

*PS-36-NT with
Notes for Users
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**Initial Appointments, Reappointments,
Annual Reviews, and Promotions for Faculty
Other Than Tenure-Track and Tenured**

with Notes for Users (Section XIII)

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URL: <http://www.math.lsu.edu/~mcgehee/PS-36-NT-Notes.pdf>

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PS-36-NT with Notes for Users

*The official, authoritative version of PS-36-NT is on the LSU website—click on Administration and then on LSU Policies & Procedures. The present document, **PS-36-NT with Notes for Users**, with its added footnotes, remarks, index, and commentary, is entirely and solely the responsibility of Carruth McGehee. See Section XIII, page 42.*

I PREAMBLE

The present Policy Statement PS-36-NT establishes certain regulations and procedures regarding the faculty ranks listed below,¹ consistent with Chapter II, Sections 2-7 of the Regulations of the LSU Board of Supervisors; with the LSU System's Permanent Memorandum 23, entitled **Ranks, Provisions, and Policies Governing Appointments and Promotions of the Academic Staff**; and with all other pertinent policies of the LSU System.

In establishing these regulations and procedures, the University seeks to employ and maintain a well-qualified staff of faculty in these ranks, to accord them due professional standing, and to observe the principles of academic freedom. Personnel decisions described in this Policy Statement will be made without regard to race, creed, color, marital status, sexual orientation, religion, sex, national origin, age, mental or physical disability, or veteran's status.²

¹See II.B.

²The nondiscrimination provisions here are repeated from PS-01, entitled **Equal Opportunity Policy**.

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Mandated procedures include annual job performance reviews and certain additional reviews by faculty panels. Reappointment in these positions is possible but must be based on reviews that have confirmed highly competent job performance and ongoing value to the University's mission.

II GENERAL PROVISIONS

II.A Applicability and Limitations

PS-36-NT does not increase or diminish legally enforceable rights of the University or of its employees that may derive from applicable law, LSU policies and procedures, regulations, contracts, or written commitments.

Except when there is an explicit statement to the contrary, no provision of PS-36-NT or of a unit's rules³ will apply to faculty members who are part-time or part-year employees; nor will any provision, or lack of a provision, be interpreted to diminish their rights deriving from other policies or regulations.⁴

Policies and procedures for personnel actions affecting the tenured and tenure-track faculty are covered by Policy Statement 36-T entitled *Tenure-Track and Tenured Faculty: Appointments, Reappointments, Promotions, Tenure, Annual Reviews, and Enhancement of Job Performance* (PS-36-T) and not by this policy⁵ known as PS-36-NT.

II.B Application of PS-36-NT

*Remark:*⁶ *The present subsection II.B contains basic provisions regarding the terms of appointments to the several ranks. Other provisions regarding terms may be found in item 5 in VI.A, page 16; VII.B, page 20; and Section VIII, page 24.*

This Policy Statement applies to the following positions:

1. Instructor

An appointment as an Instructor will be for a specified term, ordinarily no more than one year.

2. General Librarian

An appointment as a General Librarian will be for a specified term, ordinarily no more than one year.

³See Section III.

⁴This exclusion from presumptive coverage by PS-36-NT applies to a person employed concurrently by two or more departments, even if his or her percent of effort totals 100%, unless he or she holds a joint appointment as defined in II.C. See also the definitions of the terms *full-time*, *part-time*, and *year*, items 19 and 29, in the Glossary (pages 37-40).

⁵That is, this Policy Statement.

⁶Italicized *Remarks* like this one are not part of PS-36-NT.

Minimum qualifications will include a degree from a library program approved by the American Library Association and library experience.

3. Professional-in-Residence (including Writer-, Artist-, Architect-, Journalist-in-Residence, etc.).

An appointment to this rank will be for a term not to exceed three years.

4. The Visiting series:

- Visiting Instructor
- Visiting Assistant Professor
- Visiting Associate Professor
- Visiting Professor

An appointment to such a rank will be for a term not to exceed one year.

A rank in this series is used to temporarily employ a faculty member from another institution of higher education at which he or she holds the equivalent academic rank, or any person who meets appropriate standards for the rank and is hired for a limited period.

When LSU receives documentation from the home institution that a faculty member holding a rank in this series at LSU has received a promotion at his or her home institution, he or she may receive the corresponding change of rank within the series, without use of the formal LSU promotion review process.⁷

5. The Research series:

- Assistant Professor - Research
- Associate Professor - Research
- Professor - Research

An appointment to a rank in the Research series will be for a specified term, ordinarily not to exceed three years.

Qualifications will include the terminal degree in a field pertinent to the job duties and work assignments. An Assistant Professor ordinarily must have at least five years' postdoctoral experience; an Associate Professor, at least nine; a Professor, at least twelve.

6. The Clinical Specialist series:

- Assistant Professor - Clinical Specialist
- Associate Professor - Clinical Specialist

⁷Said process is described in Section IX.

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- Professor - Clinical Specialist

An appointment to a rank in the Clinical Specialist series will be for a term not to exceed one year.

7. The Professional Practice series:

- Assistant Professor - Professional Practice
- Associate Professor - Professional Practice
- Professor - Professional Practice

An appointment to a rank in the Professional Practice series will be for a specified term, ordinarily not to exceed three years.

Every initial appointment to a rank covered by PS-36-NT, including part-time or part-year appointments at those ranks, will require at least a master's degree or the equivalent in graduate study or professional experience.⁸ Those who teach University courses must have completed at least 18 graduate semester hours in the teaching discipline and hold at least a master's degree, or hold the minimum of a master's degree with a major in the teaching discipline. In some cases, with the Provost's approval, professional experience and demonstrated contributions to the teaching discipline may be substituted for formal academic credentials.

II.C Joint Appointments

Faculty in ranks covered by PS-36-NT⁹ may be concurrently employed by more than one department¹⁰ and, in some cases, more than one campus within the LSU System. If the concurrent appointments are collectively initiated by the departments involved and the overall percent effort equals 100%, the appointments will be considered *joint appointments*¹¹ and the faculty member will be subject to this Policy Statement. When a faculty member is separately hired by multiple departments for the same or overlapping periods, the appointments will be treated as part-time in each department even when the sum of the part-time appointments equals 100%.¹²

⁸See also VII.D, page 21.

⁹See the list in II.A.

¹⁰Terms like *department* may be used in a broad sense. See XIII.B, page 44.

¹¹That is, the appointments will be considered to constitute a *joint appointment*.

¹²The intended meaning is that the faculty member is then considered neither to hold a joint appointment nor to hold a full-time appointment in the sense of this Policy Statement; and he or she is not subject to any provision of this Policy Statement, barring an explicit statement to the contrary. See item 12 in XII.A, page 37, and the second paragraph of II.A. Of course, when a faculty member is not full-time but holds two or more part-time appointments, some degree of coordination may be desirable and may be the practice, but such coordination is not covered in PS-36-NT. *For information only:* When a count was made at one point in 2008, there were, in the sense of II.C, only two joint appointments, and only one case of a faculty member separately hired by multiple departments

*Remark:*¹³ The following paragraph may not provide clear procedural guidance for all cases when a secondary department is involved in a decision process. For a discussion, see XIII.G, page 48.

When there is a concurrent appointment,¹⁴ one department shall be designated as the **primary** department. Unless effort is evenly divided among departments, the primary department will be the unit with the greatest percent effort. All personnel actions for concurrent appointments will be initiated in the primary department and appropriate forms and documentation forwarded to the chair of each secondary department for review and signature. The chair(s) of the secondary department(s) will be responsible for calling meetings of the appropriate faculty panel of the secondary department(s), when appropriate, to consider and vote on recommendations for appointment, reappointment, promotion, and annual performance evaluations, and forwarding the secondary departmental recommendation along with his or her recommendation to the chair of the primary department.¹⁵

II.D Seeking a Position at Another Rank

A person who holds a rank covered by PS-36-NT¹⁶ may apply for any available University position, including tenured or tenure-track positions, for which he or she qualifies. He or she will then be considered in accord with the policies that govern an initial appointment to said position.

III THE RULES OF A DEPARTMENT OR OTHER UNIT

III.A Preamble

To establish the most effective governance and to make due provision for the varying characteristics of departments and other units, their disciplines, and their circumstances, PS-36-NT grants an important role to rules that a unit may adopt to further specify and regulate the policies and procedures dealt with by PS-36-NT.¹⁷

¹³The italicized "Remarks" in this format are not part of PS-36-NT.

¹⁴In this instance, the term *concurrent appointment* is apparently intended to mean a joint appointment as defined by the first paragraph of II.C. A faculty member "separately hired by multiple departments" is not considered to hold a joint appointment, so that the present paragraph is not applicable, and the terms **primary** and **secondary** are not pertinent.

¹⁵Section VI, page 15, establishes when the involvement of a faculty panel is required. It also defines the faculty panel for each decision process. Note that for many of the processes referred to here, no faculty panel is required.

¹⁶See the list in II.A.

¹⁷See XIII.C for commentary on this Section.

III.B Rulemaking Requirements

All unit rules pertinent to the subject matter of PS-36-NT must observe the following provisions.

1. A unit's rules may not conflict with the rules of its college or with any University Policy Statements.
2. Unit rules may be made or amended by majority vote of the tenured faculty in the unit,¹⁸ including the chair or dean¹⁹, who serves as the presiding officer. The tenure-track faculty will also be included for the purpose of adopting rules, if any, whereby a committee is designated to act as the panel for an initial appointment.²⁰
3. The Provost may designate additional LSU faculty to serve, on an ongoing basis, on a unit's rulemaking body when there are fewer than six faculty members with tenure in the unit.²¹
4. Designations that may be adopted by a unit to make distinctions, as to functions performed or reviews completed, among faculty members within the unit (for example, Career Instructor, Instructor III, etc) which are not defined in the Bylaws and Regulations of the LSU Board of Supervisors will not be recognized as University ranks or titles and will not grant the faculty member any additional rights and/or responsibilities.

III.C Approval Procedure

The chair of each unit²² must promulgate the unit's rules and, in particular, must provide the current version of the unit's rules to the dean, the Provost, and the Faculty Senate Committee on Faculty Personnel Policies. The Provost may require a change in the unit's rules, based on a finding that they are inconsistent with the rules of an administrative unit to whom it reports, inconsistent with a University policy, or contrary to the interests of the University.

IV CRITERIA FOR EVALUATING FACULTY JOB PERFORMANCE

Declaration of financial exigency and changes in existing and prospective needs, resources, and other conditions may affect decisions regarding faculty members

¹⁸Barring a specification otherwise, "faculty in a unit" means faculty with primary appointment therein.

¹⁹Terms like *chair* and *dean* may be used in a broad sense. See XIII.B, page 44.

²⁰For the definition of faculty panels, see VI.B. Regarding the panel for initial appointments, see the first sentence of item 1, page 17, in VI.B.

²¹For example, the Provost might appoint some or all of the faculty with secondary appointments in the department, and/or other faculty with pertinent competencies, to the rulemaking body.

²²Presumably this provision is intended to say, The chair or dean of each unit

governed by PS-36-NT. In the absence of such factors, these guidelines will be observed in evaluation of a faculty member's job performance and in decision-making processes with regard to initial appointment, reappointment, or other personnel action.

*Remark:*²³ *In Section I, the second sentence of paragraph 2 is a statement of nondiscrimination provisions. It is pertinent here, and perhaps belongs here as the second paragraph.*

The appropriate considerations are those that are pertinent to the faculty member's job responsibilities, which will consist of a supporting role in one or more of the three traditional areas of scholarship, teaching, and service. The weight to be accorded each will be consistent with the mission of the department and with the faculty member's job duties and work assignments. The extent and nature of expectations may also be described in the rules of the department²⁴ and in approved written contracts.

Essential to every evaluation and decision are the fundamental expectations of intellectual honesty; cooperative, ethical, and professional conduct; respect for others' rights and safety; and the avoidance of disruptive or combative behavior that interferes with the work of the department. A failure to meet these fundamental expectations must be considered, and will have a negative effect, whenever a faculty member is evaluated.

No provision in PS-36-NT will be used or interpreted to suppress freedom of speech or the right to dissent.

IV.A Scholarship

Scholarship is an essential purpose of the University and of every unit. The term *scholarship* is used here in a broad sense, to signify *contributions to knowledge, in the disciplines appropriate to the department, at a level of quality and significance that is competitive by national standards.*

Examples of scholarship that may be recognized, depending on the department, include the following. This list is not exhaustive.

1. Books, essays, articles, or bulletins reporting the results of original research.
2. Publications, presentations, research, grant activity, editing, reviewing, etc., relative to clinical practices, methods, and standards of supervision.
3. Novels, poetry, plays, exhibitions, or musical compositions.
4. Participation in musical performances or theatrical productions.
5. Creations in the visual arts, video or other media.
6. Development of patents, processes, or instruments.
7. Membership on scientific expeditions.

²³The italicized "Remarks" in this format are not part of PS-36-NT.

²⁴See Section III.

8. Designs and built works.
9. The delivery or application of technology.

In cases for appointment, reappointment, or promotion of faculty members whose job responsibilities include scholarship, achievement, and quality of scholarship are of the essence.²⁵ In such cases, it is the responsibility of the appropriate administrator(s) and, when called for by this Policy or by the unit's rules²⁶, the appropriate group of faculty, to arrive at a judgment of the importance, originality, influence, persistence, and future promise of the candidate's program of work. It shall be the general policy of the University to utilize evaluations by experts outside LSU in the formation of this judgment.

Examples of appropriate factors and evidence that may be used in judging the quality of scholarship include the following. The list is not exhaustive, and an item may or may not apply in a given department.

1. Publication by respected academic journals and publishing houses that accept work only after review and approval by experts.
2. Published reviews by experts.
3. Citations in research publications or other evidence of impact.
4. Awards for excellence, especially from national or international academic organizations.
5. Invitations to give performances, presentations, exhibitions, or lectures.
6. Awards of grants and contracts that indicate a recognition of research achievement or capability.

