

## Bylaws of the department of Educational Psychology & Counseling Revised January 2018

---

### Preface

#### Organization of Bylaws

Bylaws are the academic unit's core procedures and policies that have been ratified by the tenured and tenure-track faculty of the unit. The bylaws of the department of Educational Psychology and Counseling support related material in the Faculty Handbook and Manual for Faculty Evaluation. Where policy contained in these documents clarifies departmental bylaws, the appropriate segments are included in italics.

#### Modification of Bylaws

Bylaw modifications are considered a major decision and require a 2/3 majority vote. Decisions to modify a bylaw must take place at a departmental faculty meeting.

*Effective Departmental Governance.* For more information on effective departmental governance, refer to the Faculty Handbook located at Faculty Central ([facultycentral.utk.edu](http://facultycentral.utk.edu)), section 1.6.3.

#### Nature & Purpose of the Department

Vision: The department of Educational Psychology and Counseling strives to be a respectful and transparent community of scholars excelling in the preparation of leaders, scholars, and professionals who promote well-being, educational expertise, and civic responsibility.

Values:

We value an environment of mutual respect and interpersonal support, featuring:

- Caring
- Embracing diversity of cultures and individual perspectives
- Collegial and collaborative interactions
- A sense of humor and a capacity for perspective taking
- Civility (see UT Knoxville civility website for complete list of guiding principles of civility)

We value transparent and accountable decision making, featuring:

- Data supported decision making
- Consensus seeking – using the “70% rule” for individual support of decisions

In our scholarship, we are committed to:

- Innovation
- Future thinking
- Creativity
- Research designed for impact to make the world a better place

In our work with students, we are committed to:

- Quality teaching
- Effective mentorship
- Engaged scholarship

In our work with the community, we are committed to:

- Integrity
- Collaborative partnerships
- Engaged scholarship

## **1.0 GOVERNANCE & ORGANIZATION**

### 1.1 Shared Governance

The department operates in the spirit of shared governance, building upon principles contained in the Faculty Handbook, section 1.7.

#### 1.1.1 Decision-Making

There are four types of common voting decisions: (a) promotion and tenure, (b) major decision, (c) minor decision, and (d) strategic planning. Major decisions include faculty line assignments, new program proposals, existing program termination, and program curricular revisions with resource implications. Promotion and tenure voting can be found in section 3.3.1 of these bylaws. Tenure track and clinical faculty vote on major decisions using a private ballot. Major decisions will pass with a 2/3 majority vote. Minor decisions include hiring of adjunct faculty, dissertation directive status, and minor course changes. Tenure track and clinical faculty vote on all minor decisions except dissertation directive status with a public vote. Dissertation directive status is voted on by faculty with dissertation directive status. Minor decisions will pass with a simple majority vote (51%). Tenure track faculty, clinical faculty, and a staff representative vote on strategic planning decisions with a public vote by a simple majority.

Decisions are made at departmental meetings. Any member of the department may call for a vote. A vote regarding a major decision must be discussed in one meeting and voted on in the following meeting. All materials needed for decision making must be provided to eligible voters one week in advance of a vote. All members of the department have the opportunity to share their views and collaboratively seek the best action for the department. Voting can occur by those present if there is a quorum (i.e., more than one-half of the total members eligible to vote on a particular item). A member of the department who cannot attend must notify the department head and associate heads in an email of their designated proxy. This person must be an eligible voter for the decision.

#### 1.1.2 Departmental Meetings

The department holds a minimum of two meetings each fall and spring semesters. Other meetings take place as needed.

### 1.2 Administrative Structure

The department is a part of the College of Education, Health, and Human Sciences. An academic dean serves as the chief academic officer of the college. The department head is defined in the Faculty Handbook as a member of the faculty who is assigned the special duty of administering the department (Faculty Handbook, section 1.6.2). In addition, the department head appoints one or two associate department heads and an Executive Council.

#### 1.2.1 Department Head Responsibilities

The Faculty Handbook describes the following responsibilities of the head:

1. *providing leadership for the departmental academic program in relation to the comprehensive academic program of the university*
  - a. *recruiting faculty and staff*
  - b. *working with faculty to plan, execute, and review curriculum*
  - c. *encouraging and supporting faculty teaching, research and creative activity, and public service*
  - d. *counseling and advising students majoring in the discipline*

- e. representing the department to the public, the other faculty and administration, colleagues at other universities and institutions, and the constituency supporting the university*
- 2. providing leadership for the infrastructure necessary for support of the academic programs through*
  - a. employment and supervision of clerical and supporting personnel*
  - b. management of departmental physical facilities and planning for space and equipment needs*
  - c. resource enhancement*
  - d. preparation, presentation, and management of the departmental budget*
  - e. authorization of all expenditures from the department budget*
- 3. planning annual performance and review faculty and staff (excerpt from the Faculty Handbook, section 1.6.2.)*

### 1.2.2 Selection, Evaluation & Reappointment of the Department Head

The Faculty Handbook provides specific policy and procedures for faculty involvement in the selection of the department head (see section 1.6.4.). Reappointment is based upon annual objective and systematic evaluation provided by the department's faculty members to the dean as well as a five-year review based upon the annual evaluations (see Faculty Handbook sections 1.6.5, 1.6.6).

