

**BY-LAWS OF THE UNIVERSITY OF TENNESSEE DEPARTMENT OF
MATERIALS SCIENCE AND ENGINEERING**

As adopted by the faculty, September 30, 2010

Preamble

To provide a basis whereby the faculty may achieve its mission of education, research and public service, the Department of Materials Science and Engineering at the University of Tennessee, Knoxville (hereafter referred to as the MSE Department) agrees to govern itself according to the By-laws presented herein.

These By-laws are intended for the internal operation of the MSE Department, and shall not supersede any existing University of Tennessee regulations or policy, specifically including the document entitled "Policies Governing Academic Freedom, Responsibility, and Tenure," University Senate By-laws, and the current University of Tennessee Faculty Handbook. These By-laws are also intended to be consistent with the UTK College of Engineering document entitled "UT College of Engineering Guidelines for the Tenure and Promotion Review Process".

**ARTICLE I
GENERAL OPERATION OF THE DEPARTMENT**

A. The Faculty

The faculty of the MSE Department includes professors who are tenured in MSE, professors who are tenure track in MSE, and others that hold partial appointments in MSE: ORNL-based Joint Faculty, professors who hold joint appointments with MSE and other UT departments, Adjunct Professors, Research Professors, and Emeritus Professors.

B. Governance

General Approach

1. The business of the MSE Department will be conducted by individual faculty, committees of faculty, and the Faculty as a whole.
2. The individual faculty and faculty committees have the right to suggest ideas and make recommendations for change and improvements in the way the Department operates, conducts its business, or deals with its students, support personnel and faculty. As a faculty member, the Department Head also holds these rights and he or she is specifically given the responsibility to bring such issues to the attention of the faculty and faculty committees.
3. The Department Head is also charged with the administration of the Department and its budget, with the responsibility for effective day-to-day operation of the Department's business, and with communication of this to the faculty.
4. All final decisions on policy and procedures, curriculum and other routine matters will be made by majority vote at a duly called General Faculty Meeting (see section

on meetings below). Matters of retention, promotion and tenure will be considered in special session as described in Article III.

5. The Standing Committees of the MSE Department are described in Article II, below.

Voting Members

1. All faculty who have been appointed to tenured or tenure track positions in the MSE Department and ORNL-based Joint Faculty may vote on all Departmental business except retention, tenure and promotion matters. The faculty who can vote on these matters are described under Article III which describes the Departmental retention, tenure and promotion procedures and policies.
2. Faculty who hold joint appointments with MSE and another UT department and are not tenured or tenure-track in MSE have no voting rights in MSE unless these are specifically stipulated in a memorandum of understanding between MSE and the other UT department.
3. Faculty members, who may accept temporary or part-time appointments in administrative positions within the University retain their voting privileges.
4. Faculty members who are on full or part-time leaves of absence (or reduced time) shall enjoy the voting status that would be available to them if they were not on leave.
5. Proxy votes will be accepted, but they must be presented in a memorandum or by email to the Department Head in advance of the faculty meeting at which the vote is taken.
6. The voting members of the faculty may bestow voting rights to associated individuals (*e.g.*, research faculty, center directors) on all Departmental business except retention, tenure and promotion matters. This requires the positive vote by a two-thirds majority of tenured and tenure track MSE faculty and ORNL-based Joint Faculty.

Meetings

1. MSE Department General Faculty Meetings will be held at least twice each semester during the academic year. Additional General Faculty Meetings may be called by the Department Head or at the written request of 30 percent of the faculty. A quorum for the purpose of conducting the business of the MSE Department will be greater than one-half of the voting faculty including proxies.
2. Faculty committee and sub-committee meetings may be called by the committee chair or at the behest of 30 percent of the committee membership.
3. The Department Head, or his or her designee, shall serve as chairperson of General Faculty Meetings. The Committee Chairpersons will serve as chairperson at all committee meetings.
4. Whenever possible, at least five days advance notice of all General Faculty Meetings will be given to faculty.
5. An Agenda will be prepared by the Department Head and circulated at least two days in advance of each General Faculty Meeting. Appropriate communication of committee meeting times and agenda is also expected.
6. The Department Head will appoint staff member to act as the Department's Recording Secretary. The Recording Secretary shall keep minutes of General Faculty meetings and distribute those minutes among the faculty. The Committee

Chairpersons will be responsible for keeping and distributing records of actions taken by the various Departmental Committees.

