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Preface

The year 2005 marks the first edition of the Policy & Procedure Manual that combines and replaces the Faculty Handbook, the Administration Handbook, and the Civil Service Handbook—formerly known as “The Handbook System.” This Manual is the result of collaboration between the former Clerk of the Handbooks, Albert Davis; the former Assistant Vice President of Academic Affairs and SACS-COC Accreditation Liaison, Allayne Barrilleaux; and the former Coordinator of Policy and Procedure, Windy Rachal. It is available exclusively on the University website and the University’s M Drive.

The Manual represents a shift toward centralizing important information that affects all employees. It also represents an attempt to centralize the handling of official policies and procedures via the appointment of the Coordinator of Policies and Procedures.

The Coordinator is responsible for monitoring all policy changes and for informing all employees of any and all updates. In order for a policy to be considered official, daily directives, memos, and/or other orders that affect all employees must first be accepted by the President’s Cabinet, sent to the Coordinator, entered into the online Manual, and announced to all employees via email.

The previous handbooks will remain available for historical and reference purposes on the same website as the new Manual.

Inquiries regarding this Manual can be directed to the Vice President for Academic Affairs, Dr. Allayne Barrilleaux (Laynie.barrilleaux@nicholls.edu).
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1. **General Administration**

1.1. **Overview**

This Nicholls State University Policy & Procedure Manual is a guide to the internal regulations, policies, and procedures for all employees at the University. As with most other management manuals, the Nicholls State University Policy & Procedure Manual describes the design of the university’s management, and it groups employees into levels that reflect their relative position within this design. This management flow-chart is also known as the “chain-of-command” for Nicholls State University.

But this Manual goes a step beyond this management approach. This Manual also categorizes the employees into working groups. These categories are defined according to the type of work that employees do. Therefore, in design, this Manual offers employees a system for taking part in the continuous process of policy revisions and updates as these changes occur in the University.

Employees of the University are expected to adhere to all University official policies as published in this Manual, the University Catalog, or otherwise promulgated by the University or the Board of Supervisors. Violators of University policies are subject to disciplinary action up to and including applicable dismissal proceedings.

1.2. **Mission**

1.2.1. **Adoption and Procedures for Regular Review**

The current Mission of the University was submitted to the governing board, the Board of Supervisors for the University of Louisiana System, and was approved on February 14, 2012.

The Strategic Plan, which includes: Institutional History and Purpose, Vision Statement, Mission Statement, and Values receives a yearly review as part of the on-going strategic planning process. The Planning Advisory Group is responsible for this regular review of the Mission and is also responsible for submitting the Mission for the governing board to review as deemed.

1.2.2 **Institutional History and Purpose**

Nicholls State University, located in Thibodaux, Louisiana, is a comprehensive, regional institution serving south central Louisiana. Tax supported and coeducational, it first opened its doors September 23, 1948, as Francis T. Nicholls Junior College of Louisiana State University.

In 1956, the Louisiana Legislature separated Nicholls from LSU and authorized it to develop a four-year curriculum. Thus, in September 1956, the former junior college began operation as Francis T. Nicholls State College. It granted its first degrees in May 1958. The University’s name was changed by Act 93 of the State Legislature in 1970 to Nicholls State University.

Nicholls is located in the heart of “Cajun Country,” an area rich in tradition and culture. Its location in the Mississippi River delta allows easy access to the river, its tributaries, coastal wetlands, and the Gulf of Mexico. The 210-acre campus is approximately 50 miles southwest of New Orleans and 60 miles southeast of Baton Rouge.

For more than half a century, Nicholls State University has been the sole provider of higher education in a region with abundant cultural and natural resources. The University's strong General Education Program prepares students to exercise leadership in a global society and enhances their ability to create a vision for the future. By maintaining a major partnership with
local businesses, school systems, community agencies, and other institutions, Nicholls actively participates in the development of the region.

Established along the banks of Bayou Lafourche, in the heart of one of the nation’s major estuaries, Nicholls provides unique opportunities for instruction and research in the fields of Marine and Environmental Science. The University has taken advantage of its strategic location to assume a leadership role in a region with ample resources in agriculture, fishing, petrochemical, and oil field–related industries. As a leader, the University continues to contribute significantly to the growth of the region in regards to new technology, manufacturing, and international trade.

Nicholls maintains a strong commitment to the well being of the people in its region. Through the expansion of Health Science Programs, the University collaborates with a nationally recognized Health Care Industry in the Houma–Thibodaux metropolitan area to meet the needs of its constituents.

1.2.3 Vision Statement
Nicholls State University will be the institution of choice for students in the service region and beyond as a result of the quality of programs, the dedication to individual student needs, and the national recognition of unique programs and services.

1.2.4 Mission Statement
Nicholls State University is a student-centered regional institution dedicated to the education of a diverse student body in a culturally rich and engaging learning environment through quality teaching, research, and service. Nicholls supports the educational, cultural, and economic needs of its service region and cultivates productive, responsible, and engaged citizens.

1.2.5 Values
Nicholls State University supports values that promote citizenship, concern for self and others, and the desire for a better world by embracing as its core values:

CIVIC RESPONSIBILITY: We use our time and talents to serve our community.
DIVERSITY: We respect differences among members of society by providing a nurturing and understanding environment.
EXCELLENCE: We strive to achieve the highest quality in all endeavors. We strive for excellence in teaching, research, and service, and empowerment through learning.
INTEGRITY: We strive to be fair and truthful in all circumstances.
LEADERSHIP: We are good stewards and representatives of the University because we value our collective role as a regional leader and model for all we serve.
RESPECT: We are committed to the customs and amenities of a civil society. We respect the rights of others and are responsive to the needs and interests of our constituents.
RESPONSIBILITY: We are responsible for our actions. We adhere to the doctrine of individual accountability in all of our activities and contributions.

1.2.6 Clientele
Nicholls State University serves a diverse population of traditional and non–traditional students, as well as professional, social, and cultural groups who contribute to the University and benefit from our quality educational services.
1.2.7 Comparative Advantage
The principle of “Excellence in Education with a Personal Touch” has become embedded into the University’s culture. This principle promotes an academic and social environment where students interact with caring faculty and staff and receive individualized attention.

1.2.8 Strategic Goals
In an effort to fulfill its mission, the following strategic goals have been developed:

- Increase the level of educational attainment for students.
- Cultivate research that engages faculty and students seeking knowledge in areas of common interest.
- Achieve greater accountability, efficiency, and effectiveness across campus.
- Continue the University’s collaboration with business, education, and service entities to meet regional workforce needs and to provide cultural enrichment and service to the community.
- Invest strategically in university employees to enhance customer service and sense of pride in the University.

1.3. Demographics
The University hosts approximately 7,000 students. The region served by the University is multicultural. Though historically associated with the Acadian-French culture, the region has a minority population that is approximately 28%. The student minority population of the University is approximately 30% (primarily African-American). The resident student population is 23%, with the remaining 77% commuters. The University has approximately 260 full-time faculty members. Approximately 54% of the faculty is female, 46% male. About 13% of the faculty is minority.

1.4. Accreditation

1.4.1 Regional Accreditation
Nicholls State University is accredited by the Southern Association of Colleges and Schools Commission on Colleges to award associate, baccalaureate, master and specialist degrees. Contact The Commission on Colleges at 1866 Southern Lane, Decatur, Georgia 30033-4097, or call (404) 679-4500 for questions about the accreditation of Nicholls State University.

Any and all official university publications describing the accreditation status of Nicholls State University with the Southern Association of Colleges and Schools Commission on Colleges(SACSCOC) must be printed exactly as stated above. Questions regarding this statement are to be addressed to the university Nicholls SACSCOC Liaison.

1.4.2 Substantive Change
Nicholls State University maintains compliance with the SACSCOC policy, Substantive Change for Accredited Institutions, through timely notification and reporting on areas of substantive change.

Background:

The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) defines a substantive change as a “significant modification or expansion in the nature and scope of an accredited institution.” Activities included as substantive change are outlined in the SACSCOC Policy Statement “Substantive Change for Accredited Institution of the Commission on Colleges” found on the SACSCOC web page.
Nicholls State University is required to notify SACSCOC of changes in accordance with the substantive change policy and, when required, seek approval prior to the initiation of changes. This policy and procedure is intended to ensure that all substantive changes are reported to the Commission in a timely fashion.

The Nicholls SACSCOC Liaison is charged with reviewing the Substantive Change policy on a semi-annual basis and presenting changes to the President’s Executive Council and Academic Council as necessary.

While certain changes require only notification prior to implementation, other changes require approval prior to implementation of the change (as per policy revised December 2012).

Changes requiring only prior notification include (subject to revision):
1. Initiating joint or dual degrees or programs with another SACSCOC accredited institution
2. Initiating off-campus sites (including dual enrollment) in which a student can obtain 25-49% of the credits toward program
3. Initiating distance learning offering 25-49% or less of credits toward a program for the first time
4. Initiating programs or courses offered through contractual agreement or consortium
5. Entering into a contract with an entity not certified to participate in USDOE Title IV programs if the entity provides less than 25% of an education program offered by the COC accredited institution
6. Moving an off-campus instruction site serving the same geographic area

Changes requiring prior approval include (subject to change):
1. Initiating coursework or programs at a different level than currently approved
2. Expanding at current degree level (significant departure from current programs)
3. Initiating a branch campus
4. Initiating a certificate program at employer’s request at a new off-campus site for a previously approved program
5. Initiating a certificate program at employer’s request that is a significant departure from previously approved programs
6. Initiating other certificate programs at a new off-campus site for a previously approved program
7. Initiating other certificate programs that is a significant departure from previously approved programs
8. Altering significantly the mission of the institution
9. Initiating joint or dual degrees with another institution not accredited by SACSCOC
10. Initiating off-campus sites in which a student can obtain 50% or more credits toward a program
11. Altering significantly the length of a program
12. Initiating distance learning offering 50% or more of a program for the first time
13. Entering into a contract with an entity not certified to participate in USDOE Title IV programs if the entity provides 25% or more of an education program offered by the COC accredited institution
14. Initiating a merger/consolidation with another institution
15. Changing governance, ownership, control, or legal status of an institution
16. Relocating a main or branch campus
17. Changing from clock hours to credit hours
18. Altering significantly the length of a program
19. Initiating degree completion programs
20. Closing a program, approved off-campus site, branch campus, or institution
21. Acquiring any program or site from another institution
22. Adding a permanent location at a site where the institution is conducting a teach-out for students from another institution that is closing

Procedure:

Any unit initiating a substantive change for Nicholls State University must notify the Nicholls SACSCOC Liaison immediately upon consideration of the change. Generally, this notification should occur 9-12 months in advance of the proposed change, but varies according to SACSCOC published policy. The Nicholls SACSCOC Liaison will review the proposal to determine if it falls within the substantive change list provided by SACSCOC and provide the unit with a description of SACSCOC substantive change procedures that must be followed.