Annual evaluation of the department head is administered by the Provost's Office. All members of the department receive an email request for anonymous feedback. The dean meets with the department head to discuss the results and job performance.

### 1.2.3 Selection, Evaluation & Responsibilities of the Associate department head

The associate department head(s) is selected by the department head. The associate department head(s) has budget signature authority and assists the head as needed. This person is also responsible, along with help from a designated support staff member, for maintaining the department website. Other duties and responsibilities are negotiated with the head and may include serving as the EPC Director of Graduate Studies; processing admissions in ADMIT; engaging in development activities; and coordinating support staff, fellowship/scholarship awards, curriculum revisions, fall orientation, and departmental meetings. In addition, the associate head(s) assists by monitoring enrollment, data reporting, GTA English language test results, and donor activity. When the department head is absent, the Associate department head(s) assumes the responsibilities of the head, within a previously agreed framework established by the head. (Procedural Handbook for Academic Department Heads and Directors, chapter 6. I, B).

Annual evaluation of the associate head(s) occurs during the annual faculty evaluation meeting with the department head.

### 1.2.4 Executive Council

The Executive Council is composed of coordinators or representatives from all program areas. Executive Council members provide leadership to the department by providing consultation to the department head. In addition, council members disseminate information to program faculty and report faculty input back to the department head.

### 1.2.5 Selection & Duties of Program Area Coordinators

Program coordinators (PC) provide overall management of a particular program area including student recruitment, admissions process, curriculum, scheduling, and communication with other faculty members in their area. The PC is the primary representative of a program area in the department. The program selects each PC after consultation with other faculty members in the program and the department head. Selection is based on the individual's willingness to serve,

knowledge of the program area, and professional affiliation. Program coordinators may receive one course release per year.

#### Additional Responsibilities:

- (a) Faculty - Works with faculty to set goals for the program area; solicits faculty input on departmental matters and regular, timely sharing of information; coordinates faculty duties in the program area and recommends teaching assignments; requests equipment.
- (b) Students - Recruits students, tracks recruiting activities, oversees new student admissions process and consults with faculty on admissions decisions; reviews students' progress; involves students in the program area when appropriate, appoints student representative, assists students to obtain employment where appropriate.
- (c) Program - Works with other faculty in the department to integrate curricula across academic program areas where possible; reviews, evaluates, oversees curriculum changes and works with other committees as appropriate; leads the program area and assures that information is available for annual data reports
- (d) If relevant for the program area, accepts responsibility for accreditation activities.
- (e) If relevant, oversees program budget.

#### 1.2.6 Ad Hoc Committees

Ad hoc committees are formed by the department as needed.

## **2.0 FACULTY RIGHTS & RESPONSIBILITIES**

The Faculty Handbook, chapter 2, describes faculty rights and responsibilities including academic freedom, tenure, and freedom as a citizen. It also discusses the importance of teaching, research/scholarship/creative activity, and service. Faculty responsibilities include information on appropriate professional relationships with students. section 1.1.0 of the Faculty Handbook describes faculty involvement in university budgets. Program decision making (e.g., admissions, course offerings) have an impact on the department budget. The department acts in compliance with these tenets.

An important responsibility involves curricular and programmatic decisions, which the Faculty Handbook stipulates should be explained in departmental bylaws.

*Departmental proposals for the curriculum are transmitted by a departmental representative (or head) for review by divisional, college, and university committees. The head does not have veto power in curricular recommendations approved by departmental faculty, although it is important for college and university committees to have full benefit of the head's advice and judgment about such recommendations (excerpt from Faculty Handbook, section 1.8).*

### 2.1. Curricular & Programmatic Decisions

Faculty members in each program will develop proposals for curricular and programmatic changes according to college and university guidelines. Following the guidelines in section 1.1.1 of these bylaws, the written proposals will be presented at a meeting of all departmental faculty members where a vote will be taken. If approved or after revisions agreed to at this meeting, the proposal goes forward to the appropriate college and university committees for their review.

