

NTTF Taskforce Recommendation Report to the Office of the Provost

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NTTF Taskforce Members

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Executive Summary

The Provost's Non-Tenure-Track Faculty (NTTF) Taskforce offers a set of recommendations based on serious and sustained conversation and consultation with our colleagues. Taskforce members discussed issues as time permitted and consulted with their constituents in their home departments and colleges, as well as with relevant committees in Faculty Senate. They also studied the Faculty Handbook, especially Chapter 4, which outlines policies governing NTTF. The recommendations address: racial equity, title series, promotion timeline, workload and compensation, the annual performance review process, family care and parental leave, and hiring, dismissal, and non-renewal policies and procedures.

Purpose

The Provost's Non-Tenure-Track Faculty (NTTF) Taskforce was tasked with addressing equity issues related to non-tenure track faculty.

This taskforce considered:

1. racial equity and diversity (which affects all the other issues in this list),
2. the title series associated with non-tenure-track faculty (NTTF),
3. the promotion timeline,
4. workload assignments and compensation,
5. the annual performance review process and how the pandemic might impact this process,
6. the family care policy,
7. processes around hiring, dismissal, and non-renewal of contract.

This taskforce was charged with working through the end of the spring semester. This report is being made to assess our progress, make recommendations, and make future plans for the Taskforce. Recommendations made by this Taskforce should be implemented in collaboration with the appropriate Committees of Faculty Senate.

The members of this committee worked through as many of the items on this agenda as possible given the constraints of busy pandemic teaching, research, and service schedules and the unpaid labor of many committee members. They did not take up compensation due to time constraints.

1: Racial Equity and Diversity

In February 2021, Wendy Braun, Senior Lecturer in English and the Non-Tenure Track representative to the English Department's Diversity Committee, made a set of recommendations about the widespread systemic lack of NTTF diversity. Braun reported to our committee that she conducted extensive research in addition to meeting with Interim Associate Vice Chancellor and Director of the Office of Equity and Diversity Katrice Jones Morgan (who also serves as ADA Coordinator, Title VI Coordinator, and Deputy Title IX Coordinator) and Vice Provost of Faculty Affairs Diane Kelly, the latter of whom recommended that Braun reach out to a variety of Faculty Senate committees and the NTTF Taskforce.

Our Taskforce endorses Braun's recommendations and commends her service to the university community. The Office of the Provost should compensate her for this immense labor, recommendations that—if implemented—will help bring the University of Tennessee, Knoxville, into the 21st century by addressing especially racial diversity but also other issues of equity, including gender and sexuality, that affect all members of the university community.

Recommendations for Improved Equity and Diversity of NTTF

This section of the report makes seven recommendations, based on needs reported by Braun to the committee: (1) Implement Inclusive Hiring, (2) Collect and Report Data on Race, Sexuality, and Gender, (3) Report Racial Demographics by Department and Remedy Low NTTF Diversity, (4) Report Base Salaries of NTTF and Make Equity Adjustments for Women and BIPOC NTTF, (5) Conduct Climate and Exit Interviews, (6) Create a Culture of Belonging, (7) Address NTTF Diversity Needs Equitably. The details follow:

1. **Implement Inclusive Hiring:** Unlike tenure-track faculty (TTF) and staff hires, non-tenure-track faculty (NTTF) hiring committees are not required to work with the Office of Equity and Diversity (OED), leaving no accountability for inclusive hiring.
 - a. The Office of the Provost should **require that OED work with non-emergency NTTF hiring committees** (that is, any committees tasked with hiring using a national search) the same way it does for TTF and staff hiring, including requiring anti-bias training for committee member, drafting welcoming job ads, using inclusive recruiting strategies, using the self-identification forms, and having OED confer with the hiring committee to determine if additional recruiting is necessary after a primary pool of applicants is determined.
 - b. Until 1a is fully implemented, Katrice Jones Morgan, Interim Associate Vice Chancellor & Director the Office of Equity and Diversity, said that departments that conduct NTTF searches are welcome to involve OED and

the Taskforce recommends that the Office of the Provost promote this practice. The Office of the Provost should **notify and encourage colleges and departments to work with OED and follow the same recommendations that their website outlines for TTF and Staff hiring for NTTF hiring:** <https://oed.utk.edu/searches/steps/> and <https://oed.utk.edu/searches/oed-guidelines-to-exempt-searches/>

