

Faculty Affairs Committee of the University of Tennessee Faculty Senate

Year-end Report, 2012

The Faculty Affairs Committee dealt with the following issues during the academic year 2011-2012

September 19, 2011 Presented a resolution to the Faculty Senate that modified the Faculty Handbook to include wording addressing advising and mentoring in faculty evaluations and included in Appendix 2 wording describing advising and mentoring. The resolution passed, was approved by the Chancellors, President and the Board, and the changes were made to the Faculty Handbook.

September 19, 2011 Presented a resolution to the Faculty Senate that clarified in the Faculty Handbook wording on discrimination. The new wording adds the statement that the University does not discriminate on the basis of gender identity. The resolution passed, was approved by the Chancellors, President, and the Board, and the changes were made to the Faculty Handbook.

Fall, 2011 Developed in conjunction with the System Office of Academic Affairs and Student Success a timeline and flow chart for Board approval of Faculty Handbook and Manual for Faculty Evaluation changes. This flow chart has not been implemented to date.

October 17, 2011 Presented a resolution to the Faculty Senate that revised the process in the Faculty Handbook for reappointment of non-tenure track faculty to be consistent with current practice; that is, that reappointment letters will come from the Department Head rather than the Provost. The resolution passed and was approved by the Chancellors, President and the Board. The changes were made to the Faculty Handbook.

October 17, 2011 Presented a resolution to the Faculty Senate that revised the requirements in the Faculty Handbook for recommendation letters from external reviewers to allow for email delivery of recommendation letters. The resolution passed and was approved by the Chancellors, President and the Board. The changes were made to the Faculty Handbook.

March 5, 2012 Presented a resolution to the Faculty Senate that revised the process by which an appeals review could be re-opened to require that the request be made to the Chair of the Appeals Committee rather than the chair of the review panel. The resolution passed and was approved by the Chancellors and President and will be presented to the Board at the June meeting. The changes were made to the Faculty Handbook.

April 2, 2012 Presented two resolutions to the Faculty Senate. The first created a new document to accompany the Faculty Handbook and the Manual for Faculty Evaluation, the "Resources Manual" that will house such documents as best practices. The second removed the best practices documents from the Manual for Faculty Evaluation and placed them in the new

document. The resolutions were passed, approved by the Chancellors and are to be presented to the President and then the Board at the June 2012 meeting.

April 2, 2012 Presented a resolution to the Faculty Senate calling on the Board to expand the definition of academic freedom to include explicit protection of speech made in the course of shared governance and other employment-related duties. The resolution passed and is awaiting Board action.

Work to be considered in academic year 2012-2013:

Jenny Fowler, representing the non-tenure track faculty, has requested that the Senate include non-tenure track faculty among the voting ranks. This issue will be addressed in the early fall of 2012.

A faculty member has requested that the Faculty Affairs Committee consider whether there should be disclosure from faculty of their economic interest in the teaching materials they use in class. This issue will be addressed in fall 2012.

The Faculty Affairs Committee requested that the best practices in peer evaluation of teaching be revised before inclusion in the Resources Manual. Should the document be revised, then this issue will be addressed in fall 2012.

Jerri Daoust of the College of Engineering has requested that a class of instructor called "Faculty of Practice" be created. It isn't clear that we don't already have this category under another name. This issue will be addressed in the fall of 2012.

**RESOLUTION FROM THE FACULTY AFFAIRS COMMITTEE
OF THE FACULTY SENATE
PROPOSED FOR ADOPTION AT A MEETING OF THE
FACULTY SENATE TO BE HELD ON**

September 19, 2011

WHEREAS, under Article III, Section 2.G. of the Bylaws of the Faculty Senate, the Faculty Affairs Committee of the Faculty Senate “is responsible for reviewing proposed revisions and recommending changes to the *Faculty Handbook* in accordance with the amendments procedures set forth in the *Faculty Handbook* and for reviewing proposed revisions and recommending changes to the *Manual for Faculty Evaluation* in accordance with the amendments procedures set forth in the *Manual for Faculty Evaluation*,” and

WHEREAS, the Academic Advising Leadership Group recommended that the Faculty Senate Faculty Affairs Committee review and recommend proposed revisions to the *Faculty Handbook* and the *Manual for Faculty Evaluation* concerning the importance of advising and mentoring activities by faculty as aspects of teaching; and

WHEREAS, under Section 8.3 of the *Faculty Handbook*, the Faculty Senate Faculty Affairs Committee “is responsible for recommending changes, which should have input from the chancellor, the vice president, and their administrative staff including deans for consideration by the Faculty Senate Executive Council and final consideration by the full Faculty Senate;” and