## **3.0 APPOINTMENT, EVALUATION, PROMOTION, TENURE & REVIEW FOR ALL TENURE-TRACK & TENURED FACULTY**

### 3.1 Appointment of New Faculty to Tenure-Track Positions

The Faculty Handbook section 3.1 provides specific information about the process for appointment of new faculty to tenure-track positions:

*A thorough search and careful selection must precede any departmental recommendation of appointment. As part of this process, departmental faculty nominate potential search committee members from which the department head selects a search committee in consultation with the tenured and tenure-track faculty. It is the department head's responsibility to assure appropriate search committee representation in accordance with departmental bylaws and university search procedures. The search committee recommends the applicant pool and identifies candidates to be considered for interviews. The tenured and tenure-track faculty will evaluate and vote on the candidates and make a recommendation to the department head. The head will then recommend a candidate to the dean. If the dean agrees with the recommendation, the dean will then recommend the candidate to the chief academic officer, who will then make a recommendation to the chancellor. If the head's recommendation diverges from that of the faculty, the head must explain his or her reasons in detail to the faculty, who have the right to meet with the dean and chief academic officer about the recommendation (excerpt from the Faculty Handbook, section 3.1).*

### 3.1.1 Designation of Faculty Line

The head facilitates a discussion with faculty in a departmental meeting regarding priorities for filling faculty lines when and if they are available and/or anticipated. All programs requesting new or replacement lines present a data-based report at the meeting that includes relevant information. Justification for faculty lines needs to include a rationale for establishing, enhancing, or maintaining the program. When appropriate, the program should identify the potential for program expansion. The report should also explain how the program meets the mission of the department, college, and university and aligns with strategic priorities. Faculty will vote on the priorities. While the head is responsible for making the designation decision at the department level, it is expected that his/her decision will take into consideration the results of this vote as well as the department's strategic plan and other identified needs. The head also holds informal discussions in departmental meetings with faculty concerning requests and possible opportunities for additional lines.

### 3.1.2 Search Committee Representation

The coordinator of the program and the department head identify the chair of the search committee. Those people identify the remaining search committee members. The head shares the list of search committee candidates with the executive council who may suggest changes. All search committees for appointment of new faculty in tenure-track positions include at least one faculty member and student from each program to which the new faculty member will report. Further, the committee may include professional and field representatives where these persons are connected in some way to the position. Search committee members must complete any university-required training.

### 3.1.3 Selection of New Faculty Member

The search committee drafts the job description, engages in recruiting, reviews files, completes responsibilities necessary to designate an official primary and secondary pool of candidates, and schedules interviews of top candidates on campus. All departmental faculty members participate in the interview process and share their views in writing with the search committee. Following interviews, the search committee identifies and recommends candidate(s) to hire to the department head.

## 3.2 Annual Performance Reviews

Note: Annual performance reviews for tenured and tenure-track faculty take place in the fall semester and are based on accomplishments during the prior three academic years. Submission of annual performance review follows departmental deadlines and material requirements, which include a written summary of work, faculty activity report, and CV. (See also section 3.2 in the Faculty Handbook and the Manual for Faculty Evaluation, part II.)

### 3.2.4 Faculty Responsibilities & Workload

The Faculty Handbook indicates that . . .

*The assigned workload for full-time faculty consists of a combination of teaching, advising, research/scholarship/creative activity, and institutional and/or public service. The individual mix of these responsibilities is determined annually by the department head, in consultation with each faculty member, with review and approval of the dean and chief academic officer. The university requires that each member of the faculty perform a reasonable and equitable amount of work each year.*

*The normal maximum teaching responsibility of a full-time faculty member engaged only in classroom teaching is 12 credit hours each semester. The precise teaching responsibility of each individual will be based on such things as class size and the number of examinations, papers, and other assignments that require grading and evaluation. In addition, the number of different courses taught and other appropriate considerations will be used to determine teaching responsibility. Classroom teaching responsibility may be reduced by the department head for other justifiable reasons including student advising, active involvement in research and/or creative activities (with publications or other suitable forms of recognition), direction of graduate theses or dissertations, teaching non-credit courses or workshops, administrative duties, and institutional and/or public service (excerpt from the Faculty Handbook, section 3.7).*

These guidelines on faculty workload should be considered against considerations related to faculty productivity and performance as outlined in other sections of these bylaws.

### 3.2.5 Annual Reports & Written Evaluation.

After reviewing annual performance review materials and preparing a written evaluation based on the negotiated goals for the year, the head, or a delegate, will schedule an annual review conference with each faculty member.

These conferences should be held within the fall semester for tenured and tenure-track faculty members. The head will provide written feedback to the faculty member approximately one week prior to the scheduled meeting.

At this meeting, the faculty member will have an opportunity to respond to the head's written report as well as highlight his/her most important accomplishment(s), and review past and future goals. The head will provide oral feedback to the faculty member.

The head, or a delegate, submits a copy of the report to the dean and places a copy in the faculty member's file.