All administration is responsible for notifying the Nicholls SACSCOC Liaison of proposed changes and for implementation of this policy. Questions about whether a change is considered “substantive” should be directed to the Nicholls SACSCOC Liaison.

Documentation required for the proposed change to be considered and time frames for contacting SACSCOC are outlined in the SACSCOC Policy Statement on Substantive Change.

Correspondence with SACSCOC regarding substantive change is to be submitted by the President, or designee, of Nicholls State University through the Nicholls SACSCOC Liaison and Vice President of the unit initiating the change.

1.4.3 Other Accreditations
Specific college and departmental accreditations are listed on the University’s web page.

1.5. State Organization and Management

Under the 1974 Constitution of the State of Louisiana, the Board of Regents was created to plan, coordinate, and have budgetary responsibility for all public higher education. The Board of Trustees for State Colleges and Universities was established as the managing board with direct jurisdiction over Nicholls State University. In 1995, the Legislature provided that the term “University of Louisiana System” would be used to describe the group of colleges and universities under the jurisdiction of the Board of Trustees. The official name of the Board is now the Board of Supervisors for the University of Louisiana System. The President of the University is appointed by the Board and is directly responsible for overseeing the University.

Copies of documents (such as the Rules of the Board of Supervisors for the University of Louisiana System) that pertain to the general governance described above are available at the Nicholls State University Library.

1.5.1. Board of Regents
The State Board of Regents replaced the Louisiana State Board of Education by the Act of the 1974 Louisiana Constitution. The Constitution of 1974 gives the Board of Regents the responsibility to approve, disprove, or modify all existing and proposed degree programs in Louisiana’s public colleges and universities.

The 16–member Board meets: on or before the second Monday in January of each year, at other times fixed by the Board, or upon call of the Chairman. The Regents meet twice a year on mutually agreed upon dates with the State Board of Elementary and Secondary Education. The officers of the Board are the Chairman, the Vice–Chairman, and the Secretary, each of whom is a member of the Board of Regents. The Board employs a staff with a Chief Administrative Officer; the Chief Administrative Officer has the title of Commissioner of Higher Education.
Current members of the Board of Regents may be found at the Board’s web site. Board policies take precedent over any and all policies in this manual.

1.5.2. Board of Supervisors for the University of Louisiana System

1.5.2.1. Institutions Managed by the Board of Supervisors

The Board of Trustees for State Colleges and Universities was established as the managing board for the institutions listed in Act 313 1975 (R.S. 17:3217). In 1995, the Legislature provided that the term “University of Louisiana System” would be used to describe the group of colleges and universities under the jurisdiction of the Board of Trustees. The official name for the Board is now the Board of Supervisors for the University of Louisiana System. Currently the institutions managed by the Board of Supervisors are as follows (by category):

Four-Year 2
Louisiana Tech University
University of Louisiana at Lafayette.
The University of New Orleans
Four-Year 3
Southeastern Louisiana University
University of Louisiana at Monroe
Four-Year 4
Grambling State University
McNeese State University
Nicholls State University
Northwestern State University

The institutional categories listed above have been determined by the Southern Regional Education Board’s (SREB) specific criteria.

1.5.2.2. Constitutional Definition of the Board of Supervisors

According to the Louisiana Constitution, the Board of Supervisors shall exercise all power to direct, control, supervise and manage the institutions of higher learning under its control including but not limited to the following:

- select the Presidents of the System institutions;
- receive and expend or allocate for expenditure to the System institutions all monies appropriated or otherwise made available for the purpose of the Board and schools;
- purchase land and purchase or construct buildings necessary for the use of the state colleges and universities;
- determine the fees which shall be paid by students;
- formulate curricula and programs of study;
- adopt, amend and repeal rules and regulations necessary for the business of the Board, for the governance of the System colleges and universities and for the governance and discipline of students;
- lease land or other property belonging to it or to any college or university within the System, as well as, sell or exchange land or other property not needed for university purposes;
- actively seek and accept donations, bequests, or other forms of financial assistance for educational purposes.

The Rules (Bylaws, and Policies and Procedures) of the Board of Supervisors for the University of Louisiana System is the document that lists policies and procedures for the Board and all of the
institutions and employees under the Board’s jurisdiction. These rules supersede the policies in this Manual.

1.5.2.3. Composition of the Board of Supervisors
The Board is composed of 16 members, two from each of the seven Congressional Districts, one member from the state at large and one student member elected by the Student Government Association presidents from the System’s institutions. The Governor appoints the members, with the consent of the Senate. Members serve staggered six–year terms, except the student member who serves from September 1 through August 31 of the year following election and appointment. The Board annually elects a chairman and vice chairman from its membership. All regular meetings of the Board are open to the public except when otherwise voted for the consideration of executive matters.

The Board of Supervisors also employs a full–time staff whose responsibility, under the supervision of the President, is to execute and enforce all decisions, orders, rules and regulations of the Board with respect to the conduct of the System. The office of the Board is located in downtown Baton Rouge in close proximity to the State Capitol, the Louisiana Board of Regents and other state agencies.

Current Board members and system office staff list may be found at UL System website for further reference.

1.5.2.4. Growth and Demographics
The institutions under the control of the Board have experienced significant growth and development over the past several years despite the financial limitations within which they, the System office, and the Board have been operating. Since fiscal year 1986–87 to fiscal year 1993–94, overall System enrollment has grown from 75,893 students to 100,930 students, an increase of 32.8 percent. During that period the overall employment and staffing of the System institutions has increased by about 400 full–time equivalent positions, an increase of only 4.4 percent.

Institutions governed by the Board represent more than 60 percent of the total public higher education enrollment in Louisiana. This totals more students than both the Louisiana State University and Southern systems enrollment combined. The Supervisors is also the only governing board which oversees the operation of institutions located statewide, and it is the only governing board in Louisiana which encompasses historically white and historically black institutions.

1.6. University Organization and Management

1.6.1. Employee Divisions and Categories
Definitions: Full–time University employees can be classified as members of the faculty and the administrative staff, or as state classified personnel. For the purposes of this Manual the following definitions shall apply:

“Faculty” shall be defined as those University employees who hold faculty rank and who are appointed and assigned full time in an academic unit for at least nine (9) months, and whose primary responsibility is as a teacher and/or a researcher and/or one who provides instructional support as defined by the academic unit. Full–time faculty appointments are those designated as one (1.0) FTEF (full–time equivalent faculty) in accordance with Board of Supervisors guidelines. Part–time faculty appointments are those designated less than one (1.0) FTEF. In addition, some librarians are defined as faculty.
“Administrative Staff” shall be defined as all personnel usually on twelve (12) month appointments not otherwise defined as state classified personnel. The word “staff,” also, when used in a general sense, shall be understood to mean administrative staff.

“Professional staff” shall be defined as administrative staff who do not carry academic rank and are therefore not considered to be faculty. Professional Staff shall be employed by administrative appointments only.

“Intermittent workers” or “intermittent staff” shall be defined as those administrative staff who, because of a temporary status, do not carry an E.E.O.C. designation. Appointments for intermittent workers may be different from those letters of appointment issued to other administrative staff personnel. Intermittent workers fall under the jurisdiction of this Manual.

The faculty and the administrative staff are exempt from the State Civil Service System and rules and regulations thereof.

The work force at Nicholls State University can be divided into two large groups: “classified” and “unclassified.” Classified employees are those employees who are subject to the policies and provisions of the state Civil Service Code. All other employees at the university are non–civil service or “unclassified employees.” Unclassified employees can be either faculty or non-faculty.

\[
\begin{array}{c|c|c}
\text{Classified} & \text{Unclassified} \\
\hline
\text{Grades determined by Civil Service} & \text{Faculty No faculty rank, no Civil Service rank} \\
\end{array}
\]

1.6.2. Categorizing Non–faculty, Unclassified Employees

The Rules (Bylaws, and Policies and Procedures) of the Board of Supervisors for the University of Louisiana System uses the terms “faculty” and “staff” when it describes its employees. In practice, employees at Nicholls have been called either faculty or administrative staff. It is important to note that some of the administrative staff may hold faculty status though they are not working under faculty letters of appointment.

1.6.3. Definitions of Unclassified Employees

For policy purposes, there shall be two types of non–Civil Service employees at Nicholls State University: faculty and administrative staff. Within the administrative staff, those employees who do not hold faculty rank shall be called professional staff. Those employees who, because of a temporary status, do not carry any of the following E.E.O.C. job labels, shall be called “intermittent workers.”