WHEREAS, the introduction to the *Manual for Faculty Evaluation* states that “[r]evisions to the *Manual for Faculty Evaluation*, if any, are made in consultation with and the approval of the Faculty Senate Faculty Affairs Committee and the Faculty Senate Executive Committee for final approval by the full Faculty Senate;” and

WHEREAS, the Faculty Senate Faculty Affairs Committee has reviewed—and sought (i) input from the chancellors of UTK and UTIA and (ii) consideration by the Faculty Senate Executive Council on—the various sections of the *Faculty Handbook* and the *Manual for Faculty Evaluation* related to this issue; now, therefore, it is RESOLVED, that section 2.22 of the *Faculty Handbook* is revised by deleting existing text and inserting new text in the third sentence so that the section reads in full as follows:

Faculty members are responsible for teaching effectively by employing useful methods and approaches that facilitate student learning. Faculty members design courses to achieve clearly defined learning objectives with appropriate evaluation tools and teaching methods. Advising and mentoring undergraduate and graduate students concerning educational and professional opportunities, degree plans, and career goals are also important. Faculty members may educate students through distance learning. Faculty members may pursue the scholarship of education, so as to improve teaching of faculty members and other educators, such as primary and secondary teachers, or extension agents. Other faculty members through outreach instruct non-traditional audiences in off-campus settings to improve professional expertise and public understanding.

AND IT IS FURTHER RESOLVED, that Appendix 2 of the *Faculty Handbook* is revised by (1) changing the title from “Teaching/Learning Guidelines” to “Components

of Effective Teaching”; (2) adding an “A. General Teaching/Learning Guidelines” in front of the present text; and (3) adding the following new text to the end of the Appendix:

B. Academic Advising and Mentoring

Introduction: Faculty members advise and mentor students as an important component of their scholarship in teaching and learning. By serving as academic advisors and mentors, faculty provide effective guidance so that students can maximize their educational opportunities and make critical decisions regarding education, career, and life goals. Faculty mentor students to help them become responsible citizens of their profession and the global community. Successful academic advising depends on the ability of the advisor and advisee to recognize the nature of the academic advising process, address specific components of academic advising, and together be responsible in the advising process.

The Components of Advising: Academic advising has three components: curriculum (what advising deals with), pedagogy (how advising does what it does), and student learning outcomes (the result of academic advising). The curriculum of advising ranges from the ideals of higher education, the meaning, value, and interrelationship of the institution’s curriculum and co-curriculum, the selection of degree plans and courses to the pragmatics of enrollment. Academic advising, as a teaching and learning activity, requires a pedagogy that incorporates the facilitation and assessment of advising interactions and is characterized by mutual respect, trust, and ethical behavior. The student learning outcomes of academic advising are guided by an institution’s mission, goals, curriculum and co-curriculum. These outcomes define what a student will demonstrate, know, value, and do as a result of participating in academic advising. (Link to UT, Knoxville’s undergraduate advising learning outcomes <http://www.utk.edu/academics/advising/mission.shtml>)

The Organization of Advising: High quality advising of **undergraduate students** is widely recognized as essential for student success, retention, and timely progress toward a degree. Undergraduate students at UTK may have several points-of- access to academic advising opportunities, including professional advisors, college advising center staff, and department faculty advisors. It is certain, however, that nearly every undergraduate student seeks (whether formally or informally) some kind of academic advice from faculty members during her or his academic career. (Undergraduate advising policy link to UG Catalog

http://catalog.utk.edu/content.php?catoid=5&navoid=377#acad_advi_univ_tenn)

High quality advising and mentoring of **graduate students** is equally important. The relationship between a research mentor and a graduate student is different in many ways from that between a faculty advisor and his or her undergraduate advisee; nevertheless, mentoring and advising graduate students are critically important because of the central role that graduate students research mentors play in the students’ professional development. (Graduate advising link to Graduate Catalog <http://catalog.utk.edu/content.php?catoid=4&navoid=293>)

Specific faculty advisor/mentor roles, responsibilities and workloads are determined by the individual academic department or college.

AND IT IS FURTHER RESOLVED, that the *Manual for Faculty Evaluation* is revised as follows:

(1) The following new paragraph is inserted as the fifth paragraph of the Introduction:

As noted in the *Faculty Handbook*, the advising and mentoring of students are important aspects of a faculty member's role as an effective teacher. Thus, in each and every process outlined within this manual, any evaluation of the effectiveness of a faculty member's teaching should, when appropriate, include consideration of the faculty member's advising and mentoring activities. The faculty of each unit should define in the unit's bylaws clear expectations for advising and mentoring activities within the unit and the methods by which these activities are to be evaluated.

