



**LOUISIANA STATE UNIVERSITY
HEALTH SCIENCES CENTER
NEW ORLEANS**

**FACULTY
HANDBOOK**

2017

PREAMBLE

It is the responsibility of faculty members to read and become familiar with the [LSUHSC-NO Faculty Handbook](#). Although every effort is made to keep information and links in the [Faculty Handbook](#) up-to-date, faculty members should consult the referenced material to ensure accuracy.

As used in this [Faculty Handbook](#) the following apply.

- ☐ The term “employee” means academic employee or faculty member.
- ☐ The term “Medical Center” means Health Sciences Center.
- ☐ The term “[Handbook](#)” means the [LSUHSC-NO Faculty Handbook](#).
- ☐ The term “Bylaws” means LSU Board of Supervisors Bylaws and Regulations.
- ☐ Generic masculine pronouns, such as he/him/his are used when addressing an “indefinite” or “undefined” individual and are used to address both male and female when the gender is unknown.

All faculty members are responsible for adhering to University regulations, as set forth in this [Handbook](#), the LSU Bylaws and Regulations, LSU System Permanent Memoranda, and Chancellor’s Memoranda.

Changes in policies that arise after the publication of the [Handbook](#) will be disseminated in writing or electronically to the Louisiana State University Health Sciences Center at New Orleans (LSUHSC-NO) community. Policy changes will be circulated by individual Deans and Department Heads to their respective faculties. Questions about interpretation of policy statements should be submitted to the Department Head, the Dean, or to the Chancellor’s Office for clarification.

To receive email notice whenever an update is made to the [Bylaws and Regulations](#), an LSUHSC-NO Chancellor's Memorandum or an LSU System Permanent Memorandum go to [Subscribe to Policies and Procedures](#).

The terms and provisions of this [Faculty Handbook](#) are subject to change by the Board of Supervisors of the Louisiana State University and Agricultural and Mechanical College and are effective as of the date amended unless otherwise stated.

ACKNOWLEDGMENTS

Listed below are the committee members who have contributed their time and expertise to writing the LSUHSC-NO Faculty Handbook. Their valuable assistance and guidance are reflected in this Handbook.

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Under the direction of the Vice Chancellor for Academic Affairs, the Director of Planning and Institutional Research periodically reviews the online Faculty Handbook to correct broken links and to add new PM and CM information. The date on the title page only changes when the Faculty Handbook Committee meets to review, edit, and revise the Handbook. The date of these reviews is reflected in the document's footer.

Hyperlinked text is indicated by a "dotted blue" underline.

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1.0 GENERAL INFORMATION

Louisiana State University Health Sciences Center at New Orleans (LSUHSC-NO) is part of the Louisiana State University System. The LSU System was officially recognized with the passage of the implementing legislation (RS 17:3202 and 3301) for the 1974 Louisiana Constitution. The Board of Supervisors of Louisiana State University and Agricultural and Mechanical College serves as the management Board for LSUHSC-NO. More information about the LSU System can be found on its home page at <http://www.lsusystem.edu/>.

The Board of Regents for Higher Education of the State of Louisiana was created by an enactment of the Constitution of 1974 and has jurisdiction over the Louisiana State University System. The Board of Regents has the power to do the following:

- 📌 Revise or eliminate existing programs, departments and divisions
- 📌 Study and/or recommend the creation of a new higher-education institution or management board
- 📌 Formulate and revise master plans for higher education
- 📌 Recommend budgets for all institutions of higher education to the Governor and the Legislature
- 📌 Perform all other duties as prescribed by law (Constitution of 1974, Article VIII, Section 5; Act 313 of the Louisiana Legislature, 1975 Regular Session.)

More information about the Board of Regents can be found on its homepage at <http://www.regents.state.la.us/>.

1.1 Role, Scope, and Mission

The mission of the Louisiana State University Health Sciences Center at New Orleans (LSUHSC-NO) is to provide education, research, and public service through direct patient care and community outreach. LSUHSC-NO comprises the Schools of Allied Health Professions, Dentistry, Graduate Studies, Medicine, Nursing, and Public Health.

LSUHSC-NO educational programs prepare students for careers as health care professionals and scientists. The Health Sciences Center disseminates and advances knowledge throughout State and national programs of basic and clinical research, resulting in publications, technology transfer, and related economic enhancements to meet the changing needs of the State of Louisiana and the nation.

LSUHSC-NO provides vital public service through direct patient care, including care of uninsured and indigent patients. Health care services are provided through LSUHSC-NO clinics in allied health, dentistry, medicine, nursing, and in numerous affiliated hospitals, and clinics throughout Louisiana.

LSUHSC-NO provides referral services, continuing education, and information relevant to the public health of the citizens of Louisiana. In addition, LSUHSC-NO works cooperatively with two Area Health Education Centers (AHECs), whose programs focus on improving the number and distribution of health care providers in underserved rural and urban areas of Louisiana and on supporting existing rural health care providers through continuing education programs.

More information about LSUHSC-NO can be found on the institution's homepage at <http://www.lsuhs.edu/>

1.2 POLICIES AND PROCEDURES

LSUHSC-NO operates under numerous policies and procedures. Specifically, LSUHSC-NO operates under the following:

- Policies and Procedures of the Board of Regents
- LSU System Bylaws and Regulations
- LSU System Permanent Memoranda (PM)
- LSUHSC-NO Chancellors Memoranda (CM)

1.2.1 Policies and Procedures of the Board of Regents

<http://regents.louisiana.gov/academic-affairs/policies-and-procedures/>

Examples of Regent Policies and Procedures include the following:

- [2.04](#) Letters of Intent for Projected New Academic Programs
- [2.05](#) Review of Proposals for New Academic Programs/Units
- [2.06](#) Board of Regents Reviews of Existing Academic Programs/Units

1.2.2 LSU Board of Supervisors Bylaws and Regulations

<http://www.lsuhs.edu/administration/bylaws/> or
<http://www.lsusystem.edu/index.php/policies/bylaws-regulations/>

Of particular interest to faculty members, is ARTICLE VIII – Rights, Duties, and Responsibilities of The Academic Staff. Another specific area of interest is CHAPTER II – Appointments, Promotions, and Tenure.

1.2.3 LSU System Permanent Memoranda (PMs)

<http://www.lsuhs.edu/administration/pm/> or
<http://www.lsusystem.edu/index.php/policies/permanent-memoranda/>

Specific PMs of interest to faculty members include the following:

- [PM-05](#) Holiday Schedule
- [PM-11](#) Outside Employment of University Employees/
<http://www.lsuhs.edu/administration/pm/pm11form.pdf#page=1>

- [PM-12](#) Educational Privileges for Full-Time Nonacademic & Other Academic Employees
- [PM-13](#) University Travel Regulations
- [PM-15](#) Copyright Guidelines Regarding Electronic Learning
- [PM-23](#) Ranks, Provisions, and Policies Governing Appointments & Promotions of the Academic Staff
- [PM-24](#) Council of Faculty Advisors
- [PM-33](#) Drug-Free Workplace & Drug Testing Policy
- [PM-55](#) Equal Opportunity Policy
- [PM-67](#) Contracts between the University and its Faculty Members
- [PM-72](#) Obtaining Legal Services /
<http://www.lsuohsc.edu/administration/pm/pm-72-lsuoutsidecounselguidelines.pdf>

1.2.4 Chancellor’s Memoranda (CMs)
<http://www.lsuohsc.edu/administration/cm/>

CMs of special interest to the faculty include the following:

- [CM-09](#) Legal Consultation
- [CM-10](#) Equal Employment Opportunity Policy Statement
- [CM-11](#) Guidelines on Employment and Leave Relating to Pregnancy and Childbirth
- [CM-12](#) Nepotism Policy
- [CM-23](#) Drug Free Workplace and Workforce
- [CM-24](#) LSU Health Sciences Center New Orleans Policies and Procedures for Faculty Appeals
- [CM-25](#) Policy on AIDS (HIV) and Hepatitis Virus (HBV)
- [CM-28](#) Educational Privileges of Health Sciences Center Non-Academic and Academic Employees /
<http://www.lsuohsc.edu/administration/cm/cm-28request%20for%20tuition%20and%20fee%20exemption%20form.pdf>
- [CM-31](#) The Relationship of Centers of Excellence to Departments, Schools, and Units of Louisiana State University Health Sciences Center New Orleans
- [CM-34](#) Required Credentials for Faculty Employment
- [CM-36](#) Guidelines for the Responsible Use of Alcohol at the LSU Health Sciences Center
- [CM-37](#) LSU Health Sciences Center New Orleans Campus Fitness for Duty
- [CM-38](#) Substance Abuse Policy and Procedures LSU Health Sciences Center New Orleans
- [CM-40](#) Utilization of Legal Counsel
- [CM-42](#) Information Technology (IT) Infrastructure

- [CM-44](#) Violence in the Workplace Policy, and Workplace Violence Prevention Plan /
<http://www.lsuhscc.edu/administration/cm/violencereduction.pdf>
- [CM-46](#) LSU Health Sciences Center New Orleans Fundraising Policy
- [CM-48](#) LSU Health Sciences Center New Orleans Public Information & Media Policy
- [CM-49](#) Sexual Harassment / Gender Discrimination
- [CM-50](#) Family and Medical Leave Policy
- [CM-51](#) Policy on Hurricane Emergency Procedures for LSUHSC-New Orleans
- [CM-52](#) Official Business Before Elected Officials
- [CM-53](#) HIPAA Privacy Policy
- [CM-54](#) Campus Research Space Policy for all Schools
- [CM-57](#) Policy for Recoupment of Overpayments

1.3 LSUHSC-NO STRATEGIC PLAN 2009-2019

LSU Health Sciences Center at New Orleans has developed new strategic goals for this time of accelerated environmental change and leadership opportunity. These goals sharpen the focus on each mission area and align resources and activities toward successful implementation. Already established as Louisiana's health leader through our educational, patient care, research and service programs and as one of Louisiana's most powerful economic engines, LSU Health Sciences Center at New Orleans has charted a bold blueprint for advancement of the goals in this strategic plan located at <https://www.lsuhscc.edu/administration/academic/docs/StrategicPlan.pdf>.

1.4 CATALOG/BULLETIN

The LSUHSC Catalog/Bulletin is located at <http://catalog.lsuhscc.edu/>.

1.5 ORGANIZATIONAL CHART

A copy of the LSUHSC-NO organizational chart is located on the web at <https://www.lsuhscc.edu/administration/chancellor/organizationalchart.pdf>.

1.6 HUMAN RESOURCE MANAGEMENT

The Human Resource Management department for the LSU Health Sciences Center at New Orleans is located in the Library, Administration, and Resource Center at 433 Bolivar Street on the sixth floor.

For information about attendance, leave, benefits, and insurance go to their website at <http://www.lsuhscc.edu/no/Administration/hrm/>.

1.7 PHONE NUMBERS AND ADDITIONAL INFORMATION

Go to <http://www.lsuohsc.edu/aboutus/> to find information about the following:

- ☐ Campus Health Services
- ☐ Compliance Programs
- ☐ Computer Services
- ☐ Employee, Faculty, and Staff Phone Numbers and E-mail Addresses
- ☐ Emergency Alert System
- ☐ General Campus Phone Numbers
- ☐ Help Desk Support Services
- ☐ IT Help Desk
- ☐ Maps and Directions
- ☐ Student Health Services
- ☐ University Police

1.8 PARKING

The LSUHSC-NO Downtown Parking Office is located on the first floor of the Nursing-Allied Health Building, 1900 Gravier Street. The LSUHSC-NO Dental School Parking Office is located in the Administration Building, on the Florida Avenue Campus. For more information, go to the [LSUHSC-NO Parking website](#).

1.9 HAZARDOUS WASTE & ENVIRONMENTAL HEALTH AND SAFETY

The Office of Environmental Health and Safety is located on the second floor of the Residence Hall, 1900 Perdido Street. Key functions include the following:

- ☐ Inspection of all university areas for potential fire and safety problems
- ☐ Issuance and control of radioactive materials licenses
- ☐ Development of control programs for biological and chemical agents
- ☐ Safe disposal of biohazardous, radioactive, and chemical wastes
- ☐ Health and safety education and training
- ☐ Establishment of procedures and standards related to safe work practices
- ☐ Maintenance of monitoring records for exposures to toxic substances, building safety inspections, incident/accident reports, radiation exposure levels, fire alarm tests, and fire exit drills

For more information go to <http://www.lsuohsc.edu/admin/pfm/ehs/>.

1.10 AUXILIARY ENTERPRISES

Auxiliary Enterprises administers the following areas:

- ☐ Administration & Business
- ☐ Campus Technology & Supply Store
- ☐ Dental Bookstore & Supply
- ☐ Dining Services
- ☐ Health Sciences Bookstore
- ☐ Medical Center Stores
- ☐ Network Wiring
- ☐ Parking Services
- ☐ Student Housing
- ☐ Wellness Center
- ☐ Administrative Staff

For more information regarding Auxiliary Enterprises please visit <http://www.lsuohsc.edu/administration/ae/>.

1.11 OFFICE OF RESEARCH SERVICES

The Office of Research Services is located on the second floor of the Library, Administration, and Resource Center at 433 Bolivar Street. In addition to assisting investigators in identifying funding opportunities, the Office of Research Services of LSU Health Sciences Center at New Orleans has the following responsibilities:

- Management of pre-award, sponsored project activity. All grant applications, research agreements, and clinical trial agreements are evaluated and routed for signatures.
- Management of the Institutional Review Board (IRB), which provides oversight for the protection of human subjects used in research.
- Management of the Institutional Animal Care and Use Committee (IACUC), which provides oversight for the welfare of animals used in research.

For more information go to <http://www.lsuohsc.edu/administration/academic/ors/>.

1.12 INSTITUTIONAL REVIEW BOARD

Institutional Review Board (IRB) is located on the second floor of the Library, Administration, and Resource Center at 433 Bolivar Street. The IRB is responsible for reviewing all research projects involving the use of human subjects to determine the following:

- The risks to the subject are so outweighed by the sum of the benefits to the subject and the importance of the knowledge to be gained, as to warrant a decision to allow the subject to accept those risks.
- The rights and welfare of the subject are adequately protected.
- Legally effective informed consent is obtained by adequate and appropriate methods. As defined by federal regulations, IRB authority extends to any study using live human subjects, or data, or tissue collected from live humans. It is also an institutional policy that IRB approval must be obtained to collect and use in a study any tissue from a cadaver when that individual had been identified before death as a person from which tissue was needed for a research study.

To view the Institutional Review Board – Policies and Procedures Guidebook Guide of the Louisiana State University Health Sciences Center at New Orleans go to http://www.lsuohsc.edu/administration/academic/ors/docs/IRB_Guide.pdf.

1.13 ANIMAL CARE

The mission of the Division of Animal Care is to promote the health and well-being of people and animals everywhere by providing quality care of animals and support for scientists at LSUHSC-NO.

The Division of Animal Care is located in the Trail Clinical Sciences Research Building, 504-568-6090.

LSUHSC-NO Faculty and staff can find additional information about this division at <https://intranet.lsuohsc.edu/animalcare/>. Intranet access is password protected.

1.14 INTELLECTUAL PROPERTY

Intellectual Property is addressed in Part II, Chapter VII of the LSU System Bylaws and Regulations (rev. January 31, 2014). PM-64: Intellectual Property - Distribution of Royalties and Other Matters was rescinded on January 31, 2014, and its contents merged into the Bylaws and Regulations during its revision. These actions were taken in order to provide clarity and to allow for broader authority to be granted to individual campus executives.

<http://www.lsuohsc.edu/administration/bylaws/>

The Bylaws and Regulations cover the following topics:

- 7-1. General Policy on Intellectual Property
- 7-2. Definitions
- 7-3. Ownership and Management of LSU Intellectual Property
- 7-4. Allocation of Distributable Royalties
- 7-5. General Requirements for Licenses and Other Agreements
- 7-6. Uniform Process for Managing Technology Transfer at LSU
- 7-7. LSU Works, LSU Software, LSU Databases, LSU Digital Media, and Course Materials
- 7-8. Confidential Materials
- 7-9. Miscellaneous

Ownership of intellectual property:

Part II, Chapter VII, Section 7-3.a.(1) of the Bylaws and Regulations states, "LSU holds all right, title, and interest to all LSU Intellectual Property in all countries. LSU Personnel shall execute any formal assignments to LSU of all right, title, and interest to any LSU Intellectual Property, and shall execute such other documents and perform such other lawful acts (at no out-of-pocket expense to the LSU Personnel) as may be requested by LSU fully to secure LSU's interest in LSU Intellectual Property."

Section 7-2.h. of the Bylaws and Regulations defines LSU Intellectual Property as "...collectively, any LSU Invention, LSU Work, LSU Software, LSU Digital Media, LSU Database, LSU Mark, or Other LSU Intellectual Property."

The terms included in this definition are each specifically defined in Section 7-2. Of particular note is the definition of LSU Personnel, which describes those faculty members, staff, and students to which the policy applies (7-2.n.).

LSU carves out an exception where intellectual property that might otherwise fall under the definition of LSU Works may be released to the author/creator in Section 7-7.a. of the Bylaws and Regulations.

Finally, if LSU determines not to move forward with the expense of protecting a piece of LSU Intellectual Property, the Bylaws and Regulations describe the process for relinquishing and assigning that intellectual property to the inventor(s)/author(s) in section 7-3.a.(4).

Allocation of Distributable Royalties

Section 7-4 of the Bylaws and Regulations describe the allocation of Distributable Royalties a campus receives from granting rights to its intellectual property to third parties. The process for allocating Distributable Royalties to the inventor(s)/author(s) are specified in Section 7-4.a.:

- (1)** Forty percent (40%) of all Distributable Royalties as defined in Section 7-2(j) shall be paid or transferred to the respective inventors or authors within thirty days of receipt by LSU, unless a different schedule is otherwise agreed in writing by LSU and the inventor(s) or author(s).
- (2)** For as long as LSU receives such Distributable Royalties, payment of this allocation of Distributable Royalties shall continue to the respective inventors or authors, regardless of whether they continue employment at LSU, or to their heirs, as applicable.
- (3)** [Does not apply to LSUHSC-NO]
- (4)** Further provided, that upon the written request of any inventor or author, all or part of that inventor's or author's share of Distributable Royalties may be (1) retained by LSU to support research under the direction of that inventor or author, or (2) paid to any other LSU Personnel who made a non-inventive contribution to the LSU Intellectual Property, according to a written agreement. Assessing and managing any personal tax implications of any such requests shall be the sole responsibility of the inventor or author.
- (5)** In recognition of the administrative costs that are associated with distributing small Distributable Royalty payments, the following procedures shall be used where applicable. At any time when the cumulative total of undistributed Distributable Royalty payments received on account of a particular license of LSU Intellectual Property in a given fiscal year is less than \$250, the Distributable Royalties for that license shall not be distributed as otherwise provided, but shall

instead be held by the University until the end of the current fiscal year. If, at any time during that fiscal year, the cumulative undistributed total reaches \$250, then the accumulated Distributable Royalties shall at that time be distributed as otherwise provided herein.

The Bylaws and Regulations allocate the remainder of Distributable Royalties as follows:

- Five percent (5%) to the Office of the President.
- Five percent (5%) to the LSU LIFT2 (Leveraging Innovation for Technology Transfer) Fund in the Office of the President for support of proof-of-concept grants to faculty at any LSU institution in furtherance of commercial development of inventions.
- Fifty percent (50%) of all Distributable Royalties shall be allocated within the appropriate campus as directed by the Chancellor or equivalent of that campus. ***For all rights-granting agreements executed as of July 1, 2012, LSUHSC-NO distributes the 50% of allocated to the campus with 35% to the Office of the Chancellor and 15% to the Inventors'/ Authors' Department.***

Restrictions on Publications

Section 7-3.d.(1) specifically mention that “[n]othing in this Section 7 shall be construed to prohibit or restrict LSU Personnel from publishing in academic channels any material that LSU and thos Personnel are otherwise free to publish. LSU Personnel are cautioned that early publication can destroy or impair the legal protection that might otherwise be available for intellectual property, and where appropriate are advised to consult with their campus technology transfer officers well before the first planned publication to discuss this question further.”

