation with the Vice Chancellor for Academic Affairs, shall select the community representative from the prepared list. A faculty representative elected by the outgoing Committee will serve as chair and the Director of Research, Grants, and Contracts will serve as secretary and a non-voting member.

Reporting Channel: Vice Chancellor for Academic Affairs

1.4.1.8 Financial Aid and Scholarship Awards Committee

Purpose: The Financial Aid and Scholarship Awards Committee reviews and recommends revisions on policies and regulations on awarding of financial aid to students and assists the Director of Student Financial Assistance in administering the responsibilities of that office. The Committee also considers appeals of scholarship termination as they pertain to the National Collegiate Athletic Association Charter of Financial Aid.

Composition: Vice Chancellor for Student Affairs, Director of Business Affairs, Director of Student Financial Assistance, Vice Chancellor for University Advancement, Director of Intercollegiate Athletics, a representative from each academic college appointed each year by the dean, and two students appointed by the Student Government Association President and approved by the Student Senate. The Director of Business Affairs will serve as chair.

Reporting Channel: Vice Chancellor for Student Affairs

1.4.1.9 Honors and Ceremonies Committee

Purpose: The Honors and Ceremonies Committee assists the University in establishing ceremonial policies. The Committee coordinates Honors Day activities with the administrative office responsible for the awards program and approves or rejects applications for new awards. The Committee is also responsible for recommending prospective speakers for the campus.

Composition: Representative of administrative office responsible for coordinating Honors Day, Vice Chancellor for University Advancement, Vice Chancellor for Academic Affairs, Executive Assistant to the Chancellor, Director of Academic Records and Registrar, four faculty members appointed by the Administrative Committee on Committees for overlapping two-year terms, and two Honors Programs student representatives. A faculty representative elected by the outgoing Committee will serve as chair and the Vice Chancellor for Academic Affairs will serve as secretary.

Reporting Channel: Chancellor

1.4.1.10 Institutional Animal Care and Use Committee

Purpose: The Institutional Animal Care and Use Committee is responsible for reviewing and approving research protocols using non-human animals and to inspect facilities used to maintain them to ensure ethical treatment of animals by faculty and student researchers.

Composition: Director of Research, Grants, and Contracts, six members serving three-year overlapping terms and one public member to represent general

community interests in the proper care and use of animals. One of the five committee members must be a faculty member from a non-animal use background, and one committee member must be a doctor of veterinary medicine and serve as consulting veterinarian. The chair of the Committee will be elected by the outgoing Committee.

Reporting Channel: Vice Chancellor for Academic Affairs

1.4.1.11 Publications Committee

Purpose: The Publications Committee establishes policies governing student publications, appoints qualified students to editorial positions of the yearbook and the campus newspaper, nominates faculty sponsors, and recommends budgets of official student publications. No campus student publication may solicit advertising without this Committee's approval. It is the Committee's responsibility to see that publications meet standards of objectivity and taste that are consistent with the Committee's own Code of Ethics and Policy Guide. Official student publications, funded all or in part by University-collected funds, must be approved by this Committee. The Committee has authority to reprimand or replace staff as well as to recommend salaries and commissions. The Committee shall also study ways to integrate experience gained into the Department of Communications curriculum.

Composition: Director of University Relations, Vice Chancellor for Finance and Administration, Vice Chancellor for Student Affairs, Vice Chancellor for University Advancement, Director of Intercollegiate Athletics, Chair of the Department of Communications, five faculty members serving two-year terms, SGA President, three students appointed by the Student Government Association President and approved by the Student Senate, and one UT Martin graduate familiar with journalism. The chair of the Committee is selected by the outgoing Committee.

Reporting Channel: Vice Chancellor for Student Affairs

1.4.1.12 Registration Committee

Purpose: The Registration Committee assists the Director of Academic Records and Registrar in coordinating all aspects of registration each term and reviews and offers recommendations on revisions of procedures or policies for registration.

Composition: Director of Academic Records and Registrar, Director of Admissions, Vice Chancellor for Academic Affairs, Vice Chancellor of Student Affairs, Bursar, Assistant Vice Chancellor and Chief Information Officer, Director of Extended Campus and Continuing Education, five faculty members serving two-year terms (one from each academic college), and four students appointed by Student Government Association President and approved by the Student Senate. The Committee will be chaired by the Director of Academic Records and Registrar.

Reporting Channel: Vice Chancellor for Academic Affairs

1.4.1.13 Safety Committee

Purpose: The Safety Committee is charged to identify or anticipate hazardous or potentially hazardous conditions on campus and make appropriate recommendations for correction, including periodic reviews of lists of such conditions submitted by

state, local, or campus officials, such as OSHA and TOSHA standards.

Composition: Director of Public Safety; Director of Business Affairs; Director of Student Housing; Director of Physical Plant; Director of Boling University Center; Safety Officer; Assistant Vice Chancellor for Academic Affairs; Director of Student Health, Chair of Department of Nursing; one non-exempt staff representative, and the Student Government Association Vice President. The Director of Public Safety will serve as chair, and the Director of Business Affairs will serve as secretary.

Reporting Channel: Vice Chancellor for Finance and Administration

1.4.1.14 Traffic and Parking Authority Committee

Purpose: The Traffic and Parking Authority Committee reviews and recommends policies, rules, and regulations governing vehicular traffic on campus. The Committee also recommends penalties for categories of infractions of traffic and parking regulations. This Committee was established by Board of Trustees action on June 20, 1968. A subcommittee composed of one faculty member, one staff member, and one student member from this group will hear appeals of penalties levied against students, faculty, or staff for violations of campus traffic and parking regulations as publicized in "Campus Traffic and Parking Regulations" and render judgments on such appeals. Appeals must be made in writing within 14 days of the citation date with the responsibility for stating reasons why the penalties should not be levied resting upon the appealing party.

Composition: Director of Public Safety, Vice Chancellor for Student Affairs, Vice President of Student Government Association, three other students appointed by SGA President and approved by Student Senate, three faculty members, and three staff members with at least one exempt and one non-exempt position represented. The Director of Public Safety will serve as chair.

Reporting Channel: Vice Chancellor for Finance and Administration

1.4.1.15 University Calendar Committee

Purpose: The University Calendar Committee is responsible for recommending all class scheduling dates including when classes begin and end, semester breaks, study days, and commencement exercises for the University. These dates must conform to the Faculty Senate designated instruction time for semester weeks and class minutes.

Composition: Vice Chancellor for Academic Affairs, Vice Chancellor for Student Affairs, Vice Chancellor for Finance and Administration, Registrar, Faculty Senate President-elect, Faculty Senate Committee on Instruction Chair, two students appointed by the Student Government President and approved by the Student Senate, and five faculty members representing each of the five colleges serving two-year terms. The Committee will be chaired by the Vice Chancellor for Academic Affairs.

Reporting Channel: Chancellor

1.4.1.16 University Council

Purpose: The University Council, in accordance with the University of Tennessee

Bylaws, was established by the Chancellor and delegated review of the following functions: approval and control of student organizations and adoption of standards of conduct and disciplinary procedures involving misconduct or delinquencies of students. Subcommittees of six persons shall serve as appeal boards (or as the initial hearing boards) for disciplinary cases and appeals of grades alleged to be lower than academically earned. However, the Chancellor shall retain ultimate control and authority and shall be responsible to the President and the Board of Trustees for all final actions and decisions in these areas.

Composition: Vice Chancellor for Student Affairs, Vice Chancellor for University Advancement, Vice Chancellor for Academic Affairs, Vice Chancellor for Finance and Administration, Student Conduct Coordinator, two academic deans serving two-year terms with one rotating off each year, President-Elect of Faculty Senate, five faculty members serving two-year terms, and six executive officers of the Student Government Association or designees selected from SGA Senate. The Committee will be chaired by the Vice Chancellor for Student Affairs.

Reporting Channel: Chancellor

1.5 THE UNIVERSITY OF TENNESSEE AT MARTIN ADMINISTRATIVE STRUCTURE

1.5.1.1 CHANCELLOR

The Chancellor is the chief executive officer of the campus administration and management subject to the general supervision of the President and coordinative relationships with the vice presidents.

1. The Chancellor is the channel for official communications between the campus and President.
2. The Chancellor directs instructional, research, service, student, development, finance and business, and athletics programs on the campus within general policies established by the President and the Board of Trustees.
3. The Chancellor reviews with the President the proposed appointment and compensation of vice chancellors, deans, and chairs.
4. The Chancellor recommends major policy and operational changes in the areas of academic affairs, student affairs, business and finance, and development to the President for review and consideration prior to enactment. The President may or may not submit such changes to the Board of Trustees for approval according to the general policies established by the Board. Actions requiring Board approval and Higher Education Commission approval are defined in The University of Tennessee Board of Trustees Bylaws and the Procedure of the Higher Education Commission.

1.5.1.1.1 Vice Chancellor for Academic Affairs

The Vice Chancellor for Academic Affairs serves as the chief academic officer and is responsible for administration and coordination of academic activities including the Office of Assistant Vice Chancellor for Academic Affairs and Dean of Graduate Studies and the five undergraduate colleges. He/she presides over meetings of the Academic Affairs Leadership Council and the Academic Deans Leadership Council.

He/she provides leadership in planning and establishing faculty policies as well as oversight for Academic Records, the Center for Global Studies and International Education; Honors Programs; Information Technology Services; Library Services; UT New College; Research, Grants, and Contracts; Student Academic Support Services; and University Museum.

1.5.1.1.2 Vice Chancellor for Finance and Administration

The Vice Chancellor for Finance and Administration recommends and executes all fiscal, physical plant, and human-resource-related policies. These responsibilities are facilitated through the departments of Budget and Management Reporting, Human Resources, Business Affairs, Public Safety, University Bookstore, Physical Plant, and Risk Management. The Vice Chancellor and his/her staff are committed to safeguarding and preserving the resources of the University as they fulfill their stewardship responsibilities for students and taxpayers.

1.5.1.1.3 Vice Chancellor for Student Affairs

The Vice Chancellor for Student Affairs has responsibility for the Counseling Center, Career Development and Placement Services, Student Orientation and Registration (SOAR), First Year Initiative, Residential Life, University Center, Student Government, Health Services, Student Activities, Student Discipline, Service Learning, Food Services, Admissions, Student Financial Assistance, and Campus Recreation. In all these programs, the Vice Chancellor's concern is with services that will enhance the welfare of students and the quality of student life.

1.5.1.1.4 Vice Chancellor for University Advancement

The Vice Chancellor for University Advancement directs the areas of Alumni Relations and Development. In the role of Development, the primary responsibility is the raising and administration of private gifts to the campus. Because of the external nature of the responsibilities, a close relationship between the System and Campus Development and Alumni programs is necessary to ensure maximum effectiveness and minimize duplication of effort. In the role of Alumni Relations, the primary responsibility is to enhance and promote UT Martin alumni communications and events throughout the UTNAA (University of Tennessee National Alumni Association).

1.5.1.2 Provost

The position of Provost is typically included with the position of the chief academic officer, the Vice Chancellor for Academic Affairs. The Provost reports directly to the Chancellor. Provost duties beyond those of the Vice Chancellor for Academic Affairs are determined by the Chancellor and include a prominent role, in consultation with the Chancellor, for campus-wide strategic planning, assessment, and resource allocation. The Provost serves as the second ranking administrative officer and has primary responsibility for the Division of Academic Affairs. The Provost serves as chair of University-wide task forces and standing committees as determined by the Chancellor and according to policies of the University. The Provost works collaboratively with other members of the Chancellor's staff and represents the chancellor in his/her absence.

1.5.2 ACADEMIC OFFICERS

1.5.2.1 Vice Chancellor for Academic Affairs

1.5.2.1.1 Appointment

The process by which a Vice Chancellor for Academic Affairs is selected is initiated by the Chancellor. Approval for the search by the central administration is followed by the selection of an advisory search committee. Each college, the library faculty, and the computer center exempt staff will democratically elect one committee member. Additional members may be appointed by the administrator forming the committee to ensure conformity with Affirmative Action guidelines; however the elected membership shall constitute a simple majority of the membership of the committee. The committee shall elect its chair from among its members. (Revised January 1995)

The committee shall:

1. assure that the search process conforms to the University's affirmative action policies and guidelines and with University-wide guidelines for complying with Provision III. H. of the Stipulation of Settlement in the state-wide desegregation litigation;
2. write a position description, in consultation with the appropriate faculty members and administrators;
3. advertise the position widely;
4. screen the applications and nominations and develop a list of finalists;
5. contact the references of the finalists;
6. confirm that the finalists still have interest in the position;
7. recommend finalists to be invited to the campus for interviews with the appropriate members of the University community; and
8. submit a list of acceptable candidates, based on the Chancellor's charge to the committee.

If the Chancellor does not accept the appointment recommendation of the committee, he/she shall submit a written explanation for such a determination to the committee.

A proposed appointment to the position of Vice Chancellor for Academic Affairs must be reviewed and approval made by the President or his/her designee. No offer may be extended prior to this approval.

1.5.2.1.2 Duties

The Vice Chancellor for Academic Affairs serves as the chief academic officer of the University reporting to the Chancellor and is the key academic liaison with the UT System. He/she recommends faculty members to be hired, retained, tenured, promoted, or awarded incremental pay; is responsible for the implementation of curriculum modification acted upon by the *Faculty Senate* and approved by the Chancellor; acts as leader of the faculty, proposes personnel process changes, and sees to the welfare of the academic operation and faculty of the University.

1.5.2.1.3 Evaluation

An annual evaluation of the Vice Chancellor for Academic Affairs is made by the Chancellor. In preparation for this evaluation, the Chancellor asks the deans, appropriate members of the staff, and members of the faculties for their judgment.

1.5.2.1.4 Tenure

An administrative officer does not have tenure in the administrative office. Tenure, if held, resides only in his/her status as a faculty member in the position in which he/she has been granted tenure.

1.5.2.1.5 Incapacity

In the case of an extended incapacity, the Chancellor will appoint an acting Vice Chancellor for Academic Affairs.

1.5.2.2 Deans

1.5.2.2.1 Appointments

The process by which a dean is selected is initiated by the Vice Chancellor for Academic Affairs. Approval for the search by the central administration is followed by the selection of an advisory search committee. The faculty members of the committee will be elected democratically, by the members of the faculty or faculties who will be affected by the appointment and in conformity with the affirmative action guidelines. Additional members may be appointed by the administrator forming the committee. The committee shall elect its chair from among its members. Membership elected by the faculty shall constitute a simple majority of the membership of the committee.

The committee shall:

1. assure that the search process conforms to the University's affirmative action policies and guidelines and with University-wide guidelines for complying with Provision III. H. of the Stipulation of Settlement in the state-wide desegregation litigation;
2. write a position description, in consultation with the appropriate faculty members and administrators;
3. advertise the position widely;
4. screen the applications and nominations and develop a list of finalists;
5. contact the references of the finalists;
6. confirm that the finalists still have interest in the position;
7. recommend finalists to be invited to the campus for interviews with the appropriate members of the University community; and
8. submit a list of acceptable candidates, based on the Vice Chancellor for Academic Affairs' charge to the committee.

If the Vice Chancellor does not accept the appointment recommendation of the committee, he/she shall submit a written explanation for such a determination to

the committee.

Proposed appointments to the positions of dean and associate and assistant dean must be reviewed and approved by the President or his designee. No offer may be extended prior to this approval.

1.5.2.2.2 Duties

The academic units of The University of Tennessee at Martin are varied in size and organization. There are five colleges, each administered by a dean responsible for the successful development and implementation of the unit's programs.

The administrative officers of each of these units are responsible to the Chancellor through the Vice Chancellor for Academic Affairs. Each college is departmentalized with chairs reporting to the deans. It follows that the complexity and magnitude of the dean's responsibility depends upon the complexity and magnitude of his/her college.

The dean is the person ultimately responsible for the vitality of the college. The University looks to the dean for definitive recommendations about curriculum; staffing; faculty promotion, tenure, and evaluation; development needs; and financial allocations within the college. The dean does not have power of veto in curricular recommendation approved by the department faculty; however, it is important for the committee to have full benefit of a dean's advice and judgment about curricular recommendations. The dean receives recommendations for faculty appointments, retention, promotion, tenure, salary adjustments, program development, and departmental operating budgets from the department chair. These recommendations are reviewed, approved, disapproved, or altered and finally submitted by the dean to the Vice Chancellor for Academic Affairs.

The chain of recommendations described above does not entail merely a passive or reacting role for the dean. Each dean is responsible for planning and developing strategies for the general vitality of the college. This activity includes identifying unmet programmatic needs, coordinating joint programs and projects, creating an atmosphere conducive to instruction and research, and encouraging the maintenance of standards in the instructional process.

1.5.2.2.3 Evaluation

An annual evaluation of the dean is made by the Vice Chancellor for Academic Affairs. In preparation for this evaluation, the Vice Chancellor for Academic Affairs asks the chair, appropriate members of the staff, and members of the faculties for their judgment.

1.5.2.2.4 Tenure

The dean, as all administrative officers, does not have tenure in the administrative office. Tenure, if held by the dean, resides only in his/her status as a faculty member in the position in which he/she has been granted tenure.

1.5.2.2.5 Incapacity

In the case of an extended incapacity, the Vice Chancellor for Academic Affairs will appoint an acting dean.

1.5.2.3 Department Chair

1.5.2.3.1 Appointments

1.5.2.3.1.1 External Searches

The process by which a chair is selected is initiated by the dean. Approval for the search by the central administration is followed by the selection of an advisory search committee. The faculty members of the committee will be elected democratically, by the members of the faculty or faculties who will be affected by the appointment and in conformity with the affirmative action guidelines. Additional members may be appointed by the administrator forming the committee. The committee shall elect its chair from among its members. Membership elected by the faculty shall constitute a simple majority of the membership of the committee.

The committee shall:

1. assure that the search process conforms to the University's affirmative action policies and guidelines and with University-wide guidelines for complying with Provision III. H. of the Stipulation of Settlement in the state-wide desegregation litigation;
2. write a position description, in consultation with the appropriate faculty members and administrators;
3. advertise the position widely;
4. screen the applications and nominations and develop a list of finalists;
5. contact the references of the finalists;
6. confirm that the finalists still have interest in the position;
7. recommend finalists to be invited to the campus for interviews with the appropriate members of the University community; and
8. submit a list of acceptable candidates, based on the Dean's charge to the committee.

If the dean does not accept the recommendation of the committee, he/she shall submit a written explanation for such a determination to the committee.

Proposed appointments to the position of department chair must be reviewed and approved by the Senior Vice President, acting on behalf of the President. No offer may be extended prior to the Senior Vice President's approval.

1.5.2.3.1.2 Internal Searches

The position of department chair may be filled by an internal search if there are no vacancies in the department, if none are anticipated in the next two years, and provided additional salary funds are not available to fill the vacancy. Internal searches must comply with Provision III. H. of the Stipulation of Settlement. The Vice Chancellor for Academic Affairs and the Chancellor will request approval of the President of The University of Tennessee, or his/her designee, for an internal search.

The procedure will be initiated by the dean of the academic unit, who will convene a meeting of the faculty members of the affected department to apprise them of this action and to discuss the duties, responsibilities, and expectations of the chair. The internal search procedure should follow the applicable steps of the external search procedure.

1.5.2.3.2 Duties

The department chair is a faculty member who is responsible for administering and leading an academic department. He/she serves as the primary communication link between the faculty and the administration. The chair transmits University and college policies and decisions to the faculty and communicates departmental needs, aspirations, and concerns to the dean and the administration.

When a department chair is to be absent for a period of one month or less, he/she has the authority to appoint a substitute from within the department after consultation with the dean.

1. Faculty Meetings. In order to encourage the participation of all faculty in departmental decision making, the chair should hold a minimum of two faculty meetings each semester.
2. Governance. The chair is charged with the responsibility of developing and utilizing a departmental governance structure which provides for effective participation by the faculty in decision-making processes. The governance structure should have the mutual approval of the faculty, chair, and dean; it should recognize that the chair is finally responsible for the department.
3. Curriculum Development. The chair is expected to assume a leadership role in the development and revision of curricula. However, all curricular matters must be approved by the departmental faculty. The chair does not have the power of veto over curricular recommendations but must transmit approved recommendations to the appropriate college or University committee.
4. Management. The chair is responsible for the employment and supervision of clerical and supporting personnel and the management of department physical facilities and equipment. He/she must approve all official travel and authorize all departmental expenditures. Reports and other "day-to-day" tasks are expected to be completed in a timely fashion.
5. Teaching. Teaching, typically 6 hours per semester, is considered to be a part of a chair's responsibilities. The chair is expected to set an example of good teaching. Effective teaching is a major factor in selection and retention.
6. Budget Development. The chair must develop, in consultation with the faculty, an annual budget request which is presented to the dean in a meeting open to the departmental faculty. The budget request should reflect the needs of the department and be justifiable in terms of the department's goals and educational objectives.
7. Appointment, Retention, Tenure and Promotion of Faculty. The chair is expected to consult with the faculty in a full and reasonable manner before he/she:
 - a. undertakes a search for new faculty or authorizes such a search by a

- departmental committee;
- b. recommends the appointment of a new faculty; or
- c. recommends the retention, termination, promotion, or tenure of faculty.

Details of the procedure for faculty involvement in tenure and promotion decisions are found in Section 2.9 and 2.10 of this *Faculty Handbook*. In these decisions, the chair is obligated to take very seriously the recommendations of the faculty. In the event of disagreement, the chair must explain to them frankly and openly the decision he/she has reached, and the chair must give them an opportunity to submit, along with his/her recommendation, a dissenting report if they so desire. In any event, the faculty vote must be reported and explained to the dean.

1. Assessment of Faculty Performance. The chair is responsible for an annual evaluation of each faculty member. Faculty members are expected to have direct involvement in the development and revision of evaluation procedures and forms. Procedures for departmental evaluation must have the approval of a majority of the departmental faculty, chair, and dean.
2. Scholarship/Research and Professional Activities. The chair is expected to set a good example by engaging in scholarship/research, public service, and other professional activities. He/she should recognize, encourage, and support such activities on the part of the faculty appropriate to his/her academic discipline.
3. Incremental Pay for Faculty. The chair is responsible for recommending incremental pay for each faculty member. Faculty members are expected to have direct involvement in the development and revision of an incremental pay allocation procedure. The procedure should have the mutual approval of the faculty, chair, and dean.

1.5.2.3.3 Evaluation

The performance of each chair is evaluated annually by the faculty and his/her dean. The dean's performance evaluation must take into consideration the faculty evaluations as a part of the decision process in determining the continuation, or the removal, of the chair. The chair, like all administrative officers, does not have tenure in his/her administrative position; and his/her appointment is subject to review at any time at the discretion of the dean, Vice Chancellor for Academic Affairs, or Chancellor. However, since the chair is the first line of administration for the faculty, every reasonable effort should be made to ensure that the opinion of all faculty in that administrative unit is considered in the dean's evaluation of the chair's performance. A fair and equitable evaluation should include the solicitation of formal evaluations from at least a simple majority of the full-time faculty members in that unit annually.

Every member should be afforded the opportunity to formally evaluate the chair at least once every three years. Written evaluations should be retained in the permanent file of the chair for five years.

If a chair is to be relieved of his/her position, the faculty in that administrative unit should be notified in writing by the dean no less than 14 days prior to the chair being relieved and no later than 14 days of that decision.

1.5.2.3.4 Tenure

The chair, as all administrative officers, does not have tenure in the administrative office. Tenure, if held by the chair, resides only in his/her status

as a faculty member of the department.

1.5.2.3.5 Incapacity or Absence

In the case of an extended incapacity or absence, the dean may appoint an acting chair after consultation with a majority of the faculty of the department.

1.6 ORGANIZATIONAL CHART

See following page.

2.0 THE FACULTY

2.1 TYPES OF APPOINTMENTS

2.1.1 REGULAR FULL-TIME APPOINTMENTS

1. Regular full-time academic year appointment

Such appointments involve full-time service and salary is paid in twelve monthly installments from August 1 through the following July 31 and is considered to be earned at the rate of one-half of the annual salary for each of the two semesters (fall and spring). Regular full-time academic year appointments are to the rank of Instructor or higher and are considered to be either probationary (a period in which creditable service toward tenure and/or promotion may be accumulated), or continuous with tenure.

2. Regular full-time twelve month appointment

Such appointments involve full-time service and salary is paid in twelve monthly installments from July 1 through the following June 30. Regular full-time twelve month appointments are to the rank of Instructor or higher and are considered to be either probationary (a period in which creditable service toward tenure and/or promotion may be accumulated), or continuous with tenure. Persons appointed under these classifications are entitled to vacation and sick leave accruals in accordance with the established University policies. See *The University of Tennessee Personnel Policies and Procedures Manual*, Policy 305, "Annual Leave (Vacation)" and Policy 380, "Sick Leave".

