

UTK Faculty Senate Executive Council

Eighth Floor Board Room, Andy Holt Tower

August 31, 2009

AGENDA

I. Call to Order

Introductions

II. Review of Minutes

Minutes of the Executive Committee meeting of April 6, 2009 (Attachment 1)

III. Reports

President's Report (T. Boulet) (Attachment 2)

Provost's Report (S. Gardial) (Attachments 3 - 6)

IV. Old Business

V. New Business

Voting in Executive Council (T. Boulet) (Attachment 7)

Appointments to committees and the Executive Council (T. Boulet)

Guide for Collegiate and Departmental Bylaws (S. Thomas) (Attachments 8, 9)

Position paper from Tennessee University Faculty Senates (J. Nolt) (Attachments 10, 11)

Attachments

- 1 Minutes of Executive Committee meeting of April 6, 2009
- 2 Schedule for Faculty Senate Retreat
- 3 Family Care Policies
- 4 Opportunity and Spousal-Partner Hires
- 5 Old version of introduction to Faculty Handbook on Provost's web site
- 6 New version of introduction to Faculty Handbook on Provost's web site
- 7 Executive Council Membership
- 8 Old version of guide for collegiate and departmental bylaws
- 9 New version of guide for collegiate and departmental bylaws
- 10 Position paper from TUFS
- 11 Tennessee AAUP endorsement of TUFS' position paper

Attachment 1

Faculty Senate Executive Committee
MINUTES
April 6, 2009

Present: Vince Anfara, Doug Birdwell, Toby Boulet, Marianne Breinig, Donald Bruce, Jimmy Cheek, Becky Fields, Joanne Hall, Joan Heminway, Margo Holland, Becky Jacobs, Suzanne Kurth, India Lane, Catherine Luther, Beauvais Lyons, Susan Martin, John Nolt, Carl Pierce, Jan Simek, Anne Smith, and Tse-Wei Wang.

Guests: Scott Simmons (Graduate Assistant), Jeff Maples

I. CALL TO ORDER

J. Nolt called the meeting to order at 3:32 p.m.

II. REVIEW OF MINUTES

Beauvais Lyons requested that the comment attributed to him in the next to the last sentence of the first paragraph of the Senate President's Report be changed to: "...not a focus *on individual positions*." The Minutes of the March 9 meeting were moved, seconded and approved.

III. REPORTS

Senate President's Report (J. Nolt)

John Nolt reported Joan Heminway was elected to the position of President-elect. He and Toby Boulet attended the TUFS (Tennessee University Faculty Senates) retreat over the weekend. The organization's constitution has now been ratified by all the UT and four-year Board of Regents schools, except for Tennessee Technological University, which did not have a representative present. Nolt was elected TUFS President. Nolt reported that there was a belief that the discussions about reorganizing the structure of higher education in the state might lead Governor Bredesen to appoint a commission. A faculty seat on such a commission, if appointed, was the focus of a letter writing campaign.

Nolt and Jon Shefner, Chair of the Legislative Task Force, and others had participated in various meetings with constitutional officers and legislators. They worked closely with Hank Dye and Anthony Haynes.

Margo Holland asked if the discussion of reorganizing higher education included THEC (Tennessee Higher Education Commission). Nolt said there was talk of an independent commission because various models included elimination of THEC.

Provost's Report (S. Martin)

Susan Martin indicated the administration was still trying to understand the stimulus package. She noted that the administration's knowledge of the stimulus package was continually changing. Ads had been placed in the *Chronicle of Higher Education* in an effort to backfill lecturer positions. She said Nolt would talk about the Program Review, Reallocation and Reduction document. The campus had more time to be deliberative about looking at programs, but serious planning needed to continue. She complimented the Faculty Affairs Committee on its good work. She noted that until May 1 admissions would be uncertain. She said that

commitments were coming in a little slower perhaps due to the date change. Wang asked about the enrollment goal. Martin said it was 4100-4200.

Lyons asked how much of the stimulus money could be used for improvements and maintenance. Jeff Maples stated there was a clear stipulation against using the funds for bricks and mortar. Money could be used for maintenance and for improvements associated with improving instruction and energy saving. The percentage used for maintenance would be monitored. Lyons asked whether maintenance activities were being prioritized, e.g., for energy saving. Maples indicated they were in the midst of listing the top 10. Jimmy Cheek said he had talked with Martin and Maples about renovation projects critical to address beyond that time frame.

Vince Anfara said as a representative of the Graduate Council that he thought while it was good to mention the quality of undergraduate admissions, that the quality of graduate students was unfortunately not mentioned. Awareness of the quality of our graduate students and graduate programs needs to be increased. Martin said he had a good point, but that for many years the campus had relatively open admission at the undergraduate level and the change in that was being addressed. She noted there was a need to provide updated data on graduate students. Also an effort to be more aggressive in soliciting funds for them was underway. Cheek said Martin was working closely with Oak Ridge to obtain resources to support students.

Doug Birdwell expressed concern that some people were essentially told that their positions were gone. Stimulus money helps to offer classes, but some people will not be rehired. Martin explained that there were always shifts in the employment of contingent faculty. She said there was a need for part time temporary people to teach courses in foreign languages, for example.

Chancellor's Report (J. Cheek)

Jimmy Cheek noted that he met regularly with President Simek. Progress was being made on the tuition increase. Cheek said he would like a 9% increase. He said he heard the concerns of the Executive Committee about conducting searches. He appreciated the frank comments and noted that two searches were underway.

He said the campus was fortunate that the Governor and the legislature were using the stimulus money. He agreed with Anfara's comment about graduate education. He said he was committed to finding additional resources and hoped to have them in August.

Higher education reorganization was critical, although there was a need to wait before staking out a position. The campus holds a special position given its research and economic development potential that differentiates it from other public universities and that needs to be protected. The state should not develop a second major research university when there was inadequate funding for the first one. He noted President Simek was meeting with the Governor the next day.

As the President had left, other business was discussed while waiting for his return. Joan Heminway asked whether people would be available between 1:30 and 2:30 (day of the week to be determined) for a meeting with the search committee. Lyons asked Cheek about his impressions after meeting with the Deans and their faculties. Cheek said one issue was dropping courses. Other issues were graduation rates, moving students through more quickly,

and recapping full-time as 15 hours (not 12) rather than uncapping. Newly approved fees were expected to provide additional revenue. Anfara wanted to acknowledge India Lane's receipt of her doctoral degree and an award for the best dissertation in his college.

