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## Highlights from Faculty Senate Meeting April 10, 2003

### Old Business:

- Claire Advokat withdrew SR03-08 *Faculty Network on Legislative Issues*.

### New Business:

- Vice-President Carruth McGehee introduced SR03-10 *PS-36 Addendum*; a policy addressing the review of tenured faculty. The draft policy contains major additions to the LSU System's PM-35 review policy now in effect: defines unsatisfactory performance as similar to grounds for dismissal; requires formation of a committee to act as a watchdog campus-wide on all aspects of review in PS-36 Addendum D; more challenges can be made by the faculty member of appointments to his remediation peer review committee; and the faculty member can request a college instead of a departmental panel appoint members to the peer review committee. Both policies require the university to provide resources needed to achieve the faculty member's remediation plan's objectives. SR03-10 was developed by the PS-36 Committee: Carruth McGehee (chair), Emily Batinski, Lou Day, Rick Ortnier, Jim Richardson, Roger Seals, Roger Stockbauer, Jill Suito, and Janie Frickie (*ex officio*). Committee members were selected by the Faculty Senate's executive committee and the provost in the fall of 2002.
- Tom Lynch introduced SR03-09 *Review of Administrators*. As a part of the revamp of faculty review, this policy statement addresses the review of administrators who also hold faculty rank. The proposed policy requires these individuals to undergo annual evaluations by faculty and to be subject to annual reviews similar to those of other faculty. Review of tenured faculty is addressed in PS-36 Addendum Sections A-C and for faculty who also hold administrative rank in Section D of the same addendum. SR03-09 was developed by the Review of Administrators Committee composed of Paul Hoffman (chair), Barbara Apostolou, William Demastes, Dominique Homberger, Neil Kestner, Andy Maverick, and Janie Frickie (*ex officio*).
- Paul Bell introduced three resolutions that will be reviewed more thoroughly at the May 7<sup>th</sup> meeting (see <http://senate01.lib.lsu.edu/facsen> for these and Motsenbocker's resolutions):
  - SR03-11 *Guidelines and Recommendations for Establishing Criteria for Awarding Merit and Equity Raises*
  - SR03-12 *Analyses of LSU Salary Data*

SR03-13 *Posting Faculty Salaries on the Web*

- Carl Motsenbocker introduced SR03-14 *Review of LSU Campus Master Plan*.

**Other Business:**

- Information on bills affecting higher education in Louisiana is at <http://appl003.lsu.edu/chan/externalaffairs.nsf/index> and select "Legislature and Public Policy."
- LSU at Shreveport is reviewing a proposal that would allow tuition waivers to faculty, staff, and dependents. Contact President Anderson for a draft of their proposal and to forward comments.
- Election results for 2003-2004 Faculty Senate officers are President Carruth McGehee (Mathematics), Vice-President Claire Advokat (Psychology), Secretary Lori Bade (Music & Dramatic Arts), and Faculty Senate Executive Committee (FSEC) Members-at-Large Nick Apostolou (Accounting) and Robert Ward (Library & Inf. Sci.).



## *Faculty Senate Meeting Agenda*

**Wednesday, May 7, 2003 3:00 p.m.**

**Atchafalaya Room - LSU Union**

**Everyone's Welcome!**

1. Roll\* and quorum
2. Approval of Minutes (April 10, 2003)
3. Chancellor Mark Emmert
4. Interim-Provost Laura Lindsay
5. President's Report
6. Old Business
  - SR03-09 Evaluation of Administrators, Paul Hoffman
  - SR03-10 PS-36 Addendum, Carruth McGehee
  - SR03-11 Guidelines and Recommendations for Establishing Criteria for Awarding Merit and Equity Raises, Paul Bell
  - SR03-12 Analyses of LSU Salary Data, Paul Bell
  - SR03-13 Posting Faculty Salaries on the Web, Paul Bell
  - SR03-14 Review of LSU Campus Master Plan Senator Carl Motsenbocker
7. New Business
8. Adjournment

If this meeting cannot be completed in the allotted time, there may be a special Faculty Senate meeting Thursday May 15th at 3PM.

\* If you wish to be represented by another faculty member from your college or division, or if you wish to give a proxy vote to another member of the Senate, please give written notice to the Senate President <laurie@geol.lsu.edu> prior to the meeting. Please refer to "Bylaws of the Faculty Senate", Article VI, in the LSU Faculty Handbook.

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Louisiana State University A&M

## MINUTES OF THE FACULTY SENATE

April 10, 2003; 3:00 p.m.; Atchafalaya Room, LSU Union, LSU

The meeting was called to order by President Laurie Anderson at 3:05 p.m with a quorum present. Senator John Chandler asked that the minutes be corrected in the section Chancellor Comments where it states the default health provider when one fails to return health-insurance enrollment forms. The minutes should state that if one does not return the forms, one defaults to the PPO. Laurie Anderson corrected Chandler and suggested the minutes be changed as follows: **FROM** "LSU employees must select a health plan this spring, otherwise, they will be placed in the Definity health plan." **TO** "LSU employees must select a health plan this spring, otherwise, they will be placed in the Definity health plan (this was later found to be incomplete information. What should have been said was that "If an LSU employee does not return the enrollment forms and he is already in Definity, he will keep his Definity health insurance; if instead he is with some other health insurance carrier and does not return the form, he will receive PPO health insurance)." The March 12<sup>th</sup> minutes were approved as corrected. Find the minutes at <http://senate01.lib.lsu.edu/facsen> or go to the LSU homepage, select the A--Z directory, select 'F' and, then, the Faculty Senate.

**Attendance:** PRESENT: Claire Advokat, Laurie Anderson, Frank Anselmo, Nick Apostolou, Jack Beggs, Paul Bell, Susan Brown, W.James Catallo, John Chandler, Michael Cherry, Jon Cogburn, James Cowan, Ian Crystal, Paul Farnsworth, Yvonne Fuentes, Andreas Giger, Marge Gill, Karola Gray, Linda Griffin, Gregg Henderson, Dominique Homberger, James Honeycutt, Christopher Kenny, Neil Kestner, Dennis Landen, Ji-Chai Lin, Tom Lynch, Carroll Mathews, Carruth McGehee, Mary McGehee, Thomasine Mencer, Carl Motsenbocker, John Pizer, Aravamudhan Raman, Milton Rush, Victor Stater, Jill Suitor, Robert C.Ward. REPRESENTED BY PROXY: William Adkins (Carruth McGehee), Lori Bade (Karola Gray), James Catano (Irvin Peckham), Robert Gambrell (James Cowan), Maren Hegsted (Claire Advokat), Laura Hensley (T.Mencer), Mark Johnson (Paul Bell), Joan King (John Chandler), Dennis Landen (T.Mencer), Nancy Nelson (Elizabeth Willis), Judith Schiebout (Jill Suitor), Mark Slovak (Mike Cherry), Ed Smith (Carroll Mathews). ABSENT: Marilyn Christianson, Jeffrey Clayton, Phillip Elzer, Louis Gagliano, Kristin Gansle, Angeletta Gourdine, Cynthia Handel, Stephen Harrison, Laura Hensley, David Horohov, Don Kraft, Andrew Maverick, Robin McCarley, William Moore, Irvin Peckham, Margaret Reams, Danny Reible, Frank Rusciano, Bhaba Sarker, Dek Terrel, George Voyiadjis. VISITORS: Larry Crumbley, James Gaddy, Michael Giles, Jr., Paul Hoffman, Neil Kestner, Roger Stockbauer.

**Election of Faculty Senate Officers for 2003-2004:** There was one nomination for president, Senator and Vice-President Carruth McGehee.

Senator Carruth McGehee: Here are some things that I think about and will work on if elected. Faculty at LSU in fact have a good deal of authority. By and large, we're ready to exercise it well, on the model of other universities like ours, and to achieve a more robust faculty governance. No entity is ever autonomous that does not print its own money. But estimate accurately our boundaries, and there's no need to feel confined. An assumed posture of powerlessness is unattractive. And self-defeating. What goes with authority is responsibility for the quality of research programs, educational programs, and degrees. That's the hard part, hard to agree about everything, hard to make things happen. Doing that part well is the basis of moral authority in other matters, looking after faculty interests and pronouncing about other people's responsibilities. I'm concerned about how the Senate lives. I know we want to get down to business and get out of here. The Senate should respect its members' time. But we Senators ought to take a bit more time to talk to each other. Surely there's a better way to arrange the furniture than in this squared circle, with its empty center and its cold distances. Anyway, I would see the job as an honor, and do my best.

McGehee was elected president. There was one nomination for vice-president, Senator and Member-at-Large Claire Advokat.

Senator Claire Advokat: Thank you for electing me this past year. It was a privilege to serve with colleagues and officers who showed such dedication, intelligence, and hard work. Time as a member-at-large of the FSEC has proven to be a steep learning curve and this investment in learning would be best used by electing me to another term.