2.1.2 REGULAR PART-TIME APPOINTMENTS

1. Regular part-time academic year appointment

Such appointments involve part-time service for the academic year. Salary is paid in twelve monthly installments from August 1 through the following July 31 and is considered to be earned at the rate of one-half of the annual salary for each of the two semesters (fall and spring). Regular part-time academic year appointments are at the rank of Lecturer and are not eligible for promotion and/or tenure consideration. Regular part-time appointees who are employed at least three-fourths time are eligible for insurance benefits; all regular part-time appointees are eligible to participate in a retirement plan.

2. Regular part-time twelve-month appointment

Such appointments involve part-time service on a continuing basis for a period of not less than twelve months. Salary is paid each month and is considered as earned on a month-by-month basis. Persons appointed under these classifications are entitled to vacation and sick leave accruals in accordance with the established University policies. See *The University of Tennessee Personnel Policies and Procedures Manual*, Policy 305, "Annual Leave (Vacation)" and Policy 380, "Sick Leave". Regular part-time twelve-month appointments are at the rank of Lecturer and are not eligible for promotion and/or tenure consideration. Regular part-time appointees who are employed at least three-fourths time are eligible for insurance benefits; all regular part-time appointees are eligible to participate in a retirement plan.

2.1.3 TERM APPOINTMENTS

2.1.3.1 Full-Time Term Academic Appointment

Full-time term academic appointment will be for full-time service for a specified period of time with the total salary for such service being paid over less than a twelve-month period. Such appointments normally address special circumstances. These appointments can be renewed as needed. Appointees who have been employed in an active pay status for six monthly pay periods in any twelve-month period may choose to participate in a retirement plan. See *The University of Tennessee Personnel Policies and Procedures Manual*, Policy 375 (Retirement Plans). Persons serving in such appointments are not eligible for promotion/tenure considerations. However, for those serving in full-time term academic appointments at UT Martin prior to August 1, 1992 service in these appointments may be treated as comparable to experience at other accredited institutions should an individual employed under such an appointment subsequently be employed under a regular, full-time academic year or twelve month tenure track position.

2.1.3.2 Part-Time Term Academic Appointment

Part-time term academic appointments are for part-time service for a specified period of time with the total salary for such service being paid over less than a twelve-month period. Term appointments are normally limited to a brief association with the University to meet some special, short range need. Persons on part-time term appointments will normally not exceed twelve (12) months of continuous employment. These appointments can be renewed on an annual basis. Such appointees who have been employed in an active pay status for six monthly pay periods in any twelve-month period may choose to participate in a retirement plan. See *The University of Tennessee Personnel Policies and Procedures Manual*, Policy 375 (Retirement Plans).

2.1.3.3 Review of Positions

Periodic review of both full-time and part-time term academic appointments should be undertaken to determine if the position should be designated a regular, full-time position and appropriate search procedures instituted to fill the position.

2.1.4 ADJUNCT FACULTY

The term adjunct faculty is reserved for individuals who do not hold academic rank at UT Martin but who are employed to teach one or more specified courses.

2.2 CRITERIA FOR APPOINTMENT TO RANK

Criteria for appointment to the different academic ranks are complex. Each faculty position has its own distinctive requirements, but the University has established the following general criteria. Deficiencies in some criteria may be counterbalanced by unusual excellence in the others. Although it is understood that in certain specialized fields of endeavor some of these criteria should be replaced by other standards, Item 3 under each rank is essential. In regards to evaluation of librarians, "librarian" should be substituted for the word "teacher" in Item 3 for each rank.

One criterion for appointment to academic rank is an appropriate degree. Expectations regarding completion of a terminal degree for promotion and/or tenure consideration should be clearly defined in the letter of appointment. Faculty members appointed at the Instructor rank are expected to complete the requirements for the terminal degree within three calendar years of the date of appointment. Faculty members appointed at the Assistant Professor rank and

higher are expected to hold the doctorate or other terminal degree of the discipline. All full-time faculty members who were tenured or who were appointed to a tenure track position as Instructors before September 1, 2006, shall be allowed to remain at the rank of Instructor.

All Faculty Members are expected to meet the following criteria for the appropriate rank in addition to the degree criterion discussed above.

A Professor is expected:

1. to hold a full-time academic year or full-time twelve-month appointment;
2. to hold the doctorate or other terminal degree of the discipline;
3. to have an excellent reputation as a teacher;
4. to have an excellent record in research, scholarship or professional attainment;
5. to have a record of effective participation in service and professional activities other than teaching and research; (Revised May 1997)
6. normally, to have served as an associate professor for at least five years;
7. to have demonstrated ability to relate effectively to students and professional colleagues.

An Associate Professor is expected:

1. to hold a full-time academic year or full-time twelve-month appointment;
2. to hold the doctorate or other terminal degree of the discipline;
3. to have a good reputation as a teacher;
4. to have a good record in research, scholarship or professional attainment;
5. to have interest and to have participated in service and professional activities other than teaching and research; (Revised May 1997)
6. normally, to have served as an assistant professor for at least four years;
7. to have demonstrated ability to relate effectively to students and professional colleagues.

An Assistant Professor is expected:

1. to hold a full-time academic year or full-time twelve-month appointment;
2. to hold the doctorate or other terminal degree of the discipline;
3. to show promise as a teacher;
4. to show definite evidence of ability in research, scholarship, or professional promise;
5. to have interest and to have participated in service and professional activities other than teaching and research; (Revised May 1997)
6. to have demonstrated ability to relate effectively to students and professional colleagues.

An Instructor is expected:

1. to hold a full-time academic year or full-time twelve-month appointment;
2. to hold the master's degree of the discipline, and to be actively progressing toward a terminal degree generally recognized by the discipline with only the completion of the dissertation remaining;
3. to show promise as a teacher;
4. to show definite evidence of ability in research, scholarship, or professional promise;
5. to have interest and to have participated in service and professional activities other than teaching and research;
6. to have demonstrated ability to relate effectively to students and professional colleagues.

A Lecturer is expected:

1. to hold the master's degree of the discipline or to have equivalent training and experience as appropriate to the discipline;
2. to show interest in research, scholarship or professional attainment;
3. to show interest in teaching;
4. to have an excellent scholastic record as a student;
5. to show promise of ability to relate well to students and professional colleagues.

2.3 CERTIFICATION OF ENGLISH LANGUAGE COMPETENCY

It will be the responsibility of the department chair/dean to certify, in writing, as a part of the evaluation for the initial appointment that the individual so recommended can communicate effectively with students in the English language. Before issuing this certification, it is the responsibility of the department chair/dean to consult with faculty members in cases of appointment to determine communication competencies.

2.4 SEARCH PROCEDURES**2.4.1 AUTHORIZATION OF NEW POSITIONS AND REPLACEMENTS**

During the budget conferences in the fall semester, deans and department chairs will submit requests and justifications for new positions for the following year to the Vice Chancellor for Academic Affairs. Authorization to fill these positions will be granted or withheld by authority of the Chancellor after due consideration of budgets and enrollment projections.

Upon receipt of resignations or approval of recommendations for termination of services, the Vice Chancellor for Academic Affairs will grant or withhold authorization to fill vacancies thus created on behalf of the Chancellor after due consideration of budget and enrollment projections.

2.4.2 SEARCH AND SCREENING PROCEDURES

The University is committed to affirmative action recruitment; therefore, the search procedures should be designed to ensure that qualified individuals are made aware of any

position vacancy. A thorough search and careful screening procedure must precede any recommendation of appointment. The complexity of the search process depends upon the nature of the position with a more extensive search necessitated by a regular, full-time appointment.

The academic administrator responsible for the appointment will consult with the department/school faculty about the program needs, the minimal qualifications for the position, the primary and secondary areas of specialties, and the procedure for the search. Either the faculty shall elect a committee to provide the administration with insights about program needs, or the entire faculty may serve as the committee. A written description of the qualifications desired should be prepared as a part of this process, and all candidates should be evaluated against the predetermined qualifications. A search/selection plan developed at the department level should be submitted through the academic administrators to the Vice Chancellor for Academic Affairs. The Affirmative Action Officer will then be asked to review these materials and will compare them with the required components of the Affirmative Action Plan and either approve implementation of the search/selection plan or suggest modification. Prior to the offer of an appointment, the Affirmative Action Officer must certify that requirements of the search/selection plan have been met.

A Faculty Search Committee of at least three faculty members shall be elected by the faculty to screen the applicants, to rank the applicants, and, in consultation with the departmental chair/dean, to select the candidates to be interviewed. Since such a committee reports to the unit's administrator, the departmental chair/dean should not serve on such a committee, unless he/she is presented a written request to do so signed by a simple majority of the members of the academic unit. This committee in small academic units may consist of the entire faculty unit. The committee shall elect one of its members as a chair. The formation of this committee and implementation of the search process must conform to affirmative action guidelines.

Each candidate to be screened must submit a dossier or a set of placement office credentials. Tennessee State law requires that applicants accepting positions sign a statement relative to any convictions for legal violations. This statement appears on the standard personnel information forms for prospective staff members. This form must be completed as a part of the application process.

The chairs of the search committees should check with the office of the Vice Chancellor for Academic Affairs and the Equity and Diversity Officer for any additional requirements or advice. The office of the Vice Chancellor for Academic Affairs will maintain a Search Handbook to guide committees through the search process.

2.4.3 INTERVIEWS

Several candidates, usually three, should be interviewed at the institution's expense for a vacancy consisting of a regular full-time appointment. These candidates should be brought for interviews within a relatively short time interval so valid comparisons of the interviewees can be made. As many faculty and students as possible, the dean, and the Vice Chancellor for Academic Affairs should be involved in the interview activity.

2.4.4 SELECTION

The Faculty Search Committee shall make a recommendation to the chair/dean. The final recommendation may consist of a ranked list. The final responsibility for the departmental recommendation rests with the chair/dean. The departmental recommendation should be processed through the administrators with line responsibility for the position.

2.4.5 RANK AND SALARY

Following a departmental decision to recommend appointment, there may be informal discussions concerning rank, salary, and other terms of employment between the chair/dean and the prospective faculty member. Such discussions serve merely to shape and influence the recommendations of the chair/dean and do not constitute a binding commitment by the University.

2.5 APPOINTMENT PROCEDURES

2.5.1 RECOMMENDATION FOR EMPLOYMENT

The department chair and dean of the school concerned should file with the Vice Chancellor for Academic Affairs the recommendation stating proposed rank and salary for the faculty member being employed. Each recommendation should be accompanied by a full set of credentials and any other required forms.

2.5.2 CONDITIONS OF FACULTY APPOINTMENT AND RETENTION

2.5.2.1 Letter of Appointment

If the Vice Chancellor for Academic Affairs and the Chancellor approve the recommendations of the department chair and appropriate dean, a formal letter of appointment will be written to the candidate by the Vice Chancellor for Academic Affairs. The letter of appointment specifies: (a) rank, (b) salary and related financial conditions, (c) probationary status, indicating that he or she will be advised annually of his/her retention status and progress toward tenure and promotion, (d) the academic year during which a tenure decision must be reached, and (e) complete definition of what constitutes the terminal degree if not a doctorate. If the candidate is being appointed with less than the terminal degree, the letter of appointment should specifically outline the criteria the faculty member must satisfy before he/she will be eligible for promotion or tenure consideration under the procedures outlined in sections 2.9 and 2.10.

2.5.2.2 Acceptance of Appointment

Written acceptance of the letter of appointment, together with execution of normal University employment forms, completes the initial agreement of employment between the University and the faculty member.

2.5.2.3 Subsequent Correspondence

The faculty member is officially notified of subsequent salary adjustments or changes in rank, title, or assignment by letter from the department chair or dean. Notification of an award of tenure or promotion is given by letter from the Chancellor. Any other oral or written representations concerning such adjustments and changes are unauthorized and not binding on the University. Normally, salary adjustments and other changes in employment are made following approval of the University budget by the Board of Trustees at its annual meeting in June.

2.5.2.4 Terms

Generally regular academic year appointments are for one year beginning August 1 and ending July 31, while regular twelve-month appointments begin July 1 and end June 30.

2.5.3 GRADUATE FACULTY

2.5.3.1 Full Membership

The University of Tennessee at Martin offers programs leading to the master's degree in the College of Business Administration and Public Affairs, the Department of Family and Consumer Sciences, and the College of Education and Behavioral Sciences. Full, associate, special, and temporary membership are the four types of graduate faculty appointment available. Faculty members in disciplines which offer graduate courses in support of the master's degree are eligible for graduate faculty status if they meet criteria for one of the types of appointment. Nomination and recommendation for new membership is initiated by the department chair/dean.

Full members receive a five (5) year appointment and are eligible for reappointment every five years subject to the criteria specified below (see 2a). They may teach any assigned graduate course, direct theses, serve on thesis committees, and serve on comprehensive examination committees. They are eligible for appointment/election to college graduate level curriculum and degree appeal committees (and university committees consistent with Senate Bylaws).

For an initial appointment, applicants must have regular faculty status and hold the terminal degree in the teaching field. They must also have at least three (3) years full-time teaching experience at the college level in a regionally accredited institution, completed after receipt of the terminal degree.

All applicants must provide evidence of ongoing scholarly/creative and professional work in the field of expertise. If an initial appointment, the evidence provided must include the period since completion of the terminal degree. If requesting renewal of a previous/current appointment, the evidence provided must be for the period since previous appointment. Although research and scholarly productivity may be defined differently in each discipline, the following guidelines will be applied.

- (1) The activity involves a studious inquiry or examination.
- (2) The activity seeks either to discover and interpret new concepts, theories, laws, facts, relationships, or perceptions OR seeks to advance the application of them.
- (3) The results of scholarship (creative endeavor) and other professional activity are in a form accessible to peer review appropriate to the mode of scholarly/creative production. For example, in the performing arts there may be a provision for formal, public presentation and peer evaluation. In other disciplines there may be a provision for peer evaluation of products such as archival or published research, presentations before professional societies, licensure and certification, or significant consulting activity that validates the scholarly accomplishment.

Consistent with these guidelines, the applicant must show continuous scholarly/creative activity throughout the last five years and have a minimum of four activities in the following categories: (a), (b), (c), and (d).

(a) Publications. These require primary or co-authorship. If the publication has not yet appeared in print, the applicant must submit evidence that it is "in press."

- (a.1) a scholarly book requiring independent review procedures, or
- (a.2) an article or essay in a peer-reviewed publication.

(b) Scholarly Presentations. Two scholarly papers presented at the state level or above are equal to one activity. The presentations must have been subject to external review.

(c) Creative/Artistic Presentation or Product Design. An original work for presentation/performance or a product designed and exhibited at the state level or above. The activity must have been subject to external review.

(d) Research/Other Professional Activities. These must be equivalent in contribution, rigor, and peer-reviewed status to the publication or artistic presentation criteria defined above. The burden of evidence rests on the applicant to prove that the activities presented meet the criteria.

2.5.3.2 Associate Membership

Associate members receive a three (3) year appointment. Those receiving an initial appointment at the associate level should meet the criteria for full membership by the end of three years. They may apply for one (1) additional three-year appointment under the conditions specified below (see 2b). They may teach graduate courses and serve on thesis and comprehensive examination committees. They are eligible for appointment/election to college graduate level curriculum and degree appeal committees (and university committees consistent with Senate Bylaws). They are not eligible to direct theses until they have served as a committee member on one (1) thesis.

Newly hired, tenure track faculty holding the terminal degree in the discipline will automatically be approved for associate membership upon submission of the application. Other faculty who hold the terminal degree in the discipline with fewer than three (3) years teaching experience, but who otherwise would have been eligible for full membership, may be appointed to associate membership upon submission of the application.

Initially appointed associate members are expected to satisfy credentials (see 2a above) that warrant full membership at the end of their appointment. Similarly, faculty holding full membership are expected to satisfy credentials that warrant renewal of full membership. However, these individuals may apply for a non-renewable three (3) year appointment as an associate member. A letter from the department chair must accompany the application; it must address the applicant's teaching effectiveness at the graduate level and progress toward attaining full membership.

2.5.3.3 Special Membership

Special members receive a three (3) year, renewable appointment. They may teach graduate courses and serve on thesis and comprehensive exam committees as specified on their application. Special members who hold regular faculty appointments are eligible for appointment/election to college graduate level curriculum and degree appeal committees (and university committees consistent with Senate Bylaws).

Special membership is intended for regular, visiting, and adjunct faculty who have special academic expertise or professional experience and who demonstrate competence in a particular course of instruction but who otherwise do not meet the criteria for full membership. If they lack a terminal degree in the discipline, they must complete the standard form required by SACS to demonstrate equivalent competency and provide appropriate official documentation. A renewal application must also demonstrate currency regarding the special academic expertise or professional experience related to the specified course(s) they will teach or the committee on which they will serve.

2.5.3.4 Temporary Membership

Temporary members receive a one (1) semester appointment. It is renewable one time only. They may teach graduate courses as specified on their application.

Faculty who have special academic expertise or professional experience but who otherwise do not meet the criteria for special membership may be granted temporary membership to serve an emergency need. The appropriate SACS form must be completed (with appropriate official documentation) if the applicant lacks a terminal degree in the discipline.

2.5.3.5 Administrative Membership

Membership to the Graduate Faculty also includes the Academic Vice Chancellor, the Dean of Graduate Studies, and the dean of each college offering graduate work as *ex officio* members. Further elaboration of requirements and nomination procedures for graduate faculty are published in the *Operating Paper for The UT Martin Graduate Programs* which is available in the Graduate Studies Office.

2.6 PERSONNEL RECORDS

2.6.1 PERSONNEL FILES AND RELEASE OF INFORMATION

The Office of Personnel Services will maintain the official personnel file for regular non-academic exempt employees and for all non-exempt employees. Faculty files are maintained in the Academic Affairs Office. With appropriate notice, employees may review the contents of their official personnel file and make copies of these records at a nominal charge.

Under Tennessee law, personnel records of all University employees are public records which may be inspected and copied by citizens of Tennessee during regular business hours (see *The University of Tennessee Personnel Policies and Procedures*, Policy 130).

An Authorization of Disclosure form is to be completed by all regular employees and should accompany the personnel action form for initial employment. Unless disclosure is required by federal, state, or local law, release of information which is requested in writing will be restricted to the specifications on the employee's Authorization of Disclosure form with limited exceptions such as:

1. necessary responses to national surveys;
2. requirements of federal, state, or local law;
3. response to a physician seeking to inform an individual of a possible medical problem.

Release of information over the telephone is also restricted by the specifications on the employee's Authorization of Disclosure form. Information disclosed over the telephone will normally be limited to the employee's name, title, department, date of employment, and date of termination. Release of salary information by telephone is given only upon written authorization of the employee with limited exceptions.

2.7 FACULTY ASSESSMENT

It is the responsibility of the University to clearly communicate to each faculty member the specific duties that go with an appointment in a department or academic unit.

Competent teaching is a crucial responsibility for faculty members, and the effective use of appropriate instructional evaluation (including departmental files of class syllabi and related materials, student evaluation, and peer evaluation) is important to all objective review processes. Faculty members with research responsibilities should have the quantity and quality of their work fairly assessed. Each faculty member's service contributions should be evaluated impartially. (Entire section revised June 1999)

2.7.1 ANNUAL PERFORMANCE-AND-PLANNING REVIEW (Revised April 2005)

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 review shall include past performance and progress toward tenure, where applicable, as part of an ongoing concern for making each person an effective and responsible participant in the definition and achievement of the departmental goals and the University's mission. Non-tenured faculty members will also be reminded during this review as to when their tenure review will occur. This process must take account of all the diverse activities that occupy a faculty member's time, and it may be supported by evidence from such areas as classroom, library, academic literature, laboratory, students, colleagues, committees, and/or the public.

Each faculty member's annual performance-and-planning review proceeds from guidelines and criteria that are appropriate to the department, college, and campus as specified below and in departmental bylaws. A document summarizing the review will include an overall rating of the faculty member's performance as: Exceeds Expectations for Rank, Meets Expectations for Rank, Needs Improvement for Rank, or Unsatisfactory Performance for Rank. This document must be signed by the faculty member (to acknowledge receipt of the review document) and the department chair. Copies must be provided to the faculty member and sent to the dean. After reviewing all ratings, the dean must send copies of all review documents or a list of names by rating category to the VCAA for review and approval/disapproval. If the dean and chair disagree on ratings of needs improvement or unsatisfactory, the VCAA will be responsible for final judgment. The VCAA will inform the faculty member of the final outcome of disputed reviews.

The University will seek to reward faculty members who exceed expectations for rank whenever feasible. Within 30 days of the annual review, any faculty member whose performance is rated Needs Improvement or Unsatisfactory must consult with the department chair to develop a written plan for improving the area(s) needing attention. Any faculty member whose performance is rated Needs Improvement or Unsatisfactory shall be ineligible for rewards (e.g., salary increments), and must provide to the department chair at the beginning of the next regular semester a written interim progress report of remedial steps taken on his or her performance in the area(s) rated Needs Improvement or Unsatisfactory in any three of five consecutive years. (See Section 2.9.4 for the role of a Special Remediation committee if any tenured faculty member is rated Unsatisfactory in any two of five consecutive annual performance-and-planning reviews or is rated Needs Improvement or Unsatisfactory in any three of five consecutive years.)

The annual review process must include the following ingredients:

1. clear, mutually agreed upon individual objectives supporting the departmental goals and University mission;
2. necessary administrative support (resources, working environment, personal and official encouragement to do the job);
3. appropriate evidence of achievement of objectives; and
4. appropriate recognition.

2.7.1.1 ANNUAL PERFORMANCE-AND-PLANNING REVIEW APPEAL PROCESS

A faculty member may appeal the rating received in the annual performance and planning review process in accordance with the University's "Grievance and Appeal Procedure" (2.16).

2.7.2 EVALUATION OF TEACHING EFFECTIVENESS

There are two purposes and uses of evaluation of teaching effectiveness:

1. diagnostic for such purposes as encouragement, probable/possible improvement and/or development; and
2. decision-making for such purposes as salary adjustment, promotion, tenure, and/or course assignments.

The chair/dean and the faculty member will determine in writing how the total evaluation of teaching effectiveness will be used in the total faculty assessment in a manner consistent with unit bylaws.

2.7.3 TEACHING EVALUATION PROCESSES

2.7.3.1 Student Evaluation of Teaching Effectiveness

Each academic year the departmentally approved student evaluation instrument (which could include essay and/or objective type questions) will be used by students for each course taught by the faculty member during a semester of that academic year with the following exception for tenured faculty members. Should the results over a period of three consecutive years yield essentially the same response for an individual faculty member, then it will be his/her choice to waive the evaluation for the following year or years; however, each faculty member must be evaluated at least one semester of every three year period. The results of the three most recent evaluations will be used as part of all subsequent faculty assessments of the faculty member and be kept in the faculty member's file in the immediate supervisor's office. Prior evaluations may be removed only at the request of the faculty member.

No summary numerical score need be derived from the completed evaluation forms when reflected as part of the faculty assessment. Results are communicated only to the faculty member and to the chair/dean. Such results may be forwarded to other appropriate administrative levels only if they are used in the context of the comprehensive faculty assessment.

2.7.3.2 Other Evaluation(s) of Teaching Effectiveness

The chair/dean and the faculty member will determine in writing what will constitute other means of evaluating teaching effectiveness as part of the chair/dean - faculty member review.

2.8 PROMOTION

2.8.1 CRITERIA FOR PROMOTION

Criteria for promotion to the different academic ranks are complex. Each faculty rank has its own distinctive requirements, but the university has established the following general criteria.

Deficiencies in some criteria may be counterbalanced by unusual excellence in the others. All faculty members wishing to be considered for promotion in rank are expected to meet the following criteria for the appropriate rank as well as the time-in-rank guidelines. In all cases, Item 3 is considered essential with the word "librarian" being substituted for the word "teacher" in regard to librarians. (Also see 2.7.1 above.) All promotions require a positive recommendation by the Chancellor after review by a departmental promotion committee, department chair, dean, and the Vice Chancellor for Academic Affairs.

2.8.1.1 Criteria for Promotion to Each Academic Rank

A Professor is expected:

1. to hold a full-time academic year or full-time twelve-month appointment;
2. to hold the doctorate or other terminal degree of the discipline;*
3. to have an excellent reputation as a teacher;
4. to have an excellent record in research, scholarship or professional attainment;
5. to have a record of effective participation in service and professional activities other than teaching and research; (Revised May 1997)
6. normally, to have served as an associate professor for at least five years;
7. to have demonstrated ability to relate effectively to students and professional colleagues.

An Associate Professor is expected:

1. to hold a full-time academic year or full-time twelve-month appointment;
2. to hold the doctorate or other terminal degree of the discipline;*
3. to have a good reputation as a teacher;
4. to have a good record in research, scholarship or professional attainment;
5. to have interest and to have participated in service and professional activities other than teaching and research; (Revised May 1997)
6. normally, to have served as an assistant professor for at least four years;
7. to have demonstrated ability to relate effectively to students and professional colleagues.