With regards to research sponsors and licensees requesting publication restriction, Section 7-3.d.(2) states the following,

“As a matter of University policy, LSU shall not normally accept restrictions or prohibitions on publications, other than a requirement for delaying publication for a reasonable period of time, from research sponsors and intellectual property licensees. Before LSU can consent to any such restrictions on publication, both of the following conditions must be satisfied and documented: (1) the restrictions are tailored to be the least restrictive conditions which will satisfy the legitimate concerns of the sponsor or licensee, and (2) all LSU Personnel likely to be affected by the proposed restrictions have consented to the restrictions.”

Reporting Intellectual Property

At the point at which you believe you have created intellectual property, whether you believe it to have commercial potential or if it was developed under a sponsored project, you should disclose evidence of its creation to the Office of Technology Management by submitting a Technology Disclosure Form (<http://www.lsuhs.edu/administration/academic/otm/Disclose.aspx>)

1.15 **TECHNOLOGY MANAGEMENT**

The primary responsibility of the Office of Technology Management is to facilitate the research enterprise. The Office helps faculty, staff, and students translate their novel technologies to the marketplace for public benefit. Additionally, the Office assists in establishing and enabling the relationships necessary for certain aspects of research and collaboration to occur, including Material Transfer Agreements, Confidential Disclosure Agreements, and Inter-Institutional Agreements. Go to <http://www.lsuhs.edu/administration/academic/otm/> for more information.

The following Louisiana State University System Permanent Memoranda and LSUHSC-NO Chancellor's Memoranda pertain to technology transfer and commercialization:









[PM-11](#) - Outside Employment of University Employees

[PM-67](#) - Contracts between the University and its Faculty Members

[CM-35](#) - Significant Financial Interests

1.16 **OTHER RESEARCH INFORMATION**

For information about Academic Research on such topics as

- | | |
|--|---|
|  Academic Research Departments |  Clinical Trials |
|  Bioinnovation Center |  Core and Shared Equipment |
|  Centers of Excellence |  Faculty Interest Database |
|  Clinical/Translational Research Initiative |  School of Medicine Institutional Research Support |

go to <http://www.lsuhs.edu/research/>.

2.0 DEFINITION OF FACULTY

2.1 FACULTY RANK

[Excerpt from Bylaws, Section 2-1, October 2, 2008]

<http://www.lsuohsc.edu/administration/bylaws/> or

<http://www.lsusystem.edu/index.php/policies/bylaws-regulations/>

Academic employees of the Louisiana State University System are grouped as follows:

- (a) Faculty. Full-time members of the academic staff on the various campuses with the rank of instructor or above and equivalent ranks.
- (b) Other Academic. Part-time members of the academic staff, members of the academic staff below the rank of instructor or equivalent; professional personnel of the Cooperative Extension Service and other personnel with academic responsibilities not holding faculty rank.

2.2 ACADEMIC RANKS

[Excerpt from PM-23, February 2, 2009]

<http://www.lsuohsc.edu/administration/pm/pm-23.pdf>

<http://www.lsusystem.edu/index.php/policies/permanent-memoranda/>

Full-Time Academic Ranks

Academic personnel employed on a full-time basis by the University System shall be recognized by one of the following ranks:

1. Associate

Criteria: Personnel who are employed primarily for research assignments, whose duties and responsibilities are essentially the same level as those of Instructor are appointed to the rank of Associate. Associates are expected to perform specialized research, instructional, extension, service, or artistic routines under the supervision of a member of the professorial ranks. The individual must have graduated from a regionally accredited college or university or have extensive (4 or more years) research, instructional, extension, or artistic experience in the subject or a closely related area.

Faculty Status: This rank does not carry faculty status. A change in rank from Associate to Instructor shall be regarded as an appointment to the faculty and not as a promotion.

Tenure and Appointments: Associates do not earn tenure and are appointed for a specified term.

Educational Provisions: Refer to PM-12 Educational Privileges for Full-Time Nonacademic & Other Academic Employees, 12/12/2000.

<http://www.lsuohsc.edu/administration/pm/pm-12.pdf> or

<http://www.lsusystem.edu/index.php/policies/permanent-memoranda/>

2. Library Associate

Criteria: The individual must have graduated from a regionally accredited college or university or have extensive (4 or more years) library experience. Library Associates are expected to perform the simpler and specialized library routines under the supervision of a professional librarian.

Faculty Status: The same as for Associate

Tenure and Appointment: The same as for Associate

Educational Provisions: Refer to PM-12 Educational Privileges for Full-Time Nonacademic & Other Academic Employees, 12/12/2000.
<http://www.lsuohsc.edu/administration/pm/pm-12.pdf> or
<http://www.lsusystem.edu/index.php/policies/permanent-memoranda/>

3. Instructor

Criteria: Individuals appointed to this rank normally should possess the highest degree requisite in the subject matter area (a minimum of a master's degree). Each department, in collaboration with the dean of its college, should establish definite standards to indicate what degree it considers requisite for the rank of Instructor. In addition to the above academic requirement, the individual should show promise of the ability to perform successfully the duties (teaching, research extension, or other scholarly activity) for which he/she was employed or which may be assigned in the future.

Faculty Status: The rank of Instructor carries faculty status.

Tenure and Appointment: Instructors do not earn tenure and are appointed for a specified term.

Educational Provisions: Individuals may petition (through channels to the Chancellor) to register for undergraduate and/or graduate courses. Each petition shall be evaluated on its own merit. Major factors in determining the course load to be allowed shall be the employee's work load as shown on the appointment form and the relationship of the proposed course to the employee's work assignment. Normally, individuals will not be permitted to register for more than one course during regular working hours.

4. General Librarian

Criteria: Minimum qualifications include graduation from a regionally accredited college or university, plus a degree from a library school accredited by the American Library Association, plus library experience.

The individual is expected to perform, under supervision, library tasks of a complex nature and to exercise responsible judgment in administering library routine.

Faculty Status: The same as for Instructor.

Tenure and Appointment: The same as for Instructor.

Educational Provisions: Individuals may petition (through channels to the Chancellor) to register for undergraduate and/or graduate courses. Each petition shall be evaluated on its own merit. Major factors in determining the course load to be allowed shall be the employee's work load as shown on the appointment form and the relationship of the proposed course to the employee's work assignment. Normally, individuals will not be permitted to register for more than one course during regular working hours.

5. Assistant Professor

Criteria: The individual shall meet the standards which govern appointment to the rank of Instructor and shall normally possess the commonly accepted terminal degree in the subject matter area. In addition, the person should exhibit clear evidence of potential for excellence in teaching, research, extension, or other scholarly activity.

Faculty Status: Assistant Professors have faculty status.

Tenure and Appointment: Term appointments at this rank are to be for one, two, or three years. During the sixth year of service in rank as an Assistant Professor, a "pre-tenure review" will be conducted to evaluate the individual's performance so that before the end of the sixth year of service the individual will be informed of the University's position regarding his/her retention. Upon reappointment after seven (7) years of service in rank on a particular campus, tenure is automatic and appointments are for an indefinite period of time. Individuals at this rank who are paid from grant or contract funds shall not acquire tenure through the passage of time but may become tenured only by specific individual recommendation through appropriate channels and approval by the President.

Educational Provisions: Individuals may petition (through channels to the Chancellor) to register for undergraduate and/or graduate courses. Each petition shall be evaluated on its own merit. Major factors in determining the course load to be allowed shall be the employee's work load as shown on the appointment form and the relationship of the proposed course to the employee's work assignment. Normally, individuals will not be permitted to register for more than one course during regular working hours.

Persons holding a rank above the level of Instructor (or an equivalent rank) may not become a candidate for an earned degree on the campus of employment.

6. Assistant Librarian

Criteria: Minimum qualifications include graduation from a regionally accredited college or university, plus a degree from a library school accredited by the American Library Association, plus varied experience in college and university libraries. A graduate degree in a subject field, in addition to the graduate degree in library science, is desirable for this rank. Individuals are under the supervision of a library administrator to supervise the work of professional and nonprofessional assistants and to aid in the development of materials and services to meet the instructional, research, and extension needs of the University.

Faculty Status: The same as for Assistant Professor.

Tenure and Appointment: The same as for Assistant Professor.

Educational Provisions: The same as for Assistant Professor.

7. Associate Professor

Criteria: The individual shall meet the standards which govern appointment and promotion to the rank of Assistant Professor. In addition, he/she shall have established a consistently good reputation as a scholar and have demonstrated a high quality of productivity. Normally, the individual will have served at least three (3) years as an Assistant Professor.

Faculty Status: Associate Professors are senior members of the faculty.

Tenure and Appointment: Initial appointments of Associate Professors who join the campus at that rank and their subsequent reappointments may be made for a specified term through not more than five (5) years of total service on that campus. Persons promoted to the rank of Associate Professor after less than five years of service on the campus may be continued to term appointment no more than the fifth year. Individuals paid from grant or contract funds do not acquire tenure through the passage of time but may become tenured only by specific individual recommendation through appropriate channels and approval by the President. With the exceptions noted above, Associate Professors are tenured and are appointed for an indefinite period of time.

Educational Provisions: The same as Assistant Professor.

*Exemptions to the rules pertaining to tenure and term appointments at the Pennington Biomedical Research Center and the Paul M. Hebert Law Center are found in Chapter II, Section 2.7 of the Bylaws and Regulations of the LSU Board of Supervisors.

8. Associate Librarian

Criteria: Same as for Assistant Librarian. In addition, this rank calls for proven administrative qualities of leadership, and other personal and academic qualifications should be contributing factors. The individual, as delegated by the Director of the Library, assists in the administration of major areas of library service and contributes to the formulation and execution of an effective library program.

Faculty Status: The same as for Associate Professor.

Tenure and Appointment: The same as for Associate Professor.

Educational Provisions: The same as for Assistant Professor.

9. Professor

Criteria: Individuals appointed or promoted to the rank of Professor shall possess all of the criteria and meet all of the standards for Associate Professor. He/she shall have demonstrated an excellence in teaching, research, extension, and/or other scholarly activity in the subject matter area. The faculty member shall have established a commendable academic reputation through publications, extension educational outreach and service, or other creative work. Normally, the individual will have had at least five (5) years of successful service as an Associate Professor.

Faculty Status: Professors are senior members of the faculty.

Tenure and Appointment: Initial appointments of Professors who join the campus at that rank and their subsequent reappointments may be made for a specific term through not more than five (5) years of total service on that campus. Persons promoted to the rank of Professor after less than five years of service on the campus may be continued to term appointment no more than the fifth year. Individuals paid from grant or contract funds do not acquire tenure through the passage of time but may become tenured only by specific individual recommendation through appropriate channels and approval by the President. With the exceptions noted, Professors are tenured and are appointed for an indefinite period of time.

Educational Provisions: The same as for Assistant Professor.

* Exemptions to the rules pertaining to tenure and term appointments at the Pennington Biomedical Research Center and the Paul M. Hebert Law Center are found in Chapter II, Section 2.7 of the Bylaws and Regulations of the LSU Board of Supervisors.

10. Librarian

Criteria: Minimum qualifications are the same as for Associate Librarian. In addition, this rank calls for extensive administrative experience in which responsibility and judgment of an independent nature are required. The individual should be capable of exercising the top administrative functions of the library. Librarians assist in the administration of all aspects of library service and operation and share in the formulation and execution of policy.

Faculty Status: The same as for Professor.

Tenure and Appointment: The same as for Professor.

Educational Provisions: The same as for Assistant Professor.

11. Assistant Professor, Full-Time Affiliate (FTA) Associate Professor Full-Time Affiliate (FTA) Professor, Full-Time Affiliate (FTA)

Criteria: Individuals employed jointly by the Medical Center and an affiliated hospital who have academic responsibilities equivalent to the full-time University faculty may be designated as Full-Time Affiliate Faculty.

Faculty Status: Full-Time Affiliate Faculty are members of the faculty.

Tenure and Appointment: Full-Time Affiliate Faculty are appointed for term appointments of one, two or three years and are not eligible for tenure. Those who are gratis or whose University contribution to salary is less than 25 percent shall be considered as volunteer faculty insofar as employee benefits are concerned. However, if the University contributes 25 percent or more of their total salary, the percentage of University contribution should be indicated and employee benefits appropriate to that percentage provided.

Educational Provisions: The same as for Assistant Professor.

12. "Professional"-in-Residence

* Note: This Rank does not pertain to LSUHSC-NO.

**13. Visiting Instructor
Visiting Assistant Professor
Visiting Associate Professor
Visiting Professor**

Criteria: These courtesy titles are to be given to visitors from another institution of higher education who are on a temporary duty assignment with a component of the LSU System. The individual shall be given the equivalent academic rank as assigned by his/her home institution with the designation, "Visiting", added to the title.

Faculty Status: Individuals holding these ranks are not given the right to vote in faculty matters.

Tenure and Appointment: Tenure is not awarded to individuals holding these ranks. Employees holding these ranks are to be given term appointments not to exceed one year in length.

Educational Provisions: The same as for Assistant Professor.

14. Assistant Curator

* Note: This Rank does not pertain to LSUHSC-NO.

15. Designated Professorships

Criteria: Appointment to the rank of Boyd Professor, Alumni Professor, Distinguished Professor, or any other designated professorships are governed by rules and regulations developed specifically for those purposes.

Faculty Status: Designated Professors are senior members of the faculty.

Tenure and Appointment: See specific rules and regulations for that particular designated professorship.

Educational Provisions: The same as for Assistant Professor.

**16. Postdoctoral Researcher
Senior Postdoctoral Researcher
Instructor - Research or Extension
Assistant Professor - Research or Extension
Associate Professor - Research or Extension
Professor - Research or Extension**

Criteria: Only individuals whose primary responsibility is conducting research or extension education and who often are paid from grant or contract funds are to be appointed to these ranks. (A) Persons appointed to the rank of Postdoctoral Researcher must possess a Ph.D. or equivalent degree. They are expected to assist and perform specialized research routines under the general supervision of a member of the professorial ranks. (B) Senior Postdoctoral Researchers must

possess a Ph.D. or equivalent degree and shall normally have a minimum of three years postdoctoral experience in a laboratory or in extension education. Persons appointed to this rank are expected to perform independent research or extension service under the direction of a member of the professorial staff. (C) Instructor - Research or Extension must possess a Bachelor's degree and usually would have a minimum of a Master's degree. Persons appointed to this rank are expected to engage in research or extension related activities under the general supervision of a member of the professorial ranks. (D) Appointees to the rank of Assistant Professor - Research or Extension must possess a Ph.D. or equivalent degree and shall normally have at least five years of postdoctoral experience in a research laboratory or five years' experience as an extension professional. In addition, the individual is expected to meet the standards which govern appointment to the rank of Assistant Professor, excluding the instructional criteria. (E) A Ph.D. or equivalent degree and a minimum of nine years of postdoctoral experience in a research laboratory or nine years of experience as an extension professional is normally required for appointment as an Associate Professor - Research or Extension. The individual is also expected to meet the standards for appointment as Associate Professor, excluding the instructional criteria. (F) Persons appointed to Professor - Research or Extension must possess a Ph.D. or equivalent degree and shall normally have a minimum of 12 years postdoctoral experience in a research laboratory or 12 years' experience as an extension professional. Also the individual should meet the same standards for appointment as Professor, excluding the instructional criteria.

Faculty Status: Individuals appointed to these ranks shall have the same faculty status as the respective professorial rank, except that these individuals may not vote on academic standards or policy matters.

Tenure and Appointment: Individuals in these ranks do not acquire tenure through the passage of time and may become tenured only by specific individual recommendation through appropriate channels and approval by the President. If an individual in one of these ranks is temporarily switched from grant or contract funds to permanent funds, that time does not count toward tenure unless specifically approved through channels by the President.

Educational Provisions: The same as for Assistant Professor.

- 17. Assistant Professor of Clinical _____ ***
- Associate Professor of Clinical _____ ***
- Professor of Clinical _____ ***

*Any clinical specialist (i.e., Medicine, Psychology, Pedodontics, etc.)

Criteria: This is a non-tenure track for full-time faculty in the clinical sciences who are effective in teaching and service programs and are essential for patient care, but whose research publications or scholarly activity does not warrant appointment or promotion to tenured positions.

Faculty Status: Individuals appointed to these ranks have the same faculty status as full-time members of the faculty with equivalent rank.

Tenure: Tenure is not awarded to individuals holding these ranks. Term appointments are made not to exceed one year.

Educational Provisions: The same as for Assistant Professor.

17A. Adjunct Clinical Professor of (clinical specialty) *effective 2/09*

Criteria: This is non-tenure track for non-full-time faculty in the clinical sciences who are effective in teaching and service programs and are essential for patient care, but whose research publications or scholarly activity does not warrant appointment or promotion to tenured positions.

Faculty Status: Individuals appointed to these ranks shall have faculty status except that these individuals may not vote on academic standards or policy matters.

Tenure: Tenure is not awarded to individuals holding these ranks. Term appointments are made not to exceed one year.

Educational Provisions: The same as for Assistant Professor.

**18. Assistant Professor-Professional Practice
Associate Professor-Professional Practice
Professor-Professional Practice**

Criteria: This is a non-tenure track for full-time faculty in the professions (e.g. Education) who are effective in teaching and service programs and are essential for coordinating field work and supervising students in the field, but whose research publications or scholarly activity do not warrant appointment or promotion to tenured positions.

Faculty Status: Individuals appointed to these ranks have the same faculty status as full-time members of the faculty with equivalent rank. They may be enfranchised to the degree deemed appropriate by the faculty unit (system, campus, college, division, or department).

Tenure: Tenure is not awarded to individuals holding these ranks.

Educational Provisions: Same as for Assistant Professor, Associate Professor and Professor.

19. LSU Agricultural Center Extension Agents

Part-Time Academic Ranks

Academic personnel employed on a part-time basis by the University System shall be recognized by one of the following ranks:

- 1. Associate, Part-Time
Instructor, Part-Time
Assistant Professor, Part-Time
Associate Professor, Part-Time
Professor, Part-Time**

Criteria: Individuals who meet the criteria and standards for designation at a specific full-time academic rank, but who are employed on less than a 100-percent basis by a component of the University System, are to be accorded one of the respective ranks listed above.

Faculty Status: As a class, individuals with the rank of Instructor, Part-time; Assistant Professor, Part-time; Associate Professor, Part-time; and Professor, Part-time may be enfranchised to the degree deemed appropriate by the faculty unit (i.e., System, campus, college, division, or department).

Tenure and Appointment: Personnel holding one of the above ranks do not receive tenure. Appointments at these ranks are made for terms not to exceed one academic or fiscal year in length.

Educational Provisions: The same as for Assistant Professor, full-time.

- 2. Adjunct Instructor
Adjunct Assistant Professor
Adjunct Associate Professor
Adjunct Professor**

Criteria: These ranks are to be conferred upon those individuals whose Primary employment is outside the department, but who make substantial contributions to the instructional, extension, and/or research programs of the LSU System. Recommendations for such ranks are to be made in the same manner as for the equivalent full-time rank.

Faculty Status: Personnel appointed to one of these ranks are not allowed to vote on faculty matters.

Tenure and Appointment: Tenure is not awarded to individuals in these ranks. Term appointments not to exceed one academic or fiscal year in length are awarded in these ranks.

Educational Provisions: The same as for Assistant Professor, full-time.

3. Special Lecturer

Criteria: This title is limited to part-time appointments without rank designation and is restricted to specialists and professional men and women whose primary occupation is the practice of their profession.

Faculty Status: Personnel appointed to this rank are not given the right to vote on faculty matters.

Tenure and Appointment: Tenure is not awarded to individuals in this category. Term appointments not to exceed one academic or fiscal year in length are awarded in this category.

Educational Provisions: The same as for Assistant Professor, full time.

4. Adjunct Clinical Instructor, Part-Time

* Note: This Rank does not pertain to LSUHSC-NO.

5. Clinical Instructor Clinical Assistant Professor Clinical Associate Professor Clinical Professor

Criteria: Part-time personnel whose primary role is related to a clinical setting shall be given the appropriate rank listed above. Recommendations for these ranks are to be made in the same manner as for the equivalent full-time rank. When an individual holding one of the above ranks is also appointed as a department head/chairman, the designation "Clinical" is dropped.

Faculty Status: As a class, individuals with one of these ranks may be enfranchised to the degree deemed appropriate by the faculty unit (i.e., System, campus, college, division, or department).

Tenure and Appointment: Personnel holding one of these ranks do not receive tenure. Appointments are made on a term basis of not more than one academic or fiscal year.

Educational Provisions: The same as for Assistant Professor, full-time.