Advokat was elected vice-president. There was one nomination for secretary, Senator Lori Bade, who was absent. Senator Karola Gray said that she is extremely well organized, she is very active in her position, and she would do an excellent job. Bade was elected secretary.

President Anderson reminded senators that each year three senators are elected as members-at-large of the FSEC with two elected in the spring and one in the fall. The fall member at-large must be a freshman senator. The Senate Constitution prohibits more than two people from the same college on the FSEC and since officers Advokat and McGehee are Arts & Sciences faculty, A&S members-at-large nominees Jack Beggs and John Pizer were removed from the list of nominees. Paul Bell nominated Robert Ward to an at-large position to make the third nominee (Nick Apostolou and John Chandler being the other two). Apostolou and Ward were elected.

**Presidents report:** At a meeting of the Faculty Advisory Council (FAC) to the Board of Supervisors, representative and LSU Shreveport Faculty Senate

President John Austin introduced a preliminary proposal for tuition waivers for faculty, staff, and dependents at LSU Shreveport. There may be interest from employees throughout the LSU System for this proposal. Forward your comments to Anderson before the next FAC meeting May 1<sup>st</sup>.



There will be elections at the next senate meeting for open positions in the Budget Committee, representatives to the Council for Louisiana Colleges and Universities (CLCU), Review and Long-Range Planning Committee, and Grievance Committee. Nominations for these committees are the following: Nick Apostolou (Accounting) and Jim Richardson (Public Administration) for the Budget Committee; Claire Advokat (Psychology) for CLCU representative; Don Deis (Accounting), Tom Lynch (Public Administration), Nancy Colyar (LSU Libraries), and Ann Martin (English) for Review and Long-Range Planning; Claire Advokat (Psychology), Robert Swirn (Architecture), Joseph Ricapito (Foreign Languages), Bill Daily (Chemistry), Don Kraft (Computer Science), and Nina Lam (Geography) for Grievance Committee. More nominees are needed for CLCU and Grievance Committee.

A new web site lists bills before the Louisiana legislature concerning LSU: <http://appl003.lsu.edu/chan/externalaffairs.nsf/index>. Select menu item "Legislature and Public Policy."

Senate elections in your college must occur as soon as possible. Colleges will be notified next week regarding senate vacancies.

Anderson has received faculty comments on the frustration and concern about health insurance changes, the required annual-enrollment document, and loss of Blue Cross as an EPO provider. Anderson has directed these comments to Chancellor Emmert and Vice-Chancellor of the LSU System Forest Benedict. Forest Benedict provided copies of letters to the Chancellor and to Kip Wall, Executive Director Office of Group Benefits, on efforts to resolve these issues. Contact Benedict or HRM for more information.

### **Old Business:**

#### ***Withdrawal of SR03-08 Faculty Network on Legislative Issues:***

Senator and Member-at Large Claire Advokat said the resolution is not needed to provide information to faculty on higher education issues before the state legislature because that information is available at a new web site at <http://appl003.lsu.edu/chan/externalaffairs.nsf/index>. Also, an LSU attorney indicated that the resolution's intent to encourage lobbying by faculty was inadvisable as this lobbying by state employees may be illegal. President Anderson said the legally problematic portion of the resolution was the phone bank that was to provide feedback to legislators. The feedback was considered lobbying; an action faculty cannot do as employees of the university, but can do when acting as private citizens.

## New Business:

**SR03-09 Review of Administrators:** Senator Tom Lynch introduced and it was seconded SR03-09. Professor Paul Hoffman was asked to speak on the resolution.

Paul Hoffman, reporting as chair of the Review of Administrators Committee: I would like to thank the committee for their effort. The resolution incorrectly refers to "PS-36, Section D" when it should instead read "PS-36 Addendum Section D."



Subsection II.a is the most important point of the resolution where it mentions the administrators who also hold faculty rank: "*Administrative service is considered as special form of the service requirement of all faculty members.*" Subsection II.c notes that the evaluation system in this resolution is part of the campus performance management system, defined in PS-35. Also referenced is unsatisfactory job performance and its definition as described in the proposed PS-36 Addendum Section C [SR03-10 PS-36 Addendum contains sections A-C]. Administrators who also have faculty rank are clearly faculty members and are treated as faculty in PS-36, but in a special section because the work they do is somewhat different than what faculty normally do for service.

The evaluation of deans or chairs that also have faculty rank will include reviews involving three components. They are described in subsection III as progress toward agreed-upon objectives, unit leadership performance, and research and/or teaching. This last component must be done in the department using departmental standards as if the administrators were faculty, and the report is given to the administrator's superior to be included in the total review process. This will require some departments to develop a procedure for senior faculty to review other senior faculty.

Subsection VI specifies the "summarizers" [faculty who will review results of evaluations and summarize or interpret them for faculty and supervising administrators] for the review of chancellor, provost, vice-chancellor for research and the senior associate of Graduate School. Some committee members wondered whether the chancellor should have been included since he is normally reviewed by the system president. The committee decided to do so since he is a tenured member of the faculty. If the chancellor chooses to ignore this addition to the policy statement, the senate can argue with him on this point. The actual evaluation process in this version is the same as that described earlier this year.

Senator Jim Catallo: Why is data from a faculty member's annual evaluation destroyed each year as described in subsection 'V.n'? In my department, faculty evaluations can be cumulative and are not and should not be erased. Post-tenure review evaluations are also cumulative. Hoffman: This subsection refers to the evaluation form that includes comments. The comments can be personal and may reflect other than professional judgments. It may be well to make them

as confidential as possible. Summary data and the ordinary evaluations are not destroyed. The summarizer is supposed to report the results to the faculty independently.

President Anderson: Senators can make changes to the resolution whether in the 'whereas' sections or the actual policy next month.

Senator Mike Cherry: If the resolution was approved would it modify the existing PS-36 even though this would mean changes to a version that the Senate is in the midst of modifying [and a portion of which will be presented at this meeting]?

President Anderson: The resolution refers not to the main document of PS-36 but to Addendum D of PS-36 .

**SR03-10 PS-36 Addendum:** Vice-President Carruth McGehee introduced and it was seconded SR03-10 (<http://www.math.lsu.edu/~mcgehee/xoutput.pdf>). He distributed copies of PM-35, PS-104, and "Comments Pertaining to Section C.4 of the Proposed PS-36 Addendum." Find the latter handout at <http://www.math.lsu.edu/~mcgehee/saq.html> [this link failed when I clicked on it but worked if I instead typed in the exact web address as that shown--P.B.]. Other references were also included in emails sent to senators earlier by McGehee.



Carruth McGehee, reporting as chair of the PS-36 Committee: The PS-36 committee is only proposing an addendum to PS-36. It represents additions to PS-36 and an amendment of PS-36. Today's version went through 25 drafts since January. The Committee plans to work through the summer and fall and continue to proceed by steps, in order not to overwhelm the Senate with too much subject matter at one time. But eventually, we have in mind achieving a new PS-36, with the material from the Addendum worked into it at the appropriate places.

Section B, Rules of Academic Units, provides for some policy questions to be addressed in rules of colleges and departments. Instead of just saying "departments may do things in different ways," this would give a secure status to "local" rules provided they are duly adopted by faculty. The committee is trying to make a careful choice of what needs to be covered in campus-wide policy, and what is best left to academic units

Section C supercedes (PS-36) Chapter 4 entitled "Performance Evaluation" in all matters affecting tenured faculty and only in those matters. The PS-36 Committee and the Review of Administrators Committee, chaired by Paul Hoffman, divided up the subject matter as indicated in his report. The only statements in Section C referring to administrators are the following: (1) At the beginning of Section C, on page 3: "*Section C does not address reviews of the department chair, or of a faculty member who is serving as an administrator and has no departmental duties. Section D addresses those.*" (2) Page 6, C.3.c, item

2(d): *"If a faculty member is serving as an administrator who reports to an office above the department level, but still has duties in the department, then the chair's evaluation will address only that person's departmental functions."*

Section C has six subsections. C.1 is its preamble. Commentary is reduced and when present it is called a preamble. C.2 introduces something new—an official departmental personnel file that each faculty member will have ready access to and that additional material may be added at any time.

Subsection C.3 describes the annual review process and goes into more detail than PS-36. It tries to provide faculty members protection and makes the process visible. It allows departments and colleges to set up other review processes if they wish as long as the rules are adopted by the faculty [and follows guidelines outlined in Section B].

Subsection C.4 is the response to PM-35. The latest version of PM-35 "Review of Faculty Ranks" arrived in May 2000 and contains three requirements for all campuses of the LSU System. The first is for annual evaluations by chairs and is something that LSU has had for a long time. The second requirement is that each campus have a separate policy for dismissal and at LSU A&M that is PS-104. The last requirement is that if there are repeated findings of unsatisfactory job performance, a process starts by which a peer committee of faculty provides a second opinion of the faculty members' job performance. If this finding is sustained after reviews up through the Provost, another peer committee is formed to assist the faculty member in writing a plan for improvement, in which he or she may ask for resources necessary to carry out the plan. PM-35 calls for the University to provide adequate resources.