(2) In the Best Practices section, the statement entitled "BEST PRACTICES FOR ASSESSMENT AND REVIEW OF FACULTY TEACHING" is revised by

a. Changing the title to "BEST PRACTICES FOR ASSESSMENT AND REVIEW OF FACULTY TEACHING (INCLUDING ADVISING AND MENTORING)"

b. Changing the history paragraph immediately following the title by replacing "Executive Committee" with "Executive Council (formerly the Executive Committee)" and adding as the final sentence "The section on 'Academic Advising and Mentoring Expertise and Assessment' was proposed by the Academic Advising Leadership Group and approved by the Faculty Senate on September 19, 2011."

c. Inserting the following text at the end of the present statement:

Academic Advising and Mentoring Expertise and Assessment

When an academic unit provides for the evaluation of advising and mentoring activities by specifying in unit bylaws (1) the expectations for these activities on the part of faculty and (2) the standards for evaluating these activities, then these activities are considered as a part of the evaluation of the faculty member's teaching ability and effectiveness as provided for in those bylaws. To assist this evaluation, the faculty member should provide substantiating materials, which may include a statement of his/her philosophy regarding advising and mentoring and its implementation and a list of advising responsibilities (including graduate, undergraduate, and student organization advising) and accomplishments, as provided in the unit bylaws or consistent with the expectations and standards specified in the unit bylaws. These substantiating materials may include evidence of, e.g.: honors or awards received for advising or mentoring; development activities relating to advising or mentoring (e.g., attendance at advisor/mentor development seminars or conferences); supervision of graduate dissertations/theses and undergraduate honor theses or directed or independent research/scholarship; and participation in formal advising or mentoring programs offered through the University or other education-oriented or professional organizations.

In addition, a faculty member's department head may conduct an

assessment of the faculty member's advising and mentoring of graduate and undergraduate students with input from students and peers, as appropriate. The department head may utilize the "Student Assessment of Major/Departmental Advisor" developed by the Academic Advising Leadership Group (AALG). Information concerning advisor assessment can be found at - <http://www.utk.edu/advising/for-advisors/advisor-assessment>.

**RESOLUTION FROM THE FACULTY AFFAIRS COMMITTEE
OF THE FACULTY SENATE
PROPOSED FOR ADOPTION AT A MEETING OF THE
FACULTY SENATE TO BE HELD ON
September 19, 2011**

WHEREAS, under Article III, Section 2.G. of the Bylaws of the Faculty Senate, the Faculty Affairs Committee of the Faculty Senate “is responsible for reviewing proposed revisions and recommending changes to the *Faculty Handbook* in accordance with the amendments procedures set forth in the *Faculty Handbook*,” and

WHEREAS, the Office of the Provost recommended that the Faculty Senate Faculty Affairs Committee review and recommend proposed revisions to the *Faculty Handbook* concerning the addition of a sexual orientation non-discrimination statement; and

WHEREAS, under Section 8.3 of the *Faculty Handbook*, the Faculty Senate Faculty Affairs Committee “is responsible for recommending changes, which should have input from the chancellor, the vice president, and their administrative staff including deans for consideration by the Faculty Senate Executive Council and final consideration by the full Faculty Senate;” and

WHEREAS, the Faculty Senate Faculty Affairs Committee has reviewed —and sought (i) input from the chancellors of UTK and UTIA and (ii) consideration by the Faculty Senate Executive Council on— the various sections of the *Faculty Handbook* and the *Manual for Faculty Evaluation* related to this issue; and

WHEREAS on March 7, 2011, the Faculty Senate approved a resolution from the Faculty Affairs Committee to recommend revising section 1.1 of the *Faculty Handbook* by inserting into the second paragraph the sentence “**The university does not discriminate on the basis of sexual orientation or gender identity in provision of educational or employment opportunities;**” and

WHEREAS on or about August 16, 2011, the Office of General Counsel recommended alternative wording that would better reflect the language of existing human resource policy (HR0220); now, therefore, it is

RESOLVED, that the aforementioned action of the Faculty Senate on March 7, 2011 to recommend the revision of section 1.1 of the *Faculty Handbook* is rescinded;

AND IT IS FURTHER RESOLVED, that section 1.1 of the *Faculty Handbook* is revised by modifying the second paragraph and adding a footnote as follows:

As the state’s leading comprehensive research and land-grant institution, UT’s primary purpose is to move forward the frontiers of human knowledge and enrich and elevate society, as further elaborated in its Mission Statement. The University is committed to the principle that decisions concerning employment, admission, and performance should be based on an individual’s qualifications and performance and not on characteristics unrelated to job or academic requirements. The uUniversity does not discriminate on the basis of race, gender, color, religion, national origin, age, handicapdisability, or veteran status in provision of educational opportunities or employment opportunities or benefits. The uUniversity and its employees shall does not discriminate against or harass any employee or student on the basis of sexual orientation;, gender identity; marital status;; parental status;; or similar characteristics, regardless of

whether those characteristics enjoy a protected status under state or federal law.¹

The institution welcomes and honors people of all races, creeds, cultures, and sexual orientations, and values intellectual curiosity, pursuit of knowledge, and academic freedom and integrity. Faculty prepare students to lead lives of personal integrity and civic responsibility.

