

*Resolution 04-04, Approved
February 16, 2004
by the Faculty Senate:
Resolved, the
Faculty Senate recommends
that the University adopt the
following Policy Statement
on Instructors.*

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PS for Instructors

I PREAMBLE

The present Policy Statement establishes regulations with regard to the titles and positions of Instructors and General Librarians at LSU, consistent with the LSU System's PM-23 (May 31, 2002), entitled *Ranks, Provisions, and Policies Governing Appointments and Promotions of the Academic Staff*; with Section 2-7 of the Bylaws and Regulations of the LSU Board of Supervisors (June 1, 2001); and with all other pertinent policies of the LSU System.

The present Policy Statement enacts the principle that after a person serves full-time in such a position for an extended period, the continuation of employment should entail and imply that (1) there has been a rigorous review confirming highly competent job performance and ongoing value to the employing unit, and (2) the University has made a commitment to an enhanced level of job security. Such a commitment will be limited by the provision in PM-23 that persons in these positions "do not earn tenure and are appointed for a specified term."

In what follows, all statements about Instructors apply also to General Librarians.

II DEFINITIONS

The following items indicate how certain terms will be used within this Policy Statement.

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- **Chair.** Chair, head, director, or otherwise-titled chief academic officer of the unit which is the direct employer of the Instructors in question.
- **Dean.** Dean of a college. Provisions stated with regard to a dean or a college are void in any case when the unit in question reports directly to the Provost.
- **Department.** An academic department, or a school that is not divided into departments.
- **Full-Time.** A full-time employee is one who is employed for 100% of effort.
- **HRM.** The Office of Human Resource Management.
- **Instructor.** Instructor or General Librarian. Note that the provisions in PM-23 as to faculty status, tenure, and appointment are the same for those two titles.
- **Part-Time.** A part-time employee is one who is employed for anything less than 100% of effort.
- **Rules.** The rules of an academic unit consist of its bylaws, if any, and other duly adopted statements of policy, whether contained in one or several documents. The rules may include a Policy on Instructors; see Section IX, page 11.
- **Unit.** The academic unit or other office which is the direct employer of the Instructors in question.
- **Unit's Policy.** The Policy on Instructors adopted by the unit. See subsection IV.A and Section IX, page 11.
- **Year.** A *year* or *full year* means either (1) a whole academic year of full-time service, a fall together with the succeeding spring semester, for a person with an academic-year appointment; or (2) a whole fiscal year of full-time service, running July through June, for a person with a fiscal-year appointment.
- **Years.** *Years* and *years of service* mean consecutive years of service, except as provided in Section VII.

III SPECIAL PROVISION FOR THE LABORATORY SCHOOL

The responsibility and authority assigned by this Policy Statement to the tenured and tenure-track faculty in a unit will be, in the case of the Laboratory School, vested in the Director, except as may be provided otherwise by the College of Education.

IV GENERAL PROVISIONS

IV.A The Unit's Policy

To establish the most effective faculty governance, and to make due provision for the varying characteristics of the several units, their disciplines, and their circumstances, this Policy Statement allows each unit to adopt, as part of its rules, a ***Policy on Instructors***, herein referred to as ***the unit's Policy***, which may further specify and regulate hiring, reviews, reappointments, promotions, and other matters pertaining to Instructors employed directly by the unit. Reasonable exceptions and variations on the provisions of this Policy Statement are allowed if established in the unit's duly adopted Policy. Also, each unit may establish policy and/or make decisions to govern the transition to the regime of this Policy Statement. See Section IX, page 12.

IV.B Transition to this Policy Statement

The provisions for annual reviews in Section VIII, page 8, will take effect six months after the date when this Policy Statement is adopted. All other provisions of this Policy Statement will take effect as of the start of the Fall Semester of 2007, in the case of academic-year appointees; or the beginning of the 2007-2008 fiscal year, in the case of fiscal-year appointees. At that time, all provisions of PS-36 (July 1, 1997) that pertain to Instructors will be superseded by those of this Policy Statement.