An Assistant Professor is expected:

1. to hold a full-time academic year or full-time twelve-month appointment;
2. to hold the doctorate or other terminal degree of the discipline;*
3. to show promise as a teacher;
4. to show definite evidence of ability in research, scholarships or professional promise;

5. to have interest and to have participated in service and professional activities other than teaching and research; (Revised May 1997)
6. to have demonstrated ability to relate effectively to students and professional colleagues.

*Regular full-time faculty members not holding the terminal degree whose appointments began before October 1, 1985, will be eligible for promotion unless otherwise stipulated in the faculty member's letter of appointment.

2.8.1.2 Time-in-Rank Guidelines

While there is no time-in-rank requirement for promotion from instructor to assistant professor, a terminal degree is required and promotion may be pursued immediately upon completion of the terminal degree. However, the appointment as an Instructor may not exceed a four-year period.

Full-time faculty members with terminal degrees normally should serve four years in rank as an assistant professor, or five years in rank as an associate professor to be eligible for consideration for promotion to the next rank.

For regular full-time faculty members not holding the terminal degree whose appointments began before October 1, 1985, and who wish to be considered for promotion, the following guidelines normally apply. Instructors must have served at least three years before being considered for promotion to assistant professor. An assistant professor must have served at least eight years before being considered for promotion to associate professor. An associate professor must have served at least 15 years before being considered for promotion to professor. Those associate professors who have a total of twenty-five years of faculty service at UT Martin may be considered for promotion to full professor.

Up to one year of approved leave time taken in order to pursue an advanced program for educational advancement will count toward the years-in-rank for each promotion cycle.

The promotion process starts during the last year in rank, and the promotion is effective at the beginning of the next academic year. (Revised July 1994)

2.8.2 PROCEDURE FOR DEVELOPMENT OF PROMOTION RECOMMENDATIONS

1. A calendar established annually by the Vice Chancellor for Academic Affairs will be followed during the development of promotion recommendations.
 - a. Departmental committees submit negative and positive recommendations to the department chair.
 - b. The department chair submits his/her negative and positive recommendations to the dean.
 - c. The dean submits his/her negative and positive recommendations to the Office of the Vice Chancellor for Academic Affairs.
 - d. The Vice Chancellor submits his/her negative and positive recommendations to the Chancellor.

- e. The Chancellor submits his/her positive recommendations to the President by the date set by the Senior Vice President.
2. The department chair/dean shall notify in writing all faculty members in his/her unit who have initially met the appropriate time-in-rank guidelines (see section 2.9.1.2) for consideration of promotion to the next academic rank.
 3. The candidate shall prepare a dossier supporting his/her promotion if he/she wishes to be considered. The candidate may seek assistance from the dean/department chair for preparation of the dossier.
 4. An advisory committee to the chair/dean shall be formed using the following procedures. (If the situation in the instructional unit makes this procedure unworkable, an alternative procedure approved by the faculty shall be submitted to the Vice Chancellor for Academic Affairs through the dean for review and approval.)
 - a. The advisory committee must be elected by the faculty in consultation with the chair/dean. The advisory committee shall have at least three members. The faculty of each department/college has the option of selecting one or more members of the advisory committee from outside the department/college. The names of those serving on this advisory committee shall be submitted to and approved by the Vice Chancellor for Academic Affairs.
 - b. A committee for considering persons for promotion shall be constituted so that each individual is considered only by committee members who are tenured and have a rank higher than that of the candidate. This may necessitate changing the composition of the committee as it deliberates on promotion at different levels.
 - c. Because the committee is advisory to the chair, he/she normally should not be a member nor participate in the deliberation. The chair shall provide the committee with such materials relevant to the candidate's promotion as the committee may request.
 - d. Each eligible faculty member who wishes to be considered shall submit a dossier supporting his/her application and shall be offered the opportunity – in writing - to appear before the committee after the committee has completed its examination of the materials, but before the committee has rendered its decision.
 - e. The candidate shall have the opportunity to inspect all personnel files and materials to be presented during his/her consideration for promotion.
 - f. The committee, after considering an application, shall submit to the chair/dean its written and signed recommendations and consideration.
 - g. The final recommendation originating from the departmental level will be that of the chair/dean; however, he/she should take the recommendations and considerations of the advisory committee very seriously. In the event of disagreement, the chair must explain to them frankly and openly the decision he/she has reached, and the chair must give them an opportunity to submit, along with his/her recommendation, a dissenting report if they desire. In any event, the faculty vote must be reported and explained to the dean.
 5. The faculty member applying for promotion shall be notified in writing of the recommendation by the line official making that recommendation. An explanation for any negative recommendation must be included. A copy of this communication shall be filed

with the Vice Chancellor for Academic Affairs at the same time.

6. The candidate denied promotion may consult with the immediate supervisor for the purpose of receiving recommendations that would enhance the chances for future promotion.
7. A faculty member may appeal a negative promotion decision.

2.9 TENURE

2.9.1 TENURE POLICY

The principal mission of The University is the discovery and dissemination of truth through teaching, research and service.² The UT 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.

Academic Freedom and Responsibility of the Faculty Member

A healthy tradition of academic freedom and tenure is essential to the proper functioning of a University. At the same time, membership in a society of scholars enjoins upon a faculty member certain obligations to colleagues, to the University 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., Compensated Outside Services, Conflict of Interest).
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.

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, The University should reward its outstanding faculty members.
3. The administration is responsible for enforcing all Board and campus policies applicable to faculty members. It is the duty of the administration beginning with department chairs, deans, and the Vice Chancellor for Academic Affairs 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 requires that each campus and its constituent academic units develop appropriate policies and procedures necessary to implement the Board's tenure policy.

2.9.1.1 Definition of and Eligibility for Tenure

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

Tenure at UT Martin is an expression of confidence in the integrity and worth of an individual and of belief in his/her value to the institution. It implies that he/she has been judged to have performed well and responsibly over a sufficient period of time at UT Martin to permit reliable judgments to be made. Tenure is designed to relieve the faculty member from undue concern over retaining his/her position so long as he/she continues to perform well and responsibly.

2. Eligibility for Tenure Consideration. Eligibility for tenure consideration shall be subject to the following minimum standards:
 - a. Regular, full-time, tenure-track faculty appointments at the academic rank of assistant professor, associate professor, or professor are eligible for tenure;
 - b. Instructor, Lecturer, temporary, term, and part-time appointments are not eligible for tenure;

- c. Faculty members pursuing terminal degrees in their discipline at the campus where they are appointed 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 and department chair, dean, VCAA, and Chancellor.

2.9.1.2 Exception to Policy Requiring Full-Time Status for Eligibility for Tenure

1. UT upholds and retains its commitment to academic freedom and tenure as essential to the proper functioning of a university, as set forth in the "UT System Policies Governing Academic Freedom, Responsibility, and Tenure." Furthermore, UT retains its processes and steps for tenure as set forth in those policies and in section 2.9.3; this applies in all circumstances other than stipulated exceptions outlined below and in section 2.9.3.1.
2. In limited circumstances, a tenure recommendation for a highly qualified non full-time faculty member may be made in part because of UT's continuing association with a specified external entity (i.e., ORNL, St. Jude, etc.). Such a recommendation must document the extraordinary circumstances that require it, designate the external entity or primary employer, and specify UT's financial commitment (if any) to the non full-time tenured faculty member.
3. Recommendations for tenure for all faculty members, including non full-time faculty members, must adhere to all of the steps described in Section 2.9.3, beginning with the departmental faculty vote; these procedures may be expedited per Section 2.9.3.1. There is no change to the current policy that "tenure at The University of Tennessee is granted in a particular academic unit (e.g., department, school) of a specific campus in a position appropriate to the faculty member's qualifications."
4. Should a non full-time tenured faculty member whose tenure was approved contingent upon his/her remaining employed by an external entity/primary employer cease that affiliation, UT may terminate his/her tenure.

2.9.1.3 Probationary Period

A tenure-track faculty member must serve a probationary period prior to being considered for tenure.

Length of probationary period. The probationary period at The University shall be no less than one and no more than seven academic years; however, for good cause, the President, upon the recommendation of the Chancellor, may approve a probationary period of less than one academic year. If a faculty member has served in a tenure-track appointment at another institution, his or her total probationary service may extend beyond seven years. The original appointment letter shall state the length of the faculty member's probationary period and the academic year in which he or she must be considered for tenure if he or she has met the minimum eligibility requirements for consideration. The stipulation in the original appointment letter of the length of the probationary period and the year of mandatory tenure consideration does not guarantee retention until that time.

For good cause related to procedural error, the University and a tenure-track faculty member may agree in writing to extend a seven-year probationary period for a maximum of two additional years. The proposed extension must be approved in advance by the VCAA, the Chancellor, the Senior Vice President (or designee), and

the General Counsel (or designee).

At UT Martin the probationary period normally consists of six (6) academic years of continuous service to UT Martin. Tenure consideration shall occur during the final academic year of the probationary period unless reduced after appointment as specified below. Any faculty member who is considered but not recommended for tenure shall be offered one additional year of employment (see Tenure Denied below).

Exceptions to the probationary period prior to appointment. With the consent of the faculty member, exceptions to the six-year probationary period may occur as follows:

The UT Martin Vice Chancellor for Academic Affairs (VCAA), based upon the recommendation of the academic dean and department chair, may specify a probationary period of five (5) or four (4) years (with tenure consideration occurring in the fifth or fourth year respectively) by including prior service credit at this or other regionally accredited institutions of higher education. Such exception shall be specified in the letter of appointment.

Prior tenured service. The Chancellor or VCAA, upon the recommendation of the department chair/dean, may specify a three-year probationary period if the faculty member joins UT Martin following prior tenured service at this or other regionally accredited institutions of higher learning. This shall be specified in the letter of appointment.

In exceptional situations at UT Martin, the probationary period may be specified as one or two years (with tenure consideration occurring during the first or second year respectively), upon the additional recommendation of a simple majority of the tenured members of the department or equivalent unit to which the faculty member will be assigned. This shall be specified in the letter of appointment.

Reduction of the probationary period after appointment. Reduction of the probationary period specified in the appointment letter may occur upon the written request of the non-tenured faculty member and approval of the VCAA based on the recommendations of the chair/dean and consistent with the procedures for reduction of the probationary period prior to appointment. It shall be made in writing and must occur prior to the start of the tenure review process.

Rescission of prior probationary period reduction. A previously agreed upon reduction of the probationary period may be rescinded upon mutual agreement of the non-tenured faculty member, the chair/dean, and the VCAA. Such rescission shall be made in writing and must occur prior to the start of the tenure review process.

Notification. The probationary faculty member shall be notified as to when his/her tenure review will occur in the Letter of Appointment. Thereafter, in connection with the annual performance-and-planning review (Section 2.7.1) with the dean/chair, the faculty member shall be advised as to the quality of his/her performance.

Tenure granted. When tenure is granted by the Board of Trustees, notice of such action (including the effective date) will be sent by the Chancellor to the individual, his/her chair and dean, and the VCAA.

Within one year after the granting of tenure the VCAA will return the Tenure Review File to the faculty member.

Tenure denied. Any faculty member who is considered for but not recommended for tenure will be notified in writing by the Chancellor through the VCAA not later than

June 30 that a terminal contract shall be offered for one (1) additional year. Upon receipt of such notice the faculty member may discuss the reasons for the tenure denial with his/her chair/dean. In addition, the faculty member has the right to advisement by the VCAA as to the reasons for the tenure denial. Such reasons are given solely to assist the professor in his/her professional growth and development.

A decision not to award tenure is in no sense judgment of incompetence. Not all competent persons meet the high standards necessary for tenure, nor are all those who meet such standards automatically fitted to serve needs of the University's programs.

Tenure denied - appeal procedures. A faculty member may initiate a grievance and appeal procedure within one year of the date of the tenure decision or before termination of employment, whichever occurs first (see "Grievance and Appeal Procedures", Section 2.16).

Suspension of Probationary Period. The VCAA shall decide whether the probationary period will be suspended when the following circumstances occur:

1. the faculty member accepts a part-time faculty position;
2. the faculty member accepts an administrative position; or
3. the faculty member is granted a leave of absence. At UT Martin, such leaves normally do not count as time served toward tenure.

The VCAA shall give the faculty member written notice of the decision concerning suspension of the probationary period.

2.9.1.4 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 of tenure between departments on the same campus do not require Board approval, but must be approved by the responsible campus administrators in consultation with the tenured faculty of the receiving unit, with notice to the Board of Trustees. In any event, prior to the effective date of the transfer all conditions relating to tenure must be documented and accepted, in writing, by the transferring faculty member. If a non-tenured faculty member transfers from one existing department to another, a new probationary period must be established and documented under the same guidelines that would be followed if the faculty member came from another institution. All conditions relating to the new probationary period must be documented and accepted, in writing, by the transferring faculty member.

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

2.9.2 CRITERIA FOR TENURE DECISIONS

Tenure is awarded after a thorough review which culminates in The University acknowledging a reasonable presumption of the faculty member's professional excellence, and the likelihood that this 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.

The following criteria pertain to decisions governing the awarding of tenure at UT Martin. The list is not necessarily comprehensive, nor should it be assumed that the items are of equal significance, that each is essential for every individual under consideration, or that they are listed in order of relative importance, except for item #1 below which is considered primary.

1. demonstrated teaching effectiveness on the UT Martin campus, in the position in which tenure is to be granted;
2. evidence of scholarly competence in subject matter area;
3. appropriate professional degrees, awards, and achievements;
4. evidence of professional growth appropriate to the subject matter area;
5. demonstrated ability to relate effectively to UT Martin students and colleagues;
6. quality of academic advisory service to students;
7. participation as appropriate in extracurricular activities;
8. staffing needs of the University;
9. reliability and punctuality in the performance of routine duties;
10. activities of a scholarly and professional nature;
11. membership and participation in professional organizations;
12. service to the University;
13. service to the community and region.

An academic unit may also establish more-specific criteria for tenure in that unit. After approval by the dean and VCAA, these criteria for tenure shall be published in the bylaws of the academic unit. The tenure criteria for a department shall include and be consistent with the criteria stated in this policy and any criteria established by the department's college.

2.9.3 PROCEDURES FOR DEVELOPMENT OF TENURE RECOMMENDATIONS

Under normal circumstances, the review process in tenure consideration begins in the spring term and is complete upon the action of the Board of Trustees in June of that academic year. The procedure used for tenure recommendations is reviewed annually by the *Personnel Policies Committee*.

1. A calendar established annually by the VCAA will be followed during the development of tenure recommendations.
2. The department chair or dean shall notify in writing all faculty members in his/her unit who must be considered for tenure review in that academic year. If the candidate is a department chair, then the Dean of the college of the candidate's department shall assume and execute, as specified in both the Faculty Handbook and the department's bylaws, the duties normally performed by the department chair in the tenure process.
3. The candidate shall prepare a dossier supporting his/her tenure if he/she wishes to be considered. The candidate may seek assistance from the dean/department chair for preparation of the dossier.
4. Tenured Faculty's Recommendation. 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 campus academic community,

requires the judgment of both the candidate's faculty colleagues and the responsible administrators. Thus, although recommendations for tenure are administrative actions that must be approved by the Board of Trustees, there are no positive recommendations for tenure without formal consultation with the tenured faculty of the department in which the candidate holds his or her position.

Each department shall adopt bylaws governing the tenured faculty's consideration of a candidate for tenure. The 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 by all 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.

In addition, the departmental bylaws must include the following procedures. If the situation in the instructional unit makes this procedure unworkable, an alternative procedure approved by the faculty shall be submitted to the VCAA through the dean for review and approval.

- a. The tenured faculty considering the candidate shall have at least three members. The faculty of each department/college has the option of selecting one or more members from outside the department/college. The names of those serving on this advisory committee shall be submitted to and approved by the VCAA;
- b. Because the recommendation is advisory to the chair, he/she normally should not be a member nor participate in the deliberation. The chair shall provide the tenured faculty with such materials relevant to the candidate's tenure as the group may request;
- c. Each eligible faculty member who wishes to be considered shall submit a dossier supporting his/her application and shall be offered the opportunity – in writing – to appear before the committee after the committee has completed its examination of the materials, but before the committee has rendered its decision;
- d. The candidate shall have the opportunity to inspect all of his/her personnel files and materials to be presented during his/her consideration for tenure;
- e. The tenured faculty, after considering an application, shall submit to the chair its written and signed recommendations and consideration.

The tenured faculty may recommend to:

- 1) Grant tenure;
- 2) Defer tenure decision (unless at the end of the mandatory probationary period); or
- 3) Deny tenure.

If the group recommends to defer the tenure decision prior to the end of the probationary period, and the chair concurs, the tenure review process stops for that academic year.

5. Department Chair's Recommendation. The vote of the tenured faculty is advisory to the department chair. After making an independent judgment on the tenure candidacy, the chair shall submit his or her recommendation to the dean with a written summary of his or her judgment. If the chair's recommendation differs from the recommendation of the tenured faculty, the summary must explain the reasons for the differing judgment, and the chair must provide a copy of the summary to the tenured faculty. The tenured faculty

may forward a dissenting report to the next level of review.

6. 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 may establish a college-wide committee for review of tenure and promotion recommendations. The recommendation of a college-wide committee shall be advisory to the dean. After making an independent judgment on the tenure candidacy, the dean shall forward his or her recommendation to the Vice Chancellor for Academic Affairs (VCAA).
7. Vice Chancellor for Academic Affairs' Recommendation. All tenure recommendations of the dean, whether positive or negative, shall be reviewed by the VCAA. After making an independent judgment on the tenure candidacy, the VCAA shall forward his or her recommendation to the Chancellor.
8. Chancellor's Recommendation. All tenure recommendations of the VCAA, whether positive or negative, shall be reviewed by the Chancellor. After making an independent judgment on the tenure candidacy, the Chancellor shall forward only positive recommendations to the President.
9. The faculty member applying for tenure shall be promptly notified in writing of the recommendation at each step of tenure consideration by the line official making the recommendation. In the event of a negative recommendation, the UT Martin line administrator must include a copy of the explanation provided in the recommendation form. A copy of this communication shall be filed with the VCAA at the same time.
10. President's Recommendation. If the President concurs in the positive recommendation of the Chancellor, he or she shall submit the recommendation for tenure to the Board of Trustees.
11. Action by the Board of Trustees. No person shall acquire or be granted tenure except by positive action of the Board of Trustees upon the recommendation of the President. The Board of Trustees acts only on positive recommendations. After positive action by the Board of Trustees, the Chancellor shall give the faculty member written notice of the effective date of tenure.
12. A faculty member may appeal a negative tenure decision in accordance with the University's "Grievance and Appeal Procedures" (2.16).

2.9.3.1 Expedited Procedures for Considering and Granting Tenure by UT Board of Trustees

1. Procedures for faculty appointment may be expedited, on an accelerated schedule that follows the campus policies and procedures for faculty appointment.
2. The Chancellor may request that the President recommend an expedited Board of Trustees decision for tenure. Exceptional circumstances in which an expedited Board of Trustees action may be warranted include, but are not limited to, outstanding persons who hold a tenured faculty position at their current institution and who the Chancellor believes cannot satisfactorily be recruited to UT without expediting their tenure process.
3. Procedures for tenure recommendation and approval may be expedited, following all of the steps outlined in Section 2.9.3 but on an accelerated schedule for the Board's action: review by tenured professors in the base department followed by formal recommendations by the department head, dean, chief academic officer, Chancellor, and President.

4. The President will recommend expedited tenure recommendations to the Executive and Compensation Committee, in lieu of the full UT Board of Trustees, in the circumstances described above.
5. On the recommendation of the Chancellor, the President may authorize the Chancellor to make to a candidate a commitment to expedite the tenure process and to seek approval at an early meeting of the Board of Trustees.

2.9.4 EVALUATION OF TENURED FACULTY MEMBERS (Revised November 2009)

2.9.4.1 CUMULATIVE PERFORMANCE REVIEW (CPR)

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

- a. a faculty member whose annual review is Unsatisfactory in any two of five consecutive years;
- b. a faculty member whose annual review is any combination of Unsatisfactory or Needs Improvement in any three of five consecutive years.
(cf. Section 2.9.5.2.1 or Section 2.9.5.1.2)

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

2.9.4.2 CPR reports, comments and rebuttals

The Committee chair shall forward the committee consensus recommendation to the Chair, Dean and VCAA. All reports and additional comments shall be maintained in personnel files in the department, with copies provided to the dean's office. Performance ratings for cumulative reviews shall be as follows:

- Satisfies Expectations for Rank
- Fails to Satisfy Expectations for Rank

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

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

- a. concur that the faculty member's performance has been Satisfies Expectations for Rank, that his/her personnel file should show that both the Committee and the Dean concur in a satisfactory CPR rating, and that a new five-year period annual review cycle will begin; or
- b. find that the faculty member's performance has been Fails to Satisfy Expectations for Rank (including a rationale for that ranking), and recommend that the VCAA should require that the CPR Committee develop with the affected faculty member a written CPR Improvement Plan (which may include, but shall not be limited to, skill-development leave of absence, intensive mentoring, curtailment of outside services, change in load/responsibilities), normally of up to one calendar year, and a means to assess its efficacy; or
(cf. Section 2.9.5.2.1 or Section 2.9.5.1.2)
- c. find that the faculty member's performance has been Fails to Satisfy Expectations for Rank (including a rationale for that ranking), and recommend to the Chancellor that he/she initiate proceedings, as specified in the *Faculty Handbook*, to terminate the faculty member for adequate cause after the Chancellor has consulted with the Faculty Senate President and the Faculty Senate Executive Committee (which may delegate its responsibility to the appropriate Faculty Senate committee).
(cf. Section 2.9.5.2.1 or Section 2.9.5.1.2)

2.9.4.3 CONCLUSION OF CPR IMPROVEMENT PLAN

At the end of the time allotted for a CPR Improvement Plan the Chair, CPR Committee, Dean, and VCAA shall send a written consensus report to the campus Chancellor, recommending:

- i. that the faculty member's performance is Satisfies Expectations for Rank and no other action need be taken at this time; or
- ii that the faculty member's performance has improved sufficiently to allow for up to one additional year of monitoring of improvement, after which the Chair, CPR Committee, Dean, and VCAA must by consensus determine if the faculty member's performance is Satisfies Expectations for Rank or recommend that the Chancellor initiate Proceedings, as specified in the *Faculty Handbook*, to terminate the faculty member for adequate cause after the Chancellor has consulted with the Faculty Senate President and the Faculty Senate Executive Committee (which may delegate its responsibility to the appropriate Faculty Senate committee); or
- iii that the Chancellor initiate proceedings, as specified in the *Faculty Handbook*, to terminate the faculty member for adequate cause after the Chancellor has consulted with the Faculty Senate President and the Faculty Senate Executive Committee (which may delegate its responsibility to the appropriate Faculty Senate committee).
(cf. Section 2.9.5.2.1 or Section 2.9.5.1.2)

All reports and comments on the CPR reports shall be maintained in personnel files in the department, with copies provided to the dean's office.

2.9.5 SEPARATION

2.9.5.1 Non-reappointment of Non-Tenured Faculty Members

2.9.5.1.1. Non-reappointment of Non-Tenured Faculty Members at the Completion of the Stipulated Term of Appointment

Notice that any non-tenured faculty member's appointment will not be renewed for the next year shall be made in writing by the VCAA, upon the recommendation of the department chair and dean, according to the following schedule:

- a. In the first year of the employment period, not later than March 1 for an academic year or twelve month faculty appointment and no less than three months in advance for any other term of appointment;
- b. In the second year of the employment period, not later than December 15 for an academic year appointment and no less than six months in advance for any other term of appointment; and
- c. In the third and subsequent years of the employment period, not less than twelve months in advance.

These notice requirements relate only to academic service with the University. 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 the University.

2.9.5.1.2 Termination of Probationary Faculty before the Stipulated Term of Appointment has been Completed

Termination of term or probationary faculty members before the end of an annual appointment or without the minimum advance notice required above in section 2.9.5.1.1 shall be for adequate cause. For definition of adequate cause, see Section 2.9.5.2.1, Subsection "Adequate Cause," in this Faculty Handbook.

2.9.5.2 Termination of Tenured Faculty Members

2.9.5.2.1 Reasons for Termination of Tenured Faculty Members

Relinquishment or Forfeiture of Tenure. A tenured faculty member relinquishes tenure upon resignation or retirement from The University. 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 VCAA shall give the faculty member written notice of the forfeiture of tenure and termination of employment.

It is the clear obligation of faculty members who wish to resign to make their resignation effective at the end of the academic year or, under exceptional circumstances, at the end of an academic semester. In all cases, notification of resignation should be made early enough to obviate serious inconvenience to the University, preferably by April 1. Teaching faculty serving on academic year appointments who sever connection with the University before the end of the academic year are paid for the number of semesters of teaching on the basis of one half of the annual salary per semester. Persons who leave their teaching

positions during the semester will be compensated on a pro-rated basis, receiving a salary for only the service completed. Leave pay due on resignation from a twelve-month service appointment will include unused accrued annual leave.