IV.B Teaching

The University exists for the development and the dissemination of knowledge and understanding, and for the conduct of excellent instructional programs. Every faculty member with teaching duties is expected to be reliable, committed, and highly competent in the performance of his or her assigned teaching duties, to contribute to the teaching mission of the department, and to perform an appropriate role in the development of curricula and of educational policy.

Characteristics of an excellent teacher include intellectual honesty, command of the subject, organization of material for effective presentation, cogency and logic,

²⁵The sentence does not quite make sense, and a keyboarding error may be the reason. The intended sentence seems to be as follows: In cases for appointment, reappointment, or promotion of faculty members whose job responsibilities include scholarship, achievement in scholarship is essential, and quality is of the essence.

²⁶See Section III.

ability to arouse students' curiosity, stimulation of independent learning and creative work, high standards, and thoughtful academic mentoring.

Contributions to the teaching mission that are valid and will be recognized, depending on the department, include, for example, the following. The list is not exhaustive.

1. Classroom instruction and the conduct of courses.
2. Conduct of seminars, critiques, and practica.
3. Direction of independent study.
4. Direction of creative and artistic projects.
5. Informal student seminars.
6. Supervision of students in clinical work.
7. Conduct of a course that integrates learning and community service.
8. Involving students in research and publication.
9. Multidisciplinary and interdepartmental teaching.
10. Direction of a thesis or dissertation.
11. Articles on pedagogy.
12. Redesign of a course or development of a new course.
13. Innovation in teaching methods.
14. Contributions to committees and other entities concerned with teaching, curricula, or educational policy.
15. Publication of textbooks.

If teaching is a part of the faculty member's responsibilities, then in cases for appointment, reappointment, or promotion, it is the responsibility of the appropriate administrator(s) and, when called for by this policy²⁷ or by the unit's rules, the appropriate group of faculty, to arrive at a judgment as to the quality of the candidate's teaching. Examples of appropriate factors and evidence that may contribute to such a judgment are as follows. The list is not exhaustive.

1. Observation of classroom teaching or of other presentations.
2. Statements by the candidate of his or her educational philosophy.
3. Evaluations by peers of course syllabi or other instructional materials.

²⁷That is, by this Policy Statement.

4. Student performance on departmental examinations or standardized tests.
5. Students' subsequent success or demonstration of mastery.
6. Honors or special recognition for teaching excellence.
7. Invitations to teach in programs at other educational institutions.
8. Invited lectures and panel presentations that pertain to teaching.
9. Evaluations of teaching and testimonials by present or former students. Any sampling of student opinion should be carried out in such a manner so that students can state their judgments freely and without fear of reprisal.
10. Publication by respected publishing houses.
11. Textbook adoptions at other universities.
12. Grants and contracts to fund teaching activities or provide student stipends, especially by national agencies or foundations.

IV.C Service

The term *service* is used to mean *other contributions to the department, the University, the academic profession, or the broader community that support the primary missions of scholarship and teaching.*

In some cases, specific service will be a substantial and explicit part of a faculty member's work, as specified in the rules of the department²⁸ or as specified in the faculty member's job duties and work assignments. Such is the case, for example, when the faculty member occupies an administrative position; or when part of the mission of the department is to deliver benefits of its knowledge, disciplines, and skills to the community. In such a case, he or she is expected to be reliable, committed, and highly competent in the performance of the assigned duties.

The responsibilities of the faculty as a whole include determining educational policy, playing a central role in faculty personnel decisions, and participating in shared governance in other areas of University life. In that regard, all faculty are expected to remain informed, participate in meetings, and cast votes. Also, a faculty member's service to the community or to the profession beyond the campus may confirm his or her stature in scholarship and teaching, may enliven the intellectual climate on campus, and may improve opportunities for students and other faculty. High-quality contributions of these kinds will be valued whenever evaluations are made, and may have weight in decisions on appointment, reappointment, and promotion. Civic and community service that is not based on a faculty member's professional or academic responsibility, though admirable, will not have weight.

²⁸See Section III, page 5.

Examples of service that are valid and may be recognized are as follows. The list is not exhaustive, and a faculty member's service is governed by the Bylaws and Regulations of the LSU Board of Supervisors, LSU System and LSU policies, as well as²⁹ the provisions of the Code of Ethics for Government Employees.

1. Clinical consultation, evaluation, assessment, treatment, patient management, specialty service, or diagnostic support, provided through University-affiliated hospitals and clinics.
2. Service rendered to the community as a part of courses taught.
3. Participation on a certification board.
4. Expert advice to professions, businesses, or government.
5. Holding office or other position of responsibility in a professional organization.
6. Participating on a governmental body.
7. Holding an administrative office in the University.
8. Advisory role with a student organization.
9. Committee work for the department, college, University, or LSU System.
10. Contributions toward faculty or staff training and development.
11. Leadership in technology transfer, economic development, or job creation.
12. Taking part in the organization of a conference.
13. An editorship or editorial board membership.
14. Refereeing or reviewing papers or grant proposals.
15. Judging student or professional competitions.
16. Consultation for industry, agriculture, or government.
17. Administering grants.

V GENERAL PROCEDURAL PROVISIONS

V.A Confidentiality

Every effort should be made to ensure confidentiality in the processes of PS-36-NT. The files generated in connection with these processes are governed by Policy Statement 40 entitled *Employee Records Confidentiality* as well as applicable law.

²⁹It would perhaps be better to say "and" instead of "as well as."

V.B Meetings

For each provision in PS-36-NT that calls for one person to meet with another, or for a group to meet, a face-to-face conference is preferred when practical. However, a meeting by telephone or other means is acceptable so long as it allows discussion.

V.C The Role of Line Officers

The Provost or his or her designee will assure that all policies and procedures of the LSU System and of LSU are observed. The Provost will also promulgate pertinent timetables and mandate the forms and content of documents needed to comply with this policy.

It is the responsibility of the dean and chair to promulgate information regarding any deadlines, forms, and procedures required by the policies of a unit. This will include establishing deadlines to ensure that the applicable notice requirements³⁰ of the Regulations of the LSU Board of Supervisors are satisfied.

The chair will ensure that with regard to each decision made pursuant to this policy, all appropriate members of the faculty, including those who are on leave and/or absent from campus, will be afforded the reasonable opportunity to be informed, to express views, and to cast votes.³¹

V.D Conflicts of Interest, Recusals, Exclusions, and Other Restrictions

A conflict of interest will require a recusal from procedures described in this Policy Statement.³² In the present subsection, the term faculty includes those who are tenured and those who are tenure-track. A faculty member will be presumed to have a conflict of interest with regard to a decision affecting a candidate for appointment, reappointment, or promotion if the candidate is a member of the faculty member's immediate family as defined in Policy Statement 25 entitled *Nepotism*, or is the faculty member himself or herself. In other cases, if there is a question as to whether a conflict of interest exists, the issue will be referred through the chair and dean to the Provost, who will make the determination with the advice of HRM.

A line officer who has a conflict of interest with regard to a decision must recuse himself or herself from all involvement with that decision process. Whenever a line officer recuses himself or herself from a given decision, the officer to whom that person reports will designate a replacement for him or her, for the purposes of that decision.

³⁰The notice requirements appear in V.H, page 15.

³¹See also V.I.C, page 19. Other statements of chair's responsibilities appear in VI.B.2, page 18; VII.B, page 20; and throughout Section VIII.

³²A conflict of interest may also arise in the selection of outside evaluators; see IX.B.4, item 4, page 29.

A faculty member who makes a recommendation pursuant to this policy at some level above the department must recuse himself or herself from votes and deliberations on the issue at the department level.

A faculty member who serves in an advisory capacity on a decision at some level above the department will participate in the process at the department level but must, at the later stage, disclose the previous participation and refrain from any advisory vote.

Remark: A related restriction appears in the last paragraph of VI.B.1, namely that one may not vote on the same decision twice by virtue of being a member of more than one faculty panel dealing with that decision.

A faculty member who has received notice of nonreappointment or termination is ineligible to vote on decisions made pursuant to this policy.

V.E Peer Advisor

When conferences are held as a part of the annual review process or for purposes of notifying the faculty member of a decision made pursuant to this policy, the faculty member may invite a tenured LSU faculty member and/or a non-tenure-track LSU faculty member of Professor or higher rank of the candidate to serve in an advisory capacity to him or her and to attend the meeting. Conference attendees at the department level are the chair and the candidate (with peer advisor, if desired). The same group and the dean constitute the attendees at the college level.³³

V.F Years of Service; Approved Leaves

The definition of *years of service* in this subsection applies only to calculating years of service to determine whether faculty input is required for reappointment as provided in PS-36-NT.³⁴

A faculty member's *years of service* means his or her consecutive years of full-time service. A year of full-time service will count as such even if it is made up of one or more appointments for a part of a year due, for instance, to mid-year appointment or to periods of approved leave as provided below. No period of part-time service will count toward years of service.

If a faculty member so requests, the department may, at its discretion, recommend a change to part-time employment, or to leave without pay, for a specified period

³³We offer some advice to help with interpreting V.E. (1) Terms like *department*, *college*, and such are used in a broad sense. See XIII.B, page 44. (2) The term *candidate* refers to the faculty member of the first sentence who is the subject of the annual review, or who is being notified of a decision. (3) The intended meaning here is that a faculty member who is not tenured or tenure-track, to qualify to serve as a peer advisor, must hold either the rank of Professor or a rank higher than that of the candidate. (4) The "and/or" of the first sentence clearly allows the candidate to invite two peer advisors. The preponderant usage elsewhere of "peer advisor," singular, suggests that the "and/or" provision was unintentional and represents careless writing.

³⁴That is, to determine whether a faculty panel is required under VI.A. For related definitions, see items 12 and 29 in the Glossary (pages 37-40).

of time. Leave without pay for a half-year or more requires the further approval of the dean and Vice-Chancellor. For leave without pay of one year or more, the further approval of the Provost, Chancellor, President, and Board of Supervisors is required. Such a period of approved leave or temporary change³⁵ will be ignored in counting years of service. If a faculty member ceases full-time service for any reason, any claim for prior years of service or reemployment will be at the discretion of the department.³⁶

V.G Provost's and Deans' Advisory Committees

To help assure rigorous and thorough reviews, advisory committees, established in advance and composed of senior faculty, will be employed by the Provost and by the deans of departmentalized colleges³⁷ when considering recommendations for promotions and may be employed by them for other decisions.³⁸

1. The Graduate Council will annually recommend a Provost's Advisory Committee from its membership, subject to the approval of the Provost.
2. In each departmentalized college, an advisory committee or committees will be established as determined by the dean unless the college rules³⁹ provide otherwise.

While advisory committee recommendations will not become part of appointment or review files, the dean will incorporate the committee vote and a comment regarding the advisory committee's recommendation in his or her recommendation.⁴⁰ The Provost's advisory committee recommendations will not become part of the file. Each line officer is solely responsible for writing evaluations and making the recommendations at his or her level, using criteria consistent with the guidelines of Section IV.

³⁵That is, a temporary change to part-time employment.

³⁶This last sentence should be interpreted so that it does not contradict the provisions preceding it in V.F. The intended meaning is perhaps better stated as follows. A period of part-time employment or leave without pay, with the appropriate approvals, will not, in any event, affect the calculation of years of service for the purpose described in the first paragraph. But even with said approvals, it will not establish any claim to prior years of service for any other purpose. Furthermore, if a faculty member ceases full-time service for a period, for any reason, then at the end of said period, any further employment and the conditions thereof will be at the discretion of the department.

³⁷For the definition of a departmentalized college, see item 7 in XII.A, page 38.

³⁸The mandates for the use of advisory committees are repeated at the beginning of IX.D, page 32. See also XIII.E, page 46.

³⁹See Section III, page 5.

⁴⁰Regarding this provision, see XIII.E, page 46.

V.H Required Notice of Nonreappointment

Upon expiration of a term appointment, the employee is a free agent to whom the University System has no obligation. A decision not to reappoint a faculty member under PS-36-NT requires no further administrative or Board of Supervisors approval.

Except when the action is due to financial exigency,⁴¹ written notice of the non-reappointment will ordinarily be provided in accordance with the following schedule as provided in Chapter II, Sections 2-7 of the Regulations of the LSU Board of Supervisors.

1. Not later than March 1 of the first academic year of service, if the appointment expires at the end of the year; or, if an initial one-year appointment terminates during an academic year, at least three months in advance of its termination.
2. Not later than December 15 of the second academic year of service, if the appointment expires at the end of that year; or if an initial two-year appointment terminates during the academic year, at least six months in advance of its termination.
3. At least 12 months before the expiration of an appointment after two or more years' service on that campus.

A sample notice of nonreappointment is provided in XII.B, page 40.

Once a faculty member is notified that he or she will not be reappointed, the decision will not be suspended during any appeal.

VI THE FACULTY PANEL

VI.A When a Faculty Panel is Required

The tenured and in each department have a steward's role in the University's governance and leadership. The insights and judgments of those faculty members, and of other faculty when appropriate, should be brought to bear in key personnel decisions, to help assure that the interests of the department's programs are considered in broad perspective, and that evaluations are rigorous and comprehensive. Therefore faculty panels will be used for certain personnel actions, as follows. Appendix C describes the composition of the faculty panel for various decisions.⁴²

1. A faculty panel procedure⁴³ is required for each initial appointment to the rank of Professional-in-Residence, or to any rank within the Research, Clinical Specialist, or Professional Practice series.

⁴¹The provisions in Chapter V, Sections 5-13, of the Board Regulations deal with financial exigency.

⁴²The table of Appendix C presents only partially the provisions regarding the composition of the faculty panel. The table may be misleading at some points if taken in isolation, and it is omitted from *PS-36-NT with Notes for Users*. See the *Remark* in VI.B.

⁴³The procedure is described in Section VII, page 20.

