PS-36-T with Notes for Users
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LSU Policy Statement 36-T, Effective Date 8/17/09
Tenure-Track and Tenured Faculty: Appointments, Reappointments, Promotions, Tenure, Annual Reviews, and Enhancement of Job Performance

with Notes for Users (Section XIV)
by Carruth McGehee, Professor Emeritus

URL: http://www.math.lsu.edu/~mcgehee/PS-36-T-Notes.pdf
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PS-36-T with Notes for Users

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

I PREAMBLE

By means of these policies and procedures, the University seeks to employ and to maintain a staff of tenured and tenure-track faculty with superior qualifications to advance its mission and to nurture and support the work of those faculty members, while observing the principles of academic freedom and the tenets of the tenure system. 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.[1]

Among personnel decisions, the decision to award tenure is of distinguished and central importance. The University will do so only through a rigorous, careful process of examination and deliberation. Accordingly, the decision to tenure[2] entails the presumption of professional excellence. It implies the expectation of an academic career that will develop and grow in quality and value, and one that will be substantially self-supervised and self-directed.

[1]The nondiscrimination provisions here are repeated from PS-01, entitled ***Equal Opportunity Policy***.
[2]That is, the decision to advance a person to tenure.

Chapter II, Section 2-7 of the *Regulations of the Board of Supervisors* provides in part: "Tenure is not a guarantee of lifetime employment, particularly in the face of institutional change or financial exigency. It does assure that the employee will not be dismissed without adequate justification and without due process." With tenure comes a steward's role in the University's governance and leadership. In particular, the tenured faculty will play a key role in the decisions to appoint new faculty and to promote continuing faculty.

II GENERAL PROVISIONS

II.A Applicability and Limitations

The present Policy Statement 36-T (PS-36-T) 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.

PS-36-T applies to all persons holding an appointment as tenure-track or tenured faculty. Its provisions are stated for the professorial series, but apply equally to other series of tenure-track and tenured positions and titles, as named in the LSU System Permanent Memorandum 23 entitled ***Ranks, Provisions, and Policies Governing Appointments and Promotions of the Academic Staff.*** In particular, provisions stated herein for Assistant Professors, Associate Professors, and Professors apply also, respectively, to Assistant Librarians and Assistant Curators; Associate Librarians and Associate Curators; and Librarians and Curators. This policy also applies to persons who have not completed terminal degree requirements but whose employment contracts provide for tenure-track appointment upon completion of the degree requirements within a specified time period.[3] This Policy Statement does not apply to those positions described in PS-36-NT.

II.B Joint Appointments

Remark:[4] *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 XIV.G, page 48.*

Tenured and tenure-track faculty may be jointly appointed to more than one department.[5] In this case, the department providing the majority of funding for the position will be known as the primary department and tenure, if awarded, will be in that department.[6] 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

[3] See VII.B, page 17.
[4] The italized "Remarks" in this format are not part of PS-36-T.
[5] Terms like *department* may be used in a broad sense. See XIV.A, page 42.
[6] For definitions of primary and secondary departments, see items 22 and 26, Section XIII.A, page 39.

department(s) will be responsible for calling meetings of the appropriate faculty panel[7] of the secondary department(s) to consider and vote on recommendations for appointment, reappointment, promotion and/or tenure, and annual performance evaluations; and forwarding the secondary departmental recommendation along with his or her recommendation to the chair of the primary department.

Tenured and tenure-track positions may likewise be shared by multiple campuses within the LSU System. In this case, the campus providing the majority funding for the position will be known as the primary campus and tenure, if awarded, will be on that campus. All personnel actions for incumbents of positions shared by multiple campuses will be processed in accordance with the primary campus and LSU System timelines and processes. Each campus administration will have input and, in accordance with LSU System PM-23, a split recommendation for tenure of a faculty member with multiple-campus appointment will result in the approving campus acquiring full financial responsibility for the individual and the split recommendation for promotion of a tenured individual will result in the approving campus assuming the responsibility for the additional percentage. Similar comments apply to other external appointments.

II.C Part-Time Appointments

Tenured and tenure-track faculty must be full-time.[8] Leave without pay and/or a change to part-time status for a specified period of time will be handled in accordance with the request of the faculty member subject to approval by the Provost. The conditions of such leave or change in status, including whether the time period of the leave or change in status will or will not count towards tenure,[9] must be approved by the Provost and confirmed in writing. If and when a faculty member requests and accepts a part-time appointment other than for a specified period of time, then his or her tenured or tenure-track status will be revoked; the revocation will be confirmed by LSU in writing.

III THE RULES OF A DEPARTMENT OR OTHER UNIT

III.A Preamble

To establish the most effective faculty governance, and to make due provision for the varying characteristics of departments and other units, their disciplines, and their

[7]Faculty panels are defined in Section VI, page 12. Note that in some departments, the faculty panel may be very small, and may in fact consist of the chair only; but see VI.A.3.

[8]For the definitions of ***full-time*** and ***part-time***, see item 13, Section XIII.A, page 38.

[9]Regarding this phrasing, "count towards tenure," see XIV.F, page 47. The question here is whether, in the case of a tenure-track faculty member, the tenure clock will be stopped for the said time period. Stopping the tenure clock is not automatically entailed by any such leave or change in status. For a more complete statement of provisions, see VIII.D, page 23. See also PS-12, entitled ***Leave Guidelines for Academic, Professional and Classified Employees***.

circumstances, PS-36-T 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-T.[10]

III.B Rulemaking Requirements

All unit rules pertinent to the subject matter of PS-36-T must meet the following requirements:

1. A unit's rules may not conflict with the rules of its college or with any University Policy Statements. Unit rules may be made or amended by majority vote of the tenured faculty in the unit,[11] including the chair or dean[12], who serves as the presiding officer. The tenure-track faculty will be included also for the purpose of adopting rules, if any, whereby a committee is designated to act as the panel for an initial appointment.[13]

2. The Provost may designate additional LSU faculty members to serve, on an ongoing basis, on a unit's rulemaking body when there are fewer than six faculty with tenure in the unit.[14]

III.C Approval Procedure

The chair or dean of each unit 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

These guidelines will govern every evaluation of a faculty member's job performance and every decision with regard to initial appointment, reappointment, promotion, or advancement to tenure.

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

[10]See XIV.B for commentary on this Section.
[11]Barring a specification otherwise,"the faculty in a unit" means those faculty with primary appointment therein.
[12]Terms like *chair* and *dean* may be used in a broad sense. See XIV.A, page 42.
[13]For the definition of faculty panels, see VI.A. Regarding the panel for initial appointments, see the first sentence of item 1, page 12, in VI.A.
[14]For 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.

The appropriate areas for consideration are the three traditional ones of scholarship, teaching, and service. The weight to be accorded each will be consistent with the department's mission and with the faculty member's job duties and work assignments. The extent and nature of expectations in the three areas may also be described in the rules[15] of departments and other units.

The three areas are distinct, but they are also interdependent and mutually supportive. For example: A faculty member's scholarly engagement in an academic discipline should assure that he or she will bring current information and skills to the classroom, and will place students at the frontier of knowledge and practice. A faculty member's experience in scholarship and teaching should assure that he or she will bring intellectual and educational values to the performance of service to the University or the broader community.

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 unit. 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-T 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. Every tenure-track or tenured faculty member must engage in scholarship. 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. Novels, poetry, plays, exhibitions, or musical compositions.
3. Participation in musical performances or theatrical productions.
4. Creations in the visual arts, video or other media.
5. Development of patents, processes, or instruments.
6. Membership on scientific expeditions.
7. Designs and built works.

[15]See Section III.

8. The delivery or application of technology.

In every case for appointment, reappointment, promotion, or advancement to tenure, achievement in scholarship is essential, and quality is of the essence. In every case it is the responsibility of 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 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, 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 department's mission, then in every case for appointment, reappointment, promotion, or advancement to tenure, it is the responsibility of 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.
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.[16]

[16]The use of student evaluations of teaching in annual reviews is further qualified by XI.B, first paragraph, last sentence. For commentary, see XIV.M.

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 department[17] 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. 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, promotion, and advancement to tenure. Civic and community service that is not based on a faculty member's professional or academic responsibility, though admirable, will not have weight.

Examples of service that are valid and may be recognized are as follows. The list is not exhaustive. Further, 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 as the provisions[18] 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.

[17] See Section III, page 3.
[18] It would perhaps be better to say "and" instead of "as well as."

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-T. The files generated in connection with these processes are governed by Policy Statement 40 entitled ***Employee Records Confidentiality*** as well as applicable law.

V.B Meetings

For each provision in PS-36-T 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 as 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 form 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 and procedures required by the policies of a unit. This will include

establishing deadlines to ensure that the applicable notice requirements[19] 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.[20]

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

A conflict of interest will require recusal from procedures described in this Policy Statement.[21] A faculty member will be presumed to have a conflict of interest with regard to a decision affecting a candidate for appointment, reappointment, promotion, or advancement to tenure 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.

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.

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 to serve in an advisory capacity to him or her and to attend the meeting. Conference attendees at the department level

[19]The notice requirements appear in V.G, page 11.

[20]This provision regarding the chair's role repeats one in VI.B, page 14. Other statements of chair's responsibilities appear in VI.A.2, page 13; VII.A.1, page 15; and throughout Sections VIII and IX.

[21]A conflict of interest may also arise in the selection of 'outside evaluators; see IX.B.4, item 4, page 27.

are the chair and the candidate (with peer advisor, if desired). The same group and the dean constitute the attendees at the college[22] level.

V.F 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 colleges[23] when considering recommendations for (1) promotion and/or tenure or (2) tenure with an initial appointment[24].

1. The Graduate Council will annually appoint, subject to the Provost's approval, the Provost's Advisory Committee from its membership.
2. In each departmentalized college, an advisory committee or committees will be established as determined by the dean unless the college rules[25] provide otherwise.

While advisory committee recommendations will not become part of appointment or review files, the dean will incorporate the vote and comments by the advisory committee in his or her recommendation.[26] Each dean (or line officer)[27] is solely responsible for writing evaluations and making the recommendations at his or her level, using criteria consistent with the criteria for evaluating faculty job performance previously enumerated in this policy.[28]

V.G Required Notice of Nonreappointment

A decision not to reappoint a faculty member may be reached through a reappointment review process (Section VIII of the present policy), tenure review process (Section IX of the present policy), or as otherwise authorized by the Regulations of the Board of Supervisors (Chapter II, Section 2-7 and Chapter V, Sections 5-13[29]). Such a decision requires no further administrative or Board of Supervisors approval. Except when the action is due to financial exigency, written notice of the decision 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.