Unless determined otherwise by the policies and decisions of the unit, then as of the effective date in 2007 defined above, the following rules will govern the transition: If an Instructor has N consecutive years of service at that time and has not been notified otherwise, then:

- If N is one or two, then the Instructor will hold Rank I, and will be credited with N years of service at Rank I.
- If N is three, four, or five, then the Instructor will hold Rank II, and will be credited with three years of service in Rank I, and with N *minus* 3 years of service at Rank II.
- If N is six or more, then the the Instructor will hold Rank III, and will be credited with N *minus* 6 years of service in Rank III and with three years each of service in Rank I and Rank II.

IV.C Other Applicable Policies

Various University policies, set forth in other documents, apply to Instructorships; for example, the provisions regarding equal opportunity, non-discrimination, and the requirements to advertise vacancies found in PS-01.

IV.D Authority to Make Personnel Decisions

Except when there is an explicit provision to the contrary either in this Policy Statement or in the unit's Policy, the unit's authority with regard to hiring, reappointment, and other personnel decisions concerning Instructors resides with the chair. Personnel decisions made by the employing unit may be subject to approval by higher offices; see PS-12, for example, on the subject of leaves. The authority to hear and decide appeals resides with the administrator to whom the unit reports.

IV.E Minimum Qualifications

Instructors must hold at least a master's degree or the equivalent in graduate study or professional experience. Instructors who teach university courses must have completed at least 18 graduate semester hours in the teaching discipline and hold at least a master's degree, or hold the minimum of a master's degree with a major in the teaching discipline. In exceptional cases, professional experience and demonstrated contributions to the teaching discipline may suffice in lieu of formal academic credentials. The current requirements of SACS and other appropriate accreditation bodies must be observed. See IX.C, page 11.

IV.F Application for a Tenure-Track Position

An Instructor will not be considered automatically for promotion to a tenure-track position, but may apply for any available University position for which he or she qualifies.

IV.G Part-Time, Part-Year Instructors

See the definitions of *year* and of *part-time* in Section II, page 2. Except when there is an explicit statement to the contrary, no provision of this Policy Statement outside the present Section IV, and no provision of the unit's Policy, will apply to Instructors who are part-time or part-year employees; nor will any such provision be interpreted to diminish their rights deriving from other policies or regulations.

IV.G.1 Justification Circumstances sometimes justify the use of part-time, part-year, or extra-compensation employment. The flexibility to make such appointments is to be preserved, but must not be abused to circumvent the requirements of this Policy Statement. The Provost will monitor the practices of academic units to assure that such abuse does not take place.

IV.G.2 Title Section V requires Rank designations for full-time, full-year Instructors. The title for Instructors who are part-time or part-year will be, simply, Instructor; except that the unit's Policy may provide for them to have Rank designations, and in any event the unit may make such a designation under exceptional circumstances.

V TITLES, RANKS, AND PROMOTIONS

For full-time, full-year Instructors (as defined in Section II, page 1) Ranks I, II, III, and IV will be assigned as provided below. Their titles will be Instructor I, Instructor II, Instructor III, and Instructor IV according to rank. However, Rank IV will not be used unless the unit's Policy so provides. The term *consideration* means formal consideration, including a full review as described in item 5. See also the provisions of Section VI concerning reappointment decisions

1. An Instructor has Rank I when first hired and continues at Rank I until the appointment ends or promotion to Rank II occurs, but in no case for more than four years. If a promotion to Rank II is granted, it will be effective at the start of the fourth year.
2. A person at Rank II continues at that rank until the appointment ends or promotion to Rank III occurs, but in no case for a total of more than seven years in Ranks I and II combined. If a promotion to Rank III is granted, it will be effective at the start of the seventh year.
3. For a Rank I Instructor in the third year, and for a Rank II Instructor in the sixth year, the decision will be made whether (1) to promote to the next Rank as of the start of the following year or (2) to allow the appointment to end at the end of the following year. Item 5 applies.
4. Whenever a Rank III Instructor is considered for promotion to Rank IV, the decision will be made whether (1) to promote to Rank IV at the start of the next year or (2) to continue the appointment at Rank III. Promotion to Rank IV will be reserved for the recognition of especially valuable and meritorious job performance, and will not be considered before the fifth year of service at Rank III. The unit's Policy must include provisions, consistent with those guidelines, as to:
 - The criteria for promotion to Rank IV.
 - A procedure and timetable to determine who will be considered and when.

