

Section IX

Additional Polices and Procedures

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## DOCUMENT IX

### GUIDELINES FOR APPEALING UNFAIR AND/OR CAPRICIOUS FINAL GRADES

#### I. Purpose

A UL Lafayette student who feels that he/she has received an unfair and/or capricious final grade in a course at UL Lafayette has a right for his/her complaint to be heard in a fair and unbiased manner consistent with existing due process guidelines. The following procedure is the mechanism whereby the student can realize that right.

#### II. Conditions for Appealing Grades

- A. The following appeal procedure shall not be used to question the professional judgment of an instructor or the content of an examination. Only final grades in a course may be appealed. Individual test scores in any course are not subject to this appeal procedure. Such problems should be handled through discussion between the student and the appropriate instructor and/or department head.
- B. In order to avoid any misunderstanding of the reasons why a final grade may be appealed, the following is a list of the conditions that are grounds for appeal:
  1. When the student contends that the professor has violated the professor's own specified grading standards resulting in a detriment to the student's final grade. In this regard it should be noted that the syllabus including the instructor's grading criteria is a plan not a contract. For many reasons an instructor may modify these criteria during the term of a course. Such changes are proper if announced in writing and/or using course management software to all students in the class.
  2. When the student contends to have been subject to grading criteria different from those used to evaluate the academic work of other students in the class.
  3. When the student contends that the instructor demanded as a condition of passing a course any condition not germane to the subject matter of the course.

#### III. Procedure for Appealing Grades

- A. A student who contends that he/she has received an unfair and/or capricious final grade under one of the conditions which are grounds for appeal should follow the procedure outlined below.
  1. In the case of a grade awarded at the end of a fall or summer session, the student MUST initiate the appeal procedure within twenty (20) school days of the end of the fall semester or summer session in which the grade was received. If the grade in question is given at the end of a spring semester, the appeal will not be heard until the subsequent fall semester, and the twenty (20) school-day period during which the appeal must be initiated will begin on the first class day of that subsequent fall semester.
    - a. The appeal procedure is initiated by the student notifying the University Ombudsman of his/her intention to appeal a final grade and providing the Ombudsman with his/her name and student number, the instructor's name, the course name and number, the grade received, and the semester in which the grade was received. The student will furnish in writing to the Ombudsman an account of why he/she feels that the final grade received in the course in question was unfair and/or capricious. The Ombudsman may assist the student in the preparation of this written complaint,

which must include a specific designation of the grounds for the student's appeal, as listed in II-B above.

- b. The University Ombudsman should at this time accomplish the following:
    - 1) Ensure that the twenty (20) school-day period for appeal has not passed.
    - 2) Ensure that the student's reason for appealing the final grade is consistent with the "conditions which are grounds for appeal" as given in II-B above.
    - 3) Explain this procedure to the student in order that he/she may be knowledgeable concerning the appeal process.
    - 4) If the student's appeal involves disciplinary matters the Ombudsman should consult with the Office of the Dean of Students and help the student to resolve these issues and proceed no further with a grade appeal.
    - 5) If the student grade appeal involves allegations of sexual harassment or retaliation related to sexual harassment, the Ombudsman should inform the student that the procedure is for the student to talk to the Office of the Dean of Students, the university Title IX officer, or the Counseling Center. The grade appeals process should be put on hold until the harassment issue is resolved.
  - c. The student will have fifteen (15) school days from the date of initiation of the appeal to accomplish that portion of the procedure outlined in III-A-2 below. If the student does not report back to the Ombudsman as specified in III-A-3 below within the allotted fifteen (15) school-day period, it will be assumed that the problem has been resolved to everyone's satisfaction, and the appeal case will be closed.
2. The student meets, talks, and presents her or his written complaint in a meeting with the instructor, the department head, and the appropriate academic dean (dean in charge of area in which course is offered—not necessarily the student's academic dean or if the grade in question is in a graduate course, the Graduate Dean) in an attempt to resolve the final grade problem. The dean will actively try to resolve the issue at this meeting. If a solution that is acceptable to all parties concerned is reached, the appeal case is considered closed with no further action required. Fifteen (15) school days are allowed for this portion of the grade appeal.
  3. If the final grade problem is not resolved by the procedure in III-A-2 above, the student will contact the Ombudsman and the following steps in the appeal process will be instituted.
    - a. The Ombudsman will investigate the student's complaint in order to acquaint himself/herself as much as possible with all the facts of the case and accumulate evidence concerning the student's charges. This investigation must be completed within fifteen (15) school days. If the Ombudsman cannot substantiate the student's charges he/she is to inform the student that the appeal should not go forward.
    - b. If the Ombudsman finds a basis to go forward with the grade appeal, within ten (10) school days of the completion of III-A-3a above, the Ombudsman will call a meeting between the student, the instructor, and the Ombudsman. The Ombudsman will notify the instructor's department head and dean of the meeting, and either one or both of them may attend if they wish. The primary order of business at this meeting will be to ensure that both the student and the instructor understand the nature and extent of the grading complaint. The Ombudsman should consider it her/his duty to mediate the dispute. Obviously, if a settlement of the case can be effected at this point, it would be welcomed. The Ombudsman shall put in writing the nature of the agreement, if one is reached and the instructor and the student will sign the

agreement. The Ombudsman shall send copies to the student, the instructor, the department head, the dean, and the Provost/Vice President for Academic Affairs.

- c. Within ten (10) school days after the meeting between the student, the instructor, and the Ombudsman has been held, if a settlement has not been reached and the student wishes to pursue the appeal, he/she will prepare, with the assistance of the Ombudsman, seven copies of his/her written complaint and any supplemental material and hand deliver copies to the appropriate instructor, department head, Provost/Vice President for Academic Affairs, and the Chair of the Grade Appeals Committee. The student and the Ombudsman will each keep a copy of this letter of complaint and supplements.
  - d. The instructor shall have ten (10) school days after receiving the student's written complaint and any supporting materials to prepare his or her response and supporting materials and hand deliver them to the Chair of the Grade Appeals Committee.
  - e. The Chair of the Appeals Committee shall provide each member of the hearing committee - at least two (2) days before the hearing – the student's complaint and supporting materials, the instructor's response and materials, Parts I and II of this policy, and the internal guidelines of the committee. The student and faculty materials must be returned to the Committee Chair at the conclusion of the hearing.
4. Upon receipt of the materials mentioned in III-A-3c and III-A-3d above, the chair of the Grade Appeals Committee will call a meeting of the committee; the meeting should take place no later than ten (10) school days after receipt of the materials. The purpose of the meeting will be to hear the student's complaint and the instructor's response and to determine whether the student's complaint should or should not receive further hearing. The Grade Appeals Committee will conduct the hearing in accordance with the following guidelines.
- a. At least five (5) members of the Grade Appeals Committee, preferably a mix of faculty and students, must be present during the hearing.
  - b. An audio recording of the hearing must be made.
  - c. The student, the Ombudsman, the instructor, and the instructor's department head will appear before the Grade Appeals Committee. The student and the instructor may each bring an advisor of his/her choice drawn from the university community.
  - d. The following procedure will be followed during the hearing unless the procedure is changed before the hearing by majority vote of the Grade Appeals Committee.
    - 1) The student and/or Ombudsman presents the student's complaint and evidence to support the allegation(s).
    - 2) The instructor and/or his advisor presents the instructor's response to the charges and evidence to support his/her position.
    - 3) Each side may present a rebuttal.
    - 4) The members of the Committee ask any questions relevant to the criteria in IIB that they feel necessary to clarify the matter under study.
    - 5) When the members of the Committee are satisfied that they have the information necessary for action on the student's complaint, all non-members will be asked to leave the room.

- 6) The Committee Chair will remind the committee that the professional judgment of an instructor or the content of an exam shall not be questioned and all appeals must meet one or more of the criteria listed in IIB. After any needed discussion, the Committee will determine one and only one question by secret ballot—whether or not the facts as presented provide sufficient reason for a further hearing of the case. All members of the Committee present must vote for or against the question. A majority vote is required to sustain the appeal. A tie vote, as is the case in parliamentary procedure, is in effect a negative vote.
5. The Grade Appeals Committee must recommend that the student's complaint either should or should not receive further hearing. The Committee's decision should be communicated verbally to the student and the instructor after the hearing if they are still present. The decision must be delivered in written form to the Provost/Vice President for Academic Affairs along with the audio recording of the hearing by the Chair of the Committee within one (1) school day of the conclusion of the hearing. In addition, the Chair must notify in writing, the Ombudsman, the student, the instructor, the instructor's department head, and the instructor's dean of the Committee's decision; notification should occur within three (3) school days of the conclusion of the hearing.
    - a. In the event of a negative recommendation by the Committee, it's work is done and the appeal process normally ends at this point. However, in order to ensure total due process, the student has the opportunity to appeal the decision of the Grade Appeals Committee to the Committee on Academic Affairs and Standards (CAAS) for undergraduate cases and to the Graduate Council for graduate cases.
      - 1) Any appeal of a negative decision by the Grade Appeals Committee must be made by the student through the Ombudsman. If a student decides to appeal, within five (5) school days of his receipt of the written notice of the negative decision of the Committee, the Ombudsman will notify the Provost/Vice President for Academic Affairs and the Secretary of the CAAS or the Dean of the Graduate School, as appropriate, in writing of the student's intention to appeal. This written notice of intent to appeal must set forth in detail the reasons why the student is appealing the committee's decision.
      - 2) If the appeal is to the CAAS, the secretary of the CAAS will constitute a three-member subcommittee of the CAAS to hear the appeal. The subcommittee will consist of one academic dean, one faculty member, and one student; the secretary shall choose the three by lot from the CAAS membership. (A CAAS member who is directly involved in the case at hand—e.g., the dean of the accused instructor's college—may not serve on the appeal subcommittee.)
      - 3) If the appeal is by a graduate student, the Dean of the Graduate School will constitute a three-member subcommittee of the Graduate Council to hear the appeal. The subcommittee will consist of two members of the Graduate Council chosen by lot and the Graduate Student Organization President or his/her appointee. (A Graduate Council member who is directly involved in the case at hand may not serve on the appeal subcommittee.)
      - 4) The meeting of the Graduate Council or CAAS appeal subcommittee must be held within ten (10) school days of the receipt of the written notification of the intent to appeal. This meeting will be for the purpose of considering the student's request for a further hearing. The subcommittee of the CAAS or the Graduate Council will have access to the letter requesting a further hearing, the student's original letter of complaint and any supplementary material, the faculty member's response and any supplementary material and the audio recording of the hearing before the Grade Appeals Committee for use in deciding whether or

not the student's case deserves further hearing. Either body may request other evidence which it feels is pertinent to the case.

- 5) If the CAAS or Graduate Council appeal subcommittee rules that the case should not receive further hearing (in effect, upholding the decision of the Grade Appeals Committee), the appeals case ends at this point and the student's appeal is denied. The Provost/Vice President for Academic Affairs must be notified in writing of the ruling and must notify in writing the student, the Ombudsman, and the instructor; such notification must occur within three (3) school days after the ruling is made. If the ruling is in the student's favor, the procedure outlined in III-A-6 below will be put into effect.
6. In the event of a positive recommendation by the Grade Appeals Committee, the appeal case will be heard by either the CAAS, for undergraduate students or by the Graduate Council, for graduate students.
    - a. The hearing should follow the same guidelines as those for the hearing before the Grade Appeals Committee [see III-A-4d-(1) through (6)] with one exception: both the student and the instructor may call witnesses to support their respective positions. The student and the instructor may each bring to the hearing an advisor of his/her choice drawn from the University community.
    - b. The hearing will be held as soon as practical after the Provost/Vice President for Academic Affairs has been notified of the Grade Appeals Committee's favorable decision, but no later than fifteen (15) school days from this notification date or fifteen (15) school days from the favorable decision on an appealed Grade Appeals Committee decision. The CAAS or the Graduate Council, as appropriate, will be notified of the hearing date by the Secretary of the CAAS or the Dean of the Graduate School, depending on which body will hold the hearing.
    - c. The CAAS or the Graduate Council, as appropriate, must by secret ballot, first decide one question: whether the student received an unfair or capricious final grade (as defined in Part II) in the course in question. The burden of proof of the allegation rests with the student. A tie vote, as is the case in parliamentary procedure, is in effect a negative vote.
    - d. The decision reached by the CAAS or the Graduate Council will be binding on all parties involved.
      - 1) In the event that the decision is against the student, the appeals case ends and the student's appeal is denied.
      - 2) In the event that the decision is in favor of the student, the CAAS or the Graduate Council will then decide, by means of a secret ballot, the student's final grade for the course in question. If the challenged grade is an "F", the grade (except in unusual circumstances) shall be changed to "CREDIT." If the challenged grade is "B", "C", or "D", the CAAS or the Graduate Council may recommend either the grade of "CREDIT" or a "LETTER GRADE" as the facts of the case warrant. The Chair of the CAAS or the Graduate Council will then notify the Provost/Vice President for Academic Affairs of the Committee's decision. The Provost/Vice President for Academic Affairs will then direct the Registrar to carry out the recommended grade change, citing enough of the facts of the case to justify the grade change for the Registrar's records.
    - e. The Chair of the CAAS or the Graduate Council must notify the Provost/Vice President for Academic Affairs of the ruling within one (1) full school day. The

Provost/Vice President for Academic Affairs must notify in writing the student, the Ombudsman, and the instructor of the decision within three (3) school days of the ruling of the CAAS or Graduate Council.