[22]Terms like *department, college,* and such are used in a broad sense. See XIV.A, page 42.
[23]For the definition of a departmentalized college, see item 8 in XIII.A, page 38.
[24]These mandates for the use of advisory committees are repeated (1) at the beginning of IX.D, page 29 and (2) in the third paragraph of VII.A.4, page 16. See also XIV.D, page 44.
[25]See Section III, page 3.
[26]Regarding this provision, see XIV.D, page 44.
[27]Better wording would be, Each dean or other line officer.
[28]See Section IV, page 4.
[29]The provisions in Chapter V of the Regulations deal with financial exigency.

2. Not later than December 15 of the second academic year of service, if the appointment expires at the end of that academic 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.

Once a faculty member is notified that he or she will not be reappointed, the decision will not be suspended during any appeal. Upon expiration of a term appointment, the employee is a free agent to whom the University System has no obligation.

VI THE FACULTY PANEL

VI.A Faculty Panel Composition

Remark:[30] *For clarity, the following statement may be helpful as an introduction to VI.A: 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. 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 items 1-3; with exclusions and additions that may occur as provided in V.D, VI.A.1, VI.A.2, and VI.A.3. Ranks equivalent to those in the professorial series are covered; see II.A. For each given decision on a given faculty member, the provisions of VI.A determine the faculty panel within each secondary department, if any, as well as the panel within the primary department.*

1. For an initial appointment, the faculty panel shall include all tenured and tenure-track faculty of a department; except that the rules of the department[31] may, for some or all such cases, define a committee, including only some of the said faculty, to serve as the panel.[32] For tenure with initial appointment, a separate vote on tenure must be taken with a faculty panel that includes only those tenured faculty with rank equal to or higher than the candidate under consideration.[33]

2. For a decision regarding reappointment, the faculty panel will include the tenured faculty with rank equal to or higher than the candidate under consideration.

[30]The italicized "Remarks" like this one are not part of PS-36-T.
[31]See Section III, page 3.
[32]Clearer wording: ... except that the rules ... may, for some or all such cases, define the panel to be a committee of the tenured and tenure-track faculty.
[33]A clearer statement of the intended meaning: For an initial appointment to a tenured position, there are two questions and two panels. For the appointment, the first sentence of this item 1 applies. For the granting of tenure, the faculty panel will include the tenured faculty with rank equal to or higher than that to which the candidate would be appointed.

3. For a decision regarding promotion and/or tenure[34], the faculty panel will include the tenured faculty senior in rank to the candidate. Tenured Associate Professors are considered to be of higher rank than tenure-track Associate Professors.[35]

See Appendix B for a table[36] illustrating the composition of the faculty panel for various decisions.

VI.A.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 [37] may provide which categories of faculty[38] will be enfranchised and for which decisions. For example, the rules may provide that faculty who hold secondary appointments in the department, and who otherwise qualify for the panel[39] will also belong to the panel. If this 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 not vote on that decision in more than one of the departments.

VI.A.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. The chair does not take part in the faculty panel discussion other than providing requested factual information; nor does the chair take part in the faculty panel voting,[40] because the chair must make an independent evaluation and written recommendation.[41]

VI.A.3 Members Added by Appointment For a decision that is to be made in a primary or secondary department, the members of the faculty panel as determined by the provisions above will sometimes be fewer than six in number. In such a case, it may be desirable and practical to improve the range of expertise of the panel, for the decision in question, by adding members. The chair, the faculty panel, or (in the case of a reappointment, promotion, or tenure review), the candidate may ask the line officer to whom the chair reports to appoint additional members. If and only if

[34]That is, advancement to tenure

[35]It may serve the cause of clarity to restate item 3 as follows: For a promotion to Associate Professor, and for the advancement of an Associate Professor to tenure, the faculty panel will include the tenured Associate Professors and tenured Professors. For a promotion to Professor, and for the advancement of a Professor to tenure, the faculty panel will include the tenured Professors.

[36]The table of Appendix B presents only partially the provisions of VI.A and may be misleading at some points if taken in isolation. It is omitted from ***PS-36-T with Notes for Users***.

[37]See Section III.

[38]That is, in addition to those included under items 1-3 above.

[39]That is, who qualify as to rank and tenure status under items 1-3 above.

[40]That is, the faculty panel voting on the personnel decisions being considered; the rationale stated here is limited to those questions.

[41]This restriction makes an 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.

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 members, bringing the total number up to as many as six. The appointees must hold rank and tenure status at LSU as required[42] 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.

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

VI.B The Manner of Voting

To establish a departmental decision or recommendation on a PS-36-T matter, ordinarily the chair must call a meeting of the faculty[43], hold a discussion, and take a vote by written ballot. A secure online system may be used for information, discussion, and/or voting. The chair will establish and carry out procedures and practices to assure that, with regard to each decision, and to the extent possible without excessive delays, all members of the faculty panel, including those who are on leave and/or not in residence, will be afforded a reasonable opportunity to be informed, to express views, and to cast votes. In so doing the chair will observe the pertinent regulations, if any, contained in the department's rules.[44] Every count will be made and attested to by at least two members of the faculty panel. The tally, including separate counts[45] 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-T and applicable law, will be respected.

VI.C The Report of a Departmental Recommendation

Whenever the faculty panel arrives at a recommendation–with regard to initial appointment, reappointment, promotion, or tenure–the report of the recommendation will include:

1. A tally of the vote.
2. The number of panel members who did not vote.
3. 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.
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

[42] See items 1-3 above.
[43] That is, a meeting of the appropriate faculty panel.
[44] See Section III.
[45] There is normally one count per faculty panel. See XIV.E, page 47.

those letters is revealed or their authors identified will be presented separately and kept confidential.

5. The chair's independent judgment and recommendation with regard to the decision.

Unless the rules of the department or college[46] require otherwise, the chair will assemble the report.[47] 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.

VII INITIAL APPOINTMENTS

VII.A Procedure

The following provisions govern the steps leading to the initial appointment of a tenure-track or tenured faculty member, including the recruitment and evaluation of candidates by the department. In special cases, a person may be proposed for an appointment from outside the department; for example, as a result of a search for an administrative officer. For such an appointment, the faculty panel recommendation, documentation of the candidate's academic credentials, and the approval process are still required.[48]

VII.A.1 The Chair's Responsibility The chair is responsible for developing hiring strategy in consultation with the faculty, securing budgetary commitments from the dean, determining job descriptions and qualifications,[49] advertising positions, recruiting qualified persons to apply, screening applicants, ensuring compliance with Policy Statement 1 entitled ***Equal Opportunity*** and with PS-25, and carrying out other steps in the process of making an appointment. To perform these tasks, the chair may delegate responsibilities, establish procedures, and appoint committees.

The chair shall carry out his or her responsibilities in a manner that recognizes all tenured and tenure-track faculty 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.A.2 A Recommendation to Appoint When the chair calls a meeting 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

[46] See Section III.
[47] The rules might require, for example, that a faculty panel representative will prepare items 3 and 4 and the chair will prepare the others.
[48] See VII.A.2, VII.A.3, and VII.A.4.
[49] Regarding minimum qualifications, see VII.B.

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 discretion.

Remark:[50] *See II.B, page 2. In the case of a joint appointment, the chair of each secondary department must also call a meeting of its faculty panel and take a vote by written ballot on whether to support the hire. See the discussion in XIV.G, page 48.*

VII.A.3 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.A.4 Approval Procedure; Official Offer The chair of the department[51] 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. If an initial appointment with tenure is proposed, the outside letters of evaluation must satisfy the criteria listed in IX.B.4, page 27.

2. The report of the departmental recommendation.[52]

3. The proposed employment contract (Per-25 form) signed by the chair of the department.[53]

4. The chair's recommendation, explaining as necessary the terms of the contract.[54]

For an offer of appointment at the rank of Assistant Professor, except when the annual salary exceeds limits set by the Board of Supervisors, the dean will make the final decision to tender an offer. For all other offers supported by the dean, 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 for further approval. In the event the dean does not support the offer, he or she will include a statement with explanation to that effect.[55]

[50]The italized "Remarks' like this one are not part of PS-36-T.
[51]That is, the primary department
[52]The report is described in VI.C, page 14. See II.B, page 2. Such a report is required also from each secondary department, if any; see II.B, page 2.
[53]See II.B regarding the case when there is one or more secondary department.
[54]For example, there may be provisions related to the tenure clock (see VII.E).
[55]The meaning seems to be that if the dean recommends against approval, he or she will forward the contract, the candidate's *C.V.*, and documentation of academic credentials to HRM for review and appropriate routing, including a statement explaining the recommendation.

Except when the annual salary exceeds limits set by the Board of Supervisors, the Provost will make the final decision on recommendations for tenure-track appointments of Associate Professors and Professors. In the case of a recommendation of appointment at any rank with tenure, advisory committees will provide input at the levels of dean and Provost review.[56]

When a recommendation reaches the Provost, he or she may always make a final decision against the appointment. An appointment with a modified title such as endowed chair that is supported by the Provost requires the further approval of the Chancellor and the LSU System President or their respective designees. An appointment with tenure, or a proposed annual salary that exceeds limits set by the Board of Supervisors, requires approval of the Board as well as the Chancellor and LSU System President.

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. Only then will any University officer make any written or oral commitment regarding any aspect or condition of the appointment. A line officer may have preliminary discussions with the candidate prior to this time.

VII.A.5 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 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.

VII.B Minimum Qualifications for Appointments

In every case, the qualifications applied must be consistent with LSU System PM-23 and the criteria for evaluating faculty job performance in Section IV of this policy; must be appropriate to the mission of the department and to the job duties and work assignments anticipated; and must be in keeping with the standards of the department and University for the rank of the position. For an Associate Professor or Professor, the granting of tenure with the initial appointment is allowed if said qualifications are especially distinguished and in keeping with the tenure standards of the department and University. The granting of tenure may be considered, for example, if the candidate holds tenure at a comparable university.

[56]See V.F, page 11, which provides further guidance in cases when the dean forwards a recommendation to the Provost. See also XIV.D, page 44.

The person appointed must hold the terminal degree in an academic discipline and/or suitable professional experience and achievements, as appropriate to the department, the rank, and the job duties and work assignments. In a case 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 written certification that all requirements for the degree have been completed. When a degree is required for a position, but 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. The individual will be appointed at the rank of Instructor.[57] If LSU receives the certification by the date specified in the contract the person's title will be changed to Assistant Professor, the appointment will be amended to effect this change, and the faculty member will be notified in writing of the begin date for service credit toward tenure.[58]

VII.C Requirement of an Interview

Except in extraordinary cases, every candidate recommended for appointment must have been interviewed at LSU to allow interaction between the candidate and the faculty panel members who are available on campus. If there is no on-campus interview, there must be an off-campus interview, teleconference, or some other provision for interaction that is satisfactory to the faculty panel.