**6. Library Associate, Part-Time
General Librarian, Part-Time
Assistant Librarian, Part-Time
Associate Librarian, Part-Time
Librarian, Part-Time**

Criteria: Individuals who meet the criteria and standards for designation at a specific library rank, but who are employed on less than a 100-percent basis by a component of the University System, are to be accorded one of the respective ranks listed above.

Faculty Status: As a class, individuals with the rank of General Librarian, Part-time; Assistant Librarian, Part-time; Associate Librarian, Part-time; and Librarian, Part-time may be enfranchised to the degree deemed appropriate by the respective unit of the System, campus, college, division, or department.

Tenure and Appointment: Personnel appointed to one of the above ranks do not receive tenure. Appointments at these ranks are made for terms not to exceed one academic or fiscal year in length.

Educational Provisions: The same as for Assistant Professor, full-time.

2.3 BOYD PROFESSORSHIPS

[Bylaws Section 2-14, October 2, 2008]

<http://www.lsuhs.edu/administration/bylaws/> or

<http://www.lsusystem.edu/index.php/policies/bylaws-regulations/>

Eligibility. A faculty member on one of the various campuses of the University System who has attained national or international distinction for outstanding teaching, research, or other creative achievement may be designated a "Boyd Professor." The "Boyd Professorship" shall be regarded as the highest professorial rank awarded by the University.

No Professor holding an administrative position of the rank of director or above shall be eligible for designation as a "Boyd Professor."

Procedure for Nomination. Nomination of a Professor for designation as a "Boyd Professor" shall originate with a dean or deans (in the case of split appointments) or a director of a school, which is not a college, in which a nominee holds professorial status. The nomination shall be addressed to a review committee through the Chancellor of the campus on which the nominee is a faculty member. The nomination by deans or directors shall be reviewed by a committee comprised of the chief academic officer of the System staff, who shall serve as chair, two emeriti members, and three faculty members appointed by the President from throughout the University System.

2.4 EMERITUS RANKS

[Bylaws, Section 4-5, October 2, 2008]

<http://www.lsuhs.edu/administration/bylaws/> or

<http://www.lsusystem.edu/index.php/policies/bylaws-regulations/>

Upon recommendation by the appropriate campus, the title Professor Emeritus shall be conferred upon all persons who upon retirement have attained the title of Professor and who have been in the service of the University for a period of at least ten (10) years. The said title may also be conferred, upon recommendation of the appropriate campus, at the discretion of the Board of Supervisors upon a person who upon retirement has attained the title of Professor even though the period of service is less than ten (10) years, if it is determined that the person has made outstanding contributions to the University in either the field of scholarship or public service. Any person who has held the position of academic dean, director, or department head for a period of ten (10) years may be retired with the title Dean, Director, or Department Head Emeritus. Where applicable to other positions within the University, an Emeritus title may be conferred upon the recommendation of the President in appropriate cases.

2.5 EMPLOYMENT OF RETIRED LSU PERSONNEL BY LSU

[In House - Memorandum on Rehiring LASERS Retirees Eligible for membership in the Teachers' Retirement System (No number) from the President of the Louisiana State University System October 7, 2002. Memorandum references PM-69]

LSU does not employ on a regular basis individuals who have retired from service at Louisiana State University. Such individuals may be employed on a temporary, non-continuing basis; however, it is expected that regular employees will be utilized when available.

Where there is a documented need to secure the services of a University retiree because the individual possesses particular knowledge and qualifications not possessed by available applicants for regular employment, the Chancellor is authorized to approve the appointment of such retired individuals for a period not to exceed six (6) months. Recommendations for appointment of a University retiree for more than six (6) months are to be submitted to the office of the Vice Chancellor for Academic Affairs through the appropriate Dean's Office.

All actions for retired individuals are subject to applicable personnel and equal employment practices, including the normal review and authorization procedures for academic and unclassified employees.

2.6 ADMINISTRATORS WITH FACULTY RANK

[LSUHSC-NO]

A faculty member who accepts an administrative position maintains faculty status and tenure rights.

3.0 FACULTY APPOINTMENTS

3.1 TENURED AND TERM APPOINTMENT, ACADEMIC STAFF

[Unless otherwise noted excerpts from Bylaws, Section 2-7, October 2, 2008]

<http://www.lsuhs.edu/administration/bylaws/> or

<http://www.lsusystem.edu/index.php/policies/bylaws-regulations/>

Faculty members and other members of the academic staff of comparable rank, including librarians, may be appointed for a specific term ("term appointment") or indefinitely ("tenured appointment") depending on rank and experience. Appointment or tenure on one campus of the LSU System carries no implication of appointment or tenure on another campus. Academic employees are tenured only with respect to their academic ranks and not with respect to administrative titles or assignments.

A letter from an appropriate University Official offering a position with salary and duties specified, a letter of acceptance from a faculty member, the completion of a faculty appointment personnel form and the appearance of a faculty member's name in the operating budget are the minimum requirements for an appointment. Duties specified in the original letter offering the position are subject to change, based on University needs. [LSUHSC-NO]

TERM APPOINTMENTS

Term employees are appointed for specified periods of time as indicated on the appointment form.

INDEFINITE TERM AND PROBATIONARY APPOINTMENTS

Professors and Associate Professors are tenured and are appointed for an indefinite period of time, except that the initial appointment and subsequent reappointments through not more than five years of total service to the LSU campus involved may be made for a stipulated term. Persons promoted to the rank of Professor or Associate Professor after less than five years of service on the campus may be continued to term appointment through no more than the fifth year. Persons holding a professorial rank (Professor, Associate Professor or Assistant Professor) while being paid by a grant or contract do not acquire tenure through the passage of time but may become tenured only by specific individual recommendation through appropriate channels and approval by the President

Any appointment, term or indefinite, may be terminated for cause.
[Excerpt from Bylaws, Article VIII, Section 4, October 2, 2008]

The decision not to renew a term appointment is not subject to the LSUHSC-NO appeals procedure. Failure to follow established procedures in non-reappointment to a term appointment is appealable. [LSUHSC-NO]

SPECIAL RULE FOR ASSISTANT PROFESSORS

Assistant Professors are appointed for terms no longer than three years. Upon reappointment after seven years of service in rank on a particular campus, Assistant Professors receive tenure. A thorough review will be made during the sixth year of service so that notice of termination may be given if necessary no later than the end of the sixth year of service. Individual campuses have the option of conducting the thorough review prior to the sixth year, provided that appropriate written notification is given to the faculty member. The University may, at its discretion, count prior service on the same campus toward the seven-year evaluation period for an Assistant Professor to achieve indeterminate tenure. The ultimate decision shall be left with the President, to be applied in each individual case for which the respective campus recommends granting indeterminate tenure counting prior service favorably.

EXPIRATION OF APPOINTMENT

Upon expiration of a term appointment, the employee is a free agent to whom the University System has no obligation. The University System may reappoint the employee to the same or a different position. Non-reappointment carries no implication whatsoever as to the quality of the employee's work, conduct, or professional competence.

When an employee, other than an Associate, is not to be reappointed, written notice to the employee will ordinarily be provided in accordance with the following schedule:

1. Not later than March 1 of the first academic year of service, if the appointment expires at the end of the year; or, if an initial one-year appointment terminates during an academic year, at least three months in advance of its termination.
2. Not later than December 15 of the second academic year of service, if the appointment expires at the end of that year; or if an initial two-year appointment terminates during the academic year, at least six months in advance of its termination.
3. At least 12 months before the expiration of an appointment after two or more years' service on that campus.
4. When an Associate is not reappointed, the Associate shall be given written notice of termination no less than ninety (90) days prior to the expiration of the employment contract.

Any appointment, term or indefinite, may be terminated for cause.
[Excerpt from Bylaws, Article VIII, Section 4, October 2, 2008]

The decision not to renew a term appointment is not subject to the LSUHSC-NO appeals procedure. Failure to follow established procedures in non-reappointment to a term appointment is appealable. [LSUHSC-NO]

3.2 PART-TIME ACADEMIC STAFF

[Bylaws, Section 2-8, October 2, 2008]

<http://www.lsuhs.edu/administration/bylaws/> or

<http://www.lsusystem.edu/index.php/policies/bylaws-regulations/>

Members of the part-time academic staff on the various campuses shall be given term appointments only, not exceeding one academic or fiscal year.

3.3 BASIS OF PAY

[Bylaws, Section 2-10, October 2, 2008]

<http://www.lsuhs.edu/administration/bylaws/> or

<http://www.lsusystem.edu/index.php/policies/bylaws-regulations/>

System employees may be employees for the academic year, fiscal year, summer term, or other stipulated terms. Employees shall be paid in accordance with procedures established for their employment.

3.4 LOCUS OF APPOINTMENT

[LSUHSC-NO]

The locus of all faculty appointments, whether term or indefinite, shall be the principal location of assigned activity for that faculty member. The employment letter to each prospective faculty member shall state the locus of the appointment.

Faculty members may be assigned occasional teaching duties at various affiliated campuses and health care facilities associated with LSUHSC-NO subject to the terms and conditions agreed upon in their letters of appointment or as otherwise negotiated.

3.5 PERIODS OF APPOINTMENT

[LSUHSC-NO]

Periods of Appointment are appointments that clearly specify the time frame encompassed by the employment relationship and definitively end on a specific date. Because of the time-limited nature of Periods of Appointment, the faculty member waives normal notice requirements and agrees to do so when accepting the terms of the employment.

Periods of Appointment are usually part-time in nature. When full-time, Periods of Appointment are normally limited to a maximum of one year in duration. Periods of Appointment are subject to review by the normal institutional appointment process, including, but not limited to, review by the School Appointments and Promotions Committee, if relevant. No annual or sick leave is accrued on a Period of Appointment.

3.6 SPECIAL AGREEMENTS

[Bylaws, Section 2-9, October 2, 2008]

<http://www.lsuhs.edu/administration/bylaws/> or

<http://www.lsusystem.edu/index.php/policies/bylaws-regulations/>

Terms of Employment - Academic Staff, General. The foregoing provisions shall not be construed to exclude existing contracts between the System and academic staff on mutually acceptable terms.

4.0 RECRUITMENT, APPOINTMENT AND ORIENTATION

4.1 POLICIES AND PROCEDURES, INTRODUCTION

[LSUHSC-NO]

Each School in the Health Sciences Center establishes policies and procedures governing recruitment, appointment and orientation that are consistent with needs and demands of the academic or professional discipline. These policies and procedures are in conformance with the following:

- ☐ The Bylaws and Regulations of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College
- ☐ Permanent Memoranda (PMs) of the University System
- ☐ The Equal Opportunity Policy of Louisiana State University
- ☐ Affirmative Action Plan of the Health Sciences Center
- ☐ The Americans with Disability Act of 1990
- ☐ Section 2.0 and 3.0 of this Handbook
- ☐ The LSUHSC-NO policies in this section of the Handbook

4.2 AUTHORIZATION TO HIRE - CREATION OF POSITIONS

[Excerpt from PM-23, issued February 2, 2009]

<http://www.lsuhs.edu/administration/pm/pm-23.pdf> or

<http://www.lsusystem.edu/index.php/policies/permanent-memoranda/>

Procedures in Making Appointments and Promotions

1. No position shall be created and no person shall be appointed to any position on the academic staff except with the full knowledge of the President, the Chancellor, the chief academic officer of the campus, the dean or director of the college or school concerned, and the chairman/head of the department or unit concerned. The President, at his discretion and subject to revocation at any time, may authorize the Chancellor to make certain appointments.
2. Recommendations for the creation of academic positions and for appointments to those positions shall normally originate with the department concerned, but this shall not limit the right of appropriate and proper officers of the University System to suggest to the chairman/head of the department/unit, through the appropriate campus officers, a need for changing the composition of the staff.
3. Recommendations from department/unit chairmen or heads for the creation of, and appointment to, any academic position shall be forwarded to the appropriate dean or director, who shall transmit them, with recommendations, to the chief academic officer of the campus. All recommendations and

comments shall be reviewed and acted upon by the Chancellor. The President, at his discretion and subject to revocation at any time, may delegate his review and action authority to an appropriate member of the academic staff of the LSU System Office or to the Chancellor. All favorable recommendations shall be transmitted to the Board of Supervisors for their review and ratification.

4.3 AUTHORIZATION FOR FILLING VACANT POSITIONS [LSUHSC-NO]

The request for authorization to fill a vacancy is initiated by the Department Head, subject to approval by the Dean of the School and the Chancellor.

4.4 RECRUITMENT [LSUHSC-NO]

When authorization to fill the position has been received, recruitment is initiated according to procedures established by LSUHSC-NO and by the specific school. At a minimum, school procedures should describe the following:

- ☐ The process used in the decision to initiate the recruitment
- ☐ Methods used to advertise the position opening
- ☐ Interviewing processes, including expectations of candidates for seminar/research presentation, if any
- ☐ Differences in search policies and procedures for different levels of faculty appointment or for Department Heads

4.5 APPOINTMENT

4.5.1 LSU System Equal Opportunity Policy

[PM-55, July 10, 2006]

To view the LSU System Equal Opportunity Policy go to

<http://www.lsuhsoc.edu/administration/pm/pm-55.pdf> or

<http://www.lsusystem.edu/index.php/policies/permanent-memoranda/>

4.5.2 LSUHSC-NO Equal Opportunity Policy

[Excerpt from CM-10, December 17, 2003]

<http://www.lsuhsoc.edu/administration/cm/cm-10.pdf>

The Louisiana State University Health Sciences Center reaffirms its commitment to Equal Employment Opportunity policies and procedures in the recruitment, hiring, transfer, promotion, and other terms or conditions of employment without regard to race, color, religion, sex, national origin, age, handicap, marital status or veteran's status or other non-merit factor which cannot lawfully be used as the basis for an employment decision.

The equal employment policy has been carried out through the development and maintenance of Affirmative Action plans on the New Orleans campus. The execution of this policy requires vigorous efforts to identify and attract qualified applicants from groups underutilized at all levels in the Health Sciences Center. The policy further insures that all applicants receive fair consideration for employment and that all employees are treated fairly. Such action shall include, but not be limited to, the following: employment; promotion or upgrading; demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; selection for training; and tenure.

The Assistant Director of Human Resource Management has been designated to have primary responsibility for implementing the equal opportunity policy at LSU Health Sciences Center, New Orleans. Administrative heads of all divisions and departments who have responsibility for recruitment, appointment, and evaluation of staff are charged with seeing that the plan is successfully implemented and for cooperating fully with the official who has primary responsibility.

4.5.3 Authority to Appoint and Promote

[Bylaws, Article VIII, Section 3, October 2, 2008]

<http://www.lsuhs.edu/administration/bylaws/> or

<http://www.lsusystem.edu/index.php/policies/bylaws-regulations/>

Appointment and Promotion of Academic Staff. Each appointment or promotion of a member of the academic staff shall be made upon the basis of merit and the special fitness of the individual for the work demanded by the position. All appointments, reappointments, promotions, and dismissals of members of the academic staff shall be made upon the authority of the President, subject to the approval of the Board.

The terms of the appointment of each member of the academic staff shall be reduced to writing and a copy thereof furnished to each of the contracting parties.

4.5.4 Rank and Type of Appointment

[LSUHSC-NO]

The type of appointment (part-time, full-time, clinical, etc.) and designation of rank, consistent with Sections [2.0](#) and [3.0](#) of this [Handbook](#) are recommended by the Department Head, subject to approval by the Dean of the School, Chancellor of the Health Sciences Center, President of the University and the Board of Supervisors.

4.5.5 Appointment of Faculty Who Are Not US Citizens

[LSUHSC-NO]

Before any appointment agreements are made with potential faculty who are not citizens of the United States, prior approval from the New Orleans Office of Governmental Programs is required.

4.5.6 **SCHOOL POLICIES** [LSUHSC-NO]

Additional policies and procedures governing appointment of faculty may be established by each school. At a minimum, these policies and procedures should describe the following:

- 📌 Required documentation of qualifications of candidates used in the process
- 📌 Mechanisms used within the Schools that result in the recommendation to appoint
- 📌 Differences in appointment processes for different levels of faculty appointment or for Department Heads
- 📌 Notification of the faculty member of the appointment

4.5.7 **Nepotism Policy** [CM-12, July 12, 1979] <http://www.lsuhs.edu/administration/cm/cm-12.pdf>

It shall be contrary to general University policy for persons related to each other in the first degree by blood or marriage to be placed in a supervisor-employee relationship. This restriction will apply to all forms of employment: regular full-time employment, regular part-time employment, temporary full-time employment, temporary part-time employment, etc., and will apply to all employees including student workers. This restriction shall also apply when the supervisor employee relationship develops after employment. Exceptions to this restriction can be made only in unique circumstances and with justification. Approval must be requested by petition from the department or area concerned through channels to the Office of the President.

In cases in which the University System has approved a supervisor employee relationship for employees related by blood or marriage, the supervisor will pass the responsibility to his or her immediate supervisor for making decisions involving direct benefit to the employee to whom he or she is related.

5.0 FACULTY PERSONNEL FILES

5.1 LOCATION OF FILES

[LSUHSC-NO, Human Resource Management]

Two official personnel files shall be maintained for each faculty member, one in the Office of Human Resource Management, the second in the faculty member's School of employment, either in the Dean's office or Department Head's office. The file kept in the Office of Human Resource Management will contain documentation pertaining to administrative matters. The file maintained in the School will contain documentation pertaining to academic and professional matters.

5.2 CONTENTS

[LSUHSC-NO, Human Resource Management]

The file maintained in the Office of Human Resource Management will contain the following documents:

- Personnel Form 2 (Per 2) - Louisiana State University and Agricultural & Mechanical College Personnel Appointment Form
- Personnel Form 3 (Per 3) - Louisiana State University and Agricultural & Mechanical College Personnel Status Change Form
- Personnel Action Form from System Office in Baton Rouge
- Oath of Affirmation to Support the Constitution and Laws of the United States of America and of the State of Louisiana
- Person to Notify in Case of Emergency Form
- Biographical Data Card
- Application for Registration of Permanent Preexisting Disability
- State of Louisiana Withholding Exemption Certificate (L4)
- Federal W4
- Retirement System Enrollment Application
- Teacher's Retirement System of Louisiana Designation of Beneficiary Form
- Disability Insurance Enrollment Card
- Accident Insurance form G56401-A
- Insurance Update Forms
- Record of sabbatical leave
- End of Fiscal Year Leave Report
- Payroll deductions

- Official transcript from the institution granting the highest degree

The file kept in the School will contain at least the following documents:

- Copy of Personnel Form 2 (Per 2) - Louisiana State University and Agricultural & Mechanical College Personnel Appointment Form
- Copy of Personnel Form 3 (Per 3) - Louisiana State University and Agricultural & Mechanical College Personnel Status Change Form
- Faculty Income Plan Agreement with attachment
- Copy of the Person to Notify in Case of Emergency Form
- Pre-employment data
- Letter offering the position and letter of acceptance
- Documents pertaining to professional licensure and/or certification
- Documents pertaining to job performance

5.3 CONFIDENTIALITY AND ACCESS [LSUHSC-NO, Human Resource Management]

Members of the faculty are considered to be confidential employees of the Louisiana State University Health Sciences Center. Access to a faculty member's personnel file shall be regulated in accordance with Title 44 of the Revised Statutes of the State of Louisiana. A copy of this statute is kept in the Department of Human Resource Management.

On the web, Title 44 begins at <http://www.legis.state.la.us/lss> and by using the "Next Section" link, all of Title 44 can be accessed.

Employee information is carefully maintained and will be released only to authorized individuals or agencies. Authorized persons such as Deans, Department Heads, or immediate supervisors will be permitted access to a faculty member's file. Likewise, if a faculty member is being considered for a transfer, the prospective supervisor or Department Head will be permitted access to the employee's file.

A faculty member shall have access to his personnel file during normal business hours. A faculty member may request copies, at his own expense, of any material contained therein. A faculty member may not remove his file from the room in which it is housed.

A faculty member may enter a statement in his file that he feels clarifies, corrects, or refutes material therein. Such statements will be attached to the applicable documents in the file.

Verification of employment on past or present faculty members is a service of the Department of Human Resource Management. The Department will respond only to

written requests for verification. Unless the written request includes a release by the faculty member, the Department of Human Resource Management will provide only the date of hire, position title, and date of separation.

The entire file or portions thereof may be released upon written request by the faculty member.