2. A department's or college's rules⁴⁴ may specify that the faculty panel procedure is also required for some or all initial appointments to other ranks covered by the present policy.⁴⁵
3. A faculty panel review⁴⁶ is required for every promotion to a rank covered by PS-36-NT. Whenever a promotion review is undertaken at the same time as a reappointment review, a faculty panel review to address the reappointment question may also be required depending on length of reappointment and years of service, as provided in VIII.B,
4. For an Instructor, General Librarian, or Professional-in-Residence, a faculty panel review⁴⁷ is required for the first reappointment that would result in a continuation of full-time service beyond the seventh year.⁴⁸
5. Every reappointment in which the term will be for a period longer than one year requires a faculty panel review.⁴⁹
6. A department's or college's rules⁵⁰ may specify additional conditions under which a faculty panel review will be required for a reappointment.
7. In addition, the chair may require a faculty panel review to be part of any initial appointment or reappointment decision.

Faculty panels will not be required for personnel actions in the Laboratory School except as may be specified in the School's rules.

VI.B Faculty Panel Composition

If a faculty panel is required by the department's or college's rules, but is not mandated by the present policy, or in any case of an initial appointment, those rules may define the faculty panel differently and may, for example, designate a committee to be the panel. For those decisions for which the use of a faculty panel is mandated by PS-36-NT, the faculty panel will be composed as indicated in Appendix C.

*Remark:*⁵¹ ***PS-36-NT with Notes for Users omits Appendix C, which presents partial information on the composition of faculty panels in a table. Instead, the***

⁴⁴See Section III.

⁴⁵II.A lists the ranks that are covered.

⁴⁶The procedure is described in Section IX, page 26.

⁴⁷The procedure is described in Section VIII, page 24.

⁴⁸*This footnote is part of PS-36-NT: Note that in view of the notice of nonreappointment requirements, the decision on the said "first reappointment" will take place during the sixth year—at least when the current appointment is not for a multi-year term.*

Remark: The footnote would perhaps be more helpful if it said this: Note that in view of the notice requirements stated in V.H, the decision on the said "first reappointment . . ." will take place no later than the sixth year. See V.F regarding the calculation of years of service.

⁴⁹Such a review is described in Section VIII.

⁵⁰All mentions of a unit's rules refer to rules as defined and regulated by Section III, page 5.

⁵¹The italicized "Remarks" like this one are not part of PS-36-NT.

provisions of Appendix C are incorporated in this Remark if not already stated in VI.A. Our purpose is to assure that all the pertinent provisions of Section VI are set forth clearly in complete sentences.

The **faculty panel** is the group of faculty constituted to consider and determine by majority vote the department's recommendation with regard to a given decision. For each given decision on a given faculty member, the provisions of VI.B determine the faculty panel within each secondary department, if any, as well as the panel within the primary department.

Regarding promotions in the Visiting series, see the last paragraph of item 4 in II.B, page 2.

The faculty panel will consist of all full-time LSU faculty who hold primary appointment in the department, who are not under notice of nonreappointment or termination, and who qualify as stated in the appropriate one of the items 1-5 below; with exclusions and additions that may occur as provided in V.D, VI.B.1, VI.B.2, and VI.B.3.

Note that the faculty panel may be the same for two or more decisions in a given department in a given year; however, the definition of the panel may vary with the individual candidate, in view of V.D.

1. For an initial appointment to the rank of Professional-in-Residence; or to the rank of Assistant Professor, Associate Professor, or Professor in the Research, Clinical Specialist, or Professional Practice series, the faculty panel will include the tenure-track and tenured faculty. Exception: The rules of the department or college may provide that the faculty panel will consist of a committee of the tenured and tenure-track faculty.
2. For a reappointment described by item 4 or 5 in VI.A, the faculty panel will include the tenure-track and tenured faculty.
3. For a promotion to the rank of Professional-in-Residence; or to the rank of Assistant Professor in the Visiting, Research, Clinical Specialist, or Professional Practice series, the faculty panel will include the tenure-track and tenured faculty; and will also include the faculty who are neither tenured nor tenure-track with rank of Professor, or with rank higher than the candidate.⁵²
4. For a promotion to the rank of Associate Professor in the Visiting, Research, Clinical Specialist, or Professional Practice series, the faculty panel will include the tenure-track and tenured Associate Professors and Professors.
5. For a promotion to the rank of Professor in the Visiting, Research, Clinical Specialist, or Professional Practice series, the faculty panel will include the tenure-track and tenured Professors.

⁵²The meaning of the term *higher rank* is sometimes debatable. It seems likely that the intention here is to say, . . . will also include the faculty who are neither tenured nor tenure-track and who are in the same series with rank of Professor or with rank higher than the candidate. This interpretation is supported by the restriction present in the wording of item 2 in VI.B.1.

VI.B.1 Members Added by the Department's Rules A department may determine that certain faculty members have suitable rank and expertise to participate in making a given kind of decision. Accordingly, the rules of the department may provide which categories of faculty will be enfranchised and for which decisions.⁵³ The following list of two examples is intended to be illustrative, not exhaustive.

1. The rules may provide that faculty members who hold secondary appointments in the department, and who otherwise qualify for the panel under items 1-5 above, will also belong to the panel.
2. The rules may provide that departmental faculty members holding the rank of Professor in one of the series will be a member of the faculty panel for a promotion to a rank in that series.

If such a provision results in a faculty member having membership on the faculty panel in more than one department on the same decision, he or she will vote on that decision in only one of the departments.⁵⁴

VI.B.2 The Chair as Member of the Faculty Panel The chair will be a member of the faculty panel regardless of his or her faculty rank or tenure status. As the presiding officer at meetings of the panel, the chair has the duty to be impartial. On the decision itself, the chair does not take part in debate or voting,⁵⁵ because the chair must make an independent evaluation and written recommendation.⁵⁶

VI.B.3 Members Added by Appointment For a decision that is to be made in a primary or secondary department, the tenure-track and tenured faculty who are members of the panel, as determined by the provisions of this policy, will sometimes be fewer than six in number. In such a case, it may be desirable to add members. The chair, the faculty panel, or (in the case of a reappointment or promotion review) the candidate may ask the line officer to whom the chair reports to appoint additional members. If, and only if, the line officer receives such a request, then after consulting the chair and the present members of the panel, he or she may elect to appoint additional tenure-track and tenured faculty to the panel, bringing the total number to as many as six. The appointees must hold rank and tenure status at LSU as required to vote on the particular action and may not already be a member of the faculty panel on the same decision in another department. The appointments will be subject to approval by the Provost.

⁵³In other words: The rules of the department, established under Section III, may provide that the panel for a given decision will include certain faculty, specified by category, in addition to those included under the provisions of VI.B (the part above VI.B.1).

⁵⁴Related restrictions appear in V.D.

⁵⁵For information only: This restriction makes a limited exception to the rule, found in *Robert's Rules of Order Newly Revised*, that the chair may vote (1) to make or break a tie or (2) when the voting is by ballot.

⁵⁶That is, with regard to the decision, as required in VI.D.

It is preferable to make such appointments well in advance. When such appointments are made for successive decisions affecting a faculty member, it is preferable to have continuity in the composition of the faculty panels for those decisions.

VI.C The Manner of Voting

To establish a recommendation, ordinarily the chair must call a meeting of the faculty panel, hold a discussion, and take a vote by written ballot, also using email or other means as may be necessary and appropriate to provide the reasonable opportunity for participation by all eligible faculty members.⁵⁷ A secure online system may be used for information, discussion, and/or voting. Every count will be made and attested to by at least two members of the faculty panel.⁵⁸ The tally, including separate counts⁵⁹ when taken, will be reported to the faculty panel. The right of each person to have his or her ballot kept confidential, to the extent possible under the other requirements of PS-36-NT and applicable law, will be respected.

VI.D The Report of a Department's Recommendation

Whenever the faculty panel arrives at a recommendation, the report of the recommendation will include:

1. A tally of the vote.
2. The number of panel members who did not vote.
3. The chair's independent judgment and recommendation with regard to the decision.
4. Analysis and explanations, as needed, with regard to letters from outside experts, in cases when those are included. All material in which the content of those letters is revealed or their authors identified will be presented separately and kept confidential to the extent possible as required by PS-40 and applicable law.
5. An account of the important factors underlying the panel's recommendation, including minority views, with written statements by those supporting a minority viewpoint when they so choose.

⁵⁷The obligation to provide a reasonable opportunity, etc., is already stated more fully elsewhere, in V.C, page 12. The clause here that begins "also using email or other means" might well be deleted, since the sentence that follows clearly approves the use of such means for all or some of the voting. PS-36-T includes the statement that "[In the conduct of voting] the chair will observe the pertinent regulations, if any, contained in the department's rules." Though omitted here, perhaps it goes without saying

⁵⁸*For information only:* As of the date of issue of this PS, the LSU System Promotion/Tenure Review Request Form calls for the votes to be counted as favorable, opposed, abstained, and absent.

⁵⁹There is normally one count per faculty panel. See XIII.F, page 48.

Unless the rules of the department or college require otherwise,⁶⁰ the chair will assemble the report. A representative of the faculty panel other than the chair will either sign the chair's report, confirming its accuracy and completeness; or, if he or she prefers, prepare and sign a supplementary report on behalf of the panel, which will be attached to the chair's report.

For recommendations/decisions made without faculty panel participation, the report will consist solely of the chair's independent judgment and recommendation with regard to the decision.⁶¹

VII INITIAL APPOINTMENTS

VII.A Appointments Proposed from Outside the Department

In some cases, a person may be proposed for an appointment from outside the department; for example, as a result of a search for a line officer. For such an appointment, the faculty panel recommendation (where applicable), documentation of the candidate's academic credentials, and the approval process are still required.⁶²

Remark: Given the title of VII.A, the following paragraph does not belong here. It is repeated in VII.E.2, where it does belong.

In the case of a recommended initial appointment with an annual salary exceeding limits set by the Board of Supervisors and/or to a position with a modified title indicating particular distinction approved by the Board of Supervisors, the recommendation will require the approval of the dean,⁶³ the Provost, the Chancellor, and the President of the LSU System. When this is not the case, the final approval level depends on the proposed faculty rank.⁶⁴

VII.B The Chair's Responsibility and Authority

The chair is responsible for developing hiring strategy in consultation with the tenured and tenure-track faculty and with other faculty where appropriate, securing budgetary commitments from the dean, determining job descriptions and qualifications,⁶⁵ advertising positions, recruiting qualified persons to apply, screening applicants, ensuring compliance with Policy Statement 1 entitled *Equal Opportunity* and with PS-25, and making the recommendation to appoint, including salary, term, and other conditions of the appointment. To perform these tasks, the chair may delegate responsibilities,

⁶⁰The rules (established under Section III, page 5) might require, for example, that a faculty panel representative will prepare items 4 and 5 and the chair will prepare the others.

⁶¹As to when faculty panel involvement is required, see VI.A.

⁶²See VII.C and VII.E.2.

⁶³*This footnote is part of PS-36-NT:* Appointments in units that report through the Office of Research and Economic Development and that require approval beyond the level of dean will be routed to the Vice-Chancellor for Research before they are forwarded to the Provost.

⁶⁴The needed approvals are" specified in VII.E.2.

⁶⁵Regarding minimum qualifications, see VII.D.

establish procedures, and appoint committees. The chair shall carry out his or her responsibilities in a manner that recognizes that when a faculty panel is utilized, all members are entitled to information about the processes, to have access to the application files, and to provide their written evaluations of applicants for inclusion in the application files.

VII.C Documentation of Academic Credentials

For every appointment, the required academic credentials must be documented. If a degree is required, then there must be written certification, by the appropriate office of the degree-granting institution, that all requirements for the degree have been completed. At the discretion of LSU, official transcripts of the academic record may be required.

VII.D Minimum Qualifications for Initial Appointments

In every case, the qualifications required for an initial appointment must be consistent with LSU System PM-23, and the criteria for evaluating faculty job performance must be appropriate to the mission of the department and to the job duties and work assignments anticipated;⁶⁶ and must be in keeping with the standards of the department and University for the rank of the position.⁶⁷

For an appointment when a degree is required but has not been awarded, the University may, at its discretion, extend the offer of the position, but only on this condition: The appointment will be made only if the appropriate office of the degree-granting institution has, by a specified date, provided official written certification that all requirements for the degree have been completed.

When a degree is required for a position, and LSU has not received the certification that the requirements for said degree have been completed, the University may still, at its discretion, make the appointment, under conditions that will be stated in the contract.

VII.E Procedures for Initial Appointments

An interview is desirable but not required for an initial appointment.

For an initial appointment to Professional-in-Residence or any rank in the Research, Clinical Specialist, or Professional Practice series, a faculty panel is required, and the provisions of the present subsection govern the procedure.

For an initial appointment to Instructor, General Librarian, or any rank in the Visiting series, no faculty panel is required, and references to a panel in this policy

⁶⁶See also Section IV, page 6.

⁶⁷See also PS-25, entitled **Nepotism**, which prohibits employment in certain cases.

do not apply—except as may be specified otherwise by the rules of the department or college⁶⁸.

VII.E.1 A Recommendation to Appoint When the chair calls a meeting⁶⁹ of the faculty panel and takes a vote, the panel is not limited to approving the appointment of a given candidate for a position, but may adopt a motion to give more complex instructions to the chair. For example, in consideration of possible rapid changes in the availability of candidates under discussion, the panel may approve more than one candidate for a position, ordering the list by preference and/or allowing the chair to exercise a certain discretion.

VII.E.2 Approval Procedure; Official Offer The chair of the department will forward to the dean an appointment file, comprising the following items:

1. The candidate's *Curriculum Vitae* (C.V.) and appropriate supporting material, including all letters of evaluation.
2. The report of the department's recommendation.
3. The proposed employment contract (Per-25 form), signed by the chair of the department. The contract will name all the employing departments, and will identify the primary department.
4. The chair's recommendation, explaining as necessary the terms of the contract.