## DOCUMENT X

### GUIDELINES FOR PROGRAM REVIEW AND DISCONTINUANCE

#### **Introduction**

These guidelines articulate the University of Louisiana at Lafayette's policies and procedures for conducting regular review of its academic programs (including degree programs, options, and concentrations) and for conducting program and unit reviews necessitated by severe financial crises. This document has been devised to ensure that instruction and research remain the core functions of the University, to protect academic freedom and tenure, and to preserve academic due process.

Effective management practices dictate the regular review of programs to ensure that students have access to degrees that have merit and value and that prepare them for their lives beyond the university. Such program reviews should distinguish temporary variations from long-term trends that affect the quality of the education offered by the university and the mission of the institution. The retention of viable academic and research programs is the University's first priority.

Multiple constituencies have an impact on the governance of universities. These communities of interest rely on the joint efforts of involved parties to foster an understanding of the interdependence of governing boards, university administrators, faculty, and students in university decision-making, as well as the need to engage in cooperative action to solve educational challenges, including program review and discontinuance. Effective management and governance is dependent upon the broadest possible exchange of information. In particular, the roles of faculty in program evaluation and review are critical, especially in times of University retrenchment.

For these reasons, the University of Louisiana at Lafayette subscribes to the principles of shared governance and is committed to meaningful faculty involvement in decisions relating to the reduction of instruction and research programs. These roles include active faculty participation in:

- determining criteria for academic program review, evaluation, and consideration for reduction or elimination;
- decisions to reduce or eliminate a degree program, option, or concentration;
- decisions related to faculty status related to the program review; and
- decisions leading to a declaration of financial exigency.

The principal vehicle for this faculty involvement is the Program Review Committee, a standing university committee. Membership on the Committee will consist of a tenured representative of each academic college and the library, with members serving a three-year term. Nominations of members for this Committee will be initiated through the Faculty Senate, which will advance at least two nominees for each position. The President and Provost will select the membership from the Faculty Senate list of nominees. The Provost or his/her designee will also serve on the Committee.

#### **I. Criteria for Academic Program Review and Discontinuance**

When making decisions concerning academic programs, criteria of quality and effectiveness shall be taken into account. Faculty will have a role in determining the weighting of the criteria. These criteria include but may not be limited to the following:



- A. the program's relationship to the University's mission, vision, and strategic plan
- B. a program or unit's contribution to general education requirements or support offered for other programs
- C. its ability to recruit and retain high-quality professors and students
- D. its promotion and enhancement of the educational and cultural level and the general health and well-being of the surrounding region that the university serves
- E. student placement into jobs and/or graduate and professional degree programs to meet critical needs within the state
- F. longitudinal data and trends, number of students in a major and number of graduates over at least a five-year period
- G. program revenue and cost
- H. contributions to the University's standing as a research institution
- I. excellence in scholarship and research activities, including, but not limited to, externally-funded research, performance, exhibition, and publication, which bring recognition to the University.

## II. Circumstances for Workforce Restructuring

The University recognizes that three possible conditions exist for the termination by the University of a faculty member who holds appointment with continuous tenure.

- A. *Dismissal for Cause.* Procedures for dismissal of tenured faculty for cause are detailed in the *Faculty Handbook*, Section V, "Faculty Personnel Policies" and Documents II and XVIII in Appendix A.
- B. Program discontinuance based on criteria articulated in Section I, "Criteria for Academic Program Review and Discontinuance." A program review may result in the recommendation for its discontinuance based primarily on educational reasons, e.g., a long-term decline in enrollment, low-completer status, the merger of specific programs for strategic alignment, persisting limited demand, or redundancy of the same or very similar programs in the state.
- C. Program discontinuance because of declared financial exigency. A declaration of financial exigency, approved by the UL System Board of Supervisors, results from an imminent financial crisis threatens the viability and survival of the institution. In times of serious financial threats, faculty shall participate in the University's decision to request that a condition of financial exigency be declared by the UL System Board of Supervisors.

## III. Implementation of Program Discontinuance and Financial Exigency. In the case of program discontinuance either for educational reasons or because of financial exigency, the University shall follow the following procedures:

- A. Process for Program Discontinuance
  1. The Program Review Committee will participate in the decision to recommend program discontinuance.
  2. If a program is to be eliminated, the University president or his/her designee shall present a recommendation for discontinuance to be discussed with the faculty members in the affected program. The meeting will include academic leadership with oversight of the program, including the dean of the college that houses the program, the Dean of the Graduate School (if appropriate), and the program's administrator or department head.

3. The University will provide to faculty in the program
  - a. a description of the procedures and criteria used in making the decision to recommend discontinuance; and
  - b. reasonable disclosure of the information and data used by the decision-makers.
  - c. A timeline for shuttering the program that takes into account student needs for completion
4. Faculty who are terminated because of program discontinuance will receive a letter attesting to the fact that their termination is the result of discontinuance, not performance.
5. The University will communicate with students enrolled in the discontinued program to facilitate their completion of their degree requirements.

B. Principles for Workforce Restructuring

The following general principles should be applied in dealing with any case of workforce restructuring.

1. All reductions in faculty that result from program discontinuance will be made through natural attrition first, insofar as is possible.
2. Unless a financial exigency has been declared by the University and approved by the UL System Board of Supervisors, terminations of tenured and non-tenured faculty will adhere to dates and times as specified in the *Faculty Handbook*, Section V, under the entry titled, "Non-Reappointment."
3. In the case of program discontinuance or declared financial exigency, the University will proceed with terminations of faculty in the following order:
  - a. temporary faculty
  - b. regular continuing faculty who have served less than seven years and who are not tenured
  - c. regular continuing faculty who have served seven years or more or who are tenured

An exception may be made to this order of termination in the case in which a clear-cut need for maintaining instructional expertise requires retaining an untenured faculty member over a tenured faculty member. In this case, the University's proposal to terminate the tenured faculty member and retain the untenured faculty member must be endorsed by the Program Review Committee.

C. Adequate Notice

In times of financial exigency, the University will make every effort to provide adequate notice to faculty who are terminated because of program eliminations which occur in response to the financial crisis.

D. Right to Appeal

Faculty members who have received a notice of termination due to program discontinuance, and who believe there are other reasons causing their termination, or who have concerns as to whether the criteria have been properly applied, have the right to appeal and to receive a fair and timely inquiry before the University Grievance Committee as detailed in the *Faculty Handbook*, Document XVII.

**IV. Placement and Support for Faculty Affected by Program Discontinuance and/or Termination due to Adverse Financial Conditions**

The University shall make reasonable efforts to locate appropriate alternative employment and to provide University services and resources to assist faculty members in securing employment within the University or elsewhere in the following ways:

- A. University officials will provide an appropriate letter for the faculty member's use stating that termination was related to financial distress and/or program discontinuance;
- B. job counseling through Career Services will be made available to the faculty member and should include investigation of employment opportunities outside of the University, including whether a comparable faculty position at another institution under the Board of Supervisors for the University of Louisiana System or within the state is available;
- C. counseling related to job loss will be made available through the Counseling and Testing Center;
- D. attempts to transfer the faculty member to another program in which the faculty member is appropriately qualified or credentialed within the University will be made,;
- E. the University will offer reduced-tuition course enrollments for one academic year after termination to facilitate a terminated faculty member's retraining.

If a discontinued degree program is reestablished within a three-year period, the University shall attempt to rehire faculty members who were terminated for reasons of program discontinuance or financial adversity.

Adopted September 2011

## DOCUMENT XVI

### POLICIES FOR OFF-CAMPUS FACULTY

**Teaching Assignments** - All faculty for off-campus University College courses must meet the same SACS qualifications as regular on-campus faculty. The Office of Academic Planning and Faculty Development has the criteria and can give information on academic credential requirements for teaching in disciplines or for teaching at graduate/undergraduate levels.

**Salary** - Off-campus faculty are paid at the same rate as other adjunct or regular faculty members teaching on-campus classes or overload classes. Checks normally will be issued at the end of September, October, November and early December in the Fall; and at the end of February, March, April and early May in the Spring; and at the end of June and the end of July or early August in the Summer. Final checks for each semester are issued when grades have been turned in to the Registrar.

**Travel** - Instructors usually will be reimbursed for out of parish travel for each class with one check at the end of the semester. Travel will be reimbursed at the standard University rate of (currently) \$.30 per mile. A form will be sent to each instructor after mid-semester to report round trip mileage.

**Registration** - University College releases a tentative schedule and collects requests for off-campus classes beginning mid-March for Summer and Fall classes and mid-October for Spring classes. When enough requests for a specific section are received, University College adds the class to the telephone registration system, and the class becomes accessible to all students. Instructors are not responsible for student registration and should refer all inquiries to University College.

**Class Times** - Classes are scheduled to meet one night per week for Fall and Spring or two nights per week for Summer at a site in the parish where the class is being offered. Class meeting times are set by the University in order to meet the minimum minutes required for academic credit. Any change from the original class times requires the agreement of all students enrolled and the approval of University College.

**Office Hours** - Instructors for off-campus classes need to be available to assist students as needed. It is recommended that instructors be at the class site at least one-half hour prior to the beginning of the class. Instructors should list a phone number on the class syllabus so that students may contact them outside of class. It is advisable to list appropriate hours for phone calls so that the instructor is not interrupted during work hours at another job.

**Keys** - Keys for off-campus class meeting rooms will be given to each instructor at the beginning of the semester. Keys need to be returned to University College at the end of the semester when grades are turned in.

**Textbooks** - Texts used in off-campus sections are the same as those used for on-campus sections. If more than one text is used by multi-section on-campus courses, the instructor may choose the one he/she prefers to use after consultation with the academic department head. University College should be notified of the choice, so that office can inform the bookstores of the potential need for additional copies of the text selected. Instructors are not responsible for assisting students to secure the texts. Students should be referred to the bookstores in Lafayette (UL Lafayette Bookstore, Follett's, and TRI Textbooks) for text purchase/rental.

**Assignments** - Students taking off-campus classes are expected to complete the same homework and library research assignments as those students taking courses on campus.

**Dupre Library** – In the Fall and Spring, the University library is open from 7:30 a.m. to 12 a.m. Monday through Thursday; 7:30 a.m. to 6 p.m. on Friday; and 10 a.m. to 6 p.m. on Saturday; and from 2 p.m. to 11

p.m. on Sunday. In the Summer, the University library is open from 7:30 a.m. to 9 p.m. Monday through Thursday; 7:30 a.m. to 4:30 p.m. on Friday; and 10 a.m. to 2 p.m. on Saturday; and from 2 p.m. to 9 p.m. on Sunday. Please check for special holiday hours between semesters. Students may use the library without an I.D. card, but the card is needed to check out books.

**Class Rosters** - Rosters will be forwarded to the instructors by University College. Any discrepancies should be reported to University College.

**Class Handouts** - Copies of appropriate class handouts can be duplicated in the University College office for off-campus classes. We would appreciate at least five days advance notice for any copies needed. **NOTE:** Copyrighted material which is to be duplicated for sale to students must be cleared either through the Media Center or with an approved vendor with which the University has a signed agreement. The Media Center can furnish the necessary information for this procedure.

**Absence Policy** - The instructor's absence policy must be clearly stated in the class syllabus.

**Grading** - The instructor's grading policy must be stated in the course syllabus. The grade standards must be the same as for on-campus sections of the same course.

**Final Exam** - A final exam schedule will be sent to each instructor prior to the start of the semester. The final exam is to be given during the specified final exam week at the regular time of the class. No exams may be given early.

**Grade Reports** - Final grades are to be recorded on a form sent to each off-campus instructor one week prior to the end of the semester. The names on the final grade form should agree with the second official roster. Any differences should be reported to the University College office, Martin Hall 169, 482-6729, before turning in the grade reports. Grades are due within 48 hours of giving the final exam. The last salary check for the semester and the travel reimbursement check will be given to the instructor when grades and building keys are turned in to the University College office.

**Faculty Evaluation** - Student Evaluation of Instruction forms will be distributed to each off-campus class. An analysis of these student evaluations will be available to off-campus faculty one semester after completion of the course.

**I.D. Cards** – UL Lafayette I.D. cards are issued for all students and full-time faculty and staff. Part-time adjunct faculty may be issued a non-photo I.D. by Dupré Library at the circulation desk **for library privileges only**.