1.6.4. The E.E.O.C. Job Categories

The Equal Employment Opportunity Commission (E.E.O.C) requires universities and other public institutions to turn in reports on labor policies within the institution. In all of the labor reports turned in to the E.E.O.C, employees are labeled according to a system that groups the employees by categories that describe the type of work done by the employees. Since these categories are standard and required throughout higher education, it is appropriate that they be used to help categorize employees and their job descriptions for policy purposes. The following are the E.E.O.C. categories:

- Officials and Administrators (OA)
- Professionals (PR)
- Technicians (TE)
- Paraprofessionals (PA)
• Office and Clerical (OC)
• Service–Maintenance (SM)
• Protective Service Workers (PS)
• Skilled Craft Workers (SC)
• Faculty (FA)

1.6.5. Definitions of Professional Administrative Staff
As defined in this Manual, the term Professional Staff applies to those administrative staff workers who do not carry faculty rank. The following are the E.E.O.C. definitions for those categories other than OA (Officials and Administrators). For information on job descriptions, employees may contact the Department of Human Resources.

1.6.5.1. Professionals (PR)
“…persons employed for the primary purpose of performing academic support, student service and institutional support activities and whose assignments would require either college graduation or experience of such kind and amount as to provide a comparable background. [Included are] employees such as librarians, accountants, personnel, counselors, systems analysts, coaches, lawyers, and pharmacists, for example.”

1.6.5.2. Technicians (TE) and Paraprofessionals (PA)
The following is the E.E.O.C. definition of the Technicians and Paraprofessionals job categories:

“…all persons whose assignments require specialized knowledge or skills which may be acquired through experience or academic work such as is offered in many 2–year technical institutes, junior colleges or through equivalent on–the–job training. Include computer programmers and operators, drafters, engineering aides, junior engineers, mathematical aides, licensed practical or vocational nurses, dietitians, photographers, radio operators, scientific assistants, technical illustrators, technicians (medical, dental, electronic, physical sciences), and similar occupational–activity categories which are institutionally defined as technical assignments. [Included are] persons who perform some of the duties of a professional or technician in a supportive role, which usually require less formal training and/or experience normally required for professional technical status. Such positions may fall within an identified pattern of staff development and promotion under a ‘New Careers’ concept.”

1.6.5.3. Office and Clerical (OC)
The following is the E.E.O.C. definition of the Office and Clerical Personnel job category:

“…persons whose assignments typically are associated with clerical activities or are specifically of a secretarial nature. [Included are] personnel who are responsible for internal and external communications, recording and retrieval of data (other than computer programmers) and/or information and other paper work required in an office, such as bookkeepers, stenographers, clerk typists, office–machine operators, statistical clerks, payroll clerks, etc. [Included also are] sales clerks such as those employed full time in the bookstore, and library clerks who are not recognized as librarians.”

1.6.5.4. Service–Maintenance (SM)
The following is the E.E.O.C. definition of the Service Maintenance Personnel job category:

“…persons whose assignments require limited degrees of previously acquired skills and knowledge and workers who perform duties which result in or contribute to the comfort, convenience and hygiene of personnel and the student body or which contribute to the upkeep and care of buildings, facilities or grounds of the institutional property. [Included are] chauffeurs, laundry and dry cleaning operatives, cafeteria and restaurant workers, truck drivers, bus drivers,
garage laborers, custodial personnel, gardeners and groundskeepers, refuse collectors, construction laborers, security personnel.”

1.6.5.5. **Protective Service (PS) and Skilled Craft (SC)**
The E.E.O.C. lists no definition for the Protective Service job category. The following is the E.E.O.C. definition of the Skilled Craft Workers job category:

“…all persons whose assignments typically require special manual skills and a thorough and comprehensive knowledge of the processes involved in the work, acquired through on-the-job training and experience or through apprenticeship or other formal training programs. [Included are] mechanics and repairers, electricians, stationary engineers, skilled machinists, carpenters, compositors and typesetters, upholsterers.”

1.6.6. **Nicholls and the E.E.O.C. Classifications**
In its official headcount of all Nicholls State University employees, the Office of Assessment and Institutional Research lists employees according to the E.E.O.C. job categories. The Office of Human Resources Management maintains the official E.E.O.C. classifications of University positions.

1.6.7. **Job Categories and the Organization Chart**
The official Nicholls State University *Organization Chart* shows that Nicholls management lines are designed to have four administrative units below the level of President: Administrative and Information Services, Academic Affairs, Student Affairs and Enrollment Services, and Institutional Advancement. (In the absence of the President, the functional chain of command follows the order stated in the official *Organization Chart*).

For planning and other administrative purposes, the University also classifies management into the following levels:

**Level I** - This level includes the Executive Vice President and all Vice Presidents of the university who report to the President. Duties are assigned by the President and may include making recommendations from their respective division on planning, policy making, budget, etc.

**Level II** - Administrators who are responsible for the management of a subdivision within a major unit that normally reports directly to a Level I administrator. Duties may include staff responsibilities in administering university policy and procedures. This level includes deans and major unit directors.

**Level III** - Administrators who report to and are assigned specific duties and responsibilities from a Level II individual. This level includes Department Heads, program directors and coordinators.

The Nicholls State Organization Chart, published each year by the University is a visual representation of the administrative chain of command. (The latest version of this chart is available through the office of University Relations.)

1.7. **The Office of the President**
The President, the chief executive officer of the University, is empowered to perform all actions to make effective the policies of the Board of Supervisors for the University of Louisiana System. The President is charged with the overall responsibility for the organization and administration of the University in accordance with the authority vested in the President by the Board of Supervisors.
1.7.1. Scope of the Office
The President appoints and employs University personnel in accordance with applicable state law and Board of Supervisors' policy. In practice, the President relies upon various administrative officers and faculty bodies to recommend policies and procedures, but retains the authority to administer the University in accordance with provisions of applicable state law and policies of the Board of Supervisors for the University of Louisiana System.

The Board grants authority to the presidents of the colleges and universities within the University of Louisiana System, or their designees, the right to hire or dismiss any classified employee in compliance with state law and appropriate Civil Service Commission regulations. All such action should be reported on System personnel forms.

1.7.2. Board Rules Governing Presidents
The Board of Supervisors for the University of Louisiana System Board Rules provides specific considerations for the office of President in regards to: Contractual Arrangements, Compensation, Presidential Housing and Related Services, Presidential Expenses, and Policies Concerning Presidential Vacancies.

1.7.3. Administrative Hierarchy
In the absence of the President, the chain of command specified in the current Organizational Chart reported to the Board of Supervisors is functional:

1.7.4. Offices Reporting Directly to the President
The following offices, groups, and personnel report directly to the President:

1.7.4.1. Executive Vice President of Administrative and Information Services

1.7.4.2. Vice President of Academic Affairs

1.7.4.3. Vice President of Student Affairs and Enrollment Services

1.7.4.4. Vice President of Institutional Advancement

1.7.4.5. Internal Auditor
The Internal Auditor conducts audits for a variety of programs. These audits ensure the legitimate use of funds and determine compliance with applicable rules, regulations, and laws. The Internal Auditor reports to the President.

1.7.4.6. The Athletic Compliance Coordinator
The Compliance Coordinator reports directly to the President.

1.7.4.7. The President’s Cabinet
The President’s Cabinet, under the direction of the President, is the group that translates into policy and action recommendations of the faculty through Faculty Senate, administrative officers and university committees. Many local policies under which the University operates are formulated by the Cabinet as are institutional responses to policies and procedures initiated at the state level. The Cabinet is responsible for the development of the annual University budget but with broader university constituent group participation.

The Cabinet is constituted of the President (chair), the Executive Vice President, the Vice President for Academic Affairs, the Vice President for Student Affairs and Enrollment Services,
the Vice President for Institutional Advancement, the Associate Vice President for Finance and CFO, the Assistant Vice President for Facilities, the Director of University Relations, the Internal Auditor, the Executive Director of Planning and Institutional Effectiveness, the Chief Information Officer, the Budget Officer, the Director of Environmental Health and Safety, the Director of Human Resources, the Academic Council Representative, the President of the Faculty Senate, the Director of Enrollment Services, the Chair of the Unclassified Council, the Chair of the Classified Advisory Committee, and the President of the Student Government Association or their designee.

1.7.4.8. The President’s Executive Budget Committee
The President's Executive Budget Committee reports directly to the President.

1.8. The Executive Vice President (Level I)
The Executive Vice President serves as the principal associate of the President, assists the President in performing duties. The Executive Vice President sits on the President’s Cabinet, Academic Council and Deans Council, and is responsible for the development, implementation and administration of duties related, but not limited to: strategic planning, budget analysis, and special projects as assigned. The Executive Vice President serves as Associate Chief Academic Officer, and assumes responsibilities of the VPAA in his or her absence. The following offices and personnel report to the Executive Vice President: Auxiliary Services; Facilities; Finance/CFO; Human Resources; Information Technologies; Planning and Institutional Effectiveness; Research and Sponsored Programs.

1.8.1. Executive Director of Auxiliary Services (Level II)
The Executive Director of Auxiliary Services is the principal administrator of University food and catering services, camps and conferences, physical facilities housing student and community activities, the Student Union, the Bookstore, and the Post Office.

1.8.2. Facilities Planning (Level II)
The Director of Facilities Planning and Special Projects is responsible for the long-term planning, utilization and allocation of the physical facilities of the University. Specifically, the Director is responsible for the development, implementation and revision of the Facilities Master Plan for the University, the allocation of University's physical resources in a manner consistent with the Master Plan, coordinating the planning and completion of new construction projects for the University, and coordinating the planning and completion of renovations to existing facilities of the University.

1.8.3. Associate Vice President for Finance and CFO (Level II)
The Associate Vice President for Finance and CFO is the principal administrator of the University's business activities and financial affairs. The following report directly to the Associate Vice President for Finance and CFO: Financial Services/Controller; Accounts Payable, the Assistant Controller, the Budget Office, Athletic Budget Finance, Fee Collection Center, and Payroll/Grants Administration.

