

# **CHAPTER III**

## **FACULTY AND STAFF**

### **SECTION I. RIGHTS, DUTIES AND RESPONSIBILITIES**



- b. Selection Procedure. The detailed procedure to be employed and the timetable to be followed in carrying out the search shall be designated by the search committee as its first order of business. The committee shall present the procedure and timetable to be used to the Board at its next official meeting. The search committee shall visit the campus early in the process and obtain input from the Student Government Association, Faculty Senate and alumni association regarding desired qualifications for

No employment of an administrative position is to begin prior to Board approval. For administrative personnel other than vice presidents, deans, and athletic directors, emergency authorization may be granted on a temporary basis by the System office to proceed, pending Board action.

1. Temporary Appointments. No individual shall be appointed on a temporary (“acting” or “interim”) basis for more than 12 months. After that period, should the position not be filled by someone on a continuing basis, the temporary incumbent can only be reappointed if a truly compelling need exists. The reappointment of the temporary incumbent must be submitted for Board approval. Any request for reappointment must include justification. (Addition approved 3/21/97)

E. Classified Employees. The Board grants authority to the presidents of the colleges and

2. Is not so registered or knowingly and willfully did not so register before the requirement terminated or became inapplicable to the individual. (Addition approved 9/26/97)

### **SECTION III. SALARY AND BENEFITS**

- A. Employment Status Change. Unclassified personnel whose employment is being changed from a nine-month to a twelve-month basis may be offered a salary consistent with similar positions at the institution or at similar Southern Regional Education Board (SREB) institutions. Any employee whose status changes from a twelve-month to a nine-month salary basis shall be offered a salary consistent with similar positions at the institution, at similar SREB institutions, or as approved by the Board. This policy applies to administrative position changes only.
- B. Annuities. The System President and heads of institutions are authorized to make withholdings from the salaries of employees for annuity purposes and to purchase from various vendors, annuities with the funds withheld in accordance with Section 403(b) and other applicable sections of the Internal Revenue Code of the United States.

### **SECTION IV. ROLE, CONTRACTUAL ARRANGEMENTS, BENEFITS, EXPENSES, AND EVALUATIONS OF PRESIDENTS**

- A. The President's Role. The president of an institution, in serving as chief executive officer and leader of a state institution of higher education, is expected to assume a public and official role with responsibilities and duties related to both campus and community life. It is recognized that the demands of this role and position impact upon the president's entire daily life and that of the president's family.

Specific responsibilities of the president shall include, but not necessarily be limited to:

1. Administering the institution over which he/she is appointed and exercising complete executive authority therein, subject to the direction and control of the System President and the Board;
2. Carrying out all duties expressly assigned by statute and those duties delegated by the Board and System President consistent with policies approved by the Board;
3. Being responsible to the Board and the System President for the effective execution of all Board and System policies, resolutions, rules, and regulations adopted by the Board as well as plans, memoranda, and directives issued by the System President. The institution president's discretionary powers shall be broad enough to enable him/her to meet his/her extensive responsibilities;

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4. Providing effective performance as reviewed by the Board's evaluation process, i.e., ensuring excellence in the institution, its faculty and students, in instruction, and research quality;
5. Assuming and retaining control at all times over the budget of the institution, including functions of review and recommendation concerning the budgets of all divisions of the campus and the preparation of a consolidated budget, as well as execution of the budget as approved by the Board; and development and administration of the campus operational, auxiliary enterprise, and restricted funds budgets as approved by the Board, including establishment of priorities for expenditures and achievement of revenue projections as set forth in the approved budgets;
6. Being the official medium of communication between the System President and all constituencies at the campus level: faculty, students, administrators, classified employees, alumni and the local community;
7. Providing academic leadership for the campus through established planning processes and prioritization of goals and objectives; promotion of academic excellence through execution of strategic initiatives outlined by the System President and the Board; development and motivation of personnel to accomplish the campus mission; and promotion of innovative and efficient uses of campus resources;
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15. Providing effective leadership in efforts to secure various sources of funding for the university.

- B. Terms of Appointment. The president of an institution shall be employed at the pleasure or will of the Board of Supervisors, at a salary fixed by the Board.

Upon recommendation of the System President, the university president may be appointed to a tenured academic rank position within a discipline. (Revision approved 1/5/00)

The annual approval of the budget and personnel documents designating the salary and other personnel benefits for an institution head shall not constitute an implied nor expressed agreement for continued employment throughout that fiscal year but are executed or approved solely for the purpose of budgeting and associated fiscal and administrative matters.

1. Compensation. The president of an institution shall be entitled to an overall compensation package which shall be competitive with positions of comparable requirements, responsibilities, and authority as approved by the Board. (*See PPM*)
2. Presidential Housing and Related Services. For the expedience of the institution, housing is provided on the campus premises where available. Other related services including such items as utilities, furnishings, maintenance, custodial, and domestic services shall be provided to the institution president, the president's spouse, and dependents who are residing with the president. The institution president must reside in such housing, where available, as a condition of employment. This requirement is in recognition of the need for the institution president to be readily available to the institutional community and facilities, to provide for the hosting of official functions, meetings, and activities, and for the overall performance of official duties. Where suitable housing is not available on campus, the president shall be provided additional compensation as specified through the terms of employment.

