

The University of Tennessee

STATEMENT OF PRINCIPLES GOVERNING FREEDOM, RESPONSIBILITY AND TENURE¹

The Board of Trustees is constituted by statute of the State of Tennessee as the governing body of the University, with complete and full authority over the administration and organization of the University and its constituent parts, over its financial affairs and over appointment and tenure of all its employees. The board is also enjoined by the General Assembly to “foster, encourage and inculcate loyalty to both the state and national governments.”

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

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

I. Freedom and Responsibility of the Faculty Member

A healthy tradition of freedom and tenure is essential to the proper functioning of a University. At the same time membership in a society of scholars enjoins upon a faculty member certain obligations to his colleagues to the University and to the State which guarantees his freedom.

1. The primary responsibility of the faculty member is to use the freedom of his office in a honest courageous and persistent effort to search out and communicate the truth that lies in the area of his competence.
2. The faculty member is entitle to full freedom in research and in publication of the results, subject to the adequate performance of his other academic duties, but research for pecuniary gain either within or beyond the scope of his employment should be based upon an understanding with the University administration.
3. A faculty member should maintain a high level of personal integrity and professional competence, as demonstrated in teaching and research. These qualifications should be interpreted in terms of accepted principles and standards of the profession. Freedom does not exempt a faculty member from an evaluation by his colleagues of his qualifications for continued membership in their society.
4. A faculty member is entitled to freedom in the classroom in discussing his subject, but the faculty member should use care in expressing his personal views in the classroom and should be careful not to introduce into his teaching controversial matter which has no relation to the subject taught, and especially matters in which he has no special competence or training and in which, therefore, his views cannot claim the authority accorded his professional statements.

¹ Adopted by unanimous vote of The Board of Trustees of The University of Tennessee on November 4, 1955: amended June 17, 1971.

5. A faculty member should recognize that the right of academic freedom is enjoyed by all members of the academic community. He should be prepared at all times to support actively the right of the individual to freedom of research and communication as defined herein.
6. In addition to the normal responsibilities of a citizen of the state and nation, including his duty to uphold their Constitution and obey their laws, a faculty member also owes an immediate loyalty to his colleagues and his institution. He should cooperate fully in maintaining a wholesome atmosphere of mutual respect and confidence. He should conduct himself in keeping with the customs, traditions and usages of the community and those with whom he is associated in his professional work.
7. When, as a citizen, he speaks outside the classroom or writes for publication, he should be free, as a citizen, to express his opinions, but he should remember that the public may judge his profession and his institution by his conduct and utterances. Hence, he should at all times conduct himself as a gentleman and respect the customs and traditions of the institution and the community, should be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that he speaks for himself and not for his institution.

II. Responsibility of the Administration

1. Administrative officers should actively foster within the University a climate favorable to freedom of teaching and research.
2. It is duty of the administration to remove from the faculty any member who has been found, through proper procedures, seriously derelict in his responsibilities as a member of the academic community.

III. Tenure

After the expiration of a probationary period teachers or investigators should have permanent or continuous tenure, and their services should be terminated only for adequate cause, except in the case of retirement for age or under extraordinary circumstances because of bona fide financial necessities of the University.

Tenure shall be granted only through positive action. No person shall attain or be granted tenure at the time of initial appointment or thereafter except upon the approval of the appropriate department head, dean, academic vice chancellor, chancellor, the President of the University, and the Board of Trustees. Tenure, after approval by the Board of Trustees, shall become effective when confirmed in writing by the appropriate chancellor.²

The precise terms and conditions of every appointment should be stated in writing and be in the possession of both institution and teacher before the appointment is consummated.

Beginning with appointment to the rank of full-time instructor or a higher rank, the probationary period should not exceed seven years, including within this period full-time service in all institutions of higher education; but subject to the proviso that when, after a term of probationary service of more than three years in one or more institutions, a teacher is called to this institution it may be agreed in writing that his new appointment is for a probationary period of not more than four years, even though thereby the person's total probationary period in the academic profession is extended beyond the normal maximum of seven years. Notice should be given at least one year prior to the expiration of the probationary period if the teacher is not to be continued in service after the expiration of that period.

² Amending paragraph added by unanimous vote of the Board of Trustees, June 17, 1971.

During the probationary period a teacher should have the freedom and responsibility that all other members of the faculty have.

Except in cases of gross incompetency, immorality, or felony, where the facts are not in dispute, termination for cause of a continuous appointment, or the dismissal for cause of a teacher previous to the expiration of a term appointment, whether based on charges initiated by the Trustees, administration, or members of the faculty should be considered by a committee composed of representatives of both the faculty and the administration, with the right to all parties too have a reexamination of the case by the governing board of the institution. In all cases where the facts are in dispute, the accused teacher should prior to the hearing be informed in writing of the charges against him and should have the opportunity to be heard in his own defense by all bodies that pass judgment upon his case. He should be permitted to have with him an advisor of his own choosing who may act as counsel. There should be a full stenographic record of the hearing available to the parties concerned. In the hearing of charges of incompetence the testimony should include that of teachers and other scholars.

The administration may for grave cause suspend an accused faculty member pending immediate investigation and speedy hearing, or on recommendation of the faculty and administration committee, the administration may suspend a faculty member for cause. In any case of suspension the accused faculty member should suffer no loss of salary unless he is adjudged guilty and his appointment is, terminated, in which event the committee subject to the approval of this Board will determine the date of termination.