¹ This paragraph is consistent with University policy HR0220, which further states that the language of the paragraph above shall not be construed to: (1) confer eligibility for employment benefits for which an employee is not otherwise eligible under state law, policy, or practice; (2) infringe upon the free exchange of ideas essential to the academic environment; (3) limit the freedom of religious association; (4) establish a duty to engage in affirmative action measures for characteristics not subject to affirmative action under state or federal law; (5) require the compliance of external entities or individuals or compliance of university programs governed by external government agencies in which non-discrimination does not include certain personal characteristics (e.g., ROTC); or (6) create any cause of action not currently provided by state or federal law.

The second paragraph will then read as follows:

As the state's leading comprehensive research and land-grant institution, UT's primary purpose is to move forward the frontiers of human knowledge and enrich and elevate society, as further elaborated in its Mission Statement. The University is committed to the principle that decisions concerning employment, admission, and performance should be based on an individual's qualifications and performance and not on characteristics unrelated to job or academic requirements. The University does not discriminate on the basis of race, gender, color, religion, national origin, age, disability, or veteran status in provision of educational opportunities or employment opportunities or benefits. The University and its employees shall not discriminate against or harass any employee or student on the basis of sexual orientation; gender identity; marital status; parental status; or similar characteristics, regardless of whether those characteristics enjoy a protected status under state or federal law.¹

The institution welcomes and honors people of all races, creeds, cultures, and sexual orientations, and values intellectual curiosity, pursuit of knowledge, and academic freedom and integrity. Faculty prepare students to lead lives of personal integrity and civic responsibility.

¹ This paragraph is consistent with University policy HR0220, which further states that the language of the paragraph above shall not be construed to: (1) confer eligibility for employment benefits for which an employee is not otherwise eligible under state law, policy, or practice; (2) infringe upon the free exchange of ideas essential to the academic environment; (3) limit the freedom of religious association; (4) establish a duty to engage in affirmative action measures for characteristics not subject to affirmative action under state or federal law; (5) require the compliance of external entities or individuals or compliance of university programs governed by external government agencies in which non-discrimination does not include certain personal characteristics (e.g., ROTC); or (6) create any cause of action not currently provided by state or federal law.

**RESOLUTION FROM THE FACULTY AFFAIRS COMMITTEE
OF THE FACULTY SENATE
PROPOSED FOR ADOPTION AT A MEETING OF THE
FACULTY SENATE TO BE HELD ON
October 17, 2011**

WHEREAS, under Article III, Section 2.G. of the Bylaws of the Faculty Senate, the Faculty Affairs Committee of the Faculty Senate “is responsible for reviewing proposed revisions and recommending changes to the *Faculty Handbook* in accordance with the amendments procedures set forth in the *Faculty Handbook*,” and for reviewing proposed revisions and recommending changes to the *Manual for Faculty Evaluation* in accordance with the amendments procedures set forth in the *Manual for Faculty Evaluation*,” and

WHEREAS, the Office of the Provost recommended that the Faculty Senate Faculty Affairs Committee review and recommend proposed revisions to the *Manual for Faculty Evaluation* concerning the correction of language about the re-appointment process for non-tenure track faculty; and

WHEREAS, under Section 8.3 of the *Faculty Handbook*, the Faculty Senate Faculty Affairs Committee “is responsible for recommending changes, which should have input from the chancellor, the vice president, and their administrative staff including deans for consideration by the Faculty Senate Executive Council and final consideration by the full Faculty Senate;” and

WHEREAS, the Faculty Senate Faculty Affairs Committee has reviewed —and sought (i) input from the chancellors of UTK and UTIA and (ii) consideration by the Faculty Senate Executive Council on— the various sections of the *Faculty Handbook* and the *Manual for Faculty Evaluation* related to this issue; now, therefore it is

RESOLVED, that the “Best Practices and Recommendations Regarding the Supervision and Development of Non-Tenure-Track Teaching Faculty” appendix to the *Manual for Faculty Evaluation* be revised as follows:

Under the heading #2, “Search Process,” subheading “Process for Reappointment” the reference to “Provost’s office” in the 4th bullet item will be replaced with “Department Head.” The subheading will then read:

Process for Reappointment

Because the position of lecturer is a renewable, year-to-year, non-tenure track appointment, all lecturers must be re-appointed annually. The following is the recommended process for the reappointment of lecturers.

