

CHAPTER III

FACULTY AND STAFF

SECTION XI. TENURE

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10 A. Definition. Indeterminate tenure, hereafter referred to as tenure, is intended to ensure and
11 enhance faculty members' academic freedom and job effectiveness. Tenure assures the
12 faculty member that employment in the academic discipline at the institution will be
13 renewed annually until the faculty member resigns, retires, or is terminated for cause.
- 14 1. Faculty members shall not be eligible for tenure at the instructor level.
15 2. Each recommendation by an institution to grant tenure to a faculty member shall
16 be submitted to the Board of Supervisors at a time designated by the System
17 President, which shall be no later than the date to submit annual budgets for
18 approval.
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- 20 B. Eligibility for Tenure. The probationary period for tenure consideration in the University
21 of Louisiana System is six years. A tenure-track faculty member may apply for tenure
22 during the sixth year. Full-time academic personnel at least at the level of assistant
23 professor or equivalent shall be eligible for tenure after serving this probationary period.
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- 25 C. Recommendation for Tenure. Recommendation for tenure of those who have completed
26 the probationary period shall originate in the various structural units, with tenured faculty
27 and unit heads initiating the recommendations. The recommendation shall be submitted
28 to the institution president for his consideration. His/her action shall be submitted to the
29 System President. Final authority for granting or denying tenure shall rest with the Board
30 of Supervisors. Under no circumstances shall tenure status be achieved without specific
31 action of the Board of Supervisors.
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- 33 D. Notification of Tenure Decision. At the end of the probationary period, the result of each
34 individual's evaluation shall be provided to that individual. In the event tenure is to be
35 denied, 12-month advance written notice of termination shall be given. If tenure is to be
36 awarded, the affected faculty member shall be informed in writing and tenure will be
37 effective with the next letter of appointment.
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- 39 E. Early Awarding of Tenure. In certain unusual cases, the institution may award tenure to
40 faculty members of extraordinarily high merit prior to the end of the sixth probationary
41 year. Any academic unit's recommendation, with faculty input whenever possible, to
42 award tenure before the end of the usual probationary period should be accompanied by
43 an accounting of compelling reasons for this action.
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- 45 F. Decision Not to Grant Tenure. If the decision is made not to grant tenure in the sixth
46 year, it shall result in a terminal appointment for the seventh year. The notice of terminal
47 appointment shall be made in writing to the faculty member prior to concluding the sixth
48 year.
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- 50 G. Credit for Prior Service. For the purpose of the probationary period, credit may be given
51 for prior service at other institutions with the mutual consent of the individual institution
52 and the Board of Supervisors.
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- 54 H. Faculty Initially Appointed as Professor or Associate Professor. Faculty members
55 initially employed at the rank of professor may be granted tenure upon appointment or, at
56 the discretion of the institution, may be required to serve a probationary period not to
57 exceed four years. Faculty members initially employed at the rank of associate professor
58 shall serve a probationary period of at least one year, but no more than four years.
59 (Addition approved 6/25/99)
60
- 61 I. Limitation of Tenure. Tenure shall be limited to persons in the faculty ranks of assistant
62 professor, associate professor, and professor. Administrators shall not earn tenure except
63 as members of an academic discipline.
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- 65 J. Duration of Tenure. Tenured faculty shall retain their status until they retire, resign, or
66 are terminated for cause or as a result of financial exigency, program discontinuance
67 and/or reduction. Tenure shall be granted and held only within an academic discipline
68 that is offered at the institution and assures renewed appointments only within that
69 discipline.
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- 71 ~~K. Termination for Financial Exigency, Program Discontinuance and/or Reduction.~~
72 ~~Termination is at the institutional level, as determined by procedures which include~~
73 ~~faculty participation.~~
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77 L. Policy. This tenure policy shall supersede all existing policies with the following
78 exceptions:

79 1. All persons holding tenure on the effective date of this policy shall retain their
80 tenure.

81 2. Any person in the employment of an affected institution on the effective date of
82 this policy shall be eligible to earn tenure under the terms and conditions of the
83 policy in force and in effect at the time of that person's employment at that
84 institution.