### 3.2.6 Responding to the Annual Evaluation Report

If a faculty member believes he/she has been evaluated unfairly in the annual evaluation, he/she should follow the sequence of actions described in (Faculty Evaluation Manual part II, B, 6):

*The faculty member may prepare a written response to the Annual Review Form. This response should be copied to the department head, and the department head shall include it in the materials forwarded to the dean under paragraph 7 of this part II.B. The faculty member shall be allowed two weeks from the date of receipt of the finalized Annual Review Form from the department head to submit any written response. If no response is received by the department head after two weeks from the date the faculty member receives the Annual Review Form from the department head, the faculty member relinquishes the right to respond.*

### 3.3 Criteria for Appointment to Faculty Rank

*All who are appointed as tenure-track and tenured faculty are expected to contribute to the missions of teaching, research/scholarship/creative activity, and public service. While the general scope of performance at a particular rank is consistent across the university, the particular requirements of the varying ranks are a function of the discipline and are typically defined by the faculty of the department in which an appointment resides. The exact apportionment of effort in teaching, research/scholarship/creative activity, and service is a function of the skills of the faculty member and the needs of the department and university. All tenured and tenure-track faculty, however, are expected to pursue and maintain excellence in research/scholarship/creative activity.*

*In addition to the expectations listed for each rank below, the university requires the head to determine and attest that each person appointed to the faculty is competent in written and spoken English.*

**Professors** are expected to:

- 1. hold the doctorate or other terminal degree of the discipline, or present equivalent training and experience appropriate to the particular appointment;*
- 2. be accomplished teachers; based on evidence such as student evaluations, peer observations, and materials submitted by the faculty member in support of accomplished teaching*
- 3. have achieved and to maintain a nationally recognized record in disciplinary research/scholarship/creative activity; based on evidence of a recognizable, sustained, and substantial scholarship agenda, including peer reviewed articles in prominent journals, publication of books and book chapters, invitations to make scholarly presentations, editing and editorial board service, invitations to review thesis and dissertations and/or serve as an external reviewer for faculty at other universities nationally or internationally, external reviewer opinions of national and/or international recognition; (Note: Evaluation of a program of scholarship is not so much about counting discrete publications as it is about exercising professional judgment concerning a colleague's reputation and impact in the field regarding his/her scholarly outreach and research.)*
- 4. have achieved and to maintain a record of significant institutional, disciplinary, and/or professional service; based on evidence of leadership roles in the college, university, and professional associations*
- 5. serve as mentors to junior colleagues; based on evidence of having effectively served as a mentor to one or more junior faculty members*
- 6. have normally served as an associate professor for at least five years; and*
- 7. have shown beyond doubt that they work well with colleagues and students\* in performing their university responsibilities; such as evidence of effective committee work with colleagues and students.*

**Associate professors** are expected to:

- 1. hold the doctorate or other terminal degree of the discipline, or to present equivalent training and experience as appropriate to the particular appointment;*
- 2. be good teachers; based on evidence of student evaluations, peer observations, and materials submitted by the faculty member in support of good teaching;*
- 3. have achieved and to maintain a recognized record in disciplinary research/scholarship/creative activity; based on evidence of a recognizable and sustained scholarship agenda; (Note: Evaluation of a program of scholarship is not so much about counting discrete publications as it is about exercising professional judgment concerning a*

*colleague's reputation and impact in the field regarding his/her scholarly outreach and research.)*

*4. have achieved and to maintain a record of institutional, disciplinary, and/or professional service; based on evidence of committee and task force work in the department, college, and/or university, and/or professional associations*

*5. have normally served as an assistant professor for at least five years; and*

*6. have demonstrated that they work well with colleagues and students\* in performing their university responsibilities, such as evidence of effective committee work with colleagues and students.*

**Assistant professors** are expected to:

*1. hold the doctorate or other terminal degree of the discipline, or to present equivalent training and experience as appropriate to the particular appointment;*

*2. show promise as teachers; based on materials submitted by the faculty member in support of promise as a teacher;*

*3. show promise of developing a program in disciplinary research/scholarship/creative activity that is gaining external recognition; based on evidence of the ability to conduct research and produce scholarly products and a recognizable scholarship agenda; (Note: Evaluation of a*

*program of scholarship is not so much about counting discrete publications as it is about exercising professional judgment concerning a colleague's reputation and impact in the field regarding his/her scholarly outreach and research.)*

*4. have a developing record of institutional, disciplinary, and/or professional service; based on evidence of service on one or more departmental, college, and/or university committees or task forces, and/or professional associations; and*

*5. have demonstrated that they work well with colleagues and students\* in performing their university responsibilities, such as evidence of effective committee work with colleagues and students.*

---

*\*Appropriate interaction with colleagues and students is governed by university policies contained in Human Resources documents, Hilltopics, the Faculty Handbook, and materials published by the office of equity and diversity.*

---

*In all of these ranks, concerned and effective advising and responsible service to the university are understood to be part of the normal of a university faculty member.*

*It is incumbent upon faculty and administrators to engage in professional development activities. Such activities lead to continual improvement in performance and enhance the ability of all to contribute at the leading edge of the discipline and/or in leadership roles. Many types of opportunities are available, including one-or two-semester faculty professional leaves, small professional development grants through the university, larger grants through external funding, and participation in professional conferences and workshops, The University of Tennessee Leadership Institute, opportunities to focus on teaching and scholarly outreach, and participation in a wide variety of interdisciplinary activities available to faculty separate from more formal interdisciplinary programs (excerpts from the Faculty Handbook, section 3.2).*