5.4 **PERSONAL DATA CHANGES** [LSUHSC-NO, Human Resource Management]

Faculty members are required to report immediately, any changes in personal data such as person to notify in case of emergency, the faculty member's name, address, telephone number, advanced education, work location and telephone extension, etc., to the Department Head. The Department Head will notify the Department of Human Resource Management in writing of these changes so that the correct personal information is current and on file in the record.

5.5 **APPEAL PROCEDURE RECORDS** [LSUHSC-NO]

All documentation pertaining to hearings and formal grievance proceedings will be kept in the office of the Vice Chancellor for Academic Affairs.

5.6 **RETENTION OF RECORDS** [LSUHSC-NO, Human Resource Management]

Once a faculty member is no longer employed by the University, the file maintained by the Department of Human Resource Management will be kept intact for one year. After this period, the file is archived. The archived record is retained indefinitely.

6.0 FACULTY EVALUATIONS

6.1 INTRODUCTION

[Unless otherwise noted LSUHSC-NO]

The mission of LSUHSC-NO involves development of the highest levels of intellectual and professional endeavor in the areas of instruction, research and service. Faculty members will be evaluated in all these areas taking into account the mission of the University. Although not all faculty members can be expected to have equal levels of commitment or equal responsibilities in each of these areas, a high level of general competence is expected.

Faculty members should be reviewed at least annually by the Department Chair/Head. The reviews should be based on the faculty member's job responsibility. [Excerpt from PM-35, May 23, 2000]
<http://www.lsuhs.edu/administration/pm/pm-35.pdf> or
<http://www.lsusystem.edu/index.php/policies/permanent-memoranda/>

The formal evaluation must include a statement of the criteria against which the performance of each faculty member will be assessed. These criteria must be made known to all concerned. A written summary of this evaluation should be given to the faculty member and a copy placed in the faculty member's departmental file.

During the formal evaluation process, the Department Head or designee must meet with each departmental faculty member being evaluated. At this meeting, accomplishments are reviewed and recommendations for continued or new activities are made, because it is important for Department Heads to provide feedback to faculty so they can improve performance. The faculty evaluation program is designed to help maintain and improve the effectiveness of each faculty member, as well as to provide direction for administrative decision-making in the areas of reappointment, promotion, merit salary increases, and award of tenure.

6.2 GENERAL PRINCIPLES REGARDING EVALUATION OF FACULTY

[LSUHSC-NO]

Each faculty member will maintain a current dossier. This dossier should contain the curriculum vitae, and other documents that evidence scholarly activity, teaching effectiveness, and service. The dossier will play a role in the evaluation process.

Each Department Head or designee, such as Section or Division Head, is expected to meet with individual departmental faculty annually, as specified above. At this meeting, accomplishments are reviewed and recommendations for continued or new activities can be made. It is critical for Department Heads to provide this feedback to faculty, so that performance and responsibilities can be adjusted.

Since the faculty members of LSUHSC-NO perform a variety of functions, evaluation procedures are individualized. Each School within the Health Sciences Center has established review procedures for gathering relevant data from multiple sources. These may include student ratings, peer judgments, administrator evaluations, and self-appraisals. The relative weight of each of the sources may vary from school to school.

6.3 GENERAL PRINCIPLES REGARDING EVALUATION OF ACADEMIC ADMINISTRATORS

[LSUHSC-NO]

The following is a list of academic administrative titles and the principles that apply to their evaluation.

- ☐ Department Heads are evaluated annually by their Deans, with periodic input from faculty in their respective Departments and students, when appropriate.
- ☐ Assistant Deans and Associate Deans are evaluated annually by their Deans, with input from faculty, Department Heads, and other constituents as appropriate.
- ☐ Deans are evaluated annually by the Chancellor, with input from faculty and Department Heads and other constituents as appropriate.
- ☐ The Vice Chancellors are evaluated annually by the Chancellor, with input from faculty and other constituents as appropriate.
- ☐ The Chancellor is evaluated annually by the President of the LSU System, with input from faculty and other constituents as appropriate.

6.4 ACTIVITIES TO BE EVALUATED

[LSUHSC-NO]

TEACHING

LSUHSC-NO recognizes that effective teaching is a primary responsibility of most faculty members. An evaluation of teaching includes, but is not limited to the following:

- ☐ Scope of teaching responsibility
- ☐ Command of subject areas
- ☐ Communication skills
- ☐ Awards and honors
- ☐ Ability to plan, design, and implement academic courses
- ☐ Ability to evaluate students fairly and without prejudice
- ☐ Ability to mentor students and trainees at all levels

RESEARCH AND SCHOLARSHIP

LSUHSC-NO recognizes the importance of research and scholarship not only to the general advancement of the health sciences, but also to the faculty member performing the work. Evidence of scholarly effort includes, but is not limited to the following:

- Refereed and non-refereed publications
- Participation and leadership roles at local and national meetings, conventions and symposia
- Presentations at local and national meetings, conventions, and symposia
- Application for and award of grants and contracts
- Lectures and symposia
- Honors and awards
- Referral and consultation roles

SERVICE

LSUHSC-NO expects its faculty to be involved in service to the School and Center, professional organizations, and community groups of interest to faculty. Such service includes, but is not limited to the following:

- Committees, meetings, and other formal or informal sessions at the Departmental, School, and/or Health Sciences Center levels
- Leadership roles within the School
- Participation and leadership roles in professional organizations locally, regionally, and nationally
- Participation and leadership in community organizations
- Patient care
- Service as an editor or editorial board member of a professional journal
- Service as a member of peer review panels
- Awards and honors
- Referral and consultation roles

ADMINISTRATION

LSUHSC-NO undertakes annual evaluation of academic administrators (Section or Division Head, Department Head, Assistant Dean, Associate Dean and Dean) to help maintain and improve their effectiveness. Evidence of effective administration includes, but is not limited to the following:

- Administrative management
- Executive judgment
- Delegation of authority and responsibility

- Provision of academic leadership
- Planning ability
- Encouragement of faculty research and improvement of teaching skills and programs
- Communication of ideas
- Conflict resolution
- Availability and responsiveness to faculty
- Objectivity, honesty, and fairness
- Academic performance in the areas of teaching, research/scholarship, and service

7.0 **PROMOTION** [LSUHSC-NO]

Promotion in academic rank is a means by which the University encourages, recognizes, and rewards faculty members for excellence in the performance of their duties.

7.1 **ELIGIBILITY FOR PROMOTION**

[Refer to PM-23, February 2, 2009]

<http://www.lsuhs.edu/administration/pm/pm-23.pdf> or

<http://www.lsusystem.edu/index.php/policies/permanent-memoranda/>

Faculty members are promoted on the basis of the fulfillment of the qualifications of that rank discussed in PM-23 and in Handbook Section 6.0 on Faculty Evaluations. Within the organization of each School, there may be more specific criteria for promotion. Qualifications for appointment and promotion are delineated in PM-23.

7.2 **SERVICE REQUIREMENTS FOR PROMOTION** [PM-23]

[Excerpt from PM-23, February 2, 2009]

<http://www.lsuhs.edu/administration/pm/pm-23.pdf> or

<http://www.lsusystem.edu/index.php/policies/permanent-memoranda/>

An advancement in academic rank is dependent upon meeting the criteria for eligibility for promotion and normally the following lengths of full-time service in rank:

- ☐ Instructor to Assistant Professor – Normally a minimum of three years* in the rank of Instructor. [LSUHSC-NO]
- ☐ Assistant Professor to Associate Professor – Normally a minimum of three years* in the rank of Assistant Professor
- ☐ Associate Professor to Professor – Normally a minimum of five years* in the rank of Associate Professor

*Regular academic appointment period of the institution where time has accrued

Although a Department Head, Dean of the School, or the faculty promotions committee may recognize superior service by recommending early advancement in rank and the University may concur (by offering early advancement in rank), individual faculty members ordinarily will not be considered for advancement before the minimum length of time in current rank has been completed. [LSUHSC-NO]

7.3 **INITIATION OF PROMOTION PROCESS** [LSUHSC-NO]

While the formal request for promotion of a faculty member is normally initiated by the Department Head, the faculty member or the departmental promotions committee may also begin the process. Each department must have a defined process for evaluating faculty members proposed for advancement. This process must involve the appropriate senior faculty of the department. If a faculty member has an appointment in more than one Department or School, the request for promotion is initiated by the Department Head in which the primary appointment is held. Promotions of Department Heads are initiated by the Dean of the School. Requests for promotion can be withdrawn at any point in the Health Sciences Center's process with the mutual consent of the candidate and respective Department Head.

7.4 **PROMOTION REVIEW FILE** [LSUHSC-NO]

Each School of the Health Sciences Center, except for the Graduate School, has a faculty committee composed of senior tenured faculty members who are responsible for making recommendations to the Dean concerning the promotion of its faculty. The recommendation of the committee relative to promotion will be based on documentation contained in the promotion review file.

This file shall contain a current curriculum vitae, evidence of instructional effectiveness and of accomplishment in scholarly and other professional activities, and community service. The file must include letters of recommendation and other evidence that the candidate has met the various criteria (see [Handbook](#) Sections [2.0](#) and [6.0](#)) necessary for promotion as required by individual Schools.

The committee also has the right to consult experts, either from within or outside the University, for information that might aid them in their evaluation of the candidate for promotion. For promotion to Professor or Associate Professor, inclusion of letters of recommendation from outside the LSU System is required. The candidate for advancement may provide the names of potential sources of such outside recommendations.

The material in the promotion review file will normally only be available to the faculty member, appropriate committees and councils, and those administrators whose approval is officially necessary for implementation of the committee's recommendation. The faculty candidate must participate in the preparation of the biographical and supporting documentation that accompanies the **Louisiana State University System: Promotion/Tenure Review Request Form**, herein and after referred to as the **Promotion/Tenure Form**, and sign a statement indicating that he has reviewed the file and it is accurate and complete. The file is then delivered to the departmental committee, Department Head and school committee for review and letters of recommendation are added to the file at this time.

7.5 **ENDORSEMENTS FOR PROMOTION** [LSUHSC-NO]

Applications for advancement in rank must be accompanied by a recommendation from the departmental promotions committee and Department Head(s). These recommendations should specifically address the degree to which the candidate meets the appropriate criteria (see Handbook Sections 2.0 and 6.0). The vote of the departmental promotions committee must be indicated on the form for promotion. Candidates who receive negative recommendations by the departmental promotions committee faculty and the Department Head can request review by the School committee.

7.6 **ACTION ON PROMOTION** [LSUHSC-NO]

Decisions regarding promotion represent a succession of judgments of whether the candidate meets the criteria set forth in Handbook Sections 2.0 and 6.0. Promotion requests are submitted by the Department Head to the Dean of the School on the **Promotion/Tenure Form**. A Standardized Biographical Data attachment must also be submitted.

The requests are preliminarily reviewed by the Office of the Dean for completeness and accuracy and forwarded to the faculty promotions committee of the School. This committee returns a recommendation to the Dean. Positive committee recommendations are submitted to other appropriate committees or Administrative Councils for their recommendations to the Dean. Negative recommendations of the faculty promotions committee, with which the Dean concurs, are returned to the Department Head, who may appeal the decision based on School policy. The Dean of the School may agree or disagree with recommendations. The above decisions are indicated on the **Promotion/Tenure Form** and appropriate signatures are affixed.

When the above process has been completed within the School, even if the Dean's recommendation is negative, the recommendation is then forwarded for consideration by the Vice Chancellor for Academic Affairs, the Chancellor, the Vice President for Academic Affairs, and the President of the LSU System. Positive recommendations are forwarded for final action to the LSU Board of Supervisors.

If a faculty member has an appointment in more than one Department or School, each Department or School involved must participate in the promotion process (i.e., review by the appropriate faculty committees and Administrative Councils of all Schools/Departments involved).

Unless extraordinary circumstances prevail, when a recommendation for promotion is approved by the Board of Supervisors, the promotion in rank takes effect at the beginning of the next fiscal year.

7.7 MULTIPLE-CAMPUS APPOINTMENTS AND PROMOTIONS

[Excerpt from PM-23, February 2, 2009]

<http://www.lsuhs.edu/administration/pm/pm-23.pdf> or

<http://www.lsusystem.edu/index.php/policies/permanent-memoranda/>

Regarding recommendation for promotions of faculty with appointments on multiple campuses: a split recommendation for promotion of a tenured individual will result in the approving campus assuming the responsibility for the additional percentage of the faculty member's compensation.

8.0 **TENURE** [LSUHSC-NO]

LSUHSC-NO adheres to the basic policies for tenure established by the University System.

Early in his appointment, the faculty member should become familiar with the substantive and procedural standards generally employed by the University in decisions affecting tenure.

Specific standards adopted by the Department or School should be in writing and brought to the faculty member's attention at an appropriate time.

8.1 **TENURE POLICY**

[Unless otherwise noted excerpts from Bylaws, Section 2-7, October 2, 2008]

<http://www.lsuhs.edu/administration/bylaws/> or

<http://www.lsusystem.edu/index.php/policies/bylaws-regulations/>

Faculty members and other members of the academic staff of comparable rank, including librarians, may be appointed for a specific term (term appointments) or indefinite (tenured appointments) depending on rank and experience. Appointment or tenure on one campus of the LSU System carries no implication of appointment or tenure on another campus. Academic employees are tenured only with respect to their academic ranks and not with respect to administrative titles or assignments.

Leave of absence without pay, upon appropriate administrative recommendation, may be credited toward tenure. [Bylaws, Section 3-6, October 2, 2008]

<http://www.lsuhs.edu/administration/bylaws/> or

<http://www.lsusystem.edu/index.php/policies/bylaws-regulations/>

Tenure is not a guarantee of lifetime employment, particularly in the face of institutional change or financial exigency. It does assure that the employee will not be dismissed without adequate justification and without due process.

In addition to the qualifications of the candidate for tenure, other considerations that enter into individual decisions to confer tenure include particular need within a Department, School, or LSUHSC-NO. [LSUHSC-NO]

A faculty member on tenure track may switch to non-tenure track. This requires the approval of the Department Head, Dean of the respective school and the Vice Chancellor for Academic Affairs. Similarly, a faculty member on non-tenure track may switch to tenure track. This requires formal review by the school advancement committee in addition to approval of the Department Head, Dean of the respective school and the Vice Chancellor for Academic Affairs. [LSUHSC-NO]

8.2 **TENURE POLICY AS IT RELATES TO RANK**

[Unless otherwise noted excerpts from Bylaws, Section 2-7, October 2, 2008]

<http://www.lsuhsu.edu/administration/bylaws/> or

<http://www.lsusystem.edu/index.php/policies/bylaws-regulations/>

Members of the academic staff may be appointed for specified terms (term appointments) or for indeterminate terms (tenured appointments). Term appointments are utilized at the lower academic ranks and ordinarily for initial appointments at all levels. Associate Professors and Professors and those holding equivalent ranks are tenured except as noted in System regulations. Under certain circumstances tenure may be awarded to those holding lower ranks.

[Excerpt from Bylaws, Article VIII, Section 4, October 2, 2008]

<http://www.lsuhsu.edu/administration/bylaws/> or

<http://www.lsusystem.edu/index.php/policies/bylaws-regulations/>

Professors and Associate Professors are tenured and are appointed for an indefinite period of time, except that the initial appointment and subsequent reappointments through not more than five years of total service to the LSU campus involved may be made for a stipulated term. Persons promoted to the rank of Professor or Associate Professor after less than five years of service on the campus may be continued to term appointment through no more than the fifth year. Persons holding a professorial rank (Professor, Associate Professor or Assistant Professor) while being paid by a grant or contract do not acquire tenure through the passage of time but may become tenured only by specific individual recommendation through appropriate channels and approval by the President.

Assistant Professors are appointed for terms no longer than three years. Upon reappointment after seven years of service in rank on a particular campus, Assistant Professors receive tenure. A thorough review will be made during the sixth year of service so that notice of termination may be given if necessary no later than the end of the sixth year of service. Individual campuses have the option of conducting the thorough review prior to the sixth year, provided that appropriate written notification is given to the faculty member. The University may, at its discretion, count prior service on the same campus toward the seven-year evaluation period for an Assistant Professor to achieve indeterminate tenure. The ultimate decision shall be left with the President, to be applied in each individual case for which the respective campus recommends granting indeterminate tenure counting prior service favorably.

Those who rank as **Associate or Instructor** shall be appointed for a specified term and shall not be considered for indeterminate tenure; provided, however, Associates and Instructors hired for an initial term greater than two years may be terminated at the end of the first year if given notice during the first nine months of that year. Otherwise, the provisions of Section 2-7(1)-(4) shall apply.

8.3 **INITIATION OF TENURE PROCESS**

[LSUHSC-NO]

While the formal request for tenure of a faculty member is normally initiated by the Department Head, the faculty member or the departmental promotions committee may also begin the process. Each department must have a defined process for evaluating faculty members proposed for tenure. This process must involve the appropriate senior faculty of the department. If a faculty member has an appointment in more than one Department or School, the formal request for tenure is initiated by the Department Head in which the primary appointment is held. Tenure requests for Department Heads are initiated by the Dean of the School. In certain cases, requests for tenure accompany requests for promotion (i.e., promotion of Assistant Professor on tenure track to Associate Professor). Requests for tenure-granting can be withdrawn at any point in the Health Sciences Center process with the mutual consent of the candidate and the respective Department Head.

8.4 **TENURE REVIEW FILE**

[LSUHSC-NO]

Each School of the Health Sciences Center, except for the Graduate School, has a faculty committee composed of senior tenured faculty members who are responsible for making recommendations to the Dean concerning the tenure of its faculty. The recommendation of the committee relative to tenure will be based on documentation contained in the tenure review file.

This file shall contain a current curriculum vitae, evidence of instructional effectiveness and of accomplishment in scholarly and other professional activities and community service. The file must include letters of recommendation and other evidence that the candidate has met the various criteria necessary for tenure as required by individual Schools.

The committee also has the right to consult experts, either from within or outside the University, for information that might aid them in their evaluation of the candidate for tenure. The candidate for tenure may provide the names of potential sources of such outside recommendations.

The material in the tenure review file will only be available to the faculty member, appropriate committees and councils, and those administrators whose approval is officially necessary for implementation of the committee's recommendation. The faculty candidate must participate in the preparation of the biographical and supporting documentation that accompanies the **Promotion/Tenure Form** and sign a statement indicating that he has reviewed the file and it is accurate and complete. The file is then delivered to the departmental committee, Department Head and school committee for review and letters of recommendation are added to the file at this time.

8.5 **ENDORSEMENTS FOR TENURE**

[LSUHSC-NO]

Applications for tenure must be accompanied by a recommendation from the departmental promotions committee and Department Head(s). The vote of the departmental promotions committee must be indicated on the **Promotion/Tenure Form**. These recommendations should specifically address the degree to which the candidate meets the appropriate criteria as listed in Sections [2.0](#) and [6.0](#) of the Faculty Handbook. Candidates who receive negative recommendations by the departmental promotions committee and the Department Head can request review by the school promotions committee if they choose.

8.6 **ACTION ON TENURE**

[LSUHSC-NO]

Decisions regarding tenure represent a succession of judgments of whether the candidate meets the criteria set forth in Handbook Sections [2.0](#) and [6.0](#). Tenure requests are submitted by the Department Head to the Dean of the School on the **Promotion/Tenure Form**. A Standardized Biographical Data attachment must also be submitted.

The requests are preliminarily reviewed by the office of the Dean for completeness and accuracy and then forwarded to the faculty promotions committee of the School. This committee returns a recommendation to the Dean. Positive committee recommendations are submitted to other appropriate committees and/or Administrative Councils for their recommendations to the Dean. Negative recommendations of the faculty promotions committee, with which the Dean concurs, are returned to the Department Head, who may appeal the decision based on School policy. The Dean of the School may agree or disagree with recommendations. The above decisions are indicated on the **Promotion/Tenure Form** and appropriate signatures are affixed.

When the above process has been completed within the School, even if the Dean's recommendation is negative, the recommendation is then forwarded for consideration by the Vice Chancellor for Academic Affairs, the Chancellor, the Vice President for Academic Affairs, and the President of the LSU System. Positive recommendations are forwarded for final action to the LSU Board of Supervisors.

If a faculty member has an appointment in more than one Department or School, each Department or School involved must participate in the tenure process (i.e., review by the appropriate faculty committees and Administrative Councils of all Schools/Departments involved).

Unless extraordinary circumstances prevail, when a recommendation for tenure is approved by the Board of Supervisors, tenure takes effect at the beginning of the next fiscal year.