President's Report (J. Simek)

Jan Simek said it was his official visit to the Executive Committee. He reviewed what he had said at other campuses. His goal was to do the best for all four campuses. He had no mandate to dramatically alter anything. It was made clear to him that he could shrink the number of positions to be more efficient, while recognizing that maintenance of some activities was expected. There were accomplishments in recent years that no one wants to overturn. While a decision was made five years ago to sell the President and the presidency, now the emphasis is on the University's accomplishments and its students. Simek indicated that he was getting ready to meet with various state commissions addressing governance. UTK's survival is tied to the UT system. It might sound attractive to say UTK is the flagship institution, but such a stance could devolve into a battle over resources. The system has political authority because UT Martin, for example, brings in their area legislators, as does UT Chattanooga. One problem is the push to have the University of Memphis become a second Research 1 institution in the state. The campus needs to talk up the positive things it does.

The budget remained a serious concern. The stimulus money delayed rather than saved the University from budget cuts. The stimulus money would allow the University to gently diminish resources. The amount of reduction required did not change, but the timing of the reductions did. Having additional time might provide the opportunity to increase tuition over more than one year. Fixed costs remained a problem. There would be layoffs.

Nolt indicated that he had reported on the meeting of TUFS. He expressed the hope that if the Governor formed a commission that TUFS would have a seat at the table. He asked Simek to communicate that message to the Governor. Simek said if he were asked he would say it was never a bad idea to look at reorganization, but that it would be important to consult with numerous constituents and to examine models in other states. He stressed the importance of not acting precipitously.

IV. OLD BUSINESS

Faculty Affairs Committee: Update on Changes to *Faculty Handbook* and *Manual for Faculty Evaluation* (J. Heminway)

Joan Heminway noted a set of amendments (proposed by Doug Birdwell) was passed by the Senate. She had incorporated any changes associated with the amendments into the form. Birdwell had proposed an amendment to the proposed Pulsinelli amendment. The proposal was to add in consultation with right of appeal, "pursuing possible rights of appeals under Chapter 5 of the *Faculty Handbook*." She asked for responses. Birdwell said he thought it was fine and left flexibility for changes in Chapter 5. The Committee also discussed clarifying the role of the Ombudsperson. The Committee members wanted confidential consultation with the Ombudsperson included as an option. Lyons said the hope had been that consultation with the Ombudsperson might prevent an appeal. Heminway noted that the date of the process starting varies. Tse-Wei Wang asked with reference to including consultation with the Ombudsperson whether the Office of Equity and Diversity (OED) should be explicitly listed. Heminway said the question was when such conversations would be proper.

Program Review, Reallocation and Reduction (PRRR) Task Force: Procedural Framework for Academic Program Discontinuance and Reorganization (J. Nolt)

Nolt reported that the Task Force had pursued its task in two parts: development of procedures and development of criteria. At the same time the system was developing a document. The PRRR Task Force used it in drafting the campus document. Its goal was to have faculty involved throughout the process, not just at its end.

The "Preface" and "Guiding Principles" sections were different. The procedures were reviewed and approved by the Graduate and Undergraduate Councils and subsequently the Senate. They were incorporated in the document. Focus was expanded by the PRRR Task Force to include mergers and other changes that would seriously impact academics. Faculty involvement was included throughout the process, even for the suggestion of a merger. The remainder of the draft paralleled the system document, but the criteria, though similar, were in some cases different. An issue previously raised was the usage of CIP codes in the system document, i.e., anything with a CIP code could be closed. Nolt pointed out that an individual faculty member like himself could be the only person in a CIP category. The Senate already passed a definition of "program" that was incorporated into the document instead of CIP codes. Birdwell noted that the campus tenure and promotion guidelines had specific sentences about inserting comments. He thought that everyone should be able to come to the table and be heard. He raised the question of whether any parties have the right to write comments. Nolt suggested Birdwell could propose an amendment at the April 20 Senate meeting. Birdwell mentioned a potential place on p. 4 based on his experience with false comments being made. Nolt said an insertion might belong on p. 2 under the discussion of mergers.

Lyons noted the stipulation was for all academic units reporting to the Provost and wondered about the Agriculture Campus. Martin explained that that campus had submitted a document for the last Board of Trustees meeting. Lyons sought clarification of the 15 factors listed on pp. 3-4. He said he assumed they were unranked but because they were numbered he sought clarification of their relative importance. Nolt suggested that Lyons introduce an amendment at the next Senate meeting. Lyons noted 3.11.7 of the *Faculty Handbook* discusses what happens to tenured faculty when a program is closed. Boulet pointed out that the tenured faculty issue was addressed in the system document.

Anfara referred to previous discussion about the location of the document and asked whether it would be posted on the website. Martin said it would. Heminway noted that when discussion started the argument was about having quality comparable data. Report approved.

Elections and Committee Appointments (T. Boulet)

Toby Boulet distributed information about the recent election of Senators, noting he was contacting write-in candidates in cases of vacancies. He reported that the response rates for the online ballots appeared to be reasonable. Wang asked about comparative data. No historical data were available.

Athletics Committee (M. Holland)

Margo Holland reported that the Committee had not met yet to discuss possible changes, but committee members had expressed some concern about consolidating the Athletics Committee and the Athletics Board. There currently was interface between the two. She noted that the Board meets twice a year. Holland said she attended the meetings and was vocal at them. She

also noted that the Thornton Center handles academic issues for student athletes and that no other entity was eligible to put an academic program in place for them. The Athletics Committee continuously works with the Thornton Center.

V. NEW BUSINESS

Budget and Planning Committee (D. Bruce)

Don Bruce reported that the Committee had been reviewing the system budget for months. A tremendous increase in spending for "Institutional Support" occurred over the previous five years. The Committee presented a resolution. Bruce noted that Jeff Maples and Chris Crimino had been very helpful. Growth in institutional support was faster than the growth in overall spending. Two-thirds of the increase was at the system level for personnel and benefits (not capital expenditures). The Committee compared spending with UT's selected peer group. Based on its findings, the Committee developed a resolution asking the acting President to cut the expenditures. India Lane asked about older data. Don Bruce said they had not accessed it yet. Recent data were easier to obtain. Wang asked about interpreting Figure 3. Bruce said how it was distributed could not be easily ascertained. Birdwell said he suspected there were other instances of misuse, noting a fancy office for a system official in his area that had never been used. Resolution approved.