- All current lecturers are notified of the opportunity for positions for the next academic year as early in spring semester as possible and given a timeline to apply

- The department reviews and screens applications from current as well as new or returning applicants (from whatever source including the national ad process described above)
- After selecting the lecturers to be appointed for the next year, the department notifies all appropriate offices of new appointments
- Letters of reappointment are issued by the ~~Provost's office~~ Department Head

**RESOLUTION FROM THE FACULTY AFFAIRS COMMITTEE
OF THE FACULTY SENATE
PROPOSED FOR ADOPTION AT A MEETING OF THE
FACULTY SENATE TO BE HELD ON
October 17, 2011**

WHEREAS, under Article III, Section 2.G. of the Bylaws of the Faculty Senate, the Faculty Affairs Committee of the Faculty Senate “is responsible for reviewing proposed revisions and recommending changes to the *Faculty Handbook* in accordance with the amendments procedures set forth in the *Faculty Handbook*,” and for reviewing proposed revisions and recommending changes to the *Manual for Faculty Evaluation* in accordance with the amendments procedures set forth in the *Manual for Faculty Evaluation*,” and

WHEREAS, the Office of the Provost recommended that the Faculty Senate Faculty Affairs Committee review and recommend proposed revisions to the *Manual for Faculty Evaluation* concerning whether facsimile or pdf copies of external evaluation letters will be accepted; and

WHEREAS, under Section 8.3 of the *Faculty Handbook*, the Faculty Senate Faculty Affairs Committee “is responsible for recommending changes, which should have input from the chancellor, the vice president, and their administrative staff including deans for consideration by the Faculty Senate Executive Council and final consideration by the full Faculty Senate;” and

WHEREAS, the Faculty Senate Faculty Affairs Committee has reviewed —and sought (i) input from the chancellors of UTK and UTIA and (ii) consideration by the Faculty Senate Executive Council on— the various sections of the *Faculty Handbook* and the *Manual for Faculty Evaluation* related to this issue; now, therefore it is

RESOLVED, that the language in Part IV, Section B.4.c of the *Manual for Faculty Evaluation* be changed so as to not require a hard copy be submitted. The section will be changed as follows:

c. Letters from external evaluators must be submitted ~~by regular mail~~ on institutional letterhead and carry the evaluator’s signature. These letters, or their images, may be submitted via regular mail, e-mail, or facsimile. Letters submitted via e-mail or facsimile are acceptable in cases of critical timing, but they should be followed by a mailed original. If a mailed letter is received after an e-mail or a facsimile, then both If multiple versions of a letter are received, then all versions should be retained in the candidate’s dossier.

**RESOLUTION FROM THE FACULTY AFFAIRS COMMITTEE
OF THE FACULTY SENATE
PROPOSED FOR ADOPTION AT A MEETING OF THE
FACULTY SENATE TO BE HELD ON
March 5, 2012**

WHEREAS, under Article III, Section 2.G. of the Bylaws of the Faculty Senate, the Faculty Affairs Committee of the Faculty Senate “is responsible for reviewing proposed revisions and recommending changes to the *Faculty Handbook* in accordance with the amendments procedures set forth in the *Faculty Handbook*,” and for reviewing proposed revisions and recommending changes to the *Manual for Faculty Evaluation* in accordance with the amendments procedures set forth in the *Manual for Faculty Evaluation*,” and

WHEREAS, the Faculty Senate Appeals Committee has requested that the Faculty Senate Faculty Affairs Committee review and recommend proposed revisions to the *Faculty Handbook* concerning the process by which a faculty member requests a review of a decision by the Faculty Senate Appeals Committee; and

WHEREAS, under Section 8.3 of the *Faculty Handbook*, the Faculty Senate Faculty Affairs Committee “is responsible for recommending changes, which should have input from the chancellor, the vice president, and their administrative staff including deans for consideration by the Faculty Senate Executive Council and final consideration by the full Faculty Senate;” and

WHEREAS, the Faculty Senate Faculty Affairs Committee has reviewed —and sought (i) input from the chancellors of UTK and UTIA and (ii) consideration by the Faculty Senate Executive Council on— the various sections of the *Faculty Handbook* and the *Manual for Faculty Evaluation* related to this issue; now, therefore it is

RESOLVED, that Section 5.4.3 of the *Faculty Handbook* entitled “Hearing Results and Recommendations” be revised as follows (insertions are indicated by underline, deletions by strikethrough):

5.4.3 Hearing Results and Recommendations

At the conclusion of the review, the Faculty Senate Appeals Committee shares its findings and recommendations in writing with the faculty member, the administrator(s) involved in the appeal, and the chief academic officer. Before the final decision is made by the chief academic officer, the faculty member or the administrator(s) involved in the appeal may request reconsideration of the complaint on the grounds that the review panel made a clearly erroneous finding of fact or that there has been newly discovered evidence which was previously unavailable. This request must be submitted in writing to the chief academic officer and to the chair of the Appeals Committee ~~review panel~~. The decision of the Appeals

Committee review panel whether and to what extent to reopen the hearing shall be final. The request for reconsideration must be made within 15 working days of the findings and recommendation of the Appeals Committee.