1.8.4. Director of Human Resources (Level II)
The Director of Human Resources serves as the University affirmative action/equal opportunity compliance officer and is the principal administrator responsible for administering institutional personnel policies and practices for staff and faculty.
1.8.5. Chief Information Officer - Information Technologies (Level II)
The Chief Information Officer oversees all technology used within the university. Information Technologies was formed in 2011 combining the two units of University Computer Services and Academic Computing. University Computer services assists students, faculty, staff and administrators with their data processing needs. The Department of Academic Computing provides computer and instructional technology support to students and faculty.

1.8.6. Executive Director of Planning and Institutional Effectiveness (Level II)
The Executive Director of Planning and Institutional Effectiveness oversees accreditation issues as related to the university. The Executive Director serves as SACS Liaison; therefore, reporting to the Vice President for Academic Affairs on academic issues relative to planning and assessment. The Executive Director directly supervises the Office of Assessment and Institutional Research and the Institutional Effectiveness Coordinator.

1.8.7. Research and Sponsored Programs (Level II)
The Director initiates and disseminates research grant activities and other sponsored programs, serves as a liaison with the Board of Regents Research Council and with staff of other universities with regard to research grants, assists in grant writing for faculty and staff, and works in conjunction with the university’s Coordinator of Grants to disseminate funds.

1.9. The Vice President for Academic Affairs (Level I)
The Vice President for Academic Affairs, the ranking academic officer of the University reporting to the President, directs and administers all operations and activities of the divisions of academic affairs. The following offices, groups, or personnel report directly to the Vice President for Academic Affairs: Academic Deans; Graduate Studies; Director of Records and Registration; the Honors Program; the Library; and the Director of the Louisiana Center for Women and Government.

1.9.1. The Academic Deans (Level II)
The academic deans are administrators holding faculty rank. The Dean, as the chief academic and administrative officer of the College, provides leadership in developing academic programs and promoting high standards of teaching, scholarship, and service. The Dean is expected to represent the College within the larger University structure, and to lead the College in maintaining academic distinction and accreditation. The Dean is under the supervision of the Vice President for Academic Affairs and sits on the Academic Council. There are five academic colleges and divisions at Nicholls State University: the College of Arts and Sciences, the College of Business Administration, the College of Education, the College of Nursing and Allied Health, and University College. Associate Deans and Assistant Deans report directly to the various Academic Deans.

Academic procedures, guidelines, and processes relevant to all academic administrators and faculty are published in the Nicholls State University Catalog.

1.9.1.1. Academic Administrators Reporting to the Deans

1.9.1.1. The Department Heads (Level III)
The Department Head is the academic leader of the department and collaborates with the faculty and the Dean in the development of programs that are most suited in meeting student and academic needs. The Department Head is responsible for mentoring of junior faculty. Mentoring of students is an important responsibility of the Department Head. The Department Head also assigns faculty regarding academic advising; manages departmental resources for the attainment of departmental, college, and University objectives; allocates the departmental budget; and determines course offerings and time schedules. Teaching at the graduate or undergraduate level is required of Department Heads. Department Heads report to the Deans of their academic colleges.

Because of the Department Head’s unique role as both administrator and academic leader/faculty collaborator, faculty should be familiar with the administrative staff and faculty sections of the Policy & Procedure Manual that delineate policies with regard to department heads.

1.9.1.1.2. Faculty Directors (Level III)
Faculty Directors are full–time ranked academic faculty who receive alternate work time from teaching to administer programs outside the area of an academic department. Faculty Directors should not be confused with Directors of the University who report directly to Vice Presidents. The Director of Graduate Studies is an example of a University Director. Faculty Directors are under the supervision of second–level administrative officers to whom they report. Examples of Faculty Directors are the Director of the Center for Dyslexia and Related Learning Disorders and the Director of Distance Learning.

1.9.1.1.3. Department Coordinators
Other faculty within the various academic departments are sometimes given alternate work time to oversee special departmental programs. Faculty serving in these positions shall be called Coordinators.

1.9.2. Graduate Studies (Level II)
The Director’s office focuses on the development of graduate programs and the concerns of graduate students. The Director coordinates all graduate programs. The Director sits on the Academic Council.

1.9.3. Director of Records and Registration (Level II)
The responsibility of this office is to assure the accuracy and integrity of student academic records. The office operates registration services, drop/add, resignations, class rosters, and enrollment verifications. The Director sits on the Academic Council.

1.9.4. University Library (Level II)
The director is the principal administrator of library operations and activities, including the Center for Instructional Media. The Director sits on the Academic Council.

1.9.5. Louisiana Center for Women and Government (Level II)
The Director is responsible for the encouragement of the future leadership of women by preparing them for public service through non–partisan provision and support of education, research, training and development of creative programs. The program is designed to provide a full semester of learning experience focusing on the role of women in government.
1.10. **Vice President for Student Affairs and Enrollment Services**

The Vice President for Student Affairs and Enrollment Services, who reports to the President, is the chief student affairs officer directing and supervising all student-related programs, functions, and services outside the classroom. The Vice President for Student Affairs and Enrollment Services is responsible for supervising the following third-level units: Auxiliary Services; Enrollment Services; Student Life; Student Services; and University Police.

The division of Student Affairs and Enrollment Services is charged with the care, safety and development of students outside the classroom. Its role is to facilitate students’ entry into the university and to remove artificial barriers to their academic and personal achievement. It provides opportunities for students to work with others, develop social skills, and become leaders.

1.10.1. **Directors and Administrators**

1.10.1.1. **Assistant to the Vice President (Level II)**

The Assistant to the Vice President for Student Affairs and Enrollment Services serves as the administrative liaison for University Police, providing line management and supervision on behalf of the University President. In the absence of the Vice President, the Assistant Vice President provides administrative leadership for the Division. The Assistant also provides administrative support for budgeting for System Fund units.

1.10.1.2. **Executive Director of Auxiliary Services (Level II)**

is the principal administrator of University food and catering services, camps and conferences, physical facilities housing student and community activities, the Student Union, the Bookstore, and the Post Office.

1.10.1.3. **Dean of Student Life (Level II)**

The Dean of Student Life is the principal administrator for all student co-curricular activities, campus recreation, residential services, Student Judicial Office, Upward Bound, orientation, entertainment programming, and for the administration of student discipline.

1.10.1.4. **Dean of Student Services (Level II)**

The Dean of Student Services is the principal administrator of campus recreation, counseling and peer assistance programs, disabled student services, placement, testing, and university health services.

1.10.1.5. **Director of Enrollment Services (Level II)**

The Director of Enrollment Services is responsible for new student recruitment, high school visitations, pre-collegiate programs, campus tours, telemarketing, scheduled mailings, hosting major recruiting events and New Student Orientation. The Director supervises the processing of applications for admission and re-admission, residency applications, and Veteran’s Affairs.

1.11. **Vice President for Institutional Advancement**

The Vice President for Institutional Advancement reports to the President and is responsible for planning, coordinating and implementing friend-raising and fund-raising programs that support the total objectives of the University. The Vice President for Institutional Advancement is
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1.11.1. Directors and Administrators

1.11.1.1. Development Office (Level II)
provides leadership for the overall development program on behalf of the University and coordinates fundraising activities for all colleges, departments, and auxiliary units on the campus.

1.11.1.2. Director of Alumni Affairs (Level II)
serves as liaison between the University and the Alumni Federation, coordinates, plans, and executes all activities regarding main events of the Alumni Federation. The Alumni Director represents Nicholls State University at all University-related functions and other functions designated by the President.

1.11.1.3. Director of Athletics (Level II)
is the principal administrator of all intercollegiate sports programs, training, and competition in men’s and women’s NCAA events.

1.11.1.4. Director of Student Publications and Printing (Level II)
responsible for the training and supervising of all students working on the University student newspaper, The Nicholls Worth, and the yearbook, La Pirogue, and for supervising the University’s design, typesetting, and printing facilities.

1.11.1.5. Director of University Relations (Level II)
creates and implements a comprehensive marketing program for Nicholls State University, with a focus on public relations and advertising.

1.12. Special University Councils and Groups

1.12.1. The Academic Council
The Academic Council meets regularly to discuss issues common to all of the academic programs at the University. The Director of the University Library and the Deans of all colleges serve on the Academic Council, which is chaired by the Vice President for Academic Affairs. At the discretion of the Vice President for Academic Affairs, other units such as Accreditation, Graduate Studies, and Records and Registration may also be invited to sit on the Council.

1.12.2. The Planning Advisory Group (PAG)
Appointed by the President, the Planning Advisory group annually monitors actions that relate to the University’s Strategic Plan to see if these actions are in line with the objectives of Strategic Planning at the University.

1.12.3. The Unclassified Staff Advisory Council
The Unclassified Staff Advisory Council actively represents and advocates for unclassified employees below the level of Assistant Vice President who are not recognized by the faculty governance document and participate in the shared governance of the University. Council members, representing each division and the president's office, are elected by unclassified staff for two year terms.
1.12.4. The University Assessment Committee

Appointed by the President, the University Assessment Committee annually monitors actions related to University-wide assessment. It is charged with determining the effectiveness of assessment instruments and procedures, monitoring the campus-wide use of assessment results, monitoring the integration of planning, assessment and budgeting processes, and overseeing the communication of assessment initiatives, policies and procedures. The committee shall consist of the University Institutional accreditation Representative, General Education Coordinator, representatives from each academic college, and one representative each from Assessment and Institutional Research, Student Affairs and Enrollment Services, Institutional Advancement, and Administrative and Information Services, and other representatives as deemed appropriate by the University President and VPAA. The University Assessment Committee reports to the University President through the University VPAA. [Added as per President’s Cabinet minutes 11–04–04].

1.12.5. Administrative Standing Committees

Committee members are appointed by the President or a Vice President and serve to complete a designated task.