VII.D Inbreeding

An appointment will not ordinarily be offered to a person whose terminal degree is from LSU unless the department has an exceptional need for a candidate with the person's qualifications, or unless the candidate is one of exceptional merit; for example, having achieved an excellent record elsewhere since completing the terminal degree.

VII.E Initial Appointments and Years of Service toward Tenure

VII.E.1 and VII.E.2 define how a tenure-track faculty member's years of service toward tenure will be counted from the time of the initial appointment. They also

[57] II.A, last sentence, implies that the use of the Instructor rank in such a case does not make applicable any provisions of PS-36-NT referring to that rank. Likewise for any provisions of unit rules referring to that rank, barring an explicit statement otherwise.

[58] In tenure clock terms: The faculty member will be notified in writing of the initial setting of the tenure clock. See XIV.F, page 47.

define the year of mandatory tenure review.[59] In that year, there must be a tenure review and decision on reappointment if tenure is not granted[60] unless when the year begins, the faculty member is either already tenured or has been given notice of nonreappointment.[61]

VII.E.1 Assistant Professors The initial appointment of an Assistant Professor will be for a term of up to three years. At the University's discretion, if the person has suitable qualifications and achievements and/or a period of service at another university, then the appointment contract may define the first year of service as an Assistant Professor at LSU to be year two, three, four, or five in service toward tenure.[62] Otherwise, that first year will be year one in service toward tenure.[63] The number of years credit will be recommended on the proposed employment contract and requires review and approval through channels by the LSU System President or his or her designee.

The sixth year of service toward tenure[64] will be the year of the mandatory tenure review unless the faculty member was given notice of nonreappointment.[65] The appointment of a tenure-track Assistant Professor will not be continued after year seven[66] if tenure has not been granted, and the faculty member will be given notice of nonreappointment in accordance with LSU Bylaws and Regulations if tenure is denied.

VII.E.2 Associate Professors and Professors The initial appointment of a tenure-track Associate Professor or Professor will be for a term of three, four, or five years. If a person has suitable qualifications and achievements and/or a period of service in the rank at another university, then that person can be given years of service credit for tenure review purposes. The number of years credit will be recommended on the proposed employment contract and requires review and approval through channels by the LSU System President or his or her designee.[67]

[59] In other words, VII.E.1 and VII.E.2 specify how the tenure clock will be set at the time of the initial appointment. They also define, by reference to the tenure clock, the year of mandatory tenure review. See XIV.F, page 47.

[60] The phrase "and decision on reappointment if tenure is not granted" should be interpreted in the light of VII.E.1, paragraph 2 and VII.E.2, paragraph 2. In effect, when a mandatory tenure review culminates in a negative decision, the reappointment question is answered by those paragraphs.

[61] Regarding possible later adjustments to the tenure clock, see VIII.D, page 23. For provisions regarding reappointment reviews, see Section VIII, page 20. Regarding tenure reviews, see Section IX, page 24.

[62] In other words, year two, three, four, or five on the tenure clock. See XIV.F.

[63] In other words, year one on the tenure clock.

[64] In other words, Year six on the tenure clock.

[65] Better wording would be, has previously been given notice of nonreappointment.

[66] That is, after year seven on the tenure clock.

[67] In other words: ... then the appointment contract may define the first year in the rank at LSU to be year two or to be year three on the tenure clock. Otherwise the first year of service in the rank at LSU will be year one on the tenure clock. Regarding possible later adjustments to the tenure clock, see VIII.D, page 23.

The fourth year of service toward tenure[68] will be the year of the mandatory tenure review unless the faculty member received notice of nonreappointment in the third year.[69] The appointment of a tenure-track Associate Professor or Professor will not be continued after year five[70] if tenure has not been granted, and the faculty member will be given notice of nonreappointment in accordance with LSU Bylaws and Regulations if tenure is denied.

VIII REAPPOINTMENT REVIEWS

VIII.A Preamble

A tenure-track appointment or a series of tenure-track appointments carries no assurance of reappointment, promotion, or tenure. Reappointment is made solely at the initiative of the University. It is expected that tenure-track candidates who are recommended for reappointment will have demonstrated reasonable progress toward meeting the criteria for the award of tenure.

Remark:[71] *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 received notice of nonreappointment. In a year when a faculty member is undergoing a tenure review, Section IX governs, and Section VIII applies only as stated there. Provisions in the Section may be abrogated in extraordinary circumstances; see XIV.N, items 8 and 14.*

VIII.B Timetable Provisions for Reappointments

Reappointment reviews[72] are normally conducted in a time frame that allows for timely notice of nonreappointment as provided in the LSU System Board Regulations. A reappointment review may be undertaken based on the expiration date of the faculty member's current appointment,[73] pertinent college or department rule[74], 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.[75]

[68]In other words: Year four on the tenure clock.
[69]Better wording would be, has previously been given notice of nonreappointment.
[70]That is, year five on the tenure clock.
[71]The italicized "Remarks' like this one are not part of PS-36-T.
[72]For commentary on reappointment reviews, see XIV.I, page 51.
[73]That is, undertaken in good time to meet the notice requirements in the Board Regulations; see V.G, page 11, where those are repeated.
[74]See Section III.
[75]The review committee referred to here is the one defined in XI.B.2. In a year when no tenure or reappointment review is mandated, so that presumably only an annual review is required, said committee may nevertheless decide that there must be a reappointment review, provided one is allowed by pertinent policy or rules. See also the exposition in XIV.H, page 49.

1. If a faculty member's first year of service as an Assistant Professor at LSU was year one or year two of service toward tenure[76], then these two regulations apply:

   - There must be a reappointment review no later than the third year of service.[77]
   - A decision to continue an appointment into year five of service toward tenure[78] can be reached only as a result of a reappointment review entailing a faculty panel recommendation for reappointment.[79]

2. When an Assistant Professor has begun year five of service toward tenure[80] and has not been given notice of nonreappointment, the term of his or her appointment will extend through year six toward tenure[81], which will be the year of the mandatory tenure review. Year seven will then be the last year of the appointment unless the person is advanced to tenure.

3. When an Associate Professor or Professor has begun year three of service toward tenure[82] and has not been given notice of nonreappointment, the term of his or her appointment will extend through year four of service toward tenure[83], which will be the year of the mandatory tenure review. Year five will then be the last year of the appointment unless the person is tenured.

VIII.C Procedure for a Reappointment Review

Reappointment reviews will be conducted by the faculty panel for reappointment.[84] Prior to the review, the chair will meet with the faculty panel and inform the members of the faculty member's number of years of service toward tenure,[85] and of the end date of his or her current term.

Note that the composition of the faculty panel depends on the rank of the person being reviewed.[86]

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

[76]That is, year one or year two on the tenure clock. Regarding the initial setting of the tenure clock, see VII.E, page 18. Regarding possible later adjustments to the tenure clock, see VIII.D, page 23.
[77]That is, year three on the tenure clock.
[78]That is, year five on the tenure clock.
[79]See XIV.H, page 49 for a further exposition.
[80]That is, year five on the tenure clock.
[81]That is, year six on the tenure clock.
[82]That is, year three on the tenure clock.
[83]That is, year four on the tenure clock.
[84]Faculty panels are defined in Section VI, page 12.
[85]That is, the chair will inform them of the time on the tenure clock.
[86]See VI.A, page 12.

file up-to-date, and will prepare an annual report on his or her activities. The faculty member may include a self-evaluation.[87]

2. The chair will assure that the faculty member's file contains the reports from all formal evaluations that have been completed.

3. The chair will make the file available to the members of the faculty panel for their 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. The length of reappointment shall be consistent with Bylaws and Regulations of the LSU Board of Supervisors.[88] The report of the departmental recommendation[89] will be placed in the faculty member's file.

4. The chair will meet[90] with the faculty member to advise him or her of the recommendation, provide copies of the departmental reports, and explain the procedural steps that will follow.

5. The faculty member will be asked to sign a statement that includes the following: My signature indicates that:

   (a) I am aware of the contents of my file and have had the opportunity to provide my annual report and up-to-date documentation.

   (b) I have been notified of the recommendation with regard to my reappointment.

   (c) I have exercised, or else waived, my rights to discuss the recommendation with the chair and/or with the chair of each secondary department in which I am employed.

   (d) I understand that I have the right to attach a formal letter of response or rebuttal, with materials in support thereof, for inclusion in the file, provided I send it to the chair and to the dean no later than seven calendar days after the date when I was advised of the recommendation.

VIII.C.1 Approval Process The chair will send a copy of the file to the dean.

Remark: Regarding the possibility that an advisory committee could be involved at the dean's level, see XIV.D, page 44.

With regard to an Assistant Professor's reappointment, the dean will make the decision. He or she will prepare a written statement, provide it to the chair and to

[87] Compare items 1 and 2 here with items 1 and 2 in XI.B.1, page 33. These steps apply to a tenure-track faculty member—whether there is to be a reappointment review, or a tenure review, or just an annual review.
[88] Relevant constraints include the provisions of VIII.B.
[89] See VI.C, page 14.
[90] V.E applies.

the faculty member, and place it in the file. If the decision is not to reappoint, the dean will in timely fashion meet[91] with the faculty member to notify him or her of the nonreappointment decision.

With regard to an Associate Professor's or Professor's reappointment, the dean will make a recommendation to the Provost. The dean will prepare a written statement, provide it to the chair and to the faculty member, and place it in the file. If the recommendation is not to reappoint, the dean will in timely fashion meet[92] with the faculty member to advise him or her of the nonreappointment recommendation. The Provost will make the decision. If the decision is negative and contrary to the dean's recommendation, then the Provost will in timely fashion meet[93] with the faculty member to notify him or her of the nonreappointment decision. The chair will inform the faculty panel of the decision.

In all cases, the chair will send the dean, along with the file, a Personnel Action Form to carry out the recommended action, to reappoint or not to reappoint. The dean, HRM, and the Provost will coordinate finalizing the personnel action form as appropriate and, in the case of nonreappointment, the dean or chair will provide the faculty member with written notice in accordance with the Bylaws and Regulations of the LSU Board of Supervisors.

VIII.D Adjustments to Counting Service towards Tenure

Remark: The subsection might be entitled, Adjustments to the Tenure Clock.

A tenure-track faculty member who has not been given notice of nonreappointment, and for whom the year of the mandatory tenure review has not begun,[94] may request temporary departure from the tenure track under the following circumstances:[95]

1. While on approved leave without pay.[96]
2. During a temporary part-time assignment.
3. During a time period in which, at the request of the faculty member, he or she has been assigned duties that do not contribute to a case for advancement to tenure.
4. During a period of time when the faculty member's personal obligations or situation can reasonably be anticipated to impede progress towards tenure.