*Remark:*⁷⁰ *Pertinent provisions, including those applicable in the case of a joint appointment, when one or more secondary departments are involved (see II.C, page 4), are as follows:*

1. *The chair of each secondary department, if any, must also call a meeting of its faculty panel, take a vote on whether to support the hire, and forward the report of the department's recommendation to the primary department. The provisions of VI.B.2 and of VI.C apply.*
2. *The report of each department's recommendation will be prepared as provided in VI.D, page 19.*
3. *When the chair of the primary department forwards the appointment file, as in item 1 above, it will be routed through the chair of each secondary department for review and signature.*
4. *For an appointment that has been proposed from outside the employing department(s) (see VII.A), it is still required that the appropriate faculty panel or panels make a recommendation with regard to the appointment.*

⁶⁸See Section III, page 5.

⁶⁹The provisions of VI.B.2 and of VI.C apply.

⁷⁰The italicized *Remarks* like this one are not part of PS-36-NT.

In the case⁷¹ of a recommended initial appointment with an annual salary exceeding limits set by the Board of Supervisors and/or to a position with a modified title indicating particular distinction approved by the Board of Supervisors, the recommendation will require the approval of the dean,⁷² the Provost, the Chancellor, and the President of the LSU System. When this is not the case, the final approval level depends on the proposed faculty rank.⁷³

If the proposed appointment is to Instructor, General Librarian, Professional-in-Residence; or to the rank of an Assistant Professor in Visiting, Research, Clinical specialist, of Professional Practice series; then the dean will make the final decision. The dean's decision is also final if the proposed appointment is for a half-year or less regardless of rank. In all other cases, these provisions apply: If the dean recommends approval of the appointment, he or she will sign the proposed contract and forward it with the candidate's *C.V.* and documentation of academic credentials to HRM for review and routing to the Provost. In the event the dean does not support the offer, he or she will forward the contract, the candidate's *C.V.*, and documentation of academic credentials to the Provost with a statement explaining the recommendation.

The Provost will make the final decision on the recommended initial appointment of an Associate professor or Professor in one of the series listed above.

When a recommendation reaches the Provost, he or she may always make a final decision against the appointment. If the Provost favors the appointment and the President's approval is required, then the Provost will sign the proposed contract and send it through HRM to the Chancellor and, if approved by the Chancellor, to the LSU System President for the final decision.

When final approval has been secured, the signed contract will be returned to the chair. Only then will the position be offered to the candidate and the contract sent for his or her consideration, and only then may a University officer make a written commitment regarding any aspect or condition of the appointment. A line officer may have preliminary discussions with the candidate prior to this time as long as those discussions establish that the line officer is not making an offer of employment.

VII.E.3 Background Check An offer of employment is contingent upon completion of a background check deemed satisfactory by HRM. The background check must be complete before the date of employment. Exceptions will be considered by HRM on a case-by-case basis. However, advance approval by HRM is required and employment is contingent upon a satisfactory report. "Employment is contingent upon the completion of a background check and may be terminated upon receipt of the results of a background check deemed unsatisfactory by the Office of Human Resource Management" statement must be added to the employment contract and

⁷¹Note that this paragraph and the footnote after "approval of the dean" appear are duplicated unnecessarily in VII.A.

⁷²This footnote is part of PS-36-NT: Appointments in units that report through the Office of Research and Economic Development and that require approval beyond the level of dean will be routed to the Vice-Chancellor for Research before they are forwarded to the Provost.

⁷³That is, as specified in the paragraphs that follow.

PAF-2 if the background check is not completed by the date of employment. Background checks revealing misrepresentations may be grounds for immediate rejection of the application.

VIII REAPPOINTMENT REVIEWS

A term appointment or a series of term appointments carries no assurance of reappointment or promotion. Reappointment is made solely at the initiative of the University.

*Remark:*⁷⁴ *It may be useful to offer the following as a further introduction: The provisions of the present Section VIII do not apply if the faculty member has resigned, or has already received notice of nonreappointment. In a year when a faculty member is undergoing a promotion review, Section IX governs, and Section VIII applies only as stated there. Provisions in the Section may be abrogated in extraordinary circumstances; see XIII.M, items 8 and 14.*

VIII.A Timetable Provisions for Reappointments

Remark: *The title of VIII.A and the second sentence of the following paragraph are perhaps best explained as absent-minded carryovers from PS-36-T, in which it is meaningful to speak of “timetable provisions,” and where the “instruction” and “discretion” clauses make sense. In any event, the sentence is a sort of introduction and summary, and should not be understood as adding anything to provisions found in the rest of Section VIII or elsewhere in PS-36-NT. See XIII.I, page 50 for commentary on reappointments.*

Reappointment reviews are normally conducted in a time frame that allows for timely notice of nonreappointment as provided in the LSU System Board Regulations.⁷⁵ A reappointment review may be undertaken based on the expiration date of the faculty member’s current appointment,⁷⁶ pertinent college or department rule⁷⁷, instruction from the line officer to whom the chair reports, or at the discretion of the review committee, provided one is allowed by pertinent policy or rules.

VIII.B Reappointment Review by a Faculty Panel

Faculty panel reviews are required as part of the procedure for reappointment decisions in which the term will be (1) for a period longer than one year or (2) for an Instructor, General Librarian, or Professional-in-Residence that would result in

⁷⁴The italicized “Remarks” like this one are not part of PS-36-NT.

⁷⁵See V.H, page 15, where the notice requirements of the Board Regulations are repeated.

⁷⁶That is, undertaken in good time to meet the notice requirements in the Board Regulations; see V.H, page 15, where those are repeated.

⁷⁷See Section III.

continuation of full-time service beyond the seventh year.⁷⁸ In all such cases, the faculty panel review must take place, even if the continued availability of the position in question is uncertain. Unless a concurrent promotion review is being conducted, a review committee will be established as provided in the department's rules; or, if the rules do not address the matter, then the committee will be established by the chair. If reappointment and promotion are being concurrently considered, the review committee may be the entire faculty panel⁷⁹ or a subset thereof. The review committee will conduct a full review of job performance resulting in a written report and recommendation.

VIII.C Procedure for a Reappointment Review

Remark: With regard to the case when there is a secondary department, see XIII.G, page 48, especially XIII.G.1.

1. When the chair, giving appropriate notice, asks the faculty member to do so, he or she will bring the C.V. and supporting documentation in the faculty member's file up-to-date, and will prepare an annual report on his or her activities. The faculty member may include a self-evaluation.⁸⁰
2. The chair will assure that the faculty member's file contains the reports from all formal evaluations that have been completed.
3. When a faculty panel is participating in the review, the chair will make the file, including the review committee's report and recommendation, available to the faculty panel for its review. The file will be maintained in a location which safeguards its contents and that is reasonably accessible to the faculty panel. The chair will establish a date to convene the faculty panel to consider the file, discuss the faculty member's job performance, and vote on whether to recommend reappointment or to recommend nonreappointment.

⁷⁸The first sentence of VIII.B is a poorly written and incomplete repetition of items 4-7 in VI.A, which provides a definitive statement of when faculty panel reviews will take place. Interpreted in the light of item 4 in VI.A, part (2) of this sentence means that for an Instructor, General Librarian, or Professional-in-Residence, a panel review is required for the first reappointment that would result in the continuation of full-time service beyond the seventh year. For further commentary on this interpretation, see XIII.I.1, page 51. See V.F regarding the calculation of years of service. See VI.B for the definition of the faculty panel. Note that in view of the notice requirements (V.H), the decision on such a "first reappointment . . ." will take place no later than the sixth year.

⁷⁹That is, the faculty panel for the promotion. See IX.A.2. For clarification regarding this somewhat muddy statement regarding the review committee, see XIII.L.

⁸⁰Compare items 1 and 2 here with items 1 and 3 in XI.B.1, page 35. These steps apply to every faculty member who has not resigned and who is not under notice of reappointment—whether there is to be a reappointment review, or a promotion review, or just an annual review.

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The length of reappointment shall be consistent with Bylaws and Regulations of the LSU Board of Supervisors.⁸¹ The report of the departmental recommendation⁸² will be placed in the faculty member's file.

4. After considering the recommendation of the faculty panel, if applicable, the chair will make his or her decision, which is final, and will meet⁸³ with the faculty member to advise him or her of that decision and to provide copies of the departmental report(s). If the decision is negative, the chair will provide written notification of nonreappointment⁸⁴ in accordance with the Bylaws and Regulations of the LSU Board of Supervisors.
5. When a faculty panel has participated, the chair will inform the faculty panel of the decision.
6. In all cases, the chair will send to HRM a Personnel Action Form to carry out the decision. HRM will coordinate finalizing the Personnel Action Form as appropriate.

IX PROMOTION REVIEWS

*Remark:*⁸⁵ For commentary on the subject matter of the present Section IX, see XIII.J, page 51.

IX.A General Provisions

This Section describes the formal process for reaching a decision on a promotion.

Remark: In what follows, the term **candidate** refers to a person under review, or a person being considered for a review.

The promotions that may be considered are as follows:

- A promotion from one rank to a higher rank within one of the following series: Visiting, Research, Clinical Specialist, or Professional Practice.
- A promotion from Research Associate, Postdoctoral Researcher, or Senior Postdoctoral Researcher to a rank in the Research, Clinical Specialist, or Professional Practice series.
- Under extraordinary circumstances, a promotion from Instructor to Professional-in-Residence.

⁸¹This remark regarding the term of an appointment does not belong here in item 3, since it is true regardless of whether or not there's a faculty panel. Regulations pertinent to terms appear in II.B, VII.B, and VI.A (items 4 and 5).

⁸²See VI.D, page 19.

⁸³V.E applies.

⁸⁴See XII.B for a sample notice.

⁸⁵The italicized "Remarks" like this one are not part of PS-36-NT.

IX.A.1 When a Review Will Be Conducted A promotion review will be initiated only as provided by this Policy Statement and is not mandated to occur at any given time with reference to a candidate's years of service.

A promotion review requires most of a year for completion. All activities related to a review must be timed to conform with the current timetable set by the Provost⁸⁶ and communicated through HRM, and with the timetables set in colleges and departments for their parts in the process.

A promotion review for a given faculty member may be proposed by the chair, proposed by a member of the appropriate faculty panel, or requested by the faculty member. The chair will then call a meeting of the faculty panel to decide whether to initiate the review. If the panel decides by majority vote that a review is warranted, then one will be conducted. If a candidate requests a review but the panel decides against it, then the chair will immediately advise him or her of the decision. The candidate may then ask the line officer to whom the chair reports to consider the matter. Said officer may either uphold the faculty panel's decision or order that a review will be conducted.

IX.A.2 Concurrent Reappointment and Promotion Reviews A promotion review and a reappointment review may be conducted concurrently and always will be for faculty limited to one-year appointments (Instructors and those in the Visiting and Clinical Specialist series). The reappointment decision may, of course, be positive even when the promotion decision is negative. Accordingly, the two decision procedures will proceed together.⁸⁷ The review committee for promotion will serve also as the committee for reappointment⁸⁸, and will report to each of the appropriate faculty panels,⁸⁹ whose deliberations and votes will answer these questions:

1. Does the department recommend promotion?
2. Does the department recommend reappointment?

The final decision on the reappointment will be made, and the candidate notified⁹⁰, and will not in any event be delayed by reason of the promotion review procedures. If the final decision on the reappointment is negative, then the consideration of the promotion will proceed no further.

IX.A.3 An Early Review An early review⁹¹ is unusual, and should proceed only when merit is well-established and clearly meets or exceeds the expectations applied in other reviews. If an early review ends with a negative decision on promotion or the

⁸⁶See V.C, page 12.

⁸⁷The intention here is to require that whenever a promotion review is undertaken and a reappointment decision is due, the two decision processes will proceed concurrently.

⁸⁸That is, as the review committee for reappointment. See item 24 in XII.A; see also VIII.B.

⁸⁹See Section VI. Note that the faculty panels for the two decisions may be defined differently, and that the decision on reappointment does not necessarily require the involvement of a faculty panel.

⁹⁰As provided in VIII.B and VIII.C.

⁹¹For the definition of an early review, see item 8 in XII.A.

candidate's withdrawal from the review, but a positive decision on reappointment,⁹² such a result will be without prejudice to future promotion reviews of the faculty member.

IX.A.4 The Review Committee When outside experts are to be asked for letters of evaluation, the review committee will take part in their selection.⁹³ After those letters have been obtained, the committee will consider the material in the review file,⁹⁴ including the letters, and will prepare a report, which will be a comprehensive statement regarding the decision,⁹⁵ observing the criteria for evaluating faculty job performance.⁹⁶ The report will be placed in the review file.

IX.B Stage 1: Evaluation by Experts Outside LSU

This stage is required for every promotion to Assistant Professor, Associate Professor, or Professor in the Research series. It is also required in any case when scholarship⁹⁷ is a substantial part of the job duties, or when the recognition and repute of the candidate's scholarship beyond the campus is important to the case for promotion.

As a matter of courtesy to those who are asked to write letters of evaluation, ample time should be allowed for this process.

Whether or not this stage is required, its regulations are not intended to hamper the use of letters of evaluation which chiefly address areas other than scholarship.

IX.B.1 Confidentiality The identity of every outside expert who is asked to write an evaluation will be kept confidential to the extent possible. In particular, the candidate will not be informed as to the identity of the evaluators. During the review, the candidate should not communicate on the subject of the review with anyone who he or she knows may be an evaluator.

The content of every letter will be kept confidential to the extent possible, as required by PS-40 and applicable law. Access to the letters will be limited to the faculty panel members, the chair, and staff members, as necessary; and to other persons beyond the department who are authorized participants in the review process.

⁹²That is, a positive decision on the reappointment decision if one is being made at the time.

⁹³For the definition of the review committee, see item 24 in XII.A. See also XIII.L, page 53. Regarding the procedure for selecting the outside experts to be asked, see IX.B.3.

⁹⁴The review file's contents are described in IX.C, item 1.