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1.12.5.1. President’s Cabinet Appeals Committee

At the President’s Cabinet Meeting of August 2, 2005, it was approved to replace the prior existing University Council Disciplinary Appeals Committee by establishing the President’s Cabinet Appeals Committee. This Committee will be responsible for reviewing matters appealed to the President and for making recommendations to the President regarding such matters.

The Committee will consist of the President of the Faculty Senate or his/her designee, the SGA President or his/her designee and one representative from the President’s Cabinet. Representation of the President’s Cabinet will be based on the following:

- If the matter involves an academic appeal the Vice President for Student Affairs and Enrollment Services would be the President’s Cabinet representative.
- If the matter involves a student appeal other then academic the Vice President for Academic Affairs would be the President’s Cabinet representative.
- If the matter involves a financial matter the Associate Vice President for Finance and CFO would also be included on the Committee in addition to the above President’s Cabinet representative.
1.12.5.2. **University Safety Committee**
The University Safety Committee shall help the university achieve its highest standard of health and safety. Working together with faculty, staff, students, and the university administration, the committee will assist the university in creating and maintaining a safe environment.

The committee shall:
- Recommend and advise on health and safety policy
- Recommend and advise on health and safety training and education
- Maintain minutes of meetings and records of correspondence and activities
- Prepare an annual report (described below)
- Coordinate and support the activities of the various health and safety sub-committees across campus
- Report on subcommittee activities at the regular safety committee meeting

The committee will be composed of thirteen members appointed by the University President. All members will have full voting rights and privileges. The committee will provide a broad base of health and safety participation and representation from across the university. The Director of Environmental Health and Safety shall serve as an ex officio member.

The committee will meet periodically at a frequency determined by the committee, but no less than four times per year. Minutes will be recorded at each meeting and shall include members attending, members absent, disposition of old business and new business.

An annual report will be submitted of all committee activities to the Director of Environmental Health and Safety. The Director will be responsible for reporting those activities at the President’s Cabinet January meeting. (Note: If the committee bases the report on the fiscal year, it will be due by June 30 for the previous year.) The report will include the committee members and chair, meeting dates, and a summary of committee activities.

1.13. **POLICIES FOR LEVEL I, II AND III ADMINISTRATORS**

1.13.1. **Level I Administrator Policies**
The Vice President or Executive Vice President is the chief administrative officer of a major division of the University and reports directly to the President. The Vice Presidents and the Executive Vice President are designated officers of the institution and are fully responsible and accountable for the conduct of the affairs of their divisions. In the President's absence, the Executive Vice President will serve as Acting President. The official order of succession will be on file in the President's Office. Vice Presidents are appointed annually and serve at the pleasure of the President. The duties of a Vice President or Executive Vice President are those assigned by the President and may include making recommendations from their divisions on such matters as planning, budget, salaries, and general operations of their divisions.

1.13.1.1. **Appointments**
Appointments for Vice Presidents or Executive Vice President shall be submitted for approval by the Board of Supervisors as individual line items. Employment should not begin before official Board action. All terms and conditions of employment shall be submitted to the system office for review.

1.13.1.2. **Vacancies and Search Committee Responsibilities**
The President appoints the appropriate search committee. Final selection is based on a recommendation of the President to the Board of Supervisors. *The responsibility for verifying the
credentials of all applicants rests with the appointed search committee. Also, the search committee should determine the applicant’s proficiency in both written and oral communication (See policy at Board of Supervisors website).

1.13.2. Level II Administrator Policies
Hiring policies unique to Level II Assistant Vice Presidents and Academic Deans follow:

1.13.2.1. Assistant Vice Presidents (OA)
The Assistant Vice President is an administrator who reports to a Vice President with staff responsibilities in administering University policy and procedures.

Assistant Vice Presidents are appointed annually and serve at the pleasure of the Vice President. Specific duties of the Assistant Vice President are assigned by the appropriate Vice President.

Some assistant Vice Presidents (e.g., the Assistant Vice President for Academic Affairs) sit on the Academic Council.

1.13.2.2. The Academic Deans (OA)
The academic deans are administrators holding faculty rank who are responsible to the Vice President for Academic Affairs for administering University policy and procedures within their units. All Deans are appointed annually and serve at the pleasure of the Vice President for Academic Affairs.

All Deans have faculty rank as determined by the guidelines of the department of their major discipline. The rank held must be in accordance with the qualifications cited in Chapter 2 of this Manual for promotion in that rank. Recommendations for promotion shall be initiated with the department in which the Dean holds academic rank, in accordance with faculty promotion policies. A Dean who has attained regular faculty status retains such status.

Selection Procedures. The Vice President for Academic Affairs may declare the position of Dean open for any of the following reasons:
1. the resignation, death, or extended illness of the Dean or the Director of Ellender Memorial Library,
2. reorganization or merger which causes a college or the library, as such, and therefore the position, to cease to exist,
3. non reappointment, or
4. other extenuating circumstances.

Normally, a national search is conducted. However, internal candidates are encouraged to apply. Occasionally, it may be in the best interest of the university to limit the search to internal candidates. The Vice President for Academic Affairs in consultation with the President will appoint the appropriate search committee and will give them their charge.

Duties. The duties of the Academic Dean include, but are not limited to the following:
1. Evaluate the Department Heads and report the evaluations as required.
2. Recommend appointments, reappointments, promotions, leaves of absence, awards, and non renewals of college faculty.
3. Prepare and administer the college budget in accordance with University guidelines.
4. Approve travel requests, subject to budgetary limitations.
5. Encourage a program of professional growth within the college.
6. Be responsible for the maintenance and security of equipment and facilities as assigned.
7. Conduct college meetings at least once per semester.
8. Serve as an official representative of the college and the University. In this capacity he or she shall promote the school and the University by maintaining contact with the community served.
9. Promote the positive aspects of the college and of the other colleges of the university.
10. Direct the internal operation of the college and maintain and update personnel records with the Department of Human Resources.
11. Be expected to teach at least one course per term unless by agreement otherwise with the Vice President for Academic Affairs.
12. Provide leadership and focus for all recruiting and retention activities.
13. Carry out such assignments as may be directed by higher authority.

1.13.3. Level III Administrator Policies

Hiring policies unique to Level III Administrators follow:

1.13.3.1. Associate and Assistant Deans (OA)

Associate and Assistant Deans, who report to Deans of the academic colleges, are appointed annually and serve at the pleasure of the Deans. Assistant Deans are expected to hold faculty appointments. Specific duties of an Assistant Dean are assigned by a Dean.

1.13.3.2. Academic Department Heads (OA)

Department Heads report to the Dean of an academic college. The Department Head is a faculty member with administrative duties which necessitate close cooperation with both faculty and administrators. The selection of a Department Head is therefore a matter of mutual concern to both the faculty and the administration. The selection process is designed to reflect this mutual interest. It shall be the responsibility of the Dean of the appropriate school to recommend, through the Vice President for Academic Affairs, to the President, a candidate for appointment as Department Head in the manner described below.

Term of Office. The Department Head is appointed for a one-year term and serves at the pleasure of the Dean.

Preliminary Selection Process. The following is the preliminary selection process for the position of Department Head:
1. When appropriate, a Dean shall declare the position of Department Head open.
2. The Dean shall declare the position of Department Head open for any of the following reasons:
   • the resignation, death, or extended illness of the Department Head,
   • reorganization or merger which causes a college or the library, as such, and therefore the position, to cease to exist,
   • non reappointment, or
   • other extenuating circumstances.

The Selection Process. The following shall be the selection process for the position of Department Head:
3. When a vacancy occurs or is projected to occur, the Dean will initiate the drafting of the position announcement.
4. The Dean will meet with the outgoing Department Head for input.
5. The Dean will write a draft of the position announcement and submit it to the department faculty for comments and faculty recommendations. The search may be internal, external, or combined.
6. After having the final draft of the position announcement approved by the Vice President for Academic Affairs, the Dean will submit the position announcement to the Director of Human Resources for approval to advertise.
7. If the search is external or combined, the position, as a minimum, will be advertised in
8. one of the academic discipline's leading professional publications which historically carries such advertisements,
9. the Chronicle of Higher Education,
10. the historically black institutions of higher education within the State of Louisiana.
11. The Dean in consultation with the Vice President for Academic Affairs will appoint the appropriate search committee and will give them their charge.
12. Faculty members who intend to apply for the position are ineligible to serve on the search committee.
13. The Dean will appoint a Department Head from another department within the college to serve as the non-voting chair of the committee.
14. Once the committee has been constituted and a chair appointed, the Dean will meet with the committee to give the committee its charge.
15. Only candidates who fully meet the qualifications advertised will be interviewed by the committee.
16. The committee will forward to the Dean the names, unranked, of the three final candidates. If there are not three acceptable candidates, the committee can recommend to the Dean that the search be extended.
17. The Dean, in consultation with the Vice President for Academic Affairs will make the final recommendation to the President. If none of the candidates are found to be acceptable, the Dean may extend the search.

**Duties of the Department Head.** It should be recognized that there are at least three equally important thrusts in the duties and responsibilities of a Department Head. First, the Department Head is obligated to represent and support the legitimate needs and wishes of the department. The Department Head is the advocate for departmental and faculty interests. Second, the Department Head has the responsibility to provide the department with direction and leadership. In this capacity, the Department Head’s duties range from promulgation of new academic activities to the monitoring and correction of errant professional behavior. Third, the Department Head has a duty to carry out assignments in compliance with higher authority.