Nolt asked for advice for responding to Haynes and Dye. They had mentioned bills that might be of interest to the Faculty Senate that were perhaps less relevant than efforts to permit guns on campus. He sought advice on how involved the Senate President should be in the legislative process. He brought up two issues: suspending students for hazing and extending notification of parents of students who engaged in drug and alcohol abuse to students at private institutions. It was agreed that those were student affairs issues and not issues of concern to the Faculty Senate. Lyons commented that some concerns about textbook selection seemed to run counter to Simek's assertion that at UTK students learn from students who write the textbooks. Bruce cautioned that the comments made by the Senate President should be clearly differentiated from Senate actions. Simek suggested that any proposal that suggested anyone other than the faculty should make the decision should be opposed. Catherine Luther emphasized the importance of voicing an opinion.

A motion to adjourn was made, seconded and approved. Meeting adjourned 5:14 p.m.

Attachment 2

The Knoxville Campus - Two Years Hence

University of Tennessee Knoxville Faculty Senate Retreat
Friday, September 4, 2009
Howard H. Baker, Jr., Center for Public Policy
1640 Cumberland Avenue

8:30 - 9:00

Light Breakfast

9:00 - 9:15 Welcome and Overview

9:15 - 9:30 Forecast for State Funding

9:30 - 9:45 Budget

9:45 - 10:00 PRRR Process

10:00 -10:15 Academic Efficiency

10:15 - 10:30

Break

10:30-11:15 Breakout Groups: Discussions of challenges,
development of suggestions and questions

11:15 - 12:00 Reports and Discussion

12:00-1:15

Lunch

1:15 - 1:45 President Simek

1:45 - 2:15 Joint TBR/UT Commission and TUFS - John Nolt

2:15 - 2:30

Break

2:30 - 3:00 Vice President DiPietro

3:00 - 3:30 Chancellor Cheek

3:30 - 3:45

Break

3:45 - 4:30 Discussion with Members of the Board of Trustees

Family Care Policies for Faculty

SCOPE

Family care policies for non-tenured/non-tenure track faculty members on 12-month contracts are addressed by the HR policies on Family and Medical leave (see policy HR 0338), sick leave (HR 0380), or other types of leave (see HR 0355). These faculty members should see the Human Resources web site for details and procedures pertaining to this policy.

Lecturers and faculty members on 9-month, non-tenure track appointments are entitled to work directly with their department head or hiring unit supervisor to negotiate mutually agreeable terms for leave and/or service/workload modifications. These agreements should be made in writing with copies available in the faculty member's personnel file.

The provisions in the section below are intended to provide guidance for tenured or tenure-track faculty members who require work modifications for reasons related to family care-giving responsibilities in accordance with the Faculty Handbook (6.4.2) which states that:

“certain 9-month faculty members may be eligible for certain additional benefits such as modifying service requirements and extending the tenure-track probationary status.”

In all circumstances noted above, actions taken under these policies should not affect decisions concerning tenure or other merit-based evaluations. Annual merit reviews are conducted according to job-related criteria, which are unrelated to those involved in the family care policies.

PROVISIONS FOR TENURE TRACK FACULTY MEMBERS

Leave of Absence without Pay

Tenure-track faculty members who have a serious illness, or who have primary responsibility for the care of a child or an ill or disabled parent, spouse, or other family member, may request leave without pay. This leave normally will be approved for no more than one year. The faculty member should request leave without pay in a letter to the department head or other administrative officer, who then will forward the request and his/her recommendation to the appropriate dean. If the dean recommends approval, he/she will forward the request to the Vice Provost for Faculty Affairs who will make the final decision on the request.

Eligibility for fringe benefits during the leave of absence without pay for family care reasons shall be governed by the policies applicable to other leaves of absence without pay (Personnel Policy No. 355).

Faculty Modified Duties Assignment (FMDA)

If warranted by serious faculty illness or by illness of a family member for whom a tenure track faculty member has primary care-giving responsibility, modifications in the faculty member's service, while maintaining full pay, may be requested by the faculty member and approved by his/her department head and dean. Modifications in service may include the following: 1) a temporarily reduced teaching/service load, 2) leave, or 3) other mutually acceptable arrangement, such as course banking, and normally will not exceed one year in duration. Administrative cooperation in addressing the faculty member's need for temporary time away from the classroom/service is strongly encouraged.

As a matter of right, tenured and tenure-eligible faculty may modify their responsibilities for up to one semester of leave at full pay while managing the arrival of a child through birth, adoption, or foster care. These modified duties during leave would include:

- Complete teaching release for one semester
- Complete release from on-campus schedule meeting and obligations (although remote attendance may be desirable),
- Research obligations/opportunities to be negotiated.
- Other desirable and negotiated accommodations.

This right applies, regardless of gender, to the primary care-giver for pre-school-aged children. The maximum period of modified duties is one semester within 12 months of the child's arrival (even in the event of multiple birth or placement of multiple children), and modified duties may be requested twice in the course of a career. If both parents qualify for a paid leave, they may be required to use it in different semesters, especially if they reside in the same department.

Eligibility for fringe benefits during any modification in service shall be determined in accordance with the University Personnel Policy and procedure for each fringe benefit.

Extending the Probationary Period

A tenure-track faculty member who is granted a leave of absence under the Family Care Policy (i.e., s/he has a serious illness or has primary responsibility for the care of an ill or disabled parent, spouse, or other family member) is eligible for an extension of the tenure-track probationary period for up to one academic year. In the event of modified duties and leave due to childbirth, adoption, or commencement of foster care, a one-year extension of the probationary period will be granted.

The faculty member's assumption of the primary care-giving responsibility offered as a justification for extending the probationary period should have occurred within one year prior to the date of the request, and the request must be made before the tenure review process begins. The Vice Provost for Faculty Affairs may waive these time requirements for what he/she deems to be good cause shown in a written statement of the faculty member.