⁹⁵In their rules, adopted under Section III, departments are free to define and regulate the "comprehensive statement." Certainly when the faculty panel meets to deliberate on a case, adequate information on the candidate's job performance should be available on which to form a judgment and make a decision. Answers should be available to questions about the outside evaluators and their letters, about the candidate's scholarship, about measures of the quality of the candidate's teaching, and so on and so forth, as appropriate. The rules may specify the particulars of the report in all these respects; they may (for example) allow, require, or forbid the review committee to make an explicit recommendation as to what the departmental decision should be.

⁹⁶See Section IV, page 6.

⁹⁷Regarding scholarship, see IV.A, page 7.

IX.B.2 The Use of Letters of Evaluation Every letter of evaluation obtained during the current review or during previous reviews of the candidate must be included in the review file, with the following exceptions. The age of a letter will be measured from the date on the letter to the date of the deadline for submission of the review file by the department.

1. A letter that is more than two years old will be excluded unless the letter is current on all aspects of the case that it addresses and the review committee favors its inclusion.
2. A letter that is two years old or less may be excluded provided the evaluator has written a more recent letter to replace it.

IX.B.3 Choosing Evaluators: Procedure The review committee will ask the candidate, the chair, and the faculty panel members to suggest outside evaluators and also to list potential outside evaluators who, by reason of a bias or conflict of interest, should not be chosen. The review committee and the chair will jointly select a list of evaluators to ask for letters, and, subsequently, may make changes in the list. Each evaluator must be approved by the dean before a contact is made with him or her.

IX.B.4 Choosing Evaluators: Requirements The following regulations and objectives must be observed.⁹⁸ Exceptions must be approved by the line officer to whom the chair reports.

1. The evaluators from whom letters are obtained must, taken together, have expertise that covers the areas of the candidate's work.
2. Each evaluator with a university faculty position must hold the equivalent of the rank of Professor or a rank higher than that of the candidate.
3. Each evaluator must have appropriate professional standing. Examples:
 - A faculty position at a U.S. university whose Carnegie Classification, with regard to research and advanced study, is at least that of LSU.⁹⁹
 - A senior position at a government or private-sector research agency, institute, or laboratory with a comparable mission.
4. A person known to have a bias or conflict of interest relevant to the case will not be asked to serve as an evaluator.¹⁰⁰

⁹⁸For information only: When asked in 2004, HRM said the number of outside letters in a review file is usually five or six.

⁹⁹As of August, 2004, the highest classification defined by the Carnegie Foundation for the Advancement of Teaching is that of a Doctoral/Research University—Extensive, which includes about 150 U.S. institutions, and LSU is among them.

¹⁰⁰See V.D, page 12.

5. Letters of evaluation must be obtained from persons from at least three different institutions.
6. Letters of evaluation must be obtained from at least three persons other than the candidate's major professor for the terminal degree or postdoctoral advisor.

IX.B.5 Communications with Evaluators The chair—or, if so provided by the department's rules (see Section III), the review committee's designee—will manage communications with the evaluators. He or she may make preliminary contacts with evaluators to determine their ability and willingness to serve; and may request a *C.V.* or other information if needed to provide an accurate and appropriate description of an evaluator's qualifications. The letter asking a person to write a letter of evaluation must comply with the model provided in Appendix D¹⁰¹, except for variations approved by the officer to whom the chair reports. The candidate's *C.V.* will be enclosed. The candidate, in consultation with the chair (or the review committee's designee), may select supporting material to be enclosed also.

IX.C Stage 2: Recommendation by the Department

The composition of the faculty panel depends on the action being considered and the rank of the person under review.¹⁰²

Remark: With regard to procedures required when one or more secondary departments are involved, see XIII.G, page 48, especially XIII.G.2.

1. The chair will make the review file available to the faculty panel members for their study when the following items have been compiled:¹⁰³
 - The candidate's *C.V.* and other documentation, as required by the LSU System, University, college, or department.
 - The chair's evaluations with attachments, if any, from each annual evaluation.¹⁰⁴
 - Outside evaluations, if any, together with:
 - (a) Name and address of those asked to write an evaluation.
 - (b) For each evaluator, a brief statement of his or her qualifications, including academic rank and employing institution.
 - (c) A sample letter used to request the evaluations.
 - (d) Explanatory notes as needed, at the discretion of the chair or review committee.

¹⁰¹XII.D, page 41.

¹⁰²Regarding the definition of the faculty panel, see VI.B, page 16. Note that "the action" and "the decision" being considered will in some instances entail two actions and decisions, involving both a promotion and a reappointment—so that two faculty panels in the department may be involved.

¹⁰³In other words, when the following items have been placed in the file.

¹⁰⁴See Section XI, page 34.

- The preliminary report of the review committee. Chairs will take appropriate measures to assure that confidentiality is maintained.¹⁰⁵
2. The chair will convene the faculty panel to consider the matter under review and to vote on its recommendation on the promotion. The report of the unit's recommendation¹⁰⁶ will be prepared and placed in the review file. The report will incorporate the report of the review committee, revised as appropriate to reflect the deliberations of the faculty panel. In cases when more than one candidate is being considered for the same action, the report will not engage in rankings.¹⁰⁷
 3. The chair will write his or her own statement indicating his or her recommendation.¹⁰⁸
 4. The chair will meet¹⁰⁹ with the candidate to advise him or her of the recommendation. The chair will provide copies of the reports written under the provisions of items 2 and 3¹¹⁰ to the candidate, excluding those items that must be kept confidential,¹¹¹ and will advise the candidate of his or her rights to write a formal response for inclusion in the review file. If the review file is being forwarded, then the response must be sent to the chair, and also to the officer to whom the chair reports, no later than seven calendar days after the date when the candidate is advised of the recommendation.
 5. If either the faculty panel or the chair makes a positive recommendation on the promotion, the chair will forward the review file to the line officer to whom he or she reports for consideration.
 6. If the faculty panel and the chair agree that the promotion should not be granted, then that will be the final decision on promotion—unless the candidate makes a written request that the review file be forwarded to the line officer to whom the chair reports for review.

Remark: It may be that the matter of reappointment is also being decided. The provisions of IX.A.2, page 27, must be observed when applicable.

¹⁰⁵Included in this item as it is, this admonition may have particular reference to information regarding outside evaluations; see IX.B.1. However, there are various levels of confidentiality concerns; see V.A, page 11.

¹⁰⁶That is, the department's recommendation, which is described in VI.D, page 19. This item 2 further specifies its nature for the case of a promotion review.

¹⁰⁷Regarding the role of the chair in the discussion and the voting, see VI.B.2, page 18.

¹⁰⁸Good practice would appear to require that the chair should consult the report of item 2, and should respond to it as he or she sees fit in the chair's own report. And it should go without saying that the chair's report will be placed in the file.

¹⁰⁹V.E applies.

¹¹⁰This should indeed be "items 2 and 3," not "items 1 and 2" as PS-36-NT says. The intention is to include also the said reports from each secondary department, if any.

¹¹¹See item 4 of VI.D, page 19.

IX.D Stage 3: Consideration at Additional Administrative Levels

The Provost and deans will employ advisory committees of tenured, tenure-track, and other faculty as they deem appropriate for Stage 3 reviews.¹¹² No officer will make rankings of candidates. The steps of Stage 3, which occur if the review file is forwarded by the chair to the line officer to whom he or she reports, will be as described in this subsection. If the candidate withdraws from the promotion review at some point by means of a written request to the officer currently holding the review file, consideration of the promotion will proceed no further.¹¹³

1. When (1) the promotion review is early¹¹⁴ and (2) both the faculty panel and the chair have made a negative recommendation on the promotion, if the reviewing officer¹¹⁵ concurs in the negative recommendation, then his or her decision will be final as delegated by the Chancellor. He or she will notify the chair and will meet with the candidate to notify him or her of the decision.
2. When the dean is the line officer to whom the chair reports and item 1 does not apply, the dean will review the decision, forward his or her recommendation and the review file to the Provost, and notify the chair and the candidate of his or her recommendation. If the recommendation is negative, or if the candidate requests it, the dean will meet with the candidate.¹¹⁶
3. When item 1 does not apply and the decision is submitted to the Provost for review, he or she will consider the review file and will forward his or her recommendation and the review file to the Chancellor.
4. The Chancellor or his or her designee will notify the candidate of the final decision.

IX.E Late Events and Evidence

After the chair has forwarded the review file, evidence may appear or events may occur that are substantial and pertinent to the decision being made. Either the candidate or any one of the line officers involved in the process may send such information to the line officer currently holding the file, and it will then be added to the file. The candidate and all the line officers will be advised of such an addition to the file.

¹¹²Put the emphasis on “will,” not on “as they deem appropriate.” Otherwise, this opening sentence could be interpreted to contradict V.G, page 14, which requires the use of advisory committees and delimits the Provost’s and deans’ discretion with regard to them.

¹¹³Regarding withdrawals and early promotion reviews, see IX.A.3.

¹¹⁴For the definition of an early review, see item 8 in XII.A.

¹¹⁵The “reviewing officer” is the line officer to whom the chair reports. Item 1 applies when conditions (1) and (2) hold and when the candidate has made a written request as allowed under item 6 of IX.C.

¹¹⁶V.E applies.

IX.F Disposition of Supporting Material

Supporting material remains in the department until the review process is finalized but may be requested by a reviewer at any subsequent stage of the review process. Supporting material provided by the faculty member should be returned to those faculty members who are recommended for promotion after final approval by the LSU System.¹¹⁷ Supporting material for candidates who are not recommended for promotion should be retained at the department level for at least five years after the final decision. In cases involving grievances, administrative review, or litigation, the review file should be retained until such actions are resolved.

X APPEALS

The faculty member may pursue the faculty grievance process¹¹⁸ in lieu of following the procedure set out in this policy. If the faculty member opts to use the process described by the Faculty Grievance Committee, then he or she is not entitled to use this policy's procedure.

X.A Procedures

A faculty member may appeal a final reappointment or promotion decision seeking the reversal or other modification of the decision in question. The following procedure will be followed.

1. Within 30 calendar days of receipt of a decision under this policy, the faculty member will submit a written appeal to the chair and the dean describing the basis for appeal and the requested resolution. The dean, in consultation with the chair, will consider the appeal and submit a written response to the faculty member within two weeks. If the dean agrees with the appeal but lacks the authority to grant the request, he or she may forward the appeal and his or her response to the Provost and notify the faculty member of this action. If the dean denies the appeal, or he or she agrees with the appeal and has authority to implement his or her decision, the dean will give the faculty member notice of his or her intent to do so. Within five working days of receipt of this notice the faculty member shall notify the dean of his or her acceptance or rejection of the decision. If the faculty member rejects the dean's decision, he or she may appeal to the Provost.
2. The Provost may, in his or her discretion, opt not to consider the appeal. In this case, he or she will, within two weeks, refer the matter to the Chancellor for decision.

¹¹⁷Regarding possible problems in this regard, see XIII.J.1, page 52.

¹¹⁸The Faculty Senate Bylaws define the Faculty Grievance Committee's procedures and describe the possible outcomes.

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3. If the Provost reviews the appeal, he or she may choose to submit the matter to the Faculty Senate Grievance Committee for an advisory opinion. With or without submitting the appeal to the Faculty Senate Grievance Committee, the Provost will make a written response to the appeal. If the Provost agrees with the appeal but lacks the authority to grant the request, he or she may forward the appeal and his or her response to the Chancellor and notify the faculty member of this action. If the Provost denies the appeal or if he or she agrees with the appeal and has authority to implement his or her decision, the Provost will give the faculty member notice of his or her intent to do so. Within five working days of receipt of this notice, the faculty member shall notify the Provost of his or her acceptance or rejection of the decision.
4. Upon receipt of notice that the appeal was not resolved to the satisfaction of the faculty member at the Provost's level, the Provost will forward the appeal to the Chancellor for final review and action.

X.B Grounds

In submitting an appeal, a faculty member is free to present whatever information and evidence he or she considers to be pertinent. The following principles will be observed.

1. The only procedural errors which can form the basis of an appeal are those which affect the faculty member's due process rights.
2. The purview of the Faculty Grievance Committee is restricted. The LSU Faculty Senate Bylaws state in part that the Committee "cannot substitute its judgment for an academic judgment made in a fair and reasonable manner, according to University evaluative procedures."

XI ANNUAL DEPARTMENTAL REVIEWS FOR FACULTY MEMBERS

XI.A Preamble

All faculty are subject to reporting requirements and are entitled to regular and accurate reviews and evaluations.

The annual review process should be understood and carried out in keeping with the principles of academic freedom.

The process is a framework for businesslike and collegial communication. PS-36-NT describes the minimum requirements of the process. The department or college may adopt its own rules and procedures in conformity with this policy.¹¹⁹

¹¹⁹See Section III, page 5.

XI.B The Annual Review Process

*Remark:*¹²⁰ *Regarding objectives of the annual review process, see XIII.K, page 52.*

In each annual review process for a faculty member, there will normally be only one reviewing officer, the department chair. If the chair or faculty member contends that a conflict of interest exists, the matter will be referred to the dean¹²¹ for resolution. If a conflict of interest does exist, the dean will review the faculty member. The reviewing officer will be responsible for following all applicable procedures, including college and departmental rules, and maintaining the resulting documents.¹²² The reviewing officer may delegate all or part of the reviewing activity. Evaluations by others will be incorporated as appropriate, for example when the faculty member has duties in more than one unit.

The process will occur every year of full-time, full-year service for every faculty member, except when he or she is being reviewed for a promotion in faculty rank, or has been given notice of nonreappointment or termination. Other exceptions: He or she may suffer from physical, mental, or emotional illness, or other condition, to such a degree that a job performance evaluation cannot reasonably proceed in disregard thereof. In such a case the reviewing officer, acting under the guidance of HRM and with approval by the line officer to whom he or she reports, may suspend or modify the annual review process. See Policy Statement 59 entitled *Employee Assistance Program*.