7. At least once each semester, or at the request of the Department Head, the standing committees will report at a General Faculty Meeting on the progress of the committee deliberations. The full faculty has the right to review the work of the committees. The approval of the Faculty attending the General Faculty Meeting is required for final adoption of committee recommendations.

Article II COMMITTEES OF THE DEPARTMENT

A. Standing Committees

The following standing committees shall be established to aid the Faculty in the execution of its academic and related responsibilities. Except where noted otherwise, the following rules will hold. The Department Head shall appoint members of each committee and its chairperson and shall be a member ex-officio of all standing committees.

Undergraduate Affairs Committee

This committee shall be responsible for recommendations for continuous improvement of the undergraduate program, and for recommending solutions to all concerns and problems affecting the undergraduate program. This responsibility extends to, but is not limited to, the following: undergraduate program assessment, curriculum development and improvement; changes in course content; textbook selection; undergraduate extra-curricular activities; undergraduate accreditation; undergraduate equipment acquisitions; undergraduate recruitment; and awarding of scholarships.

The committee will consist of a chairperson and a minimum of four additional faculty appointed by the Department Head. The chairperson may appoint a number of sub-committees to deal with the various issues that arise (for example, preparation for accreditation).

Graduate Affairs Committee

This committee shall be responsible for recommendations for continuous improvement of the graduate programs, and for recommending solutions to all concerns and problems affecting the graduate programs. This responsibility extends to, but is not limited to, the following: graduate program assessment; graduate program curriculum development and improvement; preparation and administration of PhD preliminary examinations; recruitment and admission of graduate students; and updates of the Graduate Student Handbook.

The committee shall consist of a chairperson and a minimum of four additional faculty appointed by the Department Head. The chairperson may appoint a number of sub-committees to deal with the various issues that arise (for example, admission of graduate students).

External Affairs Committee

This committee shall be responsible for improving the visibility of the department through the use of effective written and oral communication. This committee will design and maintain a state of the art website, publish a yearly newsletter, periodically update MSE brochures and encourage faculty and students to include identifying departmental information in their external presentations and invited lectures. The formation of an advisory board and periodic meetings shall be organized by the committee chair and Department Head.

Retention and Promotion Committee

This committee shall consist of all tenured faculty in the department. Its operating procedures are described in detail in Article III which deals with Faculty Responsibilities, Retention, Promotion and Tenure.

B. Other Committees

Honors and Awards Committee

The Department Head shall appoint three faculty members to recommend and prepare nominations for awards for faculty, staff and students in the Department. The awards to be considered include all Departmental, College and University level awards for which the faculty, staff and students are eligible. The committee will also nominate individuals for external honors and awards (e.g. professional society awards) and prepare the necessary documentation. However, the committee, at its discretion, may elect not to nominate individuals for certain awards in any given year.

College of Engineering Committees

Faculty of this Department will be recommended by the Department Head to each of the various College committees.

Ad Hoc Committees

The Department Head may appoint ad hoc committees as the need arises. The responsibilities and membership of these committees shall be established at the time of the announcement of their creation.

C. Officers and Representatives

Library Representative

The Department Head shall appoint one faculty member to be the Department's Library Representative. The duties of this office shall include the establishment and maintenance of liaison with the University of Tennessee Library, making requests for library books to be added in the field of materials, and other such duties as may be requested by the administration of the library or the Department Head.

Safety Officer

The responsibility of this officer will be to ensure that the Chemical Hygiene Plan is up-to-date, to act as liaison with the University Safety and Hazardous Chemicals Committee, and to ensure that all students, faculty and staff are informed of safety policy and procedures. Further, in the event of a spill or accident, the safety officer will ensure that proper procedures are followed and that follow-up reporting is carried out.

ARTICLE III FACULTY RESPONSIBILITIES, RETENTION, PROMOTION AND TENURE

A faculty member's responsibility is to inspire excellence in others and to strive to maintain and improve the academic quality of the Department, College and University. In return, he or she merits trust and recognition from the University being manifest in tangible form by retention, promotion and, ultimately, tenure. The overriding criterion in all deliberations regarding retention, promotion and tenure is evidence of commitment to superior intellectual attainment. Demonstration of achievement in areas of teaching, research and scholarship, including the exercise of professional expertise, is an indispensable qualification for promotion and tenure. For retention, a reasonable potential for achieving these criteria must be evident. Effective participation in University and Professional service is a necessary component of a faculty members activities. Insistence on the highest attainable standards for faculty members is essential for the maintenance of the quality of the University as an institution dedicated to the discovery as well as the assimilation and dissemination of knowledge. Maintaining these standards throughout a faculty member's working lifetime is also necessary. To this end, annual reviews and a periodic thorough re-evaluation of a faculty member's contributions must be carried out in accord with University Regulations.