The faculty member must submit a written request for the extension to the department head or other administrative officer, who then will forward the request and his/her recommendation to the appropriate dean. The dean will forward the request and his/her recommendation to the Vice Provost for Faculty Affairs, who will make the final decision on the request. The UT Board of Trustees limits probationary period extensions to a maximum of two years (or two one-year extensions).

Tenure-track faculty members who are granted an extension of the probationary period will continue to receive annual merit reviews in a process that is independent of the request for extension.

Except in the cases where an extension has been granted, the probationary period at UTK shall not exceed seven years.

Note: This policy was reviewed and approved by the Provost, the Council of Deans, the Faculty Senate Benefits Committee, and the Commission on Women (December 2008).

Attachment 4

Opportunity and Spousal/Partner Hires at UTK

Note: This memo was reviewed and affirmed by the Council of Deans and the Provost Office on November 6, 2008.

The purpose of this memo is to further define the situations and criteria for the pursuit of Opportunity Hires at UTK. This hiring process, first launched in October 2006, is intended to provide a framework and funding mechanism for the recruitment of “faculty who meet identified needs within the University.” This would include individuals who “offer diversity in areas where under-representation exists or who bring a unique or different perspective because of their professional or personal backgrounds, interests, or expertise.”

Opportunity Hiring is a special hiring process that is typically characterized by one or more of the following:

- There is no immediately available hiring line or open position in the hiring unit, although there is anticipation of one in the coming years,
- “Bridge funding” is requested from the campus to support the costs of the hire in the early years (the bridge period) until the hiring unit can fully fund the position, and
- The individual being hired is exceptional in all regards; the assumption being that this candidate would be lost to future searches if not immediately pursued.
- OED typically waives the normal open search requirements.

At the outset it is important to note that Opportunity Hires are not intended to circumvent a normal search process. In all cases where a candidate might be hired through a normal, open and competitive search process, then that should be the preference. Both the candidate and the faculty hiring unit will ultimately have more confidence in the decision when that is the case. In the extreme, too many hires under the Opportunity Hire umbrella might be viewed with skepticism and may even unfairly harm the reputation of the faculty members hired. In short, this hiring practice should be the exception and not the rule. Finally, even though Opportunity Hires do not follow the normal search process, OED is typically included in the hiring process.

There are certain conditions under which it is appropriate and advantageous to pursue an opportunity recruiting/hiring strategy as specified below.

Appropriate Situations for Opportunity Hires

1. Targeted Hires.
 - a. When the unit is searching for a very restricted set of skills and experiences and the corresponding pool of qualified candidates is small and identifiable. A good example would be the narrowly-qualified searches for Governor’s Chair candidates.

- b. When a unique window of opportunity to hire a desirable faculty member presents itself outside of the normal search timeframe, i.e., when there is a mismatch between the “opportunity” to hire an individual and the availability of an open faculty position.
 - c. A special type of opportunity hire is where the accompanying spouse/partner of a UTK faculty recruit is also looking for a faculty position. (For more information, see “Spousal and Domestic Partner Hires” below)
2. Excellence in a Search Pool.
 - a. When, in the conduct of a normal search process, the committee identifies multiple excellent candidates in the applicant pool beyond the top candidate, and the hiring unit wishes to pursue additional candidates from the pool as opportunity hires.
 3. One Year Appointments.
 - a. When there are opportunities to bring in desirable faculty members for one-year appointments, including but not limited to visiting scholars, post-docs, etc.

Criteria for an Opportunity Hire

The following criteria should be considered in making an Opportunity Hire.

1. Excellent Applicant Qualifications.
 - a. The individual should be outstanding in his/her field; these are candidates who would rise to the top of an applicant pool in a normal, open search process.
 - b. The faculty in the hiring unit should be in agreement about the desirability and qualifications of the spouse/partner, including a positive evaluation of his/her likelihood of success in the future tenure and promotion decisions, where applicable.
2. Financial Support.
 - a. The department must have the financial strength to share in the funding of the hire during the bridge period and then to provide total faculty compensation after the bridge period (no more than four years).
 - i. In the instance of a tenure track opportunity hire, an open faculty position is anticipated at some point during the bridge period.
Or
 - ii. The faculty member may be otherwise self-supporting by the end of the bridge period, e.g., through research grants and contracts.
 - b. Typical funding models include but are not limited to the following examples:
 - i. A two-way split between the campus and the hiring unit over a four-year period in which the campus pays 100% of the salary in year one, 75% in year two, 50% in year three, 25% in year four and the department fully funds the salary beyond year four.

- ii. For spousal/partner hires, a three-way split between the unit hiring the recruited faculty member, the unit hiring the spouse/partner, and the campus over a specific term, e.g., 3 years, until the partner can become self-funding, e.g., through research grants and contracts.
- iii. Other creative and appropriate funding solutions that can be agreed upon by the hiring units and the Provost Office.

Process for Hiring

College deans wishing to pursue an opportunity hire should submit a proposal to the Vice Provost for Faculty Affairs outlining the needs the unit seeks to fill through the opportunity hiring process. The proposal should include 1) the unique qualifications and/or diversity characteristics that the candidate brings to the hiring unit, including a CV, 2) a budget outlining the funding requested, and 3) a timeline for phasing the salary into base budget funding or research grants and contracts, and 4) feedback from the tenured faculty regarding the promotion and tenure potential of the candidate, where appropriate. If applicable, the proposal should include a request to the Office of Equity and Diversity to waive the normal search process.

Spousal and Domestic Partner Hires

The Spousal and Domestic Partner Hiring Program provides a framework and funding for the recruitment of outstanding faculty candidates whose spouses or domestic partners are also recruited to faculty positions on the Knoxville campus. Typically, a faculty member being recruited in one department or unit triggers an unanticipated hire in another department/unit for his/her spouse or partner (although on occasion both are hired into the same department/unit). Because of the nature of these hires, it is rare that the unit hiring the spouse/partner has a ready need and open position that matches the exact qualifications of the spouse/partner. More often, this program will support recruitment of faculty spouse/partner with expertise attractive to one or more departmental units that do not have an available FTE for recruitment. Spousal and domestic partner hires are thus a special type of Opportunity Hire considered through a targeted recruitment process and in most cases necessitating a search waiver. Like all appointments, the Office of the Provost and the Office of Equity and Diversity should be involved as early as possible in the hiring process. More importantly, the Vice Provost should be notified by the unit hiring the recruited faculty member as soon as it is clear that a spouse/partner will also be seeking a faculty position at UTK. The Provost Office can then facilitate discussions with the appropriate units and administrators on campus relevant to the spousal/partner hire.