We already have PS-104, allowing dismissal for cause but providing very substantial due-process requirements. We already have annual evaluations by chairs, under System policy and under long-standing practice on this campus. It is already the case that a department chair can give very unfavorable reviews and, without a clear warning of it to a faculty member, thereby prepare the way for the initiation of dismissal-for-cause proceedings. That could happen before PM-35. One way of viewing PM-35 is to say that it provides additional procedural protection, involving peer review and assistance, standing between the point of the unfavorable reviews and any possible entry into dismissal-for cause. Now you can certainly view it another way and say that it provides a way to deliver up a faculty member to PS-104. It's arguable that it can't work that way, since there are still all the due-process provisions of PS-104 that guarantee a completely independent examination of the issues. In any event, when we wrote our proposal in subsection C.4, we undertook to work out the details of PM-35 for this campus so that the result would in fact be additional procedural protections.

Subsection C.4 reads *"PM-35 requires each campus of the LSU System to establish a procedure for when a chair has repeatedly found a faculty member's*

*job performance to be unsatisfactory. Subsection C.4 establishes that procedure for LSU. By means of a peer committee, it provides a check on the chair's finding, provides assistance to the faculty member, and provides a means to avert the consideration of dismissal for cause. This procedure must precede any consideration for cause if the grounds consists solely of unsatisfactory job performance. If nevertheless, the consideration of dismissal for cause is initiated later, all protections of the faculty member's rights as stated in PS-104 will remain in full force."*

You could read into PM-35 as a means somehow, conceivably, to lower the threshold for dismissal away from that stated in PS-104. That reading is certainly not totally clear, because there is no dismissal for cause without the PS-104 process. It doesn't seem to make sense to start the PM-35 process unless you have grounds for dismissal for cause.

To make sure that the threshold for the use of "unsatisfactory" in this sense is closely tied to the criteria for dismissal for cause as stated in PS-104, we have written into the addendum [C.4.b, General Provisions, page 6] the following: "***As used herein, the term unsatisfactory is defined and restricted as follows: For a finding of unsatisfactory job performance to be made, deficiencies must be sufficiently serious so that if they should persist after the faculty member receives adequate notice, and after a reasonable time is allowed for improvement, then grounds would exist for the consideration of dismissal for cause under the provisions of PS-104, the policy statement entitled 'Dismissal for Cause for Faculty'. The chair, if he or she finds that a faculty member's job performance is unsatisfactory, will explicitly state in the chair's evaluation that it is 'unsatisfactory as defined in subsection C.4 of the Addendum to PS-36.'***"

Subsection C.4 states that after the chair reports unsatisfactory performance, the dean is required to write a recommendation, advisory to the Provost, in support of or in disagreement with the finding of unsatisfactory performance.

The Advisory Board [the campus-wide watchdog committee] is composed of three full professors serving in staggered 3-year terms. Any finding of unsatisfactory performance will be checked and reviewed by the Advisory Board on campus. The Board is to look for inconsistent use, review the process, consult with the provost, and to be a watchdog for changes in the procedure.

A peer review committee is selected as provided in C.4.e or C.4.f "Selection of a Peer Review Committee". The committee is small enough and challenges are allowed from the faculty member on appointments. Faculty members of the same rank or above will select committee members. The faculty member may make two preemptory and any number with-cause challenges to appointments to the committee.

C.4.f provides for the selection of faculty from the college level to fill the peer review committee. The faculty member has a choice at what level it is done because some departments are small or there may be difficulties in letting department personnel make nominations. The committee makes an evaluation and the recommendation is placed in his file. The chair has a chance to withdraw his finding or to persist. If he persists, the recommendation goes to the dean and provost and the provost can withdraw the finding. If the provost persists, she may elect to increase the committee size if the dean agrees by one or two members to 4 or 5, and the faculty member may challenge for cause the new members.

Subsection C.4.d.6: "The faculty member will prepare a plan for improvement, including a description of resources that he or she may require to achieve the plan's objectives. The plan must be approved by the Committee."

Subsection 3.4.d.8: "*The provost, after consulting with the Board, will respond to the request for resources, making appropriate commitments as provided in PM-35 and setting the term of the plan at two years from the date of this response except as provided by C.5.*"

Subsection 3.4.d.10 references the possible consideration of PS-104 dismissal for cause.

We think we have gotten PM-35 under control and it is as it was perhaps intended—as protective of the faculty member.

My calendar is largely free during the next month for hearing your comments and questions.

President Anderson: Forward changes to FSEC to compile amendments to distribute in writing at next Faculty Senate meeting.

Senator Jim Catallo: Carruth McGehee and his committee have done a fine job in preparing the addendum to PS-36. I have spoken with Vet School and other faculty. About 9% were in favor of post-tenure review and the rest vehemently opposed. Comments received were that they do not have independent chairs, findings of unsatisfactory performance are completely arbitrary, there is a lack of symmetry in the process, a process where one person evaluates 30 people can be manipulated, the evaluation by 30 people of one [the candidate for remediation] can be problematic given vested interests, and post-tenure review is probably illegal. Of the 9% in favor of post-tenure review, most did not think it could be done right here.

I encourage faculty to read the latest draft and for senators to poll their constituents on this policy. I was surprised at the strong opposition to the policy.

Senator Mike Cherry: The addendum states that *"The faculty member will prepare a plan for improvement, including a description of resources that he or she may require to achieve the plan's objectives."* The plan must be approved by the Peer Review Committee, but what happens if the provost does not approve? McGehee: I am not sure given that I do not know the case. The committee is enjoined to negotiate with the faculty member and to serve the principles of academic freedom and self-direction. The committee has a hard time lording it over the faculty member. The faculty member might view this an opportunity to get resources to redeem the situation. I will leave that to your speculation.

Cherry: It appears the faculty member has an opportunity to ask for inordinate resources that will not be approved. It is a wonderful way for the faculty member to protect himself. McGehee: PM-35 [and the addendum] is wide open to that interpretation. The faculty member probably has an advantage there. Certainly, the faculty member has been put into a bind, but also has been given an opportunity.

Senator Andreas Giger: It would be helpful to answer in a couple of sentences why it would be advantageous to have the addendum given that we already have PM-35. We can use this answer to help explain this to our colleagues. What is the main advantage of having [the addendum to] PS-36 and what are the disadvantages? McGehee: PS-104 was worked over by the senate thoroughly a few years ago. Our PS-104 is pretty strong guarantee of due process, it has good procedure, and it has a high threshold. It is the kind of thing AAUP guidelines expect. Part of PS-104 describes dismissal due to poor job performance. The PS-36 addendum provides a protective buffer between the stage of starting to get unsatisfactory performance with the chair extremely serious about the lack of performance and the advent of the PS-104 process. It is a procedural protection. As faculty, we should want provisions to deal with severe cases. Why not let PM-35 do it? PM-35 calls for each campus to provide a procedure to carry out the steps of the process. The university is developing a procedure because of ongoing cases, they want a faculty senate to put something like this into a policy statement. We need something better than what we got.

Senator Dominique Homberger: You mentioned a procedure developed by the administrators. Could we see that procedure and compare it with the proposed addendum? McGehee: I have to speculate here. PM-35 is just the barebones—what you read there is what the administration goes by. I don't think that anything more is written.

Homberger: Can we see the policy statement that was used in handling the five remediation cases that are being handled now on campus? McGehee: I only know the procedures outlined in PM-35 are being carried out and being interpreted to carry out the cases.

Homberger: We already have a policy that is being applied—why do we need a separate procedure? McGehee: The addendum is better than PM-35 in that it has a peer-review committee to review all cases of remediation. Another item is that the initial peer committee stays with the case while in PM-35 the provost appoints a new committee of five after the department signs off on going forward with the remediation. The addendum would keep the same peer committee on the job, allowing the Provost to add one or two members to the committee. There are also the challenges allowed—preemptory and for cause. There are other things written that strengthen the policy—you do not go into this unless it is perceived as a potential dismissal-for-cause case. You don't start with some other concept for cause for remediation.

Secretary Paul Bell: The PS-36 addendum requires that a faculty member be explicitly told whether their performance was unsatisfactory. A faculty member now in remediation did not receive any explicit unsatisfactory annual evaluations. Perhaps one could infer the evaluations were unsatisfactory performance, but it was not stated that they were. It may be useful to review ongoing remediation cases to better understand why the PS-36 addendum policy is superior to the ongoing PM-35. McGehee: No one has a right to inquire into those processes. The privacy right resides with the faculty member.

Bell: Perhaps a faculty member in remediation would wish to visit with McGehee. McGehee: I am not asking for that.

Senator James Cowan: I am comfortable with the procedure of the addendum but uncomfortable with who will be the ultimate authority. The provost could cancel it. What is the leeway the department has in setting standards of satisfactory performance? Important, too, is how much do the standards differ between department, college and university.