[91] V.E applies.
[92] V.E applies.
[93] V.E applies.
[94] See the last paragraph of VII.E.1 or VII.E.2.
[95] In other words, may request that the tenure clock be stopped for a specified period of time. Such an action will affect the timetable stated in VIII.B, and in particular will redefine the year of the mandatory tenure review. Note that stopping the tenure clock is not automatically entailed by any of these circumstances, but requires explicit approval.
[96] With regard to leave guidelines, see PS-12.

If approved, the faculty member will enter into a written agreement which sets out the specific period of service which will not be counted towards tenure[97] and which establishes the year of the faculty member's mandatory tenure review.[98] The term appointment will be automatically extended by the approved period in order for the faculty member to have equivalent time to build a case toward tenure and for which to be evaluated. Final approval of temporary departure from the tenure track is in the sole discretion of the LSU System President or his or her designee.

IX PROMOTION AND TENURE REVIEWS

Remark:[99] *For commentary on the subject matter of the present Section IX, see XIV.J, page 52.*

IX.A General Provisions

The present Section describes the formal process for reaching a decision on one or more of the following actions: (1) Tenure[100], (2) promotion to Associate Professor, or (3) promotion to Professor. For an Assistant Professor, advancement to tenure and promotion are always done in combination.

IX.A.1 When a Review Will Be Conducted The review procedure requires the better part of a year for completion. All activities related to a review must be timed to conform with the current timetable set by the Provost[101] and communicated through HRM, and with the timetables set in colleges and departments for their parts in the process.

The chair will call a meeting of the appropriate faculty panel[102] whenever a mandatory tenure review is at hand for an Assistant Professor or a tenure-track Associate Professor or Professor,[103] and whenever it is time to decide whether to conduct reviews in other cases, and will advise the panel of the procedures to be followed. The panel will consider initiating a non-mandatory review if a member of the panel proposes it, or if the candidate has requested a 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

[97] In other words, the period of time during which the tenure clock will be stopped.
[98] The year of the mandatory tenure review must be in accord with the timetable stated is still in item 2 or item 3 of VIII.B, whichever is applicable. The tenure clock having been stopped for a certain period, the mandatory tenure review will be that much later.
[99] The italized "Remarks' like this one are not part of PS-36-T.
[100] That is, advancement to tenure
[101] See V.C, page 9.
[102] Faculty panels are defined in Section VI, page 12.
[103] For the times when mandatory tenure reviews are due, see VII.E.

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.[104]

IX.A.2 The Decision on Reappointment A non-mandatory tenure review may be undertaken at the same time as a reappointment review.[105] The decision on reappointment may of course be positive even when the tenure decision is negative. Accordingly, the review committee[106] will make a report and recommendation on all decisions being considered, and the decision procedures (on reappointment, tenure, and/or promotion, as the case may be) will proceed together,[107] with a vote on each decision by the appropriate faculty panel. The final decision on the reppointment and notification to the candidate will not in any event be delayed by reason of the promotion or tenure review procedures. If the final decision on the reappointment is negative, then the consideration of the promotion or tenure[108] will proceed no further.

IX.A.3 Withdrawal from a Mandated Review A mandatory tenure review will lead either to tenure or to nonreappointment. Such a review will be completed unless the faculty member declines to be reviewed or withdraws from consideration after the review is under way. He or she may do so by means of a written request to the Provost through the chair and dean. Such a request must include a letter of resignation and will result in nonreappointment at the end of the person's current term. If the faculty member does not resign, he or she will be given notice of nonreappointment.

IX.A.4 An Early Review An early review is unusual, and should proceed only when merit is well-established and clearly meets or exceeds the expectations applied in other reviews.[109]

The candidate may withdraw from an early review by means of a written request to the dean through the chair.

If an early review ends with a negative decision on the promotion or tenure question, or if the candidate withdraws from the review, such a result will be without prejudice to future reviews of the candidate. An early review does not result in a

[104]See IX.A.4.

[105]To re-state the point a bit more fully: When a non-mandatory tenure review occurs in a given year, if the term of the candidate's current appointment is such that a decision as to reappointment is due in that year (in view of the notice requirements of V.G), then the decision on reappointment must be made in a clear and timely fashion, and must be made by means of a reappointment review that will proceed together with the tenure review.

[106]See IX.A.5.

[107]Thus one follows the procedures of the present Section IX and of VIII.C, page 21.

[108]That is, advancement to tenure.

[109]With regard to early promotion to Professor, *for information only:* In the five years 99-00 through 03-04, 129 Associate Professors were promoted to Professor. Twenty-nine of them were promoted "on time," after just 5 years of service as Associate Professor; 22 were promoted early; and 26 were promoted after ten or more years of service. The average number of years in rank was 7.2.

change to the timing of the normal tenure review process[110]. Early tenure review will not substitute for a reappointment review.[111]

IX.A.5 The Review Committee The ***review committee*** for a faculty member under review may be the entire panel or a subset thereof, chaired by someone other than the department chair, and appointed by the chair unless otherwise provided by the department's rules.[112] The review committee will take part in the selection of the outside experts to be asked for letters of evaluation. After those letters have been obtained, the committee will consider the material in the review file,[113] including the letters, and will prepare a report, which will be a comprehensive statement on the case,[114] observing the criteria for evaluating faculty job performance.[115] Their report will be placed in the review file.

IX.B Stage 1: Evaluation by Experts Outside LSU

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

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.

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.

[110]That is, does not result in an adjustment to the tenure clock.
[111]An early tenure review is a non-mandatory tenure review, so that IX.A.2 applies.
[112]Regarding the review committee, see XIV.L, page 54.
[113]The review file's contents are descibed in IX.C, item 1.
[114]In 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 appropiate. The rules may specify the particulars of report in all these respects. The rules may allow, require, or forbid the review committee to make a recommendation as to what the departmental decision should be.
[115]See Section IV, page 4.

1. A letter that is more than two years old will be excluded unless the letter is current on all aspects of the faculty member's record and the review committee concurs that its inclusion is appropriate.

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.[116] 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 standards and objectives must be observed.[117] Exceptions require approval of 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.[118]
   - A research position at a government or private-sector research agency, institute, or laboratory.

4. A person known to have a bias or conflict of interest will not be asked to serve as an evaluator.[119]

5. Letters of evaluation obtained must be from persons from at least three different institutions.

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

[116] Sometimes one or more secondary departments are involved. In such a case, in the selection of the outside evaluators by the primary department, it may be desirable to seek advice from the secondary departments.

[117] *For information only:* According to HRM in 2005, the number of outside letters in a review file is usually five or six. To obtain that many, of course, it may be necessary to request more.

[118] As 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 included about 150 U.S. institutions, and LSU was among them.

[119] See V.D, page 10.

IX.B.5 Communications with Evaluators The chair—or, if so provided by the department's rules[120], 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 requesting a letter of evaluation must comply with the model provided in Appendix C[121], except for variations approved by the line officer to whom the chair reports. The candidate's *C.V.* will be enclosed. The candidate, in consultation with the chair (or the review commitee's designee), may select supporting material to be enclosed also.

IX.C Stage 2: Recommendation by the Department

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

1. The composition of the faculty panel depends on the action[122] and the status of the person under review.[123] The chair will make the review file available to the faculty panel for their study when the following items have been compiled:

   - The candidate's *C.V.* and other documentation, as required by the LSU System, University, college, or department.
   - Copies of the chair's evaluation, together with attachments, if any, by the faculty member, from each annual review process that has taken place.[124]
   - Outside evaluations together with:
     (a) Name and address of everyone asked to write an evaluation.
     (b) For each evaluator, a brief statement of his or her qualifications, including academic rank and institution of employment.
     (c) A sample letter used to request the evaluations.
     (d) Explanatory notes as needed, at the discretion of the chair or review committee.
   - The preliminary report of the review committee. Chairs will take appropriate measures to assure that confidentiality is maintained.

2. The chair will convene the faculty panel to consider the case and to vote on their recommendation on the decision to be made. As per VI.A.2, the chair

[120] See Section III.
[121] XIII.C, page 40.
[122] Note that "the action" and "the decision" being considered will in some instances be two or three actions and decisions, regarding advancement to tenure, promotion, and reappointment—so that more than one faculty panel in the department may be involved.
[123] See Section VI, page 12.
[124] See XI.B.

does not take part in the discussion or voting but provides factual information when requested by the faculty panel.

3. The chair will write his or her own statement indicating his or her recommendation.[125]

4. The report of the department's recommendation[126] 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 as per VI.C.[127] In cases when more than one candidate are being considered for the same action, the report will not rank the faculty members.

5. The chair will meet[128] 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 3[129] to the candidate, excluding the part that must be kept confidential[130] and will advise the candidate of his or her right to write a formal response for inclusion in the file. If the review file is being forwarded to the next administrative level, 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.

6. In any case when the department's recommendation is positive, and in the case of a mandatory tenure review, the chair will forward the review file to the line officer to whom he or she reports for consideration. In any case other than a mandatory tenure review, if the department's recommendation is negative, then the final decision will be that the promotion or tenure will not be granted—unless the candidate requests in writing that the review file be forwarded to the line officer to whom the chair reports for consideration. The report will also include a recommendation regarding reappointment where applicable.[131]

IX.D Stage 3: Consideration at Additional Administrative Levels

The Provost and deans will employ faculty advisory committees to consider promotion and tenure.[132] No officer will make rankings of candidates. The steps of Stage

[125]Item 4 should be listed before item 3. Good practice would appear to require that the chair should consult the report of item 4, 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.
[126]The "department's recommendation" is described in VI.C, page 14. This item 4 further specifies its nature for the case of promotion and tenure reviews.
[127]The phrase "as per VI.C" at the end of the second sentence of item 4, refers primarily to the requirement of item 3 in VI.C.
[128]V.E applies.
[129]This should be "items 3 and 4." The intention is to include also the said reports from each secondary department, if any.
[130]See item 4 of VI.C, page 14.
[131]See IX.A.2.
[132]Regarding provisions for advisory committees, see V.F, page 11.

3 will be as follows. If the candidate withdraws from the promotion or tenure review at some point by means of a written request to the line officer currently holding the review file, consideration of the action will proceed no further.[133]

1. In any case other than a mandatory tenure review, if the department makes a negative recommendation, and if the dean (or the Provost, if the department reports directly to the Provost) upholds the department's position, then the dean's (or Provost's) decision will be final. He or she will notify the chair and the candidate, and will meet[134] with the candidate.

2. Except as provided in item 1 of this subsection, the dean will send his or her recommendation and the review file to the Provost.[135] The dean will notify the chair and the candidate of his or her recommendation and will meet[136] with the candidate if the decision is negative[137] or if the candidate requests such a meeting.