As an Opportunity Hire, funding for spousal and domestic partner hires is available as seed money to phase in appointments which are eventually supported through department/college base budgets (e.g., open faculty lines) or through self-funded grant

and contract activity. Funding may be requested for one to four years. If the individual so supported leaves the university, any future funding reverts to the pool maintained by the Office of the Provost. (See “Criteria for an Opportunity Hire” and “Process for Hiring” above for more details.)

*For the purposes of this policy a domestic partnership is a legal or personal relationship between individuals who live together and share a common domestic life but are not joined in a traditional marriage.

Attachment 5



Office of the Provost

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Faculty Handbook: Introduction

[Download the Faculty Handbook as a pdf document](#)

The Faculty Handbook is intended to be a general summary of university policies, guidelines, services, and resources. When official university policies and procedures are changed by the Board of Trustees, or other duly constituted authority, such changes become effective on the date designated at the time of their adoption and supersede any conflicting or inconsistent provision in the Faculty Handbook. Notification of such changes is given to department and college offices. The most recent versions of the University of Tennessee Fiscal Policies and Procedures and the UT Personnel Policies and Procedures are available on the University of Tennessee website. Questions about a particular policy or issue should be addressed to the department administrator, human resources representative, vice chancellor for academic affairs, or chief business officer.

This handbook is the work of a task force appointed by Chancellor Loren W. Crabtree and the Faculty Senate in Fall 2001. The task force was composed of Marian Moffett (Chair), Beauvals Lyons, Mary Albrecht, Jon Coddington, Bill Dunne, Clark Garland, Kathryn Greenberg, Peter Hoeyng, David Patterson, Charles Reynolds, Joe Trahern. In September 2002 and 2003, the faculty senate retreat considered the handbook and contributed to its development. After the retreat, all faculty members had an opportunity to provide comments through an interactive web site, with members of the Handbook Task Force serving as moderators. Several meetings of the Council of Deans were devoted to review of the handbook. Thus, this handbook is the result of the work of many individuals and represents the thinking and ideals of many faculty members.

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FACULTY HANDBOOK

Introduction

The Faculty Handbook is intended to be a general summary of university policies, guidelines, services, and resources. When official university policies and procedures are changed by the Board of Trustees, or other duly constituted authority, such changes become effective on the date designated at the time of their adoption and supersede any conflicting or inconsistent provision in the Faculty Handbook. Notification of such changes is given to department and college offices. The most recent versions of the University of Tennessee Fiscal Policies and Procedures and the UT Personnel Policies and Procedures are available on the University of Tennessee website. Questions about a particular policy or issue should be addressed to the department administrator, human resources representative, vice provost for faculty affairs, or chief business officer.

This revision of the Faculty Handbook is the joint undertaking of the Office of the Provost, Faculty Senate Faculty Affairs Committee, Council of Deans, and the Office of the General Counsel.

UTK Faculty Senate Executive Council

Name	Office	Status
Anfara, Vince	Chair, Graduate Council	Voting
Birdwell, Doug	Chair, Appeals Committee	Voting
Boulet, Toby	President Chair, Executive Council	Voting
Breinig, Marianne	Chair, Library & Information Technology Committee	Voting
Bruce, Don	Chair, Budget & Planning Committee	Voting
Cimino, Chris	Vice Chancellor for Finance & Administration	Ex Officio
Fields, Becky	Chair, Benefits & Professional Development Committee	Voting
Heminway, Joan	President-Elect Chair, Committee on Nominations & Appointments	Voting
Howes, Laura	At Large	Voting
Jacobs, Becky	Parliamentarian	Voting
Kurth, Suzanne	Secretary	Voting
Lyons, Beauvais	University Faculty Council Representative Chair, University System Relations Committee	Voting
Martin, Susan	Provost	Ex Officio
Nolt, John	Immediate Past President	Voting
Ohnesorg, Stefanie	Information Officer	Voting
Rinehart, Loyd	Chair, Teaching & Learning Council	Voting
Stephenson, Ken	Chair, Research Council	Voting
Thomas, Steve	Chair, Faculty Affairs Committee	Voting
Thompson, Dixie	Chair, Undergraduate Council Chair, Athletics Committee	Voting
	At Large	Voting

Attachment 8

Departmental and Collegiate Bylaws Guide Based on the Faculty Handbook

This guide was compiled by the Faculty Affairs Committee and based on the Faculty Handbook approved by the Faculty Senate on November 15, 2004, approved for general distribution by the Faculty Senate Executive Committee on January 10, 2005. An updated revision to this guide, focusing on revisions to the *Faculty Handbook* through spring 2009, was reviewed by the Faculty Senate Executive Council on August 31, 2009.

Each academic unit is governed in accordance with its own bylaws, which are the unit's core procedures and policies that, normally, have been ratified by a majority vote of the tenured and tenure-track faculty of the unit. Each unit's bylaws should provide for amending these individual procedures and policies (e.g., specifying how much notice must be given in advance of a meeting to amend the bylaws and what a quorum for such a meeting must be). The bylaws may also denote situations where something other than a simple majority of the tenured and tenure-track faculty of the unit may be required to take action. For example, amending a given procedure may require a supermajority vote of the tenured and tenure-track faculty of the unit. If a policy involves a specified subgroup of the unit's faculty (e.g., only the tenured faculty or only professors), amending that policy may require a vote (either majority or supermajority) by that specified subgroup.

This guide is intended to assist departments and colleges in bringing their bylaws into compliance with the most recent version of the Faculty Handbook. It "flags" where the handbook refers to either departmental or collegiate bylaws. The Faculty Affairs Committee recommends that departments and colleges organize their bylaws in a structure that parallels the *Faculty Handbook*. It is also recommended that departmental and collegiate bylaws describe a process for future revisions, complete with a record of those revisions. Finally, departmental and collegiate bylaws must also be consistent with the Manual for Faculty Evaluation and other appropriate university and campus policies.