Senator Catallo: What are the minimal standards in departments. An article in Science gave a breakdown of performance of professors in all the science departments in USA with averages of something like 1.3 articles/year and \$23,000 in grants.

Senator Aravamudhan Raman: There is a difficulty in establishing performance standards within and outside of a department. Faculty from outside the department and who are appointed to the peer review committee may have different standards for satisfactory performance than those from the department. It behooves the department to define the minimal standards. This opens up a number of issues of what constitutes unsatisfactory performance.

Professor Paul Hoffman: It has been my experience that the Provost would more likely than not nominate committee members with a larger sense of what standards are. A recent speaker at LSU, John Lombardi, said a job of the departments, the guilds as he called them, is to bring to the campus the particular

national standards for their discipline. The tendency is to say the administrators are at fault, but my experience on the Graduate Council was that it was sometimes the department that was at fault. Sometimes departments approved everyone for full-member status even those with much poorer vitae than others in the department. There can be some efforts from administrators in setting standards but there is no way to specify standards across colleges.

Senator Robert Ward: There are issues in personnel law on departmental standards that apply to the uniformity of standards across the body of employees. You could say you have standards set by departments, but you may have a case where *"I am an employee of LSU and my department's standards are not compatible with LSU's standards and my property and due process rights are being violated."* You must be careful if you make a standard in one department as it may shadow over into other departments. University legal counsel is probably saying to the university that if you set standards at one level it may spill over elsewhere. This must be looked at closely or it may backfire on all of us.

Senator Cowan: It is alright if the department is the ultimate authority. The department must have some security or some sense of standards. I would be upset if I was evaluated unsatisfactorily while in another department others doing less would not. I think that some of these standards must be set at the university level. However, I don't know how that would be done.

AAUP President Larry Crumbley: Have we found out whether PM-35 is legal? Has there been a legal opinion on that? Could you make that opinion available? Do we have an opinion on whether PS-36 [addendum] if passed, is legal? What is the sufficiently serious lack of performance that is necessary to trigger remediation? What is a reasonable time—it is undefined here and needs definition.

Senator John Chandler: Regarding the issue of setting standards at the department and university levels. . . . The Faculty Senate is the body representing the Faculty Council. It would be logical for the Faculty Senate to set the standards.

Senator Catallo: When setting standards one must set them at sustainable levels because writing or research may require considerable time, many iterations, before it is completed.

President Anderson: The PS-36 committee has written a definition for unsatisfactory performance in the addendum.

McGehee: Up to a point, standards are set by one's peers in the department. The standards in the addendum are linked very clearly to the standards where the consideration of dismissal for cause would be appropriate. It is a little dangerous to reword them outside of PS-104. If you want to know how serious unsatisfactory

performance must be, examine PS-104. It may not be crystal clear as to what it means in Veterinary Medicine, Sociology, or Physics, and you may want to propose a change in wording. That is the standard we are referring. It is a little bit bad to reword the standards for dismissal for cause outside of PS-104. The key protection—what makes the threshold so high—is not so much the words as the due process. It is a faculty committee appointed according to a certain procedure. It is the process more than anything else that keeps the threshold so high. If it is just a matter of not writing enough papers—that should not take us to subsection C.4 [a finding of persistent unsatisfactory performance that triggers remediation]. Due process and the traditional strength of the tenure system are quite substantial.

Senator Raman: A particular department may unanimously promote a faculty member and then he is rejected at upper-administration level. Their standards can be quite different from the department. It behooves us to set some level of common performance to prevent the inequities. These different standards may also invite some legal challenge.

Senator Tom Lynch: Under C.4.c and C.4.d "adequate notice" is referred to and this notice should be in writing, a time limit should be given, and it should be mailed to the faculty member.

Senator John Chandler moved that discussion cease. Motion passed.

**SR03-11 *Guidelines and Recommendations for Establishing Criteria for Awarding Merit and Equity Raises:*** Senator and Secretary Paul Bell introduced and it was seconded SR03-11.

Secretary Bell: Things could have been worse—I could also have introduced resolutions on acquiring a \$100,000 loan from the Chancellor and another resolution for the formation of a new LSU System campus from the consolidation of LSU AgCenter, LSU A&M, and LSU Law.



**SR03-12 *Analyses of LSU Salary Data:*** Senator Paul Bell introduced and it was seconded SR03-12.

**SR03-13 *Posting Faculty Salaries on the Web:*** Senator Paul Bell introduced and it was seconded SR03-13.

Senator Mike Cherry: This resolution makes me uncomfortable. The data will make it easier to acquire data. But will this allow one to find useful information or to make useful comparisons? If I compare a person with a 9-month salary with one on a 12-month salary, or compare a person who may acquire summer funds from grants or consulting while another does not, or make a comparison with another department where market pressure means higher salaries; will these

comparisons be misused? Are there disadvantages to allowing the data to be too accessible for people who do not have the ability to decipher the data properly?

Bell: I could make the data more useful if I had three not just one year of data. This would allow one to determine merit raises. I have done this in my department and I have the salary data from the last three years.

Senator Kristin Gansle: The data are public information. Are we supposed to protect everyone from themselves? The requirement that the data be on a password-protected web site bugs me. If one wants to use the data, they should have that right. Bell: File an amendment. This is the PG version.

President Anderson: The data are public but there are also privacy issues.

Senator Carruth McGehee: Who are the 'non-classified' employees described in the resolution and whose salaries would be posted? Bell: Faculty and administrators.

Senator Dominique Homberger: The sentence *Sometimes the best reform efforts are those that require previously private actions to be placed into public view* is one that we all know to be true in every sphere of life. I am interested in what would produce the misuse of data that was mentioned before. I do not know how the data could be misused. Also, given that the data is available at the library and bookstore, what privacy violations may result from the web posting?

Senator Jim Catallo: Historical data would be useful, breakdowns on merit and equity raises, mention of extra compensation, and background material on the data.

Senator Cherry: It would be difficult to compare salaries of two people if they are both 9-month or 12-month. Or whether an extra foundation supplement is given to a faculty member, or where grant funds can be used. Without that information and which is difficult to get, the raw data could be misleading.

Senator Carl Motsenbocker: The salary data includes annotation whether 9- or 12-month appointments. The fact that some salary is not include in the budget in some cases would only mean that the differences between two faculty are even worse than thought.

Senator Homberger: I was specifically asking about the misuse of data. How could it be done?

**SR03-14 Review of LSU Campus Master Plan:** Senator Carl Motsenbocker introduced and it was seconded SR03-14.

Senator Carl Motsenbocker: An article on the Master Plan will appear in the April issue of *Legacy*.

Senator Chandler moved and it was seconded to adjourn. The meeting was adjourned at 4:59.

Secretary Paul Bell



Photos by Claire Advokat.

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## **SR03-09 Proposed Guidelines for Faculty Evaluation of Administrators** **Thomas Lynch**

Ad Hoc Committee to Develop Recommendations for Review of Administrators  
(2002-2003)

- I. Purposes of Faculty Evaluation of Administrators**
- II. Definitions**
- III. Evaluation Considerations**
- IV. General Procedures**
- V. Administration of Evaluations**
- VI. Uses of These Evaluations**

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### **I. Purposes of Faculty Evaluation of Administrators**

- a. To provide a policy and procedures for the faculty evaluation component that is part of the evaluation of administrators by their supervisors.

- b. To foster a campus environment that facilitates accomplishment of the University's strategic initiatives as embraced by faculty, students, administrators, and administrative staff.
- c. To acknowledge the importance of the **accountability** of administrators to the faculty. Such accountability is intended to promote a collegial environment of **shared governance** among the members of the campus community.
- d. To provide a means for effective, regular, and timely communication as the essential element in the evaluation of **administrators** by **faculty**.
- e. To provide a means for faculty participation in and responsibility for all aspects of their evaluation of the administrator(s) of their academic unit(s).
- f. To provide that performance evaluations of administrators will be consequential, furthering the University's and the unit's strategic plan.
- g. To provide administrators with formative opportunities and rewards, and, in cases of severe deficiencies or nonperformance of duties, termination of administrative assignment(s).

## **II. Definitions**

- a. This document pertains to those holding faculty rank assigned to administrative positions such as (but not limited to) dean or director of an academic **unit** and department chair/head, hereafter **administrators**. A **supervising administrator** refers to the supervisor of the administrator being evaluated (e.g., a dean is the supervising administrator of a department chair/head) who has responsibility for the full evaluation of the unit administrator.
- b. For purposes of this document, **faculty** refers to all members of the academic staff having the rank of instructor or higher (or equivalent rank) who are appointed full-time.
- c. **Unit** refers to any grouping of faculty so designated by the Office of Academic Affairs in consultation with the Faculty Senate Executive Committee. Typically these are departments and colleges but also include schools and programs cutting across departmental lines.
- d. **Other administrators** are individuals with academic rank designated by mutual agreement of the Chancellor and the Faculty Senate Executive Committee as falling under the procedure described herein.
- e. **Summarizers** are faculty trained by the Office of Human Resource Management to review the results of evaluations and summarize/interpret them for faculty and supervising administrators. See Section IV (d) for more information.