2. **Collect and Report Data on Race, Sexuality, and Gender:** The Diversity and Engagement Annual Report includes numbers for the race of faculty (NTTF and TTF combined) and the STRIDE presentation breaks down NTTF and TTF separately by gender, but the report does not include numbers that break down NTTF versus TTF by race. These numbers are needed to fully understand the racial diversity of NTTF. Sources: <https://oed.utk.edu/diversityplans/> and <https://stride.utk.edu/resources>. **Recommendation 2:** The Office of the Provost should collect data on race, sexuality (if possible), and gender and make it available through the same means as the other data sets. If Vice Provost Diane Kelly already has this data, she should make a report available to the relevant committees of Faculty Senate immediately.
3. **Report Racial Demographics by Department and Remedy Low NTTF Diversity:** The Office of the Provost should collect and make public numbers that help the university community understand the racial demographics of NTTF by department. The Office of the Provost should prioritize departments with low NTTF diversity working with OED immediately on their NTTF hiring processes.
4. **Report Base Salaries of NTTF and Make Equity Adjustments for Women and BIPOC NTTF:** The Office of the Provost should collect and make public the base and promoted salaries of NTTF in each department. In addition, if base salaries are lower in departments that employ predominantly women or BIPOC faculty, these faculty should get an increase in their pay. The Office of the Provost needs to know and act on the knowledge that refusal to equitably pay women and BIPOC faculty for their work is an act of economic racism and sexism.
5. **Conduct Climate and Exit Interviews:** NTTF of color should be asked about their experience as employees and upon exit why they leave. In Summer 2020, the Chancellor called BIPOC tenure-track faculty who left over the last few years to ask about why they left, but no such initiative was undertaken for NTTF of color who left. In addition, the Office of the Provost should ask current NTTF of color about their experiences, if they are happy at UTK, and why they might want to leave.
6. **Create a Culture of Belonging:** The Office of the Provost should implement and support initiatives to foster a better sense of community among faculty of color. Faculty of color should be recruited more aggressively for leadership positions or as representatives on various committees. Research should be conducted as to why NTTF and especially NTTF of color may be unwilling or unable to participate in these roles. (For example, Braun and other faculty report working two or more jobs,

which prevents them from participating in university service or leadership roles.) The Office of the Provost should implement stronger mentoring/networking practices for faculty of color within and between disciplines. Safe spaces (physical or virtual) for faculty of color should be created and promoted. The Office of the Provost should be talking to faculty of color about what they need and want UTK to provide to increase social belonging. The Office of the Provost needs to ensure that faculty of color, both TTF and NTTF, get employee onboarding that includes campus and community resources and a robust “welcome wagon” to make them feel appreciated.

7. **Address NTTF Diversity Needs Equitably:** When the Office of the Provost and other university administrators discuss improving faculty diversity, they focus exclusively on tenure-track faculty. Any initiatives that address faculty diversity should articulate how they will also address NTTF. The Office of the Provost should always address faculty diversity by considering both TTF and NTTF. For example, NTTF should be eligible for university-level awards for research, teaching, and service, just as TTF are.

2: Title Series Associated with NTTF

Titles used to describe NTTF appointments are many and varied at the university, and there exists confusion and lack of clarity for departments and faculty alike on the efficacy and of each title and the specifications of each role. They are often used in different ways across different colleges and departments, both in positive and negative ways for NTTF. Some NTTF have no issues with their titles. Some Professors of Practice and Clinical Professors appreciate and feel recognized by their titles. However, many NTTF whose primary focus is teaching, especially those in the Colleges of Arts & Sciences, Architecture + Design, and Communications and Information see the title of “lecturer” as misrepresentative of their job responsibilities. The Taskforce considered these title series options:

- Assistant Teaching Professor, Associate Teaching Professor, Teaching Professor
- Teaching Assistant Professor, Teaching Associate Professor, Teaching Professor
- Assistant Professor of Teaching, Associate Professor of Teaching, Professor of Teaching
- Assistant Instructional Professor, Associate Instructional Professor, Instructional Professor
- Instructional Assistant Professor, Instructional Associate Professor, Instructional Professor
- Assistant Professor of Instruction, Associate Professor of Instruction, Professor of Instruction

This Taskforce conducted an informal survey and found that a plurality of NTTF preferred this title series: **Assistant Teaching Professor, Associate Teaching Professor, and Teaching Professor**. This means more NTTF thought the title of Lecturer should be replaced with Assistant Teaching Professor, the title of Senior Lecturer should be replaced with Associate Teaching Professor, and the title of Distinguished Lecturer should be replaced with Teaching Professor than any other option, including keeping their current titles. If UT System HR cannot accommodate this preference, there is strong preference for the titles to include “Teaching” and “Professor” like Teaching Assistant Professor, Teaching Associate Professor, and Teaching Professor (although there were strong objections raised because these titles are similar to the frequently used “Graduate Teaching Assistants,” used for graduate students who are employed to teach by UTK).