CHAPTER ONE: Governance and Organization

1.4.1 College and Departmental Administration: Academic Deans

Collegiate bylaws shall address representation on dean search committees by tenure-track faculty members, non-tenure-track faculty members, students, and where appropriate faculty members from outside the college.

1.4.3 College and Departmental Administration: Effective Departmental Governance

The importance and scope of departmental bylaws and the collaborative process between the department head and faculty in drafting these documents is outlined in this section.

More specifically, the Handbook states that "this collaboration is best implemented through departmental bylaws that define the policies and procedures of the department, and a departmental strategic plan that articulates the vision for the future of the department."

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Further, “[t]he bylaws address issues, such as the governance structure of the department; search process for new tenure-track faculty; departmental voting protocols; criteria for promotion, retention, and evaluation of tenure-track and tenured faculty members; selection, evaluation, and roles of non-tenure-track faculty members in the department; input into criteria for evaluation of department heads; application of faculty evaluations to salary adjustments; and the role of the faculty in setting departmental budget priorities. A departmental strategic plan discusses the needs, goals, and aspirations of the department, providing guidance to both the head and the faculty members about achieving departmental objectives in teaching, research, and service. Such plans should be constructed and revised as necessary in the context of college and university goals.”

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1.4.4 College and Departmental Administration: Selection of Department Heads

While satisfying requirements for senior level searches, departmental bylaws should address the role of tenure-track faculty members, non-tenure-track faculty members, students, and where appropriate, faculty members from outside the department in department head searches.

While all departmental constituencies have input into the department head discussion, only tenure-track and tenured faculty members conduct an anonymous vote for their choice, unless non-tenure-track faculty are otherwise permitted to vote by departmental bylaws.

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1.4.5 College and Departmental Administration: Annual Evaluation of Department Heads

Departmental bylaws should address procedures for annual objective and systemic evaluation of the department head by departmental faculty.

1.4.6 College and Departmental Administration: Reappointment of Department Heads

Departmental bylaws should include a definition of “Voting Faculty,” which should include all tenured, tenure-track, and other full-time departmental faculty having voting rights on matters other than tenure and promotion. Such Voting Faculty shall be consulted by the dean in instances when reappointment of a department head is at issue. This consultation shall include a

vote by the Voting Faculty on reappointment. Further, processes for providing and soliciting input of Voting Faculty shall be determined by departmental bylaws.

CHAPTER TWO: Faculty Rights and Responsibilities

2.2.1 Responsibilities: The Importance of Scholarship

Departmental bylaws should address responsibilities of faculty with regard to research, teaching, and service.

CHAPTER THREE: Appointment, Evaluation, Promotion, Tenure, and Review for All Tenure-Track and Tenured Faculty

3.1 Process for Appointment of New Faculty to Tenure-Track Positions

In accordance with university search procedures, departmental bylaws should address appropriate representation on faculty search committees for new tenure-track faculty.

3.8.1 Faculty Review and Evaluation: Annual Review for All Faculty Members

Departmental bylaws should address the review process used for annual evaluation of all tenure-track and tenured faculty members. This review process should:

(1) Evaluate whether or not the faculty member's accomplishments align with previously set specific objectives set by the faculty member and the department head consistent with the *Faculty Handbook*, the *Manual for Faculty Evaluation*, and departmental bylaws; and

(2) Establish new objectives for the coming year using clearly understood standards consistent with the *Faculty Handbook*, the *Manual for Faculty Evaluation*, and departmental bylaws.

3.9 Salary

When considering faculty raises, departmental bylaws may allow salary decisions to be made by faculty committees or be determined by numerical rankings.

3.11.3.4 Tenure: Probationary Period: Annual Retention Review

Departmental bylaws must provide for specific criteria for annual retention reviews of faculty members consistent with the *Manual for Faculty Evaluation* and any criteria established by that department's college.

3.11.4 Criteria for Tenure

Departmental bylaws must, after approval by the dean and campus chief academic officer, designate specific criteria for tenure, including a definition of "professional excellence"

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necessary for tenure status in terms of that department's respective discipline. A department's tenure criteria must also include and be consistent with any criteria established by the department's college and campus.

3.11.5 Procedures for Consideration and Grant of Tenure

Departmental bylaws must provide for procedures concerning tenure consideration consistent with the procedures outlined in the *Manual for Faculty Evaluation*. More specifically, the bylaws must provide for a meeting of the tenured faculty to debate and discuss the tenure candidate. The bylaws shall also provide for the manner of taking and recording a formal vote of the tenured faculty on whether or not the candidate should be recommended for tenure. The bylaws shall also establish the minimum number of votes necessary to constitute a positive recommendation.

CHAPTER FOUR: Non-Tenure-Track Faculty

4.1 Appointment of Faculty to Non-Tenure-Track Positions

All appointments to non-tenure-track faculty positions, including part-time appointments, must be made in accordance with departmental and collegiate bylaws subject to the provisions of this chapter. Tenured and tenure-track faculty, or a committee of tenured and tenure-track faculty, will evaluate credentials and vote on non-tenure-track appointments in accordance with departmental and collegiate bylaws.

4.1.1 Non-Tenure-Track Teaching Positions

When the need for new non-tenure-track teaching faculty is identified, departments should initiate the hiring process as soon as possible. Thus, as soon as possible, but normally no later than May 1, a departmentally designated group of faculty will review applications in accordance with departmental and collegiate bylaws.

4.1.2 Non-Tenure-Track Research Positions

Departmental and collegiate bylaws shall establish standards and procedures relating to searches for and promotion of research faculty.

4.1.3 Non-Tenure-Track Clinical Positions

Departmental and collegiate bylaws shall establish standards and procedures relating to searches for and promotion of clinical faculty.

4.2.1 Criteria for Appointment to Faculty Rank: Non-Tenure-Track Teaching Faculty

A departmentally designated group of faculty will review and evaluate appointments to the rank of Distinguished Lecturer in accordance with departmental and collegiate bylaws.

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4.2.2 Criteria for Appointment to Faculty Rank: Non-Tenure-Track Research Faculty

A departmentally designated group of faculty will review and evaluate promotions to the ranks of Research Associate Professor and Research Professor in accordance with departmental and collegiate bylaws.