A. General Procedures

1. The Retention, Promotion and Tenure Committee (RPT) shall consist of all tenured MSE faculty.
2. A chairperson of the committee shall be appointed by the Department Head at the first General Faculty Meeting of each fall semester.
3. All tenured faculty above the rank of assistant professor will vote on retention matters.
4. All tenured faculty who are at and above the proposed professorial level of each candidate will review and vote on promotion matters.
5. All tenured faculty will discuss and vote on tenure matters.
6. Each candidate may choose to name an advocate to represent them in MSE promotion and tenure meetings.
7. It is the responsibility of each candidate to ensure that all required documentation is submitted to the chairperson in a timely manner.
8. All formal actions for tenure and promotion will require letters of recommendation from outside authorities.

9. A formal meeting of the RPT Committee will be held at an appropriate time to meet the deadlines set by the College for forwarding the results to the College RPT Committee.
10. The order of business of the formal RPT Committee Meeting will be as follows:
 - a) Retention of assistant professors
 - b) Promotion from assistant to associate professor
 - c) Retention of associate professors
 - d) Tenure of associate professors
 - e) Promotion from associate professor to professor
 - f) Tenure of professors
11. The chairman of the RPT Committee will submit a report to the Head of Department on each candidate. The Head of Department will submit his report to the College Committee and the Dean of Engineering with the RPT Committee report as an appendix.

B. Specific Procedures

Annual Review of Performance

The Department Head shall, each year, review the teaching, research, thesis and dissertation supervision, committee assignments, publication record, scholarly contributions, and University and public service activities of tenured and tenure-track MSE faculty at all levels and ORNL-based Joint Faculty at the assistant or associate professor levels. The Department Head and the faculty member will discuss plans for the future and individual goals and objectives. How these goals and objectives relate to the Department's long-term objectives and strategic plan will also be discussed. In certain circumstances as outlined in the "Manual for Faculty Evaluation" the review will culminate in a narrative describing strengths, weaknesses and expectations of the faculty member and a rating of the faculty performance on the following scale:

EXCEEDS EXPECTATIONS	is eligible for significant merit/performance pay adjustments
MEETS EXPECTATIONS	is eligible for minimum merit/ performance pay adjustments
NEEDS IMPROVEMENT	is not eligible for merit/ performance pay adjustments
UNSATISFACTORY	is not eligible for merit/ performance pay adjustments

As stated in the “Manual for Faculty Evaluation”,

Faculty members who receive notice from the chief academic officer that they have received ratings of “needs improvement” or “unsatisfactory” must develop a plan of improvement and submit the plan to the department head within 30 days of receipt of the fully executed Annual Review Form.

When this occurs, both the Department Head and faculty member shall follow the procedures outlined therein.

Termination

A faculty member may be terminated due to (a) misconduct, (b) financial exigency or program discontinuance, (c) unsatisfactory performance in teaching, research, or service or other reasons as explained in the Faculty Handbook.

Retention

In addition to the annual performance review conducted by the Department Head, retention reviews will be conducted by the RPT committee for untenured assistant professors each year of their probationary period leading up to (but not including) the year of tenure consideration. An enhanced retention review will be conducted in the academic year following the midpoint in his or her probationary period. In instances of unsatisfactory performance, the untenured faculty member may be terminated after review by the faculty, Dean, and Chief Academic Officer. These review processes are detailed in the “Manual for Faculty Evaluation”.

Promotion

The normal times at which promotion will be awarded to appropriate individuals are the seventh year for assistant professors and the fifth year for associate professors. Early promotion can be awarded to suitably qualified individuals, especially when prior service has occurred at equivalent institutions. Years spent in full time administration will not be included in the time period except at the request of the candidate. Documentation on the case is to consider, at a minimum, the following four areas: (a) teaching, (b) research, (c) scholarship, (d) University and professional service. Evidence appropriate to each area is listed in a separate section.

