

The University of Tennessee System

**POLICIES GOVERNING
ACADEMIC FREEDOM, RESPONSIBILITY, AND TENURE**

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POLICIES GOVERNING
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Approved by the UT Board of Trustees at its meeting of 18 June 1998

The Board of Trustees is constituted by statute of the State of Tennessee as the governing body of The University of Tennessee System, with complete and full authority over the organization and administration of The University² and its constituent parts, and over the granting of tenure to members of the faculty.

The principal mission of The University is the discovery and dissemination of truth through teaching, research and service.³ The Board recognizes that freedom of inquiry and expression is indispensable for this purpose and believes that it and the administration and faculty should cooperate to that end. In The University's program of teaching, research and service, it is essential that the Board, administration and faculty cooperate voluntarily, each contributing freely according to his or her qualifications, in a mutually beneficial exchange of information and ideas.

The following statement is intended to record the policy and procedures of The University with respect to academic freedom, responsibility, and tenure. The Board considers these principles compatible with its statutory authority and responsibilities and the constitutional guarantee of freedom of speech and inquiry to each citizen of the United States.

¹ This is a compilation and restatement of policies and procedures adopted by vote of the Board of Trustees on November 4, 1955; June 17, 1971; October 20, 1978; by periodic approval of Faculty Handbook provisions for each University of Tennessee campus; and by revisions recommended by the Board's AY 1997-98 special Tenure Committee and its Faculty Tenure Advisory Committee, and approved by the Board on 18 June 1998.

² Many terms throughout this document are used generically. "The University" refers to The University of Tennessee System. "Campus" refers to the Knoxville campus, the Health Science Center, the UT Institute of Agriculture, the UT Space Institute, UT at Chattanooga, and UT at Martin. "Chancellor" refers to the Chancellor or Vice President of the unit. "Department" refers to the smallest academic unit (in some cases a "college," "school," or "division"); similarly, "department Head" refers to "chair," "director," or "Dean" as appropriate. "Faculty Senate" refers to the campus governance body of elected faculty members and "Faculty Senate Executive Committee" refers to that committee or a comparable group of elected Senate officers. "Chief Academic Officer" refers to the campus provost, academic vice chancellor, or Dean, etc. "Bylaws" includes written policies, procedures, standards, rules, guidelines, etc.

³ 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 member's academic appointment; "service" includes public service, institutional service, and other assigned professional/clinical service responsibilities.

B. Eligibility for Tenure Consideration

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

1. Regular, full-time, tenure-track faculty appointments at the academic rank of assistant professor, associate professor, or professor are eligible for tenure;
2. Temporary, term, and part-time appointments are not eligible for tenure;
3. Faculty members pursuing degrees at the campus where they are appointed are not eligible for tenure.

Each campus may establish additional eligibility requirements for tenure consideration. After approval by the Board of Trustees, campus eligibility requirements for tenure consideration shall be published in the campus Faculty Handbook.

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 Head, Dean, Chief Academic Officer, and Chancellor.

C. Probationary Period

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

1. 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. . .

[items D, E, & F have no changes to the 1998 document]

G. Evaluation of Tenured Faculty Members

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 and peer evaluation, etc.) is important to all objective review processes. Faculty members with research/creative arts responsibilities should have the quantity and quality of their work fairly assessed. Each faculty member's service contributions should be evaluated impartially.

1. Annual Performance-and-Planning Review. Each faculty member and his or her Department Head will engage in a formal annual Performance-and-Planning Review, examining the current fiscal/academic year's activities and planning what should occur during the coming fiscal/academic year. The planning aspects of these annual academic year reviews also should take place in the context of longer-term goals for the campus, college, and department. Each campus shall strive to reward faculty members who more than meet expectations for rank, and administrators shall develop

and publish guidelines for each campus to allocate funds for this purpose whenever feasible. Each faculty member's annual review should proceed from guidelines and criteria which are appropriate to the department, college, and campus, and this annual review should be a key element in merit pay or performance-based salary adjustments. College and department bylaws should make clear the contexts, criteria, and procedures to be followed for these reviews, including specific evaluation criteria for each level of performance. A document summarizing the review—including an objective rating of the faculty member's performance, as listed below—must be signed by the faculty member (to acknowledge receipt of the review document) and the Department Head. The Head must send a copy to the Dean. The Dean must send copies of the documents or a list of names by category to the Chief Academic Officer for review and approval/disapproval.