By terms of the Long Term Disability (LTD) policy, a tenured faculty member must apply for all retirement benefits for which he or she is eligible as part of a LTD benefit. If, at a later time, a previously-disabled retired faculty member is able to perform the essential functions of his or her former tenured position and the position is available, UT policy permits such an appointment by positive action of the Board of Trustees upon the recommendation of the President and after review by the tenured faculty and department head, dean, VCAA, and Chancellor. All such appointments will reinstate the previous rank and tenure of the returning faculty member.

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 (see 2.9.5.3 below). 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.

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

Adequate Cause. "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 (a) failure to comply with a lawful directive of the department chair, dean, or VCAA with respect to the faculty member's duties or responsibilities; and (b) inability to perform an essential function of the faculty position, given reasonable accommodation, if requested;
 - c. loss of professional licensure if licensure is required for the performance of the faculty member's duties; or with respect to Health Sciences faculty, failure to be granted or loss of medical staff membership and privileges at affiliated teaching hospitals; or

- d. dishonesty or other serious violation of professional ethics or responsibility in teaching, research, or service; or serious violation of professional responsibility in relations with students, 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: (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;
- e. any misconduct directly related to the fitness of the faculty member to engage in teaching, research, service, or administration.

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

Preliminary Steps. The following preliminary steps shall be followed in cases of termination for unsatisfactory performance in teaching, research, or service, unless the faculty member has been under a remediation plan as described in Section 2.9.4 Evaluation of Tenured Faculty Members. If a faculty member has been under a remediation plan and the Review Committee, dean, VCAA, and Faculty Senate President (or President's designee from the faculty) 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.

1. Tenured Faculty's Recommendation

The department chair shall direct the tenured departmental faculty to review the faculty member's performance in teaching, research, and service and to vote on the question of whether termination proceedings should be initiated. The faculty vote shall be advisory to the department chair.

2. Department 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 VCAA. The chair's recommendation shall include the history of efforts to encourage the faculty member to improve his or her performance and of the vote of the tenured faculty on the question of whether proceedings should be initiated.

3. Dean's Recommendation

If the dean concludes termination proceedings should be initiated, he or she shall forward a recommendation to the VCAA.

4. Vice Chancellor for Academic Affairs' Recommendation

- a. If the VCAA 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 VCAA shall within thirty days ask the Faculty Senate to conduct an informal inquiry and make a recommendation to him or her within thirty days as to whether termination proceedings should be initiated. The recommendation of the Faculty Senate shall be advisory to the VCAA.
- c. After considering the recommendation of the Faculty Senate, the VCAA shall make a recommendation to the Chancellor as to whether termination proceedings should be initiated.

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 (1) a statement of the grounds for termination, framed with reasonable particularity; (2) 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 (3) notice that the faculty member has ten 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 Faculty Senate at the same time.

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.

Failure to Contest. If the faculty member does not contest the charge(s) in writing and make the required hearing election within ten 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.

Hearing under the Tennessee Uniform Administrative Procedures Act.

1. 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 and are available in campus libraries and in the Office of the General Counsel.

2. Initial Order

In accordance with the TUAPA contested case procedures, upon completion

of the hearing, the hearing examiner shall render an initial order, which either party may appeal to the Chancellor within ten days. In addition, the Chancellor, on his or her own motion, may elect within ten days to review the hearing officer's initial order.

3. Final Order

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

4. Judicial Review

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

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, or a designated committee of the Senate, to appoint a hearing tribunal within fifteen days and shall notify the faculty member of this action. The matter then shall proceed in accordance with the tribunal procedures described below.

1. Composition of the Tribunal

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

2. Notice of Hearing

The Chancellor shall give the faculty member written notice of the hearing date at least 20 days in advance.

3. Representation

If The University intends to be represented by legal counsel, the written notice of the hearing date shall so advise the faculty member. The written notice shall also state the faculty member's right to be represented by legal counsel or other representative of his or her choice. If the faculty member intends to be represented by legal counsel, he or she must notify the tribunal chair within ten days of receipt of the written notice of the hearing date. If the faculty member fails to give timely notice of legal representation, the hearing date shall be postponed at The University's request.

4. Waiver of Hearing

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

5. Pre-Hearing Preparation

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

6. Evidence

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

7. Confrontation and Cross-examination of Witnesses

The faculty member and The University shall have the right to confront and cross-examine all witnesses. If a witness cannot or will not appear, but the tribunal determines that his or her testimony is necessary to a fair adjudication of the charge(s), the tribunal may admit as evidence the sworn affidavit of the witness. In that event, the tribunal shall disclose the affidavit to both parties and allow both parties to submit written interrogatories to the witness.

8. Adjournments

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

9. Burden of Proof

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

10. Findings and Conclusions

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

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

sanction, it shall so report to the Chancellor.

11. Transcript of the Hearing

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

Chancellor's Recommendation on Termination

1. 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. 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.
2. 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. The faculty member may appeal the lesser sanction to the President.

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 The University 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.

2.9.5.2.3 Termination Procedures for Category B Adequate Cause: Misconduct

Preliminary Steps

1. 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.

2. Department 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 VCAA. The recommendation shall include a report of the chair's consultation with the tenured faculty.

3. Dean's Recommendation

If the dean concludes termination proceedings should be initiated, he or she shall forward a recommendation to the VCAA.

4. Vice Chancellor for Academic Affairs Recommendation

- a. If the VCAA 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 VCAA shall make a recommendation to the Chancellor as to whether termination proceedings should be initiated.

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 (1) a statement of the grounds for termination, framed with reasonable particularity; (2) 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; and (3) notice that the faculty member has ten days after receipt of the written notice to elect in writing to contest the termination. The Chancellor shall send a copy of the written notice to the Faculty Senate at the same time.

Suspension or Reassignment Pending Completion of Termination Proceedings

1. 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 The University's termination proceedings.

2. 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 of this policy entitled "Expedited Procedure for Termination or Suspension Without Pay in Certain Cases of Misconduct":

- a. 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
- b. indictment by a state or federal grand jury, or arrest and charge pursuant to state or federal criminal procedure, for: (i) a felony; or (ii) a non-felony directly related to the fitness of a faculty member to engage in teaching, research, service, or administration.

Failure to Contest. If the faculty member does not contest the charge(s) of misconduct in writing within ten 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.

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 an ad hoc hearing 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 chair within ten 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 University's request.

The hearing committee shall make a written report of its findings and conclusions to 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. 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.

Hearing under the Tennessee Uniform Administrative Procedures Act

1. 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 and are available in University libraries and in the Office of the General Counsel.

2. Initial Order

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

3. Final Order

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

4. Judicial Review

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

Expedited Procedure for Termination or Suspension without Pay in Certain

Cases of Misconduct. In the following cases of alleged misconduct by a faculty member, the Chancellor, after consulting with the President of The University and the President of the Faculty Senate (or President's designee from the faculty), 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 campus VCAA.

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 subsequent proceedings do not result in a determination of adequate cause for termination or suspension without pay, the faculty member shall be entitled to all salary and benefits to which he or she would have been entitled during the period of termination or suspension without pay.

2.9.5.2.4 Disciplinary Sanctions Other than Termination for Adequate Cause

Disciplinary sanctions other than termination for adequate cause may be imposed against a faculty member.

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, provided, however, that the procedures shall be modified as follows: (1) 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 (2) the Chancellor may determine that the expedited procedure for suspension without pay is applicable to the conduct (see preceding section re: Expedited Procedure for Termination or Suspension Without Pay in Certain Cases of Misconduct).

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 VCAA. The VCAA 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, and the sanction shall be held in abeyance until conclusion of the appeal.

2.9.5.3 Financial Exigency Plan

Approved by Academic Senate, 1980, and reaffirmed by Faculty Senate, 1990.

Definition - *Financial Exigency*: An imminent financial crisis facing the campus as a whole that results or is expected to result from such a significant decline in financial support and/or enrollments that emergency release of staff, administrators, tenured and non-tenured faculty members may be necessary and that elimination of programs might be required.

2.9.5.3.1 Determination

1. Early indications that adverse financial conditions may face the campus should be reported in writing to the faculty and staff as soon as possible
2. Financial exigency is a circumstance 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 the campus shall request a meeting of the Faculty Senate to present documentation indicating the necessity of a declaration of financial exigency. After discussion with the Faculty Senate and whomever else the Chancellor deems necessary and desirable to consult, if the Chancellor remains convinced that a financial exigency is imminent, he/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 be officially declared for the campus.

2.9.5.3.2 Procedures Following the Declaration

1. After the Board of Trustees has officially declared a state of financial exigency, the campus administration, with the active participation of the campus *Financial Exigency Committee*, shall take action to allocate necessary funding reductions among the various departments and budget units.
2. Financial exigency procedures shall be recommended by a *Financial Exigency Committee* consisting of the following voting members: one tenured full-time faculty member with the rank of assistant professor or above from each college, to be elected by the members of those respective colleges, and one non-tenured full-time faculty member of each college with the rank of assistant professor or above to be elected by the non-tenured faculty of those respective colleges. Election procedures will be developed and implemented by the *Executive Committee* of the *Faculty Senate*. Members of the *Faculty Relations Committee* are ineligible for election to the *Financial Exigency Committee*. Other voting members shall include the Faculty Senate President, the Vice Chancellor for Academic Affairs, the Vice Chancellor for Business and Finance, the Vice Chancellor for Student Affairs, an elected representative of the *Employee Relations Council*, and the President of the Student Government Association. Academic deans shall serve as *ex officio* non-voting members.
3. The committee shall be convened by the Chancellor. At this time, the chairperson shall be elected from among the faculty members.

4. The committee shall develop and recommend a general plan of budget reduction. Specific plans of budget reduction for each unit of the campus, consistent with the general plan, shall then be developed through the normal budget-making channels.
5. The committee shall report its recommendations to the Chancellor and shall provide to the faculty and staff all appropriate information concerning its recommendations.

2.9.5.3.3 Guidelines for the Financial Exigency Committee

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

1. All units of the campus, academic and non-academic, shall be considered.
2. 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.
3. Non-academic reductions will be favored over academic ones.
4. Reductions in operating budgets will be favored over reductions in personnel budgets whenever possible.
5. If recommendations for personnel reductions are deemed necessary, the committee guidelines will include consideration of the following:
 - a. work load per staff member within a budgetary unit. Attention should be directed toward productivity and effectiveness in fulfilling responsibilities of the unit. For faculty, credit hour production per FTE compared to institutional, discipline, and state averages and other assigned duties should be considered;
 - b. ratios between faculty and administrative personnel;
 - c. ratios between personnel in positions classified as staff exempt and staff non-exempt.
6. The committee shall consult with heads of budgetary units before issuing recommendations concerning those units.

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

1. Each unit of the campus has the responsibility to develop a specific plan which will allow that unit to comply with the general plan of budget reduction for the campus and to recommend specific budget cuts for itself through the normal budget-making channels. Each unit shall elect a committee for this purpose. The unit head shall make recommendations after consideration of the committee's report.
 - a. In developing specific plans in non-academic units, the heads of departments will consult with all members of the unit and will be responsible for making the recommendations to the *Financial Exigency Committee*.

- b. Each academic unit (e.g., departments) will consider its reduction plan by meeting as a committee of the whole chaired by the department chair/dean to discuss the recommendations to the *Financial Exigency Committee*. The department chair/dean will note in writing when there is a significant lack of agreement with his/her recommendations.
- 2. Specific unit plans for reduction may include such alternatives to personnel terminations as:
 - a. cutbacks in operating budgets (e.g., supplies and equipment);
 - b. voluntary early retirements;
 - c. voluntary transfers to other units with approval of receiving unit;
 - d. voluntary changes in appointment types and/or work schedules by exempt and non-exempt staff;
 - e. voluntary temporary leave;
 - f. voluntary reductions in salary;
 - g. projects to attract additional students;
 - h. outside funding;
 - i. teaching one semester and a summer;
 - j. voluntarily teaching overloads without additional salary;
 - k. elimination of released time.
- 3. Specific unit plans should include a determination of the minimum staff and budget necessary for continued operation of those programs which are deemed viable.
- 4. The specific plans should include a determination of the minimum number of staff reductions necessary to meet the general reduction plan.
- 5. The specific unit plans shall set forth by category the savings to be achieved by the plan.

2.9.5.3.5 Guidelines for Recommendations for Termination of Personnel

- 1. The *Financial Exigency Committee* will review specific unit plans and determine the number of terminations, if any, necessary in each unit and report its recommendations to the Chancellor.
- 2. Selection 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 academic and non-academic programs. When the issue of maintaining an essential program is not at stake, then the following guidelines are proposed.
 - a. Full-time (regular) employees will be retained in preference to part-time (temporary) ones.
 - b. Continuous-contract persons shall be retained in preference to term-contract or probationary ones.
 - c. Tenured faculty members will be retained in preference to non-tenured ones.
 - d. Among tenured faculty members, those of higher rank shall be retained in preference to those of lower rank. Within rank, seniority will be considered; seniority is to be determined, first, by total number of years of service to the institution and, second (where the total number of years of service is equal), years of service in the

- highest rank.
 - e. In determining retention of non-tenured faculty members equal weight shall be given to seniority and to performance as recorded in annual evaluations.
 - f. Seniority and performance rules stated above shall apply to individuals in positions classified as staff exempt. Attention shall be given to the possibility of temporary merging or elimination of some administrative and/or managerial positions.
 - g. Procedures for termination of individuals in positions classified as staff non-exempt shall be as presented for reduction-in-force in *The University of Tennessee Personnel Policies and Procedures Manual*.
3. Variations from the above rules of tenure, rank, or seniority may be allowed if the head of the unit involved and the *Financial Exigency Committee* agree that the termination of a specific individual or the loss of that person's expertise would:
- a. jeopardize the continuance of program effectiveness;
 - b. undermine the campus capability to meet its institutional goals;
 - c. impair the campus' Affirmative Action Plan sufficiently to jeopardize compliance with federal regulations.
4. Notification. Written notifications 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 no 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 selection for termination.
5. Appeal. Any faculty or staff member receiving a notice of termination has a right to appeal his/her selection for termination. Such an appeal shall first seek resolution through normal administrative channels and, if denied, may be referred to a hearing committee. Members of the *Financial Exigency Committee* will be ineligible to serve on hearing committees.
- a. An appeal by individuals in positions classified as faculty or staff exempt shall proceed through channels, including the appropriate vice chancellor. If the appeal is denied, recourse shall be through the *Faculty Relations Committee* according to procedures specified in the *Faculty Handbook*.
 - b. Individuals in positions classified as staff non-exempt shall proceed through channels according to procedures presented in the *University Personnel Policies and Procedures Manual*. Further appeal may be submitted to a subcommittee of the *Employee Relations Council* as described in the *University Personnel Policies and Procedures Manual*.
 - c. The appropriate hearing committee shall insure a prompt, fair, and unbiased hearing. The committee shall determine whether established procedures were followed and appropriate criteria applied in arriving at the decision to terminate.
 - d. The hearing committee will not review the decision to declare financial exigency nor the decision allocating necessary funding reductions to the various budgetary units.
 - e. The respective hearing committee will recommend that the decision to terminate be upheld or reversed; recommendations will be made

to the appropriate vice chancellor (in case of non-exempt staff) or Chancellor (in case of faculty or exempt staff).

- f. If the decision to terminate is upheld (by the hearing committee and/or the appropriate administrative officer to whom the hearing committee makes its recommendations), further appeal may be made to the Chancellor and to the President (and to the Board of Trustees in the case of tenured faculty).

2.9.5.3.6 Continuing Rights of Persons Terminated

The University shall make every reasonable effort to assist persons who are terminated because of financial exigency in finding other employment. Actions to achieve this goal shall include:

1. Any vacancies that occur during the period of exigency shall be filled by transfer of employees who are to be terminated, provided the employee considered for transfer is qualified, or may become qualified by satisfactory completion of a reasonable program of training, to fill the vacancy. Qualification will be assessed by the chair/dean of the receiving unit and the Vice Chancellor under whose supervision the vacancy occurs;
2. Vacancy in a faculty position caused by termination due to financial exigency shall not be filled for a period of three years unless the released faculty wish to accept or decline the offer. Continuing rights of staff exempt and staff non-exempt personnel shall be as presented in restoration-of-force procedures in *The University of Tennessee Personnel Policies and Procedures Manual*.
3. The above guidelines are not to be construed as limitations on the University's right to employ new personnel, provided the additions are in a new or expanded program area that is essential to achieving institutional goals, and provided that employees terminated because of exigency are not qualified for the positions and cannot become qualified by completing a program of training which appears reasonable and equitable in view of the University's program needs and financial circumstances.

2.9.5.3.7 Guidelines for Students Affected by Personnel Reductions Within Academic Units

The campus recognizes its responsibility to students who may be affected by personnel reductions. In the event personnel reductions jeopardize continuance of an academic program, the following guidelines are proposed:

1. Students affected by personnel reductions shall be notified immediately by the chair/dean at the unit level;
2. The chair/dean or an appropriate faculty member shall provide counsel and guidance to affected students;
3. The focus of the counsel and guidance shall include, but not be limited to, information on other current programs offered within the department or on the campus that may meet academic and career objectives of the student;
4. If the programs at the campus do not meet the needs and objectives of the student, he/she shall be advised of existing similar programs at other institutions within the state. If desired, assistance in transferring shall be

offered.

2.9.6 EXIT PROCEDURES

Refer to *The University of Tennessee Personnel Policies and Procedures Manual*, Policy 125.

2.10 FACULTY RIGHTS AND RESPONSIBILITIES

2.10.1 GENERAL FACULTY MEETINGS

An official meeting of the faculty occurs annually before the opening of the fall semester. There shall be one additional regular meeting of the faculty in the fall semester and one in the spring semester, both to be scheduled in advance by the Executive Committee. The fall meeting will be scheduled to occur within the thirty (30) days prior to the Fall Break, with preference given to Thursdays at 3:15 p.m. The spring meeting will be scheduled to occur within the thirty (30) days prior to Spring Break, with preference given to Thursdays at 3:15 p.m. Notice of these meetings will be sent two weeks in advance by the Secretary of the Senate. The President of the Senate will preside at the meetings. (revised November 1997)

Additional meetings may be called by the Chancellor at his/her initiative or upon petition of ten percent of the faculty. Faculty members should attend all regularly scheduled and called faculty meetings.

2.10.2 ACADEMIC FREEDOM

Members of the faculty are charged to seek and to say honestly and persistently the truth that lies within their respective fields. This is the freedom of the academy, and on this precious foundation rests everything the academy has to offer.

Freedom of thought and of speech as defined for Americans in the Bill of Rights has been hard-won and severely tested. The freedom of the academy is more arduous still and exacts its own stern and constant discipline to wait patiently for evidence to take shape, to withhold judgment when the majority may know already the judgment it wants, or to articulate and defend a surprising or unpopular conclusion. The freedom of the academy includes not only the right of faculty to teach, read, and write without prior restraint or censure, but also the obligation to make public what labor and caution and care and the freedom to inquire have enabled them to know. It is a freedom presupposing personal integrity and professional rigor, subject to the scrutiny of evidence by knowledgeable colleagues. The freedom of the academy presupposes a clear understanding between the University and each member of the faculty about the terms of membership, the extent of duties, and the principles of evaluation of service. Under no circumstances may such an agreement abrogate a faculty member's freedom of inquiry, nor his/her basic right of a citizen and private person to pursue ends and interests consistent with the laws governing all members of society.

Every faculty member enjoys an unusual opportunity to know and influence a number of students, both within the classroom and within the wider context of university life. This opportunity is not open to the average citizen. As a member of the university community, therefore, the faculty member is not simply a private person. He/she should claim no more authority than professional competence and the nature of the appointment can support.

Outside the University, the distinction must be clear between activities undertaken on behalf of the University and those that are purely personal, for which the University is not responsible. The use of University 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, unofficial views. Only under such conditions can the faculty enjoy mutual confidence within its own ranks or command the respect and support of the larger society.

The faculty member's professional conduct is subject to The University of Tennessee "Statement of Policy on Misconduct in Research and Service" found in this *Faculty Handbook*.

2.10.3 GUIDELINES ON ACADEMIC INTEGRITY

The University of Tennessee at Martin has chosen as its primary objective quality undergraduate education. Commitment to this objective must include an obligation by all members of the University community to promote and protect the highest standards of integrity in study, research, instruction, and evaluation. Dishonesty or unethical behavior does not belong at an institution dedicated to the promotion of knowledge and learning. Thus the UT Martin faculty and the UTM Division of Student Affairs, with the support of the UT Board of Trustees, regard plagiarism, cheating, dishonest academic practices, and all other violations of academic integrity as unacceptable behaviors and as behaviors for which students are subject to disciplinary action. The Clarification of Disciplinary Regulations, issued by the UTM Division of Student Affairs as an "Important Notice to UT Martin Students," lists suspension from the University as the expected penalty for such unacceptable behaviors; that Division has the primary responsibility for enforcing published policies regulating student behavior. In doing so, that Division must comply with the requirements of the Administrative Procedures Act. See Rules of the University of Tennessee at <http://tn.gov/sos/rules/1720/1720.htm>.

In dealing with the range of dishonest academic behaviors by students that are specified in published Standards of Conduct and that occur in classroom settings, the UTM Division of Student Affairs relies heavily on the involvement and advice of the UTM faculty. Because the forms of such unacceptable behaviors and the circumstances in which they occur vary widely, appropriate responses initiated by individual teachers to instances of such behaviors may result in lesser consequences than suspension. Consequences that are less punitive than suspension and that may be appropriate in individual situations include the reduction of a grade on an individual project or for the entire course, an F recorded for an individual project or for the entire course, and/or imposed probation. Reduced or failing grades on individual projects or for the course are academic penalties that may be imposed by the teacher in his/her role as the student's instructor. However, probation or suspension are administratively imposed penalties for academic dishonesty that are initiated by the Division of Student Affairs. Typically, the imposition of either of these penalties for academic dishonesty occurs as a response to the request(s) or recommendation(s) of one or more members of the faculty.

Faculty members who detect or observe dishonest academic behavior carry the primary responsibility for taking appropriate actions that initiate administrative enforcement of university policies governing student behavior, policies carried out by the Division of Student Affairs as outlined below in section 2.10.3.2, "Student Disciplinary Procedures." See also section 4.1.6 of this *Faculty Handbook*, "Student Conduct"; see also "Clarification of Disciplinary Regulations," a section in the *Student Handbook* that is also circulated as a single-page handout by the Division of Student Affairs; see also "Standards of Conduct 2008-2009" (or later editions), circulated by the Division of Student Affairs. See also The University of Tennessee at Martin, Student Rights and Responsibilities, at <http://www.utm.edu/departments/studentlife/rights/rights.pdf>.

Integrity of the academic process requires fair and impartial evaluation by faculty and honest academic conduct by students. To this end, students are expected to conduct themselves at a high level of responsibility while fulfilling requirements of their course of study. It is the

corresponding responsibility of faculty to make clear to students those standards by which students will be evaluated and those resources permissible for use by students in a given course.

While each student has an obligation to abide by accepted standards of honesty, the University has a parallel responsibility to assure each student that those who work honestly will not suffer as a result of the dishonesty of others. Therefore, faculty and staff should provide, upon request by appropriate University officials, any information which may be relevant to an investigation of possible violation of academic integrity. Students are also encouraged to provide such information. And, since students are expected to accept and to live by the concept of academic integrity, the University has an obligation to clarify its meaning as much as possible, to disseminate to students accepted standards, and to offer appropriate guidance for their observance. Consistent with these considerations, faculty and students are directed to observe the guidelines in sections 2.10.3.1, "Student Responsibilities"; 2.10.3.2, "Student Disciplinary Procedures"; and 2.10.3.3, "Faculty Responsibilities Toward Students." See also sections 4.1.6, "Student Conduct," and 4.1.7, "Academic Honesty."

2.10.3.1 Student Responsibilities

Each student is presumed to accept the obligation of academic integrity upon enrolling in the University. A student may be found to have violated this obligation if he/she:

1. refers during an academic evaluation to materials, sources, or devices not authorized by the instructor;
2. provides assistance during an academic evaluation to another person in a manner not authorized by the instructor;
3. receives assistance during an academic evaluation from another person in a manner not authorized by the instructor;
4. possesses, buys, sells, obtains, or uses a copy of any materials intended to be used as an instrument of academic evaluation in advance of its administration;
5. acts as a substitute for another person in any academic evaluation;
6. utilizes a substitute in any academic evaluation;
7. practices any form of deceit in an academic evaluation;
8. depends on the aid of others, in a manner expressly prohibited by the instructor, in the research, preparation, creation, writing, performing, or publication of work to be submitted for academic credit or evaluation;
9. provides aid to another person, knowing such aid is expressly prohibited by the instructor, in the research, preparation, creation, writing, performing, or publication of work to be submitted for academic credit or evaluation;
10. indulges in plagiarism by presenting as one's own, for academic evaluation, the ideas, representations, or works of another person or persons without customary and proper acknowledgment of sources;
11. submits the work of another person in a manner which represents the work to be one's own;

12. knowingly permits one's work to be submitted by another person without the instructor's authorization;
13. attempts deceitfully to influence or change one's academic evaluation or record;
14. indulges in conduct which is so disruptive as to infringe upon the rights of an instructor or fellow students during a class or examination session.