As stated in the preamble, a commitment to superior intellectual attainment is of overriding importance and is manifest through excellence in teaching, the education of graduate students, authorship of texts and refereed articles all corroborated by peer review. Although success in obtaining research funding and authorship of refereed articles explicitly involve peer review, individual overall assessments by authorities in a candidates chosen area of specialty are essential. After consultation with the faculty member, the Department Head will seek the advice of at least three and preferably four to six persons not on the faculty of the University of Tennessee, Knoxville, whose expertise is close to that of the candidate and who are willing to provide thoughtful evaluation of the candidate’s written work or other suitable evidence of scholarly and/or creative research performance. None of these references may be the former thesis advisor or postdoctoral mentor.

After having been denied promotion from associate professor to professor, an individual may request reconsideration of the case for promotion after a period of no less than two years.

Tenure

Granting of tenure is regarded as the University's most critical personnel decision and will not be considered for assistant professors. Whenever possible, tenure will be granted on promotion to associate professor status, but it will entail a separate decision. The award of tenure is in response to an individual's demonstrated achievements in teaching, research, and scholarship. It involves a strong assumption that those standards will be maintained or surpassed in future years. Accordingly, documentation must cover the areas of (a) teaching, (b) research, (c) scholarship, and (d) University and professional service. Five letters of recommendation will be required, two referees being suggested by the candidate. These must conform to the restrictions described under the paragraph on "promotion."

C. Documentary Evidence

Teaching

Ability to teach effectively, at both the undergraduate and graduate levels is required of all faculty. Appropriate sources of documentation include student evaluations, peer review by colleagues and exit interviews of graduates. Demonstrated ability to develop courses and participate effectively in curriculum design is essential.

Research

Participation in both personal research and direction of graduate student research is required. All faculty should serve on graduate supervisory committees and chair some of those committees. The ability to direct research is manifest in the production of undergraduate and master's theses and doctoral dissertations by supervised students. The following are all forms of recognition of research ability: (a) publication of research papers and patents, (b) the award of research funds by organizations using peer review, (c) active participation at research meetings of professional societies, (d) presentation of seminars and invited lectures, and (e) reviewing of journal articles and research proposals.

Scholarship

There are many forms of evidence of scholarly activities. These include: (a) awards and prizes, (b) fellowships in professional societies, (c) authorship of texts, (d) authorship of review articles and book chapters, (e) sole authorship of articles in peer-reviewed journals, (f) co-authorship of articles in peer-reviewed journals, (g) authorship of articles in conference publications.

Service

Two major forms of service indispensable to the University and the profession are (a) willing and active participation in committee activities at the departmental, college

and university levels, and (b) participation in the activities of professional societies at the local, regional, national, and international levels.

Examples of the former include curriculum development, student advising, recruiting at all levels, service as safety officer, and active efforts to solve the various problems and concerns raised in routine committee assignments, service on the Faculty Senate, and service on the Undergraduate and/or Graduate Counsel, to name but a few.

Examples of the latter include such activities as serving as an officer of a professional society, development of symposia at regional, national or international meetings, and serving on professional society committees. Other examples of professional service include participation, as advisors, in local, state and federal government agencies as well as to national organizations.

D. Level of Performance Expected

Faculty are expected to perform at a level that will bring respect and honor to themselves, to the Department of Materials Science and Engineering and to the University of Tennessee. Such efforts will involve certain activities carried out at a level that is sufficient to maintain and grow both our undergraduate and graduate programs. It is recognized that faculty are a diverse group with some being more adept at teaching, while others may be more capable researchers. However, all tenure track faculty must engage in scholarly activities, teaching, research and service at a reasonable level. A typical faculty member is expected to continuously support and direct the research of 3-5 graduate students, teach two to four classes per year, publish three refereed journal articles per year, participate actively in appropriate professional technical societies (including presentation of papers at national and international meetings, holding offices, serving on committees, organizing symposia, etc.), and effectively serving on the Department, College, and University wide committees and governing bodies. While quantity of effort and output must be sufficient to maintain an active presence in the field of expertise, quality of teaching, research, scholarship and service are of the greatest significance in determining level of performance and qualifications for promotion and pay increase.

The following represent some guidelines that may be used to establish rankings in individual categories based on the above described scale. It is important to keep in mind that the final assessment is an overall determination, averaged over all the faculty member's activities.