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4.2.3 Criteria for Appointment to Faculty Rank: Non-Tenure-Track Clinical Faculty

A departmentally designated group of faculty will review and evaluate promotions to the ranks of Clinical Associate Professor and Clinical Professor in accordance with departmental and collegiate bylaws.

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4.2.4 Criteria for Appointment to Faculty Rank: Adjunct Faculty

Tenured and tenure-track faculty will evaluate the recommended rank of Adjunct Faculty in accordance with departmental and collegiate bylaws.

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4.2.6 Criteria for Appointment to Faculty Rank: Joint Faculty Appointments

Departmental and collegiate bylaws, in conjunction with university policy and procedure, shall establish standards and procedures relating to searches for and promotion of Joint Faculty.

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4.3 Evaluation

Criteria for evaluating non-tenure-track faculty for purposes of hiring and retention must be adopted by a vote made in accordance with departmental bylaws.

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Research and clinical faculty are subject to annual performance reviews as outlined in departmental and collegiate bylaws.

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CHAPTER FIVE: Faculty Rights of Appeal

5.4.1 Appeals through the Faculty Senate Appeals Committee: Jurisdiction of the Faculty Senate Appeals Committee

The jurisdiction of the Faculty Senate Appeals Committee regarding promotion and tenure includes complaints regarding failure to follow procedures contained in departmental and/or collegiate bylaws.

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CHAPTER SIX: Benefits and Leaves of Absence

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CHAPTER 7: Compensated Outside Services

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7.2 General Principles

The primary responsibility for assessing the value of compensated outside activities with respect to the annual review of a faculty member rests in the academic departments and their bylaws.

Collegiate and/or departmental bylaws may define the nature and allowable time commitments of appropriate compensated outside activities for a faculty member in that unit beyond the guidelines in the Faculty Handbook.

CHAPTER 8: Revision of the Faculty Handbook

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APPENDICES:

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While satisfying requirements for senior level searches, departmental bylaws should address the role of tenure-track faculty members, non-tenure-track faculty members, students, and, where appropriate, faculty members from outside the department in department head searches.

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CHAPTER FOUR: Non-Tenure-Track Faculty

4.1 Appointment of Faculty to Non-Tenure-Track Positions

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4.1.1 Non-Tenure-Track Teaching Positions

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4.1.2 Non-Tenure-Track Research Positions

Departmental and collegiate bylaws shall establish standards and procedures relating to searches for and promotion of research faculty.

4.1.3 Non-Tenure-Track Clinical Positions

Departmental and collegiate bylaws shall establish standards and procedures relating to searches for and promotion of clinical faculty.

4.2.1 Criteria for Appointment to Faculty Rank: Non-Tenure-Track Teaching Faculty

A departmentally designated group of faculty will review and evaluate appointments to the rank of Distinguished Lecturer in accordance with departmental and collegiate bylaws.

4.2.2 Criteria for Appointment to Faculty Rank: Non-Tenure-Track Research Faculty

A departmentally designated group of faculty will review and evaluate promotions to the ranks of Research Associate Professor and Research Professor in accordance with departmental and collegiate bylaws.

4.2.3 Criteria for Appointment to Faculty Rank: Non-Tenure-Track Clinical Faculty

A departmentally designated group of faculty will review and evaluate promotions to the ranks of Clinical Associate Professor and Clinical Professor in accordance with departmental and collegiate bylaws.

4.2.4 Criteria for Appointment to Faculty Rank: Adjunct Faculty

Tenured and tenure-track faculty will evaluate the recommended rank of Adjunct Faculty in accordance with departmental and collegiate bylaws.

4.2.6 Criteria for Appointment to Faculty Rank: Joint Faculty Appointments

Departmental and collegiate bylaws, in conjunction with university policy and procedure, shall establish standards and procedures relating to searches for and promotion of Joint Faculty.

4.3 Evaluation

Criteria for evaluating non-tenure-track faculty for purposes of hiring and retention must be adopted by a vote made in accordance with departmental bylaws.

Research and clinical faculty are subject to annual performance reviews as outlined in departmental and collegiate bylaws.

CHAPTER FIVE: Faculty Rights of Appeal

5.4.1 Appeals through the Faculty Senate Appeals Committee: Jurisdiction of the Faculty Senate Appeals Committee

The jurisdiction of the Faculty Senate Appeals Committee regarding promotion and tenure includes complaints regarding failure to follow procedures contained in departmental and/or collegiate bylaws.

CHAPTER SIX: Benefits and Leaves of Absence

This chapter contains no references to departmental or collegiate bylaws.

CHAPTER 7: Compensated Outside Services

7.2 General Principles

The primary responsibility for assessing the value of compensated outside activities with respect to the annual review of a faculty member rests in the academic departments and their bylaws.

Collegiate and/or departmental bylaws may define the nature and allowable time commitments of appropriate compensated outside activities for a faculty member in that unit beyond the guidelines in the *Faculty Handbook*.

CHAPTER 8: Revision of the Faculty Handbook

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APPENDICES:

The appendices contain no references to departmental or collegiate bylaws.

**Tennessee University Faculty Senates
Position Paper on the Reorganization of Higher Education in Tennessee**

I. Background

Tennessee University Faculty Senates (TUFS), an association of the four-year state university Senates founded in April 2008, represents nearly 10,000 higher education faculty in Tennessee. It is an historic collaboration, involving faculty from the four campuses of the University of Tennessee system and the six universities of the Board of Regents system.

As the statewide reorganization of higher education became a topic of conversation in Nashville in 2009, TUFS sought to make a contribution. This potential reorganization was the central theme of TUFS' April 2009 retreat at Fall Creek Falls State Park. Two TUFS representatives, Ed Stevens (University of Memphis) and John Nolt (UTK) were appointed to the joint UT/TBR Task Force on Higher Education in the spring of 2009.

The purpose of this position paper is to lay out TUFS' recommendations for reorganization.

II. General Principles Endorsed by TUFS

As representatives of the faculty of Tennessee's public four-year institutions, TUFS' central purpose is to promote the richest and best possible education for Tennessee students and to provide for Tennessee's faculty the means to deliver that education effectively. Much can be accomplished toward these goals by the reorganization of the state's higher education administration, but only if all of us put aside, to the extent possible, traditional arrangements, political considerations, wrangling over resources, and regional or institutional loyalties.