**Credit Union** - Part-time faculty are permitted to join the UL Federal Credit Union. The Credit Union is located on McKinley Street beside Hamilton Hall.

## DOCUMENT XVII

### PROCEDURE FOR MEDIATION AND FOR HEARINGS BY THE FACULTY GRIEVANCE COMMITTEE

When a faculty member has a grievance against the University administration or against a fellow faculty member, that faculty member may seek to resolve the grievance through the "Faculty Grievance Procedures" delineated in Section V of the *Faculty Handbook*. This document describes the procedures to be followed in mediation and in grievance hearings.

#### **A. FACULTY GRIEVANCE MEDIATION PROCEDURE**

1. The goal of mediation will be to attempt to achieve a timely resolution satisfactory to all parties to the grievance, thus obviating the need for the grievant to proceed through the administrative chain of command or Faculty Grievance Committee hearing parts of the grievance process.
2. Mediation is a voluntary process in which the mediator attempts to assist the parties to a dispute communicate with each other, clarify the issues, seek to understand the interests that the parties have in common, and work together to develop an agreement acceptable to all parties. The mediator makes no judgments, imposes no solutions, and writes no report.
3. The first step in the mediation process is for the grievant to inform the Chair of the Faculty Grievance Committee of his/her intent to pursue a grievance. The Chair shall provide a copy of the "Faculty Senate Mediation Procedure" to all parties and offer the opportunity for mediation, which will go forward only if all parties agree.
4. If all parties agree to mediation, the Chair of the Faculty Grievance Committee shall refer the matter to the Chair of the Faculty Senate Mediation Committee. The Chair of the Mediation Committee shall provide all parties a list of the members of the Mediation Committee who are not currently engaged in a mediation and shall assist the parties in coming to an agreement on one or two mediators from the list. If the parties cannot reach agreement on a mediator from the available members of the Mediation Committee, any party may propose any other person from the university community to the Chair of the Mediation Committee, who shall propose the name to all other parties. The Chair of the Mediation Committee shall make every effort to complete the process of bringing the parties to an agreement on a mediator within two weeks of receiving notification that the parties have agreed to attempt mediation.
5. For mediation related to tenure, promotions, and merit raises, all administrators in the chain of command above the named party or parties who have signed the relevant paperwork on tenure, promotion, or merit raise recommendations are parties to the mediation process.
6. Once mediation has been initiated, the university will encourage all parties to respond promptly to requests by the mediators for information, appointments, and meetings.
7. If two mediators are agreed upon, they will work as a team.
8. Mediators shall maintain strict confidentiality. Mediators shall destroy all notes when the mediation process has been completed or ceases at the request of any party. Mediators may not be called as witnesses before the Faculty Grievance Committee.
9. Any party may withdraw from the mediation process at any time, by notifying the mediator or mediation team in writing. If mediation fails, the grievant may then proceed with the next part of the grievance procedure.

## **B. PROCEDURES GOVERNING HEARINGS BY THE FACULTY GRIEVANCE COMMITTEE**

1. The Faculty Grievance Committee, as described in the current *Faculty Handbook*, is an integral component of the faculty grievance procedure.
2. One of the primary purposes of the Committee is the provision of a fair and timely investigation of a faculty grievance for the purpose of ascertaining the facts of the complaint and making a recommendation to the President. The Committee shall hold a hearing if it feels a hearing is necessary.
3. The Committee shall hold closed hearings. Proceedings shall not be recorded.
4. All evidence submitted is for use and information of the Committee and shall be the property of the Committee.
5. The Committee stresses the fact that the matters it considers are serious, and all parties shall have a professional responsibility for the accuracy of their testimony and other evidence offered.
6. The committee demands that order, dignity, and courtesy be maintained at all times in a hearing.
7. The Chairperson of the committee shall send to the grievant, persons named in the grievance, and the appropriate Vice-President at least ten working days in advance written notice of the date, time, and place of a hearing, which has been set up by the Committee. The Chairperson shall also send at that time to each of the above a copy of the grievant's statement of grievance, the current statement of the appropriate procedures of the Committee, and the names of the members of the Committee.
8. Six Faculty Grievance Committee members shall constitute a quorum.
9. The Committee shall determine the formality or informality of the meetings.
10. The faculty member presenting a grievance and named parties may be accompanied at the hearing by an attorney, and/or other person of his/her choosing, whose role is limited to advising the grievant or named party and does not under any circumstances include presentation, questioning witnesses, or addressing the committee.
11. Legal rules of evidence do not apply. Relevant evidence to support the grievance, to support the position of those named in the grievance, or to otherwise assist the Committee in its deliberations may be presented by the grievant, by named persons, by the administration, by witnesses personally appearing and testifying, by statements of witnesses who cannot be present, and by documentary evidence in the form of photocopies. Other evidence may be photographed or described for the record. All evidence shall be presented to the Committee and identified. All witnesses are to speak the truth to the best of their knowledge.
12. The Committee shall hear the faculty member's grievance and the responses of the administration or other named persons separately. Neither party shall be present when the other party is presenting.
13. The grievant and the administration or other named persons shall be allowed to present witnesses to the Committee. Witnesses will be heard separately.
14. The Committee shall, when new or relevant subsidiary issues emerge during the testimony or questioning of parties or witnesses or when the testimony is conflicting, seek additional documentary evidence and/or recall witnesses and parties in an effort to ascertain the facts.

15. With the approval of the University President, the Committee may engage counsel to help in conducting its business.
16. The Committee may call for any additional evidence, witnesses, and testimony it deems necessary. The administration and the grievant shall make available all documents and other evidence requested by the Committee. The University shall make every attempt to have the requested witnesses appear before the committee.
17. The Committee recognizes that it is difficult to formulate a set of procedures that can anticipate and accommodate all possible circumstances. Therefore, the chairperson is empowered to rule on all questions of procedure. When it is deemed necessary, the Chairperson may call a recess at any time and ask the Committee for a private discussion and assistance in a ruling.
18. If a member of the Committee recuses himself/herself from a particular grievance hearing, the Committee or parties may nevertheless call him/her as a witness.
19. In addition to his/her responsibilities of presiding over meetings, the Chairperson shall exercise full voting privileges.
20. The Chairperson and all Committee members shall inform the Committee of any information relevant to the grievance that is brought to them individually by any administrators, faculty members, or other persons.
21. The committee may seek to bring about a settlement of the issue(s) satisfactory to all parties.
22. At the close of the hearing, the committee shall convene in a closed session to formulate a recommendation and rationale and/or finding of facts concerning the grievance. The recommendation will be presented to the President in writing. A copy of the recommendation and rationale and/or finding of facts shall be provided to the grievant and to the person(s) named in the grievance. The President may ask for further clarification, and the committee shall provide written clarification, with copies to the grievant and the person(s) named in the grievance.
23. The Committee reserves the right to make timely revisions of its procedures as deemed necessary.



## DOCUMENT XVIII

### PROCEDURES FOR DISMISSAL FOR CAUSE AND IMPOSITION OF MAJOR SANCTIONS

#### Introduction

The University is a community of scholars dedicated to the advancement of knowledge. Among the functions of a University is the establishment of a proper intellectual integrity among the faculty, between the faculty and the students, and between the faculty and the national and international academic community. This intellectual integrity is fostered by the creation of an environment of personal interaction and mutual trust whereby its members are mindful of their responsibilities to maintain standards of competence, and a proper attitude of objectivity, industry, and cooperation with their associates within and without the University community. However, if the community is to be sustained, it is necessary for it to take action when commonly held standards of conduct are violated. Thus disciplinary action up to and including dismissal may be undertaken for cause, with dismissal being reserved for the most serious cases.

A close relationship exists between the excellence of American universities, the strength of their faculties, and the extent of faculty responsibility in determining faculty membership. In the effective university, a dismissal proceeding involving a faculty member on tenure, or one occurring during the term of an appointment, will be a rare exception, caused by individual human weakness and not by an unhealthy setting. When it does come, however, the procedures should provide that both institutional integrity and individual human rights may be preserved. The faculty must be willing to recommend the dismissal of a colleague when necessary. By the same token, presidents and governing boards must be willing to give full weight to a faculty judgment favorable to a colleague.

Adequacy of cause for a dismissal will be related, directly and substantially, to the fitness of faculty members in their professional capacities as teachers or researchers. Dismissal will not be used to restrain faculty members in their exercise of academic freedom or their rights of American citizens or legal aliens. The same protections and procedures should be used when the university administration proposes a major sanction on a tenured faculty member. When the issue is the proposed imposition of a major sanction, the reader should substitute throughout the document where appropriate the words "a major sanction" (or similar phrases) for "dismissal for cause" (or similar phrases).

Non-tenured faculty members may be terminated by the University administration in accordance with the notification of non-reappointment standards specified in the *Faculty Handbook* (Section V). Should the University propose to dismiss an untenured faculty member earlier than the advance notice of non-reappointment (specified in the *Faculty Handbook*), the procedures delineated in this document will be followed. Should the University propose to dismiss an untenured faculty member who is on an appointment with a specified end-date (e.g., an "Emergency Temporary" one-year hire), these proceedings will not change the specified end-date of the appointment.

#### Preliminary Proceedings

1. Summary. The preliminary proceedings include (a) an attempt at resolution by academic administrators and the faculty member that includes notice of the availability of mediation; (b) an informal inquiry by the Faculty Grievance Committee; (c) an attempt by the Faculty Grievance Committee to arrange an adjustment between the parties; (d) failing an adjustment, a recommendation by the Faculty Grievance Committee either for or against going forward with formal charges against the faculty member; (e) if the recommendation is for a formal hearing, a joint effort by the Committee and the President's representative to formulate proposed grounds for dismissal.

Every effort should be made to expedite these preliminary proceedings. Although these procedures are complex and lengthy in written form, they need not be lengthy in operation. The two parts of the administrative and mediation effort are designed to operate nearly simultaneously. Parts 3a and 3b

of the informal inquiry below are designed to operate nearly simultaneously. Parts 5a and 5b (which involve decision making and cooperation between the Committee and the President's representative, rather than information gathering) have the potential for being completed expeditiously.

2. Administrative and Mediation Effort.

- a. When reasons arise to question the fitness of a faculty member who has tenure or whose term appointment has not expired, the appropriate administrative officers should ordinarily discuss the matter with the faculty member in personal conference. Suspension of the faculty member during the proceedings is justified only if immediate harm to the faculty member or others is threatened by the faculty member's continuance. If the situation warrants a suspension, such suspension shall be with pay.
- b. Very early in the process, the appropriate vice-president shall inform the parties of the availability of the mediation process, provide a copy of the mediation document (*Faculty Handbook* APPENDIX A-XVII) to all parties, and encourage the parties to seek a resolution through mediation. Possible sanctions short of dismissal (such as reprimand, forfeiture of future pay raises, written agreement to cease certain behavior, or other sanctions) should be explored. The matter may be terminated by mutual consent at this point.

3. Informal Inquiry.

- a. If an adjustment does not result by mediation, the President of the University shall request in writing that the University Faculty Grievance Committee informally inquire into the situation to effect an adjustment, if possible, and, if none is effected, to determine whether in its view formal proceedings to consider the faculty member's dismissal should be initiated. The president shall caution the administrators involved to take care that no administrative pressure is brought to bear upon Committee members as they conduct their inquiry and come to their conclusions.
- b. The Faculty Grievance Committee should immediately ask the parties to provide documentary materials related to the problem within ten working days of the request.
- c. The Faculty Grievance Committee should select one or more from among its members to informally talk with the faculty member, involved administrators, and other faculty members who have knowledge of the situation, to gather as much relevant information as possible. The member or members gathering information shall inform those whom they approach that they are acting under the authority of the Faculty Grievance Committee and request that each person contacted keep the contact and discussion confidential. The member or members gathering information should also collect additional relevant documentary materials that come to their attention. The member or members who are gathering information will keep the Committee informed. Under normal circumstances, the Committee shall then proceed to 4 below.
- d. Because of the difficulty of assembling parties and witnesses in a room at the same time and the desirability of moving expeditiously through these preliminary and informal proceedings, utilizing the procedures in 3b and c above are preferred. But, in rare circumstances, the Committee may decide to conduct its inquiry by informal hearing. Notice of the hearing should be given to both parties no less than fifteen working days in advance of the hearing, at which time the Committee should ask the parties to provide documentary materials related to the problem and a list of witnesses (if any) to the Committee Chair no later than seven working days before the hearing. The Chairperson will notify the witnesses of the time and place of the hearing and request their attendance. The hearing shall be closed (assuming a closed hearing is in accordance with applicable State law).

With both parties and their advisors present, the Committee will hear the concerns of the administration and then provide an opportunity for the faculty member to present his or her concerns. Both the representative of the University administration and the faculty member may

be accompanied throughout the hearing by an academic advisor and counsel of their choice (private counsel may be retained at the faculty member's expense), whose role will be limited strictly to privately advising the faculty member or representative of the administration.