   The Provost will forward a recommendation and the review file to the Chancellor. The Chancellor will submit his or her recommendation and the review file to the President of the LSU System. The Chancellor will notify the candidate of the recommendation. If the Chancellor's recommendation is positive and the President agrees, he or she will submit it to the Board of Supervisors for approval. The Chancellor or his or her designee will notify the candidate of the LSU System decision.

3. The chair will in timely fashion provide notice of nonreappointment to a candidate when the outcome of a mandatory tenure review is negative or when a recommendation of nonreappointment, approved by the appropriate level, has been made. A copy of the notice will be provided to HRM.

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 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.

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.

[133] Regarding withdrawals, see IX.A.3 and IX.A.4.
[134] V.E apllies.
[135] See XIV.D, page 44.
[136] V.E apllies.
[137] That is, if the dean's recommendation is negative.

Supporting material provided by the faculty member should be returned to those faculty members who are recommended for promotion and/or tenure after final approval by the LSU System.[138] Supporting material for candidates who are not recommended for promotion and/or tenure 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

X.A Procedures

After the completion of a decision at the final approval level regarding a reappointment, promotion, or tenure,[139] a faculty member may appeal the decision seeking the reversal or other modification of the decision in question. The following steps 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 agrees with the appeal and has authority to implement the 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.

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

[138] Regarding possible problems in this regard, see XIV.J.1, page 52.
[139] That is, advancement to tenure

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.

5. The faculty member may pursue the faculty grievance process 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,[140] then he or she is not entitled to use this policy's procedure until the Faculty Senate Grievance Committee process is complete.

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

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, and with the awareness that faculty work is in large part a matter of multi-year projects and commitments. The import of a single year's report or evaluation will often be incremental in nature. The process is a framework for businesslike and collegial communication. The process will disclose and identify the strengths and weaknesses in job performance that may have a bearing on rewards or other decisions affecting the faculty member. The chair will offer advice and assistance for the remediation of negative factors, if any.

[140]The Faculty Senate Bylaws define the Committee's procedures and describe the possible outcomes.

PS-36-T does not prescribe the procedure to be used in complete detail. The rules of the department or college[141] may (and should) further specify and regulate the criteria, the process, and the timetable; and may provide additional formal reviews, of various kinds and frequencies, that fit around this framework.

XI.B The Annual Review Process

Remark:[142] *Regarding objectives of the annual review process, see XIV.K, page 53.*

In each annual review process for a faculty member, there will be only one reviewing officer, the department chair. 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. The reviewing officer will have primary responsibility for the process, but will incorporate evaluations by others as appropriate, for example when the faculty member has duties in more than one unit. Sampling of student opinions should be carried out in such a manner as to the assure that students are free to convey honest opinions without fear of reprisal and that ratings are both reliable and valid.[143]

The process will occur every year for every faculty member, except when he or she is being reviewed for reappointment, promotion, or advancement to tenure; 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 Preliminary Steps

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 file up-to-date, and will prepare an annual report on his or her activities. The faculty member may include a self-evaluation.

2. The chair will assure that the file contains the reports from all formal evaluations that have been completed.

XI.B.2 Further Steps for Evaluation of Tenure-Track Faculty

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

[141] See Section III, page 3.
[142] Italized "Remarks" like this one are not part of PS-36-T.
[143] This sentence qualifies item 9 in the second enumerated list in IV.B, . See the discussion in XIV.M, page 54.

The chair will make the file available to the review committee comprised in the same manner as the faculty panel for reappointment review or, if so provided by the department's rules, a committee thereof, for study.[144]

The review committee will meet to consider the file and discuss the person's job performance. A report will be prepared independently of the chair, signed by a representative of the review committee other than the chair, and placed in the file for consideration by the chair prior to writing his or her evaluation. After giving due consideration to all the contents of the file, the chair will prepare and sign a document, called the chair's evaluation, described in XI.B.4, and provide a copy to the faculty member for review.

The procedure of XI.B.4 comes next.

XI.B.3 Further Steps for Evaluation of Tenured Faculty *Remark: Regarding steps appropriate when there is a secondary department, see XIV.G, page 48, especially XIV.G.4.*

In the case of a tenured faculty member, PS-36-T does not require the involvement of faculty other than the chair in the annual review process. Nevertheless, the chair is free to delegate all or part of the preparation of the chair's evaluation, while remaining responsible for its content. Furthermore, the rules of the department or college (see Section III, page 3) may set forth guidelines for evaluations; and/or establish a committee to advise the chair about evaluations; and/or provide that either on some regular basis or under special circumstances, a committee will be established to make an evaluation, independently of the chair, that will be placed in the file.[145]

XI.B.4 Evaluation by the Chair After giving due consideration to all the contents of the file, the chair will prepare and sign a document, called the chair's evaluation, and provide a copy to the faculty member for review. The chair is responsible for this document, and it represents the chair's independent judgment. The chair's evaluation will incorporate at the least the following elements.

1. An advisory concerning any upcoming review for reappointment, promotion, or advancement to tenure.

2. The chair's evaluation of the faculty member's job performance.

   (a) The contents of the file will be considered attached to the chair's evaluation. The chair may allow this material to speak for itself, or may summarize or discuss its significance.

   (b) The chair's evaluation must observe the guidelines for criteria for evaluating faculty job performance set forth in Section IV, page 4.

   (c) If in the chair's view the faculty member's job performance in any way fails to meet appropriate expectations, the chair will clearly so state, and

[144]For more explanation, see XIV.L, page 54.

[145]As background for the task of evaluating tenured faculty members, the chair should be aware of Section XII and of PS-109.

will call for improvements. In so doing, the chair must be specific and must offer appropriate advice and assistance.

(d) In evaluating the faculty member, the chair may be brief, and need not engage in systematic rankings, comparisons, or classifications.

(e) If the faculty member, during the year in question, has administrative or other duties for which he or she reports to an office outside the department, then the chair's evaluation will address only the person's departmental role.

3. The chair will discuss the evaluation of each tenure-track faculty member with him or her.[146]

4. A discussion[147] of the evaluation of each tenured faculty member will take place if the chair (or any person acting for the chair in preparing part of the document) and/or the faculty member requests such a discussion.

XI.B.5 Final Steps

1. The chair's evaluation[148] 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 my file and have had the opportunity to bring it up-to-date and to provide my annual report.

   (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 and/or with the chair of each secondary department in which I am employed.

   (d) I understand that I have the right to attach to the evaluation a formal letter of response or rebuttal, with materials in support thereof; or to send such letter and materials at a later date to the chair and to the dean, who will forward them to HRM.

2. The chair will send a copy of the faculty report when one exists[149] and a copy of the chair's evaluation file[150] to the dean, who will send it to HRM. Each of those offices will bring its file on the faculty member up to date. If the dean

[146] V.E applies.
[147] The following is perhaps a clearer statement of what is intended: The chair (or any person acting for the chair in preparing part of the document) and the faculty member will discuss the evaluation, if either requests such a discussion. V.E applies.
[148] See XI.B.4.
[149] The faculty report referred to here is the review committee report. Such a report is required by XI.B.2, paragraph 2, in the case of a tenure-track faculty member.
[150] That is, the chair's evaluation of the faculty member.

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. If the faculty member has entered a letter of response or rebuttal, HRM will circulate the file to the Provost.

XII VOLUNTARY ASSISTANCE PROGRAM TO ENHANCE JOB PERFORMANCE

The Preamble on page 1 states that an award of tenure "implies the expectation of an academic career that will develop and grow in quality and value, and one that will be substantially self-supervised and self-directed." The University provides assistance and support through a variety of means to assist faculty to meet these expectations. The present Section describes, for a tenured faculty member, a Voluntary Assistance Program which a faculty member may request and/or a chair may recommend. Such a program could assist a faculty member (1) to achieve excellence in some new undertaking in scholarship or teaching; or (2) to change the direction of his or her scholarship to adjust to changes in the discipline; and/or (3) to overcome a problem of underperformance. This program may be instituted with the consent of the faculty member and with the approval by the chair. This Voluntary Assistance Program is not a substitute for and does not supersede or replace the remediation program mandated by PM-35.[151]

The steps of a Voluntary Assistance Program will be as follows.

1. Either the chair or the faculty member may suggest to the other that such a program be considered. If both agree, then the chair, in consultation with the officer to whom the chair reports, will appoint an Assistance Team of three or more other tenured faculty members. The faculty member will participate in the selection of the Team.

2. Within six weeks, the Team, in consultation with the faculty member and the chair, will propose a plan for a Voluntary Assistance Program. The proposal will specify the duration, plan of action, anticipated outcomes, and timelines. The duration will ordinarily not exceed one year. Depending on the situation, the plan of action may involve measures to support the faculty member's work, such as changes in teaching obligation, assignment of a graduate research Assistant, authorizing travel expenses, or the purchase of research materials or equipment. The plan must identify the needed resources, including those that must be requested from administrative offices beyond the department, and the appropriate commitments on the part of the faculty member.

3. If the chair, in consultation with his or her dean, determines that the potential benefits to the department justify the proposed assistance program, and if the

[151]PS-109 is the campus Policy Statement regarding PM-35.

faculty member agrees, the chair and the faculty member will present the proposal to the Provost or the Provost's designee for approval. If approval is granted, the Assistance Program will be implemented.

4. The Team will monitor the Assistance Program and provide progress reports to the chair and to the faculty member.

5. The faculty member will make a good faith effort to complete the Assistance Program once started. However, the Program will be voluntary, and the faculty member may choose to terminate the process at any time.

6. At the end of the Assistance Program, or as provided in the timelines, three separate written evaluations of the Program and its results will be prepared—by the Team, the chair, and the faculty member. The evaluations, together with a record of the Program through all the steps listed here, will be placed in the faculty member's file.

XIII APPENDICES

XIII.A Glossary

1. **Appointment or initial appointment.** LSU's agreement to employ a person in a tenure-track position for a specific term or in a tenured position.

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 unit head, director, dean, or otherwise-titled chief officer of a department..

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.[152] If said unit reports directly to the Provost, then policy references to administrative levels situated between the unit and the Provost are inapplicable.

7. **Departmental/college/academic unit bylaws.** The rules and procedure adopted by an academic unit for implementation of the provisions of this policy.[153]

[152]In other words, which is a direct employer, primary or secondary, of the faculty member. This alternative phrasing is used in item 8 below.

[153]Rules that have a bearing on the subject matter of PS-36-T must be established in compliance with Section III, page 3. The term *bylaws* is not used anywhere in PS-36-T to refer to such rules.

8. **Departmentalized college.** A college is said to be departmentalized if it has one or more subdivisions that are the direct employers of faculty.

9. **Early review.** 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 tenure review that takes place before the year when it is mandated by LSU's Bylaws and Regulations.[154]

10. **Faculty (faculty members).** 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." For the purposes of Policy Statement 36-T, faculty refers to tenured and tenure-track faculty.