Item 5 applies.

5. When a promotion decision is called for by item 3 or item 4, a committee consisting of voting faculty (see item 6) will conduct a full review of job performance, resulting in a written report and recommendation with regard to the decision in question. When the report and recommendation have been prepared, there will be a meeting of the voting faculty, called with ample notice, and a paper ballot provided to all of them who are in residence.
6. The voting faculty will be the tenured and tenure-track faculty; plus all Instructors of Rank IV in the case of a promotion to Rank II, III or IV; plus all Instructors of Rank III in the case of a promotion to Rank II or III. To recommend a promotion from one Rank to the next will require both (1) a majority

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of the votes cast by the voting faculty as a whole and (2) a majority of the votes cast by the tenured and tenure-track faculty. The unit is free, in its Policy, to establish additional or stronger requirements with regard to the vote needed. The decision to promote is subject to approval by the dean.

7. A unit may, for exceptional circumstances, make reasonable variations in the foregoing timetable and other provisions governing Ranks and promotions.

VI THE DEGREE OF JOB SECURITY

VI.A Exceptional Cases

The University may terminate an appointment under provisions of either (1) Chapter V, Section 5-13 of the Regulations of the Board of Supervisors, the section entitled *Financial Exigency*; or (2) PS-104, the Policy Statement entitled *Dismissal for Cause for Faculty*. The following provisions may be overruled by a decision duly made under (1) or (2), but govern all other cases.

VI.B Minimum Notice Requirements

Advance written notice of non-reappointment will be given:

- At least ninety days before the end of an initial one-year appointment.
- At least six months before the end of an appointment that is ending in the second consecutive year of service.
- At least one calendar year before the end of an appointment that is ending after two or more consecutive years of service.
- At least two calendar years before the end of the appointment in the case of an Instructor at Rank III or IV.

VI.C Reappointment for Rank I

Unless the unit's Policy provides otherwise, the reappointment of an Instructor I for the second year and for the third year is at the discretion of the chair, subject to the notice requirements of VI.B. See IV.D.

VI.D Reappointment for Ranks II and Higher

The attainment of Rank II means that the unit intends to continue employing the person through the seventh year, assuming that (1) the position in question continues to exist and (2) the person's job performance continues to be good. The attainment of Rank III means that the unit intends to continue employing the person, with no limit set, under the same assumptions.

As a matter of rational planning and practice, each employing unit will determine how to distribute work between Instructors and persons with other titles; and thus also to determine how many Instructorships will exist, and what the qualifications and job description of each Instructorship will be. Those determinations respond to existing and prospective needs, resources, and other conditions, all of which may fluctuate. Accordingly, the unit may reduce the number of its Instructorships, or the number for the performance of a given function; and may make the decision not to reappoint an Instructor solely on such a basis, subject to the notice requirements of VI.B, and subject also to the following limitations.

1. An Instructor at a higher rank will normally have priority for reappointment over Instructors of lower rank who are employed by the same unit and who are in the same category (see item 2). Exceptions will be made by the voting faculty as defined in VI.F or as specified in the unit's Policy.
2. All Instructors in a unit will be in the same category unless the unit's Policy specifies otherwise. The unit's Policy may assign Instructors to categories by function, by range of functions, or by other appropriate criteria.
3. If it is necessary to decide the order of priority among the Instructors within a given Rank and category, then the decision will be made by the voting faculty as defined in VI.F, or as specified by the unit's Policy.

VI.E Non-Reappointment for Job Performance

An Instructor who holds Rank II or higher, and who may hold a certain priority for reappointment under VI.D, does so on condition of continued good job performance. If that condition is not met, the unit may terminate the Instructor's appointment, with notice given in accord with VI.B, subject to approval by the dean. In such a matter, the voting faculty will be as defined in VI.F. The minimum requirements for the recommendation of such a termination will include:

1. A review by a committee of the voting faculty, producing a written report and recommendation. The Instructor's file as defined in Section VIII, which will contain all past job performance reviews, must be included in the report.
2. A meeting of the voting faculty, called with ample notice; and a paper ballot provided to all of them who are in residence.
3. A vote for termination by both (1) a majority of the votes cast by the voting faculty as a whole and (2) a majority of the votes cast by the tenured and tenure-track faculty.