Recommendations:

1. **NTTF Title Audit/Report:** The Office of the Provost, in consultation with NTTF through shared governance, should collect and share a current accounting of faculty with the various NTTF title categories outlined in the Faculty Handbook (i.e. teaching, research, clinical, practice, and extension), including rank, as well as an appraisal of ‘adjunct’ and ‘visiting’ titles and faculty holding more than one title.
2. **Adjust NTTF Teaching Faculty Titles:** The Office of the Provost should work with NTTF Committee and Faculty Affairs Committee of Faculty Senate to adjust NTTF titles to bring the nomenclature for NTTF Teaching Positions ranks and titles into alignment with the other NTTF categories through Faculty Handbook changes; for instance, replacing “Lecturer, Senior Lecturer, Distinguished Lecturer,” with “Assistant Teaching Professor, Associate Teaching Professor, Teaching Professor.”
3. **Communicate and Emphasize Protocols to Deans and Department Heads:** In some cases, faculty and department heads are confused about the use of titles and faculty responsibilities. The Provost’s Office should clearly communicate guidelines to deans, department heads, and NTTF that enforce a clear and consistent application of Faculty Handbook language regarding NTTF titles, responsibilities, and capacities (4.0 + 4.1).

3: Promotion Timeline

Promotion logistics produce some issues that are linked to other items on this task force’s agenda (namely the title series and hiring procedures). The combination of single-year appointment lengths, unpredictable procedures of dismissal and non-renewal of appointment, inconsistent faculty evaluation practices, and five-year requirement of service at-rank before promotion makes the promotion timeline prohibitive and onerous, especially for NTT Teaching Faculty and especially at the rank of Lecturer.

Recommendation:

Simplify and Clarify the Promotion Timeline for NTTF: The Office of the Provost should bring the service at-rank requirements for NTTF promotion into alignment with each other, regardless of title—“three to five years” for both tiers of promotion (i.e. from Assistant to Associate Professor/Lecturer to Senior Lecturer *and* from Associate to Full Professor/Senior Lecturer to Distinguished Lecturer—and clarify for NTTF, deans, and department heads this means promotion may be initiated *in* year three, not *after* year three.

4: Workload Assignments and Compensation

Chapter 4 of the Faculty Handbook is clear on NTTF workload assignment, distribution, and accounting, as well as the responsibilities of departments to those faculty regarding workload. Anecdotal evidence from NTTF—including study of their own appointment letters, APPR experiences, hiring and promotion experiences, etc.—suggests that deans and department heads are sometimes unaware of or negligent about enforcing these clear policies.

(Please note: Due to time constraints, the Taskforce did not discuss compensation. The Taskforce will consider the issue of compensation as a separate issue next year.)

Recommendation:

Enforce Workload Policies in the Faculty Handbook: The Provost’s office should clarify, emphasize, and enforce (through policies, recommendations, training, memoranda, etc. to deans and department heads) procedures outlined in the Faculty Handbook in regard to NTTF workload assignments and distribution—particularly in **4.0.1** (maximum teaching responsibility and reductions of teaching responsibility as required for other tasks/roles; as well as an accounting of the many types of responsibilities contributing to NTTF workloads), **4.2** (describing the responsibilities of faculty appointed to the various NTT titles, the possibilities for the inclusion of responsibilities outside those initially described for said title, and the requirement that departments provide said faculty with “a complete and thorough documentation of the [NTTF’s] responsibilities and workload distribution”), and **4.3** (describing the requirement that appointment letters account for “percentages of effort that they are expected to devote” to the various tasks to which they are appointed, as well as the responsibility of the departments to provide opportunities for faculty “discuss their responsibilities and request adjustments in their assigned workloads”).

5: Annual Performance Review Process and the Impact of the Pandemic

On April 5, 2021, the Faculty Senate passed the Resolution to Extend Faculty Choice for the Use of TNVoice End-of-Course Student Survey Results in Faculty Evaluation and Promotion for the Duration of the Pandemic (Summer and Fall Semesters 2020 and Spring, Summer, and Fall Semesters 2021), calling on the Office of the Provost to extend policy from early in the pandemic to cover subsequent semesters under the same conditions.