### 3.4 Professional Development

*It is incumbent upon faculty and administrators to engage in professional development activities. Such activities lead to continual improvement in performance and enhance the ability of all to contribute at the leading edge of the discipline and/or in leadership roles. Many types of opportunities are available, including one-or two-semester faculty professional leaves, small*



*professional development grants through the university, larger grants through external funding, and participation in professional conferences and workshops, The University of Tennessee Leadership Institute, opportunities to focus on teaching and scholarly outreach, and participation in a wide variety of interdisciplinary activities available to faculty separate from more formal interdisciplinary programs (excerpt from the Faculty Handbook, section 3.2).*

The department should provide the time, resources, and guidance to help tenure-track faculty develop recognizable, sustained, and substantial research programs. This should include a mentor who accepts responsibility for meeting regularly (at least twice per semester) with the mentee and for helping the mentee understand how to be successful within the culture of the department, college and university. The department should set a high priority for providing resources to all faculty members for participation in professional development activities as listed in the Faculty Handbook excerpt above, and including travel money for participation in conferences.

### 3.5 Procedures for Tenure and/or Promotion Review

Departmental review of faculty members for tenure and/or promotion shall occur according to university policy as described in the Faculty Handbook and the Manual for Faculty Evaluation.

The departmental review committee shall be composed as follows:

- i. When conducting the initial departmental review, only tenured faculty members make recommendations about candidates for tenure.*
- ii. When conducting the initial departmental review, only faculty members of higher rank than the candidate make recommendations about promotion.*
- iii. In unusual circumstances (e.g., insufficient number of faculty), refer to the Manual for Faculty Evaluation, part III, C, 2b.*

With their mentor, the candidate prepares a dossier and a one page summary. The departmental review committee reviews the dossier of the candidate prior to the review meeting. At the review meeting, the candidate's designated mentor provides the one-page written document and presents an oral report based on objective data with no recommendation to the committee on how to vote. The review committee shall discuss the candidate and submit a confidential vote to a committee member other than the mentor who shall count the votes and inform the committee of the results. The department head shall attend the meeting of the review committee but refrains from participating in the discussion other than to clarify issues and assure that proper procedures are followed.

Representatives of the departmental review committee, other than the candidate's mentor, will be chosen to summarize faculty discussion about candidates and present written recommendations and votes on tenure, promotion, and retention. Faculty members on the departmental review committee will review the letter within five working days. All comments will be sent to the letter's author who will make revisions. The letter is then forwarded to the head and the candidate. The summary becomes part of the candidate's dossier and goes forward with all materials for review by the college tenure and promotion committee and then for review at the university level.

*The department head conducts an independent review of the candidate's case for promotion and/or tenure (see Manual for Faculty Evaluation, III. C. f.). The department head shall, within five working days, share with the candidate and the review committee a letter reporting this independent review. Note: The manual contains further details about the department head's review.*

*Faculty members may individually and collectively submit dissenting statements to the faculty recommendation or to the department head's recommendation (see Manual for Faculty Evaluation, III. C. g.) .*

*The faculty member may prepare a written response to the recommendation and vote of the faculty and/or to the department head's recommendation (see Manual for Faculty Evaluation, III. C. h.).*

After the department review, the college committee and the dean review candidate dossier which will be sent to the chief academic officer of the university. Further details regarding college and university procedures are available in the Faculty Evaluation Manual.

### 3.5.1 Placeholder for PPPR Policy & Procedures

#### 3.6 Department Mentoring

The department should provide the time, resources, and guidance to help tenure-track faculty develop recognizable, sustained, and substantial research programs. This should include a mentor who accepts responsibility for meeting regularly (at least twice per semester) with the mentee and for helping the mentee understand how to be successful within the culture of the department, college and university. The department should set a high priority for providing resources to all faculty members for participation in professional development activities as listed in the Faculty Handbook excerpt above, and including travel money for participation in conferences. Faculty are encouraged to take part in the college and university mentoring programs.

#### 3.7 Evaluation & Retention of Tenure-Track Faculty

The Faculty Handbook, section 3.11.3.4, describes the policy and procedure for annual retention review of tenure-track faculty members. See also part I, in the Manual for Faculty Evaluation.