11. **Faculty member's file.** Shall be the documents maintained by the academic unit to which the employee is assigned to perform his or her duties[155] and will include, where applicable, a current *C.V.* and supporting material; faculty member's annual reports; reports from all reviews conducted under Policy Statement 36-T; all annual evaluations; and an index of the file's contents. The faculty member 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.

12. **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.[156]

13. **Full-time, part-time.** A faculty member at LSU is full-time if employed for 100% of effort, considering the total of his or her appointment at LSU and LSU-recognized joint appointments, if any, at other institutions; for example, at other LSU System campuses. He or she is part-time if employed for anything less than 100% of effort in that sense.

14. **HRM.** The LSU Office of Human Resource Management.

15. **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.

16. **Line officer.** Chancellor, Provost, dean, or chair.[157]

[154]That is, the Bylaws and Regulations of the Board of Supervisors. The times when tenure reviews are mandated are stated in VII.E.
[155]In other words, the unit which is the primary and direct employer of the faculty member; see items 6 8, and 22 for instances of the varied terminology.
[156]See Section VI, page 12.
[157]See the definitions of *chair* and *dean* in this Glossary.

17. **LSU.** The Louisiana State University and Agricultural and Mechanical College.

18. **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.

19. **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.[158]

20. **Part-time.** See **Full-time, Part-time** above.

21. **Peer advisor.** A tenured LSU faculty member who serves in an advisory capacity to another LSU faculty member.[159]

22. **Primary appointment, primary department.** A tenured or tenure-track faculty member's primary department is the one in which he or she has tenure or may earn tenure; also referred to as the home department, or as the department in which he or she has primary appointment.[160]

23. **Reappointment review.** The formal review process used to determine whether a faculty member will be reappointed.[161]

24. **Recuse.** To withdraw from the process to avoid any appearance of bias or impropriety.[162]

25. **Review committee** Either (1) the committee charged with investigating the case for a promotion or advancement to tenure or (2) the committee charged with a role in the annual review process of an untenured faculty member.[163]

26. **Secondary appointment, secondary department** A faculty member may be employed in two or more departments. In such a case, each department involved other than the primary department is, for said faculty member, a secondary department, and he or she holds a secondary appointment therein.

27. **Semester.** A fall or spring semester, not a summer term.

28. **Separate count.** A separate tally of the tenure-track and tenured faculty votes.[164]

29. **Supporting material.** Supporting materials are documents that may reasonably be contained in the faculty member's file to demonstrate the faculty

[158]For pertinent advice, see Robert's Rules. See XIV.C, page 44.
[159]Regarding peer advisors, see V.E, page 10.
[160]See II.B, page 2.
[161]See Section VIII, page 20.
[162]Regarding required recusals, see V.D, page 10.
[163]Regarding (1), see IX.A.5, page 26; regarding (2), see XI.B.2, page 33. See also XIV.L, page 54.
[164]See XIV.E, page 47.

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.

30. **Tenure.** As defined in the Bylaws and Regulations of the Board of Supervisors, *tenure* is the status of faculty members who are appointed "indefinitely," or for "indeterminate terms." The Bylaws and Regulations further state that tenure is not a guarantee of lifetime employment but does assure that the employee will not be dismissed without adequate justification and without due process.

31. **Tenure-track.** A tenure-track faculty member is one who is untenured, but who has been appointed to a position in which he or she is eligible to be considered for and be granted tenure.

32. **Terminal degree.** The most advanced degree offered in a given discipline, ordinarily required for a faculty position in that discipline.

33. **Year, years.** In references to duration of employment service for purposes of PS-36-T, a *year* ordinarily means either (1) two consecutive semesters of full-time service, for a person with an academic-year appointment; or (2) twelve months of full-time service, for a person with a fiscal-year appointment. For each faculty member, years will be counted from the beginning of the initial appointment.

XIII.B Faculty Panel

Remark: Appendix B is omitted from ***PS-36-T with Notes for Users.*** *Appendix B consists of a table which presents only partially the provisions of VI.A and may be misleading at some points. Section VI provides complete information on faculty panels.*

XIII.C Sample Letter to External Evaluator

Dear [· · ·]:

[· · ·], who is currently [*an Assistant Professor / an Associate Professor / a Professor*] in the Department of [· · ·] at Louisiana State University, is under consideration for promotion to [*Associate Professor with tenure / tenure / Professor*]. 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.

2. We seek to form an objective assessment of the candidate's [*research* ··· (*Scholarship being defined in a broad sense (see IV.A), 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 stipulates that letters of recommendation or references obtained as part of the tenure review process[165] 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.

[165]This phrase, "tenure review process," could be replaced by "review process," since the letter may have to do with, for example, a promotion to Professor, which does not involve tenure.

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,

XIV NOTES FOR USERS

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

The purpose of the present document, ***PS-36-T with Notes for Users,*** is to improve the clarity and accessibility of PS-36-T 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 XIV, the Index, the footnotes, and the italicized *Remarks* throughout the document are not part of PS-36-T. I have modified the text of PS-36-T in a number of places. For example, with regard to the capitalization of titles like *President* and *Professor*, I have consistently followed the convention of the Bylaws and Regulations of the Board of Supervisors. Also, whereas PS-36-T uses "he/she" in a few instances, I have put "he or she" consistently.

XIV.A 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-T uses each of the terms ***college, department, dean,*** and ***chair*** in a broad sense (see the definitions in XIII.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.

XIV.B Remarks on Section III, Rules of a Unit

To carry out the processes dealt with in PS-36-T, the many departments and colleges on the campus have long used a variety of governance procedures, committee structures, and understandings which work satisfactorily. The PS-36 Committee, in proposing Section III, sought to accommodate those variations in most cases. We also sought 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. Here are some pertinent observations.

1. PS-36-T 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 following the adoption of this PS, each unit should continue to honor its established procedures and understandings. But 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.[166] 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.F, page 11. 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.

[166]Units that already have rules of this nature include the Manship School and the School of Library and Information Science.

(a) The use of committees for decisions on initial appointments; see item 1 in VI.A, page 12.

(b) A role for a representative of the faculty panel, other than the chair, in preparing the report of a departmental recommendation; see the last paragraph in VI.C.

(c) Establishing the review committee for a promotion and tenure case by some means other than appointment by the chair; see the discussion in XIV.L.

(d) Specifying how the review committee for a promotion and tenure case will function, and defining the "comprehensive statement" required in IX.A.5.

(e) Constituting the review committee for an annual review of a tenure-track faculty member by some means other than making it the same as the faculty panel for reappointment review; see the discussion in XIV.L.

(f) Provision for someone other than the chair to manage communications with outside evaluators, in a promotion or tenure review; see IX.B.5, page 28.

(g) Matters regarding annual reviews; see XI.A, page 32 and XI.B.3, page 34.

XIV.C Parliamentary Authority

PS-36-T 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.

XIV.D Deans' Advisory Committee Reports

In V.F, PS-36-T mandates the use of faculty advisory committees by deans both for promotion and tenure reviews and for initial appointments with tenure. It makes a further significant change, in that the dean must now incorporate, in his or her recommendations to the Provost, the advisory committee's comments. Previously, advisory committees' advice stopped with the dean.

PS-36-T makes no mention of an advisory committee in the case of a reappointment review (see VIII.C.1, page 22), but presumably one could be established under college rules (and may exist in some colleges' present practices). In the case of a reappointment review for an Associate Professor or Professor, the dean's recommendation goes forward to the Provost. In such a case, there's no provision that the comments of an advisory committee, if there is one, should also go forward. How-

ever, sending the committee's advice forward would be reasonable and consonant with what is required in the other cases.

As soon as policywriters made the change, whereby advisory committees' advice does not stop with the dean, they should have dealt thoughtfully with the resulting questions and possible consequences. As soon as the advice goes forward from the dean's level, in whatever sense or form, it becomes a matter of record. As a practical matter, it may sometimes be a point of contention. Therefore it is best that it should be prepared with a certain care, and it should go on record with clarity and completeness, with no possible question of its being obscured or misrepresented.

The last paragraph of V.F begins with the following sentence: **"While advisory committee recommendations will not become part of appointment or review files, the dean will incorporate the vote and comments by the advisory committee 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. The clause after the comma implies, or may be interpreted to imply, that the Provost is entitled to know the advisory committee's views on the case, unfiltered; and that the candidate is entitled, as a matter of due process, to have those views available, unfiltered, for the Provost's consideration. Provosts and candidates may well have an interest in those implications. Moreover, the word *incorporate* (see the index entry for it) is used elsewhere in PS-36-T in the strong sense of *include*. Therefore 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 rest of the paragraph confirms, the "evaluation" and "recommendation" at the dean's level are regarded to be those prepared by the dean, on his or her sole responsibility. The committee may still, briefly or at length as it sees fit, 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.

3. All the preceding advice seems appropriate also for the use of advisory committees under PS-36-NT. The wording of the pertinent provisions in PS-36-NT

is different.[167] It is even less definite, and it certainly allows the dean to take a quite limited view of what the he or she must transmit from the advisory committee. But the wise and safe course is to transmit fully.

Further remarks:

- Parts 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.C, page 15.
- 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" and thereby resolve whatever ambiguity and inconsistency we may find, on this matter, in the document.
- Note that VIII.C.1 (page 22) states clearly that the dean's recommendation on the reappointment of an Associate Professor or Professor *does* become part of the file; whereas item 2 in IX.D (page 30), if read in isolation, *seems to allow* the dean's recommendation, in a promotion or tenure review, to go forward outside the file. But it should be placed "in the file."
- With regard to the faculty member's file, which is maintained in the primary department, item 11 in XIII.A (page 38) unambiguously states that it includes "reports from all reviews conducted under Policy Statement 36-T," 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.

XIV.D.1 Historical Notes on Advisory Committees One may wonder about the intent of the exclusion-from-the-file statement from V.F, 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. Let's review the background of these provisions.

1. The old PS-36 **allowed** deans' advisory committees for promotion and tenure reviews (VI.B.5, old PS-36) and for reappointment reviews (V.B.3, first paragraph) while making no mention of them for any initial appointments. In every

[167] The different wording in PS-36-NT adds to the impression that the writing of these provisions, regarding advisory committees, suffered from inattention and carelessness.

case, it let the committee's advice stop with the dean and forbade its being placed in the file.

2. The Faculty Senate-recommended document **mandated** deans' advisory committees for initial appointments with tenure and for promotion and tenure reviews, and explicitly **allowed** them for reappointment reviews. In every case, it let the committees' advice stop with the dean and forbade its being placed in the file. Referring to all deans' and Provost's advisory committees, the wording was as follows: "Such committees will be advisory only, and will not make rankings. Their recommendations will not become part of appointment or review files. Each 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, page 4."

