

THE UNIVERSITY *of* TENNESSEE

College of Business Administration

Department of Marketing & Logistics

**Department By-Laws**

**Faculty Amended: 23 January 2009**

**Faculty Approved: 17 February 2009**

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## **I. Faculty Membership in the Department**

*The purpose of these By-laws is to establish the overall organization of the Department and to provide for the cooperation, advice and consent of the Department faculty in the conduct of the Department's affairs, all within the general framework of the organization and regulations of the College of Business Administration and the University of Tennessee.*

- A. Membership of the faculty of the Department of Marketing and Logistics shall consist of all persons holding regular or temporary department appointment to an academic rank as lecturers, instructors, assistant professors, associate professors, professors, and research associates.
- B. Voting membership of the Department are faculty members in tenure-track positions, including those who have not yet earned tenure. This includes persons on joint appointments with other research, administrative or teaching departments, bureaus, or offices within the university. All such persons shall enjoy full voting membership in the Department.
- C. Faculty members appointed to full time non-tenure track positions in the Department shall be regarded as voting members of the departmental faculty with the exception of votes regarding tenure, promotion and retention.
- D. 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 were they not on leave.
- E. Special voting requirements for promotions in academic rank and granting of tenure are specified in the faculty Handbook and take precedent over this document.
- F. Departmental Emeritus Professors are a special case of Departmental nonvoting faculty members.
- G. Consistent with the University of Tennessee Faculty Handbook, the Department Head "is a member of the faculty who is assigned the special duty of administering the department. The Head is appointed in consultation with the faculty of the unit that he/she will administer."
- H. The Department Head and faculty share in the governance of the Department.

## **II. Departmental Meetings**

- A. Department meetings shall be held at least twice per semester during the academic year. Additional meetings may be called by the Department Head or at the written request of a simple majority of the voting faculty. One half the voting membership of the faculty shall constitute a quorum. If a quorum is present, in most instances, decisions of the faculty will be made by consensus. A consensus is defined as unanimous buy-in of the faculty participating. Buy-in should be when the individual faculty member is at least 70% comfortable with the proposal. If consensus cannot be reached, the issue may be brought to

- the next meeting of the faculty for a vote. A three-fourths majority of those present and those sending proxy votes and/or absentee ballots shall then decide an issue. Proxies specific to particular items on the agenda may be given by one faculty member to any other voting member. In all matters, the Departmental Head's presence, vote, and proxy shall be counted on par with any other voting member.
- B. Any voting member on any issue that requires a vote may call for a secret ballot vote.
  - C. The Departmental Head, or his/her designate, shall serve as chair of the departmental meetings. Minutes of the meeting and reports submitted to the faculty shall be kept and made available to the faculty.
  - D. The initial agenda for regular Department meetings shall be prepared by the Department Head and distributed in writing to the faculty at least five calendar days prior to the meeting. Additional items may be suggested by individual faculty and, at the discretion of the Departmental Head, be added to the agenda. Alternately, items may be placed on the agenda by written petition of twenty-five percent of the voting faculty. All additions to the Head's initial agenda must occur at least three days prior to the meeting.
  - E. If, during the meeting, a matter not on the agenda evolves into a formal motion, that motion must be tabled until the next meeting if so requested by any voting member. If no such request is made and a vote is taken, that vote is binding only if more than three-fourths of all eligible voters, including those not present at the meeting, vote in favor of the motion.
  - F. At the discretion of the Department Head, a vote of the faculty may be taken electronically. For votes taken in this manner, the decision will be based on a three fourths majority of votes submitted electronically by the faculty entitled to vote. Faculty will have a minimum of five (5) business days to submit their vote after notification of the electronic vote. When voting in this manner, one option available to the faculty will be to request deferral of the vote until discussion is held at the next scheduled faculty meeting. Deferral will automatically occur if 10% or more of the faculty members who cast a vote so request.