This issue of annual performance review needs clear direction and decisive action from the Office of the Provost as to how the pandemic will affect faculty evaluation practices and applications at-large. The Provost’s Office needs to care for faculty the same way that faculty have, at the direction of the Chancellor and Provost, afforded students flexibility, creativity, and compassion in matters of academics, attendance, evaluation, advising, etc. NTTF are particularly at-risk of dismissal or non-renewal, and for disruptions in promotion logistics (i.e. in some college and departments, promotion timelines and eligibility are tied to evaluation metrics from previous years)—an existential risk at a most terrible time. Administrators have leaned on faculty to support the mission of the university, to continue teaching, researching, and serving the university and its students through extraordinary measures of sacrifice, risk, and toil. Those faculty—especially contingent, NTT faculty—now need protection from bureaucratic measures of evaluation that can unfairly jeopardize their appointments and careers at a time when their efforts can be least-fairly evaluated.

Recommendations:

1. **Enact the Faculty Senate Resolution** to allow Faculty Choice in the Use of TNVoice student surveys in the performance review process.
2. **Communicate pandemic-related APPR policies to NTTF:** The Office of the Provost should inform all NTTF of such direction, policy, and guidelines, so they are aware of their rights.

On APPR for NTTF at-large:

Feedback from NTTF about their appointments, assignment of responsibilities, and APPR experiences suggest that in many cases department heads and NTTF alike are unclear or unaware of some policies regarding APPR and how it relates to appointments and assignment of responsibilities. For example, not all appointment letters reflect the percentage of effort NTTF are expected to devote to teaching, service, and research and professional development (and how it relates to APPR), and some faculty describe having inadequate opportunities to discuss their responsibilities and request adjustments in their assigned workloads (Faculty Handbook 4.3).

Recommendation:

Provide Mandatory Training on Chapter 4: The Office of the Provost should provide mandatory training during AY 2021-2022 for all department heads and unit administrators on Chapter 4 and the Appendix on Evaluation and Promotion of Non-Tenure-Track Faculty in the Faculty Handbook.

6: Family Care

NTTF are at greater risk than TT faculty in matters of family leave, due to the contingent, often tenuous nature of their employment. NTTF are less likely to protect themselves and take measures (such as family leave) best for their families when faced with health emergencies, birth or adoption of children, etc. This issue of Family Care requires clear direction and decisive action by the Provost and Chancellor to offer a comprehensive family care policy for all faculty—of NTT and TT, whether on 9-month or 12-month appointments.

Recommendations:

1. The Office of the Provost should **actively affirm and implement the new 6-week parental leave policy** and promote 12-week parental leave for all employees.
2. **Adjust the Faculty and Family Care Policy** to formally extend provisions for TT faculty to NTT faculty—including Faculty Modified Duties Assignment (FMDA), FMDA Related to the Arrival of a Child, and suspending or extending of an appointment by up to one year.

3. **Strike out the ‘two child policy’** in FMDA Related to the Arrival of a Child:
“modified duties for this purpose may be requested twice in the course of a career.”

7: Processes for Hiring, Dismissal, and Non-Renewal

Processes for hiring, dismissal, and non-renewal of appointment are three separate but related issues.

Hiring: Initial appointment lengths for NTT Teaching Faculty are uniquely and unreasonably short. A combination of difficult working conditions, especially for NTT Teaching Faculty and especially at the rank of Lecturer—single-year appointments, unpredictable procedures of dismissal and non-renewal of appointment, inconsistent faculty evaluation practices, and the five-year requirement of service at-rank before promotion—put unreasonable burdens on these contingent faculty and in some cases, constant existential risk.

Recommendation:

Simplify and Align Appointment Term Lengths: Adjust initial appointment term lengths for NTT Teaching Faculty to align with those of NTT Research, Clinical, Practice, and Extension Faculty, “a definite term of up to five years” (4.1.1).

Dismissal: There are two main passages in the Faculty Handbook in which policies regarding dismissal of NTTF are outlined (4.1 and 5.6). They do not agree with one another, represent existential threats to NTTF, and produce unstable and unsustainable working conditions:

1. *“Whenever feasible, however, subject to available funding, a non-tenure-track faculty member’s department head should give the faculty member at least (a) one month’s written notice of termination of the faculty member’s employment or (b) salary equivalent to that which would be paid in the event of one month’s notice of the termination of the faculty member’s employment.”* (4.1)
2. *“A non-tenure-track faculty member may be terminated for adequate cause (as defined in Sections 3.12.1 and 3.12.2 of this handbook) prior to the expiration of the appointment term.... The University may, at any time, with or without notice, terminate the appointment of a non-tenure-track faculty member without cause upon payment of the remaining salary due during the appointment.”* (5.6)

The existence of these two clauses creates a set of circumstances hostile to NTTF and their employment at the university and also the university as an institution. They are in contradiction to clear declarations in the handbook about academic freedom (and “freedom as citizens”) afforded to NTTF as members of the faculty.