Performance ratings for annual reviews shall be as follows, and campus, college, and department bylaws must clarify the means and metric for each department head to employ in conducting these reviews:

Exceeds Expectations for Rank—eligible for significant merit pay or performance-based salary adjustment that is consistent with campus, college, and department fiscal situations;

Meets Expectations for Rank—eligible for minimum merit pay or performance-based salary adjustment that is consistent with campus, college, and department fiscal situations;

Needs improvement for Rank—not eligible for merit pay or performance-based salary adjustment and required to implement an Annual Review Improvement Plan (see below); and

Unsatisfactory for Rank—not eligible for any salary adjustment and required to implement an Annual Review Improvement Plan (see below).

Within 30 days of the annual review, any faculty member rated Needs Improvement for Rank or Unsatisfactory for Rank must collaborate with the Head on an Annual Review Improvement Plan to be reviewed by the Head and recommended by him/her to the Dean for review and approval/denial. The next year's annual review must include a progress report that clearly describes improvements in any area(s) noted as Needs Improvement for Rank or Unsatisfactory for Rank.

Each campus shall have a campus-wide process by which a faculty member may appeal his/her annual review rating. Developing the process should involve the Faculty Senate or an appropriate committee thereof.

2. 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.

Each campus shall establish policies and procedures for peer evaluation of the faculty member's cumulative performance. 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 Head), and appropriate faculty (same or higher rank) from outside the department. The faculty member being reviewed and the Head may each name a campus tenured professor (same or higher rank) to the committee, which normally should have at least five (5) members including the CPR Committee chair, and at least two additional faculty members nominated by the Faculty Senate (one departmental faculty member [same or higher rank] and one non-departmental faculty member [same or higher rank]). The Committee chair shall forward the committee consensus recommendation to the Head, Dean and Chief Academic Officer. 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 Head 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 Chief Academic Officer; or the committee may recommend to the Dean and Chief Academic Officer that the Chancellor initiate proceedings, as specified in the *Faculty Handbook*, to terminate the faculty member for adequate cause after the Chancellor has consulted with the Faculty Senate President and the Faculty Senate Executive Committee (which may delegate its responsibility to the appropriate Faculty Senate committee).

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 Chief Academic Officer:

- a. concur that the faculty member's performance has been Satisfies Expectations for Rank, that his/her personnel file should show that both the 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 Chief Academic Officer should require that the CPR Committee develop with the affected faculty member a written CPR Improvement Plan (which may include, but shall not be limited to, skill-development leave of absence, intensive mentoring,

curtailment of outside services, change in load/responsibilities), normally of up to one calendar year, and a means to assess its efficacy; or

- c. find that the faculty member's performance has been Fails to Satisfy Expectations for Rank (including a rationale for that ranking), and recommend to the Chancellor that he/she initiate proceedings, as specified in the *Faculty Handbook*, to terminate the faculty member for adequate cause after the Chancellor has consulted with the Faculty Senate President and the Faculty Senate Executive Committee (which may delegate its responsibility to the appropriate Faculty Senate committee).

At the end of the time allotted for a CPR Improvement Plan, the Head, CPR Committee, Dean, and Chief Academic Officer 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 Head, CPR Committee, Dean, and Chief Academic Officer must by consensus determine if the faculty member's performance is Satisfies Expectations for Rank or recommend that the Chancellor initiate Proceedings, **as specified in the *Faculty Handbook***, to terminate the faculty member for adequate cause after the Chancellor has consulted with the Faculty Senate President and the Faculty Senate Executive Committee **(which may delegate its responsibility to the appropriate Faculty Senate committee)**; or
- (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).