### III. Evaluation Considerations

**a. Progress Toward Agreed-Upon Objectives:** Maintaining and enhancing the quality of teaching, research, and service in a unit and fitting the work of the unit into the University's strategic plan requires that the faculty and administrator(s) of each unit collaboratively develop and implement the unit's strategic plan. Each unit will evaluate how effectively its administrator(s) collaborated with the faculty to develop and further the unit's plan, including reporting results to the faculty, and assessing progress.

**b. Unit Leadership Performance:** Administrators must foster an environment in which faculty can pursue excellence in scholarly activities, teaching, and service. The faculty will evaluate the administrator on an array of skills, including, among others, leadership ability, mentoring, skill in handling personnel issues, and effective communication.

Further, because it is University policy to promote a workplace that is free from discrimination on the basis of race, color, marital status, sexual orientation, creed, religion, sex, national origin, age, mental or physical disability or veteran's status, and because scholarship is enhanced when the individual talents of a diverse community are nurtured, it is the special obligation of administrators to actively develop and maintain an environment that contributes to the elimination of barriers *where they are perceived by historically underrepresented groups*. Accordingly, administrators will also be evaluated on their efforts to see that historically underrepresented groups are included as full participants in the unit. The Office of Human Resource Management and the office of the Vice Provost for Academic Affairs and Campus Diversity are resources for matters relating to nurturing diversity.

**c. Initial Appointment of Administrators:** While this document contemplates the evaluation of individuals holding administrative positions, it should be emphasized that faculty input into the initial appointment of an administrator is essential to promoting a community of shared governance. Faculty participation is of particular importance when external candidates for administrative positions are selected. Faculty rank and tenure may only be offered in accordance with the faculty processes specified in the following:

- PS-36, *Faculty Appointment, Performance Evaluation, Reappointment, Promotion/ Tenure, Appeal Procedures*
- PS-07, *Academic Honorifics*, if the candidate will be appointed to a designated professorship or endowed chair.

The Office of Human Resource Management will ensure compliance with these and other applicable Policy Statements. The appointing administrator should inform the faculty of the unit of the approximate allocation of effort expected from the new appointee in the customary three areas.

### IV. General Procedures

The general evaluation process is depicted in **Figure 1**, and described within Section IV.

a. The formal annual evaluation policy contained herein in no way limits the individual faculty member's right to communicate with an administrator's supervisor(s) about matters that arise and require attention during the year.

b. Final evaluation of the administrator's performance remains the responsibility of the administrator's supervisor *but must include consideration of the unit faculty's evaluation.*

c. Two different evaluations are contemplated:

i. An annual evaluation involving primarily the faculty of the unit and the administrator's supervisor.

ii. A periodic evaluation bearing on consideration for continuing appointment that will be the annual evaluation plus whatever additional information, if any, a unit's faculty determine is of value. No continuing appointment should be made until this evaluation has been completed.

d. A list of faculty will be created (hereafter, *summarizers*) who will review results of evaluations and summarize / interpret them for faculty and supervising administrators. Summarizers will be nominated by the elected faculty policy committees and senates or, where a unit does not have an elected body, by the faculty as a whole, in the fall of each year. *See Section V (c) for an exception to this procedure.*

e. The Office of Human Resource Management will train the summarizers in how to summarize and communicate data provided in the evaluations to ensure respect and confidentiality for all parties to the process. This initiative is part of a larger university process of developing faculty skill in assessment.

f. The evaluation of administrators procedure is annual and begins with an annual report by the unit administrator to the unit faculty, with emphasis on the planning process, achievements of the unit, and higher-level strategic goals. This step is the first in the rolling renewal of the planning process.

g. Evaluation instruments (forms) will be "user-friendly" and capable of secure submission procedures (e.g., Internet-based) and designed to produce meaningful statistical measures (e.g., central tendency and dispersion).

h. The evaluation will have two parts: (i) assessment of activity in support of the planning process (see Section III (a) for more detail) and (ii) assessment of skills in general administration of personnel (see Section III (b) for more detail). Each part will consist of two sections:

- A standard form used by all units and cooperatively constructed by the Office of Academic Affairs, the Office of Human Resource Management, and the Faculty

Senate's Faculty Personnel Policies Committee (*see Appendix*), with the objective of providing university-wide comparisons and data.

- A section of questions determined by the unit's faculty as useful for its internal assessments; the Office of Human Resource Management and the Center for Assessment & Evaluation will facilitate the development and installation of this section and its revision over time as needed.

i. On a timetable to be determined by the Office of Academic Affairs, these assessment instruments will be available during a finite period each year for faculty input using a password or similar access-limiting system.

j. The Center for Assessment & Evaluation will (i) supervise the evaluation system to ensure that it generates the data to be summarized and (ii) facilitate supplying the raw response information, *stripped of any information that identifies individual responders*, to the supervising administrator.

k. An individual(s) from the list of summarizers who is (are) not a member(s) of the unit faculty and is (are) selected as provided for in Section V will access the faculty responses to the evaluation instruments, summarize them verbally and numerically, and report the results to the faculty and the supervising administrator in writing. The summary will take account of comments but not reproduce them verbatim. The supervising administrator will have access to the original responses (*without individual identification of responders*) and the full text of comments. All parties understand that verbatim comments are kept in strict confidence.

l. The supervising administrator will provide timely feedback to the following:

- The unit administrator being evaluated, including discussion of comments, if deemed appropriate.
- The unit faculty, explaining any discrepancy between the summary of the faculty evaluation and the supervisor's evaluation.
- This feedback then cycles into the formulation of the unit and unit administrator's plan for the following year and such revision of the unit's vision statement and strategic plan as the unit faculty, unit administrator, and supervising administrator deem necessary.

m. Support for the faculty evaluation process and the timeliness, quality, and effectiveness of the supervisor's evaluation will be considered during the supervising administrator's own evaluation.

n. The Faculty Senate's Faculty Personnel Policies Committee will (i) represent the faculty interest both in implementing and in maintaining and improving this process and (ii) report annually to the Faculty Senate on issues related to *Faculty Evaluation of Administrators of Academic Units And Certain Other Administrators*.

o. The original data from the faculty evaluation will be retained under seal by the Office of Human Resource Management unless required for an appeal or other process. If not so required, it will be destroyed when the following year's data is deposited.

## **V. Administration of Evaluations**

**a. Departments (Chairs, Heads, and Directors of Schools within Colleges):** The department faculty will select one trained faculty summarizer from the list who is not a member of the department.

**b. Colleges and Similar Units (Deans and Directors who report to the Provost):** The Executive Committee of the College Senate or Policy Committee will recommend to the Provost a committee of at least three summarizers external to the unit and drawn from the list of trained summarizers. Where there is no elected faculty body, the Provost will cooperatively develop the committee in consultation with the unit faculty as a whole.

### **c. Other Administrators:**

- i. **Provost.** The Chancellor and the Faculty Senate Executive Committee will designate three past presidents of the Faculty Senate as the summarizers. A past president holding an administrative position is not eligible to serve in this capacity.
- ii. **Other administrators:** The Chancellor and the Faculty Senate Executive Committee will designate as many as three trained summarizers from the list.

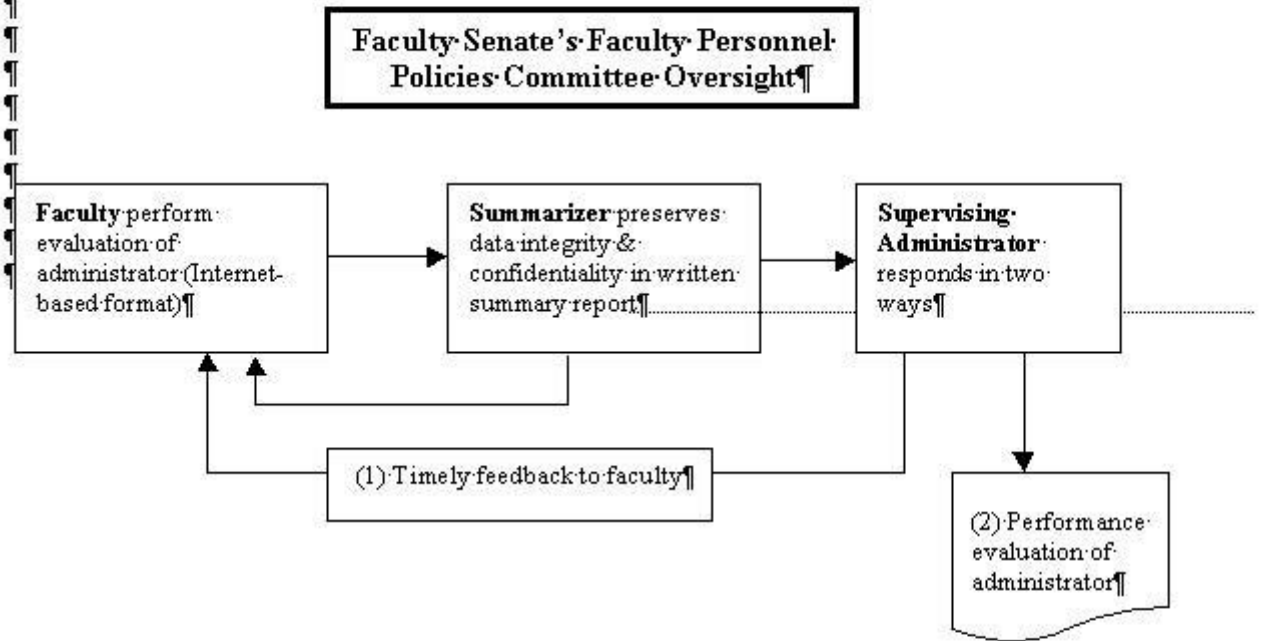
## **VI. Uses of These Evaluations**

Performance evaluations of an administrator should be used to further the University's and the unit's strategic plan, provide formative opportunities and rewards for the administrator, and, in cases of severe deficiencies or nonperformance of duties, lead to termination of administrative assignment(s).