### **III. Department Committees**

There shall be three types of department committees:

- Promotion and tenure committees
  - Standing committees
  - Ad hoc committees
- A. Promotion and Tenure Committees: Criteria for promotion and tenure are as set forth in the *Faculty Handbook, UT Manual for Faculty Evaluation* and *CBA Faculty Evaluation Procedures and Guidelines*.
1. *Committee on Promotion to Rank of Associate Professor*
    - a. This committee shall consist of all Professors and Associate Professors who hold tenure in the Department of Marketing and Logistics. Its purpose shall be to report to the Departmental Head with regard to candidates for promotion to the rank of Associate

Professor. A vote shall be taken on the candidate's dossier and the results made part of the submitted report.

- b. The Department Head cannot participate in the vote.
  - c. The Departmental Head shall preside at meetings of the full committee and shall be responsible for calling a meeting of the committee. The time and place of meetings shall be made known to committee members seven calendar days in advance.
  - d. Subcommittees may be constituted to consider in depth the teaching, research/creative achievement, and service effectiveness (as defined in the Departmental Faculty Evaluation and Development Process document) of individual candidates and to render a report to the committee as a whole. Such subcommittees and their membership shall be established by procedures acceptable to the full committee.
  - e. Two thirds of the committee membership being in attendance shall constitute a quorum for conducting business. Issues shall be decided in the same manner as described above in Paragraph II.A. If a vote is necessary, it shall be by secret ballot, with votes to be counted independently by two committee members designated by the presiding officer.
  - f. Absentee ballots shall be allowed if the absentee voter is willing to relinquish any claim to anonymity vis-à-vis the two-committee members counting the votes. An absentee vote must be delivered in writing to each of the two committee members discharging this responsibility. There shall be, however, no further disclosure of the nature of the vote.
  - g. In unusual circumstances, operational procedures may be altered by two-thirds vote of the committee membership.
2. *Committee on promotion to Rank of Professor*

This committee shall consist of all Professors who hold tenure in the Department of Marketing and Logistics. Its purpose shall be to make recommendations to the Departmental Head with regard to candidates for promotion to the rank of Professor. Operational rules for this committee shall be equivalent to those of the Committee on Promotion to Rank of Associate Professor.

3. *Committee on Awarding of Tenure*

This committee shall consist of all tenured members of the departmental faculty. Its purpose shall be to make tenure recommendations to the Departmental Head in situations in which tenure decisions must be made separate and apart from promotion recommendations and decisions. Operational rules for this committee shall be equivalent to those of the Committee on Promotion to Rank of Associate Professor.

4. *Committee on Hiring Tenure-Track Faculty*

This shall consist of a search committee consisting primarily of tenured and tenure-track voting members of the Department. Its purpose shall be to make final recommendations to the Department Head and Departmental Faculty with regard to candidates joining the

faculty in a tenure track position. Operational rules for this committee shall be equivalent to those of the Committee on Promotion to Rank of Associate Professor, and in accordance with the EEO policies of the University of Tennessee.

#### B. Standing Committees

There are three standing Department committees:

- Strategic Planning Committee
- Development Committee
- Communications Committee

1. *The Strategic Planning Committee* will consist of the Department Head as chair, all chair/professorship holders, and three elected tenured or tenure track faculty. Elected members shall serve a three-year term. One purpose of the strategic planning standing committee is to annually create and propose to the department faculty a new strategic plan or changes in the existing strategy plan. Another purpose of this committee is to review and, if necessary, present to the Department's faculty proposed revisions of (a) the Faculty Evaluation and Development Process document and (b) the Department's By-Laws.
2. *The Development Committee* will consist of the Department Head, a representative from the College of Business Administration Development Office, and up to four members of the Departmental faculty (appointed by the Department Head). Appointed members shall serve a three-year term. The purpose of the development standing committee is to create and propose to the department faculty the goals, strategies and tactics of the department's development efforts.
3. *The Communications Committee* will consist of up to five members of the Departmental faculty (appointed by the Department Head). The Department Head shall also appoint the committee chair. Each member shall serve a three year term. The purpose of the communications standing committee is to create and present to the faculty an umbrella communications strategy for the department and then coordinate it with the various communication strategies for programs and other strategic initiatives of the department.