All witnesses called shall be asked to speak the truth to the best of their knowledge and to keep the proceedings of the preliminary informal hearing confidential until all of the proceedings described in this document have been completed or an agreement satisfactory to all parties has been reached. The hearing will be informal, in like manner as University committee meetings, and legal rules of evidence shall not apply. There will be no recording or verbatim record. In addition to his or her responsibilities of presiding over meetings, the Chairperson shall exercise full voting privileges. If any member of the Committee has been a participant in the circumstances from which the matter arises, the Committee may decide that the member be excused from the hearing or that the member may participate in the inquiry but not vote. The Chairperson will normally decide matters of procedure. If the Chairperson or any member of the Committee wishes, the Committee may take a short recess to decide on procedures or to consult on other issues related to the matter at hand. The Committee shall then proceed to 4 below.

4. Attempt to Effect an Adjustment. After gathering as much information as the committee considers sufficient, the Faculty Grievance Committee should attempt to effect an adjustment, if possible.
5. Recommendation and Possible Formulation of Grounds for Proposed Dismissal.
  - a. If no adjustment is effected, the Committee should determine expeditiously whether in its view formal proceedings to consider the faculty member's dismissal should begin.
  - b. If, in the opinion of the Committee, either (1) insufficient evidence in support of the allegations has come to the Committee's attention or (2) none of the allegations, even if eventually proved to be true, rise to the level of adequate cause for dismissal, the Committee shall make a written recommendation to the President of the University that no hearing for dismissal for cause take place and that the administration cease efforts to dismiss the faculty member. The Committee may recommend at this time that a formal hearing for imposition of a major sanction be commenced. The Committee's recommendation shall include a rationale and/or preliminary finding of facts. The Chair of the Faculty Grievance Committee shall, at the same time, send a copy of the recommendation, including the rationale and/or preliminary finding of facts, to the faculty member.
  - c. If the Committee recommends that a formal hearing for dismissal for cause be commenced, a copy of the recommendation shall be sent to the President of the University and the faculty member, along with a request that the President or his/her representative join with the Faculty Grievance Committee to formulate a statement with reasonable particularity of the grounds for the proposed dismissal. Once the jointly formulated statement of the grounds for the proposed dismissal has been completed, the Chair of the Faculty Grievance Committee shall send promptly a copy of the grounds for the proposed dismissal to the faculty member, and action should be commenced under the procedures for a formal hearing described below.
  - d. If the President of the University, even after considering a recommendation of the Committee favorable to the faculty member, expresses the conviction that a proceeding nevertheless should be undertaken, the President or the President's representative should, within fifteen working days of receiving the Committee's recommendation, formulate a statement with reasonable particularity of the grounds for the proposed dismissal and send a copy to the faculty member and the Chair of the Faculty Grievance Committee. Action should then be commenced under the procedures for a formal hearing described below.
  - e. Should the President propose imposition of a major sanction on any of the allegations the Committee has determined to be supported by sufficient evidence to warrant going forward with a formal hearing but that do not rise to the level of adequate cause for dismissal, the Committee

Chair shall inform the faculty member and inquire of both parties whether an attempt to effect an adjustment should be made. If no adjustment can be agreed to and the President decides to pursue a major sanction, actions should be commenced under the procedures for a formal hearing described below.

6. If a decision is made to commence a formal hearing, documentary materials accumulated by the Faculty Grievance Committee during these preliminary proceedings shall be forwarded to the chair of the Ad Hoc Hearing Committee.

#### **Formal Hearing before the Ad Hoc Hearing Committee**

1. Summary: After the preliminary proceedings have been completed, in the best interests of all parties, as with the preliminary proceedings, every effort should be made to expedite the work of the ad hoc hearing committee. The following document details the process and procedures involved in selecting the membership of the ad hoc hearing committee and the process and procedures involved in conducting the formal hearing.
  - a. The chair of the Faculty Grievance Committee shall charge the Executive Officer of the Faculty Senate to initiate immediately the process for the selection of an ad hoc hearing committee as soon as the Faculty Grievance Committee and the President of the University have agreed on a statement with reasonable particularity of the grounds for the proposed dismissal; or if the President of the University, even after considering a recommendation of the committee favorable to the faculty member, expresses the conviction that a proceeding should nevertheless be undertaken and has provided the chair of the Faculty Grievance Committee with a statement of reasonable particularity of the grounds for the proposed dismissal.
  - b. At least fifteen (15) working days prior to the hearing, the Executive Officer of the Faculty Senate shall provide to all parties, including the President of the University and the faculty member, a written statement of specific charges and a copy of the present Dismissal for Cause policy document.
2.
  - a. Pending a final decision by the ad hoc hearing committee, the faculty member will be suspended or assigned to other duties in lieu of suspension, only if immediate harm to the faculty member or others is threatened by continuance. Before suspending a faculty member, pending an ultimate determination of the faculty member's status through the University's hearing procedures, the University administration will consult with the Faculty Grievance Committee concerning the propriety, the length, and the other conditions of the suspension. A suspension that is intended to be final is a dismissal, and will be treated as such.
  - b. Salary will continue during the period of the suspension, until these informal and formal proceedings have been completed or a written settlement between the administration and the faculty member is agreed to or the faculty member returns to his or her regular responsibilities and duties, in the classroom, library, or other regular capacity. Should the faculty member agree and sick pay is appropriate under state regulations, sick pay may replace salary for part or all of the period.
3. The faculty member may waive a hearing or may respond to the charges in writing at any time before the hearing. If the faculty member waives a hearing, but denies the charges or asserts that the charges do not support a finding of adequate cause, the ad hoc hearing committee will evaluate all available evidence and rest its recommendation upon the evidence in the record. The right of the faculty member to waive a hearing in no way limits the right of the administration to present its case at a hearing.
4. The ad hoc hearing committee will be selected from the ranks of the tenured faculty of the University in the following manner:

- a. Independent of each other, the President of the University, the faculty member, and the Executive Officer of the Faculty Senate each will nominate, from among the full-time faculty, four (4) potential ad hoc committee members and five alternates (which they shall identify as first alternate, second alternate, etc.) to the chair of the Faculty Grievance Committee.
  - b. Should two or more of these parties nominate the same potential member, the Chair of the Faculty Grievance Committee shall strike the duplicated nominee(s) and choose a replacement or replacements in the following manner:
    - (1) if one name appears on the lists provided by both the faculty member and the administration, strike the name from the list of the faculty member and replace it with the first alternate from the faculty member's list; if a second name appears on the lists provided by both the faculty member and the administration, strike the name from the list of the administration and replace it with the first alternate from the administration's list; if three or more names appear on the lists provided by both the faculty member and the administration, continue alternating;
    - (2) if one or more names appear on the lists provided by both the faculty member and the Senate Executive Officer, strike the name from the list of the faculty member and replace it with the first alternate from the faculty member's list, and so on, alternating between the Senate Executive Officer and the faculty member as in (1) above;
    - (3) if one or more names appears on the lists provided by both the administration and Senate Executive Officer, strike the name from the list of the administration and replace it with the first alternate from the administration's list, and so on, alternating between the Senate Executive Officer and the administration as in (1) above;
    - (4) if a name appears on all three lists, retain the nominee of the Senate Executive Officer, strike the name from the faculty member's and administration's lists and replace it with the next name on the list of alternates for each.
    - (5) The Faculty Grievance Committee Chair should then request that the appropriate persons provide additional names to fill the vacancies on their lists of alternates.
  - c. The President of the University and the faculty member each must remove two (2) of the potential members from the list of twelve potential members provided to them by the chair of the Faculty Grievance Committee.
  - d. The remaining eight (8) members will constitute the ad hoc hearing committee.
  - e. If either the faculty member or the President of the University or his representative objects to any of the eight committee members and can show cause for the objection (as determined by a majority vote of the committee) the member shall be removed and replaced by the alternate of the party who had nominated the potential committee member that was thus removed in order of first alternate, second alternate, etc.
  - f. After the membership of the ad hoc hearing committee has been determined, the President of the University will name one (1) member of that group to serve as chair. If at any time objections are made to the University President's choice of chair, the committee will select a temporary chair, hear cause why the President's choice should not serve as chair, and determine by majority vote whether the chair shall continue in that position. If cause is found that the chair should not continue to serve in that capacity, the President will be notified, and the President will name a new chair from the remaining members of the ad hoc hearing committee. The person rejected as chair may continue to serve on the ad hoc hearing committee as a regular member.
5. As soon as the final eight (8) members (including the chair) have been selected, the entire ad hoc hearing committee will be charged with its duties by the chair of the Faculty Grievance Committee. The committee shall hold its first meeting no fewer than ten (10) working days after it has been charged. Ad hoc committee members shall avoid discussing the case at hand with anyone other than fellow committee members until all of the proceedings described in this document have been completed or an agreement satisfactory to all parties has been reached.

6. The ad hoc hearing committee may, with the consent of the parties concerned, hold joint pre-hearing meetings with the parties to (a) simplify the issues; (b) effect stipulations of facts; (c) provide for the exchange of documentary or other information; and (d) achieve such other appropriate pre-hearing objectives as will make the hearing fair, effective, and expeditious.
7. The goal of the formal hearing is for the ad hoc committee to determine whether or not adequate cause for dismissal exists after it hears the case in support of the charges against the faculty member as presented by the University administration and its counsel, as well as the faculty member's defense against the charges as presented by him/her and his/her counsel.
8. The University will provide a stenographer to make a verbatim record of the hearing and will furnish the University administration, the ad hoc committee, and the faculty member with copies.
9. The committee, in consultation with the president and the faculty member (or their representatives), will exercise its judgment as to whether the hearing or portions of the hearing should be open or closed. Any witness may elect to give his or her testimony in closed hearing, assuming that such a practice is in accordance with current State law.
10. a. Closed hearing.

In a closed hearing, only the following persons may be present at the sessions:

- (1) The members of the ad hoc hearing committee.
- (2) The Vice President (or his or her designate) representing the University administration and his or her counsel and/or assistant(s). (The number of persons present assisting the administration may not exceed the number of persons present assisting the faculty member).
- (3) The faculty member and his or her counsel and, if requested, academic advisor;
- (4) The witness under examination and his or her counsel;
- (5) The person responsible for recording the proceedings of, and the testimony given, before the committee;
- (6) If necessary, the University will provide an interpreter to translate the testimony of a witness who is unable to speak the English language.
- (7) If requested by the faculty member, the University administration, or the chair of the ad hoc hearing committee, a representative of a responsible educational association as an observer.
- (8) In the case of a closed hearing, members of the ad hoc hearing committee, all other persons present at any committee hearing session, and all persons having confidential access to information concerning these committee sessions, shall pledge to keep secret the testimony of witnesses and all other matters occurring at, or directly connected with, this hearing until all of the proceedings described in this document have been completed or an agreement satisfactory to all parties has been reached.

b. Open hearing.

- (1) In addition to the participants stipulated for a closed hearing [10.a.(1-7) above], members of the public may also attend an open hearing, subject to the authority and discretion of the ad hoc hearing committee, which is responsible for keeping order.
- (2) With the exception of the testimony presented in public during the ad hoc committee's hearings, the same procedures for confidentiality cited in 10.a.(8) above shall apply.

11. The ad hoc hearing committee shall meet for hearing sessions as directed by the ad hoc committee chair. Five ad hoc hearing committee members shall constitute a quorum. The chair of the ad hoc hearing committee shall preside over all hearings and shall have full voting privileges. The chair may delegate duties to other committee members and may determine rules of procedure in consultation with the committee members.

12. The burden of proof that adequate cause exists rests with the University administration and will be satisfied only by clear and convincing evidence in the record considered as a whole.
13. Procedures employed by the ad hoc hearing committee shall be such as to allow as fair a hearing as possible. The guiding principle for procedures is "what is reasonable to reasonable men and women."
14. The ad hoc hearing committee will grant adjournments to enable either party to investigate evidence to which a valid claim of surprise is made.
15. Both the faculty member and University Administration will be afforded an opportunity to obtain necessary witnesses and documentary or other evidence. The Academic VP will cooperate with the ad hoc hearing committee in securing witnesses and making available documentary and other evidence.
16. Both the faculty member and the University administration (or their counsels) will have the right to confront and question all witnesses. Where the witnesses cannot or will not appear, but the ad hoc hearing committee determines that the interests of justice require admission of their statements, the committee shall identify the witnesses, disclose their written statements, and if necessary, provide for interrogatories for clarification.
17. In the hearing of charges of incompetence, testimony will include that of qualified faculty members of this or other institutions of higher education.
18. The ad hoc hearing committee will not be bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available.
19. The Committee shall take whatever time and employ whatever resources it feels are necessary and practicable to reach an understanding of the truth in the matter at hand.
20. At least five members of the ad hoc hearing committee must concur in the recommendation for dismissal or imposition of a major sanction.
21. The findings of fact and the decision of the ad hoc hearing committee will be based solely on the evidence presented in the stenographic record of the hearing.
22. When the ad hoc hearing committee decides that it has enough information about the case to reach a fair and impartial finding, it shall return one of the following recommendations to the President and furnish a written rationale for the finding:
  - a. Adequate cause for dismissal has been established and the faculty member's employment should be terminated.
    - (1) If the tenured faculty member is to be terminated because of moral turpitude, upon the university's final determination to dismiss the faculty member, the faculty member will be notified of his/her dismissal in writing, effective on the last day of the month of notification.
    - (2) If a tenured faculty is to be terminated but moral turpitude is not a factor, upon the university's final determination to dismiss the faculty member, the faculty member will be notified of his/her dismissal in writing. The faculty member shall be provided his/her regular monthly salary for five months following the notification (exclusive of the summer session).
  - b. Adequate cause for dismissal has not been established, but in the committee's opinion disciplinary sanctions would be more appropriate. In this case the committee may recommend to the President lesser penalties, such as demotion, suspension, censure, or forfeiture of pay raises.