2.10.3.2 Student Disciplinary Procedures

The above stated guidelines of academic conduct by students, while seeking to be comprehensive, should be interpreted as minimal expectations. They do not limit the University from taking disciplinary action in other circumstances deemed appropriate. These guidelines do not limit an instructor from expanding on them with additional standards he/she feels proper or necessary for his/her particular subject matter or teaching methods or objectives.

Student violations of academic integrity should be dealt with either within the academic department where the violation occurred or by the Division of Student Affairs, depending upon the circumstances. In most cases, individual violations are initially handled within the academic department where the violation occurred. A teacher who detects or observes academic dishonesty may wish to confer with the department chair during the process of ascertaining an appropriate response to a violation. In certain circumstances, the teacher and the chair may wish to confer with the dean. In any case, the involvement of the Division of Student Affairs is a necessary procedural step, clarified below. In addition to the imposition of academic consequences by a teacher, any student enrolled in the University whose conduct the teacher determines to represent a serious violation of academic integrity will be subjected to disciplinary action by the Division of Student Affairs, acting in response to the teacher's report of the violation and taking into account the teacher's recommendations about an appropriate penalty. Because academic dishonesty on the part of a student is egregious misconduct, probation should be the minimum penalty that a teacher recommends in cases where, given the particular nature of the infraction, that teacher concludes that a reduced or failing grade is an insufficient penalty to punish or deter the unacceptable behavior.

No disciplinary action should be taken against a student for violating academic integrity standards without prior formal notification of the charges against him/her, what the action will be, and why it is being taken. The student should also be informed of his/her right to appeal any such action.

Because of the seriousness of the violation, student misconduct which involves any attempt to gain a passing grade in a course by activities specifically prohibited in the previously stated guidelines on academic integrity should routinely result in a reduced or failing grade being assessed against the student by the teacher in whose class misconduct occurred. In some cases, the teacher may ascertain that the reduced or failing grade itself is an adequate punitive consequence for the particular infraction and an adequate deterrent to ensure that such behavior will not recur.

The teacher who imposes any penalty for academic dishonesty must notify the Division of Student Affairs of the misconduct and the academic penalty that he/she has imposed. At this stage the teacher may also recommend that probation or suspension be imposed; the latter recommendation is the expected penalty for overt and blatant instances of academic dishonesty, while the former allows a teacher to take various extenuating circumstances into account. A teacher who recommends

that the Division of Student Affairs impose probation or suspension on a student should provide that Division with adequate documentation of the particular nature of the student's violation of academic integrity.

After a violation of the academic integrity policy is reported to the Division of Student Affairs, all penalties assessed against a student for this violation should be recorded in the individual's Personal Information Folder, which is maintained in that Division. All appeals and results of the appeal proceedings should be recorded in a similar manner.

A student may not withdraw from a course to avoid an F imposed for academic dishonesty. However, the F in the course can be removed if the student re-takes the course in a later term and passes it. No permanent record is entered into a student's academic file of any penalty for academic dishonesty that is imposed by the Division of Student Affairs; the records of such penalties, along with any notations recording the fact that a teacher has entered a reduced or failing grade because of the student's academic dishonesty, remain in the student's Personal Information Folder, which is maintained in the Division of Student Affairs and is confidential.

In certain instances student academic misconduct cannot be dealt with by the teacher if the accused person is not enrolled or has not been enrolled in the course for which the misconduct is charged (for example, a student accused of writing a term paper and selling it but not enrolled in the course for which the paper has been written). In all cases of this sort, the accusing party should notify the Division of Student Affairs, which should in turn notify the teacher whose course might be affected by such activity. Should a notified teacher determine that students in his/her class violated academic integrity guidelines by cooperating with others in misconduct, he/she may proceed to take punitive academic action. Cases in which one or more students are accused of misconduct but are not subject to the teacher's authority should be referred to the Division of Student Affairs for appropriate action.

In those cases where student misconduct in the class appears to be widespread or organized, faculty members are encouraged to consult with their chair or dean before taking punitive action. Should these officers conclude that the misconduct represents a serious violation of academic integrity, they may recommend that in addition to the teacher's assessing an appropriate grade penalty the case be turned over to the Division of Student Affairs for whatever action that office deems appropriate.

Student behavior which is disruptive in a class should not be tolerated and should be met with the appropriate faculty response, up to and including referral to Public Safety. If counseling by the teacher, chair, or dean does not resolve the problem, the name of each student charged with the disruptive behavior and a written charge of the disruptive activities should be submitted to the Division of Student Affairs, where it will be dealt with through normal disciplinary and judicial procedures.

In all cases involving allegations that a faculty member has violated guidelines of academic integrity, a complaint describing the alleged violation should be reported to the faculty member's department chair for action.

In all cases involving alleged student violations of academic integrity, disciplinary penalties (whether in the form of grade reductions or other academic penalties assessed by a faculty member, or other disciplinary measures imposed by the Division of Student Affairs) may be appealed by the student to the University Council. The appeal procedure is outlined in detail in the *Student Handbook* and in the handout titled *Standards of Conduct 2008-2009* (or later editions). In appeals of

penalties recommended by a faculty member and imposed by the Division of Student Affairs, the faculty member recommending the penalty will be expected to justify his/her action. Similarly, in appeals of decisions of the Division of Student Affairs, personnel of that office will be expected to justify their decisions.

The Division of Student Affairs works closely with the faculty to enforce the policy of academic integrity and to maintain relative consistency in the imposition of penalties for various kinds of unacceptable student behavior. Ultimately, however, the faculty itself is collectively responsible for ensuring that the academic processes of the University remain authentic and that students understand the value of honesty in their academic work. Conscientious, collective action by the faculty, grounded in a unanimous rejection of academic dishonesty as a mode of operation by students in the classroom, will go far toward curbing unacceptable student behavior and toward generating an ethos that promotes real learning while molding graduates who are accustomed to behaving as honest, trustworthy citizens.

2.10.3.3 Faculty Responsibilities Toward Students

Every faculty member has the responsibility to discharge his/her duties in a fair and conscientious manner in accordance with standards generally recognized within the academic community. As a minimum, these standards include:

1. meeting his/her class commitments when scheduled and, insofar as possible, informing students in advance if he/she must be absent;
2. utilizing a portion of the first or second class period to discuss plans for the course. This presentation should include: a general outline of the course as to content or topics to be studied; a description of the kinds of learning activities expected; guidelines for the type and expected amount of course work; a description of the means for evaluating student performance; and an explanation of expectations regarding academic integrity that specifies penalties for plagiarism and cheating and stresses the seriousness of such behaviors;
3. encouraging acceptable academic conduct by all members of the academic community at all times;
4. informing classes, in advance of any evaluation, of the permissible materials or references allowed during evaluation;
5. taking thorough precautions against student cheating on examinations or other required class work;
6. basing all academic evaluations upon professional judgment, without consideration of factors such as race, color, religion, sex, age, national origin, handicap, political or cultural affiliation, marital status, parental status, sexual orientation, life style, or activities or behavior outside the classroom unrelated to academic achievement;
7. performing grading duties in a timely manner and encouraging consultation with students concerning any grade they feel to be incorrect;
8. being available at reasonable times for appointments with students and using care to keep such appointments;
9. respecting the confidentiality of student information contained in University records and refraining from releasing such information, except in connection with

intra-University business or with student consent or as may be required by law;

10. abstaining from the exploitation of his/her professional relationship with students for private advantage, and from soliciting the assistance of students for private purposes in a manner which infringes upon such student's freedom of choice;
11. giving appropriate recognition to contributions made by students to research and publication;
12. refraining from any activity which involves risk to the health, safety, and welfare of a student except with the student's informed consent and, where applicable, in accordance with University policy relating to the use of human subjects in experimentation;
13. respecting the dignity of students individually and collectively in the classroom and other academic contexts;
14. exercising flexibility in course requirements to allow students to make up work for which legitimate excuses can be presented and when the student has taken proper steps to inform the instructor.

The above responsibilities of University faculty should not be considered inflexible or inclusive, but rather as general guides. Each faculty member should become familiar with the standards of professional conduct expected of him/her through observation of and consultation with colleagues within the University community and his/her particular discipline. Every faculty member has the responsibility to discharge his/her duties in a fair and conscientious manner in accordance with standards.

2.10.4 STATEMENT OF POLICY ON MISCONDUCT IN RESEARCH AND SERVICES

Introduction. Institutions of higher education have maintained a centuries-old tradition of integrity and objectivity. The University of Tennessee is pleased with the overall support given by its faculty, staff, volunteers, and students in upholding this tradition and wants to ensure that the highest level of integrity in all academic activities is continued. In recent years, a few well-publicized cases of misconduct in research, including fabrication of results, plagiarism, and misrepresentation of findings, have aroused concern among institutions of higher education, individual investigators, sponsors of research, professional societies, and the general public. Although verified instances of such dishonest behavior are relatively rare, they do indicate the need to be diligent in protecting the integrity of academic work and the stewardship of public and private funds. Allegations of dishonesty by members of the University community must be dealt with carefully and thoroughly and with appropriately defined procedures if a university is to merit continued public confidence and trust. It is with the intent of formally defining the institutional support for integrity in research and service and defining the appropriate procedures for addressing allegations of misconduct in research and service that this *Statement of Policy on Misconduct in Research and Service* has been adopted.

1. Applicability. This policy applies to the research and service activity of the faculty, staff, volunteers, and students of The University of Tennessee. With respect to students, however, this policy does not apply to activities carried out in credit courses unless the associated research or service activities involve external funding.
2. Definitions. For the purpose of this policy, the following definitions will be employed.
 - a. *Faculty* means anyone who has a paid or non-paid academic appointment with faculty rank at The University of Tennessee, as defined in Personnel Policy No. 105, Employment Status.

- b. *Staff* means staff exempt, staff non-exempt, other academic and student employees of The University of Tennessee as defined in Personnel Policy No. 105, Employment Status.
 - c. *Student* means any individual enrolled in courses for credit on a full- or part-time basis at The University of Tennessee.
 - d. *Volunteer* means any individual with a non-paid volunteer, clinical, non-clinical, affiliated, or honorary employment status.
 - e. *Research and Service* means research, scholarship, creative endeavors, public service activities, and related functions conducted by faculty, staff, volunteers, and students in their capacity as employees, volunteers, or students of the University.
 - f. *Misconduct* means fabrication, falsification, plagiarism, or other serious unethical or illegal deviations from accepted practices in proposing, conducting, or reporting the results of research and service activities. It does not include honest error or honest differences in interpretations or judgments of data.
 - g. *Inquiry* means information gathering and initial fact finding to determine whether an allegation or apparent instance of misconduct warrants an investigation.
 - h. *Investigation* means the formal examination and evaluation of all relevant facts to determine if misconduct has occurred.
 - i. *Campus* means all campuses and independent budgetary units of The University of Tennessee and affiliated institutions in which research, scholarship, creative endeavors, or public service activities for the University are being conducted.
3. Responsibilities of The University. The University of Tennessee will instruct its faculty, staff, volunteers, and students to promote and encourage integrity in all research and service endeavors; will act vigorously to discourage and detect misconduct in research or service; will take appropriate disciplinary action against any of its faculty, staff, volunteers, or students who engage in such misconduct, as revealed by a careful investigation; and will inform and cooperate with appropriate sponsoring agencies, organizations publishing findings, and other appropriate organizations and institutions that appear likely to have been affected by such misconduct. The University's faculty, staff, volunteers and students are to work collegially to create an environment where misconduct will not be tolerated.
 4. Confidentiality. The University will make every reasonable effort to limit voluntary disclosure of information about an allegation of misconduct to those within and outside of the University with a need to know. The University is subject, however, to the Tennessee Public Records Act, and the records of any inquiry or investigation do not fall within any statutory or judicially recognized exception to the Act.
 5. Allegations. Any individual who has reason to believe that he or she has knowledge of an act of misconduct within the meaning of this policy by any University of Tennessee faculty, staff, volunteer or student is responsible for communicating this information to a supervisor or appropriate administrator. The supervisor or administrator will refer the allegation to the administration of the campus where the misconduct in research and service is alleged to have occurred. The University will make every reasonable effort to protect the confidentiality of an individual who in good faith makes an allegation of misconduct and also protect the individual from retaliation by any University official. However, if the allegation is later shown to have been made maliciously and falsely, the University may take appropriate disciplinary action against the individual who made the allegation.
 6. Inquiries and Investigations.
 - a. *Inquiry.* When an allegation or evidence of misconduct is referred to the campus

administration, the chief administrator of the campus will immediately initiate an inquiry. At the same time, the chief administrator of the campus shall give written notice to the individual against whom an allegation has been made of the nature of the allegation but not the identity of the person who made the allegation. The purpose of the inquiry is to determine if sufficient grounds exist for conducting an investigation. The chief administrator will determine on a case by case basis how the inquiry will be conducted. The chief administrator shall ensure that necessary and appropriate expertise is obtained to carry out a thorough and authoritative evaluation of the relevant evidence. The University will take careful precautions against real and apparent conflicts of interest on the part of those involved in the inquiry. An essential component of the inquiry will be for the individual against whom the allegation is made to present evidence orally or in writing as appropriate.

An inquiry must be completed within sixty (60) calendar days of its initiation unless circumstances clearly warrant a longer period. The record of the inquiry should include documentation of the reasons for exceeding the sixty (60) day period.

The University will maintain in a secure manner and for a minimum of three (3) years sufficiently detailed report of inquiries to permit later assessment of reasons for determining that an investigation was or was not warranted. A report of the inquiry shall be made to the chief administrator of the campus and to the President of the University. The written report shall include a statement of the evidence reviewed, a summary of relevant interviews, and the conclusions of the inquiry. The individual against whom the allegation was made shall be given a copy of the report of the inquiry. If the individual comments on the report, the comments will be made a part of the record. Sponsoring agency officials will be informed within twenty-four (24) hours if, after consultation with University legal counsel, an inquiry indicates possible criminal violation.

- b. *Investigation.* If, as a result of the inquiry, sufficient grounds exist for further investigation, the chief administrator of the campus will initiate a full investigation within thirty (30) days and will notify the sponsor(s) and the individual(s) against whom the allegation has been made in writing on or before the date the investigation begins. At this point, the chief administrator shall disclose to the individual who will be the subject of investigation the identity of the person who made the allegation. The purpose of the investigation is to examine and evaluate relevant facts to determine whether misconduct has taken place.

This investigation will be conducted by a panel of at least five (5) full-time University faculty and administrative staff. The panel will include a minimum of three (3) University of Tennessee faculty members having expertise in the area of research or service under investigation and who do not hold administrative appointments. Additional individuals may be appointed to provide expertise according to the nature of the specific allegations or evidence in the case. If necessary, additional faculty members with required expertise may be drawn from academic institutions other than The University of Tennessee. All members of the panel must be free of any potential conflict of interest regarding any activity of the investigation. In the event that there are not three members from The University of Tennessee faculty that would meet the qualifications, the panel may be filled by faculty from other academic institutions. The University will take careful precautions against real or apparent conflicts of interest on the part of those involved in the inquiry or investigation.

The panel of investigation will examine the final report of the inquiry, along with a full statement of allegations which shall be prepared by the chief administrative officer of the campus or his/her designee based upon agency notification and information,

individual informants, and other sources. The individual who is the subject of investigation shall be given a copy of the full statement of allegations and an opportunity to comment on the allegations, at the outset of the investigation.

The investigation may also include: a review of files, reports, and other documents at the University or in the public domain; a review of procedures or methods and inspection of laboratories, laboratory materials, specimens, and records of the subject(s) of the investigation; interviews with witnesses; a review of any documents or other evidence provided by or properly obtainable from parties, witnesses, or other sources; and a review of records maintained by and properly obtainable from relevant funding agencies. Whenever possible, interviews should be conducted of all individuals involved either in making the allegation or against whom the allegation is made, as well as other individuals who might have information regarding key aspects of the allegations; complete summaries of these interviews should be prepared, provided to the interviewed party for comment or revision, and included as part of the investigatory file. The individual against whom the allegation has been made will be provided promptly with copies of all materials placed in the investigatory file, as they are generated, in order to permit timely response. The individual concerned will be allowed an opportunity to respond, in writing and in person, prior to the time that the panel makes a determination as to whether the allegation has been substantiated. Should the individual choose to respond in person, he or she may be accompanied by legal counsel or other person of his or her choice. The role of legal counsel and any other person shall be limited, however, to advising the individual and shall not include the right to make oral argument or otherwise speak for the individual.

The investigation must be completed within one hundred twenty (120) days of its initiation. This includes conducting the investigation, preparing the report of findings, and obtaining comments from the subject(s) of the investigation. If the University determines that it will not be able to complete the investigation within one hundred twenty (120) days, it must closely adhere to any applicable sponsoring agency regulations regarding the submission of interim reports, requests for extensions, and any other regulations. Documentation will be maintained throughout the investigation to substantiate the findings. This documentation is to be made available to appropriate sponsoring agencies after completion of the investigation.

Upon completing the investigation, the investigative panel shall prepare a final report containing a written statement of its findings and provide a copy of those findings to the individual accused of misconduct. The individual shall have an opportunity to comment on the findings before the investigative panel submits its final report. Comments from the affected individuals will be attached to the final report.

The investigative panel shall submit its final report to the chief administrator of the campus and the President of the University containing an assessment of whether the allegation has been substantiated, describing the procedures under which the investigation was conducted, and including the actual text or an accurate summary of the comments of any individual(s) found to have engaged in misconduct.

The University will strictly adhere to all requirements of sponsoring agencies, if any, including filing of interim progress reports and keeping all agencies apprised of any developments which may affect current or potential funding. Interim administrative actions will be taken, as appropriate, to protect involved sponsoring agency funds and ensure that the purposes of the funding are carried out. The University must notify each sponsoring agency as soon as it ascertains that any of the following conditions exist: (1) there is an immediate health hazard; (2) there is an immediate need to protect agency funds or equipment; (3) there is an immediate need to protect human or animal subjects of the research or service work; (4) there is an

immediate need to protect the interests of the person(s) making the allegations or of the subject(s) or co-investigator(s) and associate(s) of the subject(s) of the allegations; (5) it is probable that the alleged incident is going to be reported publicly. Sponsoring agency officials will be informed within 24 hours if, after consultation with University legal counsel, an inquiry or investigation indicates possible criminal violations. Sponsoring agencies will be notified of the final outcome of any investigation including any sanctions taken against an individual.

7. Unsubstantiated Allegations: Restoration of Reputations. If an allegation of misconduct is not substantiated by an investigation, the chief administrator of the campus will undertake diligent efforts to give notice of that fact to all persons who participated in the inquiry and investigation and other persons or agencies who were informed of the allegation by the University
8. Sanctions. If an allegation of misconduct is substantiated, the chief administrative officer of the campus shall initiate the applicable faculty, staff, or student disciplinary procedure, and sanctions, if appropriate, will be imposed under those procedures. If the individual is a faculty member, action will be taken as specified in the applicable *Faculty Handbook*; if the individual is a staff member, action will be taken as specified in *The University of Tennessee Personnel Policies and Procedures*; if the individual is a student, action will be taken as specified in the applicable *Student Handbook*; if the individual is a student and an employee, action may be taken as specified in the applicable *Student Handbook* and in *The University of Tennessee Personnel Policies and Procedures*; if the individual is a volunteer, sanctions will rest with the chief administrative officer of the campus.
9. Dissemination of Policy and Procedure. The chief administrative officer is responsible for ensuring that faculty, staff, volunteers, and students at his/her campus are informed of this policy and of its significance. Questions regarding a specific allegation, inquiry or investigation should be directed to the Office of the General Counsel.

2.11 FACULTY DEVELOPMENT

2.11.1 FACULTY DEVELOPMENT GRANTS - EDUCATION PROGRAM

The UT Martin Faculty Development Grant Education Program is designed to provide modest support for faculty members who have chosen to pursue an advanced degree at a university in our region. (Support would not be provided to study at, say, Harvard or Stanford.) These grants will cover such expenses as tuition, books and supplies, housing, etc. Support in this program will be for no more than two years. Application should be made (through the chair and dean) by memorandum directly to the Director of Research, Grants, and Contracts. (For current limitations on financial support refer to policy statement on file in the Office of the Vice Chancellor for Academic Affairs.)

2.11.2 FACULTY DEVELOPMENT GRANTS - TEACHING PROGRAM

The UT Martin Faculty Development Grant Teaching Program is aimed at faculty members who wish to improve their teaching. It is often difficult to separate research from teaching improvement activities, simply because both of them involve faculty in projects that do improve teaching effectiveness in some way. However, these grants (not to exceed \$1,000) are reserved for those projects which are beneficial to teaching and do not conform to the guidelines of research grants. (For current limitations on financial support refer to policy statement on file in the Office of the Vice Chancellor for Academic Affairs.)

Any full-time faculty member may apply for a Faculty Development Teaching Grant; however, faculty members who have previously been awarded a grant must show that they have presented a report on their findings at a professional meeting or submitted for publication an

account of their findings or submitted an extramural proposal for further activities before their new proposals will be considered for funding. When that standard has been met, their proposals will be considered equally with those from first-time applicants.

An application for a Faculty Development Grant Teaching Program may be obtained from the Office of Research, Grants, and Contracts.

2.11.3 FACULTY RESEARCH GRANTS

The UT Martin Faculty Research Grant Program is designed to provide modest support for preliminary studies leading to extramural grant proposals for long-term support and/or to publication of research results. Any full-time faculty member may apply for a Faculty Research Grant; however, faculty members who have previously been awarded a grant must show that they have either submitted an extramural proposal or submitted for publication the results of their previous award before their new proposals will be considered for funding. When that standard has been met, their proposals will be considered equally with those from first-time applicants. (For current limitations on financial support refer to policy statement on file in the Office of the Vice Chancellor for Academic Affairs.)

For these awards, research is defined broadly to subsume all forms of scholarly work and creative artistic/activity. Faculty members are encouraged to include student-workers in their research activities, so long as it is clear that the project is the faculty member's, that the faculty member will be the one publishing the results, and that the faculty member will be the one submitting an extramural proposal for long-term support. Funds may be requested for anything germane to the completion of the project: travel, released time, student/clerical salaries, equipment, supplies, etc.

An application for a Faculty Research Grant may be obtained from the Office of Research, Grants, and Contracts.

2.11.4 FACULTY ATTENDANCE AT PROFESSIONAL MEETINGS

In accordance with the University's general policy of promotion of professional growth and development, faculty members are encouraged to attend and participate in professional society meetings. In cases of budgetary stringency, limitations on the number of expense-paid trips to meetings may be made.

The policy of the University in this connection is as follows: the travel must be necessary for the proper execution of official University business or in justifiable pursuit of the University's educational and research objectives.

Meetings and conferences to be attended must be of a professional nature that will increase the attending individual's usefulness to the University.

2.11.5 FACULTY TRAVEL

The University travel policies are given in Section 5.6 of this *Faculty Handbook*.

2.12 WORKLOAD

2.12.1 ACADEMIC

A full-time teaching position is recognized as a full-time job. While it is not possible or desirable to establish the same load or credit hour production for each faculty member, a full-time faculty member is normally expected to teach twelve (12) credit hours in courses having regular enrollments each term and participate in other professional activities including the

following: student advising, research, professional development, and University and public service activities. Teaching responsibilities should normally comprise about 80 percent of a faculty member's workload, and the other activities about 20 percent.

Deans and department chairs are responsible for structuring schedules to take into account differences in responsibility which impact upon the overall teaching load. These include:

1. an unusually large section of a single course that would warrant splitting the section into two sections by normal standards;
2. laboratory supervision and planning requiring an excessive number of contact hours equivalent to an additional course;
3. graduate courses in which the nature of instruction requires significantly greater research than an undergraduate course carrying the same credits. The equivalency of nine credit hours of graduate courses to twelve hours of undergraduate courses would be an acceptable guideline;
4. reduction in teaching load for department chairs -- a 50 percent workload reassignment from teaching responsibilities to administrative responsibilities may be considered a reasonable guideline;
5. assignment of non-lecture courses such as student teaching, field supervision, thesis, independent study, and private music instruction equivalent to the workload of conventional courses consistent with the normal twelve credit hour teaching load according to procedures established for individual programs;
6. special assignments including President of the Faculty Senate, chairs of unusually demanding committees, major research projects which are expected to result in publication, coordination of accreditation or program review, and faculty development/retraining equivalent to teaching a course justify a reassignment from normal teaching responsibilities;
7. other documented reasons for differences in responsibility which have been approved in advance by the Vice Chancellor for Academic Affairs.