**JOINT RESOLUTION FROM THE FACULTY AFFAIRS COMMITTEE AND THE TEACHING AND
LEARNING COUNCIL OF THE FACULTY SENATE
PROPOSED FOR ADOPTION AT A MEETING OF THE
FACULTY SENATE TO BE HELD ON
APRIL 2, 2012**

WHEREAS, under Article III, Section 2.G. of the Bylaws of the Faculty Senate, the Faculty Affairs Committee of the Faculty Senate “is responsible for reviewing proposed revisions and recommending changes to the *Faculty Handbook* in accordance with the amendments procedures set forth in the *Faculty Handbook*,” and for reviewing proposed revisions and recommending changes to the *Manual for Faculty Evaluation* in accordance with the amendments procedures set forth in the *Manual for Faculty Evaluation*,” and

WHEREAS, there is a need for a document separate from the *Faculty Handbook* and the *Manual for Faculty Evaluation* in which to house faculty and administrative resources and recommendations such as best practices documents; now, therefore it is

RESOLVED, that a document entitled *Resources Manual* be created by the Faculty Senate in which to house best practices recommendations and other faculty and administrative and University resources as deemed fit by the Faculty Senate. The scope of the contents of the *Resources Manual* and the details of its maintenance shall be as follows:

1. The document shall be titled *Resources Manual*.
2. Items shall be added to the *Resources Manual* or existing wording modified through the following process:
 - a. A recommendation is made to a Faculty Senate standing committee or Faculty Senate ad hoc committee that a document be included in the *Resources Manual*. A Faculty Senate standing or ad hoc committee may also take it upon itself to recommend that a document be included in the *Resources Manual*.
 - b. The recommending committee asks the Faculty Affairs Committee to review and consider the document.
 - c. The Faculty Affairs Committee, after perhaps requesting changes to the document, votes on whether to bring the document before the Executive Council for consideration. If the vote is affirmative, then
 - d. the Executive Council, after perhaps requesting changes, votes on whether to bring the document before the Faculty Senate. If the Executive Council vote is affirmative, then
 - e. the Faculty Senate votes on the document. If the Faculty Senate vote is affirmative then
 - f. the document is forwarded to the Provost for his or her approval. If the Provost approves the document, then it will be included in the *Resources Manual*.
3. Items shall be removed from the *Resources Manual* through the same process by which items were added.

4. Items eligible for inclusion in the *Resources Manual* consist of
 - a. Best practices recommendations
 - b. Other faculty and administrative resources
5. Procedural requirements or standards by which faculty, staff, or students must be evaluated *may not* be included in the *Resources Manual*; such items must be placed in either the *Faculty Handbook* or the *Manual for Faculty Evaluation*.

FURTHER RESOLVED, that the Preamble to the *Resources Manual* be

“This *Resources Manual* is intended to be a repository of best practices suggestions and helpful resources for faculty, staff and administrators. The documents contained herein reflect the careful consideration of Faculty Senate. In these documents, a "best practice" is a method or technique that, through experience, research or evaluation has shown to achieve reliable and superior results. A "best practice" is expected to evolve over time and is to be used as a guide rather than prescribed practice, procedure, policy, or contractual obligation. These resources are provided by the University of Tennessee Knoxville Faculty Senate and the Office of the Provost for internal use only and are not approved or endorsed by the UT Board of Trustees or Office of General Counsel.

FURTHER RESOLVED, that the Best Practices Statements on pages 60 through 79 in the *Manual for Faculty Evaluation* be inserted into the *Resources Manual*.

**RESOLUTION FROM THE FACULTY AFFAIRS COMMITTEE
OF THE FACULTY SENATE
PROPOSED FOR ADOPTION AT A MEETING OF THE
FACULTY SENATE TO BE HELD ON
April 2, 2012**

WHEREAS, under Article III, Section 2.G. of the Bylaws of the Faculty Senate, the Faculty Affairs Committee of the Faculty Senate “is responsible for reviewing proposed revisions and recommending changes to the *Faculty Handbook* in accordance with the amendments procedures set forth in the *Faculty Handbook*,” and for reviewing proposed revisions and recommending changes to the *Manual for Faculty Evaluation* in accordance with the amendments procedures set forth in the *Manual for Faculty Evaluation*,” and

WHEREAS, the Faculty Senate has created a new document, the *Resources Manual* which is to house, among other documents, best practices recommendations; and

WHEREAS, under Section 8.3 of the *Faculty Handbook*, the Faculty Senate Faculty Affairs Committee “is responsible for recommending changes, which should have input from the chancellor, the vice president, and their administrative staff including deans for consideration by the Faculty Senate Executive Council and final consideration by the full Faculty Senate;” and