Specifically, the duties of the Department Head shall include but are not limited to the following:

- Teach a minimum of six hours each semester or its equivalent.
- Engage in activity for the support and attainment of legitimate departmental and individual faculty goals.
- Exercise leadership in planning and developing department curriculum, policies, and programs in accordance with the University Strategic Plan.
- Implement the approved departmental curriculum.
- Evaluate the instructional, research, and administrative processes of the department and make recommendations to the Dean.
- Evaluate the department faculty.
- Initiate corrective action in cases of improper behavior on the part of faculty or staff.
- Recommend reappointments, tenure, promotions, leaves of absence, awards, and nonrenewals of department faculty.
- Supervise any departmental faculty recruitment process and recommend new appointments to the Dean.
- Ensure that adequate supervision, advice, and training are provided to probationary faculty and others who might profit thereby.
- Ensure the preparation of appropriate course outlines in the department.
- Prepare and administer the departmental budget in accordance with the University and college guidelines.
- Coordinate the preparation of course schedules.
- Hold delegated personal responsibility for the maintenance and security of departmental equipment, facilities, and supplies, and the reporting of equipment loss in a timely manner.
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- Report attendance of faculty and/or staff members for purposes of payroll.
- Maintain and update personnel records with the Department of Human Resources.
- Conduct regular departmental meetings at least monthly.
- Serve as the official departmental representative to the administration.
- Direct the internal office operation of the department.
- Conduct a periodic inventory at the time and in the manner required by the division.
- Develop, supervise, and enforce safety procedures for laboratories and other environments, facilities, and operations which are part of the department's program.
- Provide leadership and focus for all recruiting and retention activities in the department.
- Promote the positive aspects of the department, other departments, the college and other colleges and units of the University.
- Carry out such assignments as may be directed by higher authority.

1.13.4. The Nicholls State University Planning and Budgeting Process

The planning and budgeting process at Nicholls State University follows those lines of administration presented in the Nicholls State University management chart. The timelines for this planning process are given below.

*Whenever a date listed below falls on a Saturday, Sunday, or holiday, the official date becomes the first University business date that follows.*
1.13.4.1. President, President’s Cabinet

Year round: The President meets with the Cabinet (1.7.4.7) and shares with them current trends and issues from the Board of Supervisors, the Board of Regents, and the Legislature. The President leads a discussion on the effects of these trends and issues on the Nicholls planning efforts.
November: President’s Cabinet reviews future budget requests.

1.13.4.2. Planning Advisory Group

*July:* The President meets with the Planning Advisory Group (PAG) (1.12.2) and presents trends and issues to be considered.

*July 15:* PAG reviews the Strategic Plan and presents a one- or two-page report on issues, facts, and figures needed for planning to the President and Level I administrators for submission to their units of supervision.

1.13.4.3. President and Level I Administrators

*September 15:* The President and Level I administrators present written planning strategies (incorporating their own vision statements) to Level II administrators.

1.13.4.4. Level II Administrators

*October 15:* Level II administrators present written planning strategies (incorporating their own vision statements) for their colleges or units to Level III administrators.

*October:* Level II administrators present written budget needs for the next fiscal year to Level I.

1.13.4.5. Level III Administrators

*January – February 15:* Level III administrators present their written planning strategies for their units to individuals in their respective areas and guide them in preparing written annual reports.

*October:* Level III administrators submit budget needs for the next fiscal year to Level II who in turn submit to Level I.

*February 15:* Departmental and unit annual reports are submitted to Level II administrators.

1.13.4.6. Level II Administrators

*April 15:* Level II administrators present to the President or Level I administrators written summaries that include evaluations of annual reports and a prioritized list of needs for the next budget year.

1.13.4.7. President and Level I Administrators

*June 15:* The President and Level I administrators review, analyze, and prioritize within their respective areas. Written reports are submitted to the Planning Advisory Group.

1.13.4.8. Nicholls Planning Advisory Group

*July 15:* PAG evaluates the relationship of the reports received on June 15 to the Strategic Plan and writes a summary report to the President.

1.13.4.9. President’s Cabinet, President

*August 15:* The President receives recommendations from the President’s Cabinet and reviews the report submitted by the PAG. After considering the report and the Cabinet suggestions, the President makes the final determination concerning budget allocations.

1.13.4.10. University Assessment Committee

Meets at least twice annually to review and monitor University-wide assessment processes.
1.14. **Committee System**

The following governance document was adopted by Nicholls State University Administration and Faculty on May 1990. (Official operational date: October 1990. Amended or emended: May, 1992, May 1993, May 1996.)

This transcription of the Governance Document retains the structural and linguistic integrity of the original. Sections in this Manual transcription, however, are by necessity numbered differently from those in the original Governance Document.

Governance is the shared responsibility of all members of the University Community. To fulfill this responsibility, faculty and administration agree to establish collaborative bodies known as Academic Standing Committees, which are charged to perform specific governance duties requiring faculty and administration involvement. In addition, University Standing Committees are established to conduct other University activities. The faculty will also establish its own governance bodies known as Faculty Senate Standing Committees.

1.14.1. **General Operating Procedures for Academic, University, and Faculty Senate Standing Committees**

*Academic Standing Committees:* (Section 1.14.2)
- Academic Policies and Standards Committee
- Continuing Education Committee
- Courses and Curricula Committee
- General Education Assessment Committee
- Graduate Council
- Grievance Committee
- Honors Committee
- Human Subjects Institutional Review Board
- Library Committee
- Research Council
- University-wide Promotion and Tenure Appeals Committee

*University Standing Committees:* (Section 1.14.3)
- Athletics Council
- Budget Committee
- Compliance Committee
- Discipline Committee
- Institutional Animal Care and Use Committee (IACUC)
- Parking Policy Committee
- Scholarship Committee
- Social and Community Concerns Committee
- Student Media Committee
- Student Organizations Committee

*Faculty Senate Standing Committees:* (Section 1.14.3.11)
- Committee on Committees
- Executive Committee
- Faculty Welfare Committee

1.14.1.1. **Minutes**

Each committee shall keep minutes of each meeting and shall disseminate those minutes expeditiously (normally within 5 working days, but not to exceed 10 working days). Minutes shall be provided to all members of the committee, the officer or group to which the committee
1.14.1.2. **Chair Selection**
Each committee shall choose from its membership a chair at its first regularly scheduled meeting but no later than September 15 of each year. Academic Standing Committees shall be convened by the Committee on Committees in order to elect a chair and set a committee's first agenda. The officer to whom a University Standing Committee reports shall call the first meeting of a committee for the purpose of electing a chair, except in those cases in which chairs are appointed, and setting a first agenda. University Standing Committees shall elect as chair any member excluding ex officio members of the committee. Academic Standing Committees shall elect as chair any faculty member serving on the committee excluding ex officio members. Faculty Senate Standing Committees shall elect as chair any member serving on the committee. All committee chairs shall have full voting and speaking privileges. The Faculty Senate Vice–President will be informed of and invited to attend all first committee meetings to charge each committee with its responsibilities.

1.14.1.3. **Ex Officio Members**
Ex officio members of the committees, unless otherwise specified, shall have speaking and voting privileges. If an individual serves as an ex officio member of a committee in more than one capacity, that individual shall have but one vote.

1.14.1.4. **Quorum**
Presence of a majority of the voting members of a committee shall constitute a quorum.

1.14.1.5. **Timelines for Elections and Appointments**
Elections of faculty within each academic unit and nominations by the Committee on Committees shall be completed before May 1 each year. Faculty shall be notified of vacancies one month prior to elections or appointments to fill such vacancies. Faculty shall be appointed to committees by appointing officers before the end of the Spring Semester each year. Faculty, staff, and administrative representatives to a committee, unless otherwise specified, shall be elected/selected for two–year (24 month) terms. The terms of faculty representatives to each committee shall be staggered so that committee membership is elected/selected as close to one–half as possible each year.

1.14.1.6. **Appointment of Faculty Representatives**
If there is no candidate for a position requiring an elected faculty representative to a committee, the Committee on Committees shall appoint the requisite faculty representative(s).

1.14.1.7. **Student Membership**
When student membership is specified for a committee, those student members shall be appointed by the Student Government Association (SGA) President for one–year terms.

1.14.1.8. **Subcommittees**
Each committee shall have the authority to form subcommittees for the purposes contained in the charge to that committee and to invite other members of the University community to meet with the committee.

1.14.1.9. **Chair Review**
The committee chair shall review committee minutes from previous semesters to identify issues and concerns and provide committee continuity.
1.14.1.10. **Submissions**
In addition to maintaining and distributing minutes, each committee shall submit its recommendations and actions in writing to the University administrator to whom it reports as indicated in the description of the committee. If the committee reports to the Faculty Senate, the recommendations must be submitted at least ten (10) working days before the next scheduled Senate meeting. The University administrator to whom a committee or the Faculty Senate reports shall respond to that committee or the Faculty Senate expeditiously (but within no more than twenty [20] working days) or within a time mutually agreed upon by the Senate Executive Committee and the University President.

1.14.1.11. **Modifications**
Any modification to these General Operating Procedures shall be mutually agreed upon by a majority of the Faculty Senate and the President of the University.

1.14.2. **Academic Standing Committees**
By joint resolution of the administration and the faculty, the following committees are authorized to share in the governance of the University. The committees listed in this section are those committees within the governance structure that relate to academic issues. Unless otherwise specified, committee recommendations shall be reported to the Faculty Senate for action. Recommendations of the Faculty Senate shall be forwarded to the Vice President for Academic Affairs, who shall as appropriate transmit them to the relevant University bodies. The purposes, membership, and duties/responsibilities are detailed for each committee. Modification to the purpose, membership, reporting procedures, and duties and procedures of the committees within this section shall be mutually agreed upon by a simple majority of the Faculty Senate at the meeting after which notice of such change has been given to the President of the University.

1.14.2.1. **Academic Policies and Standards Committee**
Purpose: To recommend policy regarding matriculation, act on student grade appeals as the next level of appeal after college committees, act on student appeals related to academic standards, and advise the Vice President for Academic Affairs on policies and standards regarding all academic programs, including but not limited to Honors programs, and travel studies.

Reports to: Vice President for Academic Affairs through the Faculty Senate

Exception: Appeal actions are confidential in nature and appeal files shall not be open to the Faculty Senate. Actions taken related to appeals are sent directly to the Vice President for Academic Affairs.