2.12.1.1 Faculty Released Time

A faculty member may secure administrative approval to be released from some scheduled duties to provide time for research, public service, or related professional activities. Prior to the beginning of each academic year, the department chair and respective dean review anticipated faculty workloads to determine commitments for teaching, research, and public service activities. Release time may be arranged following negotiation between all concerned parties, provided that satisfactory arrangements are also made to assure that all assigned teaching duties are performed to the satisfaction of the faculty members of the department concerned.

2.12.1.2 Administrative Committee and Other Assignments

While it is recognized that administrative committee assignments and other special work assignments are normally expected in the regular workload of full-time faculty; deans, directors, chairs and other administrative officers should consider the teaching, research and professional duties expected of faculty before delegating additional responsibilities. Every effort should be made to assign other responsibilities equally among the faculty, with due consideration given to nature of appointment, workload in teaching and advising, and other commitments (i.e. Faculty Senate).

2.12.2 SUMMER TERM

The University offers a wide range of courses during the two summer sessions. Each session lasts approximately five weeks. Faculty members may be employed to teach in the summer session. Each department should have guidelines for the allotment of summer school teaching.

Faculty members on academic-year appointment receive extra remuneration for summer school teaching at the rate of 3.125 percent of the previous year's annual salary per credit hour of course work taught. The maximum number of credit hours for which remuneration may be received is six per session (18.75 percent of previous year's base salary). A person teaching for both sessions is limited to nine credit hours (28.125 percent of the previous year's base salary). Courses taught through Continuing Education have a different pay scale but are included in the maximum load calculations, if taught during the regular summer semester. Exceptions will be granted only with the approval of the appropriate chair, dean, and the Vice Chancellor for Academic Affairs. (Revised July 1994)

2.12.3 OUTSIDE EMPLOYMENT/CONSULTING

Opportunities exist for many faculty members to render valuable outside professional services for which they may be remunerated. Such outside services strengthen the professional competence of the faculty member as a teacher and scholar, enhance the public service of the University, and open to students opportunities for professional experience and employment.

The wide range in types of consulting prevents the establishment of simple, comprehensive regulations. The following guidelines are designed to allow flexibility and adaptability to accommodate a wide range of service needs.

The guidelines primarily concern long-term, continuous, or continual arrangements between a faculty member and client. Short-term, non-recurring activities such as participation in symposia, accreditation visits, speaking engagements, exhibitions, or recitals are not covered by these guidelines; but they should be brought to the attention of the department chair/dean.

The remuneration for outside professional services is regulated by these guidelines only if payment is made through the University from grants and contracts. Such fee schedules are not relevant to individual contracts between the faculty member and a client.

Ordinarily, private business of members of the faculty and staff does not fall within regulation by the University, provided such business entails no loss of time or efficiency in the performance of University duties. The guidelines of this section do not apply to income generating activities covered by a specific professional activity allowance agreement or to faculty and professional staff of the Institute of Agriculture. Agriculture faculty and professional staff should check with their dean concerning applicable policies.

Guidelines³

1. If consulting is done during periods of regular employment, prior permission of the immediate supervisor must be obtained. It is primarily the responsibility of the immediate supervisor to review faculty requests to engage in consulting activities and to maintain a record of approvals granted.
2. The consulting work should be related to the faculty member's normal University duties and should contribute to the effectiveness of his/her regular academic work.
3. Faculty members on academic-year appointments may engage in outside professionally

related consulting provided the total amount of time expended does not exceed an aggregate of one day per calendar week for periods of regular employment.

Faculty members on twelve-month appointments are covered by the same general University policies pertaining to holidays, vacation, and sick leave as those which apply to administrative or professional personnel of the University. Such faculty members may engage in outside consulting provided the total amount of time expended does not exceed an aggregate of one day per calendar week for periods of regular employment and that such work is performed entirely outside of normal working hours or at such time as the faculty member is in an official leave status.

The University is entitled to the full professional energies of all full-time administrative and professional employees and does not expect such employees to accept regular outside employment unless same has been covered by specific agreement with administrative superiors. In many cases, successful accomplishment of job requirements requires considerable time in excess of normal office hours, and there are no provisions for extra compensation for such excess time when related to the employee's regular field or scope of employment.

Extra service payments may be warranted when, within the University, a demand for the specialized services of a 12-month academic employee arises in an area unrelated to the employee's scope of employment, if these services can be performed entirely outside of normal working hours or the employee is on annual leave. The employee and the employee's supervisor must certify in writing prior to the time services are to be rendered that such services will be performed entirely outside normal working hours.

4. If faculty on academic-year appointments are engaged on the University payroll during the summer months (e.g., summer school teaching, work on grants and contracts), the limit of one calendar day per week for each week of full-time University employment as described under point four pertains. The one-day-per-week average is not applicable to those portions of the summer in which a faculty member is not employed through the University in teaching or research grants or contracts.
5. University employees may not contract with agencies of state government to provide services. However, such services may be rendered provided there is a contract drawn between UT and the state agency.

When the state agency is a Board of Regents institution, exceptions are as follow:

- a. When non-teaching services do not exceed 15 hours in any one week and the honorarium does not exceed \$1,500 in any one semester, a contract is not required. However, the employee is obligated to inform his/her superior of such services and compensation and to render such service only with the consent of his/her superior.
- b. Contracts are not required for services involving teaching or instruction that does not exceed one course per semester. However, written approval must be secured from his/her superior.

2.12.4 CONFLICT OF INTEREST POLICIES

1. General Policy

Objectivity and integrity are essential qualities for employees of any organization, and particularly for those who are engaged in the service of a comprehensive public university. If a public university is to carry out its missions in the areas of instruction, research, and public service with unquestioned credibility, its employees must maintain the highest levels of integrity and objectivity as they perform their duties. The purpose of

this policy is to ensure that the faculty and staff of The University of Tennessee maintain these qualities in situations that may involve conflicts of interest. Therefore, faculty and staff of The University of Tennessee are to avoid at all times any actual or apparent conflicts of interest between their duties and responsibilities as employees and their interests outside the scope of their University employment.

Generally, a conflict of interest exists whenever:

- a. An employee's outside interests interfere with or compromise his or her judgment and objectivity with respect to his or her duties and responsibilities to the University; or
- b. An employee makes or influences University decisions or uses University resources in a manner that results in:

Personal financial gain or financial gain for his or her immediate family members, which are defined as the employee's spouse and any minor children residing with the employee; or

An unfair advantage to a third party outside the University.

Note: For the purpose of this policy, the interest of a spouse or minor child with whom the employee commingles assets is considered the employee's interest.

2. Examples of Prohibited Conflicts of Interest

According to the definition stated above, the following situations are examples of prohibited conflicts of interest:

- a. Holding an office or a management position in a private venture and (1) the venture is either in competition with the University, or (2) the employee uses his or her University position to obtain favored treatment for or to provide unfair advantage to that venture.
- b. Holding a financial interest in excess of 5 percent of the total capital of a private venture and (1) the venture is in competition with the University, or (2) the employee uses his or her University position to obtain favored treatment for or to provide an unfair advantage to that venture.
- c. Holding a financial interest (either the employee or a member of his/her immediate family) in a private venture and procuring or influencing the procurement of goods or services from that venture for the University.
- d. Soliciting or accepting gifts, gratuities, benefits, or favors of monetary value from a person or an organization (1) in return for influencing an employee in the discharge of his or her University duties, or (2) while being in a position to obtain favored treatment for or provide an unfair advantage to that person or organization.
- e. Selling anything (excluding copyrighted literary property such as books, stage plays, etc.) to the University while an employee or within six months after termination of active employment with the University.
- f. Providing contracted personal services to the University while an employee or within six months after termination of active employment with the University for which payments are made other than through payroll.
- g. Using confidential or official University information in any manner that results in personal financial gain or that provides financial gain or an unfair advantage to the

third party.

3. State Laws and Regulations

In addition to the general policies described above, State laws and regulations also prohibit the following:

- a. Accepting rebates, gifts, or other things of value. Tennessee Code Annotated section 12-3-106 prohibits employees who are responsible for initiating requisitions from directly or indirectly accepting or receiving any rebate, gift, money, or other thing of value from any person, firm, or corporation to whom a contract for the purchase of materials, supplies, or equipment may be awarded. This statute also prohibits accepting or receiving any promise, obligation, or contract for future rewards or compensation from a contractor.
- b. Having a personal interest in any contract in which the University is or may be interested. Tennessee Code Annotated section 12-4-101 prohibits employees who are in a position to select a contractor, to oversee work under a contract, or in any manner to superintend a contract in which the University is or may be interested from being directly interested in the contract. An employee is directly interested if the contract is with:

The employee,

A business in which the employee is the sole proprietor,

A business in which the employee is a partner, or

A business in which the employee has a controlling interest, i.e., owns or controls the largest number of outstanding shares owned by any single individual or corporation.

Violation of this statute carries a civil penalty requiring forfeiture of all pay and compensation received under the contract, dismissal from employment, and ineligibility for the same or a similar position for ten years.

Exceptions:

Any interest that does not fall within the definition of a direct interest is an indirect interest and is allowed if it is publicly acknowledged at the time of contracting.

If the employee, proprietorship, partnership, or corporation is the sole supplier of required goods or services in the county, the employee's interest is allowed if it is publicly acknowledged at the time of contracting.

- c. Selling goods to the University or any other State agency. Tennessee Code Annotated section 124-103 prohibits all University employees from bidding on, selling, or offering to sell any merchandise, equipment, material, or similar commodity to the University or any other State agency. This applies to sales by:

The employee,

A business in which the employee is the sole proprietor,

A business in which the employee is a partner, or

A business in which the employee has a controlling interest (see 2. above).

This prohibition continues for six months after employment with the University terminates.

Violation of this statute carries both civil and criminal penalties:

Civil. The employee must refund to the University or the State all amounts paid for the goods, plus 8 percent interest.

Criminal. Violation of section 12-4-103 is a Class E felony.

Exceptions:

Sales by a business in which an employee owns less than a controlling interest are allowed if the employee's interest is publicly acknowledged at the time of the sale.

Sale of copyrighted literary property such as books, stage plays, etc., to the University by an employee.

If the employee, proprietorship, partnership, or corporation is the sole supplier of required goods in the county, the sale is allowed if the employee's interest is publicly acknowledged at the time of the sale.

- d. Providing contracted personal, professional, or consultant services to the University or any other State agency. Tennessee Code Annotated section 12-4-109 requires that all personal, professional, and consultant services to the University and other State agencies be procured as prescribed by the State Department of Finance and Administration. Under those regulations, all employees are prohibited from contracting with the University or another State agency to provide personal, professional, or consultant services. This applies to contracts with:

The employee,

A business in which the employee is the sole proprietor,

A business in which the employee is a partner, or A business in which the employee has a controlling interest (see 2. above).

This prohibition continues for six months after employment with the University terminates.

- e. Nepotism. Tennessee Code Annotated section 31-103 prohibits employees who are relatives from working within the same direct line of supervision whereby one relative is responsible for supervising the job performance or work activities of the other. "Relative" means a parent, foster parent, parent-in-law, child, spouse, brother, foster brother, sister, foster sister, grandparent, grandchild, son-in-law, brother-in-law, daughter-in-law, or any other family member who resides in the same household.

4. Reporting Requirements All University employees (except term and student) are required to take the initiative in reporting any outside interests in which they are involved where there is an actual, potential, or apparent conflict of interest with their duties and responsibilities as employees of The University of Tennessee. Employees are responsible for reporting, in writing, all situations involving activities or relationships with another employer that pose an actual, potential, or apparent conflict of interest.

Each campus and unit of the University is responsible for developing procedures for reviewing the information disclosed by employees to determine if conflicts of interest exist. In addition, campuses and units will work with employees to eliminate actual or apparent conflicts and to prevent potential conflicts from occurring. Employees will follow the procedures below when reporting outside interests:

- a. When initially employed, all new employees will be given a copy of this policy, which will be discussed with them during their orientation.
- b. When initially employed, all new employees (except term and student) are required to complete a disclosure form (see Fiscal Policy, Conflict of Interest, Appendix A).
- c. Senior administrative personnel as designated by the President or Executive Vice President are required to file a disclosure form with the General Counsel's Office by July 30 each year (see Fiscal Policy, Conflict of Interest, Appendix B).
- d. All employees, other than senior administrative personnel, are required to submit a new disclosure form according to campus/unit procedures only when they have interests and/or activities to disclose.
- e. Once an employee discloses the existence of a potential conflict of interest, he or she must file a disclosure form each year as long as potential conflict of interest exists.

Outside Interests to be Reported and Approved

Although not prohibited, certain outside interests may appear to be conflicts and therefore must be reported on the disclosure form and approved. The following situations are examples of such outside interests:

1. Engaging in a dual employee relationship with University superiors or subordinates in a private venture.
2. Engaging in University research sponsored by an outside organization in which the researcher has ownership (excluding publicly traded stocks or bonds of a corporation).

2.12.5 OFFICE HOURS

Each full-time faculty member is expected to be available to students on a regular basis for consultation and advisory services. Office hours should be scheduled and posted.

2.12.6 FACULTY INVOLVEMENT IN STUDENT AFFAIRS

Some faculty members may elect to serve as sponsors and advisors of groups engaged in various extracurricular activities. Such service is regarded as an important part of an individual faculty member's contribution to the institution. All sponsors and advisors of student organizations and activities should be familiar with policies regarding such organizations and activities and in cases of uncertainty should not hesitate to consult the Office of the Vice Chancellor for Student Affairs, or other officials or committees concerned with extracurricular activities.

2.12.7 ACADEMIC ADVISING

The University of Tennessee at Martin shall provide academic advisement to all regularly enrolled students. The objectives of the University advisement program are:

1. to provide students with information on policies, procedures, and programs of the University;
2. to assist students in exploring educational and career opportunities;

3. to assist students in establishing life goals;
4. to assist students with the development of an educational plan of study and the selection of courses;
5. to make students aware of the range of services and educational opportunities pertinent to their educational objectives at this University.

The Vice Chancellor for Academic Affairs is responsible for the academic advisement program of The University of Tennessee at Martin, which is based upon a system of policies, procedures, publications, personnel, and services that are adopted on a University-wide basis. The deans of the individual colleges are accountable to the Vice Chancellor for Academic Affairs for the effectiveness of the advisement programs within each college. Deans are responsible for implementing the academic advising system which is determined as being most effective in meeting the advising needs of the students within each college.

Academic deans are responsible for the maintenance of advising files for all students enrolled in each college and for insuring that advisors have accurate information for each new advisee assigned. Information containing the following will be in the folder: ACT and/or SAT student profile reports, campus placement scores, TOEFL scores (if appropriate), admission confirmation and transfer evaluation forms, academic planning worksheet, academic progress information, record of referrals to other student services, and academic advising agreement. Academic deans should be responsible to see that files are promptly forwarded to the appropriate office or advisor when students change colleges, majors, or advisors.

In support of the academic advising program the University shall:

1. provide advisors with current and accurate information related to student educational preparation and progress;
2. provide advisors with an *Advising Handbook* containing annually updated information related to policies, procedures, programs, and services;
3. provide advisors with appropriate training in academic advising;
4. periodically evaluate the effectiveness of the advisement program and individual advisors using an evaluation instrument approved by the Faculty Senate and coordinated by the Office of Academic Affairs;
5. consider academic advising in tenure, promotion, and merit decisions;
6. inform students of the advising and counseling services at UT Martin and stress the importance of academic advising.

2.13 WORKING CONDITIONS

2.13.1 PATENTS, COPYRIGHTS, AND LICENSING POLICIES

The University's *Statement of Policy on Patents, Copyrights, and Licensing* is on file in the Office of Research, Grants, and Contracts.

UT Research Foundation. The University of Tennessee Research Foundation, a nonprofit organization, assists faculty and staff members in development and management of patents. Information concerning the UT Research Foundation may be obtained from the Office of Research, Grants, and Contracts.

2.13.2 COMMERCIAL VENTURES

For detailed information see *Statement of Policy on Commercial Ventures* adopted by the University of Tennessee Board of Trustees, June 18, 1987.

2.13.3 RESEARCH POLICIES

Research is one of several means to promote the University's primary mission of excellence in undergraduate education. While it leads to new knowledge and understanding vitally needed in the classroom, research is an important vehicle for professional development and assists the faculty member in maintaining excellence in instruction. In addition, it provides a means for the University to attract and develop well-informed students. Faculty members are encouraged to initiate and participate in research projects to the extent allowed by limitations on available time and resources.

2.13.3.1 Use of Drugs in Research

The Federal Controlled Substances Law requires that all faculty using narcotics or other dangerous drugs in their research or teaching program involving either human beings, lower animals, or plants must now register their projects through the Office of Research, Grants, and Contracts with the State of Tennessee and ultimately obtain a registration number for each of their research projects.

2.13.3.2 Human Subjects Policy

Faculty members involving human subjects in their research should insure that their project design provides adequate protection for those subjects and that such protective measures are in compliance with current guidelines available from the Director of Research, Grants, and Contracts.

2.14 LEAVES

For information regarding the University policies on holidays and leaves of all types (annual, sick, maternity, educational, etc.), faculty members should refer to *The University of Tennessee Personnel Policies and Procedures Manual*.

2.15 FRINGE BENEFITS

2.15.1 MANDATORY/CARRIER/INSTITUTIONAL

Insurance, Retirement, and Other Benefits. The handbook *Your University Benefits, A Guide for Employees of The University of Tennessee*, contains detailed information about insurance and retirement programs available to UT Martin faculty and staff. Additional details regarding these and other benefits may be found in *The University of Tennessee Personnel Policies and Procedures Manual*, available in the Office of Personnel Services, located in the Administration Building.

The UT Martin Benefits Office of Personnel Services provides advice and counseling to faculty and staff encompassing the Retirement Program, the employee Group Health Insurance Program, the Worker's Compensation Program (covering line-of-duty injuries in the course of employment), tax-sheltered annuities, and the purchase of United States Savings Bonds through payroll deduction. Additionally, the UT Martin Benefits Office of Personnel

Services provides counsel regarding benefits payable to the beneficiary or estate when a faculty member's appointment is terminated by death.

Faculty members are encouraged to use the services of the Benefits Office for filing claims for medical expenses under the Group Health Insurance Program. Retirement counseling and assistance are available through this office and through the University-wide Retirement Office. The Benefits Office is also the contact point for submitting claims for injuries occurring while on the job and in the course of employment. Information on tax-sheltered annuities and U.S. Savings Bonds and applications for enrolling or making changes in these services are also available through this office.

UT Federal Credit Union. The UT Federal Credit Union is a non-profit, cooperative organization formed to promote thrift, provide financial services, and serve as a source of credit at a reasonable rate of interest. The UT Martin branch of the UT Federal Credit Union is located in Clement Hall and offers full service. To become a member requires that purchase of at least a \$5 share. Faculty members who are interested in membership may contact the manager of the UT Martin Branch Office.

Parking and Traffic Safety. The number of resident students on campus and the tremendous growth of the vehicular population make necessary some control and restriction on movement and parking of cars on campus.

No traffic safety and parking control plan can work well unless vehicles are registered. Therefore, all who operate vehicles on campus are required to register their vehicles with the Safety and Security Department. A set of registration decals will be provided at a nominal cost each year. Decals will be affixed to the driver's side of front and rear bumpers.

Campus traffic and parking regulations are determined by the Traffic and Parking Authority, which is composed of faculty, staff, and students. A copy of the regulations will be furnished at the time of vehicle registration.

2.16 GRIEVANCE AND APPEAL PROCEDURES

The following general and special procedures are provided to give faculty members an opportunity to seek resolution of complaints about decisions affecting their employment as faculty members. Before bringing a complaint under one of these procedures, however, a faculty member should make reasonable efforts to resolve the matter informally.

A faculty member may initiate a grievance according to the general or special procedures outlined in this section within one year of the date of the employment decision in question, or before termination of employment, whichever occurs first.

2.16.1 GENERAL PROCEDURES

2.16.1.1 Administrative Channels

To initiate a grievance through administrative channels, the faculty member must write a letter to the official at the first administrative level where a negative recommendation or decision was made. The letter should (a) notify the administrator that a grievance is being made, (b) outline the nature of the grievance, and (c) state the desired action.

The administrative channels through which a grievance may pass are: Department Chair or other academic unit head; Dean; Vice Chancellor for Academic Affairs;

Chancellor; and President. (In the case of termination of tenured faculty, the final arbiter within the University is the Board of Trustees. See Article V, Section 7 of the Bylaws of the Board of Trustees.)

If the grievance is not resolved at the first administrative level where a negative recommendation or decision was made, the faculty member may pursue the grievance through each succeeding level of administration. Upon receipt of a negative decision by an administrator at one level, the faculty member will have thirty days to initiate an appeal to the next level. At each level, the administrator will inform the faculty member of his/her decision in writing.

2.16.1.2 Faculty Relations Committee

When a faculty member who has initiated a grievance through administrative channels receives a negative decision by the Vice Chancellor for Academic Affairs, the faculty member may appeal the Vice Chancellor's decision to the Chancellor directly or request review by the *Faculty Relations Committee* prior to the Chancellor's review. The Vice Chancellor's decision shall include notice to the faculty member of his/her right to request review by the *Faculty Relations Committee*. The faculty member will have thirty days from receipt of the Vice Chancellor's decision to request review by the *Faculty Relations Committee*.

To request review by the *Faculty Relations Committee*, the faculty member must write to the chair of the committee, with a copy to the Vice Chancellor for Academic Affairs. The letter should (a) indicate that an appeal is being made, (b) outline the nature of the appeal, and (c) state the desired action.

The chair of the *Faculty Relations Committee* shall meet with the Chancellor to determine if the faculty member's complaint lies within the scope of the Committee's jurisdiction and to establish any special arrangements that might be necessary to ensure complete review of the matter. The *Faculty Relations Committee* will not accept for review matters involving (1) allegations of discrimination as defined in *The University of Tennessee at Martin Affirmative Action Plan* (see section 2.16.2.1); (2) non-reappointment of probationary faculty members (see section 2.16.2.2); or (3) termination of term or probationary faculty before the stipulated term of appointment (see section 2.9.5.1.2). For matters which lie within the scope of the Committee's jurisdiction, the Committee will consider only whether or not personnel decisions were made according to University policies, procedures, and regulations. The scope of the Committee's jurisdiction with respect to promotion and tenure decision is limited to a review of complaints that applicable procedures were not followed.

Members of the *Faculty Relations Committee* shall hold all information in confidence except when required by law to make disclosure.

When an appeal lies within the scope of the *Faculty Relations Committee*, the following steps will be implemented:

1. If the decision is made that a hearing committee should consider the appeal, the *Hearing Committee* shall be composed of the chair of the *Faculty Relations Committee* and four additional members. Each party shall have the right to exclude two potential members of the *Hearing Committee* drawn from the *Faculty Relations Committee* without being required to show cause for such exclusion. Any member of the *Faculty Relations Committee* having a bias toward the parties or issues involved must excuse himself/herself from the *Hearing Committee*. The *Hearing Committee* shall not include either of the parties' academic departments. The *Faculty Relations Committee* shall determine the membership of the *Hearing*

Committee by majority vote.

2. The *Hearing Committee* will receive evidence, hear witnesses, and/or take written statements. Each party may specify a UT Martin colleague to be a nonvoting observer of the proceedings.
3. Judicial rules of procedure and evidence shall not be required. However, any individual making a presentation to the *Hearing Committee* may obtain the assistance of an advisor or legal counsel of his/her choice. If legal representation is desired, the faculty member must notify the *Hearing Committee* at least ten days before any hearings that may be scheduled so that the University may also schedule the presence of prepared legal counsel. The University will be obliged to notify the individual in the same way. If this notification comes later than ten days before a hearing, postponements may be granted by the *Hearing Committee* so that those who desire counsel may have counsel present. Participation of legal counsel shall be limited to advising their clients and shall not include examination of witnesses or oral argument.
4. The *Hearing Committee* will ensure that all appropriate parties are notified of its review and given an opportunity to present the committee evidence they deem appropriate. Any objection to the review procedures or composition of the *Hearing Committee* must be made in writing to the chair of the *Hearing Committee*. All objections will be reviewed by the committee, and its decision will be final.
5. After due consideration by the *Hearing Committee*, its recommendations based on majority vote shall be detailed in writing to the Chancellor and to the parties involved in the appeal.
6. Prior to reaching a final decision, the Chancellor has the option of asking the *Hearing Committee* to reconsider specific issues of fact. The written decision of the Chancellor shall be forwarded to the chair of the *Hearing Committee* and to the parties involved in the appeal. If the Chancellor does not accept all or part of the findings and recommendations of the *Hearing Committee*, he/she will include in the decision the reasons for not doing so.
7. The faculty member may appeal the Chancellor's decision to the President of the University within thirty days of receipt of the Chancellor's decision. An appeal to the President must be in writing.