VI.F Voting Faculty

For the purposes of the present Section VI, the voting faculty will be the tenured and tenure-track faculty; plus all Instructors of Rank IV in a case concerning Instructors

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of Rank I, II or III; plus all Instructors of Rank III in a case concerning Instructors of Rank I or II.

VII APPROVED LEAVES

The following provisions do not modify or limit the provisions of other University leave policies, such as those found in PS-12; and they pertain to service credit only in the sense of, and for the purposes of, this Policy Statement.

If an Instructor so requests, the unit may, at its discretion, approve a change to part-time employment, leave without pay, or another type of leave, for a specified period of time, subject to the requisite approval by higher University offices. Such an approved leave or temporary change will not diminish the provisions for job security in Section VI. Upon returning to full-time employment, the Instructor will resume his or her former status, title, and rank under the Policy. If an Instructor ceases full-time service in the absence of such approvals, he or she will lose all claim to the former status, title, and rank; any further employment and the conditions thereof will be at the discretion of the unit. In any event, no period of service other than full years of full-time work shall count toward years of service for the purposes of the provisions within this Policy Statement.

VIII ANNUAL REVIEWS FOR INSTRUCTORS

The present Section VIII will take effect six months after the date when this Policy Statement is adopted.

VIII.A An Instructor's File

Each unit will maintain an official departmental personnel file, herein called the *file*, for each Instructor with primary appointment in the department. He or she will have ready access to the file, and may add appropriate material at any time.

This file will not include letters of recommendation which, under PS-40, the Policy Statement entitled *Employee Records Confidentiality*, are not available to the the faculty member. It will include at the minimum the items listed below. The departments and colleges are free, in their rules, further to specify and regulate the contents of the file.

1. An up-to-date *curriculum vitae* and other appropriate documentation and supporting material.
2. The faculty member's annual reports.
3. The reports from all formal reviews that have been completed, either under this Policy Statement or under the unit's Policy, including those generated during consideration for promotions.

4. The annual chair's evaluations of the faculty member.
5. The performance evaluations by chairs of the faculty member's secondary departments, if any.
6. A list of the file's contents.

VIII.B The Annual Review Process

The process will occur once per year in each Instructor's primary unit, except as provided in Section X, except that it will be omitted for faculty who are on leave for at least one semester, or who have been reviewed for promotion during the year in question.

VIII.B.1 Objectives The annual review process will assure the following results.

1. The contents of the file will be correct, up-to-date, and familiar both to the chair and to the faculty member.
2. The chair's evaluation of the faculty member's job performance, particularly if the chair finds that there is a need for improvement, will be written into the record and made clear.
3. The faculty member will have an opportunity to discuss all pertinent issues with the chair, and, if in disagreement, to write his or her position into the record.

VIII.B.2 Procedure The annual review process will consist of the following steps.

1. When asked to do so by the chair, the faculty member will bring the documentation in the file up-to-date.
2. When asked to do so by the chair, the faculty member will prepare an annual report on his or her activities, and may include a self-evaluation and/or plans and objectives for the future.
3. The chair will ask the chair of each of the faculty member's secondary departments, if any, to submit a performance evaluation.
4. The chair will assure that the file contains the reports from all formal evaluations that have been completed.
5. After giving due consideration to all the contents of the file, the chair will prepare and sign a document, called the chair's evaluation, described in VIII.B.3, and provide a copy to the faculty member for review. The chair may hold a conference with the faculty member, and must do so if the faculty member so requests.

6. The document will also be signed by the faculty member, under a statement that will read, at least in part and in effect, as follows: My signature indicates that:
 - (a) I am aware of the contents of this file and have had the opportunity to provide my annual report and up-to-date documentation.
 - (b) I have read and understood the chair's evaluation.
 - (c) I have exercised, or else waived, my rights to discuss the evaluation with the chair and with the chair of each secondary unit in which I am employed.
 - (d) I understand that I have the right to attach a comment or dissent, with materials in support thereof. I have/have not done so.