### **Figure 1. Overview of Faculty Evaluation of Administrators**

Faculty Evaluation of Administrators of Academic Units  
And Certain Other Administrators

Figure 1. Overview of Faculty Evaluation of Administrators



**Appendix. Charges for Faculty Personnel Policies Committee**

(Bylaws of the Faculty Senate, Louisiana State University, Article IX—Committees)

1. To conduct continuing review of and to make recommendations regarding policies pertaining to conditions of employment, promotion, tenure, compensation, leave, insurance, retirement, and all other matters concerning fringe benefits affecting the welfare of faculty personnel and their dependents.
2. To confer with representatives of nonacademic personnel who may be appointed to study problems affecting all University personnel.
3. To consider all other matters referred to the committee by the Faculty Senate and/or the administration of Louisiana State University.
4. To ensure that a representative of the LSU faculty, not on the respective governing board, attends all open board meetings, hearings, etc., conducted by the

governing boards of the health, insurance, and retirement systems of Louisiana which manage benefit and insurance plans covering LSU faculty.

Membership: Eight faculty members (seven active; one retired); Director of Human Resources or designee, *ex officio*.

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## SR03-10 PS-36 Addendum:

*April 10, 2003  
Faculty Senate  
Resolution 03-10:  
Be it Resolved that the  
Senate Recommends the  
Adoption of the Following  
Addendum to PS-36*

**The PS-36 Committee:  
Professors Emily Batinski, Lou Day, Rick Ortner,  
Jim Richardson, Roger Seals, Roger Stockbauer,  
Jill Suitor, Carruth McGehee (Chair),  
and Director Janie Frickie, HRM, ex officio**

# *Contents*

<i>Addendum</i>		<i>1</i>
<i>A</i>	<i>Definitions</i>	<i>1</i>
<i>B</i>	<i>The Rules of an Academic Unit</i>	<i>1</i>
		<i>2</i>
	<i>B.1 Preamble</i>	<i>2</i>
	<i>B.2 Validity and Recognition</i>	<i>2</i>
	<i>B.3 Authority to Require a Change</i>	<i>3</i>
<i>C</i>	<i>Annual Departmental Reviews for Tenured Faculty</i>	<i>3</i>

	<i>0C.1 Preamble</i>		3
	<i>C.2 A Faculty Member's File</i>	4	
	<i>C.3 The Annual Review Process</i>	4	
	<i>C.3.a Objectives</i>	4	
	<i>C.3.b Procedure</i>	5	
	<i>C.3.c Evaluation by the Chair</i>	6	
35	<i>C.4 A Finding of Unsatisfactory Job Performance; PM-</i>		6
	<i>C.4.a Preamble</i>	6	
	<i>C.4.b General Provisions</i>	6	
	<i>C.4.c A New Finding</i>	7	
	<i>C.4.d A Repeated Finding</i>	7	
	<i>C.4.e Selection of a Peer Review Committee</i>	9	
	<i>C.4.f An Alternative, CollegeLevel Peer     Review Committee</i>	10	
	<i>C.4.g The Advisory Board</i>	10	
	<i>C.5 Illness and Other Exceptional Circumstances</i>		10
	<i>C.6 Privacy Rights</i>		11

## *Addendum to PS-36*

This Addendum makes the first changes in PS-36 since the version of July 1, 1997. It amends and supersedes certain portions of that version, and it sets policy in certain areas which have not been addressed previously.

### **A DEFINITIONS**

The following definitions amend or supplement those that appear in Chapter VIII, Section A.

**Advisory Board.** See C.4.g, page 10.

**Bylaws.** The primary governance document of an academic unit.

**Chair.** Chair, head, or otherwise-titled chief academic officer of an academic department reporting to a college; or, dean of a school that is not divided into departments.

**Dean.** Dean of a college. Provisions stated with regard to a dean or a college are void in any case when the unit in question is a school reporting directly to the Provost.

**Department.** An academic department, or a school that is not divided into departments.

**Documentation.** Short for "documentation and supporting material," as defined in Chapter VIII, Section B, as provided by the faculty member, who may incorporate, as he or she sees fit, information and evidence pertinent to the quality and value of his or her activities.

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

**Panel.** With authority to appoint a Peer Review Committee, see C.4.e, page 9, and C.4.f, page 10.

**Peer Review Committee.** See C.4.e, page 9.

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

**Rules.** The rules of an academic unit consist of its bylaws, if any, and other duly adopted statements of policy, whether contained in one or several documents.

**Scholarship.** Activity appropriate to a faculty member's discipline and field, of the kinds described in Chapter II, Section C; elsewhere referred to as "research and other creative activity."

## **B THE RULES OF AN ACADEMIC UNIT**

### **B.1 Preamble**

To establish the most effective faculty governance, and to make due provision for the varying characteristics of the several academic units, their disciplines, and their circumstances, PS-36 grants an important role to rules that a unit may adopt with respect to policy matters addressed herein.

### **B.2 Validity and Recognition**

The rules of an academic unit must be consistent with PS-36 and all other University policy statements. A department's rules must be consistent with those of the college to which it reports. Furthermore, to be valid and recognized under PS-36, all rules pertinent to the subject matter of PS-36 must meet the following requirement:

A department's rules must be approved by a majority vote of the tenured faculty with primary appointment therein. A department may have an additional requirement, for example a majority vote of a more inclusive body of faculty, for the adoption of some or all categories of its rules.

A college's rules must be approved as provided by the college's bylaws, which may, for example, delegate the authority to adopt and amend some or all categories of its rules to an elected body of faculty.

### **B.3 Authority to Require a Change**

The chair or dean of each academic unit must make the unit's rules publicly available, and in particular must provide the current version of the unit's rules to the dean (if the unit reports to a dean), the Provost, and the Faculty Senate Committee on Faculty Personnel Policies. Either the Provost or that Committee, after consultation with the other, may require a change in the unit's rules. Such a requirement must be based on the ground of an inconsistency with the rules of a higher unit or with PS-36, or else on a finding that the provision in question is contrary to the interests of the University.

## **C ANNUAL DEPARTMENTAL REVIEWS FOR TENURED FACULTY**

Section C supersedes Chapter IV, entitled "Performance Evaluation," in all matters affecting tenured faculty, and only in those matters. **In this Section, *faculty* will mean *tenured faculty*.** Section C does not address reviews of the department chair, or of a faculty member who is serving as an administrator and has no departmental duties. Section D addresses those.

### **C.1 Preamble**

The University promotes a person to tenure only after a long probationary period and a rigorous, careful decision process. Accordingly, tenure entails the presumption of professional excellence. Tenure implies the expectation of an academic career which will develop and grow in quality and value, and one which will be substantially self-supervised and self directed. With tenure, the University grants heightened job security and procedural protections in order to allow long-term plans and undertakings, and to encourage quality, innovation, and independence in scholarship and teaching. With

tenure comes a steward's role in the University's governance and leadership. Those tenets of the tenure system and the principles of academic freedom underlie the University's faculty personnel practices, and in particular must inform the annual review process described in subsection C.3.

It is consistent with the tenure system that all faculty should be subject to reporting requirements, to accurate reviews and evaluations, and to other mandates of University policy. Such measures aim to nurture and support faculty work and faculty careers, to recognize excellence, and be fair to everyone. Such is the opportunity and the task of administrative leadership.

The annual review process should be understood and carried out in the awareness that faculty work is in large part a matter of multi-year projects and commitments. The import of a single year's report or evaluation will often be incremental in nature.

The process is a framework for businesslike and collegial communication. Colleges and departments, in their rules, are free further to specify and regulate the criteria, the process, and the timetable; and to provide additional formal reviews, of various kinds and frequencies, that fit around this framework.