WHEREAS, the Faculty Senate Faculty Affairs Committee has reviewed —and sought (i) input from the chancellors of UTK and UTIA and (ii) consideration by the Faculty Senate Executive Council on— the various sections of the *Faculty Handbook* and the *Manual for Faculty Evaluation* related to this issue; now, therefore it is

RESOLVED, that

a) the best practices statements in the Best Practices section of the *Manual for Faculty Evaluation*, “Assessment and Review of Faculty Teaching,” “Evaluating Faculty Research/Scholarship/Creative Activity,” “Evaluating Faculty Service,” “Faculty-To-Faculty Mentoring” and, “Best Practices and Recommendations Regarding The Supervision and Development of Non-Tenure-Track Teaching Faculty” be removed from *the Manual for Faculty Evaluation* and placed in the *Resources Manual*; and

b) Section I.A.3 of the *Manual for Faculty Evaluation* be revised as follows (strikeout is deletion, underline is insertion):

3. Mentor

The department head assigns a faculty mentor or a mentoring committee for each tenure track faculty member. The mentor should be a senior member of the same department or another unit, who can serve as a model and as a source of information for the tenure-track faculty member. Department heads should not serve as mentors for faculty within their

own departments. The mentor or mentoring committee may participate in the annual retention review in a manner to be determined in collegiate and/or departmental bylaws (see the Best Practices for Faculty-to-Faculty Mentoring ~~annexed to this manual~~ in the *Resources Manual*).

c) Section II.A.5 of the *Manual for Faculty Evaluation* be revised as follows (strikeout is deletion, underline is insertion):

5. No Ex Parte Communications During Annual Review Process. The annual review process exists to provide fair and objective feedback and relevant support to faculty members on a regular and constructive basis. Accordingly, the procedures for the annual review are designed to create and preserve specific lines of communication between faculty and administrators. As a means of preserving this process, until the Annual Review Form has been returned to the faculty member by the Chief Academic Officer in accordance with Part II.B.9., neither the faculty member under review nor any administrator managing or conducting the review is permitted to communicate substantive information about the review with others employed by the University, whether participating in or outside the review process, except as specified in the *Faculty Handbook* or this manual or as agreed between the faculty member and the department head. For example, a department head shall not communicate with a dean about the substance of a faculty member's review except through the Annual Review Form. Nothing in this paragraph is intended to prohibit a faculty member under review from (a) consulting with his or her mentor regarding the substance or process of the review, as provided for in ~~the "BEST PRACTICES FOR FACULTY-TO-FACULTY MENTORING (Last Revised by Faculty Affairs on May 1, 2006)" incorporated in this manual,~~ in the Resources Manual, (b) consulting with a University ombudsperson, (c) consulting with representatives of the Office of Equity and Diversity, or (d) pursuing possible rights of appeal available under Chapter 5 of the *Faculty Handbook*.

d) that the Table of Contents in the *Manual for Faculty Evaluation* be revised to delete the references to Best Practices Statements, and

e) that Section 4.3 of the *Faculty Handbook* be revised as follows (strikeout is deletion, underline is insertion):

4.3 Evaluation

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 BEST PRACTICES FOR ASSESSMENT AND REVIEW OF FACULTY TEACHING contained in the *Resources Manual 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.

Research and clinical faculty are subject to annual performance reviews appropriate to the positions and as outlined in departmental and college bylaws.

The Faculty Senate of the University of Tennessee-Knoxville Resolution

April 2, 2012

WHEREAS, the University of Tennessee-Knoxville intends to be the preeminent public research and teaching university linking the people of Tennessee to the nation and the world; and

WHEREAS, the University of Tennessee-Knoxville seeks to be competitive in efforts to recruit and retain the highest quality faculty; and

WHEREAS, the University of Tennessee-Knoxville as an institution encourages shared governance principles among its faculty and administration; and

WHEREAS, a necessary component of shared governance is the ability of faculty members to engage in wide-ranging discussions of University policies and governance without fear of institutional censorship, discipline, or retribution; and

WHEREAS, a necessary component of the effective performance of Department, College, and University service duties is the ability to engage in wide-ranging discussions on Department, College, and University policies and governance without fear of institutional censorship, discipline, or retribution; and

WHEREAS, the opinion of the Supreme Court of the United States in *Garcetti v. Ceballos*, 547 U.S. 401 (2006), has been interpreted by lower federal courts to permit adverse employment decisions to be taken against faculty members for engagement in shared governance activities; and

WHEREAS, other top-ranked state universities such as University of Minnesota, University of Wisconsin, University of Georgia, University of Michigan, University of Florida, and others have adopted academic freedom language for faculty that extend protection to speech made in the course of shared governance and other employment-related duties;

THEREFORE, BE IT RESOLVED THAT the University of Tennessee-Knoxville Faculty Senate requests that the University of Tennessee Board of Trustees expand the definition of academic freedom to include protection for shared governance and other employment-related speech. Although the Faculty Senate does not request specific language, examples of Board of Trustees and Regents academic freedom policies at peer and aspirant institutions may be obtained from the University of Tennessee-Knoxville Faculty Senate President.