Recommendation:

Office of the Provost Work with the Non-Tenure-Track Issues and Faculty Affairs Committees of Faculty Senate to Revise the Policies on Dismissal: The NTTF Committee and Faculty Affairs Committee of Faculty Senate need to address dismissal conditions in the Handbook (particularly 4.1 and 5.6). These policies have consistently produced concern and attention from various NTTF who generally see these policies as unacceptable and unsustainable for the future of NTTF at UTK. These committees need buy-in and support from the Provost's Office to effectively navigate the process of changing them in the Faculty Handbook.

Non-renewal: Because it affects every NTTF appointment, perhaps the most crucial of the three issues conjoined in this agenda item (and one of the most important NTTF concerns overall) is non-retention or non-renewal of NTTF appointments.

The policies and stipulations regarding non-renewal of NTTF are nearly non-existent: *“If a non-tenure-track appointment is not renewed in writing, it automatically expires at the end of the stated term”* (4.1), and *“In the case of non-retention, every effort should be made to notify the faculty member as soon as possible”* (4.3). In contrast, similar situations pertaining to tenure-track faculty are outlined very carefully, ranging from 3-12 months in advance and according to specific protocols (3.11.4.4).

While NTTF could simply be neglected and ignored at the end of an appointment (and its “automatic expiration”) with no obligation by the university, tenure-track faculty are afforded up to a year of advance notice (in writing) if they will not be renewed. Approaching the end of a specified appointment can create unnecessary anxiety and uncertainty for NTTF, with no incentive for administrators to rectify the situation because they are not beholden to any policy or procedure.

Furthermore, without significant advanced notice, under the circumstances described above (in which NTTF can be dismissed for reasons ostensibly protected under academic freedom), “automatic” non-renewal of NTTF appointments is tantamount to dismissal or termination; administrators need only to wait until such an appointment expires, which could be within months.

Recommendation:

NTTF Provided Advance Notice of at Least Three Months for Renewal or Non-Renewal: Provost's office should collaborate with the NTTF Committee and Faculty Affairs Committee of Faculty Senate to develop and outline procedures in Chapter 4 of the Faculty Handbook to provide NTTF at all titles and ranks 3-12 months advance notice in writing (including reasoning) if their appointment will not be renewed, following guidelines set out in Chapter 3 for tenure-track faculty.

Appeals Processes: An additional issue that needs to be attended to alongside dismissal, termination, and non-renewal is a lack of an appeals process for NTTF. While NTTF are subject to the same conditions of termination as tenure-line faculty (5.6 + 3.12.1, 3.12.2), NTTF are specifically and explicitly denied appeals processes afforded to tenure-line faculty: *"Non-tenure-track faculty may exercise appeal procedures outlined in Chapter 5, except those applicable to the termination of tenured or tenure-track faculty appointments"* (4.7).

Tenured and tenure-track faculty are afforded elaborate and specific procedures through which the university must work in order to terminate them (for instance, 3.12.2.7, p. 43, "Options to Contest Termination," which includes language on hearings, tribunals, evidence, cross-examination, burden of proof, etc.), and extensive rights and procedures of appeal (the word "appeal" appears 44 times in Chapter 3 compared to 4 times in Chapter 4). NTTF are afforded two sentences—one which states that they may be terminated without cause at any time (5.6) and another that denies them appeals afforded to tenure-line faculty (4.7).

To be clear, all faculty are afforded appeals processes outlined in Chapter 5, but 5.6 and 4.7 are inconsistent, which suggests that NTTF need clearer and better protection under legitimate appeals processes specific to them within Chapter 4 of the Faculty Handbook (without referring to Chapter 3).

Recommendation:

The Provost's Office should collaborate with the NTTF Committee and Faculty Affairs Committee of Faculty Senate to reform and replace Faculty Handbook clauses 4.7 and 5.6 with comprehensive policies and processes through which NTTF may actively appeal a dismissal or non-renewal, i.e. outline a clear process of appeals for NTTF upon notification of dismissal or non-renewal as outlined for TT faculty in the Faculty Handbook (3.12).