Thus PS-36 does not prescribe in great detail. However, subsection C.4 does make detailed provisions to govern the case, should it arise, in which a faculty member is found failing to meet his or her professional obligations. These provisions respond to the mandates of the LSU System's policy statement PM-35, entitled *Review of Faculty Ranks*, and also to the imperative to define and protect faculty rights in such a case.

## **C.2 A Faculty Member's File**

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

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

1. An up-to-date set of documentation (see Section A).
2. The faculty member's annual reports.
3. The reports from all formal reviews that have been completed, either under the rules of academic units or under PS-36, including the comprehensive evaluations generated during consideration for reappointments (Chapter V) or promotions (Chapter VI).
4. The annual chair's evaluations of the faculty member.
5. The performance evaluations by chairs of the faculty member's secondary departments, if any.
6. A list of the file's contents.

### **C.3 The Annual Review Process**

The process will occur once per year in each faculty member's primary department, with exceptions as described in C.5.

**C.3.a Objectives** The annual review will assure the following results.

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

**C.3.b Procedure** The annual review process will consist of the following steps.

1. When asked to do so by the chair, the faculty member will bring the documentation in the file up-to-date.
2. When asked to do so by the chair, the faculty member will prepare an annual report on his or her activities, describing plans and objectives for the future. The faculty member may include a self-evaluation.
3. The chair will ask the chair of each of the faculty member's secondary departments, if any, to submit a performance evaluation.
4. The chair will assure that the file contains the reports from all formal evaluations that have been completed.
5. After giving due consideration to all the contents of the file, the chair will prepare and sign a document, called the chair's evaluation, described in C.3.c, and provide a copy to the faculty member for review.
6. The document will also be signed by the faculty member, under a statement that will read, at least in part and in effect, as follows: My signature indicates that:
  - (a) I am aware of the contents of this file and have had the opportunity to provide my annual report and up-to-date documentation.
  - (b) I have read and understood the chair's evaluation.
  - (c) I have exercised, or else waived, my rights to discuss the evaluation with the chair and with the chair of each secondary unit in which I am employed.

(d) I understand that I have the right to attach a comment or dissent, with materials in support thereof. I have/have not done so.

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

8. The provisions of subsection C.4 will sometimes apply and modify the procedures described above.

**C.3.c Evaluation by the Chair** The chair is responsible for this document, and it represents the chair's independent judgment. Nevertheless, the chair is free to delegate all or part of its preparation. Furthermore, the department is free, in its rules, to establish a committee to advise the chair about evaluations.

The chair's evaluation will incorporate at least the following elements.

1. An advisory concerning any upcoming formal review, such as a mandated review for promotion.

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

(a) The chair's evaluation includes by reference all the contents of the file. The chair may allow this material to speak for itself, or may summarize or discuss its significance.

(b) In evaluating the faculty member, the chair may be brief, and is not required by PS-36 to engage in systematic rankings, comparisons, or classifications.

(c) The chair's evaluation must be based on the faculty member's job description and work assignments.

(d) If a faculty member is serving as an administrator who reports to an office above the department level, but still has duties in the department, then the chair's evaluation will address only that person's departmental functions.

(e) The chair may call for improvements in the faculty member's job performance, and in so doing must be specific and must offer appropriate advice and assistance.

(f) In some cases, the provisions of subsection C.4 may apply.

#### **C.4 A Finding of Unsatisfactory Job Performance; PM-35**

**C.4.a Preamble** PM-35 requires each campus of the LSU System to establish a procedure for when a chair has repeatedly found a faculty member's job performance to be unsatisfactory. The present subsection C.4 establishes that procedure for LSU. By means of a peer committee, it provides a check on the chair's finding, assistance to the

faculty member, and a means to avert the consideration of dismissal for cause. This procedure must precede any consideration of dismissal for cause if the grounds consist solely of unsatisfactory job performance. If nevertheless the consideration of dismissal for cause is initiated later, all protections of the faculty member's rights as stated in PS-104 will remain in full force.

**C.4.b General Provisions** As used herein, the term *unsatisfactory* is defined and restricted as follows: For a finding of unsatisfactory job performance to be made, deficiencies must be sufficiently serious so that if they should persist after the faculty member receives adequate notice, and after a reasonable time is allowed for improvement, then grounds would exist for the consideration of dismissal for cause under the provisions of PS-104, the policy statement entitled *Dismissal for Cause for Faculty*. The chair, if he or she finds that a faculty member's job performance is unsatisfactory, will explicitly state in the chair's evaluation that it is "unsatisfactory as defined in subsection C.4 of the Addendum to PS-36."

A finding of unsatisfactory job performance is called a *new finding* unless it is a *repeated finding* as defined in C.4.d below.

**C.4.c A New Finding** After step 5 of C.3.b, the chair will hold a conference with the faculty member to give notice of the finding and to discuss all matters at issue. The chair will attach a record of the conference to the chair's evaluation. The annual review process will then be completed, resuming with step 6 of C.3, and the following additional requirements will apply.

1. The dean, whenever he or she receives a file that contains a finding of unsatisfactory job performance, will write a recommendation, advisory to the Provost, in support of or in disagreement with the finding.
2. HRM, whenever it receives a file that contains a finding of unsatisfactory job performance, or whenever there has been such a finding during the previous two years, will circulate the file to the Provost and to the Advisory Board, defined in C.4.g and herein called the *Board*.
3. Whenever the Provost receives a file that contains a finding of unsatisfactory job performance, he or she may, after consulting the dean and the Board, overrule the finding. Henceforth, in that case, the finding will be of no effect and will not count. The Provost's statement will be sent to the Board, the dean, the chair, and the faculty member, and a copy will become part of the file.

**C.4.d A Repeated Finding** When the chair makes such a finding with regard to a faculty member for the second consecutive year, or for the third time in five years, then after step 5 of C.3.b, the chair will hold a conference with him or her to give notice of the finding, to discuss all matters at issue, and to explain the pertinent provisions of the present Section C.4. The chair will attach a record of the conference to the chair's evaluation. A Peer Review Committee, herein called the Committee, will be selected as provided in C.4.e; except that it will be selected as provided in C.4.f if the department is part of a college, and if the faculty member so prefers.

1. Acting independently of the chair, the Committee will review the file and the chair's evaluation, confer with the faculty member, gather additional information at its discretion, and write an evaluation of the faculty member's job performance, including specific suggestions and advice for any needed improvement, to become part of the file.

2. If the Committee's report does not support the chair's finding of unsatisfactory job performance, then the chair is free either to withdraw the finding and revise the chair's evaluation accordingly, or to persist therein. In either case, the annual review process will be completed as in C.3.b, resuming with step 6.

3. At this point, items 1, 2, and 3 of C.4.c apply.

4. If the Provost overrules the finding, then the Committee is dismissed. Items 5 through 10 below will not apply.

5. The Provost, if in agreement with the finding, may elect to appoint one or two additional members to the Committee, increasing the number to 4 or 5. They must be faculty at or above the rank of the faculty member. The Provost must afford the faculty member the right to challenge, for cause, each appointment of a new member.

6. The faculty member will prepare a plan for improvement, including a description of resources that he or she may require to achieve the plan's objectives. The plan must be approved by the Committee. The Committee will advise and assist the faculty member in the preparation of the plan, and will confer with the faculty member on all matters at issue, seeking mutual agreement. In its interactions with the faculty member, the Committee will observe the principles of academic freedom and professional self-direction. The Committee may set reasonable deadlines for the faculty member to act, and must itself act in timely fashion. It is suggested that the work described in the present item 6 should be done within six weeks after the appointment of the Committee.

7. The Committee will write comments about the faculty member's plan. The comments will include recommendations about the requested resources, and specific advice as to what the faculty member must do to restore satisfactory job performance. The Committee will then send the plan and comments to the chair, the faculty member, and through the dean to HRM, who will transmit them to the Provost and the Board. A copy will become part of the file.

8. The Provost, after consulting with the Board, will respond to the request for resources, making appropriate commitments as provided in PM-35, and setting the term of the plan at two years from the date of this response except as provided by C.5. The Provost will transmit the response to the faculty member, with copies to the dean and the chair. A copy will become part of the file.

9. The Committee will continue to advise and assist the faculty member and monitor his or her progress throughout the term of the plan. Each year, the Committee will write a report to be placed in the file during the annual review process, and the chair will also make an assessment of progress as part of the chair's evaluation.

10. If the Committee and the chair both conclude that the faculty member has grievously failed to make a good faith effort as called for by this procedure, or if at the end of the term, they both conclude that the faculty member's progress under the plan is inadequate; and if, further, they both conclude that there are sufficient grounds for consideration of dismissal for cause under the provisions of PS-104; and if the Provost, after consultation with the Board, agrees, then the

Provost will ask the Chancellor to initiate consideration of dismissal for cause. Otherwise, at the end of the term, the previous findings of unsatisfactory job performance henceforth will be of no effect and will not count, and the Provost will notify all parties and place a statement to that effect in the file.

