In the fall of 1999, the LSU System issued the first version of Permanent Memorandum 35 (PM-35), followed by the current version in May of 2000. PM-35 contains guidelines for each of the System campuses to use in reviewing faculty performance. In its attempt to promote faculty excellence, PM-35 established new procedures for accountability that intimately linked two important processes that had previously been kept separate on the LSU A&M campus and perhaps elsewhere. These are 1) annual reviews and 2) dismissal for cause, both of which are now linked in PM-35 through a process of mandatory remediation. PM-35 also provides a unit or department chair/head with an extremely short trigger to initiate a process that can lead to mandatory remediation and ultimately to the dismissal of tenured faculty members.

There was serious concern in the minds of faculty members at the LSU A&M campus regarding PM-35’s effect on 1) faculty members’ academic freedom and 2) the existing culture of academic “openness,” in which a faculty member feels free to state opinions and points of view in department or college meetings, without fear of a chair’s or anyone else’s reprisals.

In the spring of 2004 the LSU Faculty Senate passed a resolution, SR 04-10, recommending that PM-35 be replaced by a PM that “contains no mandatory procedures resulting from annual reviews,” and that does not specifically link annual reviews with dismissal. The drafting and passage of SR 04-10 followed Chancellor Emmert’s earlier comments to the Senate that “PM-35, in many ways, is an unworkable document” and his encouragement to the Senate to propose a more workable alternative that he would “champion” with the System office. To facilitate the process recommended in SR 04-10 and encouraged by Chancellor Emmert, the LSU Faculty Senate Executive Committee (FSEC) began work on possible alternatives to PM-35.

In August of 2004 the FSEC met with President/Chancellor Jenkins to discuss what he wisely labeled as “unintended consequences” of PM-35 and the FSEC’s ideas about possible remedies. In October 2004, the FSEC submitted two separate replacement PMs that addressed annual reviews and accountability. These were 1) a proposed PM-71: Review and Enhancement of Faculty Performance, and 2) a proposed PM-46: Dismissal for Cause for Faculty. At the second of the two meetings with President/Chancellor Jenkins, held in November of 2004, LSU System Vice-President Benedict recommended that the FSEC draft a set of principles for an alternative PM-35. Such principles would address the concerns of both the faculty, who do not want tenure to be treated lightly, and the administration, which does not want the procedure for dismissing “non-performing” tenured faculty to be impossibly difficult. To that end, the FSEC drafted a list of principles, Principles for a Constructive Policy for Faculty Review, Performance Enhancement, and Accountability.

Based on these principles, the FSEC further revised the two proposed PMs in February 2005. They met with System Vice-President Carolyn Hargrave, who indicated that other campuses may not be unhappy with the contents of the current PM-35, and that any changes to the existing PM-35 should be evolutionary and not drastic, and above all should come from the Council of Chief Academic Officers. V-P Hargrave said that “the System does not respond to the Faculty Council,” that the System will not read, or respond to, the FSEC’s drafts until the System’s Council of Chief Academic Officers recommends doing so, and that from now on, communication must “go through channels” including the Provost’s Office. This was a significant change in approach from the previous two meetings with
Chancellor/President Jenkins, who had encouraged the FSEC of the Flagship campus to take the lead on this issue. In consultation with Provost Palm, the FSEC met with Vice-Provost Frank Cartledge to arrive at a revised PM-35 based on Vice-President Hargrave’s comments. A revised PM-35 was drafted and discussed in April 2005 in the second of two meetings between the FSEC and Vice-Provost Cartledge. The draft was a compromise that addressed both important faculty concerns and faculty accountability. Based on this meeting, further revisions were made and a second draft was submitted to Vice–Provost Cartledge.

During the early summer an Ad Hoc Committee for the Revision of PM-35 was formed by the FSEC. It was composed of four members of the 2004-05 FSEC (Pratul Ajmera - chair, John Chandler, Charles Delzell, and Sarah Pierce) and two newly-elected members of the 2005-06 FSEC (Bill Daly and Judith Schiebout). The Ad Hoc Committee met with Vice-Provost Cartledge in July 2005. Vice-Provost Cartledge, in consultation with Ms. Janie Frickie from HRM, made some alternative suggestions about the second draft. The suggestions were analyzed by the committee in some detail and the committee met again in September 2005 to discuss a third draft. At the September meeting both Vice-Provost Cartledge and the Committee agreed that the several iterations had resulted in sufficient progress to forward the draft to Provost Palm for her consideration and further pursuit.