7. The chair will send a copy of the file (omitting unchanged, previously transmitted contents) to the dean, who will send it to HRM. If the dean sends comments or recommendations pertaining to the faculty member, they will become part of the file and copies will go to the chair and to the faculty member. If the faculty member has entered a dissent, HRM will circulate the file to the Provost.

VIII.B.3 Evaluation by the Chair The chair is responsible for this document, and it represents the chair's independent judgment. Nevertheless, the chair is free to delegate all or part of its preparation. The chair's evaluation will incorporate at least the elements in the following list. The unit's Policy may further specify and regulate the chair's evaluation.

1. A precise advisory concerning the faculty member's job status and any upcoming formal review, giving references to this Policy Statement, the unit's Policy if any, and the most recent notices of appointment or of non-reappointment.
2. The chair's evaluation of the faculty member's job performance.
 - (a) The chair's evaluation includes by reference all the contents of the file. The chair may allow this material to speak for itself, or may summarize or discuss its significance.
 - (b) In evaluating the faculty member, the chair may be brief, and is not required by this Policy Statement to engage in systematic rankings, comparisons, or classifications.
 - (c) The chair's evaluation must be based on the faculty member's job description, work assignments, or work plans, as appropriate.
 - (d) The chair may call for improvements in the faculty member's job performance, and in so doing must be specific and must offer appropriate advice and assistance.

IX A UNIT'S POLICY ON INSTRUCTORS

The present Section makes further provisions for the unit's Policy on Instructors described in IV.A, page 3.

IX.A Validity and Recognition

To be valid and recognized under this Policy Statement, the unit's Policy must be consistent with this and all other University policy statements, and must meet the following requirement:

1. The unit's Policy on Instructors must be approved by a majority vote of the tenured faculty with primary appointment therein. The unit may have an additional requirement, for example a majority vote of a more inclusive body of faculty, to adopt or amend the Policy.
2. An exception to item 1: If the unit is a college, then the college's Policy on Instructors must be approved as provided by the college's bylaws, which may, for example, delegate to an elected body of faculty the authority to adopt and amend the Policy.

IX.B Authority to Require a Change

The chair or dean of the unit must make the unit's Policy publicly available, and in particular must provide the current version to the dean (if the unit reports to a dean), the Provost, and the Faculty Senate Committee on Faculty Personnel Policies. The Provost may, after consultation with the Committee, require a change in the unit's Policy. Such a requirement must be based on the ground of an inconsistency with this Policy Statement or other University policy, or else on a finding that the provision in question is contrary to the interests of the University.

IX.C Matters Which the Unit's Policy May Cover

The unit's Policy may, among other things, further specify and regulate the following matters with regard to the Instructors of whom it is the direct employer.

1. Minimum qualifications as stated in IV.E, page 4.
2. Criteria to be considered when hiring decisions are made.
3. Who, in the unit, has the authority to take part in hiring decisions (see IV.D).
4. Functions and duties of Instructors, and their voting rights in the unit.
5. The make-up and appointments of the review committees (see Section V, item 5, page 5).

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6. Procedure to be followed by review committees, contents of their reports, and criteria for reappointments and promotions.
7. The required contents of the departmental personnel file.
8. The manner and content of the chair's evaluation (see VIII.B.3, page 10).
9. Reasonable variations in the timetable and other provisions governing the use of the several Ranks.
10. Categories of Instructors (see items 1 and 2, Section VI.D, page 6).
11. Procedures and regulations regarding abrogation of priority for reappointment (see VI.E, page 7).
12. Policies and procedures governing decisions to be made prior to the effective date of this Policy Statement (see IV.B, page 3).
13. If the unit is to use Rank IV, policies and procedures regarding its use (see Section V, item 4, page 5).

X ILLNESS AND OTHER EXCEPTIONAL CIRCUMSTANCES

A faculty member may suffer from physical or emotional illness, or drug or alcohol dependency, to such a degree that a job performance evaluation cannot reasonably proceed in disregard thereof. In such a case the chair, acting under the guidance of HRM and with approval by the dean, may suspend or modify the annual review process.