Note: Under the current proposal, this Appendix will NOT be included with the resolution. Rather the Faculty Senate President will provide it, if requested, to the Board.

Appendix to Faculty Senate Resolution: Freedom of Speech Provisions at Some Peer and Aspirant Institutions.

University of Georgia

<http://provost.uga.edu/index.php/statutes/>

Section 5: Academic Freedom

a. University Faculty members are entitled to full freedom of expression in research, teaching, and publishing, subject only to those restrictions that are imposed by professional ethics and respect for the rights of others. University Faculty members have the right to criticize and seek alteration of both academic and non-academic University policies, whether or not those policies affect them directly. University Faculty are free from institutional censorship, discipline, or reprisal affecting their professional careers for exercising freedom of expression.

University of Minnesota

http://www1.umn.edu/regents/policies/academic/Academic_Freedom.pdf

ACADEMIC FREEDOM AND RESPONSIBILITY

SECTION II. ACADEMIC FREEDOM.

Academic freedom is the freedom, without institutional discipline or restraint, to discuss all relevant matters in the classroom, to explore all avenues of scholarship, research, and creative expression, and to speak or write on matters of public concern as well as on matters related to professional duties and the functioning of the University.

University of Michigan

<http://www.provost.umich.edu/faculty/handbook/1/1.C.html>

1.C Senate Assembly Statement on Academic Freedom

In January 2010, the Senate Assembly endorsed a statement that defines the standards of academic freedom as follows.

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Academic freedom includes the following specific freedoms:

- freedom of research and publication. *Within the broad standards of accountability established by their profession and their individual disciplines, faculty members must enjoy the fullest possible freedom in their research and in circulating and publishing their results. This freedom follows immediately from the university's basic commitment to advancing knowledge and understanding. Restrictions on research and publication should be minimal and unobtrusive.*

- freedom of teaching. *This freedom is an outgrowth of the previous one. Faculty members must be able not only to disseminate to their students the results of research by themselves and others*

in their profession, but also to train students to think about these results for themselves, often in an atmosphere of controversy that, so long as it remains in a broad sense educationally relevant, actively assists students in mastering the subject and appreciating its significance.

- *freedom of internal criticism. Universities promote the common good not through individual decision or bureaucratic calculation, but through broad-based engagement in the scholarly endeavor. Faculty members, because of their education and their institutional knowledge, play an indispensable role as independent participants in university decision making. By virtue of this role, they are entitled to comment on or criticize University policies or decisions, either individually or through institutions of faculty governance.*

- *freedom of participation in public debate. Both within and beyond their areas of expertise, faculty members are generally entitled to participate as citizens in public forums and debates without fear of institutional discipline or restraint, so long as it is clear that they are not acting or speaking for the University.*

....

University of Florida

<http://www.hr.ufl.edu/labor-relations/moa/ARTICLE%2010.docx>

10.2 Academic Freedom. Consistent with the exercise of academic responsibility described in Sections 10.3 and 10.4, below, a faculty member shall be free to discuss all relevant matters in the classroom, to explore all avenues of scholarship, research, and creative expression, to speak freely on all matters of university governance, and to speak, write, or act in an atmosphere of freedom and confidence.

University of Wisconsin

http://www.secfac.wisc.edu/governance/FPP/Chapter_8.htm#801

8.01. FACULTY RIGHTS.

1. Members of the faculty individually enjoy and exercise all rights secured to them by the Constitutions of the United States and the State of Wisconsin, and by the principles of academic freedom as they are generally understood in higher education, including professional behavior standards and the expectation of academic due process and just cause, as well as rights specifically granted to them by: regent action, University of Wisconsin System rules, these policies and procedures, and relevant practices or established custom of their colleges or schools and departments.
2. Academic freedom is the freedom to discuss and present scholarly opinions and conclusions regarding all relevant matters in the classroom, to explore all avenues of scholarship, research, and creative expression, and to reach conclusions according to one's scholarly discernment. It also includes the right to speak or write—as a private citizen or within the context of one's activities as an employee of the university—without institutional discipline or restraint on matters of public concern as well as on matters related to professional duties, the functioning of the university, and university positions and policies.

Academic responsibility implies the faithful performance of professional duties and obligations, the recognition of the demands of the scholarly enterprise, and the candor to make it clear that when one is speaking on matters of public interest or concern, one is speaking on behalf of oneself, not the institution.