3. Now, PS-36-T **mandates** deans' advisory committees for initial appointments with tenure and for promotion and tenure reviews—and makes no mention of them for reappointment reviews. It also requires that the committees' views go to the Provost.

XIV.E Separate Counts

The term *separate counts*, which appears in VI.B and as item 28 in Section XIII.A, and nowhere else in PS-36-T, should be deleted from usage in the document. It refers there to the fact that two faculty panels vote when it is proposed both (1) to make an initial appointment to a given rank in a given department, and (2) to grant tenure with said appointment. Section VI defines two different (though not disjoint) faculty panels for the two questions, and of course the vote of each panel, as a whole, on the question it is considering, must be reported.

In its customary usage, the term *separate counts* means 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.B. PS-36-T does not countenance separate counts in this sense.

XIV.F The Tenure Clock

Phrases like "credit toward tenure" and "years of service toward tenure," as used in PS-36-T, acquire a clear enough technical meaning from usage and context. However, they lead to cumbersome formulations, and of course it is not quite right to say that the passage of time gives credit toward tenure. Chapter II of the Board of Supervisors Regulations, uses the much better term "evaluation period." In the footnotes we provide equivalent formulations in terms of the "tenure clock," which is a clear and familiar alternative. The tenure clock counts the time since the initial appointment of a tenure-track faculty member at LSU, except that it may be advanced under provisions of VII.E, page 18, or stopped under provisions of VIII.D, page 23. The

year of the mandatory tenure review is defined by reference to the tenure clock. The tenure clock has no significance once a faculty member is advanced to tenure or given notice of nonreappointment.

XIV.G Secondary Departments

Consider these sentences, taken from the first paragraph of II.B, describing the role of secondary departments in decision processes: "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) will be responsible for calling meetings of the appropriate faculty panel of the secondary department(s) to consider and vote on recommendations for appointment, reappointment, promotion and/or tenure, 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, at first reading, give a mistaken impression as to the sequence of events. Also, the second sentence may give the impression that faculty panels are generally involved in annual performance evaluations, which is not the case under Section XI. The following version may be clearer: "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 to consider and vote on recommendations for appointment, reappointment, promotion, and advancement to tenure; and for forwarding the secondary department's recommendation along with his or her 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."

The passages in PS-36-T that set forth the various decision processes often fail to mention II.B or to offer guidance for the coordination of the primary and secondary departments' roles. In the case of initial appointments, we have entered what seems to be the appropriate admonition in the *Remark* at the end of VII.A.2, page 15. What follows are suggested basic regulations, taken from the Faculty Senate-recommended version, to provide procedural guidance in the other cases. Directives from appropriate offices would of course overrule these suggestions.

XIV.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 faculty panel of each secondary department, if any, through the chair thereof. In each secondary department, 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.C, page 14, for a description of the report—will be sent to the primary department, and it will be placed in the file.

XIV.G.2 Secondary Departments in Stage 2 of a Promotion and Tenure Review In IX.C, page 28, 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.C, page 14, will be prepared and sent to the chair of the primary department, and will be placed in the review file.

XIV.G.3 Secondary Departments in Evaluation of Tenure-Track Faculty Insert the following as the second paragraph of XI.B.2, page 33: 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, the review committee 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.

XIV.G.4 Secondary Departments in Evaluation of Tenured Faculty Insert the following as the second paragraph of XI.B.3: If there is a secondary department, then before preparing his own evaluation the chair of the primary department will ask the chair of each secondary department, if any, to submit a performance evaluation, and will place it in the file.

XIV.H A Chair's Guide to The Processes Required during the Evaluation Period

Evaluation period is the term used by the Regulations of the Board of Supervisors to refer to the period of time that a candidate spends in a tenure-track position. Let's use the term *candidate* to mean an untenured faculty member who has not resigned and who is not under notice of nonreappointment. With some exceptions, the chair has the task of initiating and managing some **process** every year for every candidate with primary appointment in his or her department. The process may be a promotion review, a tenure review, a reappointment review, some combination thereof, or just an annual review. The present subsection XIV.H attempts a brief exposition as to which process needs to take place. Preliminary notes:

- PS-36-T does not require any process to be carried out during any period when the tenure clock is stopped; the "every year" mandate means every year on the tenure clock.

- The chair must consider the lead time that will be needed for whatever processes may need to be carried out.

- If one or more secondary departments are involved, the chair should have timely appropriate communications with the chairs thereof.
- 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.
- Normally an appointment can be terminated only as the conclusion of a reappointment review or a tenure review; see V.G.
- If there is no reappointment review in a given year, an extension that continues a tenure-track candidate's appointment into year five on the tenure clock cannot be granted.

The following list of steps provides a flow chart for sorting out what needs to be done with regard to each candidate.

1. Is it the year of the mandated tenure review? (By VII.E, that means year six on the tenure clock for an Assistant Professor, year four for an Associate Professor or Professor.) If so, Section IX governs; exit this list. If not, go to item 2.
2. Has an early tenure review been either proposed by a member of the faculty panel or requested by the candidate? If so, then the provisions of IX.A.1 apply and will determine whether there will be an early tenure review. If there will be one, then Section IX governs; exit this list. If there will not be one, go to item 3.
3. If the candidate is an Assistant Professor in year five on the tenure clock, or an Associate Professor or Professor in year three on the tenure clock, then go to item 10. (See items 2 and 3 in VIII.B.) Otherwise, go to item 4.
4. If the candidate's appointment were to be terminated when his or her current term ends, would notice of nonreappointment have to be given *this year,* under the notice requirements of V.G? If so, go to item 5. If not, go to item 10.
5. If the candidate is an Assistant Professor, and the first year of his or her initial appointment was either year one or year two on the tenure clock, then go to item 6. Otherwise, go to item 7.
6. If (1) it is now year three on the tenure clock and there has been no reappointment review previously; or if (2) an extension of the candidate's current term appointment would entail continuation into year five on the tenure clock; then there must be a reappointment review; proceed with VIII.C; exit this list. If neither (1) nor (2) is the case, go to item 7.
7. Is a reappointment review required, this year for this candidate, by the rules of the college or department (see Section III)? If so, then proceed with VIII.C; exit this list. If not, go to item 8.

8. Is a reappointment review required, this year for this candidate, by instructions from the line officer to whom the chair reports? If so, then proceed with VIII.C; exit this list. If not, go to item 9.

9. The chair should inform the review committee—the one charged by XI.B.2 with a role in the annual evaluation—of the candidate's time on the tenure clock and the end date of his or her current term appointment. That committee may decide that there will be a reappointment review this year. If it does so decide, then proceed with VIII.C; exit this list. If not, go to item 10.

10. No reappointment review will take place; an extension of term, if needed, will be effected as ordered by HRM. Only an annual review will take place; Section XI governs; exit this list.

XIV.I Commentary on Reappointment Reviews

In PS-36-T, the term "reappointment review"' refers to the formal decision process, including deliberation and vote by a faculty panel, to decide whether or not to reappoint a tenure-track faculty member. A negative decision, not to reappoint, cannot generally be made in the absence of such a formal process; in other words, such a formal process must be made whenever the reappointment is at issue.

The evaluation period, the period of time spent in a tenure-track position, is especially long when a person is hired as an Assistant Professor and the first year of the initial appointment is either year one or year two on the tenure track. In such a case, it is mandated that there be at least one reappointment review along the way. It may be considered that a purpose of the mandate is to provide an occasion, in the midst of a relatively long evaluation period, for a careful and formal finding as to the question of whether the candidate's job performance justifies a further commitment by the University. It is not unusual for only one reappointment review to be conducted during the period—in year three on the tenure clock—with the result being either (1) termination at the end of year four on the tenure clock or (2) continued employment through year seven, with the tenure review coming in year six.

A reappointment review may need to be conducted in certain other cases—see items 7, 8 and 9 in XIV.H.

Consider, for example, an Assistant Professor for whom the first year of the initial appointment (a three-year term, say) is year one on the tenure clock. Suppose that a reappointment review is conducted for him or her in year two on the tenure clock. There are three distinct possible outcomes: (1) termination at the end of year three; (2) extension through year five; or (3) extension just through year four, in which case another reappointment review would be required in year three. Presumably (2) would follow a favorable conclusion, (3) a rather less favorable conclusion. Note that (2) would entail continued employment through year seven, with the tenure review coming in year six. Note also that it is possible to have as many as three reappointment reviews in the situation under discussion–in years two, three, and four–although such is generally considered bad practice.

Note again that the termination of a tenure-track appointment can happen only as the conclusion of a reappointment review.

The reappointment reviews that PS-36-T mandates are perhaps just the right number. However, PS-36-T leaves an opening for the rules of a department or college, established in compliance with Section III, page 3, further to specify and regulate the matter of when a reappointment review will take place. Some units have discussed the advisability of mandating reappointment reviews in year two and year four on the tenure clock. This writer is unaware of any that do so.

XIV.J Commentary on Promotion and Tenure 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 26. Letters of evaluation will be requested and obtained from selected evaluators external to LSU.

2. Recommendation by the department—IX.C, page 28.

3. Consideration by higher offices, from the dean through the LSU System—IX.D, page 29.

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 illustration, in the usual case—that is, for a review that is to be completed late in the spring semester—the suggested timetable is as follows: 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.

The extensive procedural requirements in PS-36-T for making decisions on promotion and on advancement to tenure make it clear that the University seeks to uphold high standards. This is particularly true for decisions to grant tenure, since tenure entails a major long-term commitment by the institution. A tenure candidate's record should show promise of a career characterized by continuing growth, excellent job performance, and superior value to the department's and University's mission. In a tenure review, the decision should be regarded as a genuinely open question, and the deliberations are properly more rigorous and thorough than in previous reviews and evaluations of the candidate.

XIV.J.1 Disposition of Supporting Materials In complying with IX.F, page 30, care must be taken to comply also with other pertinent policy provisions; see the definitions given by items 11 (page 38) and 29 (page 40) in Section XIII.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.

XIV.K Commentary on Annual Reviews

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 rewards or other 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.4, page 34, gives you encouragement and help to be reserved and restrained. For one thing, item 2d 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 the case of a tenure-track candidate, under XI.B.2, certain senior faculty will also write a report. This provision makes good sense. After all, when the

candidate's tenure review comes along, senior faculty will have a key role. So it should be helpful for them to have a role in the annual evaluations.

- PS-109 defines and restricts the use of the term ***unsatisfactory*** in the evaluation of tenured faculty members, and its use has prescribed consequences. So be familiar with PS-109. May you have the wisdom, skill, and good fortune to avoid ever needing it.

XIV.L Review Committees in Various Processes

The term *review committee* is used differently (1) in Section IX, which deals with promotion and tenure reviews, and in (2) XI.B.2, which deals with annual reviews of tenure-track faculty members.