TUFS also holds that higher education should be frugal with Tennessee's scarce fiscal resources. We seek to avoid waste and unnecessary expense in our teaching, scholarship, creative activity, research and service, and expect a Tennessee higher education administration that is responsive, rational, lean and efficient.

III. Objectives Endorsed by TUFS

TUFS holds that reorganization of higher education should achieve the following objectives:

1. **More rational and efficient organization.** The TBR system, for example, includes two-year community and technical colleges, a foreign language institute and six universities, five of which have doctoral programs. Those on the ground in the TBR system are frequently frustrated by "one-size-fits-all" directives from the TBR administration. A more rational organization might help avoid this.
2. **Faculty and student collaboration and exchange.** The breadth and depth of talent and expertise available in the TBR and UT systems is enormous, but institutional barriers prevent beneficial collaboration and exchange. Graduate students and faculty from each institution would benefit greatly from the ability to move between one campus and the other, but this would be extraordinarily difficult under current arrangements. Much more along these lines could be accomplished to the benefit of faculty and students if it were facilitated by a common administration.
3. **Research informs the education process.** Beginning in the undergraduate years, research informs the teaching and learning process. At both the undergraduate and graduate levels, education and research activities of each university should fulfill its mission statement and facilitate accreditations. Regional access to graduate programs is imperative for an educated citizenry and workforce, and should be maintained.
4. **Seamless system-wide access to library resources for students and faculty.** At present, each university negotiates separate licensing agreements and contracts for library databases and other resources for their library users. This process duplicates efforts across institutions, involving libraries, legal affairs, and purchasing departments on our campuses. Most importantly, it overlooks consortial buying power, which allows greater access to library resources.
5. **Better geographical distribution of programs.** Academic programs have grown up around the state for reasons that are often historical or political. The students of Tennessee will be best served by a distribution designed to deliver a rich array of educational services where they are needed. TUFS supports the reinforcement of programs that deliver valuable services well but are not now adequately

supported and the elimination of unnecessary duplication within service areas but also the development of new programs where needed. These things require effective statewide administration.

6. **Flattening administration.** Higher education in Tennessee is administered at too many distinct levels, which are often too far removed from the classroom to appreciate the effects of their decisions on campus administrators, faculty and students. In addition to campus administrations, which themselves can be extremely complex, there are the two systems and their boards of Trustees, and THEC.

IV. Recommendations

In order to flatten administrative systems, better serve students, reduce costs and advance the other objectives of reorganizing higher education in Tennessee, TUFS recommends that:

1. Whatever administrative structure emerges from the reorganization ensures the ability of faculty and students (both graduate and undergraduate) to move easily without institutional barriers among the various campuses. It should be easy for students to take classes at more than one campus while respecting prerequisites. There should also be a visiting faculty consortium that allows faculty to work at other state campuses. Achieving these goals will require coordination of academic calendars.
2. With respect to libraries, there should be a statewide catalog, centralized vendor contract negotiation, and centralized purchase of library resources, which facilitate broad access.
3. There should be a statewide common general education core curriculum.
4. Institutions should have interconnected IT systems.
5. It should be easy to develop joint academic programs that use resources from multiple state institutions.
6. Application for undergraduate admission to all state institutions should be centralized, leaving recruitment and acceptance to individual campuses.
7. Centralization of the following functions should also be considered:
 - Benefits - insurance, medical, retirement, etc.
 - Human resources policies and procedures
 - Purchasing
 - Research administration.
8. As a further cost-saving measure, the proportion of campus budgets used for administration should be regularly examined.
9. There are several good ways to organize the governance of higher education in Tennessee. However, we suggest establishing a separate system for the community colleges and technical schools, and merging the Tennessee Board of Regents universities with The University of Tennessee system. The administration of the resulting university system should be located in Nashville. We recommend that each campus in the new system have a local advisory board that is unpaid, self-perpetuating, and dedicated to the interests of its local university. University faculty senates should be involved in all stages of the development of this new system.

Tennessee State Conference of the American Association of University Professors (AAUP)
Statement on the Reorganization of Public Higher Education in Tennessee
August 25, 2009

The Tennessee State Conference of the AAUP supports the goals outlined in "Investing in People: Tennessee's Commitment to 21st Century Higher Education Excellence," a report submitted to Governor Don Sundquist in May 1999 by the Governor's Council on Excellence in Higher Education. The report states:

Tennessee's Twenty-first Century system of higher education should elevate the overall knowledge level of the state, open wide the door to high quality advanced education for all Tennesseans, and motivate them to take advantage of this enhanced opportunity.

Joining in the common pursuit of these noble goals, we value Tennessee University Faculty Senates (TUFS), an association of the four-year state university Senates, as a model of faculty participation in higher-education governance. We commend TUFS for putting their vast professional expertise and educational experience at the service of the state of Tennessee in their draft "Position Paper on the Reorganization of Higher Education in Tennessee," which has been sent to the universities' senates for consideration and ratification. Finally, we recognize TUFS as the body representing the Senates of our state's four-year public universities and as an indispensable participant in all discussions concerning higher education in Tennessee.

The Tennessee State Conference of AAUP is open to faculty members from all types of higher-education institutions, including community colleges and technical centers. Recognizing that the community colleges may have a different perspective on reorganization, and in the spirit of shared governance, we urge the community colleges to form a representative body similar to TUFS to ensure that their unique perspectives (for example on recommendation IV.9 of the TUFS position paper) will be heard. The AAUP offers both organizational and financial support toward convening a meeting of the community colleges for that purpose.

The AAUP believes that all efforts at reorganizing higher education in Tennessee should be based on shared governance, the idea that appropriately shared responsibility and cooperative action among the essential stakeholders of an higher-education system not only advance the system's academic mission but also, by guaranteeing the timely and proper use of all available expertise, contribute to system efficiency and rationality. Thus, we recommend that shared governance be both an integral part of any reorganization plan and the essence of the process by which a proposed plan is designed. Only by establishing shared governance in the reorganization process can the full benefits of this principle be realized.

Such a focus on joint thought and action supports a high-quality education, prevents the dissipation of available resources, entails shared measures of accountability, encourages institutional efficiencies, and develops a sense of institutional and system ownership among all stakeholders that is crucial to strengthening the sense of community on which higher education thrives.

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