8.7 MULTIPLE-CAMPUS APPOINTMENTS – TENURE

[Excerpt from PM-23, February 2, 2009]

<http://www.lsuhs.edu/administration/pm/pm-23.pdf> or

<http://www.lsusystem.edu/index.php/policies/permanent-memoranda/>

Regarding recommendation for tenure of faculty with multiple-campus appointments: a split recommendation for tenure will result in the approving campus acquiring full financial responsibility for the individual.

9.0 **SEPARATION**

9.1 **RESIGNATION**

[LSUHSC-NO]

A faculty member may terminate his employment by giving written notice to his Department Head or appropriate administrative officer at least ninety (90) calendar days before the effective date of the resignation. The requirement of ninety (90) days' notice may be waived by mutual agreement of the Health Sciences Center and the faculty member.

9.2 **RETIREMENT**

See the LSUHSC-NO Human Resources Management Web page at <http://www.lsuohsc.edu/no/administration/hrm/>.

9.3 **TERMINATION FOR CAUSE**

9.3.1 **CRITERIA FOR TERMINATION**

[LSUHSC-NO]

Any appointment, whether term or tenure, may be terminated for cause. Cause for termination may include, but is not limited to, incompetence, failure to perform assigned duties, willful breach of university policies and procedures, serious breach of professional ethics or standards, dishonesty, moral turpitude or conviction of a felony. Actions that constitute exercise of academic freedom or rights guaranteed by State or federal law shall not be cause for termination. Prior to termination for cause, a faculty member shall be entitled to due process as set forth in the Bylaws and Regulations of the Board of Supervisors and in the Faculty Handbook as discussed in Section 9.3.2.

CRIMINAL CHARGES – Any faculty member charged with a felony or any other illegal conduct that is seriously prejudicial to the University may be placed on leave with pay by the Chancellor or his designee.

9.3.2 **DUE PROCESS RIGHTS**

[LSUHSC-NO]

Recommendation for termination of a faculty member shall be made by the Department Head in the form of a Request for Termination. The Request for Termination shall be in writing and shall include a written statement of charges registered against the faculty member, a list of all known documentary evidence, a list of witnesses and a brief statement of the nature of testimony expected to be given by each witness. The Request for Termination shall be delivered in person to the Dean. If the Dean finds that the charges registered against the faculty member appear to be substantive, he shall give Notice to the faculty member in writing of the intent to initiate proceedings which might result in termination for cause. The

Notice shall include a copy of the Request for Termination and shall be delivered by certified mail to the faculty member and a copy sent to the Chancellor.

The faculty member shall have an opportunity to prepare and present a defense to the charges set forth in the Notice at a hearing before an impartial *ad hoc* committee, which shall be advisory to the Dean. The faculty member shall have five (5) working days after receipt of the Notice to notify the Dean in writing whether he will challenge the Request for Termination and desires that an *ad hoc* committee be formed. If the faculty member contends that the proposed termination is based, in whole or in part, on age, disability (mental and physical), equal pay, national or ethnic origin, pregnancy, race, religion, sex, sexual harassment, marital status, or veteran status the faculty member shall inform the Dean of that contention. The Dean shall then invoke the proceedings set out in Handbook Section 10.6.4. The hearing for termination for cause shall not proceed until an investigation has been conducted pursuant to Handbook Section 10.6.4.

The *ad hoc* committee shall consist of five (5) fulltime, tenured faculty members who shall be selected in the following manner:

The faculty member shall notify the Dean and the Department Head of the faculty member's recommendations for two appointees to the *ad hoc* committee within five (5) working days after his receipt of the Notice. The Dean shall then notify the Department Head of the faculty member's choice of committee members. The Department Head shall have five (5) working days from receipt of such Notice to notify the Dean of his two recommended appointees to the committee. The four sitting committee members shall then select the fifth member within five (5) working days of receipt of notice of the Department Head's nominees to the committee, thereby the committee is formed. Once the committee is formed, the Dean shall forward to the committee the Notice and shall notify the committee members that they must select a committee chairman and set a hearing date to be held within forty (40) working days of formation of the committee.

The committee shall establish the hearing date. The faculty member and Department Head shall be given at least fifteen (15) working days notice of the date, time, and place of the hearing. The committee chairman shall send the notice by certified mail and shall send a copy of the notice to the Dean. Each party shall provide the committee chairman and the other party a witness list, a brief summary of the testimony expected to be given by each witness, and a copy of all documents to be introduced at the hearing at least ten (10) working days prior to the hearing.

The hearing shall be conducted as follows.

The chairman of the committee shall conduct the hearing. Each party shall have the right to appear, to present a reasonable number of witnesses, to present documentary evidence, and to cross examine witnesses. The parties may be excluded when the committee meets in executive session. The faculty member may be accompanied by an attorney as a nonparticipating advisor. Should the faculty member elect to have an attorney present, the Department Head may also be accompanied by an attorney. The attorneys for the parties may confer and advise their clients upon adjournment of the proceedings at reasonable intervals to be

determined by the Chairman, but may not question witnesses, introduce evidence, make objections or present argument during the hearing. However, the right to have an attorney present can be denied, discontinued, altered, or modified if the committee finds that such is necessary to ensure its ability to properly conduct the hearing. Testimony is under oath or affirmation before a certified court reporter. Rules of evidence and procedure are not applied strictly, but the Chairman shall exclude irrelevant or unduly repetitious testimony. The Chairman shall rule on all matters related to the conduct of the hearing and may be assisted by University Counsel. At the request of the faculty member, the Chairman shall invite an AAUP representative to be present during the hearing as a non-participating observer.

The recording of the hearing shall be transcribed and the faculty member may receive, upon a written request and at his cost, a copy of the transcript.

Following the hearing and reviewing all of the evidence, the committee shall render a written report to the Dean within twenty (20) working days. The report shall include the committee's finding as to whether or not the faculty member should be terminated for cause or otherwise have restrictive measures imposed, along with reasons for its finding; a summary of the testimony presented; and any dissenting opinions. In any hearing in which the faculty member has alleged discrimination, the report shall include a description of the evidence presented with regard to this allegation and the conclusions of the committee regarding the allegations of discrimination. The Dean shall review the committee's report and may accept, reject, or modify the committee's finding. The Dean shall render a decision within ten (10) working days from receipt of the committee's report. The decision shall be in writing and sent by certified mail to the faculty member, and a copy shall be sent to the Department Head and Chancellor.

If the Dean's final decision is to terminate or impose restrictive measures and the faculty member is dissatisfied with the decision reached by the Dean, the faculty member may appeal to the Chancellor, with such appeal limited to alleged violations of procedural due process only. The faculty member shall deliver Notice of Appeal of Termination to the Chancellor within five (5) working days after receipt of the Dean's decision. The Notice of Appeal shall specify the alleged procedural defects upon which the appeal is based. The Chancellor may grant or deny the appeal in whole or in part. If the Chancellor grants the appeal, he shall review only the record from the hearing and reports rendered. The Chancellor shall not consider any new evidence. The Chancellor's review shall be limited to whether the faculty member received procedural due process. The Chancellor shall then either accept, reject, or modify the Dean's decision. The Chancellor shall render his decision within fifteen (15) working days of receipt of the faculty member's appeal. The decision shall be in writing and a copy of the decision shall be delivered by certified mail to the faculty member. Copies of the decision shall also be provided to the Department Head and Dean. The Chancellor's decision shall be final, except for appeal to the President of the LSU System as provided for in the Bylaws and Regulations of the Board of Supervisors of Louisiana State University.

A faculty member who at any stage of the process fails to file a request for further action by the deadline indicates acceptance of the determination at the previous stage.

Any time limit set forth in this procedure may be extended by mutual written agreement of the parties and, when applicable the consent of the chairperson of the *ad hoc* committee.

9.4 RETRENCHMENT [LSUHSC-NO]

CRITERIA

LSUHSC-NO may terminate or reduce the contractual rights of faculty members when the Chancellor, upon authority of the President and Board of Supervisors, determines that it is necessary (1) to alleviate a financial exigency within the Health Sciences Center or subunit thereof, or (2) to effect a reorganization or elimination of an academic program of the institution. Financial exigency is defined as the critical, pressing, or urgent need on the part of the University to reorder its monetary expenditures in such a way as to remedy and relieve the state of urgency within the University.

For more information, see the Bylaws, Section 5-13, [October 2, 2008] at <http://www.lsuhs.edu/administration/bylaws/> or <http://www.lsusystem.edu/index.php/policies/bylaws-regulations/>

RETRENCHMENT PLAN

In the event of financial exigency or the need to reorganize or eliminate an academic program, the Chancellor of LSUHSC-NO, after consulting with the officers of the Faculty Senate, will appoint an *ad hoc* committee of faculty and administrators to institute an orderly and consistent plan of retrenchment. Dismissal of faculty will only be initiated after all alternative means of alleviating the financial crisis have been exhausted or deemed inadequate. This retrenchment plan may be administered on a school-wide, departmental or program basis.

Termination of faculty members in order to alleviate a financial exigency shall be in the following order:

- Faculty on term appointments, starting with the most recently appointed and then proceeding in reverse order of seniority.
- Tenured faculty on continuous appointments, starting with the most recently appointed, and then proceeding in reverse order of seniority.

For the purposes of this retrenchment plan, seniority shall mean total years of service at LSUHSC-NO as determined by the retirement system.

EXCEPTIONS TO THE RETRENCHMENT PLAN

Department Heads or other administrators who wish to make specific exceptions to the Retrenchment Plan in order to avoid serious distortion of the academic program can appeal to the Dean of the appropriate school, who will act upon a recommendation made by an *ad hoc* committee of faculty members appointed by the Dean of the School.

NOTICE

Faculty and other employees under contract who are furloughed, laid off, or terminated before the end of their contract terms for reasons of financial exigency shall, whenever possible, be notified in writing by LSUHSC-NO at least ninety (90) days in advance of the date of the furlough, layoff, or termination, in accordance with LSU System Bylaws and Regulations Section 5.13.c. This written notice shall specify the cause of the termination, or reduction of time, provide a summary description of the facts relied on by the Health Sciences Center to make the decision, and a reference to the faculty member's rights to file an appeal pursuant to Handbook Section 10.10. Written notice shall be sent by certified U.S. mail, return receipt requested.

ALTERNATIVE POSITIONS

Faculty members whose employment time is terminated or reduced due to retrenchment will be eligible to transfer to any vacant LSUHSC-NO faculty position for which he is qualified, subject to the terms and conditions of employment attendant to that position. A faculty member's qualification for a vacant position shall be determined by the Dean of the appropriate school, after consultation with the Department Head involved, and approved by the Chancellor. A faculty member who exercises the rights accorded under this section and who is determined by the Dean of the school to be qualified for a vacant position will have a preemptive right to the position consistent with the retrenchment plan.

REVIEW

If a faculty member has been notified of termination or reduction of time, he may appeal only the procedural application of the plan.

RECALL

If vacancies become available, faculty terminated under the retrenchment plan will be recalled in the reverse order of dismissal. Faculty will be eligible for recall up to one year after dismissal. Exceptions to this order can be appealed by the Department Head to the Dean of the appropriate school, who will act upon a recommendation made by an *ad hoc* committee of faculty members appointed by the Dean of the school.

10.0 FACULTY RIGHTS, DUTIES, AND RESPONSIBILITIES

10.1 ACADEMIC FREEDOM

[Bylaws, Article VIII, Section 1, October 2, 2008]

<http://www.lsuhs.edu/administration/bylaws/> or

<http://www.lsusystem.edu/index.php/policies/bylaws-regulations/>

The University System is committed to the principle of academic freedom. This principle acknowledges the right of a teacher to explore fully within the field of assignment and to give in the classroom and elsewhere such exposition of the subject as the teacher believes to represent the truth. This principle also includes the right of a member of the academic staff of the University System to exercise in speaking, writing, and action outside the University the ordinary rights of a citizen, but it does not decrease the responsibility which the member of the academic staff bears to the University System, the State, and the Nation. When a member of the academic staff is not officially designated to represent the University System, the staff member must indicate clearly that he or she is speaking as an individual citizen.

Among the many implicit responsibilities which must be assumed by those enjoying the privileges of academic freedom shall be that of refraining from insisting upon the adoption by students or others of any particular point of view as authoritative in controversial issues.

Allegations that the academic freedom or other rights of a faculty member have been violated are to be settled according to the procedures outlined in Section [10.10](#) on the Faculty Appeals Process in this [Handbook](#). [LSUHSC-NO]

10.2 THE STATEMENT OF PROFESSIONAL ETHICS

[AAUP, June 1987]

[<http://www.aaup.org/AAUP/pubsres/policydocs/contents/statementonprofessionalethics.htm>]

The "Statement of Professional Ethics" promulgated by the American Association of University Professors is a reminder of the variety of obligations assumed by all members of the academic profession. This Statement, which has been adopted as the statement of ethics for the Health Sciences Center, is as follows:

1. Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.

2. As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to ensure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.
3. As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas professors show due respect for the opinions of others. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.
4. As members of an academic institution, professors seek above all to be effective teachers, and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.
5. As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

Health Sciences Center faculty members are also expected to adhere to other professional codes of ethics related to their disciplines.

10.3 VIOLATION OF THE STATEMENT OF PROFESSIONAL ETHICS

[LSUHSC-NO]

In the event that a faculty member is accused of violating the Statement of Professional Ethics, as discussed in Handbook Section 10.2, the following process will occur:

- A. The faculty member will receive a written statement of the charges, including a list of the names of all witnesses, delivered by certified U.S. mail.
- B. The faculty member charged will have the opportunity to obtain copies of all documentary and other available evidence.
- C. The faculty member, if he/she desires, will have an opportunity to prepare and to present a defense to the charges in a hearing before an impartial *ad hoc* committee appointed by the Dean of the school. The intent to present a defense must be submitted to the Dean in writing within ten (10) working days of receipt of the written statement of charges.
- D. The *ad hoc* advisory committee will consist of three tenured faculty members and shall be advisory to the Dean. This committee shall establish a procedure for the investigation. After hearing all evidence, the committee shall make a determination to the Dean as to whether the charges are substantiated by the evidence. Legal counsel is not permitted at the hearing. Committee findings and all documentation shall be forwarded to the Dean. In the event that the faculty member is found to have violated the Statement, the committee will also forward to the Dean recommendations for sanctions.
- E. If the Dean upon review of the matter and taking into account the *ad hoc* committee recommendation(s) finds that the faculty member has violated the Statement, the Dean shall inform the faculty member of such a decision in a letter sent by certified U.S. mail. Included in the letter will be sanctions to be imposed, if any.
- F. In the letter the faculty member will also be informed that he/she may initiate an appeal based on the Faculty Appeals Policy detailed in Chancellor's Memorandum #24 and found in Handbook Section 10.10. The faculty member, if terminated, may initiate an appeal of termination for cause (Handbook Section 9.3.2) only on the grounds of violation of due process.
- G. The faculty member may accept the decision of the Dean or may elect to appeal. The faculty member's decision to appeal must be submitted in writing within ten (10) working days after receipt of the Dean's letter.
- H. The appeal, if allowed, will follow the process of the Faculty Appeals Policy detailed in Chancellor's Memorandum #24 and found in Handbook Section 10.10.

10.4 The LSUHSC-NO CODE OF CONDUCT

[[Office of Compliance Programs - Code of Conduct](#), 6/22/06]

The Code of Conduct is a brief summary of the laws, regulations, and policies that govern the actions of those affiliated with LSUHSC-NO. The Code of Conduct does not replace the professional codes of conduct, but provides a set of expectations for everyone associated with LSUHSC-NO. Because the Code of Conduct is a summary of the laws, regulations and policies under which the University must operate. Adherence to the Code of Conduct is a condition of employment, and/or affiliation and faculty members must sign a form stating that they have read the Code.

10.5 DUTIES AND RESPONSIBILITIES OF THE FACULTY

[[By-laws](#), Article VIII, Section 2 and Chapter 1 – 2.2, October 2, 2008]

Each member of the academic staff is expected to be devoted to the accomplishment of the purposes for which the University System exists: instruction, research, and public service. Those members of the academic staff who comprise the faculty of the University System are charged to determine the educational policy of the System through deliberative action in their respective units and divisions.

<http://www.lsuhs.edu/administration/bylaws/> or

<http://www.lsusystem.edu/index.php/policies/bylaws-regulations/>

The faculty or Faculty Council (The terms “faculty” and “Faculty Council” are used interchangeably in this Section (Bylaws 1-2-2).) shall establish curricula, fix standards of instruction, determine requirements for degrees, and generally determine educational policy, subject to the authority of the Board[of Supervisors]. Except as otherwise provided, each faculty shall establish its own educational policies. It shall, within the framework of the educational policy of the System, have legislative power over all matters pertaining to its own meetings and may delegate its own authority to an elected Senate and/or to standing committees, whose authority shall be limited to matters which are proper to the faculty and which have been specifically delegated by the faculty. It shall make recommendations for the granting of degrees through its respective colleges or schools not within a college.

<http://www.lsuhs.edu/administration/bylaws/> or

<http://www.lsusystem.edu/index.php/policies/bylaws-regulations/>

10.5.1 Responsibilities of the Faculty

[[By-laws](#), Article VIII, Section 5, October 2, 2008]

<http://www.lsuhs.edu/administration/bylaws/> or

<http://www.lsusystem.edu/index.php/policies/bylaws-regulations/>

It is the basic principle that every member of the faculty of whatever rank shall at all times be held responsible for competent and effective performance of appropriate duties. No principle of tenure shall be permitted to protect any person from removal from a position after full and careful investigation, according to procedures of due process, has revealed that the person has not met and does not give promise of meeting the responsibilities of the position.

10.5.2 Principal Occupation [LSUHSC-NO]

Each full-time faculty member is expected to foster the mission of the Health Sciences Center as his principal occupation. Faculty members owe their professional activities to the Health Sciences Center in proportion to their appointment obligation.

Employment activities outside the Health Sciences Center are governed by PM-11 and Handbook Section 12.

10.5.3 Course Offerings and Content [LSUHSC-NO]

Course offerings and curricula are established by the faculties of the Schools of the Health Sciences Center. Individual faculty members are responsible for following the curriculum and for providing course content that will appropriately meet the needs of the students.

Planning and presentation of course material is the responsibility of the course director. Course directors are responsible for ordering textbooks and other course materials. Course plans and evaluation procedures should be presented to students in writing at the outset of each course. Faculty members should teach material that is appropriate to the assigned level of each course.

Faculty members are responsible for evaluating students and for assigning grades. Faculty members shall report the results of student evaluations within a reasonable time after the students' work is submitted for assessment. Course directors shall provide the Registrar and other appropriate individuals with grades and evaluations of students based on their academic and professional performance.

Each faculty member is responsible for meeting deadlines established by course directors, Department Heads, the Registrar, the Health Sciences Center Bookstores, and other appropriate administrative offices.

10.5.4 Class-Related Responsibilities [LSUHSC-NO]

Faculty members are responsible for conducting instructional activities as scheduled. If a faculty member is unable to meet a regularly scheduled class, appropriate alternate instruction must be arranged and approved by the course director or Department Head.

Faculty members shall be reasonably accessible to students and shall inform students about their availability for consultation about course work.

10.5.5 Student Advising [LSUHSC-NO]

Since a fundamental objective of the Health Sciences Center is assisting students to develop their personal and professional potential, the Health Sciences Center emphasizes the role of its faculty in advising students. Appropriate advising must be founded on a sustained concern for the academic growth of students as well as for their personal well-being. Responsibilities for advising students may be allocated to individual faculty members by the administration of the School.

The Faculty member's role as a student's advisor includes advising the student on academic program and career goals and recognizing a student's need for professional help in solving personal or academic problems and directing the student to the appropriate resource.

10.5.6 Service [LSUHSC-NO]

SERVICE TO THE HEALTH SCIENCES CENTER

Each faculty member shares responsibility for the administration and governance of the Health Sciences Center and is expected to participate regularly in faculty meetings and in such committee work as he assumes. Each faculty member should be available on a regular basis to assist the Department Head as needed in departmental affairs and to consult with colleagues.

As members of the larger LSUHSC-NO community, faculty members are expected to make every effort to work cooperatively with members of all Departments and Schools.

SERVICE TO THE COMMUNITY

Faculty members are encouraged to participate in community service related to their particular disciplines. When a faculty member engages in community service related to his discipline, his role as a representative of the University should be considered carefully and made clear to others in his service group. Service activities in the general community, unrelated to a faculty member's discipline, include participation in civic programs and social endeavors. These service activities are generally encouraged by the Administration of the University.