- c. Adequate cause for dismissal has not been established by the evidence in the record. Under normal circumstances, the President will accept the report and cease efforts to dismiss the faculty member for cause. If, however, the President rejects the report, the President will state the reasons for doing so, in writing, to the ad hoc hearing committee and the faculty member within fifteen (15) working days, and provide an opportunity for the committee to prepare a written response before transmitting the case to the Board of Supervisors.
23. After the ad hoc hearing committee chair has reported its recommendation in writing to the President of the University, the President shall act upon this recommendation within fifteen (15) working days of receiving it, and shall confirm this action in writing to the Academic Vice-President, to the faculty member, and to the chairs of the Faculty Grievance Committee and the ad hoc hearing committee.
24. If the faculty member disagrees with the President's decision, he or she may appeal to the Board of Supervisors of the University of Louisiana System.
25. Except for such simple announcements as may be required, covering the time of the hearing and similar matters, including consideration by the Board of Supervisors of the University of Louisiana System, public statements and publicity about the case by either the faculty member or the University administration will be avoided so far as possible until all proceedings have been completed.



## DOCUMENT XIX

### PROCEDURES FOR SELECTING DEPARTMENT HEADS

#### **I. PREAMBLE: THE OBJECTIVES OF THE DEPARTMENT HEAD**

The selection of a department head is an important event in the life of a university. Effective heads need the confidence and support of both the departmental faculty and the dean. As interpreters and communicators, as champions of faculty and student needs and rights, and as exemplars for the ethics and professionalism of the discipline, department heads assume considerable responsibility, placing the department as their highest priority.

In as much as the department head is expected to take the lead in building a consensus within the department and between the department and the dean on such matters as curriculum, standards, directions for the development of the academic program, and the allocation of resources, and, in addition, to organize and consult with committees in the department, particularly those dealing with hiring, promotion and retention, and with courses and curriculum, the selection process should include a broad representation of interests within the department, and the committee should bear these functions of the department head in mind during its search.

#### **II. PRELIMINARY MEETING OF THE DEPARTMENT AND DEAN**

When a vacancy occurs in the headship of a department or similar faculty unit, the dean of the appropriate college calls a meeting of the department (along with, perhaps, other administrative officers) to define the context in which the selection will take place. About a week before the meeting, the dean circulates an agenda and a list of administrative participants to the faculty of the department in advance of the meeting; the business of this meeting includes a discussion of the state of the department, its goals and plans, the role of the department head, the qualifications for the position, the financial resources available for the search, the scope of the search (internal only or internal/external), the size of the search committee, which non-faculty constituencies (other departments, students, alumni, or citizens) may be represented on the committee, and any other factors relevant to the selection of the new department head.

#### **III. COMPOSITION OF SEARCH COMMITTEE**

In a small department, all members of the department may serve on the committee. In the larger departments, at least two-thirds of the committee members are full-time faculty members elected by the full-time members of the department. The dean is invited to serve on the committee. Other members of the committee, including representatives of non-faculty constituencies when appropriate, may be appointed by the dean. In all cases, at least two-thirds of the committee members shall be full-time faculty members of the department.

#### **IV. DESCRIPTION OF THE SEARCH**

The search committee is responsible for advertising the position, receiving applications and nominations, reviewing credentials, and recommending a slate of at least two "finalists" to be invited for on-campus interviews. All materials prepared by or received by the committee are available for inspection by the faculty of the department, and at each stage of its activities the committee formally solicits information and opinions from them. The following outline of search committee activities is appropriate for an internal/external search; in a strictly internal search, minor changes may be made.

- 1) The search committee and the dean review or prepare a job description.
- 2) The committee, with the approval of the dean, the EEO Officer and the Provost/Vice President for Academic Affairs, prepares and distributes official notices of the vacancy and places

advertisements in appropriate periodicals. The vacancy announcement includes a job description and minimum qualifications for the job keeping in mind that all department chairs, school directors, and program coordinators have faculty standing in the departments they head, and therefore each goes through the same review for academic qualifications to which all faculty members are subject as described in the *Staff Handbook* under “Academic Affairs—Hiring Full-time Unclassified Personnel.”

- 3) The committee, consulting with the dean, decides on its procedures and schedule. All policies concerning evaluation scales, voting processes and the like are defined in advance. Before examining applications, the committee defines and weights the criteria it will use in evaluating candidates. In the process it prepares an evaluation questionnaire for later use by the committee in determining the opinion of the other members of the department. (viz. step 6)
- 4) After the applicant pool has been certified by the EEO Officer and reviewed by the dean, the committee evaluates the applicants and selects a short list of finalists. Telephone interviews with applicants may prove useful at this stage. The faculty and other appropriate constituencies are provided opportunities for input to the committee before this selection.
- 5) The committee and the dean schedule the visits of the finalists to the campus. These applicants have separate interviews with the search committee, the dean, and other administrative officials. The interview process also includes a meeting of each candidate with the entire department at which time the candidate responds to questions from the faculty. The department may choose this to be an informal session, or it may invite the candidate to make a formal presentation. Department faculty who wish to may meet individually with a candidate, but if time is sufficient to accommodate this privilege for all desiring it, none shall enjoy it.
- 6) After the interviews and consideration of any additional information obtained by the committee, the committee meets again with the department for the purpose of informal discussion of the candidates in relation to the aims and goals previously set. The committee then distributes its questionnaire to the faculty in order to determine their colleagues' opinions about the candidates.
- 7) The committee, after consideration of the results of the interviews and the faculty questionnaire, prepares its report to the faculty and the dean; this report includes the committee's ranking of those finalists whom it recommends for the position. The committee forwards copies of the faculty questionnaires and other documents related to the committee's deliberations to the dean with this report.
- 8) After consultation with the Provost/Vice President for Academic Affairs, the dean meets with the committee to present his or her response to the report. If the dean's ranking of the candidates differs from that of the committee, the reasons for the differences are given in writing and discussed. In the unusual event that none of the candidates recommended by the committee is suitable to the dean, the selection process resumes at the appropriate stage. The dean, in consultation with the committee, may wish to appoint an interim department head in this case.
- 9) The dean then prepares his or her formal recommendation concerning the appointment and transmits it, along with copies of the committee's report and documents, to the Provost/Vice President for Academic Affairs, who discusses the recommendation with the President. If the Vice President or President rejects the recommendation or the recommended candidate does not accept the position, the Vice President, the dean, and the committee meet to decide on a course of action. If the selection is approved, the hiring process as described in the *Staff Handbook* under “Academic Affairs—Hiring Full-time Unclassified Personnel” is followed.

## DOCUMENT XXI

### THE UNIVERSITY OF LOUISIANA AT LAFAYETTE FACULTY WORK LOAD POLICY

The work done by university faculty is manifold, varying not only by types of tasks, but also by academic discipline and mission. It includes not only the several activities associated with scheduled instruction—preparation, classroom presentation, and evaluation of student work—but also scholarship, research, grant competition, creative endeavors, and other responsibilities to both the institution and the profession. Codifying the multifaceted endeavors in which faculty are and should be engaged is therefore a difficult but necessary undertaking.

This workload policy document attempts to be structured enough to serve as a management tool to assist administrators at the department and college levels in setting faculty loads and responsibilities, but flexible enough to allow description of the myriad activities of different faculty and departments. While it does not specifically prescribe workloads, it does provide detailed guidance as to the University's expectations of its faculty. This policy and the Projected and Reported Workload Forms linked to it are essential components by which the University accounts for the work efforts of its faculty to its management boards. Equally importantly, these documents ensure consistency in the construal of work efforts from one department to the next and from one faculty member to the next.

#### ***Faculty Workload Tracks***

The University takes its primary responsibilities to be the advancement of knowledge through research and the extension of knowledge through teaching. These are, therefore, the primary components of the workload of all faculty members and the main descriptors of the University's expectations of faculty.

All regular, continuing faculty will follow one of four workload tracks. A faculty member's track will be determined in consultation with his/her department head and dean.

The primary factor determining the track to which faculty are assigned is the mission of the department and/or college in which they reside. While special circumstances may allow a modification of this general principle in the case of some faculty, faculty work within the context of the goals and purposes of the department and college in which they reside. Thus, faculty who staff departments which offer undergraduate degrees should expect to direct more of their effort to scheduled instruction than those in departments offering graduate degrees. Faculty in graduate degree-granting areas will be held to a higher expectation of *visible* research and scholarly productivity. It is quite possible that faculty in a department with multiple roles (e.g., teaching a large contingent of undergraduate majors, teaching general education "service" courses, engaging in significant externally-funded research, and/or preparing doctoral candidates) will be assigned to different workload tracks.

The workload tracks described below reflect the relative weight ascribed to the two major components of faculty work, research and teaching. These tracks conceptually assume that a person's total workload equals 100%, and that as a general principle teaching a single, three-credit course equates to 20% of one's total workload. Again as a general principle, the baseline teaching load for faculty at a professorial rank is assumed to be twelve credit hours per semester (a 4/4 class load for the academic year). A twelve credit hour per semester teaching load would, therefore, constitute approximately 80% of one's total workload, with 20% attributed to research and/or service. As a further example, a faculty member with a significant research agenda might teach six credit hours per semester (approximately 40% of the total workload) and allocate 60% of his/her workload to research and/or service.

**It is important to note that descriptions of workload expectations do not equate to subsequent performance evaluation; performance evaluation is driven by the quality of one's work, not the fact that it meets the percentage expectations of the workload track to which one is assigned.**

Following are the four workload tracks, with general defining features of each:

#### **Track 1**

- 12 - 15 credit hours per semester
- 4/4, 5/4, or 5/5 class load per year, the latter two loads usually taught by Instructors
- teaching load predominantly undergraduate courses
- research appropriate to faculty rank and departmental expectations
- teaching constitutes 75 - 90% of total workload; research and service constitute 10 - 25%
- advising and/or other departmental/university service

### **Track 2**

- 9 credit hours per semester or equivalent
- 3/3 class load per year
- teaching load predominantly undergraduate courses, often intermixed with occasional graduate level courses; faculty in this track expected to hold Graduate Faculty status
- moderate research/creative/grant/contract productivity, with some engagement in thesis and/or dissertation direction
- teaching constitutes 55 - 65 % of total workload
- advising and/or other departmental/university service

### **Track 3**

- 6 or 9 credit hours per semester, usually totaling 15 credit hours per academic year
- 3/2 or 2/2 class load per year
- teaching load consistently includes some courses at the graduate level, with at least one course per year at the 500+ level or a minimum enrollment of five graduate students in the course if it is at the 400(G) level; faculty in this track expected to hold Graduate Faculty status
- significant visible research/creative/grant/contract productivity, with regular engagement in thesis and/or dissertation direction
- teaching constitutes 35 - 55 % of total workload
- advising and/or other departmental/university service

### **Track 4**

- 3 to 6 credit hours per semester
- 1/1 or 1/2 class load per year
- teaching load virtually all graduate courses; faculty in this track expected to hold Graduate Faculty status and be actively involved in teaching and directing doctoral students
- evidence of heavy research/creative/grant/contract productivity, with heavy engagement in thesis and/or dissertation direction
- teaching constitutes 20 - 30% of total workload
- advising and/or other departmental/university service

Assigned course loads, expressed above in terms of traditional format lecture course credit hours, may be expressed in other terms in the case of a faculty member engaged in teaching non-traditional courses, e.g., web-based and other distance learning courses, clinicals, studios, internships, labs, directed field work, practicums, etc. Generally speaking, an independent study or special projects course is not considered equivalent to a traditional three-credit lecture course. Cross-listed courses that meet at the same hour count as a single course. Equivalencies will ultimately be determined in consultation with the faculty member's dean and department head.

A faculty member directing a student's dissertation may carry that student as part of the workload for a maximum of four semesters; anything beyond that must be justified to the dean. A faculty member directing a Master's or Honor's thesis may carry that student as part of his/her workload for a maximum of two semesters; anything beyond that must be justified to the dean.