- C. Presidential Expenses. In accordance with applicable state policies and procedures, an institution shall make adequate provisions within an appropriate expenditure category of its operating budget for funding of campus-related activities and functions that the institution president is expected to host and furnish. Expenditures for these activities may encompass items such as food, beverages, flowers, decorations, and other entertainment-related expenses.

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- B. Exclusion. An employee of an institution who is not a member of the faculty or administration is not governed under the Board's policy on leaves of absence for faculty members.
  
- C. Length of Leaves. Leaves of absence, other than for military leave, shall not exceed one year at a time. Faculty personnel on military leave (or special leave for war-connected service) from the institution shall be reemployed by the institution at the beginning of the next semester (or quarter) after the date on which the institution head shall receive written notification that such person wishes to return to his position, provided that such notification shall be given within 40 days after honorable discharge or termination of assignment from the armed forces.
  
- D. Sabbatical Leave. Provision for leave with pay for the purpose of professional or cultural improvement, or for the purpose of renewal, is a well-established administrative device intended to improve the quality of higher education professional service. The Board recognizes that such a policy is justifiable and desirable and therefore provides (e)4( )40(for)6(50)-3(nis

or grants to the institution. The policy outlined below relating to outside employment should be brought to the attention of all employees. (*See PPM*)

A. Statement of Policy on Outside Employment.

1. A member of the faculty or staff may engage in outside activities, paid or unpaid, which do not conflict, delay or in any manner interfere with instructional, scholarly, and/or other services he must render in the nature of his college or university employment.
2. A full-time member of the faculty or staff who is presently engaged, or who plans to engage, in sucTmI30(ment EuoETBT1 0 0 1 376.75 d t)-3(o T3f0 1 72.024 668.14 Tm{mId(e)

6. Institutional resources shall not be used for personal gain. No college or university personnel, laboratories, services or equipment are to be used without administrative authorization in connection with outside employment of college or university employees.
- B. Reporting Procedures. Each year the appropriate vice president(s) shall submit a report of employee activities to the campus president.

### **SECTION VIII. SEEKING AND HOLDING PUBLIC OFFICE**

Conditions. Every employee has the constitutional right to seek and hold public office. In so doing, the employee must meet the following conditions: (a) notify the institutional president of the employee's intention prior to the date of qualification; (b) continue normal workload, including teaching and all other duties and office hours required by the institution. If the employee is unable to meet condition (b) above, annual leave or leave without pay may be requested for the appropriate period of time, in accordance with the leave rules of the Board. Additionally, such an employee should be accurate in his statements and make every effort to indicate that he is not a spokesperson for the institution.

### **SECTION IX. NEPOTISM**

The University of Louisiana System and its member universities shall be in full compliance with the Code of Governmental Ethics regulation on nepotism found in Louisiana Revised Statutes 42:1119. The Board may authorize employment of persons from the same economic unit or the same immediate family when allowed by law. The Board defines economic unit, immediate family and any other reld( )-299(a)4(nd )-299(a)4(na)4(na)4(na)4(na)4(na)4(n)4(nd )T/299(a)4(na)1ld( )in



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individual) before the end of the appointment. Faculty members on such appointments may be terminated for cause at any time with due process. may be Bn/ w--

- E. Early Awarding of Tenure. In certain unusual cases, the institution may award tenure to faculty members of extraordinarily high merit prior to the end of the sixth probationary year. Any academic unit's recommendation, with faculty input whenever possible, to award tenure before the end of the usual probationary period should be accompanied by an accounting of compelling reasons for this action.
  
- F. Decision Not to Grant Tenure. If the decision is made not to grant tenure in the sixth

- L. Policy. This tenure policy shall supersede all existing policies with the following exceptions:
1. All persons holding tenure on the effective date of this policy shall retain their tenure.
  2. Any person in the employment of an affected institution on the effective date of this policy shall be eligible to earn tenure under the terms and conditions of the policy in force and in effect at the time of that person's employment at that institution. *(Revised 2/25/2011)*
- M. Tenure and Rank for Administrative Appointees. Academic administrators at the level of dean or higher are frequently appointed with academic rank (typically associate professor or professor) and tenure in a specific discipline. A request to offer tenure with appointment must have prior approval by the System President. In the employment of certain academic administrators such as department heads, directors, or deans where the offer of employment does not include immediate tenure, it should be stipulated that a tenure review shall be performed within one to three years by the administrator's immediate supervisor. This evaluation should include, among other factors, a review of specific provisions stipulated at time of employment. The review of a dean shall be made by the vice president for academic affairs with possible input from department heads in his/her college or school, while the review of a department head shall be made

### SECTION XIII. EMERITUS TITLES

Granting of Emeritus Titles. The awarding of emeritus title is an administrative responsibility, with the exception of President emeritus (University or System). The university president may approve such titles based upon established university criteria and procedures. Emeritus titles should be reserved to honor, in retirement, faculty and administrators who have made distinguished professional contributions and have served significant portions of their careers at the institution: e.g., emeritus professor of chemistry, emeritus dean of education, emeritus president. The System President may recommend to the Board of Supervisors the title of president emeritus when deemed appropriate. Normally the granting of titles of this nature requires a minimum of ten years of service to the institution; however, in cases of demonstrated exceptional performance, a lesser period of service may be considered. (Revised 8/26/2011)

To be eligible for consideration for academic emeritus status, the individual is expected to have achieved the rank of professor. In exceptional cases, an associate professor with an outstanding record of achievement and contribution to the university may be recommended for this status.