The Faculty Handbook states:

*An annual retention review of tenure-track faculty is conducted by the department head in consultation with the tenured faculty during the fall semester (and at the University of Tennessee, Knoxville and the University of Tennessee Space Institute, coincident with the annual performance and planning review process described in section 3.8.1). The regular and thorough assessment of tenure-track faculty is an important step in the professional development of those faculty members. The annual retention review process is designed to ensure that a tenure-track faculty member receives clear and timely feedback from the tenured faculty and the department head about his or her contribution to the department, development, and prospects for advancement. Accordingly, the tenured faculty plays an important role in the retention process and is responsible for providing the faculty member with a clear, thoughtful, and professional consideration of both (a) the faculty member's ability to sustain a level of activity that comports with the department's expectations for faculty members at the rank of the faculty member under review and (b) the faculty member's progress toward promotion and tenure in the context of the Faculty Handbook, the Manual for Faculty Evaluation, his or her appointment, and departmental bylaws. More information about annual retention reviews and procedures for annual retention reviews is contained in the Manual for Faculty Evaluation.*

*Each tenure-track faculty member will first be reviewed in the fall of his or her second year of appointment. departmental bylaws shall provide for specific criteria for annual retention reviews of faculty, consistent with the standards and procedures set forth in this section 3.11.3.4 and the Manual for Faculty Evaluation and any criteria established by the department's college.*

*If the retention decision is negative, the chief academic officer shall give the faculty statement,*

together with any subsequent correspondence concerning the reasons, is a part of the official record.

*If the retention decision is positive, the department head will convey the outcome to the faculty member in writing and in a timely manner. The department head will also advise the faculty member as to the time remaining in the probationary period and as to how the quality of his or her performance is likely to be assessed by the tenured faculty and the head in the context of tenure consideration (excerpt from the Faculty Handbook, section 3.11.3.4)*

Tenured faculty members within the department will attend an annual meeting to review summaries of performance for all probationary faculty members. At this meeting, the faculty mentor will present a report regarding the tenure-track colleague under review. Time will be given for a discussion of strengths, weaknesses, and recommendations for improvement if warranted. A vote will be taken regarding support or lack of support for continuation of the probationary faculty member. Results of the vote will be included in a letter prepared by the tenured faculty members that also contains a summary of the senior faculty members' views of the probationary members progress toward tenure and promotion, as it relates to annual goals agreed to by the probationary faculty member and the department head. Every effort will be made to provide the tenure-track colleague with specific feedback about how to improve or maintain performance that would earn the support of senior faculty members for tenure and promotion. This letter will be given to the head. As explained in the Faculty Handbook, the head will write a separate letter and meet with the probationary faculty member to discuss feedback contained in both letters. The faculty mentor will receive copies of both letters.

### 3.8 MERIT RAISE DETERMINATION & OTHER SALARY ADJUSTMENT POLICY & PROCEDURES (for Faculty Members)

#### 3.8.1 Merit Raise Determination

Merit raises are based on previous year annual performance review ratings. In years when merit raise monies are available, the dean will make merit decisions and communicate these to the department head.

#### 3.8.2 Salary Adjustments

A "salary adjustment" is defined as an increase (or decrease) in a person's salary for reasons other than normal merit or across-the-board raises including but not limited to equity. For example, a person might receive a raise because of extraordinary accomplishments. Or, a person might have his/her salary decreased because of not meeting agreed to performance goals. The request for a salary adjustment can be initiated by the individual faculty member or any university administrator. If the request for an upward salary adjustment emanates from the individual faculty member, he/she shall submit in writing two things to his/her head or dean:

- a. The specific request being made, and
- b. The reason(s) why a request for a salary adjustment is being made

If the request for an upward salary adjustment emanates from an administrator, the faculty member shall submit any requested documents and agree to meet with any administrators who wish to discuss the adjustment.

The final decision regarding any recommended salary adjustment must be conveyed in writing to the faculty member.

## 4.0 APPOINTMENT, EVALUATION, & APPEALS FOR ALL NON-TENURE-TRACK FACULTY

#### 4.1 Appointment of Faculty to Non-Tenure-Track Positions

Chapter 4 of the Faculty Handbook provides specific information regarding the appointment process of new faculty to non-tenure-track positions:

*All appointments to non-tenure-track faculty positions, including part time appointments, will be made in accordance with departmental and college bylaws and subject to the provisions of this chapter. Except as otherwise provided in 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 college bylaws.*

*Conditions necessary to perform assigned duties in a professional manner, including such things as appropriate office space, necessary supplies, support services, and equipment will be provided to non-tenure-track faculty members. departments should have consistent criteria for deciding teaching assignments. departments should consider the views of non-tenure-track faculty in setting schedules and other issues that impact quality of teaching and working conditions. Opportunities for faculty development, including travel to scholarly meetings, should be provided whenever possible. Depending on stipulations of departmental and college by-laws, non-tenure-track faculty may have the opportunity to participate in departmental, college, and/or university governance. Non-tenure-track faculty enjoy the same academic freedom as tenured and tenure-track faculty, as defined in chapter 2, and rights of appeal and due process, as defined in chapter 5 (excerpts from Faculty Handbook, section 4.1).*

Each year the head will evaluate non-tenure track faculty by reviewing submitted materials, meeting with the faculty, and providing a written evaluation summary.