10.6 LEGAL AND ETHICAL CONSIDERATIONS AND CONSTRAINTS

10.6.1 Use of Copyrighted Material [LSUHSC-NO]

Faculty members are responsible for knowing and observing the laws about the use of copyrighted material. The regulations are set forth at <http://www.copyright.gov/title17/>.

10.6.2 Sexual Harassment/Gender Discrimination [CM-49, May 27, 2002] <http://www.lsuhs.edu/administration/cm/cm-49.pdf>

LSU Health Sciences Center at New Orleans (LSUHSC-NO) is committed to providing a professional work environment that maintains equality, dignity, and respect for all members of its community. In keeping with this commitment, LSUHSC-NO prohibits discriminatory practices, including sexual harassment. Any sexual harassment, whether verbal, physical, or environmental, is unacceptable and will not be tolerated.

Sexual harassment is illegal under federal, state and local laws. It is defined as any unwelcome sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature when:

1. Submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual; or
3. The conduct has the purpose or effect of unreasonably interfering with the individual's performance, or of creating an intimidating, hostile or offensive working environment.

Types of behavior that may constitute sexual harassment may include, but are not limited to:

- ☐ Unwelcome sexual flirtations, advances or propositions;
- ☐ Derogatory, vulgar, or graphic written or oral statements regarding one's sexuality, gender or sexual experience;
- ☐ Unnecessary touching, patting, pinching or attention to an individual's body;
- ☐ Physical assault;
- ☐ Unwanted sexual compliments, innuendo, suggestions or jokes;
- ☐ The display of sexually suggestive pictures or objects.

Any member of the LSUHSC-NO community, who has a workplace sexual harassment complaint against a supervisor, co-worker, visitor, faculty member, or other person, has the right and obligation to bring the problem to the attention of LSUHSC-NO. Any supervisor who witnesses such conduct or receives a complaint must report the incident to Human Resource Management (HRM); an appropriate supervisor; or to those individuals designated in the following LSUHSC-NO publications: Faculty Handbook, Catalog/Bulletin, or Residents and Fellows Policies and Procedures.

A staff member, who believes he or she has been sexually harassed, should immediately report the incident to the Labor Relations Manager of Human Resource Management (504/568-8742), the Director of Human Resource Management (504/568-4832), or to an appropriate supervisor. If the complaint involves someone in the staff member's direct line of supervision, the employee should inform another supervisor of the complaint. Any recipient of such a complaint should notify HRM.

The Department of Human Resource Management will be responsible for investigating complaints of sexual harassment occurring between staff members; complaints made by staff against students; and complaints made by staff against other third parties. HRM will either investigate or assist those responsible for investigating complaints made by or against faculty members; made by students; or made by residents, in accordance with the policy contained in the following applicable LSUHSC-NO publications: Faculty Handbook, Catalog/Bulletin, or Residents and Fellows Policies and Procedures.

Actions taken to investigate and resolve sexual harassment complaints will be conducted confidentially to the extent practicable and appropriate in order to protect the privacy of persons involved. An investigation may include interviews with the parties involved in the incident, and if necessary, with individuals who may have observed the incident or conduct or who have other relevant knowledge. The individuals involved in the complaint will be notified of the results of the investigation.

There will be no discrimination or retaliation against any individual who makes a good faith sexual harassment complaint, even if the investigation produces insufficient evidence to support the complaint. There will be no discrimination or retaliation against any other individual who participates in the investigation of a sexual harassment complaint. If the investigation substantiates the complaint, appropriate corrective and/or disciplinary action will be swiftly pursued. LSUHSC-NO will make every reasonable effort to insure that all members of the LSUHSC-NO community are familiar with this policy. Questions or concerns regarding this policy should be directed to the Labor Relations Manager of Human Resource Management.

Additional policies and procedures are described in PM-73 [June 18, 2014] Title IX and Sexual Misconduct Policy.

<http://www.lsuhs.edu/administration/pm/pm-73.pdf>

10.6.3 Discrimination Policy [LSUHSC-NO]

The Health Sciences Center does not tolerate the following types of discrimination:

Age	Religion
Disability (mental and physical)	Sex
Equal pay	Sexual harassment
National or ethnic origin	Marital status
Pregnancy	Veteran status
Race	

Any individual who perceives such discrimination should report specific occurrences according to the procedure outlined in Handbook Section [10.6.4](#).

For more detailed information on the LSUHSC-NO Equal Opportunity Policy see Handbook Section [4.5.2](#).

10.6.4 Discrimination Investigation and Appeals Procedure [LSUHSC-NO]

A faculty member who feels that he or she has been the subject of discrimination based on age, disability (mental and physical), equal pay, national or ethnic origin, pregnancy, race, religion, sex, sexual harassment, marital status, or veteran status should inform his Department Head, Dean or the Office of Human Resource Management (HRM). Students and Residents should address questions of discrimination and/or harassment to their academic advisor, Department Head, the Dean of Students, or to HRM. Research associates should address complaints to their supervisors, Department Head, Dean, or to HRM. The recipient of a faculty or student complaint filed pursuant to this section will notify HRM and seek that office's assistance in connection with an investigation of the complaint. In all complaints involving a faculty member, the Chancellor or the Chancellor's designee shall select a member from the Faculty Senate to participate in and assist HRM in conducting its investigation. This Faculty Senate member shall not be from the faculty member's department or a witness to or otherwise involved in the complaint. The recipient of a faculty or student complaint will have one peremptory challenge of the faculty member selected from the Faculty Senate. An investigation will be conducted immediately by HRM and the designated faculty representative with care to safeguard the confidentiality of all the parties involved; however, in order to conduct an adequate investigation of the complaint, it may be necessary to discuss the complaint with witnesses and the accused. A complaint may be resolved at any point in this process at the recommendation of HRM with the consent of the parties and approval of the Chancellor.

- A. A report of the investigation shall be submitted to the Chancellor, and shall include, when possible, conclusions concerning the allegations. The report should also include recommendations for a resolution of the complaint. The complainant and accused will be provided a summary of the conclusions by either HRM.

- B. If the complaint is found to be valid, the accused may be directed to appropriate counseling, receive discipline, or be recommended for termination, depending on the degree or seriousness of the offense. In the event a faculty member, involved as either the accused or the victim, disagrees with the conclusions recommended as a result of the investigation, he or she may invoke the procedures set out in Handbook Section 10.10. If either party invokes this appeals process, the Chancellor or the Chancellor's designee will forward a copy of HRM's report to the Standing Appeal Committee. If allegations of discrimination are first raised as a part of a faculty appeal, that is, prior to an investigation of the complaint by Human Resource Management, the Chancellor shall refer the complaint to HRM for investigation in accordance with this section. No appeal shall proceed until an investigation has been conducted and a report of the investigation has been submitted to the Chancellor.
- a. If allegations of discrimination are first received as part of a Termination for Cause proceeding, that is, prior to an investigation of the complaint by Human Resource Management, the Chancellor shall refer the complaint to HRM for investigation in accordance with this section. The hearing for Termination of Cause shall not proceed until an investigation has been conducted and a report of the investigation has been submitted to the Chancellor. The Chancellor shall then forward a copy of HRM's report to the *ad hoc* committee. The formal complaint may be oral or written, with sufficient specificity to allow efficient investigation.

A person who complains in good faith will suffer no reprimand or retaliation. The person accused of discrimination will be promptly notified and will be given an opportunity to respond.

10.7 REPORTING MISCONDUCT IN RESEARCH

[LSUHSC-NO, Office of the V. C. for Academic Affairs]

LSUHSC-NO is required by the Department of Health and Human Services to develop an administrative process for reviewing reports of misconduct in scientific research. Misconduct includes but is not limited to plagiarism, use of fraudulent data, invalid administrative procedures and/or misappropriation of research funds.

- A. MECHANISM FOR INITIAL INQUIRY INTO ALLEGATIONS OF MISCONDUCT IN RESEARCH – Initial written report of alleged misconduct should be brought to the attention of the supervisor of the individual(s) whose actions are in question. That person must immediately report the allegations to the next person above him in the administrative structure and/or the Department Head. That initial report with or without comment by the Department Head must be promptly referred in writing to the Dean of the School, if applicable, and to the Vice Chancellor for Academic Affairs (VCAA) within five (5) working days. The individual accused of misconduct will be notified of the accusation in writing concomitantly. If the circumstances warrant, the person making the original allegations should report the incident directly to the Dean and the VCAA. In the event the allegations are judged by joint agreement of the Dean and the VCAA to warrant an inquiry, the matter will be referred to a standing Inquiry Committee and the respondent will be notified of this decision in writing, in advance of the inquiry. If the inquiry identifies additional respondents, those parties will also be notified in writing by the VCAA.

The Inquiry Committee will consist of six senior tenured LSUHSC-NO faculty members experienced in research. Each LSUHSC-NO Dean will select one faculty member from his school to serve on this committee. The sole purpose of the Inquiry Committee will be to review, in fewer than twenty (20) working days, the available information, make a written report, and recommend to the VCAA whether or not an investigation should be conducted. The VCAA will make the final decision whether to terminate an inquiry or proceed with a formal investigation. If it is determined by the VCAA there is not sufficient basis for pursuing the allegations, the matter will be considered closed and the respondent will be notified in writing. The findings and recommendation from the Inquiry Committee will be documented, along with the VCAA's reasons not to pursue a formal investigation. If it is determined an investigation is warranted, the accused will be notified in writing in advance of any investigation; this notice will include a copy of the inquiry report, along with a copy of the institution's policies and procedures on investigations of misconduct in research. The respondent will have five (5) working days to provide written comments on the institution's inquiry report.

The VCAA will be responsible for maintenance of an appropriately constituted file for each inquiry for at least 7 years. Documented inquiry results and the VCAA's decision will be made available to the individual(s) accused and to the person(s) making the allegations. The reasons for the VCAA's choice of action will be transmitted to the Inquiry Committee.

All materials gathered by the Inquiry Committee, as well as their findings and recommendations, will be made available to the Investigation Committee if it is convened and to the appropriate funding agency.

From the onset, LSUHSC-NO will protect the rights and reputations of all parties including: the individual(s) who report the perceived misconduct in good faith, the individual(s) about whom the allegations are made, and the members of the Inquiry Committee.

LSUHSC-NO will always notify the PHS Office of Scientific Inquiry at the National Institutes of Health and/or any other appropriate awarding component immediately if findings from the inquiry process indicate an investigation is to be undertaken. There may be an instance when the awarding component will be notified by the VCAA even prior to the decision to initiate an investigation. The following factors will be considered in deciding when to notify the awarding component:

- a) the seriousness of the possible misconduct;
- b) when a situation involves an immediate health hazard;
- c) when there is a need to protect the interests of the funding agency;
- d) the need to protect the interest LSUHSC-NO of the individual who is the subject of the impending investigation as well as his co-investigators and associates, if any;
- e) the institution's responsibility to the scientific community and the public at large; and
- f) within 24 hours if there is a reasonable indication of possible criminal violation.

The LSUHSC-NO may take appropriate interim administrative actions to protect Federal funds and ensure that the purposes of the Federal financial assistance are being carried out.

- B. MECHANISM FOR INVESTIGATION OF ALLEGED MISCONDUCT IN RESEARCH –**
If the VCAA deems a more thorough investigation is warranted, an ad hoc Investigative Committee will be formed to initiate within twenty (20) working days a thorough investigation of the alleged misconduct. The Investigative Committee will consist of at least six (6) tenured impartial faculty members and will be selected by the VCAA. The VCAA will consider the merits of involving outside, objective parties in the investigation.

LSUHSC-NO will afford the affected individual(s) confidential treatment, a prompt and thorough investigation, and an opportunity to provide evidence and/or documentation relative to the allegations and findings of the Investigative Committee and its recommendation. Should it become necessary, LSUHSC-NO will give the respondent written notice of any new allegations of research misconduct within a reasonable amount of time of deciding to pursue allegations not addressed during the initial inquiry or in the initial notice of investigation.

In undertaking an investigation LSUHSC-NO will act promptly, ensure fairness to all, secure necessary and appropriate expertise to carry out a thorough and authoritative evaluation of the relevant evidence, and take precautions against real or apparent conflict of interest. Following its review the Investigative Committee will formulate a draft report of its findings regarding the validity of the accusations. The respondent will have thirty (30) days to provide written comments on the draft report, after which the Investigative Committee will have an additional ten (10) working days to consider and address those comments before issuing its final report to the VCAA. The Investigative Committee may make recommendations regarding administrative action to be taken. The VCAA will take the report of the committee under advisement and document in writing the reasons for the final decision and any administrative action. The VCAA will notify in writing the individual(s) accused of the final decision, and will further maintain a complete investigation file for at least seven years.

The LSUHSC-NO will keep any applicable awarding component apprised on any developments during the course of the investigation. The LSUHSC-NO will disclose facts that:

- a) may affect the current or potential funding for the individual(s) under investigation;
- b) the awarding component needs to know to ensure appropriate use of its funds; or
- c) protect the public interest.

C. ACTION TO BE FOLLOWED SUBSEQUENT TO AN INVESTIGATION –If the alleged misconduct is substantiated by a thorough investigation the following actions will be completed in a timely manner:

- a) Appropriate sponsoring agency will be notified of the findings of the investigation.
- b) All pending abstracts and papers emanating from fraudulent research will be withdrawn or corrected, if appropriate, and editors of journals in which previous abstracts and papers appeared will be notified.
- c) Other institutions and sponsoring agencies with which the individual has been affiliated will be notified if there is reason to believe that the validity of previous research might be questionable.
- d) Appropriate action will be taken to terminate or alter the status of a faculty member(s) whose misconduct is substantiated.

Institutional administrators will consider, in consultation with legal counsel, release of information about the incident to the public press, particularly when public funds were used in supporting fraudulent research.

If the alleged misconduct is not substantiated by a thorough investigation, formal efforts will be undertaken to restore fully the reputation of the researcher(s) under investigation. In addition, appropriate action will be taken against any parties whose involvement in leveling unfounded charges was demonstrated to have been malicious or intentionally dishonest.

LSUHSC-NO will protect, to the maximum extent possible, the positions and reputations of those persons who, in good faith, make allegations of scientific misconduct.

Subsequent to the completion of an investigation, faculty practices and institutional policies and procedures for promoting the ethical conduct of research and investigating allegations of misconduct will be scrutinized and modified in light of the experience gained.

The University will provide full and continuing cooperation with the Office of Research Integrity (ORI) during its oversight review including available records, evidence, access to people, etc. that would enable ORI to develop a complete record of relevant evidence.

- D. TIME CONSIDERATION – The LSUHSC-NO will take no more than twenty (20) working days to conduct its inquiry and determine whether an investigation is warranted. If the inquiry cannot be completed within twenty (20) working days, the VCAA will notify the awarding component immediately, provide the reasons for the delay and indicate when the inquiry would be complete. The LSUHSC-NO will take no more than eighty (80) working days to complete the investigation, prepare the report of findings, obtain the comments of the subject(s) of the investigation, and make a decision on the disposition of the case. If the institution determines, at the end of sixty (60) working days, that it cannot complete its investigation and related activities within the eighty (80) working day period, it will submit to the awarding component an interim report on progress to date and a timetable for completion of the necessary activities. Thereafter, a report will be submitted to the awarding component every forty (40) work days until such time that the investigation and all attendant actions are completed.

10.8 DRUG FREE WORKPLACE/WORKFORCE

[Please consult CM-23, 1/15/02]

<http://www.lsuhs.edu/administration/cm/cm-23.pdf>

10.9 **FITNESS FOR DUTY**

[CM-37, 08/12/04]

<http://www.lsuohsc.edu/administration/cm/cm-37.pdf>

I. Policy Statement

Any individual, who works or is enrolled at Louisiana State University Health Sciences Center at New Orleans (LSUHSC-NO), is expected to report to work/school in a fit and safe condition. An individual who has an alcohol, drug, psychiatric, or medical condition(s) that could be expected to impair his ability to perform in a safe manner must self report his medical status to his supervisor and provide a signed medical release indicating his fitness for work/school to the Campus Assistance Program (CAP).

LSUHSC-NO requires all faculty, staff, residents, students, or other LSUHSC-NO workers who observe an individual who is believed to be impaired or is displaying behavior deemed unsafe at work/school to report the observation(s) to their supervisor for appropriate action. Supervisors are then required to make an administrative referral to CAP for assessment. An individual who is referred to CAP and found to be impaired must provide CAP, prior to returning to work, with a signed medical release indicating he is fit to resume his work or school responsibilities at LSUHSC-NO.

II. Scope

This policy applies to all faculty, staff, residents, students, contract and subcontract workers, medical staff, volunteers, laborers, or independent agents (henceforth referred to as individuals) who are conducting business on behalf of, providing services for (paid or gratis), or being trained at LSUHSC-NO.

III. Purpose

LSUHSC-NO promotes and protects the well-being of faculty, staff, residents, students, and patients by:

- Ensuring that an individual whose condition could place him “at risk” of causing a danger to self or others does not return to work/school until the individual is fit to return to employment/enrollment and is provided optimum support and supervision to minimize future risks and relapse
- Identifying impaired individuals and providing assistance in obtaining care and/or rehabilitation to impaired individuals
- Ensuring impaired individuals are fit for employment/enrollment upon return to LSUHSC-NO

IV. Definitions

Administrative Body – The administrative authority for all individuals, except students, shall rest with Human Resource Management and/or the Dean or his designee of the school in which the individual works. Administrative authority for students shall rest with the Dean of Student Affairs or the Dean of Academic Affairs of the student's respective school.

Administrative Referral Form – is a form used by supervisors to document the reason(s) an individual is believed to be impaired or in an unsafe condition at work/school.

At Risk Individual – is an individual whose condition is in remission, who is at risk for relapse, and in whom recurrence of his problem(s) could pose a danger to self or others.

Continuation of Employment/Enrollment Contract – is a contract between LSUHSC-NO and an individual that establishes conditions under which LSUHSC-NO will allow an "at risk" individual to continue in his employment/enrollment.

Drug – is defined as a controlled substance according to schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812).

Medical Release – Fitness for Employment/Enrollment Form – is an LSUHSC-NO form that must be completed by an appropriate physician or therapist indicating the individual's fitness to return to work or school.

Signs of Unsafe/Impaired Behavior – unsafe/impaired symptoms may include, but are not limited to, the following:

- Drowsiness or sleepiness
- Alcohol and/or drug odors on the breath
- Slurred or incoherent speech
- Confusion
- Aggressive behavior
- Unexplained mood changes
- Lack of manual dexterity
- Lack of coordination
- Work or school related accidents or injuries where a reasonable suspicion of substance abuse exists
- Excessive sloppiness
- Illegible or errant charting
- Leaving work area for extended periods or for unexplained reasons

Pronouns – Generic masculine pronouns, such as he/him/his are used when addressing an "indefinite" or "undefined" individual and are used to address both male and female when the gender is unknown. The singular encompasses the plural.

V. Self-Referral Procedures

An individual must report his medical status to his supervisor and obtain a **Medical Release Fitness for Employment/Enrollment Form** (see Section IX) if:

- He is seeking treatment or being treated for alcohol or drug abuse/dependency while employed/enrolled at LSUHSC-NO,
- He is hospitalized for or absent from work/school due to a medical or psychiatric condition that could be expected to impair his ability to perform his work/school duties in a safe manner, or
- He is taking prescription medication(s) that could be expected to impair his ability to perform his work/school duties in a safe manner

VI. Referral Procedures for Individuals Who are Found to be Impaired at Work/School

A. Identifying the Individual

Supervisors who observe or receive any information about an individual who is believed to be impaired or in an unsafe condition at work/school must document the incident on an **Administrative Referral Form** (Appendix I available online as part of CM-37), interview the individual, and notify the appropriate Administrative Body.

B. Suspension from Work or School

The respective Administrative Body will suspend the individual, with pay (if applicable), from his work/school responsibilities, pending an investigation; give suspension instructions to the individual; and immediately refer the individual to the Campus Assistance Program (CAP) for assessment/treatment.

C. Referral of Impaired Individuals

The supervisor or the respective Administrative Body will:

1. Inform the individual that his behavior has been documented and that an administrative referral has been made to CAP for evaluation or drug testing as appropriate.
2. Contact CAP by calling 568-8888 and provide the CAP counselor with a copy of the **Administrative Referral Form**, and immediately and directly escort the individual to CAP for an appropriate evaluation. The supervisor will stay with the individual until completion of the evaluation.