Additional standing committees may be formed at the discretion of the Department Head or by consensus action of the faculty. Within ninety days of its creation each standing committee is required to submit to the entire voting faculty a written statement concerning its scope or responsibilities. Approval of the statement shall require a consensus of the faculty and the statement will then be attached to the minutes of the meeting. If a committee's scope of responsibility changes at some later date, a new statement must be submitted and approved in the same manner.

Standing committees have the right and the responsibility to make motions to the faculty. Such motions do not require a second.

#### C. Ad Hoc Committees

Various ad hoc committees may be constituted, under the appointment and direction of the Departmental Head or by consensus of the faculty to deal with particular matters as they occur.

#### D. Committee Sunset Requirement

All committees, including any standing committees, will be disbanded at the end of three years unless reviewed and re-approved by the faculty for an additional two year period.

### IV. Department Head

#### A. Selection and Length of Term

1. The Department Head is to be recommended by the voting faculty of the Department and appointed by the Dean of the College of Business Administration. The process for selection should be by the consensus method defined in Section II, Part A. The term of office should be five (5) years, renewable for another term if all parties are in agreement.
2. In accordance with the *Faculty Handbook*, the Department Head will be reviewed annually by the Dean.

#### B. Hiring and Retention of Non-tenure Track Faculty

1. Distinguished Lecturer Appointment recommendations are made by the Department Head after due consideration of annual and cumulative annual performance evaluations and appropriate input from the faculty. Such recommendations must otherwise be in accordance with University and College guidelines.
2. Non-tenure Track appointments are carried out at the discretion of the Department Head in a manner consistent with established department governance procedures, College of Business bylaws and the University of Tennessee policies.
3. Evaluation of Non-tenure Track Faculty is carried out at the discretion of the Department Head. S/he will conduct such evaluations in a manner consistent with the College of Business bylaws and the University of Tennessee policies.

#### C. Hiring and Retention of Research Faculty and Clinical Faculty

1. Research Faculty and Clinical Faculty appointments are carried out at the discretion of the Department Head in a manner consistent with established department governance procedures, College of Business bylaws and the University of Tennessee policies.

#### D. Administration of Faculty Reviews

##### 1. Faculty Responsibilities

- a. Each faculty member will contribute fully to the department. Those contributions will be divided into teaching, research and service categories. The proportions that a faculty member will contribute from each category will be established at the discretion of the Department Head, in a manner consistent with the College of Business bylaws and the University of Tennessee policies. The proportions will be communicated to the faculty member during annual reviews and evaluations.

##### 2. Annual Retention Review

- a. The Department Head will follow the guidelines of College of Business Administration as set forth in the *Faculty Handbook*, *UT Manual for Faculty Evaluation* and *CBA Faculty Evaluation Procedures and Guidelines*.

##### 3. Annual Faculty Evaluation

- a. The Department Head will follow the guidelines of College of Business Administration as set forth in the *UT Manual for Faculty Evaluation* and *CBA Faculty Evaluation Procedures and Guidelines*.
- E. Determination of Salaries
1. Annual salary recommendations are made by the Department Head after in-depth consideration of annual and cumulative annual performance evaluations, and otherwise in accordance with University and College guidelines.
- F. Compensation of Non-University Activities
1. Assessment of value for non-university activities will be accomplished by the Department Head.
  2. Restrictions on compensated non-university activities will be in accordance with College of Business Administration policies.

**V. Ratification and Amendment of This Constitution**

Ratification of this constitution may be accomplished by the process defined in Section II, Part A. Subsequent to ratification, it may be also amended by the process defined in Section II, Part A.