#### **C.4.e Selection of a Peer Review Committee**

1. The body with authority to select a Peer Review Committee, herein called the *panel*, comprises all the tenured faculty with primary appointment in the academic unit at the same or higher rank as the faculty member in question, but not including the chair or the faculty member; except that the rules of the unit may delegate this authority to a more restricted, standing body which has been elected. The panel may already have a presiding officer, but if not, will select its own.

2. The chair will notify the panel when a Peer Review Committee must be selected, and must at that time relay any pertinent communications from the faculty member (see 3b and 3c below).

3. The panel will meet, discuss the case, and elect the Peer Review Committee, which will comprise three tenured faculty members whose primary appointment is in the department, and whose rank is at least that of the faculty member in question. These restrictions and exceptions apply:

(a) In electing the Committee, the panel must exclude the chair, the faculty member in question, and others who the panel believes would have a conflict of interest.

(b) **The Right to Challenge with and without Cause.** Before the panel elects the Committee:

The faculty member has the right, without stating cause, to name up to two persons whom the panel must exclude.

The faculty member has the further right to name any person or persons who he or she believes ought to be excluded, and to state reasons such as conflict of interest, demonstrated lack of objectivity in a pertinent matter, or other sufficient cause. The panel must then give due consideration to such reasons. The faculty member will again have that right if the panel later fills a vacancy on the Committee.

(c) The faculty member has the right to instruct the panel that the Committee must include at least some one tenured faculty member, with the same or higher rank, whose primary appointment is outside the department, or even outside the college. The panel itself must do so if a Committee of three cannot otherwise be constituted. Item 3e below applies.

(d) The faculty member may exercise the rights stated in items 3b and 3c by writing a memorandum, in timely fashion, to the presiding officer of the panel directly or through the chair.

(e) Outside members will be nominated by the panel but must be approved by the Provost. Before granting approval, the Provost must afford the faculty member the right to challenge a nominee for cause.

**C.4.f An Alternative, College-Level Peer Review Committee** As stated in the first paragraph of C.4.d, the faculty member may choose to have the threemember Committee elected by a college panel instead of the department panel of C.4.e. The procedure will be that of C.4.e, items 2 and 3, with "department" replaced by "college." Each college, in its rules, is free further to specify and regulate the procedure.

The college panel, unless the rules of the college define it differently, will consist of the tenured faculty members on the college policy committee, or equivalent body, who are at or above the rank of the faculty member, excluding chairs and the faculty member.

**C.4.g The Advisory Board** The Faculty Senate Executive Committee and the Provost will jointly appoint the Board. It will comprise three full Professors, serving for staggered 3year terms. No one person may serve for more than a total of six years. No one with an administrative rank of chair or higher will serve. No more than one person from any one college or school may serve at one time. The functions of the Board will be as follows.

1. To reviewfaculty members' files and plans for improvement as provided herein.
2. To monitor the functioning of the processes on the campus related to subsection C.4.
3. To consider issues of fairness and faculty rights as well as the effectiveness and benefit of these processes.
4. To give guidance and advice to chairs and to Peer Review Committees with regard to their duties under subsection C.4.
5. To make recommendations for the improvement of the pertinent policies and practices.

## **C.5 Illness and Other Exceptional Circumstances**

A faculty member may suffer from physical or emotional illness, or drug or alcohol dependency, to such a degree that a job performance evaluation cannot reasonably proceed in disregard thereof. In such a case the chair, acting under the guidance of HRM and with approval by the dean, may suspend or modify the annual review process. Similarly, in such a case, the Provost may set the term of a plan for improvement at more than two years. Because of legal restrictions on the handling of medical information, such exceptions are not subject to review by or reports to the Board. See also PS-59, the Policy Statement entitled *Employee Assistance Program*.

## **C.6 Privacy Rights**

The files generated under the present Section C are personnel records in the sense of PS-40, the Policy Statement entitled *Employee Records Confidentiality*. Every effort should be made to ensure confidentiality in the processes of the Section.

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## **SR03-11 Guidelines and Recommendations for Establishing Criteria for Awarding Merit and Equity Raises**

Paul Bell

Whereas, unfair awarding of merit and equity raises severely damages faculty morale;

Whereas, annual salary raises are more common now, it is therefore of more concern to faculty that deficiencies in how salary increases are awarded are addressed;

Whereas, with some exceptions, departments have only rudimentary policies on how to award merit and equity raises;

Whereas, most faculty only know the average merit-raise increase for their department or possibly the range in merit raises, this is inadequate to judge how well one has done;

Whereas, the intent of merit raises is to boost performance, it is often difficult to determine what performance is to be boosted because criteria used for awarding raises are unclear;

Whereas, most department faculty do not discuss how raises should be given whether merit, equity or a combination, whether a small or large range in the percentage-of-salary increases for the department, and whether an across-the-board raise instead of merit raises when the average raise would be less than the inflation rate;

Whereas, it would be useful to learn more about salary policies at other leading universities for their incorporation here;

Whereas, few faculty have been willing to file salary complaints to the Grievance Committee in part because it is unclear what constitutes performance for below-average to above-average merit raises; and

Whereas, policy statements must allow departments substantial power to determine their own criteria for awarding merit raises;

Therefore, be it resolved, that the Faculty Personnel Policies Committee prepare a policy statement (PS-1XX) for guidelines and recommendations for departments and units for awarding merit and equity raises for faculty. The following reports are to be delivered at Faculty Senate meetings: progress report in November 2003; draft of the policy in March 2004; and a revision in May 2004. The report and policy statements will be distributed to the Council of Deans and Directors and any others interested.

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## SR03-12 Analyses of LSU Salary Data

Paul Bell

Whereas, the Faculty Senate has little expertise in the study of salaries even though such study can provide the body with useful information for helping set LSU budget and policy;

Whereas, a study of faculty salaries may help pinpoint faculty rank, discipline, or other groups in particular need for equity raises;

Whereas, LSU and the Board of Regents utilize regional comparisons of faculty salaries to assess LSU salaries, additional study of the comparisons are required to examine the effects of including compensation and the use of other regional or national peer groups;

Whereas, a study of salary data may be helpful for new and old faculty in salary negotiations;

Whereas, the type of efforts by the Office of Budget and Planning in conjunction with deans to present summary statistics of faculty salaries are valuable, these efforts need further development via a joint effort between a liaison from OBP and the Faculty Senate;

Whereas, evidence of a disproportionate increase in salaries of some administrators across the last decade has been found, a rigorous examination of this issue is needed; and

Whereas, faculty's supposedly greatly improved state of salary compensation in the last few years has been noted, this data must be examined in a more thorough fashion;

Therefore, be it resolved that a study of salary data of non-classified employees be conducted by the Committee on Long-Range Planning. The Office of Budget and Planning will be asked to provide a liaison to the committee. The topics of study will be determined by the committee, but may include a review of data from the last 15 years. The committee will prepare the following reports for the Faculty Senate: a progress report in November 2003; a draft of their study in March 2004; and the final report in May 2004.

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## **SR03-13 Posting Faculty Salaries on the Web**

Paul Bell

Whereas, the easier the access to salary data, the more open must be the awarding of merit and equity raises, and the more public any punitive or unwise actions against faculty regarding salaries. Sometimes the best reform efforts are those that require previously private actions to be placed into public view;

Whereas, efforts to remove obstacles to the access of LSU salary data will help increase the chances of independent, rigorous examination of the data, decrease the novelty of viewing the data, and diminish the taboo against the study of salary data;

Whereas, serious study of salary data requires computer-searchable text, scanned copies of LSU salary data and placed on the web would allow easy conversion to searchable text; a step much more difficult if a paper version is used;

Whereas, a web version of LSU salary data is virtually free and does not use paper while a paper version costs \$11 and is 92 pages; and

Whereas, LSU salary data are public records available at the Hill Memorial Library, Middleton Library, and a bookstore, further public dissemination of the

salaries via a password-protected web site would not be substantively different from the distribution already occurring;

Therefore, be it resolved that salary data of LSU A&M and LSU AgCenter non-classified employees be placed on the password-protected portion of the LSU Faculty Senate web site.

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## **Faculty Senate Resolution SR 03-14**

### **Review of LSU Campus Master Plan**

Senator Carl Motsenbocker

Whereas, LSU has developed a Campus Master Plan to establish a framework to accommodate the physical growth and development of the University campus over the long-term; and

Whereas, the Campus Master Plan is to support the University mission, enhance the existing campus image, foster a sense of physical unity, and provides a campus-wide level of organization; and

Whereas, there has been concern by members of the LSU as well as the Baton Rouge community about implementation of the Master Plan; and

Whereas, review of the proposed LSU Master Plan can provide the Faculty Senate with useful information for helping set LSU budget and policy.

Therefore, be it resolved that the Faculty Senate of Louisiana State University will direct the Review and Long Range Planning Committee to create a subcommittee to review and hold hearings on the LSU Master Plan. The subcommittee will prepare recommendations and annual reports for the Faculty Senate on the status of implementation of the Campus Master Plan.