##### 4.1.1 Non-Tenure-Track Teaching Positions

*The following ranks or titles may be assigned to non-tenure-track teaching faculty: instructor, lecturer, distinguished lecturer, adjunct faculty, and visiting faculty (excerpt from Faculty Handbook, section 4.1.1).*

##### 4.1.2 Non-Tenure-Track Research Positions

*The following ranks or titles may be assigned to non-tenure-track research faculty: research assistant professor, research associate professor, research professor, adjunct research faculty, and visiting research faculty (excerpt from Faculty Handbook, section 4.1.2).*

##### 4.1.3 Non-Tenure-Track Clinical Positions

*The following ranks or titles may be assigned to non-tenure-track clinical faculty: clinical instructor, clinical assistant professor, clinical associate professor, clinical professor, visiting clinical faculty, and adjunct clinical faculty (excerpt from Faculty Handbook, section 4.1.3).*

#### 4.2 Criteria for Appointment to Faculty Rank

##### 4.2.1 Non-Tenure-track Teaching Faculty

These specified non-tenure-track members of the faculty are employed for assignments specific to departmental need. Their conditions of employment are governed by the terms of their appointment letters.

*They generally are not expected to conduct research or perform public or disciplinary service as a condition of their employment. However, research or service activities may be included as part of their effort, depending on the needs of the department and the skills and desires of the faculty member (excerpt from Faculty Handbook, section 4.2.1).*

section 4.2 of the Faculty Handbook provides specific information regarding the qualifications of (a) instructor, (b) lecturer, and (c) senior lecturer, and (d) distinguished lecturer.

#### 4.2.2 Non-Tenure-track Research Faculty

Section 4.2 of the Faculty Handbook provides specific information regarding qualifications of (a) research assistant professor, (b) research associate professor, and (c) research professor.

#### 4.2.3. Non-Tenure-track Clinical Faculty

Section 4.2 of the Faculty Handbook provides specific information regarding qualifications of (a) clinical instructor, (b) clinical assistant professor, (c) clinical associate professor, and (d) clinical professor.

#### 4.2.4. Adjunct Faculty

*Individuals who provide uncompensated or part-time compensated service to the instructional and/or research programs of the university may be given adjunct faculty appointments. As with all other non-tenure-track faculty appointments, the Office of the Provost will issue letters of appointment to adjunct faculty members. Staff exempt employees with appropriate expertise who, on occasion, provide instruction or participate in research may be given adjunct faculty appointments in a department other than that in which their budget line resides. Professional credentials and/or the terminal degree required for appointment to professorial ranks are required for adjunct faculty appointments. Adjunct faculty may serve on graduate committees, serve as program directors, supervise clinical experiences, or assume other responsibilities as are consistent with university, college, and departmental policies. Adjunct faculty appointments may be made at the rank of adjunct professor, adjunct associate professor, adjunct assistant professor, or adjunct lecturer. Tenured and tenure-track faculty will evaluate the recommended rank in accordance with departmental and college bylaws (excerpt from Faculty Handbook, section 4.2.6).*

#### 4.2.5 Visiting Faculty

*Visiting faculty carry out instructional and/or research responsibilities within an academic department. Professional credentials and/or the terminal degree required for the university's professorial ranks are also required for appointments as visiting faculty. Normally, the rank of appointment will be the professorial rank that the individual holds at his or her home institution; however, the standards of scholarship for holding visiting faculty rank will be the same as required for the university's own faculty. Visiting faculty members do not participate in the governance of the department and are not subject to annual performance reviews. Normally, a visiting appointment is for 12 months. As with all other non-tenure-track faculty appointments, the chief academic officer will issue letters of appointment to visiting faculty (excerpt from Faculty Handbook, chapter 4.2.7).*

#### 4.3 Evaluation & Promotion

*As is the case for tenured and tenure-track faculty, the performance of all non-tenure-track faculty members will be evaluated annually, with a written record of the evaluation maintained in departmental and human resources files. The criteria for evaluating non-tenure-track faculty for purposes of hiring and retention must be adopted by a vote in accordance with departmental bylaws and made available to all faculty.*

*The annual performance review for retention should be based on the best practices guidelines for evaluating instruction, which are outlined in the Manual for Faculty Evaluation (probationary faculty section). In the case of non-retention, every effort should be made to notify the faculty member as soon as possible (excerpt from Faculty Handbook, chapter 4.3). The length of a non-tenure-track faculty appointment is contingent upon the availability of designated funding.*

#### 4.4 Salaries

*Salaries for non-tenure-track faculty members are set by terms of their appointment letters. Salaries reflect faculty qualifications and the work that faculty perform. Faculty members may appeal salary determinations using procedures found in chapter 5 (excerpt from Faculty Handbook, section 4.5).*

#### 4.5 Appeals

Appeal procedures for non-tenure-track faculty are described in chapter 5 of the Faculty Handbook.