(1) The review committee in a promotion or tenure review is defined in the first sentence of IX.A.5 as follows: "The ***review committee*** for a faculty member under review may be the entire faculty panel or a subset thereof, chaired by someone other than the department chair, and appointed by the chair unless otherwise provided by the department's rules." The following is perhaps a clearer statement of the intended meaning. The ***review committee*** for a faculty member under review will be a committee of the faculty panel, and it may consist of all the members of the faculty panel. It will be chaired by someone other than the department chair, and appointed as provided in the department's rules (see Section III, page 3). If those rules do not make a provision, the review committee will be appointed by the chair.

(2) The review committee in an annual review of a tenure-track faculty member is, according to XI.B.2, "comprised in the same manner as the faculty panel for reappointment review or, if so provided by the department's rules, a committee thereof." In other words, the ***review committee*** will be the same as the faculty panel for reappointment review, as defined in Section VI; or, if so provided in the department's rules (see Section III), a committee thereof. It is this review committee that VIII.B refers to, and to which is given the discretion to trigger a reappointment review.

In current practice, some departments have a standing committee to serve in either or both of those roles, sometimes called the promotion and tenure committee. Others have committees appointed for individual candidates, sometimes called case committees.

XIV.M Sampling of Student Opinion

The guidelines of Section IV "govern every evaluation of a faculty member's job performance and every decision with regard to initial appointment, reappointment, promotion, or advancement to tenure." The **second** enumerated list in subsection IV.B is a list of examples of "appropriate factors and evidence that may contribute" to "a judgment as to the quality of the candidate's teaching." Item 9 on the list is: "Evaluations of teaching and testimonials by present or former students." The Faculty Senate-recommended version of the document did not venture to address

the many issues as to how to collect and weigh the various "appropriate factors and evidence" on the list. But now, a second sentence appears in item 9: "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." That sentence implies the reasonable requirement that if students are surveyed while still enrolled in a course, they should be effectively assured that the instructor will not see the survey results until after the assignment of grades is final.

But now, furthermore, PS-36-T includes another important qualifying statement, appearing as the last sentence of the first paragraph of XI.B. It repeats in different words the second sentence from item 9 in IV.B and contains the further provision that "Sampling of student opinions should be carried out in such a manner as to assure . . . that ratings are both reliable and valid." Despite its somewhat odd placement in Section XI, which covers only annual reviews, the statement should no doubt be considered applicable in other decision processes as well. This further provision seems deliberately to warn of grounds for a challenge or appeal whenever student evaluations are placed in the record and appear to be relied upon to a large degree for judgments of teaching quality. What does "reliable and valid" mean? (1) One possible meaning is, *reliable and valid statistically,* as an expression of the overall judgment of the enrolled students. The population of students who take part in a survey can be unrepresentative in important ways. Good practice may require at least that a description of the sample be part of the record. (2) Another possible meaning is, *reliable and valid as a measure of teaching quality.* Research has raised serious questions about the validity of student evaluations, at least when relied upon to a large degree.[168] On the other hand, it is arguable that when the limitations of student evaluations are understood, they have proper uses. They may be useful as feedback to instructors. Also, when an instructor's survey results are well above or well below the mean, it may be a valid indicator that further investigation is in order.

One may reasonably speculate that there was an intention to remove the statement in question from Section XI. It is absent from the corresponding Section of PS-36-NT.

XIV.N 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-T. 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.

[168]A summary of the literature is given in Chapter 3 of Valen E. Johnson's book, "Grade Inflation: A Crisis in College Education," (Springer-Verlag New York, 2003). The book reports in detail on studies done at Duke University. A review of the book is available at http://www.lsu.edu/senate/PresidentReportfiles/Grading.html.

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. Certain provisions related to leaves are set forth in PS-36-T; see VIII.D, page 23.

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 33.

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. Those ranks are covered by PS-36-NT.

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.G, page 11.

14. Section 5-13 of the Board Regulations sets forth policy for actions that may be taken under a condition of Financial Exigency.

XIV.O Highlights of the Changes from the Old PS-36

Three new Policy Statements have been issued.

- PS-36-T, entitled, Tenure-Track and Tenured Faculty: Appointments, Reappointments, Promotions, Tenure, Annual Reviews, and Enhancement of Job Performance.
- PS-36-NT, Nontenurable Faculty: Appointments, Reappointments, Promotions, and Annual Reviews.
- PS-109, Revision 01, PM-35 Implementation Procedure.

PS-36-T and PS-36-NT replace the PS-36 that was issued July 1, 1997. The recent revision of PS-109, issued July 17, 2003, is a housekeeping matter. It achieves the removal from PS-109 of the material regarding annual reviews for faculty, which is now located, appropriately, in PS-36-T and PS-36-NT. The remarks in the present subsection XIV.O may be of passing interest to users involved in the changeover to the new PS-36-T.

PS-36-T is essentially as recommended by the Faculty Senate Resolution of February 17, 2005, with modifications made during reviews by the deans, the office of the Provost, and others. The Faculty Senate did not merely tinker with the old PS-36; every provision and every formulation was considered anew. Wide consultation, extensive discussion, and many drafts were the order of the day. What follows are selected highlights of what's new, described from this writer's point of view as chair of the PS-36 Committee.

XIV.O.1 What's New: Section III, The Rules of a Department or Other Unit The Preamble to this Section says "To establish the most effective faculty governance, and to make due provision for the varying characteristics of departments and other units, their disciplines, and their circumstances, PS-36-T 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-T." PS-36-T explicitly countenances local variations in certain matters of policy and procedure, but insists that said variations must be established in the unit's rules.

XIV.O.2 What's New: Section IV, Criteria for Evaluating Faculty Job Performance We can hope that Section IV of PS-36-T will surpass Section II of the old PS-36 as a beneficial framework and support for the flourishing of wise policy and good judgment in the several departments, in the valuing of faculty work. The approach that we took is as follows: Each of the three traditional areas, Scholarship, Teaching, and Service, is defined in general terms and by examples. For each of the three areas in which a faculty member has duties, Section IV calls for a strong standard, in terms appropriate to the area. There is no pretense that the three areas are coequal or have commensurable metrics. Variations by discipline, department, and job assignments are accorded due respect. With regard to Service, PS-36-T recognizes that in some cases, "specific service will be a substantial and explicit part of a faculty member's work," and also that there are broad and varied areas of citizenship-service in which quality contributions "will be valued and may have weight." The old two-out-of-three doctrine (sentence 2, paragraph 4 of subsection II.A in the old PS-36) is gone.

The new document avoids the use of the term *collegiality.* We took the view that legitimate considerations of collegiality properly resolve themselves into measures of effectiveness in the performance of duties in Scholarship, Teaching, and Service. A statement on certain "fundamental expectations" appears in the new Section IV, paragraph 4, addressing certain matters of serious misbehavior.

XIV.O.3 What's New: Section XIII, Voluntary Assistance Program to Enhance Job Performance Many will react to this Section by saying that the problems and situations in question can be addressed, or indeed prevented from arising, without resort to the formal process defined here. Agreed. The Section was written without any thought that the Voluntary Assistance Program, with its required written record, would necessarily be used much at all. But it's available, in case a faculty member and a chair should agree that it would be beneficial. Section XII provides a lower-key and more agreeable procedure than the System's PM-35 (for which PS-109 provides our campus's implementation policy). To put it another way: If a PM-35 situation arises, a chair will probably want to be able to answer the question, Did you try a Section XII approach?

XIV.O.4 Other Changes and Features There are many more interesting differences in the new PS-36-T. The following list is meant to be indicative, and is not even close to being complete.

1. V.D discusses conflict of interest.
2. V.F mandates the use of advisory committees at the deans' and Provost's level, not only in promotion and tenure cases, but also in initial appointments carrying tenure.
3. Section VI: The faculty panel—that is, the set of faculty who will vote on a recommendation on a given personnel decision in a given unit—is defined to consist of the active full-time faculty with certain attributes of rank and status. In the definition of faculty panels, there is no discrimination against faculty who have decided or may have decided to resign or to retire from LSU at some future date.
4. VII.A.2 allows the faculty panel, when voting on a hire, to give "more complex instructions" to the chair.
5. IX.B sets new policy on outside letters of evaluation. The specified regulations for evaluators stated in IX.B.3 apply also when an initial appointment with tenure is proposed (see item 1 in VII.A.4).

XIV.P The Effective Date

As with past PS-36 revisions, PS-36-T takes effect fully on the stated date, and its predecessor PS-36 is fully in effect until then. There is no phase-in and no grandfathering. No doubt, a few procedural questions will arise as a result. It is not

intended or anticipated that the changeover will result in any hardship or inequity. A modicum of foresight, sensible interpretation, and common sense should resolve any such issue when it arises. Perhaps in some cases a line officer's ruling will be needed. Anyone who sees or forsees a specific problem should take it up in timely fashion with the appropriate authority.

XIV.Q Highlights of the History of PS-36-T

The new PS-36-T is largely and essentially what the Faculty Senate recommended in its Resolution of February 17, 2005, although some changes were made in the course of a review by the University. The work was done under Chancellors Mark Emmert, William Jenkins, Sean O'Keefe, William Jenkins again, and Michael Martin; and Provosts Dan Fogel, Laura Lindsay, Risa Palm, and Astrid Merget. Since 2000, three committees have been involved. The first two were chaired by the late Eugene Wittkopf and by Karl Roider. The third PS-36 Committee was established September 27, 2002, appointed jointly by Provost Lindsay and Senate President Laurie Anderson, and met frequently during the next two and a half years. Most meetings of the Faculty Senate during that period included substantial discussions and actions on the pertinent issues. These persons served on the Committee for all or part of the time: Professors Pratul Ajmera (from 4/04), Emily Batinski, Lou Day, Stacia Haynie (from 7/04), Rick Ortner (to 4/04) Jim Richardson, Roger Seals (to 8/03), Jill Suitor (to 3/04), Roger Stockbauer (to 11/04), Carruth McGehee (Chair); and Director Janie Frickie, HRM, *ex officio*.

What changes were made to the Faculty Senate-recommended document in the course of the University review, which took over four years? There are some changes in the substance of policy, none of major significance, reflecting the preferences of higher offices on matters of procedure. On the whole they represent improvements, and probably would have been readily accepted by the Senate.

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 were constantly being made during the deliberations of the PS-36 Committee, but they were done with care and were checked by many critical eyes. Such changes made during the University review show somewhat less care, were not always done consistently, and resulted in losses of clarity and accessibility, as well as gaps in procedural guidance. These *Notes for Users* may serve to restore what was lost.

The Faculty Senate-recommended document featured not only an index, but also 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-T with Notes for Users*** has an index, and footnotes to provide cross-references.

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