### ***Student Contact***

In that the University's primary institutional responsibility lies in directing student learning, every faculty

member's work effort should reflect that purpose. A commitment to student contact is customarily reflected in aggregate student-credit-hour production, which should meet the standards typical in the faculty member's discipline. However, engagement with student learning may also be evidenced, for example, in mentoring students' formal research and scholarship.

### ***Academic Advising and Other Service***

A critical component of collegiality within the University lies in each faculty member's commitment to citizenship in the institution and the profession. Such citizenship entails service to others, variously manifested in academic advising and support of student organizations, in University, college, and departmental committee work, and in assuming leadership roles on campus and in professional societies. Each faculty member is expected to engage in such service.

### ***Workload Forms***

Annually, at the beginning of each calendar year, continuing faculty members will complete two workload forms: the *Projected Faculty Workload* form and the *Report of Faculty Workload*. The forms and instructions for completing them are available on the web site of the Office of Academic Planning and Faculty Development.

#### ***Projected Faculty Workload***

The *Projected Faculty Workload* form is completed by the faculty member in January of each year after consultation with the faculty member's department head. After approving it, the department head sends it on to the college dean. This form is designed to allow faculty members to list their anticipated teaching schedules, student enrollment, research and/or creative endeavors, and service for the calendar year just commencing.

#### ***Report of Faculty Workload and Annual Performance Evaluation***

The *Report of Faculty Workload* form is submitted in January of each year to the faculty member's department head. The form, a modified version of the *Projected Faculty Workload* form, is designed to allow a faculty member to report work and activities actually completed during the preceding calendar year. A faculty member may submit a single page cover letter with the form which highlights those accomplishments the faculty member feels are most noteworthy.

This report of activities and accomplishments is the basis for the faculty member's **annual performance evaluation** on which merit raises are based. The report will include the faculty member's assessment of the percent of his/her work effort during the preceding year that was spent in each of the four major categories of faculty activity: teaching, research, service, and administration, if applicable. The work effort earmarked for each type of activity is not dictated explicitly by the faculty member's workload track; for example, a faculty member may have expended more effort in research and scholarship than the general profile of his/her assigned track might indicate should be expected. Evaluation of a faculty member's performance is holistic and is not tied inflexibly to the workload track descriptions.

The *Report of Faculty Workload* form is evaluated by the department head, who uses it as the basis for a faculty member's recommended merit raise category. The form, the faculty member's cover letter, and the department head's evaluation are routed to the dean of the college, who also evaluates the materials and makes his/her own recommendation regarding the faculty member's raise. After the dean's evaluation is completed, the materials are sent to the Provost/Vice President for Academic Affairs and the University President, who make a determination regarding merit raises for all continuing faculty.

## DOCUMENT XXIII

### CLASS ATTENDANCE POLICY

#### A. INTRODUCTION

Class attendance is regarded as an obligation as well as a privilege, and all students are expected to attend regularly and punctually all classes in which they are enrolled. Failure to do so may jeopardize a student's scholastic standing and may lead to suspension from the University.

#### B. ATTENDANCE RECORDS AND INDIVIDUAL CLASS POLICY

- 1) Faculty members shall keep a permanent attendance record for each class. These records are subject to inspection by appropriate college or university officials.
- 2) Faculty members shall develop and implement their own absence policies. The determination of what constitutes "excessive absence" rests with the instructor alone (with the exception of authorized and approved University sponsored events noted below), but must not be less than the University minimum of 10% of the total class meetings.
- 3) Faculty members are required to state in writing and explain to their students their expectations in regard to both class attendance and makeup work due to all absences prior to the close of the first week of classes during a regular semester and the third day of classes during a summer session.

#### C. JUSTIFICATION FOR ABSENCES

- 1) All students shall submit to the instructor justification for the absence(s) after the student returns to his/her respective class. However, if the student has prior knowledge that he/she will miss certain classes, justification should be submitted to these instructors in advance of the absences.
- 2) If the instructor feels there has been a violation of the Code of Student Conduct (e.g. 15.16 - Furnishing false information ... with intent to deceive) the student should be referred to the Department of Student Personnel for possible disciplinary action. If the student feels that he/she has been unfairly denied an excused absence, the student may appeal first to the Department Head of the course and then, if necessary, to the Academic Dean of the course, who will consider the case and attempt to resolve the problem. If the case cannot be satisfactorily resolved at these levels, it will be referred to the Dean of Students who may refer the case to the Ombudsman. Final appeal in such a case will be to the Committee on Academic Affairs and Standards for undergraduate students and to the Graduate Council for graduate students.
- 3) Extended absences due to illness or other circumstances beyond the student's control should be reported by the student to the Dean of Students. The Dean of Students will notify the instructor(s) of the circumstances surrounding the absence.
- 4) Students are responsible for all classwork missed, regardless of the reason for the absence. Immediately upon the student's return to class a conference should be arranged with the instructor to determine what action, on the student's part, is necessary to compensate for the time lost and materials missed due to the absence.

#### D. EFFECTS OF EXCESSIVE ABSENCES

When a student accumulates justified or unjustified class absences which are considered excessive (except absences incurred due to authorized and approved University sponsored events such as necessary academic field trips or debate, judging, and intercollegiate athletic team travel), the instructor may recommend to the student that he/she withdraw from the course prior to the deadline printed in the schedule of classes. If a student chooses not to withdraw from the course, the instructor will award a grade to the student at the end of the semester or session which is in keeping with the class policy on attendance which was distributed at the beginning of the semester or session (refer to IV.B.3. above).

## DOCUMENT XXIV

### PROCEDURE FOR SELECTING ACADEMIC DEANS

While Deans must represent the students and faculty to the administration, they must also represent the administration's views within their college. Deans must possess a broad academic background, and must work to enhance scholarship, seek solutions to the problems of the faculty and students of their colleges, and act as representatives of the academic community. To accomplish this, deans must, to a limited but significant extent, present themselves in a professional manner to the alumni of their colleges as well as to the University and non-university community. In summary, the deans must be responsive to the needs of the administration, the faculty, the students, the college alumni and the community.

#### **SELECTION PROCEDURE**

When a vacancy occurs in a deanship or when a new undergraduate college is created, the Provost/Vice President for Academic Affairs will initiate the following procedures. These should be timed to allow for a realistic search for the best possible candidate(s). In case of a pressing need an interim dean may be named, but the search should be resumed in a reasonable length of time.

#### **I. Size and Selection of the Q-S-N Committee.**

A Qualifications-Screening-Nominating (Q-S-N) Committee will be selected as follows: the Q-S-N Committee will normally consist of from fourteen to seventeen members. Special circumstances such as the size of the college or an exceptionally strong interest, obligation, or need by an outside group (e. g. area Superintendents of Education in the case of the education dean) may alter these numbers.

1. Each department or equivalent academic unit within the college will meet and elect by secret ballot one of its faculty members as its representative or as its candidate for representative on the Q-S-N Committee.

If there are six or fewer schools and/or departments within the college, these elected faculty representatives will all serve on the Q-S-N Committee. If there are more than six units in the college, a college-wide election will be conducted to select six Q-S-N Committee representatives from among the previously selected school or departmental candidates.

This procedure will result in from four to six elected faculty representatives who shall serve on the Q-S-N Committee.

2. The Provost/Vice President for Academic Affairs in consultation with the President, after receiving the names of the elected faculty representatives to the committee, may appoint additional faculty up to one less than the number of elected members. These appointments should be used to improve the balance of the faculty representation on the Q-S-N Committee (e.g. in the areas of rank representation, academic area representation, and minority and/or gender representation). These appointments should insure that at least one department head in the college serves on the committee.
3. The Student Government Association will nominate four students as prospective members of the Q-S-N Committee. Where there is a graduate program in the College, two of the named students must be undergraduates, and two must be graduate students who are pursuing degrees in one of the Departments that comprise the college. The Provost/Vice President for Academic Affairs in consultation with the President will select two of these students (where appropriate, one graduate and one undergraduate from different departments) to serve.

4. The UL Lafayette Alumni Board will nominate two UL Lafayette alumni of the college as prospective members of the Q-S-N Committee. The Provost/Vice President for Academic Affairs will select one of these alumni to serve.
5. The department heads will choose one representative.
6. The Provost/Vice President for Academic Affairs shall designate a representative of the administration.

#### QSN committee for Dean of University College Size and Selection of Q-S-N Committee for Dean of the University College

1. The Senate will nominate two faculty members from different departments within each college, including the Colleges of Liberal Arts, Sciences, Arts, and Business. The Provost will select one of the nominees from each college to serve on the committee. In the event that there are no nominees selected from one college, a second nominee from another college may be selected to serve on the committee.
2. The Dean of Colleges of Liberal Arts, Sciences, Arts, and Business will nominate three faculty members from different departments within their college. The Provost will pick one from each unit.
3. The Dean of Colleges of Liberal Arts, Sciences, Arts, and Business will nominate three department heads. The Provost will pick one.
4. One student from University College, One from Trio Program, One from honors program. There will be two nominees for each position provided by SGA, and the Provost will choose the students to be on the committee. The SGA President or vice president may substitute for one of the above student representatives.
5. Director of Honors Program.
6. Director of Trio Program.
7. One alumnus or alumna chosen by the Provost from two nominees from the Alumni Association.

## **II. Conflicts of Interest.**

No member of the Q-S-N Committee should be considered as an applicant or be nominated by the committee for the office of dean, nor shall any member of the committee have a personal interest in any candidate which would cause a conflict of interest (for example, a close relative or a business partner).

## **III. Notice of Membership.**

The names of the entire membership of the Q-S-N Committee, once selected, shall be transmitted to all the colleges, and made known to the faculty.

## **IV. The Duties of the Q-S-N Committee.**

1. The committee should meet shortly after its members are selected in order to hear the charge of the Provost/Vice President for Academic Affairs, elect a chairman from among its membership, and organize itself to carry out its charge.



2. The committee should work in concert with the representative of the administration (Provost/Vice President for Academic Affairs) for the purpose of establishing and developing criteria which will be required of applicants for the position of academic dean of the College. At this point a decision will be made about whether to conduct an in-house or an open search. The EEO officer will be informed for ultimate certification of the candidates.
3. Reasonable promulgation of these criteria will be followed by a call for applications. The request for applications will clearly state the criteria previously agreed upon and will specify a initial deadline for receiving these applications and accompanying information.
4. After the initial deadline for receiving applications has passed, the committee will review the credentials of the applicants and prioritize a short list of approximately the top ten candidates. During this process the committee should seek and make use of appropriate input from the academic community. Together with the chair of the committee, the members may seek additional information about the candidates. The faculty, student, alumni, and administration representatives on the Q-S-N Committee are expected to have frequent contact with their respective constituents, to keep them informed as to progress, and to receive input from them.
5. The names and credentials of the top five candidates will be transmitted to the Provost/Vice President for Academic Affairs who will select three candidates to be interviewed. If there are not three acceptable candidates in the first transmission, the Q-S-N Committee may continue to submit names and credentials from its original priority list until three acceptable candidates are obtained.

If the fewer than three qualified applicants apply, the Q-S-N Committee will submit the names and credentials of those applicants whom they consider qualified. In this case, the Provost/Vice President for Academic Affairs may choose to interview fewer than three candidates. With proper justification the committee may, at any point in the process, recommend to re-advertise and begin a new search.

6. The Q-S-N Committee will then contact the candidates to be interviewed and arrange for their visits to campus. While on campus, each of the candidates will be interviewed by the Q-S-N Committee, the President, the Provost/Vice President for Academic Affairs, the University Council, the Academic Council, Student Government Association representatives, the department heads of the College, and each academic department within that College.
7. After all candidates have been interviewed, the Provost/Vice President for Academic Affairs will solicit from the Q-S-N Committee a listing of the candidates in order of preference, as well as information or listings from the groups represented in IV.6. All documents relative to the search will be forwarded by the committee to the Provost/Vice President for Academic Affairs.
8. The Provost/Vice President for Academic Affairs in consultation with the President of the University shall nominate the dean for approval by the Board. Should none of the candidates who are interviewed be found acceptable, a request for another slate of candidates may be made from the Q-S-N Committee and the committee will repeat the procedures as outlined in IV.5., IV.6., and IV.7. above.