2.16.2 SPECIAL PROCEDURES

2.16.2.1 Appeal Procedures for Complaints of Discrimination

Allegations of discrimination on the basis of race, sex, national origin, religion, age, disability, or veteran status must be brought and investigated in accordance with procedures outlined in the *UT Martin Affirmative Action Plan*. Copies of the Plan are available in each college or department and in the Affirmative Action Office.

2.16.2.2 Appeal Procedures for Non-Reappointment of Probationary Faculty Member

A departmental advisory committee recommendation not to reappoint a probationary faculty member may be appealed to a committee consisting of the faculty member's chair, dean, and the Vice Chancellor for Academic Affairs. After receiving any material the faculty member chooses to present, the committee will recommend to

the Chancellor whether the initial recommendation should be supported or reversed.

An action not to reappoint a probationary faculty member without the minimum advance notice specified in Section 2.9.5.2 of this *Faculty Handbook* shall be considered equivalent to termination for cause and shall follow the procedures under "Termination of Tenured Faculty Members" in Section 2.9.4.1 of this *Faculty Handbook*.

2.16.2.3 Appeal Procedures for Alleged Violations of Academic Freedom

When a decision not to reappoint a non-tenured faculty member is appealed as an alleged violation of academic freedom, the appeal shall be made directly to the *Faculty Relations Committee* and shall be heard in accordance with the procedures outlined in Section 2.16.1.2.

3.0 EQUAL OPPORTUNITY/AFFIRMATIVE ACTION POLICIES

3.1 THE UNIVERSITY OF TENNESSEE BOARD OF TRUSTEES EQUAL OPPORTUNITY/AFFIRMATIVE ACTION POLICY STATEMENT

The following policy statement of Equal Employment Opportunity and Affirmative Action was adopted in 1979 by the Board of Trustees.

It is the policy of The University of Tennessee not to discriminate against any employee or applicant for employment on the basis of race, color, religion, sex, national origin, handicap, age, or being a disabled veteran or veteran of the Vietnam Era. This policy extends to recruitment, employment, promotion, demotion, transfer, lay-off, termination, compensation, training, benefits, and all other terms and conditions of employment.

Employment opportunities will not be distinguished on the basis of sex unless sex is a bona fide occupational qualification. Employment opportunities will not be distinguished on the basis of age except where age is reasonably taken into account as a factor necessary to the normal operation or the achievement of any statutory objective of a program or activity administered by the University.

The University will take affirmative action to recruit, employ, and to advance in employment minorities, women, disabled veterans, and veterans of the Vietnam Era. Reasonable accommodations will be made for otherwise qualified disabled veterans and other handicapped persons.

3.2 THE UNIVERSITY OF TENNESSEE AT MARTIN POLICY STATEMENT

3.2.1 STATEMENT OF EQUAL OPPORTUNITY

The University of Tennessee at Martin is dedicated to the principle that all benefits, privileges and opportunities afforded by the University shall be accorded each person based upon individual merits, accomplishments and needs and to the promotion of nondiscrimination in every phase of the university's operation and education program. All members of the University are expected to conduct their relationships with faculty, students, and staff in a manner designed to promote this principle.

3.2.2 EQUAL EMPLOYMENT OPPORTUNITY POLICY

The University of Tennessee at Martin offers equal employment opportunity to all its employees and to all applicants for UT Martin employment without regard to race, religion, sex, age, national origin, handicap, or veteran status, as required by federal, state, and local laws; executive orders; and regulations pertaining to fair employment practices. UT Martin is prepared to make reasonable accommodations to allow employment of handicapped individuals and for religious observances of employees and applicants for employment. Additionally, sexual harassment is a direct violation of UT Martin policy. This policy extends to recruitment, employment, promotion, UT Martin-sponsored training programs, educational opportunities, compensation, leave, tuition assistance, transfers, layoffs, return from layoffs, demotions, terminations, social and recreational programs, use of University facilities, and treatment as individuals.

In compliance with the University of Tennessee System Policy No. HR0220, Human Resources (Subject: Equal Employment Opportunity, Affirmative Action, and Diversity, Revision No: 9, effective 06/13/2008), including the constraints outlined in item 6 of that policy, the faculty supports the principle that employment at The University of Tennessee at Martin shall be available to individuals without regard to their sexual orientation, marital status, or parental status.

Item 6 of the University of Tennessee System Policy No. HR0220 reads as follows: The University of Tennessee is committed to the principle that decisions concerning employment, admission, and performance should be based on an individual's qualifications and performance and not on characteristics unrelated to job or academic requirements. Therefore, the university and its employees shall not discriminate against or harass any employee or student on the basis of sexual orientation such as heterosexuality, homosexuality, or bi-sexuality; marital status; parental status; or similar characteristics regardless of whether those characteristics enjoy a protected status under state or federal law. An employee who has a complaint about discrimination or harassment prohibited by this policy should follow the internal complaint procedure required in item 5 above this policy.

Section 6 shall not be construed to: (1) confer eligibility for employment benefits for which an employee is not otherwise eligible under state law, policy, or practice; (2) infringe upon the free exchange of ideas essential to the academic environment; (3) limit the freedom of religious association; (4) establish a duty to engage in affirmative action measures for characteristics not subject to affirmative action under state or federal law; (5) require the compliance of external entities or individuals or compliance of university programs governed by external government agencies in which non-discrimination does not include certain personal characteristics (e.g., ROTC); or (6) create any cause of action not currently provided by state or federal law.

The Equal Employment Opportunity Policy of The University of Tennessee at Martin is binding on all UT Martin employees engaged in any of the processes or programs listed above.

UT Martin views this policy as being basic to the institutional commitment, not as merely means of complying with orders, laws, and regulations to which it is subject.

Inquiries and complaints concerning these policies should be directed to:
The Affirmative Action Officer
The University of Tennessee at Martin
Martin, TN 38238.

3.2.3 EMPLOYMENT OF RELATIVES

For the purpose of this policy, "relative" shall mean a parent, foster parent, parent-in-law, child, spouse, brother, foster brother, sister, foster sister, grandparent, grandchild, son-in-law, brother-in-law, daughter-in-law, sister-in-law, or any other family member who lives in the same household.

Employment of relatives is permitted. However, no employees who are relatives shall be placed within the same direct line of supervision whereby one relative is responsible for supervising the job performance or work activities of another relative.

Should a situation arise as a result of marriage, whereby a University employee must directly supervise the job performance or work activities of a relative, that situation must be remedied by either an intradepartmental or interdepartmental transfer of at least one of the employees. The next higher administrative officer of the employees shall advise the employees of the available alternatives. Such employees shall be given the opportunity to select among the alternatives. If the employees are unable to agree upon any such alternative within sixty (60) days, then the next higher administrative officer, with the approval of the campus/unit personnel authority and chief administrator, shall take appropriate action to remedy the situation. Such action may include an involuntary transfer or termination from employment. For additional information, see *The University of Tennessee Personnel Policies and Procedures Manual*, Policy 115.

3.3 SEXUAL HARASSMENT POLICY

The University of Tennessee at Martin is committed to ensuring an environment which prevents sexual harassment. Sexual harassment by any member of the University is a violation of both law and University policy and will not be tolerated in the University community. Both males and females can be perpetrators and/or victims of sexual harassment. Sexual harassment is a particularly sensitive issue which may affect any member of the University community and as such will be dealt with promptly and confidentially by the University administration.

3.3.1 DEFINITIONS OF SEXUAL HARASSMENT

Harassment on the basis of sex is a violation of Section 703 of Title VII of the Civil Rights Act of 1964. The Equal Employment Opportunity Commission (EEOC) guidelines define sexual harassment as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Sexual harassment of students is a violation of Title IX of the Education Amendments of 1972, which prohibits sex discrimination in education. Unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature constitute sexual harassment when grades or educational progress are made contingent upon submission to such conduct, or when the conduct has the purpose or effect of interfering with the individual's academic performance, or of creating an intimidating, hostile, or offensive educational environment.

3.3.2 COMPLAINT PROCEDURES

1. All UT Martin employees (staff exempt, staff non-exempt, faculty, term, other academic, and student employees) are responsible for not engaging in sexual harassment. Appropriate disciplinary action will be taken against individuals found to have violated UT Martin's sexual harassment policy.
2. Any employee, former employee, or applicant for employment may file a complaint alleging violation of the policy with the Affirmative Action Coordinator, Gooch Hall.
3. Any student who has been sexually harassed by a UT Martin employee may file a complaint with the Affirmative Action Coordinator or the Office of the Vice Chancellor for Student Affairs.
4. In determining whether alleged conduct constitutes sexual harassment, UT Martin will look at the record as a whole and at the totality of the circumstances, such as the nature of the alleged sexual advances and the context in which the alleged incidents occurred. The determination of whether a particular alleged action constitutes sexual harassment will be made from the facts, on a case-by-case basis (see UT Martin Affirmative Action Plan).

5. Any complaints must be filed within 300 calendar days of the alleged violation.

3.4 DISCRIMINATION POLICY

The University of Tennessee at Martin is an equal opportunity/affirmative action employer and operates pursuant to the requirements of Executive Order 11246 as amended by Executive Order 11375 from the President of the United States. This policy extends to employment, admission, retention, and treatment by the University.

The faculty assumes that anti-discrimination policies at UT Martin will comply with existing laws governing employment, admission, retention, and other kinds of treatment by the University, and also that UT Martin will comply with the University of Tennessee System Policy No. HR0220, Human Resources (Subject: Equal Employment Opportunity, Affirmative Action, and Diversity, Revision No: 9, effective 06/13/2008). Within the framework of the constraints established by such laws and by University of Tennessee System Policy No. HR0220, the faculty shall not discriminate against any individual on the basis of race, sex, national origin, religion, age, handicap, veteran status, sexual orientation, marital status, or parental status.

Allegations of discrimination are brought and investigated in accordance with the procedures described in the *UT Martin Affirmative Action Plan*. Copies of the plan are available in each College or Department and in the Office of Academic Affairs.

See Section 3.2.2 of the Faculty Handbook for a quotation of Section 6 of University of Tennessee System Policy No. HR0220. This section addresses the University's position on legally protected and unprotected categories and lists constraints on the construction and application of the UT System Policy.

4.0 ACADEMIC POLICIES AND SERVICES OF INTEREST TO THE FACULTY

4.1 STUDENT-TEACHER RELATIONSHIPS AND INSTRUCTION

4.1.1 GENERAL STATEMENT

Faculty members are expected to maintain an effective relationship with their students and an appropriate sense of responsibility toward the subject matter area in which they are teaching. The effective instructor helps create positive attitudes toward the University as well as toward the subject he/she teaches and exemplifies the skills, knowledge, appreciative habits, and attitudes which he/she attempts to import. He/she is characterized by a desire to understand the students' backgrounds and viewpoints, by a sympathetic concern for their problems, by a capacity and willingness to communicate effectively with students, and by an interest in making subject matter meaningful in relation to students' needs. However, the content of courses should not be altered to satisfy the ideological interests of a segment of students nor for the purpose of intellectual indoctrination.

4.1.2 INTRODUCTION TO COURSES

The first class meeting should be used effectively in the instructional plan for the course. The content or topics which will be studied should be outlined generally, and course objectives should be made clear. The teacher should announce and discuss such matters as required readings, the approximate number and nature of tests, the grading scale, and the bases for determining the final grade (with regard to the value to be placed on class recitation, major tests, minor tests, research papers, etc.). Once such basic principles for the conduct of the course have been announced, the instructor should later make changes only after careful consideration and consultation with the students. The instructor's expectations with regard to academic honesty and class attendance should be made clear at the beginning of the term.

4.1.3 CONDUCTING THE COURSE

In presenting course content, the faculty member should endeavor at all times to adhere to the subject; the classroom should not be used as a theatre for expression of personal views which are not germane to the course. The faculty member should take care that the tests and all other devices for student evaluation are appropriate instruments for measuring course objectives. Moreover, the faculty member should grade all tests as soon as possible and discuss them with the students so that the test remains an educational instrument; thus, students can learn from testing as well as from other class activities.

A written final examination should be administered for every course offered at UT Martin unless a written exam is inapplicable. Not giving a final exam must be justified by the instructor to the department chair/dean in advance. The examination must be given during final examination week at the scheduled published time. A mechanism for rescheduling of exams under justifiable instances is in effect at UT Martin and should be followed with no exceptions. The change should be discussed with and agreed upon by the students registered for the course. Change requires the approval of the chair of the department, the dean of the college, and the Vice Chancellor for Academic Affairs.

Other examinations and tests will be given during the semester at times determined by the instructor. It is expected that enough examinations will be given throughout the semester to constitute a reasonable portion of the basis for assigning the overall semester grade. The various possible grades to be assigned are explained in the annual general catalog. Faculty will follow the procedure for reporting final grades as specified by the Registrar. A faculty member shall base all academic evaluations upon professional judgment, avoiding consideration of factors such as race, color, religion, sex, age, national origin, handicap,

political or cultural affiliation, marital status, parental status, sexual orientation, life style, or activities or behavior outside the classroom unrelated to academic achievement. An instructor should be willing to discuss with a student his/her academic standing at any time during the semester. The instructor should also exercise flexibility in course requirements to allow students to make up work for which legitimate excuses can be presented and when the student has taken proper steps to inform the instructor. Absences for University required activities will be considered legitimate provided the instructor is notified in advance. (Revised December 1996)

The faculty member should respect the confidentiality of student information contained in University records and refrain from releasing such information, except in connection with intra-University business or with student consent or as may be required by law. The faculty member should avoid the exploitation of his/her professional relationship with students for private advantage and refrain from soliciting the assistance of students for private purposes in a manner which infringes upon such student's freedom of choice. The faculty member should also refrain from any activity which involves risk to the health, safety, and welfare of a student except with the student's informed consent and in accordance with University policy relating to the use of human subjects in experimentation.

4.1.4 CLASS ATTENDANCE POLICY

Class attendance is an integral part of the educational experience; it is, therefore, the responsibility of the student to attend class. The instructor of a course may determine his/her own attendance policy with the provision that the policy must be applied consistently to all students in the course. The attendance policy should be reasonable and should be explicitly and unambiguously stated in each class at the beginning of the semester. It is desirable that the Vice Chancellor for Student Affairs and the dean of the appropriate college be notified in a case of excessive absences, especially if the absences are consecutive.

The faculty member should set an example for students in being faithful in attendance and punctual in starting and ending classes. Students should be informed of all planned absences as early as possible. A faculty member who must be away from class to attend a conference or other professional matters should be willing to compensate for the absences by arranging substitute instructors, appropriate assignments, or (in consultation with the classes) substitute class sessions. All absences should be reported to the immediate supervisor. In an emergency, the faculty member should have the class notified through the departmental office that he/she is compelled to be absent. Repeated or prolonged absences should be cleared with the department chair/dean.

4.1.5 CANCELLATION OF CLASSES

The University's Board of Trustees has issued the following statement clarifying its policy on the willful and unauthorized cancellation of classes:

Students who enroll at The University of Tennessee have paid fees for courses in which they are enrolled and the citizenry of the state has provided funds to support scheduled academic activities. Hence, faculty and staff members are to conduct their classes and related functions in accordance with previously established schedules. There will be no deviation from this procedure unless permission is given by appropriate administrators, in accordance with procedures established by each Chancellor.

Action contrary to the preceding policy is prima facie evidence of violation of contractual commitments of faculty and staff members of The University of Tennessee. Variations from this policy will be investigated, and, in the event of verified violations, appropriate action, including voiding of employment contracts, will be taken.

4.1.6 STUDENT CONDUCT

The *Student Handbook*, published annually, contains statements concerning standards of conduct which students are expected to maintain and disciplinary procedures which may be used when unacceptable student behavior occurs. Faculty members are expected to encourage acceptable conduct on the part of students. Some faculty members may be asked to participate in activities of faculty-student disciplinary committees. In specific cases of student misconduct, faculty consultation with the Division of Student Affairs or the Division of Academic Affairs may be desirable.

4.1.7 ACADEMIC HONESTY

Both students and faculty have the obligation of upholding the academic commitment of UT Martin to honesty and integrity; it is, therefore, the responsibility of both professors and students to guard against cheating and plagiarism, which are unacceptable behaviors. Because the University does not have a student honor code, the primary responsibility for maintaining academic honesty in the classroom rests with the teaching faculty, working in cooperation with the Division of Student Affairs. Each professor should explain the university position on academic integrity, stress the seriousness of academic dishonesty, and state his/her method of handling cheating and plagiarism at the beginning of each semester. A professor has both the right and the obligation to deal fairly and aggressively with academic dishonesty when he/she detects or observes it, since cheating demeans and corrupts the integrity of the whole academic system whenever it occurs and has the potential for affecting the fair evaluation of students other than the person who is guilty of dishonesty. The teacher has the right to assign a final grade of F to any student guilty of cheating or plagiarism or to impose other reasonable academic penalties that reduce a student's grade on a project or for the course. In addition, the teacher has the obligation to report any instance of academic dishonesty to the Division of Student Affairs. This report should indicate the nature of the infraction and the penalty that has been imposed. Following this procedure helps that Division identify and take action against any students who are repeatedly dishonest. When a teacher reports an infraction, he/she may concurrently make a recommendation that the student be put on probation or be suspended from school if either of those penalties is an appropriate response to the dishonest practice(s) the teacher has observed or detected; documentation of the particular nature of the student's offense should accompany any recommendation for probation or suspension.

All faculty members are also expected to take thorough precautions against allowing the integrity of the examination process or of any other kind of academic exercise or evaluation to be compromised. The class should be informed in advance of any evaluation concerning the permissible materials, references, or procedures allowed during an evaluation. Any student found cheating or using any unfair or unlawful means for the purpose of deceiving the person in charge with reference to his/her work shall be deemed guilty of a serious breach of discipline and shall be reported to the Division of Student Affairs. See "Guidelines on Academic Integrity" in Section 2.10.3 of this *Faculty Handbook*.

4.1.8 OFFICE HOURS

See Section 2.12.5 of this *Faculty Handbook*.

4.1.9 FACULTY INVOLVEMENT IN STUDENT AFFAIRS

See Section 2.12.6 of this *Faculty Handbook*.

4.2 OTHER ACADEMIC POLICIES

4.2.1 SCHEDULES

Schedules of classes are proposed by the department chair/dean with adequate faculty involvement and are approved by the appropriate dean and the Vice Chancellor for Academic Affairs. Schedule changes should be made by chairs only after clearance with dean of the college concerned and with the Director of University Records and Registrar. Final examination schedules are normally published at the same time as class schedules.

4.2.2 TEXTBOOKS

Each department is responsible for adopting and enforcing appropriate guidelines concerning textbook choices within the department. Unless departmental approval is given, instructors may not require purchase of their own textbooks. The department chair will file official forms requesting the ordering of textbooks with the Manager of the University Store.

4.2.3 CURRICULUM CHANGES

Proposed changes in a curriculum for a college/department or the University as a whole may be initiated by any faculty member or group of faculty members. The forms to request a curriculum change must be completed in the usual manner. The impact on degree offerings, other colleges/departments, proposed staffing, and anticipated cost shall be described. The recommendation is then made through the dean of the appropriate college to the college committee on curricula. The feasibility of the proposal shall be considered in terms of staff, rooms, laboratories, equipment, budget requirements, and the objectives of the college. The proposal, if approved, is then submitted by the dean to the appropriate University Committee on Curricula. The *Undergraduate Council* or the *Graduate Council* may approve the requested changes, disapprove them, or refer them to the college or department concerned for further study. Matters approved by the Undergraduate Council or the Graduate Council are then presented to the Faculty Senate for action. If approved by this body and the Chancellor, they become legally a part of the University offerings, subject to the stipulations indicated in the following paragraph.

The addition of new majors and new degree programs must be formally approved by the Board of Trustees of the University and by the Tennessee Higher Education Commission. The actual offering of new courses is subject to budgetary arrangements which are made through the normal budget-making process.

4.2.4 SUMMER TERM

See Section 2.12.2 of this *Faculty Handbook*.

4.3 ACADEMIC SERVICES

4.3.1 LIBRARY

The Paul Meek Library was renovated and expanded in 1995 as an attractive 120,000-square-foot structure featuring an all-night study area, a student computer lab, a faculty technology center and numerous group study rooms. The Library collection contains more than a half-million volumes, 33,000 electronic books, 1,000 DVD's, 5,000 videotapes and 1,100 print periodical subscriptions, along with access to almost 100 electronic databases indexing over 10,000 full-text journals. The Library also features a selective government documents collection, an inter-library loan service and an online reserve system.

The Media Services Department houses a variety of non-print media for student and faculty use, including microforms, compact discs and a circulating video and DVD collection. This

area features two fully-equipped media classrooms for scheduling by faculty, viewing carrels for individual use of media, wireless laptops for student checkout and several multimedia workstation computers, which allows students to develop graphics projects by integrating various media sources onto DVD. This department is also responsible for programming UTM's local educational, entertainment and fine arts television channels, and provides downlink support for most campus teleconferences.

The Alliene and Jimmie Corbitt Special Collections area supports a non-circulating collection of Tennessee regional history and genealogy and serves as the archival repository for the campus. Manuscript collections include papers of Congressman Ed Jones and the legislative papers of Governor Ned Ray McWherter, as well as on-site replicas of their offices. The University Museum is also located in the area, and regularly features exhibits ranging from the works of local photographers to traveling displays from the Smithsonian Institution.

Most of the information needed for accessing material from the Paul Meek Library, including: library hours, the online catalog (OPAC), circulation policies, the online reserve system, bibliographic instruction and library tours, reference bibliographies and a cumulative list of electronic resources can be found at www.utm.edu/library.php.

4.3.2 Information Technology Services

The Office of Information Technology Services provides high-quality information technology and communications resources and services through shared resources, common infrastructure and functions in support of the academic and administrative activities of the University of Tennessee at Martin.

This office provides centralized services in the areas of academic computing; server administration; email services; web services; online course information systems; administrative computing; Banner Student Information System; application development, portal administration; imaging; training and faculty development through the Instructional Technology Center; faculty computer rotation; classroom technology; technology consulting; information and network security; data, voice, video, wired and wireless networks; student computer labs; computer installation, upgrades, service, and support; 24 hours x 7 days per week helpdesk support for faculty, staff, and students on and off campus; computer hardware, software, and accessory configuration and acquisition for departmental and personal use; cable TV; telephone services; multifunction convenience copiers, printers, and scanners installation, configuration, repair, and usage; digital printing services; and operates a computer store where computers, hardware, software, multi-function devices and supplies may be purchased at discounted educational prices. These services are in place to provide a flexible infrastructure to meet the rapidly changing needs for instruction, all types of learning, research, and administrative functions. Some of the services are provided through a Technology Fee. Refer to <http://www.utm.edu/departments/its/> for additional information and current details.

4.3.2.1 Networking and Communications

The University is fully networked internally and is connected to the Internet through the University of Tennessee statewide network and the Tennessee Information Infrastructure. All major buildings on campus, including all dormitories and apartments, are connected by way of fiber optic cabling. All regular faculty offices and all student residences on campus have connections to the campus network and hence to the worldwide Internet. The network supports video conferencing and interactive video for distance learning classes.

The Computer Center operates a web server (<http://www.utm.edu/>) and supplies electronic mail services for all on campus. Several electronic mailing lists have been

established. List descriptions and instructions for subscribing to the lists and appropriate use of the lists may be found on the Computer Center's web pages.

The Computer Center operates a University-owned telephone switch supporting over 2,800 campus telephones. This system supplies phones and long distance services at discounted rates for all University offices and student residences. It also supplies ISDN services for the purpose of video conferencing.

4.3.2.2 Academic Computing

Student Computing Laboratories. The Computer Center operates several general purpose student computing labs. All of these labs are accessible with valid University identification cards. A Help Desk is operated to assist students, faculty and staff with computer-related problems. In addition, there is an open lab on the second floor of the University Library. All of the computers in the open labs are connected to a fileserv which contains most standard general purpose software for academic use. Check the Computer Center web pages for complete listings.

Faculty Multimedia Center. The Computer Center cooperates in the operation of the Faculty Multimedia Center, which is located on the second floor of the University Library. This facility contains several computing units, a color printer/copier, scanner, and other devices for use by faculty in developing multimedia materials for the classroom. The Director of the facility is a faculty member who is given half-time release time to work in the FMC.

Technology Fee. Students began paying a \$55/student/semester technology fee in the fall semester of 1997. This fee is funding many changes in academic computing. A complete listing can be found in the Computer Center web pages.

Faculty Computers. All full-time, regular, teaching faculty are provided networked computers. These computers have been placed on a three-year replacement cycle.

4.3.2.3 Administrative Computing

For administrative users, support is provided for several hundred microcomputers on the UT Martin network, which provides access to all UT Martin central computers, to most computer systems on the Knoxville campus, and to the Internet. Software systems currently available include the student information system, a Transportation Services system, Overtime Banking system, Human Resource system, Salary Tracking system, Budget Revision system, Financial Resource system, Facilities Management system, Student Loan system, Key Inventory system, electronic mail, electronic calendar, Meeting Scheduling system, Bulletin Board system, and others. The SCT Banner suite of student information system programs has been purchased and will replace the current system effective in 1998/1999.