VII. Sanctions

Sanctions that may be imposed on individuals who violate this policy include:

- Oral/written warning
- Written reprimand
- Suspension with/without pay
- Termination

Refusal of assistance, evaluation, and/or drug testing will result in notification of the appropriate Administrative Body and is grounds for termination or suspension. The LSUHSC-NO Campus Police will be notified to escort the individual from LSUHSC-NO premises.

City, State, or professional licensing boards and other agencies will be informed if applicable and/or as required.

VIII Assistance Program Evaluations

As part of the CAP evaluation, the CAP counselor may request additional psychiatric evaluations, medical evaluations, or laboratory testing including testing for the presence of alcohol and/or drugs. Additional evaluations and tests beyond the scope of normal services provided by CAP will be the financial responsibility of the individual.

If an evaluation reveals that an individual is impaired, the supervisor will be informed orally and in writing by the CAP counselor that the individual referred for evaluation is not fit for work or school. The supervisor will then contact the appropriate Administrative Body to report CAP's findings. If the individual is impaired, he will be sent home. The impaired individual will be offered assistance and discouraged from driving. If an evaluation reveals that an individual is posing a danger to self or others, the CAP Counselor will arrange for appropriate clinical intervention.

IX **Medical Release: Fitness for Employment/Enrollment Form**

A. Medical Release Stating No Follow-Up Treatment Is Necessary

Prior to returning to work/school, an individual who requires no follow-up treatment must:

- Provide CAP with a Medical Release - **Fitness For Employment/ Enrollment Form** signed by an appropriate physician or therapist indicating the individual's fitness for work/school and stating that no further follow-up treatment is needed, and
- Obtain an evaluation and clearance from CAP

B. Medical Release Stating Follow-Up Treatment Is Necessary

An "at risk" individual who has been removed from work/school and who has: 1) tested positive for the presence of alcohol or drugs and/or (2) been diagnosed or treated for medical and/or psychiatric problems and whose condition is in remission as the result of ongoing therapy, may return to work/school if he agrees to provide the following:

- A signed **Medical Release - Fitness for Employment / Enrollment Form** and medical evidence indicating his fitness for work/school
- Evidence of continued care and an outpatient treatment plan approved by CAP
- A signed **Continuation of Employment/Enrollment Contract**
- Agreement to have close performance monitoring

- Agreement to have alcohol and drug testing, if the individual tested positive for alcohol or drugs or was diagnosed with an alcohol or drug abuse/dependency problem
- Agreement to have periodic medication checks and laboratory testing, if the individual was diagnosed with a condition(s) requiring psychotropic medication

X. **Continuation of Employment/Enrollment Contract**

LSUHSC-NO will require as a condition of continued employment/enrollment an "at risk" individual to maintain a continued care plan either recommended or approved by CAP and to sign a **Continuation of Employment/Enrollment Contract** with the following stipulations:

- LSUHSC-NO will require, as a condition of continued employment/enrollment, an "at risk" individual to participate in additional appropriate follow-up programs as determined by CAP. The follow-up programs may run from one to five years, with regular reports to CAP.
- The individual will authorize all persons involved in his evaluation and/or treatment to disclose to the CAP counselor any evaluation or information relevant to his treatment. Withdrawal or failure to complete the treatment program successfully, failure to have necessary medical or psychological evaluations, evidence of non-compliance with treatment guidelines, incomplete treatment, non-compliance with an aftercare program, or failure to abide by any part of a **Continuation of Employment/Enrollment Contract** will be grounds for immediate suspension or termination.
- An individual who is returning to work/school will be required to provide an appropriately signed **Medical Release - Fitness for Employment/Enrollment Form** documenting the individual is fit to perform all duties of his position.
- Submission to periodic or random alcohol and drug tests is required as a condition for continued employment/enrollment for an individual who has tested positive for alcohol or drugs or was diagnosed with an alcohol or drug abuse/dependency problem. Subsequent evidence of alcohol/drug abuse, drug related misconduct, or positive alcohol/drug test may result in notification of local, State, or federal law enforcement agencies and professional licensing boards (if applicable) and will be grounds for immediate suspension/termination of employment/enrollment.

XI. Confidentiality

Except as otherwise provided by this policy or in an executed release form, any information related to participation in CAP or any of its services shall be kept confidential. Information, however, will be released to the individual's immediate supervisor, Human Resource Management, the appropriate Administrative Body, the administrator(s) responsible for supervising the individual, the administrator(s) of organizations that provide personnel to LSUHSC-NO, the individual's licensing boards' Impaired Professional Program (if applicable), and appropriate agencies (when required).

All alcohol and drug testing, treatment, and referral under this policy will be done in strict confidence. Information regarding results, such as the alcohol concentration or the identification of a drug, will be provided only to

- The Medical Review Officer (MRO),
- The individual's immediate supervisor,
- Human Resource Management,
- The appropriate Administrative Body,
- Administrator(s) responsible for supervising the individual,
- Administrator(s) of organizations that provide personnel to LSUHSC-NO,
- The individual's licensing board's Impaired Professional Program (if applicable), and
- Appropriate agencies (when required).

All alcohol and drug test results will be maintained in separate files and handled in accordance with Federal Law 42 CFR Part 2.

10.10 PROCEDURES FOR FACULTY GRIEVANCES/APEALS

[CM-24, 08/12/04]

<http://www.lsuhs.edu/administration/cm/cm-24.pdf>

INTRODUCTION

The following procedure is established to provide faculty members with a mechanism to address personnel and other work-related problems. The issue presented by grievance, and when applicable, by appeal should be one that has not or cannot be resolved within the regular administrative procedures. These procedures do not apply to Termination for Cause. The applicable due process procedures for Termination for Cause are found in Faculty Handbook Section 9.3.2.

DEFINITIONS

- ☐ "Chancellor" refers to the Chancellor of the LSU Health Sciences Center at New Orleans or his designee.
- ☐ "Parties to the Appeal" refers to the complainants, i.e. the person making the complaint and the person or persons against whom the complaint is made/or whose decision is contested.
- ☐ "Faculty Member" refers to any full time salaried academic member of the Health Sciences Center at New Orleans or any part time individual enfranchised by any of the schools of the Health Sciences Center at New Orleans.
- ☐ "Days" refers to official LSUHSC-NO working days.
- ☐ "Peremptory Challenges" refer to challenges as to those persons scheduled to serve on a Committee or a chairperson of a Committee, which challenges do not require assignment of reasons and which challenges shall be granted.

- “Dean” refers to the Dean of the applicable LSUHSC-NO school or his designee.
- Any reference herein to masculine also encompasses the feminine, and to the singular also encompasses the plural

GENERAL PROVISIONS

- A. The filing of a grievance or appeal does not relieve the complainant of assigned duties and responsibilities.
- B. This grievance procedure is written in terms of a complaint against the decision of the Department Head. A complaint against the decision of a Dean or Vice Chancellor also follows the steps as delineated, beginning with informal discussion, then filing an appeal, if applicable, to the next level in the chain of authority.
- C. All Parties to the appeal shall attempt to resolve the conflict or dispute at the lowest administrative level possible. If these efforts fail then informal reconciliation and/or a formal appeal can be initiated. The faculty member who believes that he has been treated unjustly is obliged to confer informally with the individual or individuals responsible for the action.
- D. Two or more faculty members who allege that they have received similar unfair treatment may petition the Chancellor to have their appeals considered together. This decision to consolidate appeals shall be made by the Chancellor. If the appeals are consolidated, the Standing Appeal Committee may make separate recommendations regarding each faculty member. Claimants can refuse consolidation.
- E. A faculty member who at any stage of the process fails to follow a request for further action by the deadline indicates acceptance of the determination at the previous stage. A faculty member who does not receive a response by the deadline may immediately proceed to the next stage of the procedure.
- F. Any time limit set forth in this procedure may be extended by mutual written agreement of the Parties and, when applicable, the consent of the Chairperson of the appropriate committee.
- G. If a faculty member seeks resolution of the matter through any agency outside of the Health Sciences Center, whether administrative, judicial, or other agency, the Health Sciences Center shall have no obligation to continue appeal proceedings subject to constraints of law.

INFORMAL RECONCILIATION

A faculty member shall discuss a grievance with his Department Head within thirty (30) days of the most recent incident. Thereafter, both the faculty member and the party allegedly responsible for the complained of action shall meet with the Department Head in a serious, good faith attempt to resolve the dispute. In the case of a complaint against an action by the Department Head, the faculty member shall first discuss the grievance with the Department Head in an attempt at informal resolution. Regardless against whom the complaint is made, the majority of issues should be resolved at this stage.

If after informal discussion, the matter is not resolved between the faculty member and the party allegedly responsible for the complained of action, the faculty member may request intervention by the Dean. The faculty member shall deliver the Request for Intervention to the Dean within ten (10) days after the meeting with the Department Head. The Request for Intervention shall include the following: a concise statement of the complaint; a reference, when applicable, to the section(s) of the Faculty Handbook that were allegedly violated, and a statement of relief sought.

The Dean or his designee shall arrange a meeting with the concerned Parties within ten (10) days of receipt of the Request for Intervention. At the close of the meeting or within five (5) days thereafter, the Dean shall render a decision. The decision shall be in writing and a copy of the decision shall be delivered by certified mail to the faculty member. Copies of the decision shall also be provided to the Department Head and the party allegedly responsible for the complained of action. The decision of the Dean shall be final in matters deemed not appealable.

FORMAL APPEAL

Not all personnel and work-related problems are of a nature such that they will be subject to formal appeal. In the case of grievances that do not involve appealable issues, the decision of the Dean will be final. In cases involving appealable issues as defined in this policy, the following procedure will be applicable. The following are defined as appealable issues:

- ☐ Alleged denial of academic freedom;
- ☐ Alleged failure to follow due process procedures with respect to appointment renewals, tenure, promotion, compensation, retrenchment, suspension or reassignment;
- ☐ Alleged violation, misinterpretation, or inequitable application of a Faculty Handbook provision;
- ☐ Alleged discrimination on the basis of age, sex, race, religion, national origin, marital status, disability, or veteran status;
- ☐ Findings of sexual harassment, sexual discrimination, or any other discrimination;
- ☐ Personnel decisions by Department Heads, other administrators, or faculty committees, which allegedly do not conform to the letter or intent of established and accepted procedures and criteria.

Non-reappointment and judgments regarding academic quality or professional performance, including the granting or denial of tenure, are not proper subjects for appeal; however, the propriety of the procedures employed in making such determination is subject to the appeals procedure.

STANDING APPEAL COMMITTEE

A Standing Appeal Committee shall be formed to hear faculty appeals. This Committee shall be advisory to the Chancellor and shall report only to him. The Committee shall be constituted of six (6) faculty members and six (6) faculty alternates appointed by the Chancellor, after consulting with the officers of the Faculty Senate, from the elected representatives of each school of the Health Sciences Center. As each member and alternate rotates off the Committee, a replacement and corresponding alternate shall be selected to serve for a period of six (6) years. The Chairperson of the Committee and his alternate shall serve in such capacities for a one-year period and shall be that individual and his corresponding alternate serving in their last year on the Committee. The Chancellor may reappoint Committee members though no Committee member may serve consecutive terms.

Each party to the appeal is allowed two peremptory challenges, which must be submitted in writing to the Chairperson of the Committee within five (5) days of notification by Chancellor of those persons constituting a Standing Appeal Committee. Thereafter, the challenged Committee member (including Committee Chairperson, if appropriate) shall be recused and his alternate shall serve.

If a member of the Committee believes that it would be inappropriate for him to hear and decide a particular case due to a perceived conflict of interest, he may recuse himself prior to convocation of the formal hearing. Under these circumstances, the member's corresponding alternate shall replace the recused Committee member. If members become unable to continue to serve after deliberations have begun, the Committee shall continue without its full complement. However, a minimum of four (4) Committee members must be present at each session, or the session will be canceled. If vacancies occur after the deliberations have begun, such that the Appeal Committee is reduced to fewer than four (4) members, the Appeal Committee procedure will be void, the Chancellor will designate an *ad hoc* Committee and alternates, and the Formal Appeal procedures will begin again.

APPEAL PROCEDURE

In cases involving appealable issues, a faculty member dissatisfied with the decision of the Dean may institute a formal appeal as follows:

The faculty member shall deliver Notice of Appeal to the Chancellor within five (5) days after receipt of the Dean's decision. The Notice of Appeal shall include the Request for Intervention and a copy of the Dean's decision. The Chancellor shall make the determination as to whether an issue presented is appealable under the provisions of this procedure. This decision of the Chancellor is not subject to appeal. Appeals involving allegations of discrimination, which have not yet been investigated pursuant to Handbook Section 10.6.4, shall be referred to HRM by the Chancellor for investigation, and report.

Upon receipt of the Notice of Appeal (or in cases where there has been an allegation of discrimination, after receipt of the report and recommendations of HRM), the Chancellor shall within ten (10) days take one of the following actions:

- Consider the matter and grant the relief sought or adopt the decision of the Dean.
- Grant the appeal and convene the Standing Appeal Committee.
- Deny the appeal in whole or part as not setting forth an appealable issue. In cases where an appeal is based in whole or part on discrimination, the Chancellor shall refer that portion of the appeal to the Standing Appeal Committee.

The Chancellor's decision shall be in writing and a copy of the decision shall be delivered by certified mail to the concerned Parties. Copies of the decision shall also be provided to the Dean. If the Chancellor grants the appeal and decides to convene the Committee, he shall within ten (10) days of his decision:

- Notify the Chairperson of the Standing Appeal Committee in writing and provide the Chairperson with a copy of the Notice of Appeal, and (in the case of alleged discrimination), a copy of the report and recommendation of Human Resource Management; and
- Notify the parties to the appeal of the names of the Committee members.

Upon receipt of the Notice of Appeal, the Chairperson shall distribute a copy of the formal appeal to the Committee members. Each party to the appeal shall be allowed two (2) peremptory challenges which must be submitted in writing to the Chancellor within five (5) days of receipt of notification as to the composition of the Standing Appeal Committee. The Chairperson shall establish the hearing date. The Parties shall be given at least fifteen (15) days notice of the date, time, and place of the hearing. The Chairperson shall send the notice by certified mail and copies of the notice shall be provided to the Dean and Chancellor. Each party shall provide the Committee Chairperson and the other party a witness list, a brief summary of the testimony expected to be given by each witness, and a copy of all documents to be introduced at the hearing at least ten (10) days prior to the hearing. In addition, the Appeals Committee shall conduct its own independent investigation with regard to the action being challenged. If during its own independent investigation, the Committee deems documents to be relevant which have not been submitted by the Parties, the Committee shall provide copies to each party at least ten (10) days prior to the hearing. Health Sciences Center records and documents relevant to the case shall be made available to the Committee on request, subject to legal constraints or applicable pledges of confidentiality.

The hearing shall be conducted as follows.

The Chairperson of the Committee shall conduct the hearing. In cases of retrenchment, the *ad hoc* committee's plan of retrenchment will be considered presumptively valid, but the burden of justifying exceptions to the plan (such as a departure from the order of seniority) will rest with the administration. Each party

shall have the right to appear, to present a reasonable number of witnesses, to present documentary evidence, and to cross-examine witnesses. The Committee may call additional witnesses the Committee believes have relevant testimony to offer. Testimony is under oath or affirmation before a certified court reporter. Testimony may be received telephonically, subject to the convenience of the Committee members. The Parties may be excluded when the Committee meets in executive session.

The faculty member may be accompanied by an attorney as a non-participating advisor. If the faculty member elects to have an attorney present, the party allegedly responsible for the complained of action may also be accompanied by an attorney. The attorneys for the Parties may confer and advise their clients upon adjournment of the proceedings at reasonable intervals to be determined by the Chairman, but may not question witnesses, introduce evidence, make objections or present argument during the hearing. However, the right to have an attorney present can be denied, discontinued, altered, or modified if the Committee finds that such is necessary to ensure its ability to properly conduct the hearing. Rules of evidence and procedure are not applied strictly, but the Chairman shall exclude irrelevant and duly repetitious testimony. The Chairman shall rule on all matters related to the conduct of the meeting and may be assisted by University Counsel. Upon request, the Chairman shall invite an AAUP representative to be present during the hearing as a non-participating observer.

The hearing shall be recorded by a certified court reporter. At the request of the Chancellor, Dean, or Committee Chairperson, the recording of the hearing shall be transcribed in which case each party to the appeal, upon written request, shall receive a copy of the transcript.

Following the hearing and after reviewing all of the evidence, the Committee shall render a written report to the Chancellor within ten (10) days. This report shall include the Committee's findings and recommendations, a summary of the testimony presented, and any dissenting opinions. The Chancellor shall review the Committee's report and may accept, reject, or modify the Committee's findings and recommendations. The Chancellor shall render a written decision within ten (10) days of receipt of the Committee's report. The Chancellor's final decision along with a copy of the Standing Appeal Committee's findings and recommendations, shall be sent to the Parties by certified mail, and copies shall be sent to the members of the Standing Appeal Committee, the Dean, Department Head, and any other appropriate administrators. The Chancellor's decision shall be final, except for appeal to the President of the LSU System as provided for in the Bylaws and Regulations of the Board of Supervisors of Louisiana State University.

10.11 AUTHORSHIP

The following is from the AAUP Statement on Multiple Authorship:

"In the scholarly world, collaboration is the norm. This appears to be particularly true in those sciences where separated disciplines must be brought to bear on a novel question, or where complex, articulated laboratory organizations are essential, or

where the scale is so large and the expense so vast that any original contribution is beyond the capacity of a scholar working alone or of even small teams of scholars....

Disciplines have arrived at certain conventions that govern the listing of names of collaborators.”

Further guidance is contained in the complete statement. If a conflict cannot be resolved at the level of the school(s), it should be referred to the Office of the Vice Chancellor for Academic Affairs for adjudication.

10.12 INDIVIDUAL AND INSTITUTIONAL CONFLICTS OF INTEREST IN SPONSORED PROJECTS

[CM-35, 12/05/12]

<http://www.lsuohsc.edu/administration/cm/cm-35.pdf>

This policy seeks to maintain a reasonable balance between competing interests, give LSUHSC-NO the ability to identify and manage financial and non-financial interests that may bias the research project, and minimize reporting and other burdens on the investigators.

This policy applies to all LSUHSC-NO faculty members (including part-time, gratis, and visiting faculty), staff and other employees, house officers, and students (including post-doctoral fellows) who propose, conduct or report the results of research or other Sponsored Projects on behalf of LSUHSC-NO, regardless of funding source. For more detailed information concerning the policy, see CM-35.

10.13 SOCIAL MEDIA GUIDELINES

At LSUHSC-NO, social networking (both on LSUHSC-provided services and on commercially available services) can help support our mission of medical education, research, patient care, and service to the community. LSUHSC-NO is committed to facilitating a successful social media strategy for its personnel. To that end, each school in the Health Sciences Center has developed its own social media policy. These guidelines are posted on each school’s website.

School of Allied Health:

http://alliedhealth.lsuohsc.edu/admin/docs/LSUHSC_SAHF_SocialMediaPolicy_021413a.pdf

School of Dentistry:

http://www.lsuohsc.edu/documents/LSUSD_Social_Media_Administration_policy.pdf

School of Graduate Studies:

http://sph.lsuohsc.edu/Websites/lupublichealth/images/pdf/SPH_Responsible_Use_Guidelines_Social_Media_2014_2015_Final.pdf

School of Medicine:

https://www.medschool.lsuohsc.edu/faculty_assembly/docs/LSUHSC%20SOM%20social%20media%20guidelines%208-14.pdf

School of Nursing:

<http://nursing.lsuhs.edu/Administration/PoliciesAndProcedures.html>.