Membership (13):
- One Faculty member from each academic college and the library appointed by the Vice President for Academic Affairs from nominations submitted by the Committee on Committees
- Executive Director of Enrollment Services (ex officio, nonvoting)
- One representative of the Deans' Council appointed by the Vice President for Academic Affairs (ex officio, may vote for issues of student appeals only)
- One representative of Records and Registration appointed by the Vice President for Academic Affairs (ex officio, may vote for issues of student appeals only)
- One representative of Student Affairs and Enrollment Services appointed by the Vice President for Student Affairs and Enrollment Services (ex-officio, may vote for issues of student appeals only)
- Two students appointed by SGA

Duties/Procedures:
Convened by the chair once a semester and otherwise as needed.
Serve as appeals board for student grade appeals as next level of appeal following college committee.
Serve as appeals board for student appeals related to academic standards, probation, re- admission, etc.
Recommend policies related to matriculation and standards for academic honors.
Recommend policy related to Honors Programs.
Submit recommendations for changes in academic policies or standards to Faculty Senate for action.
Report to Faculty Senate concerning committee activities at least once a semester.

Policies and Standards Revision: A request for the adoption, modification, or elimination of any academic policy may come from any interested party by means of a memo to the chair of the APSC. Those policies that only affect one particular college should first go through that college's Dean before being sent on to the APSC. Policies that only affect a single department should first be approved by that department before going to the APSC.

Any policy additions, modifications, or deletions that are to appear in the Catalog must be submitted to the APSC on or before October 1 of each year. This is to allow sufficient time for APSC action, Faculty Senate approval, and action by the Vice President for Academic Affairs before becoming Catalog copy. Approved policy changes will go into the following year's Catalog and become effective that academic year or upon approval by the Vice President for Academic Affairs, may go into effect before the next academic year. Policy changes that are not to be in the Catalog may come before the APSC at any time.

Goals for University Undergraduates: The four basic goal areas for University undergraduates are the major and minor fields of study, intellectual skills, intellectual capacities, and knowledge. Intellectual skills are further defined as literacy skills and quantitative skills. Intellectual capacities are defined as problem solving, logical inquiry, and critical analysis. The knowledge areas include aesthetic and ethical values, understanding people, science and technology, and economic, political and social systems.

Student Outcomes: Specific student outcomes for the major and minor fields are to be developed by the faculty of each field. Outcomes for the other areas, including the general education component, are to be developed by the faculty and approved by the Faculty Senate.

Assessment Plan: Information on student improvement will be collected and used at the total student body level, the major level, and the individual student level. Of particular interest to faculty is that each degree granting program is to be responsible for assessing the progress of its majors, using one or more assessment tools of the faculty’s choosing. The results of assessment at all three levels will be collected and reported annually to the Vice President for Academic Affairs.

1.14.2.2. Continuing Education Committee
Purpose: To advise the Director of Continuing Education and make policy recommendations regarding the operation of Continuing Education.

Reports to: Vice President of Student Affairs and Enrollment Services through the Faculty Senate

Membership (13):
- One faculty members elected from each college and the library from nominations from the Committee on Committees
- Director of Continuing Education (ex officio, nonvoting)
- Executive Director of Enrollment Services (ex officio)
- Dean of Student Life
• One student appointed by SGA
• Director of Auxiliary Services (ex officio)
• One member of the Athletics Department, appointed by the Athletic Director

Duties/ Procedures:
• Convened by the chair at least once a semester and otherwise as needed.
• Address issues presented by the Director of Continuing Education, or by colleges or departments related to continuing education.
• Recommend to the Directors of Continuing Education programming or policy related to issues addressed.
• Submit recommendations to Faculty Senate for action.

1.14.2.3. Courses and Curricula Committee
Purpose: To make recommendations on policies and procedures regarding the undergraduate curriculum, academic programs; serve as a review board for proposed courses and curricula changes and make recommendations for accepted changes.

Reports to: Vice President for Academic Affairs through the Faculty Senate

Membership (19):
• One faculty member from each academic college elected through the Faculty Senate Committee on Committees.
• One faculty member from each academic college appointed by Vice President for Academic Affairs from nominations submitted by the Committee on Committees
• Acquisitions Librarian (ex officio, nonvoting)
• The Director of Continuing Education (ex officio, nonvoting)
• One representative of the Deans' Council, appointed by Vice President for Academic Affairs (ex officio, nonvoting)
• One representative of Records and Registration appointed by the Vice President for Academic Affairs (ex officio, nonvoting)
• One representative of Enrollment Services appointed by the Vice President for Student Affairs and Enrollment Services (ex-officio, nonvoting)
• Two students appointed by SGA

Duties/ Procedures:
• Convened by the chair once a semester and otherwise as needed.
• Review, coordinate, and encourage cooperation within the academic units of the University.
• Call for Catalog change submissions from all departments.
• Review all undergraduate course and curricula changes prior to making recommendations for acceptance or rejection of each.
• Coordinate with University staff responsible for preparation of the Undergraduate/Graduate Catalog.
• Submit recommendations to Faculty Senate for action.

1.14.2.4. General Education Assessment Committee
Purpose: Review and assess the General Education program as part of the University’s ongoing institutional assessment process, with specific emphasis on meeting BOR and SACS requirements.

Reports to: Vice President for Academic Affairs through the Faculty Senate

Membership (18):
• The Coordinator of General Education Assessment (Chair)
One faculty member from each of the General Education foundation areas — English, Mathematics, Natural Sciences, Humanities, Fine Arts, and Social Sciences — to be appointed by the Vice-President for Academic Affairs.

One faculty member from each academic college (other than Arts and Sciences), and from the library elected through the regular committee election procedures of the University Governance Document.

Chair, Courses & Curricula (Permanent) (ex officio nonvoting)

Chief Articulation Officer (ex officio nonvoting)

Director of Assessment and Institutional Research (ex officio)

SACS Coordinator (ex officio nonvoting)

Two students appointed by SGA

**Duties/Procedures**

- Convened by the coordinator once a semester and otherwise as needed.
- Review Board of Regents and SACS general education requirements and study current trends in general education assessment.
- Articulate and clarify the philosophy, requirements, and learning outcomes of general education at Nicholls to ensure that the University meets external mandates for general education and ongoing institutional assessment.
- Review and assess the general education program periodically and, based on assessment results, make appropriate recommendations for change.
- Evaluate assessment tools and procedures to determine best practices for reflecting and improving learning outcomes.
- Promote campus–wide awareness of general education requirements and
- Submit an annual report in the spring semester to the SACS Coordinator, the Faculty Senate, and the Vice–President for Academic Affairs.

**1.14.2.5. Graduate Council**

**Purpose:** To study and review curriculum, program and policy proposals related to the graduate program; review applications for appointment to graduate faculty; act on graduate student appeals related to academic standards.

**Reports to:** Director of Graduate Studies

**Membership (15):**

- Two Regular Members of graduate faculty elected in the College of Business Administration, the College of Education, and the College of Nursing and Allied Health.
- One Regular Member elected in the College of Arts and Sciences.
- Graduate studies coordinators from the College of Business Administration, Education, and Nursing and Allied Health, and from the Departments of Biological Sciences and Mathematics. (ex officio)
- Director of the Library. (ex officio, nonvoting)
- Representative of Records and Registration (ex officio, nonvoting)
- Director of Graduate Studies. (ex–officio, non–voting)

**Duties/ Procedures:**

- Convened by the Director of Graduate Studies or the chair once a semester and otherwise as needed.
- Review curriculum, program, and policy changes submitted by college graduate curriculum committees before making recommendations for acceptance or rejection of each to the Vice President for Academic Affairs.
- Serve as appeals board for graduate students.
- Recommend students for candidacy and graduation.
• Coordinate with University staff responsible for preparation of the Undergraduate/Graduate Catalog.
• Report to Faculty Senate concerning Council activities at least once a year, excepting confidential information related to appeals.
• Review applications for appointment to graduate faculty and make recommendations to the President of the University.

The Faculty Appointment to the Graduate Faculty section of this Manual has specific information about faculty appointment to the Graduate Council.

1.14.2.6 Grievance Committee
Purpose: To hear grievances beyond the departmental, college levels, and Vice President for Academic Affairs following established Nicholls State University Faculty Grievance procedures. Grievances that are legitimately the province of the Committee are those presented by a faculty member. The Committee serves as a hearing and recommending body reporting its findings to the University President.

Reports to: University President

Membership (8 + 8 alternate):
Note: Terms of elected committee members will be alternating three-year terms, appointed members will serve for one term.
• One faculty member, and one alternate faculty member, from each academic college and the library (elected by their respective units)
• Two at-large members, and two alternate at-large members, appointed by the University President
• All members of the Grievance Committee, independent of length of contract period, should be willing to serve during the summer months if necessary.

Duties/Procedures
• Convened by the chair as necessary.
• Strictly adhere to all specifications established in the Nicholls State University Faculty Grievance Procedures approved by the Board of Supervisors for the University of Louisiana System, which is incorporated by reference.
• Submit Committee findings in writing to the parties, i.e., the faculty member and the University administration, through the office of the President.
• Report to the Faculty Senate once a semester concerning number of grievances heard.

1.14.2.7 Honors Committee
Purpose: To act as a goal-setting and policy-making body for the Honors Program.

Reports to: Dean of University College

Membership (12):
• The Director of the University Honors Program (Chair)
• Six faculty members (one from each academic college) appointed by the Vice President for Academic Affairs from nominations from the Committee on Committees.
• Three Honors faculty selected by the Director of the Honors Program.
• Two honor students, one the president of the Honors Student Council, and another selected by the Honors Student Council, as ex-officio committee members.

Duties/Procedures
• Convened by the chair at least twice per fall and spring semester.
- Evaluate Honors Program policies and procedures.
- Review and recommend improvements to Honors course offerings.