* Various documents referred to in this report, as well as the minutes of several of the meetings referred to, can be found on the Faculty Senate webpage, http://senate.lsu.edu. Look at the alphabetical list on the left side of the homepage; click on “Pertinent Reports;” scroll down to “PM-35.”
### Milestones

<table>
<thead>
<tr>
<th>Date</th>
<th>Event</th>
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<tbody>
<tr>
<td>Fall 1999 – May 2000</td>
<td>PM-35 issued by LSU System</td>
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<tr>
<td>Dec. 2003</td>
<td>Chancellor Emmert tells FS that “PM-35, in many ways, is an unworkable document;” encourages Senate to propose a more workable document, modified “in small or in large ways” that he will “champion … in the System office.”</td>
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<tr>
<td>Aug. 2004</td>
<td>FSEC meets with President/Chancellor Jenkins; told PM-35 has “unintended consequences;” encouraged to propose alternative</td>
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<td>Sept. 2004</td>
<td>P/C Jenkins tells Faculty Senate that he has been working directly with FSEC to fix the “nettlesome problems” with PM-35; says he hopes to fix those problems “in the next six months or so”</td>
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<td>Oct. 2004</td>
<td>FSEC submits two alternative PM’s (“PM-46,” “PM-71”) to President/Chancellor Jenkins to advance the dialogue</td>
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<td>Nov. 2004</td>
<td>FSEC meets with P/C Jenkins, V-Pres Benedict, Provost Palm, V-Provost Wilson, Augustine (HRM); hoping for feedback on alternative PM’s but were told to draft set of guiding principles</td>
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<td>Dec. 2004</td>
<td>P/C Jenkins tells Faculty Senate that proposed PM-46 and PM-71 “are being looked at at the present time;” that he “is not averse to re-examining that PM. There are aspects that need further discussion;” and that he doesn’t “believe we are at an impasse”</td>
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<td>Winter 2004-05</td>
<td>FSEC writes principles; rewrites PM’s; discusses matter with Provost; asks her for F. Cartledge to work with; Provost suggests adding person from System Office; FSEC requests C. Hargrave</td>
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<td>Feb. 2005</td>
<td>FSEC meets with Hargrave; told not appropriate to go directly through the President’s office; that “the System does not respond to the Faculty Council;” must instead work “up the channels” through the Provost and the Council of Chief Academic Officers</td>
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<tr>
<td>Feb., March, April 2005</td>
<td>FSEC meets with F. Cartledge; reworks alternative PM-35</td>
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<td>Summer 2005</td>
<td>FSEC forms Ad Hoc Committee for the Revision of PM-35 to continue work of 04-05 FSEC</td>
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<tr>
<td>July, Sept 2005</td>
<td>Ad Hoc Committee meets with F. Cartledge; reworks alternative PM-35</td>
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<tr>
<td>Oct 2005</td>
<td>alternative PM-35 sent to Provost Palm</td>
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Principles for a Constructive Policy for
Faculty Review, Performance Enhancement and Accountability
LSU Faculty Senate Executive Committee (April 2005)
(minor editorial changes, October, 2005)

1. Tenure protects the academic freedom of a faculty member in his or her research and teaching missions, and thereby protects the academic integrity of the university. Exercise of academic freedom, including intellectual dissent or advocacy of controversial ideas, shall not be grounds for dismissal or other disciplinary action.

2. Tenure is absolute in concept and is not a matter of degree. A tenured appointment is one for an “indeterminate term;” it is not a rolling contract and cannot be described in terms of a determinate number of unsatisfactory annual job performance evaluations.

3. All faculty members shall be responsible for competent and effective performance of assigned duties.

4. Any review policy should apply to all faculty members including administrators holding faculty rank.

5. Serious non-performance of duties, along with serious misconduct, is a valid cause for dismissal or disciplinary action.

6. The performance standard for dismissal, however, should not be confused with the performance standards for merit raises, promotion, or advancement to tenure. Hence, there should be no direct coupling of routine annual reviews with dismissal for cause.

7. The burden of proof must lie with the University to show why a tenured faculty member should be removed, and not with the tenured faculty member to show why he or she should be retained.

8. The faculty member, who has shown seriously inadequate academic performance, must be afforded opportunities for voluntary job performance enhancement.

9. Where appropriate, the process for remediation or for a decision to proceed to dismissal must be faculty driven. The process for dismissal for cause must also be faculty driven.