## DOCUMENT XXVI

### AAUP STATEMENT ON RECRUITMENT AND RESIGNATION OF FACULTY MEMBERS

The statement printed below was adopted by the Association of American Colleges in January 1961 with the following reservations as set forth in a preamble prepared by that Association's Commission on Academic Freedom and Tenure:

1. *No set of principles adopted by the Association can do more than suggest and recommend a course of action. Consequently, the present statement in no way interferes with institutional sovereignty.*
2. *The commission realizes that the diversity of practice and control that exists among institutions of higher learning precludes any set of standards from being universally applicable to every situation.*
3. *The statement is concerned only with minimum standards and in no way seeks to create a norm for institutions at which "better" practices already are in force.*
4. *The commission recognizes the fact that "emergency" situations will arise and will have to be dealt with. However, it urges both administration and faculty to do so in ways that will not go counter to the spirit of cooperation, good faith, and responsibility that the statement is seeking to promote.*
5. *The commission believes that the spirit embodied in the proposed statement is its most important aspect.*

*In view of these reservations, the Council of the American Association of University Professors in April 1961 voted approval of the statement without adopting it as a binding obligation. Endorsement of the statement in this form was voted by the Forty-seventh Annual Meeting.*

*The governing bodies of the Association of American Colleges and the American Association of University Professors, acting respectively in January and April 1990, adopted several changes in language in order to remove gender-specific references from the original text.*

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Mobility of faculty members among colleges and universities is rightly recognized as desirable in American higher education. Yet the departure of a faculty member always requires changes within the institution and may entail major adjustments on the part of faculty colleagues, the administration, and students in the faculty member's field. Ordinarily a temporary or permanent successor must be found and appointed to either the vacated position or the position of a colleague who is promoted to replace the faculty member. Clear standards of practice in the recruitment and in the resignations of members of existing faculties should contribute to an orderly interchange of personnel that will be in the interest of all.

The standards set forth below are recommended to administrations and faculties, in the belief that they are sound and should be generally followed. They are predicted on the assumption that proper provision has been made by employing institutions for timely notice to probationary faculty members and those on term appointments, with respect to their subsequent status. In addition to observing applicable requirements for notice of termination to probationary faculty members, institutions should make provision for notice to all faculty members, not later than March 15 of each year, of their status the following fall, including rank and (unless unavoidable budgetary procedures beyond the institution forbid) prospective salary.

1. Negotiations looking to the possible appointment for the following fall of persons who are already faculty members at other institutions, in active service or on leave of absence and not on terminal appointment, should be begun and completed as early as possible in the academic year. It is desirable that, when feasible, the faculty member who has been approached with regard to another position inform the appropriate officers of his or her institution when such negotiations are in progress. The conclusion of a binding agreement for the faculty member to accept an appointment elsewhere should always be followed by prompt notice to the faculty member's current institution.
2. A faculty member should not resign, in order to accept other employment as of the end of the academic year, later than May 15 or 30 days after receiving notification of the terms of continued employment the following year, whichever date occurs later. It is recognized, however, that this obligation will be in effect only if institutions generally observe the time factor set forth in the following paragraph for new offers. It is also recognized that emergencies will occur. In such an emergency the faculty member may ask the appropriate officials of the institution to waive this requirement; but the faculty member should conform to their decision.

3. To permit a faculty member to give due consideration and timely notice to his or her institution in the circumstances defined in paragraph 1 of these standards, an offer of appointment for the following fall at another institution should not be made after May 1. The offer should be a "firm" one, not subject to contingencies.
4. Institutions deprived of the services of faculty members too late in the academic year to permit their replacement by securing the members of other faculties in conformity to these standards, and institutions otherwise prevented from taking timely action to recruit from other faculties, should accept the necessity of making temporary arrangements or obtaining personnel from other sources, including new entrants to the academic profession and faculty personnel who retired.
5. Except by agreement with their institution, faculty members should not leave or be solicited to leave their positions during an academic year for which they hold an appointment.

## DOCUMENT XXXV

### REMEDIATION PROCEDURES FOR UL LAFAYETTE PERSONNEL WITH ANNUAL PERFORMANCE EVALUATION SCORES OF TWO (2) OR BELOW

#### **Preamble**

In compliance with the University of Louisiana System Policy and Procedures mandate that remediation be initiated for any faculty member who receives an “unsatisfactory” evaluation in two consecutive years or in three years out of five, the University of Louisiana at Lafayette adopted the following policy in February 20X3. The policy was formulated and approved by the Faculty Senate and was approved by the Provost/Vice President for Academic Affairs and the University President.

The UL Lafayette Remediation Process is based on the Annual Performance Evaluation system currently used at UL Lafayette. The remediation process is based on AAUP guidelines and is separate from the University’s current processes for mediation and faculty grievance. The policy is not retroactive. A copy of this Remediation Process document is included in the *Faculty Handbook*.

#### **The Remediation Process**

After the affected party has received official notice of his or her second consecutive (or third in five years) overall score of two (2) or below on the Annual Performance Evaluation (which usually occurs in August or early September of the following year), the following remediation process is launched.

The affected person has two full evaluation cycles (three calendar years) to improve his or her evaluation status to a rating two (2) or above. A “full evaluation cycle” is the period between the time a faculty member submits his or her Annual Performance Evaluation for the previous calendar year to the evaluating authority (usually department or unit head in January of a particular calendar year) and the time that the faculty member is notified of his or her “official” evaluation category (i.e. the document signed by the Provost/Vice President for Academic Affairs, Dean, and Department head or equivalent authority and usually disseminated in August or September of the same calendar year).

The remediation process consists of 5 steps.

#### **Step 1:**

Within one month of the faculty member receiving official notification of a second consecutive evaluation score of two (2) or below (or the third in five years) (usually in August or September of a calendar year) his or her dean or equivalent authority must appoint an ad hoc Remediation Committee (RC), which has the task of compiling a Remediation Plan (RP) in consultation with all parties, if possible. The RC must inform the affected person, in writing, of the stipulations of the RP at least three weeks before the end of the fall semester.

If the affected person persistently objects to the makeup of the committee appointed by the dean or equivalent authority, or with its RP, the Provost/Academic VP should then appoint a RC, and, if necessary, formulate and impose an RP (see Step 4 below).

The RC will normally consist of from 3 to 5 tenured faculty members, the majority of whom are from the affected person’s department/unit, but at least one of whom is an outside, but voting, member.

It is not the task of the RC to determine whether or not the Score of two (2) or below assigned the affected party are justified, nor is the RC free to argue that no remediation is necessary. The RC may only be cited in subsequent actions as having arranged, reviewed, and, finally, ruled on the success of the remediation process. Any determination that remediation has or has not been “successful” must not be construed to imply that the RC endorses the ascription of a score of two (2) or below at any point.

If the affected party is willing to participate in the remediation process, go to Step two (2); if not, go to Step 4.

### **Step two (2):**

Within one month of its appointment, (usually October) the RC must compose a written RP consisting of specific, explicit statements from the evaluation authorities who assigned the score of two (2) or below about the precise actions that the affected person needs to take before the end of the next two full evaluation cycles in order to be considered "remediated." To enable the RC to perform its duties, the affected person, department head, dean, and/or other evaluating authority shall provide the RC with all of the relevant information it requests, including copies of current and past annual performance evaluations, student evaluations, proof of research, and public service.

The RP document must be clear, precise, and practicable, and it must be understood that there can be no "moving the goal posts" after the RP has been approved by the RC. The RC must ensure that the RP contains only requirements that are considered appropriate according to AAUP guidelines (appended).

### **Step 3:**

Once a RP has been formulated by the RC (but no later than six weeks before the end of the fall semester), each of the concerned parties (affected person, department head, dean, Provost/Vice President for Academic Affairs) must be supplied with a written copy of the RP by the RC. The affected person then has three working days to comment on the RP to the RC.

Ideally, both the evaluating authority and the affected person should sign the RP document to acknowledge its contents. Signing the RP does NOT necessarily imply that the affected person agrees with his or her evaluations or with the RP. It only acknowledges that he or she fully understands what actions the evaluators require him or her to take to be considered successfully remediated. The RP must clearly state that the affected person has two, full, evaluation cycles to improve his or her status; that is, to get an evaluation other two (2) or above.

### **Step 4:**

If the affected party is unwilling to actively participate in the remediation process at this initial stage, the Dean or unit head must inform the Provost/Academic VP (and other parties) as soon as possible, but at least five weeks before the end of the fall semester.

After consulting with all parties (but at least three weeks before the end of the fall semester), the Provost/Academic VP must then formulate his or her own RP and inform all parties, including the chair of the RC, of its stipulations in writing.

### **Step 5:**

Reviews: Each year, before the affected party's Annual Performance Evaluation has been forwarded by the department/unit to the next relevant authority (usually a dean, in January or February), the RC will meet and review the affected person's progress based on the annual performance evaluation that will be forwarded from the department.

The RC reviews the progress of the remediation process three times.

- (1) The first review occurs at the end of the 'interim' year, when, if the affected person has received an Annual Performance Evaluation of an evaluation scores two (2) or above the process ends. If, however, the affected person receives an evaluation score of two (2) or below in this interim year, the RC does not make a report.
- (2) The second review occurs after the first full evaluation cycle.
- (3) If necessary, the RC conducts an additional review after the second, and final, full evaluation cycle.

In the last two reviews the RC determines whether or not remediation has been accomplished and issues a report. If the affected person has been awarded an evaluation score other than two (2) or above in any of these reviews, remediation is deemed to have been successful and the process ends.

Note, again, that the remediation process concludes if, as the result of any one of the three February reviews, the affected person is awarded Annual Performance Evaluation better than or equal to two (2) by the evaluating authority or if the RC deems that, the person had met the conditions of the RP. This does not become official until notification is given in August or September.

The RC's report must be affixed to the affected party's Annual Performance Evaluation before it is forwarded from the department to the relevant authority, and copies of the report must be sent to the affected person, relevant dean/unit head, and Academic VP. The RC must explicitly state in its report whether or not the affected person has met the terms of the RP, and, if the conditions of the RP have not been met, the specific deficiencies must be cited in the report.

#### **Step 6:**

If, after the final review, the affected party is determined by the RC not to have met the conditions of the RP, the university president may wish to institute the UL Lafayette dismissal for cause procedure against him or her. This may be done without reference to or at any time during the procedures described in the above policy.

#### **Illustrative Narrative Time line for Remediation Process 20X2-20X5)**

For the sake of illustration let's assume that the affected person receives a second (or third in five years) official Annual Performance Evaluation two (2) or below in August 20X2. This reflects his or her Annual Performance Evaluation score for the calendar year (CY) 20X1.

We see that in the case of a person who has received two Annual Performance Evaluation two (2) or below (and who is NOT successful in remediation) the process from official notification of second Annual Performance Evaluation two (2) or below to termination of the full, official, remediation process extends from **August 20X2 until August 20X5**.

**August 20X2:** Affected person officially receives notice of second consecutive Annual Performance Evaluation two (2) or below, or third in five years. The year evaluated in the Annual Performance Evaluation was 20X1.

**August - Dec. 20X2:** Remediation Committee appointed by Dean, Remediation Plan formulated by RC and agreed to by faculty member (or imposed upon faculty member).

**January 20X3:** Remediation clock begins ticking: Affected party submits Annual Performance Evaluation for 20X2 in January or February 20X3. RC reviews the Annual Performance Evaluation in February 20X3, before it leaves department. If Annual Performance Evaluation 20X1 is better than or equal to two (2) then remediation process concludes (at least temporarily). If the Annual Performance Evaluation is below a, no report is made by the RC. The remediation process continues.

Note that the remediation process concludes if, at any one of the three February reviews, the affected person is awarded Annual Performance Evaluation better than or equal to two (2), or the RC finds that the RP has been achieved, although this does not become official until notification is given in August or September.