4.3.2.4 Computer Store

Located in the University Center, the UT Martin Computer Store handles all computer purchases for the campus. Individuals as well as departments may contact the Computer Store for computers, peripherals, software and computer supplies. The Store sells at education discounted prices. Check out its web page for more details. An important feature for faculty and staff is the payroll deduction plan. Under this plan a faculty or staff member may purchase a computer system by paying 10 per cent of the total price (including tax) and then having 12 payroll deductions of equal amounts for the remainder. The Computer Center provides full support, including warranty service, for all computer systems and peripherals purchased from the

Computer Store.

4.3.2.5 Cable TV

The Computer Center operates the campus cable TV system. Currently the signals are purchased from the local cable provider and then are distributed by equipment in the Computer Center. Several other channels are originated on the campus or are taken directly from satellites, including a campus information channel, a Student Government Association -sponsored movie channel, a channel for original programming by communications students, a foreign language channel, and others. Every dormitory room and student on-campus apartment has a cable connection.

4.3.2.6 Convenience Copier Maintenance and Repair

This operation supplies convenience copiers for the campus and provides all maintenance and repair for the copiers. In addition this operation supplies printing and copying systems for the student labs.

4.3.3 BOOKSTORE

Located in the University Center, the University Bookstore stocks the adopted textbooks for all classes and offers a wide variety of educational supplies and materials, records, leisure books, outerwear, and novelties for the convenience of students, faculty, and departments.

Upon presentation of a valid identification card, faculty and staff receive a ten percent discount on all purchases except textbooks. Departments are encouraged to secure supplies and materials that are not available through the authorized office supplies vendor from the Bookstore. All profits from Bookstore operation help finance the operation of student programs and the University Center.

4.3.4 OFFICE SUPPLIES

Office supplies are ordered through an outside vendor. Catalogs which list items available through this vendor are kept in departmental offices. Items ordered are usually delivered the next business day.

5.0 ADMINISTRATIVE AND FINANCIAL POLICIES OF INTEREST TO THE FACULTY

5.1 TOBACCO PRODUCTS USE

Tobacco smoking and use of smokeless tobacco products has been clearly established as a preventable cause of illness. Current research indicates that tobacco smoke exposure in confined areas may be a health hazard to non-smokers. Smoke from cigarettes, cigars, and pipes is also an irritant to many non-smokers and can worsen allergic conditions. In sufficient concentrations, second-hand smoke may be harmful to those with chronic heart or lung disease.

Therefore, The University of Tennessee at Martin has implemented a plan to confine the use of tobacco products to only in the designated areas.

This policy shall be interpreted as meaning that the use of smokeless tobacco products will be prohibited in the same areas as tobacco smoking.

5.1.1 DESIGNATED TOBACCO USE AREAS

Areas where tobacco use will be permitted include:

- Smoking lounges
- Lobby areas of Elam Center and Fieldhouse
- Designated portions of the cafeteria
- Private rooms in residence halls
- Open-air facilities
- University Center lounge and lobby areas
- Any other designated area

5.1.2 DESIGNATED NON-TOBACCO USE AREAS

Areas where tobacco use will not be permitted include:

- Classrooms
- Lecture rooms
- Corridors and lobby areas
- All areas of the cafeteria except those designated for smoking
- Fine Arts Practice Rooms
- Restrooms
- Laboratories
- Theatres
- Storage areas
- Attics
- Museums
- Elevators
- Mechanical rooms
- Library study areas, stacks, and reading rooms
- Areas where flammable liquids are present
- Areas not posted as smoking areas
- Conference rooms and meeting rooms (including those rooms in the University Center and committee meetings)
- University Center Ballroom
- Elam Center Arena and Fieldhouse Arena
- Margaret N. Perry Children's Center
- Any other areas where receptacles for discarding smoking materials are not available

Areas of Special Consideration

Private Offices and Reception Areas: All persons are asked not to smoke in these areas. They are reminded that smoking in private offices and reception areas often is offensive to guests, students, colleagues, and others. Employees are specifically asked not to smoke when guests, students, colleagues, and others who do not smoke are present.

Discarding smoking materials on the floors or in wastebaskets is a violation of smoking regulations and constitutes a fire hazard. Receptacles will be placed in designated public areas where smoking is permitted.

5.2 IDENTIFICATION CARDS

It is expected that each University faculty and staff member secure an identification card bearing a color photograph and other identification information. This card is necessary for use of the library, for access to recreational facilities, and for identification in cashing checks and similar purposes.

Identification cards are provided through the Skyhawk Card office located in the Boling University Center. There is no charge for the original; a small charge is made for replacements. The ID card remains the property of the University and is to be surrendered upon termination of employment.

5.3 KEYS

Keys for outside and inner doors of appropriate buildings will be issued to authorized persons by Safety and Security Office upon the completion of a "Request for Keys" form which originates from the appropriate department chair/dean. Keys must be returned to the Safety and Security Office when an employee leaves active service at the University, will be absent from campus for an extended length of time (for example, a year's leave of absence), or changes offices or assignments within the University.

Keys must be picked up in person by the faculty member who signs for their receipt as well as a statement agreeing to abide by the following regulations:

1. to take precautions that no duplicate keys are made from those issued or to allow anyone else to use the keys;
2. to be responsible, on entering or leaving a locked building or area, to ensure that any doors are relocked and properly secured behind him/her;
3. to assume responsibility for conduct of any and all persons whom he/she may admit to a building;
4. to notify Safety and Security of all lost keys;
5. to return keys to Safety and Security after any move or change in assignment which results in unneeded access to areas for which keys were issued;
6. to return all keys to Safety and Security prior to departure from the University.

5.4 SUPPLIES AND EQUIPMENT

University resources are available to faculty members for use related to the performance of University duties. Any other use of these resources is unauthorized.

There is no monetary dividing line as to the value of supplies and equipment to which the principle of authorized use applies. Consequently, the personal use of metering privileges, postage stamps, office and general supplies, copy machines, long distance phone calls, and stationery is not allowed.

5.4.1 SECURITY OF SUPPLIES AND EQUIPMENT

To the extent practicable, storage and issuance of general use supplies and materials should be placed under control of designated personnel and such items maintained in locked storage facilities when unattended.

No University official or employee is authorized to give away University property or to loan University equipment or property to anyone for his/her personal use or gain. Disposal of surplus or obsolete equipment or supplies must be effected through procedures as set forth

in *Fiscal Policy and Procedures*.

University policy does not permit anyone to remove University equipment from University premises for purposes other than University business. If it is necessary to remove University equipment for official business reasons, the department chair/dean should secure and maintain a temporary receipt from the person having custody. The receipt should be returned to the person upon return of the equipment to the department.

5.5 TELEPHONE SERVICE

The University-owned telephone system is administered through Information Technology Services. The system is a computerized branch exchange with many advanced features not available from public telephone companies. Most departmental secretaries have had training in the operating of the system and will be able to help answer most questions concerning the procedures for operation of the telephone.

5.5.1 REPAIR SERVICE

Any needed telephone repairs are performed by equipment technicians headquartered on campus. Repair calls may be placed between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

5.5.2 REQUEST FOR MOVES AND CHANGES

Any request for change in service (i.e., additional telephones, moves, upgrading of equipment, etc.) should be directed to the departmental chair/dean who, in turn, will contact the Manager of Business Services, Business Affairs Office, to initiate a telephone work order.

5.5.3 CAMPUS TELEPHONE DIRECTORIES

Telephone directories are printed annually at or near the beginning of each academic year and distributed to each department. Extra copies (when available) may be obtained from the University Relations Office.

5.6 OFFICIAL TRAVEL

Policies and procedures governing University-related travel and reimbursement for travel expenses may be found in the booklet *Travel Policy--An Employee's Travel Guide* and/or *The University's Fiscal Policies and Procedures Manual*. Questions concerning travel should be addressed to the Business Affairs Office.

For the convenience of the faculty/staff, the University maintains a fleet of modern vehicles available for departmental use and authorized travel by faculty members. The fleet consists of medium-sized sedans, minivans, passenger vans, and a 22-passenger varsity cruiser.

Upon completion of a properly executed "Authorization and Confirmation for Vehicle Use" form, vehicles may be secured 24 hours a day; outside regular operating hours, a Safety and Security officer must be called to disperse keys. Information concerning reservations, availability of vehicles, and current rates may be obtained by calling the Transportation Services Office.

5.7 LIABILITY FOR DRIVERS OF UNIVERSITY VEHICLES

5.7.1 STATE EMPLOYEES

Under existing state law, claims against the University resulting from use of University or personal vehicles while on official University travel are handled through the Tennessee Claims Commission. For an extra margin of safety, faculty and staff who frequently engage in University travel may wish to determine if their personal automobile liability insurance covers this activity.

5.7.2 STUDENT DRIVERS

Students may be permitted to operate university vehicles under special circumstances. If student drivers are to be utilized they must be on the university payroll as a university employee and their purpose in driving a university vehicle must be within the course and scope of their university employment. Faculty/staff utilizing student drivers for any purpose should ensure proper documentation is provided before departing on any trip where student drivers may be utilized.

5.8 SAFETY AND HEALTH

5.8.1 SAFETY AND HEALTH OFFICER RESPONSIBILITIES

In order for the University to provide and to maintain a safe and healthy working environment, the Safety and Health Officer's responsibilities shall be:

1. Conduct inspections of campus facilities and take appropriate actions to ensure the safety of the working environment;
2. Receive copies of incident and accident reports; investigate accidents from a safety point of view and recommend changes to prevent future accidents;
3. Develop and coordinate safety programs for employees and students;
4. Consult on safety features and recommend safety equipment;
5. Maintain safety information and make safety information available to employees.

5.8.2 EMPLOYEE RESPONSIBILITIES AND RIGHTS

Under the safety and health program of The University of Tennessee at Martin, the employee:

1. May request an inspection of a campus area by the Safety Officer;
2. Must comply with the Occupational Safety and Health (OSHA) standards and rules, regulations, and orders issued which apply to his/her actions and conduct;
3. Shall be notified by the University if an employee has been exposed or is being exposed to toxic materials or harmful physical agents in concentration or at levels in excess of applicable standards and corrective action that is being taken;
4. May file a complaint, anonymous or otherwise, with the Safety Officer concerning existing and potential safety and health problems;
5. Shall not be discharged or discriminated against because he/she has filed a complaint or

instituted or caused to be instituted a proceeding or inspection under, or related to, this program.

5.8.3 REPORTING AND INVESTIGATING FIRES

The person discovering the fire shall report the fire to Safety and Security by calling 881-7777 or 911, activate the fire alarm system, and alert other persons in the building.

The Campus Safety Officer will forward the fire investigation report to the Director of the Physical Plant along with any recommendation for corrective action as is appropriate.

5.8.4 REPORTING AND INVESTIGATING ON-THE-JOB INJURIES

For injuries that require the attention of a physician, see the *University of Tennessee Personnel Policies and Procedures Manual*, Policy 397, "Worker's Compensation." For serious accidents, the supervisor should immediately call the Campus Safety Officer. For all injuries, the supervisor shall complete a Supervisor's Incident Report Form within 48 hours of the injury and deliver the original of the completed report to the Benefits Specialist in the Personnel Office and a copy to the Campus Safety Officer.

When notified of an accident requiring a physician's attention, the Campus Safety Officer will investigate the accident as appropriate and determine the necessary follow-up action.

(For additional information, refer to the *University of Tennessee Policies on Safety and Health and Worker's Compensation* found in the *University of Tennessee Personnel Policies and Procedures Manual*.)

5.8.5 USE OF SEAT BELTS

All persons operating or riding in a State or University owned vehicle must use seat belts at all times when the vehicle is in motion.

Defective or inaccessible seat belts on a University owned vehicle should be reported to Transportation Services.

5.9 DAYS OF ADMINISTRATIVE CLOSING

The Chancellor's office will announce at appropriate times throughout the year the days of administrative closing. In cases of extreme weather or other emergency conditions, the Chancellor may determine additional days or partial days of administrative closing. In such cases, a formal announcement will be made by the Chancellor's Office. The University Relations Office may assist in notifying UT Martin offices and in publicizing the announcement. See Section 5.12 for details regarding the Inclement Weather Policy. (Revised March 1995)

Days of administrative closing for monthly-paid employees are documented as "C" on both the time report for non-exempt employees and the Monthly Leave Record Report for exempt employees.

5.10 COLLECTION OF DEBTS OWED TO THE UNIVERSITY BY EMPLOYEES

Any University department which has been owed a debt by any employee for at least three (3) months, and which has failed to obtain a settlement of the debt through normal collection methods short of legal action, should notify the Vice Chancellor for Business and Finance or

the Director of Business Affairs of the debt.

The Director of Business Affairs will initiate further action according to University personnel policy including sending notice by registered mail to the employee with an overdue debt. The notice should establish a hearing date to determine the validity of the debt, if necessary. The Director of Business Affairs will schedule the hearing and arrange for a hearing officer. Due process shall be observed in the hearing. If the debt is ruled valid as a result of this hearing, or as a result of an evidentiary hearing in accordance with the Tennessee Administrative Procedures Act, or because the employee fails to attend the scheduled hearing, then the hearing officer will ensure that the debt is settled through payroll deduction.

If the employee should cease to be an employee of the University before the total debt has been paid, the balance of the debt shall be deducted from any payroll check(s) that may be due the former employee.

5.11 GARNISHMENTS

When the University has been served with a garnishment for a UT Martin employee, the Payroll Office will notify the employee in writing that a garnishment has been received. A Payroll Office designee will meet with the employee to determine a repayment schedule according to guidelines established by the court and, as appropriate, assist the employee in obtaining financial counseling. Documentation of all garnishments will be forwarded to Personnel Services for inclusion in the employee's official personnel file.

5.12 INCLEMENT WEATHER POLICY

The University of Tennessee at Martin will remain open except in the most severe weather conditions.

The Chancellor may officially close or suspend selected activities of the University because of extreme weather conditions. When a decision to close is reached, campus and appropriate radio and TV stations will be notified so that announcements may be made. Announcements to regional television and radio stations are made before 6 a.m. An announcement on the University home page will be posted as soon as media outlets are notified.

If the University is officially closed, certain essential activities such as food services, physical plant, police, and telephone services will continue to operate. Some facilities such as the library and University Center will, if possible, continue to function as a service to students and faculty. When the University is officially closed, its policy of Days of Administrative Closing will apply for staff exempt and staff non-exempt employees.

In the event of inclement weather when the University remains open, all faculty, administrators, and staff will be expected to make every reasonable effort to maintain their regular work schedules, but are advised to avoid undue risks in traveling. Employees who anticipate arriving late or not arriving at all should notify their immediate supervisors. Employees will have the option of charging their time off to annual leave or leave without pay; or, with approval, they may make up their lost work hours.

Students will be responsible for any academic work which they miss due to absences caused by severe weather conditions. It is the individual student's responsibility to take the initiative to make up any missed class work, and it is the instructor's responsibility to provide a reasonable opportunity for students to complete assignments or examinations missed due to such absences. (Section added March 1995; Corrected June 1996)

5.13 FACULTY RESPONSE TO EMERGENCIES IN THE CLASSROOM

Faculty are responsible for familiarizing themselves with university procedures in the event that an emergency arises while in the classroom (medical emergency, bomb threat, fire, tornado etc.). The university has made this information readily available on the UT Martin Web site. Follow the "Alerts" link on the UT Martin home page. For additional information, contact the UT Martin Department of Public Safety.

6.0 STUDENT AFFAIRS POLICIES OF INTEREST TO THE FACULTY

6.1 STUDENT HANDBOOK

The Student Handbook details information on student affairs, organizations and activities, and policies and procedures. Copies of the Student Handbook may be obtained from the Office of Student Affairs.

6.2 ACCESS TO STUDENT RECORDS: BUCKLEY AMENDMENT

Public Law 93-380, more commonly known as the Family Educational Rights and Privacy Act or Buckley Amendment, became effective on November 19, 1974. Substantial clarification of the Act was provided on January 2, 1975, when the President signed into law a bill containing the Buckley-Pell amendment. Details of the policies regarding the release of student information to third parties are available in the Office of Student Affairs.

6.3 ACADEMIC INTEGRITY

The University of Tennessee at Martin has chosen as its primary objective quality undergraduate education. Commitment to this objective must include an obligation by all members of the University community to promote and protect the highest standards of integrity in study, research, instruction, and evaluation. Dishonesty or unethical behavior does not belong at an institution dedicated to the promotion of knowledge and learning.

Integrity of the academic process requires fair and impartial evaluation by faculty and honest academic conduct by students. To this end, students are expected to conduct themselves at a high level of responsibility while fulfilling requirements of their course of study. It is the corresponding responsibility of faculty to make clear to students those standards by which students will be evaluated and those resources permissible for use by students in a given course.

While each student has an obligation to abide by accepted standards of honesty, the University has a parallel responsibility to assure each student that those who work honestly will not suffer as a result of the dishonesty of others. Students, faculty, and staff are encouraged to provide, upon request by appropriate University officials, any information which may be relevant to an investigation of possible violation of academic integrity. And, since students are expected to accept and to live by the concept of academic integrity, the University has an obligation to clarify its meaning as much as possible, to disseminate to students accepted standards, and to offer appropriate guidance for their observance.

STUDENT RESPONSIBILITIES

See "Guidelines on Academic Integrity", Section 2.10.3.1, of this *Faculty Handbook*.

6.3.2 STUDENT DISCIPLINARY PROCEDURES

See "Guidelines on Academic Integrity", Section 2.10.3.2, of this *Faculty Handbook*.

6.4 GRADE APPEAL SYSTEM

Students who wish to appeal a grade that is alleged to be lower than that academically earned must initiate the process within the first three weeks of the next semester.

The aggrieved student shall first discuss the matter with the teacher involved to see if there is

some error or misunderstanding which can be resolved between them. Failing this, the student may take the matter to the department chair. If the teacher in the case is a department chair, the student shall go to the dean of the college. If the teacher in the case is a dean, the student shall go to the Vice Chancellor for Academic Affairs. The person designated above shall attempt to mediate between the student and teacher and arrive at resolution of the problem.

If the problem is not resolved, the student may request a hearing before a panel of three students and three faculty members selected from membership of the *University Council*.

The *chair* shall be a member of the committee selected by the committee itself.

Decision of the committee shall be by majority vote.

If the committee finds in favor of the instructor, the grade which has been given the student will stand and there will be no further appeal. If the committee finds in favor of the student, the matter will be remanded to the instructor for reconsideration.

7.0 EXTERNAL RELATIONS POLICIES OF INTEREST TO THE FACULTY

7.1 OFFICE OF RESEARCH, GRANTS, AND CONTRACTS

The Office of Research, Grants, and Contracts provides advice and assistance to faculty members in preparing and submitting applications for research funds, fellowships and training programs, and grants and contracts.

Specifically, the office has these areas of responsibility:

1. University Liaison with External Agencies. Any direct contact with external agencies needs to be coordinated through the Office of Research, Grants, and Contracts in order that the University may maximize its efforts to obtain grants. An internal coordination sheet provided by the office assures that all pertinent administrators have an opportunity to review proposals prior to submission for consideration.
2. Funding Information Services. The Office of Research, Grants, and Contracts has established contacts with governmental agencies, foundations, and professional associations.
3. Assistance in Proposal Preparation. The Office of Research, Grants, and Contracts:
 - a. assists faculty members in identifying specific funding agencies;
 - b. provides appropriate guidelines and other program information;
 - c. assists with the development of proposals upon request;
 - d. reviews proposals for completeness and format;
 - e. coordinates University review procedures including obtaining approvals of appropriate administrative officers when these are required prior to submission of proposals for external funding.
4. Proposal Follow-Up. After a proposal is submitted, the office:
 - a. monitors pending proposals (all contacts with the external agency should be coordinated with the Director);
 - b. assists in expediting proposal review and approval;
 - c. keeps the Tennessee congressional delegation informed about proposals submitted to federal agencies;
 - d. assists with obtaining reviews and evaluations of unaccepted proposals from the agency involved;
 - e. assists in negotiating research and other sponsored program contracts, grants or other agreements on behalf of the institution.

7.2 THE OFFICE OF BUSINESS AFFAIRS

The Office of Business Affairs reviews all proposed contracts and grant budgets for accuracy, the correct application of institutional cost sharing, and other commitments and also transmits contracts to the appropriate University-wide administrative office for approval.

Once a grant or contract is awarded to the University for a specific faculty research project or other sponsored program, the Office of Business Affairs assists by providing internal monitoring for project directors to assure compliance with current fiscal policies.

7.3 THE OFFICE OF DEVELOPMENT

The Development Office initially coordinates all contacts for private sector (businesses, corporations, foundations, and individuals) funding for all University projects. Faculty members wanting to submit a proposal to a non-governmental funding source should contact the Office of Development. All news releases regarding faculty research, contracts, grants, and fellowships are announced through the Office of University Relations.

7.4 VICE CHANCELLORS

Vice chancellors review proposals for external funds arising within or affecting their administrative areas and affirm that they are in keeping with University plans and programs and availability of facilities, staff, equipment, and supporting services.

7.5 EQUITY AND DIVERSITY OFFICER

The Equity and Diversity Officer coordinates all non-discrimination compliance activities with agencies of the federal government.

7.6 FUNDING SOURCES

Faculty members are encouraged to pursue any of several avenues for support of research including:

1. contracts, gifts, and grants from industry, government, and private foundations;
2. University of Tennessee at Martin Faculty Research Grants;
3. support from departmental and/or college budgets;
4. support from the Alma and Hal Reagan Faculty Leave Program.

Internal support, including the Faculty Research Grant program, should be viewed as a method for initiating an effort that will lead to external assistance.

7.7 PATENTS AND COPYRIGHTS

For detailed information refer to Section 2.13.1 of this *Faculty Handbook* and the *UT Statement on Patents, Copyrights, and Licensing*, on file in the Office of Research, Grants, and Contracts.

7.8 UT RESEARCH FOUNDATION

Information concerning the UT Research Foundation may be obtained from the Office of Research, Grants, and Contracts.

7.9 PUBLICITY AND PUBLIC RELATIONS

University, college/department, and personal items of a newsworthy nature should be reported to the University Relations Office for distribution to the news media of the area. The University Relations Office maintains contact with area radio, television, and newspaper reporters and should be consulted prior to any contact with the media.

All internal and external publications must be approved by the University Relations Office, and a Publications Requisition Number must be assigned by the Director of Publications. Counsel and advice on the production of all publications is available in the University Relations Office.

7.10 ADMITTANCE TO THE CAMPUS

In order that the educational functions of the University not be hindered or disrupted by persons who have no legitimate reason to be on campus, and in compliance with the resolutions of the Board of Trustees, the following policies have been established:

1. The campus, buildings, and facilities of The University of Tennessee at Martin are restricted to students, faculty, staff, guests⁴, and invitees⁵ of the University, except when public events, such as intercollegiate athletic contests, concerts, lectures, and public meetings, are held on campus, at which time the University shall be considered open to all persons

desirous of attending such events. (See Item 5 below for an additional exception to the policy.)

2. All University personnel (students, faculty, administration, and staff) must provide acceptable identification (I.D. card, fee receipt, etc.) when requested to do so by Safety and Security Officers or other University officials designated by the Chancellor. University personnel who refuse to give acceptable identification shall be subject to appropriate University action.
3. Invitees and guests on the campus of The University of Tennessee at Martin must provide identification and/or qualification if requested to do so by Safety and Security Officers or other University officials designated by the Chancellor. Persons who are unable or unwilling to give acceptable identification and/or qualification will be requested to leave the campus and, if they refuse, shall be subject to lawful removal and prosecution.
4. Invitees and guests must observe all University rules and regulations governing the use of, and conduct in, University buildings and grounds. Violation of rules and regulations may result in lawful removal from the campus, prosecution, and withdrawal of visitation privileges.
5. Campus facilities, such as tennis courts and ball fields, traditionally used by local citizens for recreational purposes, may continue to be so used, except as such use may conflict with programs and activities of the University, its students, faculty, or staff.
6. University students, faculty, and staff shall be responsible for observing and following policies and procedures regulating the bringing on campus of persons who are not students or staff members of the University. Those who fail to do so shall be subject to appropriate action by the University.

¹ Throughout this document, the chairperson refers to the chief administrative officer of the academic department. The Department Chairperson or Department Head are one in the same.

² The word “teaching” includes the set of instructional activities that normally occurs in classrooms, laboratories, clinical sites, and in directed study, etc; “research” includes both scholarly investigation and the creation of works of art related to a faculty members appointment, “service” includes public service, institutional service, and other assigned professional/clinical service responsibilities.

³ For details see *Fiscal Policies and Procedures Manual*, Policy 130.

⁴ Guests are persons invited to the campus by recognized University organizations, students, faculty, or staff members for a specific occasion.

⁵ Invitees are persons who have official business on campus, such as sales representatives, construction workers, and students' parents and guardians.