Criteria for Emeritus Status. The following are the minimum criteria for consideration for the granting of emeritus status. However, meeting the minimum criteria should not be considered adequate justification for recommending emeritus status.

1. Clear evidence of outstanding teaching, scholarly activity, and/or administrative services;
2. Recognized record of meritorious professional achievement, growth, and development; and
3. Clear evidence of university service beyond the normal or ordinary expectations. (Revision approved 10/29/99)

### SECTION XIV. GRIEVANCE PROCEDURES

- A. Institutional Grievance Procedures. Each institution shall develop and promulgate an internal grievance procedure for employees (classified and unclassified). This procedure shall be approved by the Board. An employee must exhaust all administrative procedures at the institutional level before an appeal can be made to the Board.
- B. Board Review. If an employee makes an appeal to the Board, the administrative proceedings from the institution will be reviewed. The purpose of this review is to determine if an appropriate process has been provided to the grievant, not to review the particular outcomes. Following this review, the grievant will be notified of the Board's decision. (Revision approved 1/5/00)
- C. Granting of Hearing. The Board may grant the grievant a hearing and provide a fixed time for each party to present his/her case and all arguments shall be confined to the



record of the administrative proceedings from the institution. However, after the review of the administrative proceedings from the institution, the Board may allow additional evidence to be presented. The Board will notify both parties of the type of additional evidence it seeks and the procedure to be used in its presentation.

- D. Board Policy on Grievance. The Board recognizes the necessity and desirability of providing employees a method and forum in which to resolve, in an orderly fashion, problems in the work place. However, by the adoption of this policy, it is not the intention of the Board to confer upon college and university employees any additional rights of substantive or procedural due process not mandated by law.

### SECTION XV. TERMINATION

- A. Tenure Track Faculty. An appointment carries no assurance of reappointment, promotion, or tenure. Reappointments are made solely at the discretion of the institution with the approval of the Board. The non-reappointment of a faculty member does not necessarily reflect on the faculty member's work record or behavior. The determination to reappoint, or not to reappoint, should be based upon a review of the specific conditions relating to the position. Notice that a probationary appointment is not to be renewed shall be given to the faculty member in advance of the expiration of the appointment as follows:

1. Not later than March 1 of the first academic year of service if the appointment expires at the end of that year; or if a one-year appointment terminates during an academic year.

- C. Cause for Terminating Tenured Faculty. (1) Cause for discharge, termination of contract, or demotion in rank of tenured faculty shall consist of conduct seriously prejudicial to the college or university system such as infraction of law or commonly accepted standards of morality, failure to follow proper orders, violation of institutional or Board rules and regulations, neglect of duty, incompetence, or other conditions that impair discharge of duties and the efficiency of the institution. The foregoing enumeration of cause shall not be deemed exclusive. However, action to discharge, terminate, or demote shall not be arbitrary or capricious, nor shall it infringe upon academic freedom.
- (2) Financial Exigency constitutes cause, as does program discontinuance.
- D. Academic Dismissal Policy



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approved by the Board, which will give primary consideration to the maintenance of a sound and balanced educational program that is consistent with the functions and responsibilities of the institution. The procedure should also give priority to tenured faculty over non-tenured faculty in retention.

Faculty and other employees under contract who are furloughed, laid off, and/or

President must be approved by the Board. With respect to the implementation of such program and/or budget unit modifications or discontinuances upon a declaration of financial exigency, decisions with respect to furlough, layoff, and/or termination of any tenured faculty, non-tenured faculty, or other contract employee before the end of their contract term must be approved by the institution president and the System President, and the decisions are final upon approval of the System President. Review of such decisions by the Board is at its sole discretion.

5. Termination of Financial Exigency. Financial exigency shall terminate either at the end of the fiscal year, or after one calendar year, depending upon the financial

- D. Reporting of Findings. At the conclusion of the investigation, the System President shall see that a written report of the findings of the investigation is given to the Board and to the president of the institution involved.
  
- E. Confidentiality. Investigations involving the character or competence of any person shall be conducted in as

**SECTION XXI. SHARED SICK LEAVE PROGRAM**

System institutions and System staff may participate in a program of Shared Sick Leave that complies with System management policies and procedures. The campus policy shall be provided to the System office for staff approval prior to implementation. (*See PPM*) (Addition approved 9/24/99)