School of Public Health:

http://sph.lsuhs.edu/Websites/Isupublichealth/images/pdf/SPH_Responsible_Use_Guidelines_Social_Media_2014_2015_Final.pdf

11.0 FACULTY DEVELOPMENT

11.1 SABBATICAL LEAVE

[Bylaws Chapter 3 Section 3-1, October 2, 2008]

<http://www.lsuhs.edu/administration/bylaws/> or

<http://www.lsusystem.edu/index.php/policies/bylaws-regulations/>

Full-time academic employees [Sec. 2-1a(1)] at the rank of Instructor (or equivalent) or above, who have completed six years of service on the campus without having received leave with pay, may petition for sabbatical leave for study and research, the object of which is to enable them to increase their professional efficiency and usefulness to the System. Adequate justification setting forth the plan for each sabbatical leave shall be stated, and report of the accomplishments under each leave granted shall be made promptly upon return from sabbatical leave. Sabbatical leave shall normally be approved for the purpose of seeking a higher degree only under unusual circumstances. Persons employed on a 12-month basis may be granted 12 months' leave with one-half pay or six months' leave with full pay. Persons employed on nine-month basis may be granted nine months' leave with one-half pay or four and one-half months' leave with full pay. The chief administrative officer of each campus shall, after receiving requests from the appropriate academic dean or other administrative head, make recommendations for sabbatical leave through the President to the Board. A member of the academic staff who is granted sabbatical leave shall be required to return to his University duties for at least a year before accepting employment elsewhere. A condition for granting of a sabbatical leave is the potential benefit the University will receive as a result of the sabbatical.

Under unusual circumstances, persons may accept employment during sabbatical leave if such employment is approved in advance by the chief administrative officer of the campus, and the President as supportive of the purposes of the leave.

11.2 LEAVE TO OBTAIN ADVANCED DEGREE

[Bylaws Chapter 3, Section 3-2, October 2, 2008]

<http://www.lsuhs.edu/administration/bylaws/> or

<http://www.lsusystem.edu/index.php/policies/bylaws-regulations/>

Members of the instructional, research, and extension staff on full-time regular academic appointment, who have completed two consecutive years of service at the rank of Instructor (or equivalent) or above, may petition for a leave of absence with part pay for not more than one year of study which will culminate in the receipt of an advanced degree. Such petition shall set forth the course of study to be pursued, the institution to be attended, an account of the petitioner's prospect for securing an advanced degree, and such other information as may be required. The petition shall be granted only after the chief administrative officer of the campus and the appropriate academic dean or administrative officer have determined that the interests of the System will be best served by granting such leave and that the petitioner will return to his University duties for at least two years before accepting employment elsewhere. Leaves to obtain advanced degrees will be granted by the

Board upon recommendations through the President from the chief administrative officers of the various campuses. The amount of pay to be allowed under such a grant shall be determined in each individual case, but in no event shall it exceed one-half of the regular salary which would accrue to the petitioner during the period of leave.

For the academic-year employee, the term "regular" refers to the salary of the academic year, without presumption of summer term appointment. If the petitioner, upon taking educational leave, does not return to the University for the required two years, the petitioner shall pay back to the University the amount paid to the petitioner for the leave. The period of service completed prior to granting of leave under this section shall not be counted in considering eligibility for sabbatical leave.

12.0 OUTSIDE EMPLOYMENT

12.1 OUTSIDE EMPLOYMENT OF UNIVERSITY EMPLOYEES

[PM-11, 5/12/1993]

<http://www.lsuohsc.edu/administration/pm/pm-11.pdf> or

<http://www.lsusystem.edu/index.php/policies/permanent-memoranda/>

I. Introduction

Louisiana State University recognizes that certain outside employment activities are of benefit to the University, to the State of Louisiana and to the private sector as well as to individual employees. Although the University recognizes a right of employees to engage in outside employment, it has established policies and procedures requiring that such outside employment be disclosed and submitted for administrative review and approval.

- A. All full-time employees of the University including faculty, other academic, unclassified and classified, are required to abide by this presidential memorandum at all times, including during regular and summer term and while on paid or unpaid leave.
- B. Outside employment is defined as any non-University activity for which economic benefit is received, including but not limited to:
 - 1 Employment with any non-University employer.
 - 2 Contracts to provide consulting, personal or professional services to non-University individuals or entities, including publishing agreements or arrangements.
 - 3 Self-employment or operation of a business.
- C. Economic benefits include cash payments or such other non-cash economic benefit, e.g., share of profits, shares of stock, equity participation, etc. as the employee and outside employer may agree; provided that such non-cash economic benefit shall not have a present value significantly in excess of fair compensation for the services rendered. Compensation rates for outside employment need not be related to University salary rates but should be negotiated fairly based on normal private sector levels for similar services.
- D. Outside employment shall be performed only outside of assigned working hours or responsibilities or during a period of paid or unpaid leave. During paid sabbatical, special or educational leave, outside activities may be permitted only in exceptional circumstances.
- E. Outside employment shall not conflict, delay or in any manner interfere with instructional, scholarly and/or other services which the employee is obligated to render to the University.

II. Outside Employment Which Will Be Considered for Approval

The following types of outside employment will be considered for approval:

- A General consulting, other outside employment or business activities.
- B Serving as an expert witness in an area based upon the employee's training and experience.
- C Consulting on a non-University research project. A University employee may be engaged as a consultant on a non-University research project or projects conducted by an outside employer, provided the employee neither supervises the research nor performs the research.

III. Outside Employment Which Will Not Be Approved

- A University employee may not receive compensation to assist (As used herein, the term "assist" shall mean to act in such a way as to help, advise, furnish information to, or aid a person with the intent to assist such person.) in the passage or defeat of legislation during the fiscal year in which the legislation is pending in the legislature, except from the Louisiana Legislature or any department, institute or agency within the legislative branch.
- B If the University employee supervises non-University research or performs the research, he/she is considered a participant or a part of the outside research team rather than a consultant. In such instances, the employee may not be employed by nor contract directly with the outside agency unless it is not feasible or practical to seek a contract through the University under established procedures for sponsored research, as determined by the appropriate Chancellor.
- C Blanket approvals for outside employment will not be granted.
- D Employment or contractual relationships which are considered to be a violation of the Louisiana Code of Governmental Ethics will not be approved.

IV. Employee Responsibilities

Full-time employees contemplating outside employment or engaged in outside employment shall:

- A Disclose outside employment in accordance with PM-11, and procedures established therefore.
- B Submit a list of all contracts or other agreements between the University and the outside employer in which the employee is involved on behalf of LSU. Such list is to include, to the extent the information is known to the employee, the owners, directors, majority shareholders, or affiliates of the outside employer. Additional information about such contracts may be required by the University upon request.

- C Provide notification to the outside employer that he/she accepts such employment as an individual and not, in any manner, as a representative of the University. It is recommended that employees do this by including with any oral testimony or written reports a statement to the effect that the views expressed are those of the employee and do not necessarily reflect the views of the University. In no case may the individual concerned use the name of the University or his/her University affiliation, title or address officially or in any other way in support of any position he/she may take. Biographical data, including a statement of employment by the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, may be included as introductory material to written reports or orally in the case of expert witness statements, but may not be incorporated into the body of the written report.
- D Comply with any other provisions of PM-11.

V. Approval Levels

Certain types of outside employment require approval of a Chancellor and/or the President as follows:

- A Approval by a Chancellor. Under the Louisiana Code of Governmental Ethics, certain outside employment requires review and approval by a Chancellor and may be approved only for academic, administrative and professional employees.
 - 1 Outside employment which requires approval by a Chancellor includes:
 - a Outside employment with an individual or entity currently doing or actively seeking to do business with the employee's unit at the University or under circumstances in which the employee is collaborating with, or on special assignment to, a unit within the University with which the entity is doing or is actively seeking to do business.
 - b Outside employment involving teaching which will result in university level credit for the student, which will be conducted on University time or which will utilize University property or services.
 - c Outside employment which ordinarily would be performed as part of the public service aspect of the University insofar as that employee's job duties and responsibilities are concerned.
 - d Outside employment yielding results which advance a theory or practice in the employee's field.
 - e Outside employment activity which could be accomplished more appropriately by a contract through the University. This activity shall be the subject of a University contract unless it is not feasible or practical to do so.

f Outside employment activity for an individual or entity that has substantial economic interests which may be materially affected by the way in which the employee performs his or her duties and responsibilities as a University employee.

2 If such proposed outside employment is with a third party that is contracting with or is seeking to contract with the University, the employee must remove himself or herself from any relationship in which he or she would:

a Approve payments by the University to the third party pursuant to any contract between the University and the third party.

b Evaluate any work performed by the University pursuant to a contract between the University and the third party.

c Negotiate and/or approve any subsequent contracts between the University and the third party.

d Approve the purchase of University equipment pursuant to the contract with the third party in an amount in excess of \$2,000.00.

The above actions must be carried out by the employee's immediate supervisor and that approving supervisor's next immediate supervisor.

3 Outside employment requiring the approval of a Chancellor also requires a written agreement between the employee and the outside entity which shall contain the following explicit information:

a General technical area of endeavor.

b Specific employment or consulting activities.

c Duration of employment agreement.

d Estimated time in hours per week or days per month required for the employment.

e Employee's compensation rate and method of payment.

f Statement that agreement is between employee and outside entity, that employee is not acting as an agent of the University and that the University bears no liability in the relationship.

g Statement that the use of the University name in connection with the employment activities shall be only upon written authorization of the University.

- h Statement that the rights to any intellectual property, i.e., inventions, materials subject to copyright, etc. resulting from the employment activity, to the extent that they would vest in the employee in the absence of any other agreement, will be assigned to the University and disposed of in the manner prescribed by Chapter 7.2 and 7.3 of the By-Laws and Regulations of the LSU Board of Supervisors and such other University policy as may be applicable.
- 4 The outside entity and the employee shall negotiate and draft an agreement meeting all of the requirements herein. If the contract involves consulting with respect to research or technology, the appropriate University office primarily responsible for licensing and transfer of technology, e.g., Office of Research, Office of Technology Transfer, etc. should be consulted during the negotiating process. If the contract involves trade secrets and commercial or financial information obtained from the outside employer pertaining to research or to the commercialization of technology, such information may be removed from the agreement before its submission for administrative review.
- 5 For such agreements, a Chancellor must certify to the following prior to the execution of any contract approved pursuant to this policy:
 - a The outside employment activities are not within the employee's duties and responsibilities to the University for which the employee is being compensated by the University.
 - b The outside employment activities do not conflict, delay or in any manner interfere with instructional, scholarly and/or other services which the employee is obligated to perform for the University.
 - c The consulting activities to be performed are within the academic or professional discipline of the employee or are related to the area of expertise in which the employee is employed by the University.
- 6 Following approval and execution, the appropriate Chancellor shall receive a copy of the executed agreement. Copies of approval forms, certifications and the executed agreement shall be kept in a permanent file by the Chancellor or his designee until at least three years beyond the expiration of the agreement.

- B Approval by the President. The following types of outside employment require review and approval by the President in addition to campus approval:
 - 1 Outside employment involving public policy.
 - 2 Outside employment of a Chancellor.
 - 3 Outside employment or contracts by employees for professional, personal, consulting and social services with a department, commission, council, board, office, bureau, committee, institution, agency, government, corporation, or any other establishment of the Executive Branch of the State of Louisiana.
- C Approval by Chancellor or Designated Administrative Officer. All other outside employment may be approved through normal administrative channels by the Chancellor or by a campus administrative officer designated by the Chancellor.
- D Joint Appointments. If the outside employment involves employees from more than one department or campus, or if it involves an employee holding joint appointments, action by the appropriate administrative officers of the affected campuses is required.

VI. Use of University Equipment, Materials, and Services

The appropriate campus administrators, including chairs, directors, deans and vice chancellors, are responsible for determining the circumstances under which University personnel, laboratories, services and equipment may be used in connection with outside employment of University employees. When University owned facilities, equipment or other resources are needed or required for any reason, a contract between the University and the private third party may be executed separately. Compensation to the University must be paid at the fair market rate or, if different, at the same rate that such services, facilities, equipment or technology would be available to any qualified non-University user.

VII. Procedures

Each campus head shall develop such written procedures and approval forms as are necessary to provide for compliance with this policy and submit such campus procedures and approval forms to the President for review and approval.

VIII. Reporting Requirements

Annually, the Chancellor shall prepare an information report listing all outside employment approved by the Chancellor and currently in force under this policy and any other details which may be requested. Copies of this report shall be sent to the President of the System and to the Board of Supervisors.

IX. Code of Ethics Requirement

Compliance with the provisions of this policy is required by the Louisiana Code of Governmental Ethics. Violation of this policy may result in a violation of the Ethics Code and penalties applicable thereto and/or appropriate sanctions by the University. All employees, both full-time and part-time, are reminded that they are subject to the Ethics Code.

Forms are available on the Web at the end of PM-11.

<http://www.lsuohsc.edu/administration/pm/pm-11.pdf>

12.2 CONTRACTS BETWEEN THE UNIVERSITY AND ITS FACULTY MEMBERS

[PM-67, 10/6/97]

<http://www.lsuohsc.edu/administration/pm/pm-67.pdf> or

<http://www.lsusystem.edu/index.php/policies/permanent-memoranda/>

The University recognizes the benefits to the State of Louisiana, to the private sector, and to its employees in allowing, under limited circumstances, contracts between itself and its faculty members or a legal entity in which a faculty member has an interest.

The purpose of this Permanent Memorandum is to clarify those situations in which a faculty member, research staff employee, athletic coaching staff employee, or a legal entity in which such an employee has an interest can now contract with the University.

A. Background

Prior to the passage of Act 229 of the 1987 Regular Session of the Louisiana Legislature, Louisiana law prohibited a University employee, and any company in which he owned an interest, from bidding on or entering into a contract with the University or involving the University. However, Act 229, which became R.S. 42:1123 (10), amended the Ethics Code to authorize contracts between a university and members of its faculty or a company in which faculty members have an interest.

For this exception to apply, the contract must regard either:

1. The disposition of a patent, copyright, licensing right or royalty which is attached to a discovery, technique, or technology resulting from research done by a faculty member in the course of his employment with LSU, or
2. An activity related to or resulting from research activity of a faculty member conducted in the course of his employment with LSU.

By Act 1107 of the 1997 Legislative Session, the applicability of Section 1123(10) was broadened to include members of a university's research staff or athletic coaching staff regarding research activities or athletic coaching activities.

LSU employees or faculty members, and their immediate families, who were not involved in the research or activity in question may not have an interest in the contract or the private entity if:

1. They are in the same department or area as the faculty member whose research or activity is the basis of the discovery, technique or technology; or
2. They participated on behalf of LSU in the negotiation or confection of the contract between LSU and one of its employees or an entity in which an employee has an interest.

The Act requires that the following procedure be followed for all such contracts.

1. The contract must be approved through a procedure established by the LSU Board of Supervisors.
2. The procedure must be approved by the Board of Regents and the Commission on Ethics for Public Employees.
3. There must be a finding and certification by the University to the Board of Regents that entering into the contract will contribute to the economic development of the State and will not interfere or conflict with the performance of the employee's obligations to the University.
4. The Board of Regents reports those certifications semiannually to House and Senate Commerce Committees or Subcommittees designated thereby.

This amendment to the Code of Ethics affects the area of technology transfer, among others. For example, a fledgling Louisiana company receiving the license of a particular technology from LSU may need to employ the services of the LSU employees who were instrumental in the discovery or technology. The ability to provide that employee with an ownership interest in the corporation may insure the viability and success of the venture. Also, those University faculty members who desire to be entrepreneurs as well as academicians will have the opportunity to promote and market their own discoveries if the appropriate procedure is followed and approval is received.

B. Policies and Procedures

This statement of policy and procedure sets forth general guidelines for every campus within the LSU System. The Chancellor of each campus may modify these guidelines, provided such modifications are more limiting than the provisions herein.

If an employee or entity in which the faculty member has an interest intends to enter into a contract with the University, and that contract would be a violation of the Code of Governmental Ethics but for the exemption contained in La. R.S. 42:1123(10) (see copy of Act 229 attached), the procedures set forth herein must be followed. All such contracts must be in writing.

If an entity in which an LSU faculty member or research or coaching staff employee has an interest wishes to contract with LSU, the following procedures must be followed:

1. The ownership interests in the entity must be disclosed in writing to the appropriate Chancellor or designee. The owner's name, address and interest, as well as the names of every officer, director, and 10 percent or larger shareholder, must be stated in the written disclosure. Notice of any change from the original disclosure shall be given to the appropriate dean and chancellor if such change affects the status of the contract.
2. All negotiations between a faculty member, or an entity in which he/she has an interest, and LSU must be arms length. Therefore, the employee must recuse himself/herself in writing from participation in negotiation or decision making on behalf of LSU with respect to the contract. At LSU's option, the employee member may be consulted by LSU with respect to the technical or scientific aspects of the proposed contract.
3. A designated University employee must be appointed to negotiate and confect the contract, which employee shall not be under the direct supervision or a member of the department of the faculty member submitting the contract.
4. A standing committee appointed by the President shall be established to review all such proposed contracts after the terms have been agreed to by the appropriate Chancellor or his designee and the employee and/or legal entity in which the employee has an economic interest. Membership on this committee may include representatives from both the public and the private sector. The committee shall be chaired by the President or designee. This committee is authorized and empowered by the LSU Board of Supervisors to certify to the Board of Regents semi-annually that entering into the contract will contribute to the economic development of the state and that, among readily available alternatives, entering into the contract serves the public interest.
5. The appropriate Chancellor or his designee shall certify to the committee that entering into the contract will not interfere or conflict with the performance of the employee's obligation to the University.
6. An employee with a joint appointment must receive the approval of both Chancellors; provided, however, that where agreement on approval cannot be reached, the President shall make the final decision on such approval.

With respect to payments pursuant to any contract conferred under this policy, the following standards should be adhered to:

1. Compensation to the University for the use of services, facilities, equipment or technology must be paid at the same rate that such services, facilities, equipment or technology would be available to the general public or to others under arms-length negotiated contracts.
2. Compensation from LSU to its employee, or to an entity in which the employee has an interest, for services rendered, cannot be more than normally would be paid for similar services.
3. Where LSU and an employee or entity in which the employee has an interest together provide services to a third party, a fair apportionment of the remuneration should be made and specified based on the value of the respective contributions in services, investments, technologies, equipment or facilities utilized.

Attachment

Regular Session, 1987 Senate Bill No. 646

By Messrs. Hudson, Nunez, Bares, Brinkhaus, Hollis, Jefferson, Kelly, Lauricella, Poston, Swearingen and Turnley and Representatives Leach, Ackal, Alario, Ater, Blanco, Borne, Bradley, Deano, Delpit, Dewitt, Gee, Heitmeier, A. Jackson, Jetson, Kimball, LaLonde, Landrieu, J.D. Long, Lynn, Miller, Reilly, F. Thompson, and Tinnerello

An Act

To amend and reenact R.S. 42:11223 (9) and to enact R.S. 42:1123 (10), relative to governmental ethics; to authorize faculty or staff of public institutions of higher education to perform certain consulting services; to provide for an approval procedure for the allowance of such consulting services; to authorize faculty members of public institutions of higher education or legal entities in which such persons have a substantial economic interest to enter into certain contracts with the faculty members agency; to provide an approval and certification procedure for such contracts; to provide for legislative oversight; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:1123 (9) is hereby amended and reenacted and R.S. 42:1123 (10) is hereby enacted to read as follows:

S1123. Exceptions

This Part shall not preclude:

9. a. The receipt of or sharing in the proceeds of any patent, copyright, licensing right, or royalty by faculty or staff members of a public higher education institution or management board resulting from any activity of the faculty or staff member, which is consistent with and pursuant to the mission of the college or university to advance knowledge or further the economic development of the state and which activity has been approved by the campus head and the management board of the employing college or university.
9. b. The performance of services for compensation for any person, by faculty or staff members of a public higher education institution, provided the services consist of consulting related to the academic discipline or expertise of said public employee and provided the services have been approved in writing by the chief administrative officer of the public employee's institution in accordance with rules and procedures established by the management board of the institution, which rules and procedures have been approved by the Board of Regents and the Commission on Ethics for Public Employees.
10. a. The negotiation or entering into a contract as defined in Subparagraph (b) of this Paragraph, provided that such contract has been approved in accordance with a procedure established by the appropriate higher education management board which procedure has been approved by the Board of Regents and the Commission on Ethics for Public Employees. Such an approval procedure shall require a finding and certification by the appropriate management board to the Board of Regents that entering into such contract will contribute to the economic development of the state and that entering into such contract will not interfere or conflict with the employee's obligation to the university. Semiannually, the Board of Regents shall report all such certifications to the committees on commerce of the Senate and House of Representatives or any subcommittee designated by either standing committee.
10. b. A contract between an institution of higher education and a member of its faculty or a legal entity in which such employee has a substantial economic interest, regarding the disposition of any patent, copyright, licensing right, or royalty which is attached to a discovery, technique, or technology resulting from the research done by such employee in the course of his employment with the institution, or regarding an activity related to or resulting from the research activity of such employee conducted in the course of his employment with the institution.

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