Teaching

Scores that assess "Course as a whole", "Instructor's contribution to the course" , and "Instructor's effectiveness in teaching material" which are consistently below 2.8 out of 5.0 on the Student Assessment of Instruction System (SAIS) raise serious questions about the quality of teaching. In such cases the faculty member will be required to provide other evidence that their teaching is satisfactory. Possible other evidence includes other types of evaluation such as the Tau Beta Pi Evaluation Form, letters from students testifying to the quality of instruction, etc.

The Department Head may use the following criteria as guidelines for assessing teaching performance:

Score	Suggested Category
< 2.8	Unsatisfactory
≥ 2.8 and < 3.3	Needs Improvement
≥ 3.3 and < 3.8	Meets Expectations
≥ 3.8	Exceeds Expectations

Of course, other forms of evidence of quality teaching will also be considered in making the final evaluation. The SAIS ratings are only one readily available measure. Faculty are encouraged to find other means to show the quality of their teaching.

Faculty are also expected to comply with the department's plan for continuous assessment and improvement of our courses. For undergraduate courses, this includes completion of assessments of students progress toward department outcomes, collecting samples of student work that demonstrate outcomes, and regularly updating the outcomes defined for each course.

Research

Publication of research papers in peer reviewed journals is the primary measure of research accomplishment. A faculty member is expected to publish at least three refereed journal articles per year. Invited seminars and presentations at national and international meetings are also expected. In order to achieve "meets expectations", a faculty member must typically also provide support for 3-5 graduate students from externally funded research projects. Faculty who rarely publish and who do not contribute to the support of graduate students, will be categorized as "unsatisfactory" with respect to the research function. For a faculty member to be categorized as "exceeds expectations" with respect to research, he or she must substantially exceed the above stated criteria for "meets expectations". Assistant professors are expected to show adequate progression to these expected levels of performance.

Scholarship

Scholarship should be at a level which will be sufficiently recognized that the faculty will be asked to prepare review articles or will publish books, etc. Faculty will grow into this level of expectation. Early years will involve preparation of scholarly papers.

University, Professional, and Departmental Service

Faculty are expected to accept and perform well in the various departmental, college and university wide committees. A consistent absence of such efforts will constitute grounds for concern in the overall evaluation. Faculty are also expected to associate with appropriate professional societies consistent with their area of special expertise. They should seek leadership positions in these societies and, in particular, they should perform such service as developing symposia at national and international meetings, refereeing papers and proposals, etc.

ORNL-Based Joint Faculty

The duties and expectations of ORNL based Joint Faculty (JFO's) are the same as tenured/tenure track faculty (T/TT) but apportioned relative to their allocation of effort at UT. In evaluating their productivity for annual reviews and promotions, the following guidelines shall be used:

1. Teaching shall be assessed using the same measures used for T/TT faculty. Teaching loads will be apportioned relative to the JFO's allocation of effort at UT.
2. Expectations for UT research funding and graduate student production shall be apportioned according to the allocation of effort at UT. Other measures of research productivity and scholarship such as publications, patents, and presentations at scholarly meetings are expected to be at the same level as T/TT faculty since JFO's are expected to be productive in these areas as part of their duties at ORNL.
3. Service shall be judged broadly based on service to the University, the profession, and the community. Expectations for service to the University shall be apportioned relative to the allocation of effort at UT.

ARTICLE IV RECOMMENDATIONS FOR NEW APPOINTMENTS

Recommendations for new appointments to the faculty shall be prepared by the Search Committee Chairperson and the Department Head on the concurrence of a majority of the voting faculty (as specified in Article I B). No vote on an appointment shall be taken until all voting members of the Faculty have been notified of the candidacy.

ARTICLE V DEPARTMENT HEAD

A recommendation to the Dean of Engineering concerning continuation of the appointment of the MSE Department Head shall be made every five years by the tenured and tenure track faculty; or at such other times when at least two-thirds of the tenured and tenure track faculty deem that such a recommendation is necessary.

ARTICLE VI AMENDMENTS OF BY-LAWS

The by-laws of the Department of Materials Science and Engineering may be amended, after all faculty have had an opportunity to present their views on the proposed changes, by a two-thirds majority of the following: tenured and tenure track MSE faculty and ORNL-based Joint Faculty. Any proposed amendments must be circulated in writing to the tenured and tenure track faculty at least two weeks before the date on which they are to be voted.