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Faculty Senate Resolution 08-11

Louisiana State University and Agricultural & Mechanical College

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**Faculty Senate Resolution 08-11:
Transparency and Integrity in PS-36-T Personnel Processes for Faculty¹**

Introduced by Senator Charles Delzell,
on behalf of the Committee for Academic Freedom and Professional Integrity (CAFPI),
of the LSU Chapter of the American Association of University Professors (AAUP).²

Co-sponsored by Senators Pratul Ajmera, Dominique Homberger, and Carol O'Neil.

Whereas the right of faculty members to request reasons for, or to appeal, negative decisions by administrators on reappointment, promotion, and tenure is an integral part of the principle of shared governance in academia; and

Whereas the American Association of University Professors' "Statement on Procedural Standards in the Renewal or Nonrenewal of Faculty Appointments" (1971, 1989)³ recommends adopting the policy that reasons for negative decisions on tenure or reappointment be provided, upon request, to the faculty member; and

Whereas PS-44 (Grades) and LSU's General Catalog (the section on Grade Appeals) declare that students may request reasons for, or appeal, grade decisions by faculty members, and that administrators' decisions during the grade appeal process must be explained in writing; and

Whereas PS-36 and the various drafts of a proposed PS-36-T declare that faculty members may appeal negative decisions on reappointment, promotion, or tenure by submitting "a written petition of appeal, including specific issues of dispute and desired resolution," but are in most cases silent about the obligation of administrators to give reasons for their negative decisions (whether during the appeals process or during the original process that led to the appeal); and

Whereas LSU's administrators commonly refer to the current wording of PS-36 to support their refusal to provide reasons for their decisions; and

Whereas the refusal by administrators to give reasons for their decisions during appeals renders the appeal process a meaningless and empty exercise for faculty members, because they do not know "specific issues of dispute"; and

Whereas transparent, fair, and meaningful processes for reappointment, promotion, tenure, and appeals for faculty members are part of good university management practices in the same manner that transparent processes for grades are for students;

Therefore be it resolved that the Faculty Senate recommends that PS-36-T be amended by inserting the following paragraph (at the end of subsection X.A ("Appeals; Procedures") in the May 21, 2008 draft of PS-36-T):

¹ This version of Resolution 08-11 was read on October 7, 2008. It is a substitution for the version read on May 1 and September 10, 2008.

² Committee members: Charles Delzell (Mathematics), Brooks Ellwood (Geology & Geophysics), Dominique G. Homberger (Biological Sciences; Committee Chair), and Brij Mohan (Social Work). CAFPI website: <http://www.aaup.lsu.edu/committee.html>.

³ <http://www.aaup.org/AAUP/pubsres/policydocs/contents/nonreapp-stmt.htm>

In all of the above steps, if the recommendation or decision of the dean, Provost, or Chancellor is negative, that officer will, upon request, meet in timely fashion with the appellant to explain that recommendation or decision, addressing all of the issues raised by the appellant or the Faculty Grievance Committee at that level. Upon further request, this explanation will be confirmed in writing.

Therefore be it further resolved that the Faculty Senate recommends that PS-36-T be amended by editing the first two paragraphs of subsection VIII.C.1 (Procedure for a Reappointment Review; Approval Process, in the May 21, 2008 draft), as follows:

With regard to an Assistant Professor's reappointment, the dean will make the decision. He or she will prepare a written statement, provide it to the chair and to the faculty member, and place it in the file. If the decision is not to reappoint, the dean will in timely fashion meet with the faculty member to advise him or her of the reasons for the nonreappointment decision. Upon request, these reasons will be confirmed in writing.

Deleted: notify

With regard to an Associate Professor's or Professor's reappointment, the dean will make a recommendation to the Provost. The dean will prepare a written statement, provide it to the chair and to the faculty member, and place it in the file. If the recommendation is not to reappoint, the dean will in timely fashion meet with the faculty member to advise him or her of the reasons for the nonreappointment recommendation. The Provost will make the decision and inform the faculty member in writing. If the decision is negative, then the Provost will in timely fashion meet with the faculty member to advise him or her of the reasons for the nonreappointment decision. Upon request, these reasons will be confirmed in writing.

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Therefore be it further resolved that the Faculty Senate recommends that PS-36-T be amended by editing items 1 and 2 of subsection IX.D (Promotion and Tenure Reviews: Consideration at Additional Administrative Levels, in the May 21, 2008 draft), as follows:

1. In any case other than a mandatory tenure review, if the department makes a negative recommendation, and if the dean (or the Provost, if the department reports directly to the Provost) upholds the department's position, then the dean's (or Provost's) decision will be final as delegated by the Chancellor. He or she will notify the chair and the candidate, and will meet with the candidate to advise him or her of the reasons for that decision. Upon request, these reasons will be confirmed in writing.

Deleted:

2. Except as provided in item 1 of this subsection, the dean will send his or her recommendation and the review file to the Provost. The dean will notify the chair and the candidate of his or her recommendation. If the decision is negative, or if the candidate requests it, the dean will meet with the candidate to advise him or her of the reasons for that recommendation. Upon request, these reasons will be confirmed in writing.

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The Provost will forward a recommendation and the review file to the Chancellor. The Provost will notify the candidate of the recommendation. If the recommendation is negative, the Provost will meet in timely fashion with the candidate to advise him or

her of the reasons that contributed to that recommendation. Upon request, these reasons will be confirmed in writing.

The Chancellor will submit his or her recommendation and the review file to the President of the LSU System. The Chancellor will notify the candidate of the recommendation. If the recommendation is negative, the Chancellor will, upon request, meet in timely fashion with the candidate to advise him or her of the reasons that contributed to that recommendation. Upon further request, these reasons will be confirmed in writing. If the Chancellor's recommendation is positive and the President agrees, he or she will submit it to the Board of Supervisors for approval. The Chancellor or his or her designee will notify the candidate of the LSU System decision.

Therefore be it further resolved that the Faculty Senate recommends that PS-36-T be amended by editing subsection V.E ("Peer Advisor," in the May 21, 2008 draft), as follows:

V.E. Peer Advisor

When a conference between the faculty member and an officer (chair, dean, Provost, or Chancellor) is held as a part of the annual review process or for the purpose of discussing the reasons for a decision made pursuant to this policy, the faculty member may invite a tenured LSU faculty member to serve in an advisory capacity to him/her and to attend the meeting. Conference attendees at the department level are the chair and the candidate (with peer advisor, if desired). The same group and the dean constitute the attendees at the college level. Conference attendees at the Provost's level are the Provost, any Vice-Provosts, and the candidate (with peer advisor, if desired). Conference attendees at the Chancellor's level are the Chancellor, any Vice-Chancellors, and the candidate (with peer advisor, if desired).

Deleted: When conferences are held as a part of the annual review process or for purposes of notifying the faculty member of a decision made pursuant to this policy,