85 3. ~~This policy shall in no way affect any rights acquired by any person employed by~~
86 ~~an institution prior to the effective date of this policy.~~

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88 M. Tenure and Rank for Administrative Appointees. Academic administrators at the level of
89 dean or higher are frequently appointed with academic rank (typically associate professor
90 or professor) and tenure in a specific discipline. A request to offer tenure with
91 appointment must have prior approval by the System President. In the employment of
92 certain academic administrators such as department heads, directors, or deans where the
93 offer of employment does not include immediate tenure, it should be stipulated that a
94 tenure review shall be performed within one to three years by the administrator's
95 immediate supervisor. This evaluation should include, among other factors, a review of
96 specific provisions stipulated at time of employment. The review of a dean shall be
97 made by the vice president for academic affairs with possible input from department
98 heads in his/her college or school, while the review of a department head shall be made
99 by his/her dean with input from faculty within the department.

100 Administrators (vice presidents, deans, directors) in *non-academic areas* (finance,
101 student affairs, institutional advancement, and others) shall not be appointed with
102 academic rank or tenure. Exceptions to this rule may include individuals appointed to
103 such a position after having acquired rank and tenure in an academic discipline within the
104 same institution, or in other exceptional cases specifically approved by the Board.
105 (Addition approved 8/30/95)

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CHAPTER III

FACULTY AND STAFF

SECTION XV. TERMINATION

- A. Tenure Track Faculty An appointment carries no assurance of reappointment, promotion, or tenure. Reappointments are made solely at the discretion of the institution with the approval of the Board. The non-reappointment of a faculty member does not necessarily reflect on the faculty member's work record or behavior. The determination to reappoint, or not to reappoint, should be based upon a review of the specific conditions relating to the position. Notice that a probationary appointment is not to be renewed shall be given to the faculty member in advance of the expiration of the appointment as follows:
1. Not later than March 1 of the first academic year of service if the appointment expires at the end of that year; or if a one-year appointment terminates during an academic year, at least three (3) months in advance of its termination. In the specific case of program discontinuance or reduction, the notice requirement shall be at least three (3) months in advance of termination.
 2. Not later than December 15 of the second academic year of service if the appointment expires at the end of that academic year, or at least six (6) months in advance of its termination. However, in the specific case of program discontinuance or reduction, the notice requirement shall be at least three (3) months in advance of termination.
 3. At least 12 months before the expiration of an appointment after two or more years of uninterrupted service at the institution. However, in the specific case of program discontinuance or reduction, the notice requirement shall be at least three (3) months in advance of termination.
- B. Instructors and Non Tenure Track Faculty Lecturers, and other special appointees are temporarily employed with appointment letters. Their appointments expire at the end of the term. However, in the specific case of program discontinuance or reduction, an instructor or other non tenure track faculty may be terminated upon one (1) months notice

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C. Cause for Terminating Tenured Faculty.

(1) Cause for discharge, termination of contract, or demotion in rank of tenured faculty shall consist of conduct seriously prejudicial to the college or university system such as infraction of law or commonly accepted standards of morality, failure to follow proper orders, violation of institutional or Board rules and regulations, neglect of duty, incompetence, or other conditions that impair discharge of duties and the efficiency of the institution. The foregoing enumeration of cause shall not be deemed exclusive. However, action to discharge, terminate, or demote shall not be arbitrary or capricious, nor shall it infringe upon academic freedom.

(2) Financial exigency constitutes cause, as does program discontinuance or reduction

D. Academic Dismissal Policy. Each institution shall have a written policy for due process concerning academic dismissal for tenured faculty in accordance with C(1). This policy shall provide for hearings before a committee that includes faculty members. Its findings and recommendations shall be forwarded to the chief executive officer of the university who shall make a final determination.

E. Petition for Review. Except in cases where the termination occurs pursuant to financial exigency, program discontinuance or reduction, the member of the academic staff who has exhausted due process procedures at the institutional level may petition the Board within 30 days when the institution is in session for a review. No official action shall be taken by the institution until a final determination is made by the Board.

Policy Number: FS-III.XV.B-1a

University of Louisiana System

Title: ACADEMIC PROGRAM
REDUCTION AND/OR
DISCONTINUANCE

Effective _____, 2010
Date:

Cancellation: July 1, 2004
Chapter: Faculty and Staff

Policy and Procedures Memorandum

One of the primary goals of a university is to promote and maintain high quality academic programs. Consistent with this goal of academic excellence, each university should adopt policies and procedures to provide for regular, periodic review of all academic programs. Occasionally, for educational, strategic, and/or budgetary reasons, it may be in the university's best interest to discontinue or reduce an academic program. Such a decision should be made after consultation with the appropriate faculty groups and in accordance with the policies outlined below.

I. Definitions

A. Academic Program: A degree program, department or division of instruction, school or college, or other academic unit.

201 B. Externally-Initiated Directive: A formal directive issued by the Board of
202 Regents or the UL System Board of Supervisors to discontinue or reduce academic
203 program(s).