XI.B.1 Procedure The annual review process will consist of the following steps:

Remark: Regarding steps appropriate when there is a secondary department, see XIII.G, page 48, especially XIII.G.3.

1. When asked to do so by the chair, the faculty member will bring the documentation in the faculty member's file¹²³ up-to-date.
2. When asked to do so by the chair, the faculty member will prepare an annual report on his or her activities, and may include a self-evaluation and/or plans and objectives for the future.
3. The chair will assure that the faculty member's file contains the reports from all formal evaluations that have been completed.
4. If required by a unit's rules or if the chair requests a faculty panel review, then the chair will provide the necessary information to the appropriate review committee who will conduct a full review of job performance resulting in a written report which will become part of the faculty member's file.

¹²⁰Italicized *Remarks* like this one are not part of PS-36-NT.

¹²¹The intention here is to say, referred to the line officer to whom the chair reports. It is perhaps understood that when the faculty member is serving as an administrator—for example, as the chair—the officer to whom he or she reports will be the reviewing officer.

¹²²See item 10 in XII.A, regarding the requirement to maintain certain materials in the faculty member's file.

¹²³See item 10 in XII.A, page 39.

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Remark: In the foregoing item 4, the mention of a faculty panel seems to be inadvertent; the rest of XI.B.1 states a role for a possible review committee, but does not state a role for a faculty panel as such. Furthermore, VI.A does not require or authorize a faculty panel to act in an annual review process. The intended meaning of item 4 seems to be to as follows: If required by the department's rules, or if required by the chair, a review committee (see item 24 in XII.A and the discussion in XIII.L) will participate in the annual review process. In such a case, the chair will provide the necessary information to the review committee, which will conduct a full review of the faculty member's job performance, resulting in a written report which will become part of the faculty member's file.

5. After giving due consideration to all the contents of the file, the chair will prepare and sign a document, called the chair's evaluation. The chair is responsible for this document, and it represents the chair's independent judgment. Nevertheless, the chair is free to delegate all or part of its preparation. The chair's evaluation will incorporate at least the elements in the following list. The department's rules may further specify and regulate the chair's evaluation.
 - (a) A precise advisory concerning the faculty member's job status and any upcoming formal review, giving references to PS-36-NT and the department's rules.
 - (b) The chair's evaluation of the faculty member's job performance.
 - i. The chair's evaluation includes by reference all the contents of the faculty member's file. The chair may allow this material to speak for itself or may summarize or discuss its significance.
 - ii. In evaluating the faculty member, the chair may be brief and is not required by PS-36-NT to engage in systematic rankings, comparisons, or classifications.
 - iii. The chair's evaluation must be based on the faculty member's job duties, work assignments, or work plans, as appropriate. The criteria¹²⁴ for evaluating faculty job performance must be observed.
 - iv. The chair may call for improvements in the faculty member's job performance and, in so doing, must be specific and must offer appropriate advice and assistance.

¹²⁴See Section IV, page 6.

6. The chair will provide a copy of his or her evaluation¹²⁵ to the faculty member for review. The chair may hold a conference with the faculty member and must do so if the faculty member so requests.¹²⁶
7. The document will be signed by the faculty member under a statement that will read, at least in part and in effect, as follows: My signature indicates that:
 - (a) I am aware of the contents of this file¹²⁷ and have had the opportunity to provide my annual report and up-to-date documentation.
 - (b) I have read and understood the chair's evaluation.
 - (c) I have exercised, or else waived, my rights to discuss the evaluation with the chair each unit in which I am employed.
 - (d) I understand that I have the right to attach a comment or dissent, with materials in support thereof. I have/have not done so.
8. The chair will send a copy of the faculty report¹²⁸ when one exists and a copy of the chair's evaluation file¹²⁹ to the dean, who will send it to HRM. If the dean sends comments or recommendations pertaining to the faculty member, they will become part of the file and copies will go to the chair and to the faculty member.

XII APPENDICES

XII.A Glossary

1. **Appointment or initial appointment.** LSU's agreement to employ a person for a specific term.
2. **Bylaws and Regulations of the LSU Board of Supervisors.** The most recent version of the Bylaws and Regulations adopted by the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College.
3. **Chair.** The term *chair* means head, director, dean, or otherwise-titled chief officer of a department..

¹²⁵The term "evaluation" here should be understood to include the review committee's report, if any, as well as the chair's evaluation; and, in case there is a joint appointment in the sense of I.L.C, the like materials from each secondary department. Notice that the review committee's report and the secondary department materials are to be in the file, in any event, and thus accessible to the faculty member. So it seems only prudent and courteous to provide it to the faculty member along with the chair's own evaluation.

¹²⁶V.E applies.

¹²⁷That is, the faculty member's file.

¹²⁸That is, the review committee report; see item 4 above.

¹²⁹That is, the chair's evaluation of the faculty member.

4. **College.** College, school, or otherwise-named unit that reports directly to the Provost.
5. **Dean.** Dean or otherwise-titled chief officer of a college.
6. **Department.** Academic institute, school, center, college, or otherwise-named unit to which the faculty member is assigned to perform his or her duties. If said unit reports directly to the Provost, then policy references to administrative levels situated between the unit and the Provost are inapplicable.
7. **Departmentalized college.** A college is said to be departmentalized if it has one or more subdivisions that are the direct employers of faculty.
8. **Early review.** For faculty in the Visiting, Clinical Specialist, or Professional Practice series: Either (1) a review for promotion to Professor that takes place before the faculty member's fifth year of service at LSU in the rank of Associate Professor; or (2) a review for promotion to Associate Professor that takes place before the faculty member's sixth year of service in the rank of Assistant Professor at LSU. For faculty in the Research series: Either (1) a review for promotion to Assistant Professor to be effected before the candidate has five years of postdoctoral experience; or (2) a review for promotion to Associate Professor to be effected before the candidate has nine years of postdoctoral experience; or (3) a review for promotion to Professor to be effected before the candidate has twelve years of postdoctoral experience.¹³⁰
9. **Faculty (faculty members).** PS-36-NT, except when it specifies otherwise, applies only to faculty who are not tenured or who are non-tenure-track faculty¹³¹ and uses the term *faculty* to refer to them only. Nevertheless the term *faculty* in other contexts is more inclusive. The Regulations of the LSU Board of Supervisors, 1-2.2.a, state that "full-time members of the academic staff having the rank of Instructor or higher (or equivalent ranks) shall constitute the faculty of the campus on which they are appointed." Ranks and their faculty status are defined in detail in PM-23.
10. **Faculty member's file.** Shall be the documents maintained by the academic unit to which the employee is assigned to perform his or her duties¹³² and will include, where applicable, a current *C.V.* and supporting material; faculty member's annual reports; reports from all reviews conducted under PS-36-NT; all annual evaluations; and an index of the file's contents. The faculty member

¹³⁰Notice that, indeed, for each rank in the Research series, it is a matter of when the promotion (not the review) is "effected;" (compare the last paragraph of item 5 in II.B); whereas for the other ranks, it is a matter of when the review (not the promotion) "takes place."

¹³¹As the provisions of Sections I and II make clear, the intended meaning is, **faculty who are neither tenured nor tenure-track.** (According to the definition of the term *tenure-track* in PS-36-T, the "non-tenure-track" faculty include the tenured faculty.)

¹³²The intended meaning is, the unit which is the primary and direct employer of the faculty member; see items 6, 7, and 21 for instances of the varied terminology.

will have access to the file in accordance with PS-40 and applicable law, and may update its contents or add appropriate material at any time.

11. **Faculty panel.** The group of faculty constituted to consider and determine, by majority vote, the department's recommendation with regard to a given decision under this policy.¹³³
12. **Full-time, part-time.** A faculty member at LSU is full-time¹³⁴ if employed for 100% of effort by a single department or by multiple departments and/or campuses that collectively initiated the appointment. He or she is part-time if employed for anything less than 100% of effort in total or if he or she was hired separately by multiple units even when the percent effort equals 100%.
13. **HRM.** The LSU Office of Human Resource Management.
14. **Job description.** A description of a faculty member's duties and work assignments which at least initially may be in written form but may be modified through—for example—changes in assignment, feedback on annual report of activities, work plans provided as part of the annual review, and input from the chair concerning current expectations.
15. **Line officer.** Chancellor, Provost, dean, or chair.¹³⁵
16. **LSU.** The Louisiana State University and Agricultural and Mechanical College.
17. **LSU System.** The system of colleges, schools, universities, institutions, programs, and facilities under the supervision and management of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College.
18. **Majority vote.** A *majority vote* means more than half of the votes cast by persons entitled to vote on the question, excluding blanks or abstentions.¹³⁶
19. **Part-time.** See **Full-time, part-time** above.
20. **Peer advisor.** A tenured LSU faculty member who serves in an advisory capacity to another LSU faculty member.¹³⁷
21. **Primary appointment, primary department.** A full-time faculty member employed by two or more units will ordinarily be employed for at least 51% of effort in one of those units, known as the primary department, or the unit in which he or she has primary appointment.¹³⁸

¹³³See VI.B, page 16.

¹³⁴See II.C, page 4.

¹³⁵See the definitions of *chair* and *dean* in this Glossary.

¹³⁶For pertinent advice, see Robert's Rules. See XIII.D, page 46.

¹³⁷Regarding peer advisors, see V.E, page 13, which offers a definition that contradicts this one.

¹³⁸See II.C, page 4.

22. **Reappointment review.** The formal review process used to determine whether a faculty member will be reappointed.¹³⁹
23. **Recuse.** To withdraw from the process to avoid any appearance of bias or impropriety.¹⁴⁰
24. **Review committee** The *review committee* for a candidate may be the entire faculty panel, or a subset thereof, charged with either (1) a role in the reappointment review process; or (2) investigating the case for a promotion; or (3) a role in the annual review process for a faculty member. The review committee is chaired by someone other than the department chair and appointed by the department chair unless otherwise provided by the department rules.¹⁴¹
25. **Secondary appointment, secondary department** A faculty member may be employed in two or more units. In such a case, each unit involved other than the primary department is, for said faculty member, a secondary department, and he or she holds a secondary appointment therein.¹⁴²
26. **Semester.** A fall or spring semester, not a summer term.
27. **Supporting material.** Supporting materials are documentation that may reasonably be contained in the faculty member's file to demonstrate the faculty member's expertise and effectiveness. Such materials may include teaching portfolios, comments and letters of commendation from students or peers, appointment letters to commissions or review panels, copies of papers and evidence of other scholarly activities, examples of creative and artistic work, C.V.s, and annual and activity reports.
28. **Terminal degree.** The most advanced degree offered in a given discipline, ordinarily required for a faculty position in that discipline.
29. **Year, years.** In references to duration of employment service for purposes of PS-36-NT, a *year* ordinarily means either (1) two consecutive semesters of full-time service, for a person appointed on an academic-year basis; or (2) twelve months of full-time service, for a person appointed on a fiscal-year basis.

XII.B Sample Notice of Nonreappointment

Dear [. . .]:

¹³⁹See Section VIII, page 24; and see XIII.I, page 50 for a commentary.

¹⁴⁰Regarding required recusals, see V.D, page 12.

¹⁴¹For a discussion of review committees, see XIII.L, page 53. Note that in case (3), the reference to a faculty panel does not make sense, since Section VI does not mandate or authorize faculty panel involvement, as such, in annual reviews.

¹⁴²For the purposes of PS-36-NT, this definition is of interest only for full-time faculty members with joint appointments as defined in II.C, page 4.

In accordance with the provisions of Chapter II, Section 2-7, of the *Regulations of the Board of Supervisors*, this is to notify you that you will not be appointed beyond [date]. You are encouraged to contact the HRM Benefits Service Center for information regarding whether you may continue insurance coverage and options for disposition of retirement benefits upon separation. We suggest that you contact HRM as soon as possible because the information may be useful to you as you pursue other employment opportunities.

Sincerely,

[...] Chair

xc: Office of Human Resource Management

XII.C Faculty Panel

Remark: XII.C (Appendix C) consists of a table, with a set of footnotes, presenting only partially the pertinent provisions, and may be misleading at some points. PS-36-NT with Notes for Users omits Appendix C and inserts an italicized passage in VI.B, page 16. With the insertion, VI.B provides complete information on this subject manner.

XII.D Sample Letter to External Evaluator

Dear [...]:

[...], who is currently a [such and such rank] in the Department of [...] at Louisiana State University, is under consideration for promotion to [such and such higher rank]. The Department would be most grateful if you would prepare and send us an evaluation of the candidate to assist us in making this decision. A C.V. and [...] are enclosed for your use. [Further description or explanation of enclosures, as necessary. The letter or the enclosures should make clear the degree of the candidate's teaching and service responsibilities.]

To be useful to us in the decision process, your response must reach us by [date].

[Include if appropriate:] We realize that you wrote us previously about this candidate [on such and such a date.] A copy of your previous letter is enclosed. University procedures require that we ask you for an updated letter at this time, to assure that any further developments have been appropriately addressed. [Include further clarification as necessary.]

We request that your letter respond to the following points.

1. State whether you know the candidate personally and if so, during what period of time and in what capacity.

[Include 2, 3, and 4 as appropriate.]

2. We seek to form an objective assessment of the candidate's scholarship. (Scholarship being defined in a broad sense (see PS-36-NT, Section IV), the wording here should be appropriate to the department) We wish to apply national standards,

and we would be grateful if your letter addresses the matter in those terms. To that end, please consider responding to each of the following questions.

- (a) How widely, and to what degree, is the candidate's work recognized?
 - (b) What is the scope and significance of the candidate's program of work?
 - (c) Does the candidate's record suggest promise for future growth as a [scholar . . . or other appropriate wording, depending on the discipline]?
 - (d) How do the candidate's achievements compare with those of other persons when they were at the same career stage, who have received the corresponding promotion, in cases with which you are familiar?
3. Please assess the candidate's abilities as a teacher or expositor, if you are in a position to form an opinion. [*The wording here may be chosen to make it appropriate to the discipline.*]
 4. Please assess the candidate's service to the profession, if you are in a position to have an opinion. [*The wording here may be chosen to make it appropriate to the discipline.*]
 5. Provide any additional insights or advice that you believe should be considered as we make our decision.