### **5.0 FACULTY RIGHTS OF APPEAL**

#### 5.1 Introduction

Faculty members are entitled to fair, impartial, and honest resolutions of problems that may arise in relation to employment. Accordingly, the following sections outline principles and procedures designed to promote fair resolutions within a reasonable time period. This chapter addresses formal appeals in the sections on general appeals and special appeals. In addition, informal grievances may be addressed through the ombudspersons. A faculty member must initiate a formal appeal under the general and special procedures outlined in this chapter within the time specified in this handbook, board or university policy, or, at a maximum, one year of the date of the employment decision in question.

*The rights of appeal described in this chapter apply to all tenured, tenure-track, and non-tenure-track faculty. (1) Faculty members are encouraged to bring complaints or grievances to the lowest administrative level at which an adverse recommendation, decision, or action was taken. Every effort should be made to expeditiously resolve such matters informally, through conversation with the department head, director, or dean, before submitting a formal appeal. In all cases, faculty members are entitled to notice regarding grounds on which administrative action has been taken.*

*(1) For procedures for terminating tenured faculty for adequate cause or tenure-track faculty before the end of the stipulated time of appointment, see chapter 3 and the board's policy (excerpt from Faculty Handbook, section 5.1).*

#### 5.1.1 General Appeals

*Faculty members with grievances have three options for pursuing appeals, depending on the subject matter(s) of their appeal. Prior to initiating an appeal, they may contact the ombudsperson for consultation or informal mediation (section 5.2). If those efforts fail, they may initiate an appeal through the administrative channel (section 5.3), request an appeal through the Faculty Senate Faculty Appeals Committee (section 5.4), or bring an appeal through the Tennessee Uniform Administrative Procedures Act (TUAPA) for certain matters (section 5.5). Each of these options is described in the following sections.*

*The appeals procedures through administrative channels and the faculty senate appeals committee are formal but not judicial processes. Faculty members have a right to consult an attorney, but attorneys are not to participate when following these appeal channels. Faculty*

*members may have attorney representation and participation for hearings under the TUAPA; for conflicts arising between faculty and students, Hilltopics should be consulted. (Excerpt from Faculty Handbook, section 5.1.1).*

5.1.2 Special Appeals (see Faculty Handbook, section 5.1.2)

5.2 Faculty Ombudsperson (see Faculty Handbook, section 5.2)

5.3 Appeals through the Administrative Channel (see Faculty Handbook, section 5.3)

5.4 Appeals through the Faculty Senate Appeals Committee (see Faculty Handbook, section 5.4)

5.5 Appeals through the Tennessee Uniform Administrative Procedures Act (see Faculty Handbook, section 5.5)

5.6 Termination of Tenure-Track & Non-Tenure-Track Faculty Members Before the Stipulated Term of Employment (see Faculty Handbook, section 5.6)

## **6.0 BENEFITS & LEAVES OF ABSENCE**

### 6.1 Leaves of Absence

*Leaves of absence, extended periods of time spent away from campus for professional growth or personal reasons, are an important aspect of faculty development. Leaves of absence must be requested in writing by the faculty member and specifically approved by the department head, dean or director and the chief academic officer, and where appropriate, the State of Tennessee. Leaves of absence are normally granted for not more than 24 months and are normally without university compensation (excerpt from Faculty Handbook, section 6.1).*

#### 6.1.1 Personal and Service Leave

The University grants leave with or without pay to full-time, faculty on regular appointments for a variety of reason. There are several types of leave, including faculty development leave, family and medical leave, court leave, military leave, educational leave, personal leave, and funeral leave (see Faculty Handbook, section 6.3).

## **7.0 Compensated Outside Activities/Consulting**

*Full-time faculty members appointed to the University of Tennessee agree to devote themselves to UT's mission of teaching, research, and public service. Fulfillment of these responsibilities demands a full-time, 100% commitment to normal university duties, including remaining current in the discipline to which the faculty member is appointed. For many faculty members, an important part of keeping up-to-date lies outside the classroom, laboratory, and library: it involves testing one's academic skills and abilities by applying them to real-world problems. The university encourages the faculty to engage in consulting and other related outside services which are associated with an individual faculty member's appointment and which develop his/her professional expertise. By these means, many faculty members improve their disciplinary skills; they serve educational institutions and professional organizations, business, industry, and government; and they bring positive recognition to the university.*

*University-wide policies governing compensated outside activities by faculty require each campus to establish procedures to ensure that professional development of the faculty is encouraged and, at the same time, ensure that faculty meet their regular university responsibilities in a timely and effective manner. The following guidelines represent a compilation of the university-wide policies*

*and implementing guidelines specifically applicable to faculty governed by the Faculty Handbook for the University of Tennessee, Knoxville (excerpt from Faculty Handbook, section 7.1).*

In summary, the department bylaws encourage and support faculty participation in compensated outside activities and consulting for the reasons cited in the University Faculty Handbook and those benefits cited in the opening of this section 7. The by-laws, however, do not encourage commitments to compensated outside and consulting activities that interfere with or distract from performance in the primary responsibilities of teaching, research/scholarship/creative activity, and service.