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205 C. Internally-Initiated Proposal: A proposal to discontinue or reduce an academic
206 program which originates from the institution president.

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209 D. Program Discontinuance: The formal termination of an academic program by the
210 Board of Regents or the UL System Board of Supervisors.

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212 E. Program Reduction: A reduction in the scope and or size of an academic
213 program.

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217 II. Review and Approval Process

218 A. Internally Initiated Proposals

219 1. Proposed program discontinuance and/or reductions shall be based on
220 educational need, strategic realignment, resource allocation, budget
221 constraints, or combinations of educational strategies and financial
222 considerations.

223 2. Both quantitative and qualitative data will be analyzed in relation to the
224 university's strategic plan prior to formalizing final recommendations.

225 3. To the extent possible, there shall be faculty participation in considering
226 the possible discontinuance of, or reduction to a program. Reasonable
227 effort shall be made to review and discuss all proposals with the members
228 in the department or program, students enrolled in the program, the
229 department chair, the dean of the school or college, and the vice president
230 for academic affairs.

231 4. The University President shall make recommendations for final actions.
232 Such recommendations shall be made no later than 120 days from the
233 time the initial proposal was made.

234 5. All plans for program discontinuance and/or reduction will be submitted
235 by the institution president to the UL System Board of Supervisors no
236 later than 60 days from the President's final recommendation.

237 6. No recommendations for program discontinuance and/or reductions shall
238 be implemented prior to approval by the UL System Board of Supervisors
239 and the Board of Regents as applicable.

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241 B. Externally-Initiated Directives

242 The directive should include the effective date and scope for any program
243 discontinuance or reduction. At that time, the Board of Supervisors and/or the
244 Board of Regents shall provide the institution with the necessary implementation
245 procedures and guidelines in accordance with the specific directive.

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249 III. Termination of Faculty

250 Timing for phasing out programs and displacing faculty members will be based on
251 institutional needs; including analysis of reasonable time for enrolled students to
252 complete their degree programs and budget constraints.

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254 A. Non Tenured Faculty

255 A faculty member without tenure who is terminated for reasons of program
256 discontinuance or reduction will be given notification consistent with Board RULES.

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258 B. Tenured Faculty

259 1. Termination of appointments of tenured faculty may occur as the result of
260 program discontinuance or reduction.

261 2. Recommendations on termination of appointments of individual faculty members
262 in the organizational unit under review will be made by the university president
263 in consultation with appropriate faculty and administrators.

264 3. All plans for termination of individual appointments will be reviewed and
265 approved by the System President and the Board of Supervisors prior to
266 implementation.

267 4. Unless there is a compelling academic reason to do otherwise, no appointment of
268 a faculty member with tenure will be considered for termination until the
269 appointments of faculty members in the unit without tenure have been considered
270 for termination.

271 5. Tenured faculty whose appointments are to be terminated shall receive not less
272 than one academic semester/quarter notice prior to termination.

273 6. The notification letter to the tenured faculty member may be sent before actual
274 Board approval is granted, however, the termination from employment may not
275 occur until the Board has approved on its minutes such termination or reduction
276 of programs as well as the termination of the specific employee(s).

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278 IV. Obligations to Tenured Faculty

279 A. Before terminating the appointment of a faculty member with tenure because of
280 program discontinuance or reduction reasonable effort will be made to find another
281 position within the university for which the faculty member is qualified.

282 B. To the extent possible, assistance will also be provided by the System office for
283 possible relocation to another campus within the System or to another institution
284 within the state. Inter-campus transfers will be made if mutually acceptable.

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286 V. Other Rights of Tenured Faculty

287 If a program is reinstated within three years at the campus where it was discontinued or
288 reduced, tenured faculty members who were terminated may be considered for
289 reinstatement.

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291 VI. Other Rights of All Faculty

292 A. To the extent possible, faculty members will be provided counseling regarding
293 employment opportunities outside of the university.

294 B. A faculty member whose appointment is terminated for reasons of program
295 discontinuance or reduction has the right to appeal denial of his due process rights to
296 a university committee.

297 C. No appeal will be considered by the Board of Supervisors.

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299 VII. Notification to Students

300 A. Before terminating a degree program, every reasonable effort will be made to
301 allow students to complete their degree program.

302 B. Program or campus transfers will be made if mutually acceptable to the student
303 and the receiving department.

304 C. Students will be provided advising assistance with respect to their academic
305 program options.

306 D. Students will be notified of program closure and timing for phasing out programs.

DRAFT