LSU Policy Statement 40 states that letters of recommendation or references obtained as part of the promotion review process will not be made available to the employee except for letters containing explicit statements by the author that the letter is not to be regarded as confidential. Therefore, unless you indicate that your letter is not confidential, the contents of the letter and your identity will be shared only with those individuals who participate in the decision process or as may be required by applicable law.

If you send your response electronically, please also send a signed, paper original for our files.

We thank you for your assistance in this matter. Please feel free to get in touch with me for further information at [*phone number, fax number, . . . , and/or email address*].

Yours sincerely,

XIII NOTES FOR USERS

The official, authoritative version of PS-36-NT is on the LSU website—click on Administration and then on LSU Policies & Procedures.

The purpose of the present document, *PS-36-NT with Notes for Users*, is to improve the clarity and accessibility of PS-36-NT by offering information and advice. Its content is the sole responsibility of Carruth McGehee, Professor Emeritus and chair of the PS-36 Committee of 2002-2005. Comments are welcome at this email address: mcgehee at math.lsu.edu.

The present Section XIII, the Index, the footnotes except for those explicitly marked otherwise, and the italicized *Remarks* throughout the document are not part of PS-36-NT. I have modified the text of PS-36-NT in a few instances. For example, I have consistently capitalized titles like *President* and *Instructor*, following the convention of the Bylaws and Regulations of the Board of Supervisors, instead of capitalizing some and leaving others in lower case.

Documents of this kind, when being drafted and developed, are always undergoing rearrangements of material, alterations in wording, and deletions of material thought to be redundant. Such changes need to be done with care, and need to be checked by critical eyes. Such changes made during the University's revisions of the document's 2006 draft show lapses in care and attention, were not always done consistently, and resulted in losses of clarity and accessibility, as well as gaps in procedural guidance. *PS-36-NT with Notes for Users* may serve to restore what was lost, and also to help deal with some mistakes in the 2006 draft.

The 2006 draft featured an index and a robust system of cross-references. A reader, finding a passage apparently covering a certain subject, could feel assured that he or she was being pointed to all the related provisions. *PS-36-NT with Notes for Users* has an index, and footnotes to provide cross-references.

XIII.A Commentary on PS-36-NT and its Background

It is a new thing at LSU, having a campus PS that deals comprehensively with personnel decision procedures for faculty in all the nontenurable ranks. Prior to the issuance of PS-36-NT, campus policies and practices for these ranks have been governed by applicable portions of LSU System rules; passages in the old PS-36 found to be pertinent; certain administrative memos, for example on the procedures for promotions in the Research series; and established practices.

PS-36-NT performs a needed conservative task; it tells us where we stand. It also incorporates some provisions which are genuinely new.

In what follows I will offer a sketch of this document's history, indicate some of the influences at work, and point out some of the new provisions.

On February 16, 2004, the PS-36 Committee recommended and the Faculty Senate proposed a "Policy Statement on Instructors," which may be found on the Faculty Senate website. The proposal ran into obstacles. The use of the Instructor rank on campus had always varied a great deal across campus units, and there was certainly no unifying conceptualization. New budgetary decisions were now shaking up our assumptions about the extent to which the Instructor rank would continue to be used. It was a complicated task to craft management provisions that would be both sound and meaningfully uniform. Certain of the proposed provisions were seen by the campus administration as requiring changes at the System level. An effort to obtain adoption of the 2004 proposal would have been complicated, and did not seem promising.

Our administration, Provost Risa Palm in particular, favored developing a policy statement that would cover all the non-tenurable ranks, not just some of them—to be issued at the same time as the new PS on tenure-track and tenured ranks, now

called PS-36-T. In 2005 I was offered the opportunity to propose a new PS-36-NT. After considerable consultation, I provided a draft in March, 2006. The newly issued PS-36-NT incorporates a good many modifications of my draft, but in my view it does not differ much in the fundamentals.

PS-36-NT may be described briefly as follows.

- It is consistent with LSU System policies and rules.
- For the most part, it respects the established understandings and practices on our campus with regard to the nontenurable ranks.
- It incorporates, with appropriate alterations, many provisions from PS-36-T, such as those that allow a unit to adopt its own rules to “further specify and regulate.”
- It requires a faculty panel procedure for certain personnel decisions—for example, for a reappointment that would entail a continuation of full-time service beyond the seventh year for an Instructor, General Librarian, or Professional-in-Residence.
- Other personnel decisions are left within the province of the chair, but may require faculty panel involvement if the department’s rules so provide. Thus the existing Instructor policies of departments like Math and English may continue to operate largely as they stand.

XIII.B Definitions of Certain Terms

It may be helpful to explain certain conventions regarding terminology. For the sake of brevity in covering a variety of cases, PS-36-NT uses each of the terms *college*, *department*, *dean*, and *chair* in a broad sense (see the definitions in XII.A). These conventions are significant, for example, as follows:

- Every statement about a *department*, with regard to a decision process concerning a faculty member of whom it is a direct employer, applies also to any institute, school, center, college, or otherwise-named unit, with regard to such a decision process concerning a faculty member of whom the unit is a direct employer. If said unit reports directly to the Provost, then every statement about an administrative level situated between the unit and the Provost is void. In such a case, the term *line officer to whom the chair reports* means the Provost.
- Every statement about the *chair* of a department, with regard to a decision process concerning a faculty member directly employed by the department, applies also to any head, director, dean, or otherwise-titled chief officer of a unit, with regard to such a decision process concerning a faculty member directly employed by the unit.

XIII.C Remarks on Section III, Rules of a Unit

To carry out the processes dealt with in PS-36-NT, the many departments and colleges on the campus have long used a variety of governance procedures, committee structures, and understandings which work satisfactorily. Section III seeks to accommodate those variations in most cases, and also to assure that a unit's particular ways of doing things should be established by written rules, adopted by faculty vote, and made generally known.¹⁴³ Here are some pertinent observations..

1. PS-36-NT does not require a unit to adopt a rule on any given point; or, for that matter, to adopt any rules at all. Whenever alternative provisions are explicitly allowed, a default provision is always set forth, to be followed unless the rules provide otherwise.
2. It seems appropriate that each unit should continue to honor its established procedures and understandings, so long as they are consistent with PS-36-NT. As soon as practical, they should be written down, adopted by vote, and promulgated—as required by Section III.
3. The requirement in III.C that the chair or dean of each unit promulgate the unit's rules is best fulfilled by posting them on the unit's website, where they can be easily consulted by faculty and readily inspected by anyone concerned.
4. Note that the wording of III.C does not require or encourage a prior-approval paperwork exercise when rules, in general, are adopted or changed. The provisions simply make unit rules visible and subject to inspection and correction. But see item 5.
5. The rules under discussion include, importantly, the statements that some units will adopt in order to specify and clarify their criteria for faculty evaluations and promotions; Section IV, which deals with criteria, mentions several matters which units may choose to address. It seems wise to have prior review and approval by the Provost's office before such statements take effect. It seems wise also for both the Provost's office and the Faculty Senate Committee on Personnel Policies periodically to inspect and review statements of this kind.
6. An important example on the college level: A college may wish to adopt a rule for the establishment of advisory committees. See V.G, page 14. Some colleges already have long-standing practices in this regard, and will probably wish to write them down and confirm them as college rules by faculty vote if that has not already been done.
7. The following list points out some subjects on which departments may wish to adopt rules.

¹⁴³Units that already have rules of this nature include the Manship School, the School of Library and Information Science, the Mathematics Department, and the English Department.

- (a) The possible required use of a faculty panel, and the definition of said panel, for decisions on initial appointments, other than those decisions for which PS-36-NT requires such a panel. See item 2 of VI.A; the opening paragraph of VI.B, page 16; and the third paragraph at the beginning of VII.E.
- (b) A role for a representative of the faculty panel, other than the chair, in preparing the report of a departmental recommendation; see the next-to-last paragraph in VI.D, page 19.
- (c) Establishing the review committee for a promotion case by some means other than appointment by the chair; see the discussion in XIII.L.
- (d) Specifying how the review committee for a promotion case will function, and defining the “comprehensive statement” required in IX.A.4.
- (e) Provision for someone other than the chair to manage communications with outside evaluators, in a promotion review; see IX.B.5, page 30.
- (f) Requiring, in some or all cases, the use of a review committee in the annual review of a faculty member; and establishing such a committee by some means other than appointment by the chair. See item 4 in XI.B.1 and the discussion in XIII.L.
- (g) Other matters regarding annual reviews; see XI.A, page 34.

XIII.D Parliamentary Authority

PS-36-NT includes no provision with regard to parliamentary authority for faculty bodies. However, the Faculty Senate favored the inclusion of the following: “The rules contained in the current edition of *Robert’s Rules of Order Newly Revised* will govern each unit in all cases to which they are applicable, except when they are superseded by rules of procedure that the unit may adopt, or by provisions in University Policy Statements.” Note also that Robert’s Rules govern meetings of the Board of Supervisors; see Article IV, Section 1 of the Board Bylaws.

XIII.E Deans’ Advisory Committee Reports

In V.G, PS-36-NT clearly mandates the use of faculty advisory committees by deans (this requirement is new) and by the Provost (this one is not) for promotion reviews. It allows the deans and Provost to use such committees in other decision processes. It makes a further significant change, in that whenever the dean uses an advisory committee, he or she must now convey, in his or her recommendation to the Provost, the advisory committee’s views. Previously, those views stopped with the dean.

As soon as policywriters made the change, whereby advisory committees’ advice does not stop with the dean, they should have dealt with the resulting consequences and questions in an explicit and clear manner. The wording in PS-36-NT may tempt a dean to filter, or merely summarize, what the advisory committee has said. But the proceedings would then be open to challenge and complaint. As soon as the

committee's advice goes forward from the dean's level, in whatever sense or form, it becomes a matter of record. One may reasonably infer that the Provost has a right to know fully the advisory committee's views on the case, and that the candidate has a right, as a matter of due process, to have those views available, unfiltered, for the Provost's consideration. At times Provosts and candidates may well have an interest in claiming those rights. Therefore it is best that a clear and full report from the review committee should go on record, so that there will be no possible question of its being obscured or incompletely represented.

The last paragraph of V.G begins with the following sentence: **“While advisory committee recommendations will not become part of appointment or review files, the dean will incorporate the committee vote and a comment regarding the advisory committee's recommendation in his or her recommendation.”** To save that sentence, and the paragraph as a whole, from being self-contradictory or unclear, one must interpret adroitly. The following advice is offered.

1. As argued above, the clause after the comma makes it advisable that the advisory committee's views should be transmitted fully and clearly. The practice that is safest from challenge would seem to be as follows:
 - The advisory committee will prepare a written report (its “comments”), which the dean will attach to his or her recommendation, along with the committee's vote in adopting its report, or in adopting points within its report. The dean may, of course, respond to the committee's report in his or her recommendation.
2. Now, to avoid any and all possible contradiction between the parts before and after the comma, one must adopt a suitable interpretation of the part before. Thus: The term *recommendation* in this instance means *an explicitly stated position as to whether the University should decide Yes or No on the action in question*. The advisory committee should refrain from making a recommendation in that sense. As the last sentence of V.G confirms, the “evaluation” and “recommendation” (in a fuller sense of the term) at the dean's level are regarded to be those prepared by the dean, on his or her sole responsibility. The committee may still fully discuss and analyze the case in its written report (its “comments”), but will frame it as an advisory contribution to the dean's evaluation and recommendation, not a contribution on a par with the dean's.

Further remarks:

- Portions of the advisory committee report on a promotion or tenure question could compromise confidentiality requirements. So in the writing of its report, the committee should observe an admonition like the one in item 4 of VI.D, page 19, and keep those portions of the report separate.
- The term *file* here, whether it's an appointment file or a review file for a reappointment, promotion, and/or tenure case, should mean simply *the collection of material that goes forward to the Provost and thus becomes a matter of*

record. There would be no apparent utility, and no practical distinction made, in providing for some material to go forward without being part of the file. Accordingly, it seems best to regard everything that goes forward as “in the file.” As remarked in the previous item and elsewhere, of course some portions of the file are to be kept separate and marked confidential.

- With regard to the faculty member’s file, which is maintained in the primary department, item 10 in XII.A (page 39) unambiguously states that it includes “reports from all reviews conducted under PS-36-NT,” and thus overrules any contrary inferences. So the advisory committee report and the dean’s recommendation, produced in a reappointment review or in a promotion or tenure review, become part of the faculty member’s main file.
- The second-to-last sentence of V.G reads as follows: “The Provost’s advisory committee recommendations will not become part of the file.” That provision presents no problem. Just as in the old PS-36, there is no suggestion that that committee’s views are sent forward or go on record.

One may wonder about the intent of the exclusion-from-the-file statement from V.G, quoted above in boldface. Perhaps the clause was retained absent-mindedly—a vestige of the provisions in earlier versions of the document. In those versions, the purpose of saying that the advisory committee’s advice was not placed in the file was precisely to provide that it was not a matter of record and would not be sent forward.

In PS-36-T there is of course a passage that corresponds to V.G in PS-36-NT. The provisions and wording in the two passages are significantly different, for no apparent reason. The writing of the passages that concern advisory committees evidently suffered from inattention and carelessness.

XIII.F Separate Counts

Except for the one mention in VI.C, separate counts are not countenanced anywhere in PS-36-NT. In its customary usage, the term refers to separate counts of one faculty panel’s (or other faculty body’s) votes on one question *by category of faculty*, for example by rank, tenure status, and/or other criteria, with the tally to be reported for each group as well as for the panel as a whole. Separate counts in this sense may compromise the confidentiality effort enjoined in the last sentence of VI.C.