**August 20X3:** (interim year): Official announcement of Annual Performance Evaluation for 20X2.

**January-February 20X4:** Affected party submits Annual Performance Evaluation for 20X3 in January or February 20X4. RC reviews the Annual Performance Evaluation in February 20X4, before it leaves department. If Annual Performance Evaluation 20X2 is better than or equal to four (4) then remediation

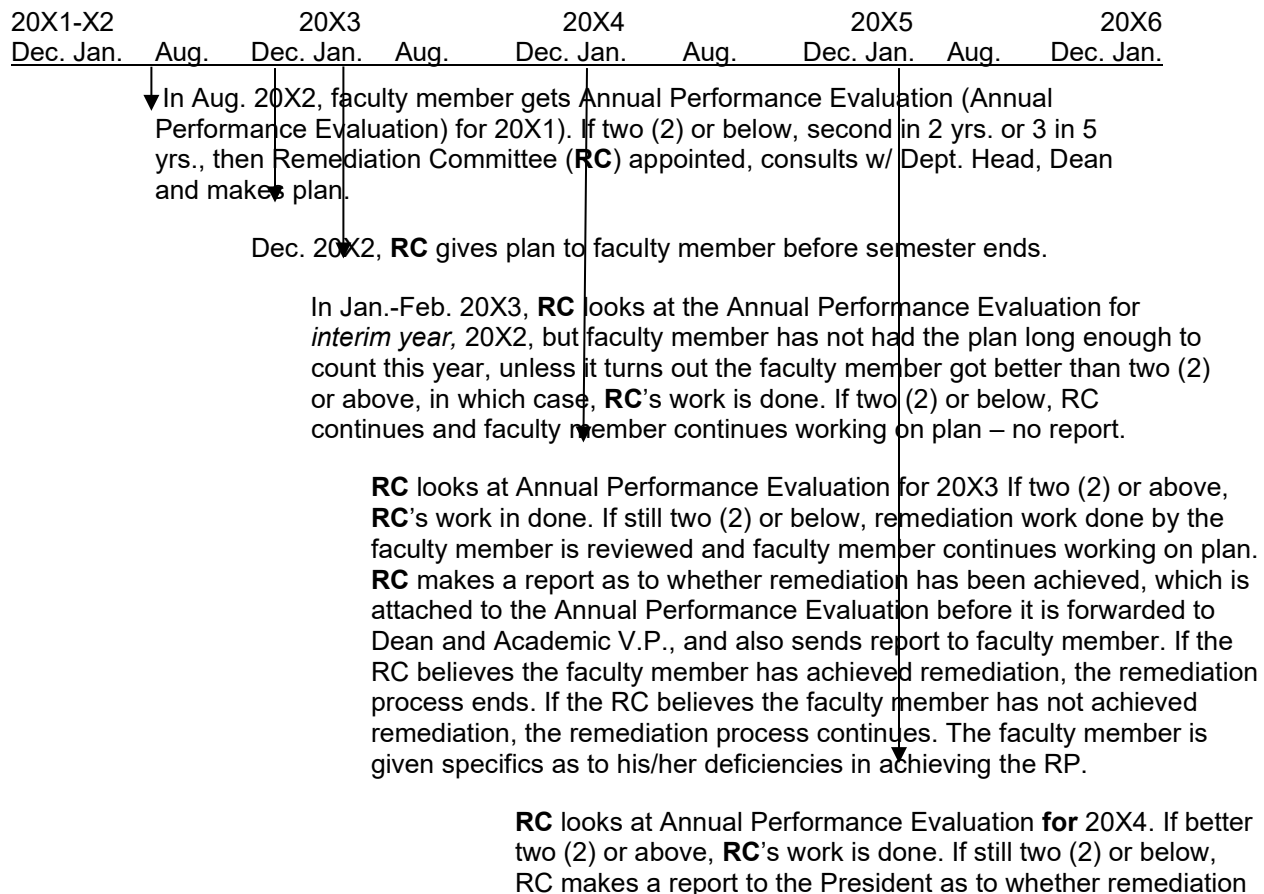
process concludes (at least temporarily). If Annual Performance Evaluation 20X3 two (2) or below then the RC reviews the work of the faculty member on the RP for the past year, 20X3. The RC makes a report that is attached to the Annual Performance Evaluation before the Annual Performance Evaluation is sent forward to the dean and Academic V.P. The RC sends a copy of the report to the faculty member. If the RC decides that the RP has been achieved, the remediation process ends. If the RC decides that the RP has not been achieved, remediation process continues. The faculty member's notification of non-achievement must be specific as to the deficiencies.

**August of 20X4:** Official Annual Performance Evaluation Announcement for January-Dec. 20X3. This is the first of two full CYs evaluated while RP is in effect. Has been reviewed by RC in February 20X4, before it leaves department. If Annual Performance Evaluation 20X3 is better than or equal to four (4) then remediation process terminates (at least temporarily). If Annual Performance Evaluation 20X3 two (2) or below then remediation process continues.

**February 20X5:** RC evaluates Annual Performance Evaluation for 20X4 in light of RP and reports on review to evaluating authorities. The RC should determine whether remediation has been successful, regardless of the Annual Performance Evaluation score awarded by the department. The RC's report on remediation should be attached to affect person's Annual Performance Evaluation 20X4 before it is forwarded to Dean and Academic VP, and sent to the faculty member. At this point, the RC's work terminates.

**August of 20X5:** Official Annual Performance Evaluation Announcement for January-Dec. 20X4, (second full year of RP) if Annual Performance Evaluation 20X4 is better than or equal to four (4) then remediation process concludes successfully. (But all parties have known this since February 20X5). If Annual Performance Evaluation 20X4 two (2) or below, remediation process (as determined by the RC) concludes unsuccessfully. Further action, if any, may be taken by University authorities.

### Graphic Time Line



has been achieved, which is attached to the Annual Performance Evaluation before it is forwarded to the Dean and Academic V.P., and also sends this report to the faculty member. Remediation ends.

The faculty member who makes below a two (2) on his/her Annual Performance Evaluation (two (2) or below in two years or a third two (2) or below in five years) for the year 20X1 has from January 20X2 until August of 20X5 to remedy the problem.



## DOCUMENT XXXVI

### UL LAFAYETTE GOALS, DUTIES, ROLES, AND RESPONSIBILITIES OF ACADEMIC DEPARTMENT HEADS

*At UL Lafayette the academic department head combines in a unique way the roles of administrator and faculty member, the exact nature of which varies from department to department. The department head leads and serves multiple constituencies, including students, faculty, higher-level administrators, and alumni and other groups external to the University. The following description focuses predominantly on the department head's administrative function in the institution. The relative importance of the components of the description varies depending on the mission of the department.*

#### **Leadership**

The academic department head:

- develops a vision and builds consensus support for the department's mission and future goals, consistent with the mission and goals of the College and University;
- maintains the academic quality and vitality of the department's programs, including oversight of recruiting, advising, and retention and graduation rates, both at the undergraduate and graduate levels;
- ensures ongoing assessment of the department's success in fulfilling its mission and reaching its goals and maintains program accreditation;
- recruits and retains faculty consonant with the department's mission and goals;
- involves faculty and other relevant constituents in broad decision making and planning through ongoing consultations;
- nurtures leadership in the department to enhance programs and goals;
- makes thoughtful, timely decisions;
- works to attract and maintain a diverse faculty, student body and staff; and
- embodies the highest ethical standards in the role of academic leader.

#### **Departmental Management**

The academic department head efficiently and effectively:

- makes work and project assignments that enhance the strengths and minimize the weaknesses of all individuals in the department;
- coordinates the scheduling of departmental course offerings;
- manages the department budget efficiently;
- conducts effective annual performance evaluations of faculty and staff and communicates the results of those evaluations;
- collaborates with the faculty, the Dean, and other administrative and external agencies in matters related to innovative resource generation and economic, cultural, and educational development initiatives;
- implements University, College, and department policies;
- manages staff, departmental equipment and technology, and physical facilities; and
- ensures smooth daily operation of the department.

#### **Communication**

The academic department head:

- serves as an advocate, both inside and outside the University, for the department's and faculty's perspective, concerns, and needs, including those of the students it serves;
- communicates information regarding policies, procedures, decisions, and relevant activities and events to all departmental constituencies;

- responds tolerantly, patiently, and open-mindedly to faculty, staff, and students;
- promotes morale and departmental cohesiveness by, for example, promoting and recognizing achievements of members of the department;
- works collegially with other department heads, the Dean of the College, and other campus personnel; and
- demonstrates empathy, concern, and ethical behavior in relations with students, faculty, staff, and administrators.

### **Professional Development**

The academic department head:

- undertakes teaching, research, scholarly and/or creative activities, as appropriate to the department's mission and allowed by the duties entailed in departmental leadership;
- promotes quality teaching and attentive and accurate advising by department faculty;
- reviews and recommends changes in the annual projection of workload activities by faculty;
- actively mentors faculty members through the tenure and promotion process; and
- supports and guides faculty in their ongoing efforts to mentor students more effectively, advance their scholarly and/or creative interests more productively, and achieve their professional goals.

## DOCUMENT XXXIX

### UNIVERSITY OF LOUISIANA AT LAFAYETTE POLICY ON FACULTY TEACHING QUALIFICATIONS

In support of its goal to ensure learning through high-quality teaching in its curricula, UL Lafayette's academic administration and faculty articulate and maintain minimum qualifications for all instructional staff in all credit-bearing classes.

Typically, a faculty member's academic preparation is the paramount credential in hiring him or her to teach in a particular discipline or area. In some cases, a faculty member may qualify other qualifications or a combination of academic credentials and other experience appropriate for a given course. These credentials may include, for example, licensure or certification, awards and other recognitions, and work or teaching experience in the field.

#### Academic Qualifications

The faculty member's highest earned degree in the teaching discipline is the primary basis to determine qualification to teach a given course. Degrees earned are only acceptable if awarded by an institution that holds accreditation from one of the six Department of Education recognized regional accreditors (e.g., SACS, NCACS, etc.).

For 100-300 level undergraduate courses (enrolling only baccalaureate students), faculty may meet academic qualifications if they fulfill the following requirements; master's degree or higher in the teaching discipline; a master's degree or doctorate in a closely related discipline, as defined by the academic department; or a master's degree or doctorate in any discipline with a concentration of at least eighteen (18) graduate credit hours in the teaching field or a closely related field, as defined by the academic department.

Faculty assigned to teach Kinesiology activities classes (KNEA) need only possess a bachelor's degree in an appropriate field.

Masters and doctoral degree seeking students may assume duties if they have earned eighteen (18) graduate credit hours in the area of instruction or a closely related field and if they are provided with in-service training and mentoring by a faculty member with expertise in the teaching area. Masters-degree seeking Teaching Assistants may teach 100 level undergraduate courses, doctoral degree seeking Teaching Assistants may instruct 100-300 level undergraduate courses.

For 400-level undergraduate courses, mixed undergraduate/ graduate courses (viz., 400G courses), and for graduate courses, faculty may meet academic qualifications if they have earned:

- a terminal degree (Ph.D., Ed.D., MFA, M.ARCH., etc. as determined by the academic department) in the teaching discipline;
- a terminal degree in a closely related discipline, as defined by the academic department;
- or a terminal degree in any discipline with at least eighteen (18) graduate credit hours in the teaching field or a closely related field.

If a faculty member's relevant academic degree was awarded by an institution outside the United States, the hiring department must obtain a foreign credentials evaluation report prepared by an agency such as World Education Services.

## Other Qualifications

In the absence of the educational background articulated above, qualification to teach in a particular field may qualify on the basis of other credentials. In many of these cases, a department may justify a faculty member's assignment to teach a given course based on a combination of academic, experiential, and other credentials. The following examples illustrate the use of other credentials to qualify a faculty member for an instructional role.

A faculty member holds an MBA and is a Certified Professional Accountant and thus is qualified to teach 100-200 undergraduate accounting courses.

### ***Licensure or Certification***

A faculty member is a licensed interior designer with a bachelor's degree in interior design and holds a certificate from the National Council for Interior Design Qualification and thus is qualified to teach 100-200 undergraduate interior design course.

A faculty member holds a bachelor's degree in architecture and is a licensed architect by a jurisdiction that is a member of the National Council of Architectural Registration Board and thus is qualified to teach 100-200 undergraduate architecture courses.

A faculty member holds a bachelor's degree in nursing, is licensed as an RN in Louisiana, and meets the experiential criteria to teach nursing established by the Louisiana State Board of Nursing and thus is qualified to teach in an undergraduate clinical nursing course.

### ***Honors and Awards***

A faculty member holds a bachelor's degree in English and has received several prestigious regional and national awards for published work and thus is qualified to teach undergraduate creative writing courses.

A faculty member holds a bachelor's degree in dietetics and has won numerous regional and national awards for his or her work and thus is qualified to teach undergraduate hospitality management courses in food preparation and management.

### ***Professional Experience***

A faculty member holds a bachelor's degree in dance and has over twelve years' experience as a professional dancer is qualified to teach undergraduate dance courses.

A faculty member holds a master's degree in history and has worked for twelve years in various leadership positions within politics and government and thus is qualified to teach undergraduate public policy courses.

### ***Distinguished Publications***

A faculty member holds a master's degree in social work and has published extensively in top-tier refereed journals on subjects related to social problems and government policy and thus is qualified to teach undergraduate sociology courses.

A faculty member holds a doctorate in electrical engineering but has published two monographs and several refereed journal articles in the physics of circuits and electromagnetic theory and thus is qualified to teach those subjects in physics.

Faculty who are qualified based on other than academic credentials are approved by the dean of the faculty member's college and the Provost or his/her designee on a case-by-case basis and are the exception rather than the rule. The bachelors-prepared faculty member will not be allowed to teach graduate students. Only in rare circumstances with exceptional professional experience will a bachelor's qualified faculty be able to teach students in 400 level courses.

## Documentation

In all cases, departments and new hires are to send certified copies of all credentials directly to the Office of Faculty Affairs at the time of hiring. These credentials include an original transcript of relevant graduate work, a copy of any relevant certification or licensure, and a current CV. If the academic credentials include credits awarded by a non-U.S. institution, the foreign credentials evaluation report must also be sent to the Faculty Affairs Office. If a department anticipates hiring a particular Adjunct Faculty member in a future semester, credentials can be certified ahead of the hiring period through the use of the Pre-Certification Form available through the Faculty Affairs Office.

Following review and certification by that office, the documentation will be forwarded to the office of the faculty member's dean. The hiring department and college must maintain physical or electronic copies of all transcripts, licenses, certifications, award letters or notices, and résumés. Responsibility for ensuring appropriate credentials for all faculty teaching in a given department rests ultimately with the department head and the dean of the college in which the faculty member teaches.