XIII.G Secondary Departments

Consider these sentences, taken from the second paragraph of II.C, describing the role that a secondary department plays in decision processes in the case of a joint appointment: “All personnel actions for [joint appointments] will be initiated in the primary department and appropriate forms and documentation forwarded to the chair of each secondary department for review and signature. The chair(s) of the secondary department(s), when appropriate, will be responsible for calling meetings of the faculty panel of the secondary department(s), when appropriate, to consider and vote

on recommendations for appointment, reappointment, promotion, and annual performance evaluations; and forwarding the secondary departmental recommendation along with his or her recommendation to the chair of the primary department.”

Those two sentences may be confusing as to the sequence of events. Once we note that decision processes of course precede personnel actions, the first sentence is clear enough. As for decision processes, the words “when appropriate” are a signal that faculty panels are required, or not required, under provisions of PS-36-NT and/or unit rules that vary according to the decision process in question. Indeed, the involvement of a faculty panel is frequently not required. The following version of the quoted passage may be clearer:

- In the case of a joint appointment, the chair of each secondary department will be responsible for conducting annual reviews as provided in Section XI; for calling meetings of the appropriate committees and faculty panels of the secondary department, when those are required, to consider and vote on recommendations for appointment, reappointment, and promotion; and for forwarding the secondary department’s report or recommendation to the chair of the primary department. All personnel actions will originate in the primary department, the chair of which will forward appropriate forms and documentation to the chair of each secondary department for review and signature.

A further problem is that the several Sections of PS-36-NT that describe the various decision processes—with regard to initial appointments, reappointments, promotions, and annual reviews—often fail to mention II.C or to offer guidance for the coordination of the primary and secondary departments’ roles. In the case of initial appointments, we have pointed out what seem to be the requisite provisions in the *Remark* that follows the first paragraph of VII.E.2, page 22. What follows are suggested basic regulations to provide procedural guidance in the other cases. Directives from appropriate offices would of course overrule these suggestions.

XIII.G.1 Secondary Departments in a Reappointment Review In VIII.C, insert this provision between item 2 and item 3: The chair of the primary department will make the file available to the chair of each secondary department. In each secondary department, depending on provisions of PS-36-NT or of unit rules that are applicable to the case, a faculty panel may or may not be required, and either (1) or (2) will apply: (1) If a faculty panel is required, the chair will convene the faculty panel to consider the file, discuss the person’s job performance, and arrive by vote at their recommendation regarding the reappointment decision. The report of the departmental recommendation—see VI.D, page 19, for a description of the report—will be sent to the primary department, and it will be placed in the file. (2) If a faculty panel is not required, then it is within the province of the chair to decide the departmental recommendation. He or she will send it to the primary department, and it will be placed in the file.

XIII.G.2 Secondary Departments in Stage 2 of a Promotion Review In IX.C, page 30, insert this provision between item 1 and item 2: When the review

file has been prepared, the chair will make it available to the faculty panel of each secondary department, if any, through the chair thereof. Chairs will take appropriate measures to assure that confidentiality is maintained. The chair of each secondary department will convene the faculty panel therein to consider the case and to vote on their advice regarding the decision to be made. The report of the department's recommendation, described in VI.D, page 19, will be prepared and sent to the chair of the primary department, and will be placed in the review file.

XIII.G.3 Secondary Departments in the Annual Review Process Insert the following as an item between items 3 and 4 in XI.B.1, page 35: The chair will make the file available also to the review committee of each secondary department, if any, through the chair thereof. In each secondary department, depending on provisions of PS-36-NT or of unit rules that are applicable to the case, a review committee may or may not take part, and either (1) or (2) will apply. (1) If a review committee takes part, it will meet to consider the file and discuss the person's job performance. A report will be prepared independently of the chair, and will be signed by a representative of the review committee. The chair will send this report together with his or her own report to the chair of the primary department, who will place both in the file. (2) If no review committee is involved, then the chair will prepare an evaluation and send it to the chair of the primary department, and it will be placed in the review file.

XIII.H Notes to the Chair on Decision Processes

With some exceptions, the chair must initiate and manage some **process** every year for every faculty member with primary appointment in his or her department. The process may be a promotion review, a reappointment review, a combination thereof, or just an annual review.

- The chair must consider the lead time that will be needed for whatever process needs to be carried out.
- If there is a joint appointment, as defined in II.C, so that one or more secondary departments are involved, the chair should have timely appropriate communications with the chairs thereof. See XIII.G.
- An essential preliminary step every year, for every process, is to ask the candidate to bring his or her file up to date (see XI.B.1, item 1); and indeed to be sure the candidate is mindful of his or her right to update the file whenever he or she sees fit.

XIII.I Commentary on Reappointments

PS-36-NT and PS-36-T use the term "reappointment review" in different ways. In PS-36-NT, the term refers to the process, governed by Section VIII, for deciding whether to reappoint a faculty member. In some cases, listed in items 3 through

7 of VI.A, the process requires the participation of a faculty panel. Otherwise the decision lies within the province of the chair, in which case the provisions referring to a faculty panel in VIII.C do not apply. See also the last paragraph of VI.D, page 19.

XIII.I.1 The Seven-Year Rule VI.A, page 15, entitled “When a Faculty Panel is Required,” provides a definitive statement as to when a faculty panel review will take place. With regard to a reappointment decision, a faculty panel review will take place under item 4; under item 5, when the term is for longer than one year; under item 6, when unit rules require it; or under item 7, when the chair requires it. Item 4, for certain specified ranks, calls for a faculty panel review for the first reappointment that would result in a continuation of full-time service beyond the seventh year.

It may happen that a provision, set forth definitively at one place in a policy statement, needs to be mentioned at a second place. Then either the provision should be repeated carefully and clearly, or an accurate reference to the first location should be given. Otherwise a problem may arise. For example, a reader has asked whether the first sentence of VIII.B can be interpreted to imply that for the specified ranks, a faculty panel review is required not just for the “first reappointment . . .” as stated in item 4 of VI.A, but for the second, third, and every reappointment that would entail continued full-time service after the seventh year. The answer is No, not if one considers it in the context of other passages in PS-36-NT that address the matter.

The first sentence of VIII.B speaks of faculty panel reviews required for “reappointment decisions . . . that would result in continuation of full-time service beyond the seventh year.” The writer intended this clause only to confirm and repeat the requirement of item 4 in VI.A that there must be a faculty panel review in the case of the *first* reappointment decision that would so result. The writer did not intend, in VIII.B, to establish a provision different from that of VI.A. This conclusion is supported by the table in Appendix C of PS-36-NT, which suffers from the same flawed wording, but which clearly does not require a faculty panel review for any but the “first reappointment . . .”

XIII.J Commentary on Promotion Reviews

A positive decision on the action in question requires the completion of all three stages of the review process:

1. Evaluation by selected outside experts—IX.B, page 28. Letters of evaluation will be requested and obtained from selected evaluators external to LSU.
2. Recommendation by the department—IX.C, page 30.
3. Consideration by higher offices, from the dean through the LSU System—IX.D, page 32.

Judicious and careful preparation and deliberation are called for at each stage. Accordingly, it may be advisable to allow a full calendar year to carry out the

process. For the usual case—that is, for a review that is to be completed late in the spring semester—we offer these admonitions: Stage 1 may need to begin by late in the spring semester of the year before, and should be completed by early fall. Stage 2 should be completed during the fall semester. Stage 3 begins in late fall and runs through the spring semester. *For information only:* In 2005-2006, one college's deadline for the receipt of the review files from departments was October 3, 2005. The deadline for the files to reach HRM from the colleges was November 28; to reach the LSU System, January 20, 2006. The process concluded with the Board of Supervisors meeting in April, 2006. Under the varying policies of departments, some began Stage 1 (see IX.B) in early September, others in the preceding spring semester.

XIII.J.1 Disposition of Supporting Materials In complying with IX.F, page 33, care must be taken to comply also with other pertinent policy provisions; see the definitions given by items 10 (page 39) and 27 (page 40) in Section XII.A.

- The definition of supporting material includes some items which need to remain in the file of a continuing faculty member, for use by the department.
- The faculty member is entitled to update the content of his or her file and to add appropriate material at any time.
- Suggestion: IX.F can be satisfied if supporting material is returned to the candidate, subject to his or her request that some or all of it be kept in the file, and subject also to the requirement that certain material stays in the faculty member's file. Problems that arise can be solved by making copies.

XIII.K Commentary on the Annual Review Process

The Faculty Senate-recommended version stated that the annual review process seeks the following results.

1. The contents of the file will be correct, current, and familiar both to the chair and to the faculty member.
2. The faculty member will be informed of the chair's evaluation of his or her job performance, and will be made aware of the basis for it.
3. The process will disclose and identify the strengths and weaknesses in job performance that may have a bearing on decisions affecting the faculty member. The chair will offer advice and assistance for the remediation of negative factors, if any.
4. The faculty member will have an opportunity to discuss all pertinent issues with the chair, and, if in disagreement, to write his or her position into the record.

There will be considerable variation in how the chair conceives of this process and carries it out. Some advice and suggestions for the chair follow.

- Be positive when you can be, be helpful and solve problems when you can, but do not overreach. Stick to what you know; do not predict the outcome of future reviews.
- XI.B.1, page 35, gives you encouragement and help to be reserved and restrained. For one thing, item 5(b)ii allows you to avoid the use of ill-designed forms, with their forced box-checking and numerical ratings. You may take the view that if it's worth saying, it's worth saying in a complete sentence.
- In some cases, a review committee may also write a report as part of the annual review process. This may be especially desirable when the annual reviews are leading up to a promotion review, or to a reappointment review that will require a faculty panel vote. It makes sense for those who will deliberate on the reappointment or the promotion to be represented in the annual reviews.

XIII.L Review Committees in Various Processes

The term *review committee* is used differently in Section VIII, which is about reappointment reviews; in Section IX, concerned with promotion reviews; and in Section XI, which deals with the annual review process. The user of PS-36-NT, who is likely to be interested in just one of those subjects at a time, would be better served if, in each of those Sections, the term were defined and explained in a way well suited to the purpose at hand. Unfortunately, the Glossary entry (item 24 in XII.A) attempts to treat the matter in one general, abstract, hasty paragraph. We offer here a treatment that is more expansive—and admittedly repetitive.

1. The review committee in a promotion review will be a committee of the faculty panel for that promotion. It may include all the members of the faculty panel. It will be chaired by someone other than the department chair. It will be appointed as provided in the department's rules (see Section III, page 5). If those rules do not make a provision, the review committee will be appointed by the chair.
2. A faculty panel is required for a reappointment review only under certain conditions, specified in items 4, 5, 6, and 7 of VI.A. In such a case, the review committee will be a committee of the faculty panel for reappointment as defined in VI.B. It may include all members of the faculty panel. It will be chaired by someone other than the department chair. It will be appointed as provided in the department's rules (see Section III, page 5).. If those rules do not make a provision, the review committee will be appointed by the chair. Exception: If a promotion review and a reappointment review are being conducted concurrently, the review committee for the promotion will serve also as the review committee for the reappointment; see IX.A.2.
3. A review committee will be involved in an annual review of a faculty member only if required by the rules of the department or college, or required by the chair (see item 4 of XI.B.1 and the *Remark* that follows it). It will be chaired

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by someone other than the department chair. It will be appointed as provided in the department's rules (see Section III, page 5). If those rules do not make a provision, the review committee will be appointed by the chair. If a promotion decision, or a reappointment decision involving a faculty panel, may be coming up in the foreseeable future, for the faculty member in question, then it would be reasonable to make the review committee representative of those who might serve on that faculty panel, or perhaps to include all of them. Section VI deals with faculty panels.

We close with two general observations.

- The provisions for review committees are somewhat different in PS-36-T and in PS-36-NT. In particular, PS-36-T does not mention review committees in reappointment reviews.
- In practice, some departments have had standing committees to serve in one or more of these roles, sometimes called the promotion committee. Others have committees appointed for individual candidates, sometimes called case committees. PS-36-NT uses the general term *review committee*, and flexible provisions regarding them, to accommodate most of the various established practices, including committees with various names, that units may wish to set up in their rules under Section III.

XIII.M Pertinent Policies Stated Elsewhere

Other University Policy Statements, Permanent Memoranda of the LSU System, and the Bylaws and Regulations of the LSU Board of Supervisors contain provisions that are pertinent to the subject matter and processes of PS-36-NT. The following list of such sources is accurate as of January, 2009.

1. PS-01 contains advertising requirements and anti-discrimination provisions. Certain of those provisions are re-stated in Section I.
2. PS-07 establishes policy regarding academic honorifics, including awards; lectureships; and named chairs and Professorships, including Boyd Professorships.
3. PS-12 establishes leave guidelines.
4. PS-25, entitled **Nepotism**, recounts the University's obligations under the Code of Governmental Ethics of the State of Louisiana. It prohibits employment in certain cases. It also requires a faculty member's recusal from certain decisions affecting a member of his or her immediate family.
5. PS-40 establishes the confidentiality of personnel records.
6. PS-50 defines the authority and responsibilities of faculty and of academic officers.

7. PS-59 describes the Employee Assistance Program, referred to in XI.B, page 35.
8. PS-104 establishes the criteria and the procedures required for the consideration of dismissal for cause.
9. PM-23 states LSU System policies regarding titles, ranks, and conditions for faculty positions.
10. In Section 1-2 of the Board Regulations, subsections 1 - 5 define the faculty and various classifications of faculty.
11. Chapter 2 of the Board Regulations, which is entitled **Appointments, Promotions, and Tenure**, sets forth basic faculty personnel policies.
12. Footnote (1) to the table in Section 2-6 of the Board Regulations, entitled **Academic Ranks**, deals with the titles of Visiting Professor, Visiting Associate Professor, and Visiting Assistant Professor.
13. In Section 2-7 of the Board Regulations, the part entitled **Expiration of Appointment** establishes minimum notice requirements for nonreappointment, which are restated in V.H, page 15.
14. Section 5-13 of the Board Regulations sets forth policy for actions that may be taken under a condition of Financial Exigency.

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