1.14.2.8 Human Subjects Institutional Review Board
Purpose: To ensure that the rights and welfare of human subjects are protected in the research process and to determine whether human subjects will be placed at physical, psychological, and social risk.

Reports to: the Vice–President for Academic Affairs through Faculty Senate.

Membership (11):
- One faculty member elected from each academic college and the Library.
- One representative each from the departments of psychology and nursing appointed by the University Research Council.
- One member from the University community at–large appointed by the Vice President for Academic Affairs.
- One member who is not otherwise affiliated with Nicholls State University nor immediately related to anyone affiliated with Nicholls State University. Such person will be appointed by the Vice President for Academic Affairs and approved by the Nicholls State University research Council.

Duties/Procedures
- Convened by the Chair once a semester and otherwise as needed.
- Review, approve, require modification(s) in, or disapprove all research activities or proposed research activities involving human subjects at Nicholls State University. A record of all such research activities will be maintained.
- Determine whether the rights and welfare of subjects are properly protected.
- The Board may recommend policy change concerning research activities and procedures when the situation so merits and when national guidelines for institutional research review procedures are changed. Such recommendations will be submitted to the Faculty Senate for action.
- The Chair of the Institutional Review Board will report committee activities to the Faculty Senate at least once a year.

1.14.2.9 Library Committee
Purpose: To advise the Director of the Library and make policy recommendations regarding library operation.

Reports to: Director of the Library through the Faculty Senate

Membership (10):
- One faculty member from each academic college and 1 library faculty (to include one member of the Faculty Senate appointed by Vice President for Academic Affairs from nominations by the Committee on Committees
- Director of the Library (ex officio, nonvoting)
- Two students appointed by SGA

Duties/Procedures:
- Convened by the chair once a semester and otherwise as needed.
- Address issues presented by colleges or departments related to the library.
- Address issues presented by the Director of the Library.
- Review library acquisitions and policies and make recommendations.
• Maintain a liaison with Graduate Council; Courses, Curricula, and Calendar Committee; and Academic Policies and Standards Committee through the Library Director.
• Submit recommendations consistent with the American Library Association’s statement on Intellectual Freedom and Library Bill of Rights.
• Submit recommendations to Faculty Senate for action.

1.14.2.10 **Research Council**

**Purpose:** To gather and disseminate information concerning grants and funds available to the University and review faculty proposals requesting University funding.

**Reports to:** Vice President for Academic Affairs through the Faculty Senate

**Membership (10):**
- One faculty representative from each academic college and the library appointed by Vice President for Academic Affairs from nominations submitted by the Committee on Committees
- Director of Assessment and Institutional Research (ex officio, nonvoting)
- Chairman, Computer Planning Committee (ex officio, nonvoting)
- Director, Office of Research and Sponsored Programs (ex–officio, non–voting)

**Duties/Procedures:**
- Convened by the chair once a semester and otherwise as needed.
- Disseminate grant and funding information through memos and/or other advertising means.
- Call for proposals for Nicholls research grant monies.
- Review submitted proposals and interview proposal applicants.
- Conduct follow-up reviews of previously awarded grants.
- Review and suggest policies regarding conduct of research done with University resources.
- Submit policy recommendations related to research to Faculty Senate for action.
- Submit recommendations regarding funding of research projects directly to the Vice President for Academic Affairs.

1.14.2.11 **University–wide Promotion and Tenure Appeals Committee**

**Purpose:** Review faculty appeals of the annual formative or the summative evaluation process for promotion and/or tenure and make a recommendation to the Department Head, Dean or Director of the Library, or the Vice President for Academic Affairs. The peer review recommendation does not relieve the administrator from the responsibility of making the evaluative decision.

**Reports to:** Faculty Senate

**Membership (8):**
- One faculty member from each academic college (elected)
- One member from the Library (elected)
- One member at large (elected)

All members must be full–time, tenured faculty; members should have the rank of full professor. If there is an insufficient number of full professors in any academic unit, an elected full–time tenured associate professor in that unit will serve. Deans and Department Heads cannot serve on this committee; faculty directors and coordinators who are contracted at 50% or more teaching duties are eligible. Elections shall be completed before any college–level peer review committees
are appointed. The at-large position shall be elected from a list of eligible faculty prepared from a master list submitted by the colleges and the Library after the initial elections have taken place.

Duties/Procedures
- Convened by the chair as necessary.
- Strictly adhere to all specifications established in the Nicholls State University Formative and Summative appeals process (Section 2.10.3.3).
- Submit Committee findings in writing to the appropriate level as described in Sections 2.10.3.3 and 2.10.3.7 of this Manual.
- Report to the Faculty Senate once a year concerning number of appeals heard.

1.14.3 University Standing Committees
University committees perform specific tasks on a continuing basis. The purposes, membership, reporting procedures, and duties/responsibilities are specified for University Standing Committees in the succeeding section. Recommendations of University Standing Committees shall be forwarded to the appropriate Vice President who shall as deemed necessary transmit them to the appropriate University body. Any modification to the purpose, membership, reporting procedures, and duties and procedure of committees as well as deletions or additions of committees named in this document shall be mutually agreed upon by the President of the University and a simple majority of the Faculty Senate at the meeting after which notice of the change has been given.

1.14.3.1 Athletics Council
Purpose: To serve as advisory body for the University's varsity athletic programs, to consult with the Athletic Director and staff in formulation of policy, and to insure that competitive athletics activities are pursued in harmony with the University's academic mission and with policies of external regulatory bodies.

Reports to: Vice President for Institutional Advancement

Membership (15):
- Four faculty not holding paid positions associated with varsity athletics appointed by Vice President for Institutional Advancement from nominations by Committee on Committees
- Two administrative staff appointed by Vice President for Institutional Advancement
- Two students appointed by SGA, one of these a student athlete from a list of athletes provided by the Nicholls Athletic Director
- Director of Athletics (ex officio)
- Director for Senior Women Administrator
- Director of Enrollment Services (ex officio)
- Alumni Federation President (ex officio)
- Athletic Academic Advisor (ex officio)
- Compliance Coordinator (ex officio)
- One faculty representative appointed by the President to be the official NCAA/SLC rep.

Duties/Procedures:
- Convened by the chair as needed but not less than once a semester to review policy, consult with Athletic Director and staff, and evaluate implementation of University policies in athletic programs.
- Monitor the effect of scheduled athletic events upon academic programs and the effect of participation in athletics upon individual athletes.
• Monitor compliance of athletic programs with governing bodies of intercollegiate sports.
• Report committee actions and recommendations to Vice President for Institutional Advancement.

1.14.3.2 **Budget Committee**

Purpose: To advise the University administration on policy and procedures involving allocation of University resources.

Reports to: Vice President for Finance and Administration

Membership (10):
• Four faculty (one faculty in finance or accounting, one faculty senator, and 2 other faculty) appointed by the Vice President for Academic Affairs from nominations by the Committee on Committees; the chair of the Faculty Welfare Committee shall serve as one of the four faculty members
• Three representatives from Finance and Administration, one voting and two ex officio non-voting, appointed by Vice President for Finance and Administration
• One representative from Student Affairs, appointed by Vice President for Student Affairs and Enrollment Services
• One representative from Institutional Advancement, appointed by Vice President for Institutional Advancement.
• The Director of Physical Plant Operations.

Duties/Procedures
• Convene as needed but no less than twice a semester.
• Review budget materials and make recommendations for prioritization of resource allocation.

1.14.3.3 **Compliance Committee**

Purpose: To develop, recommend, and review policies relating to external acts, decrees, or other mandates to assure academic, legal, personal, and professional equity under these mandates, including but not limited to Sect. 504 (Handicapped), Title IX (Sexual Discrimination), Equal Opportunity Employment, and Drug-Free Workplace Act.

Reports to: Vice President for Finance and Administration

Membership (16):
• Six faculty members (one from each academic college and the Library) appointed by the Vice President for Academic Affairs from nominations by Committee on Committees
• Three representatives of unclassified (non-faculty) staff appointed by the Associate Vice President for Finance and CFO
• Three representatives of classified (non-faculty) Civil Service appointed Vice President for Finance and Administration
• Director of Human Resources (Compliance Officer) (ex officio)
• Two students appointed by SGA

Note: Representation should draw from those segments of the University community who have a vested interest in this area.

Duties/Procedures:
• Convened by the chair once a semester and otherwise as needed.
• Develop, recommend, and review policies related to acts and decrees given in “Purpose,” above.
Monitor the implementation of the mandated acts and decrees given in “Purpose,” above.
- Receive information from Compliance Officer relating to external mandates and to present pertinent updates to the University in a timely manner.
- Hear concerns related to these areas and refer to appropriate authorities.
- Report to the Associate Vice President for Finance and CFO.

### 1.14.3.4 **Discipline Committee**

**Purpose:** To serve as a hearing/appeals body for disciplinary hearings as specified in Nicholls Code of Student Conduct and Appeals Procedures.

Reports to: Vice President for Student Affairs and Enrollment Services

**Membership (14):**

- Six faculty representatives (one from each academic college and the Library) appointed by the Vice President for Student Affairs and Enrollment Services from nominations submitted by the Committee on Committees
- Two representatives from Student Affairs, appointed by Vice President for Student Affairs and Enrollment Services
- Five students, to be composed of the Judicial Board of the SGA

**Duties/Procedures:**
- Convened by the chair as needed to conduct hearings or appeals as specified in the Nicholls Code of Student Conduct and Appeals Procedures.
- Review and recommend policies relating to procedures as needed.
- Report findings as specified in the Nicholls Code of Student Conduct and Appeals Procedures.

### 1.14.3.5 **Institutional Animal Care and Use Committee (IACUC)**

**Purpose:** To ensure humane treatment of animals used in experimentation, to determine if the researcher considered alternative ways for conducting research without the use of animals, and to support research which benefits both humans and animals through compassionate and health-promoting care of experimental animals.

Reports to: Vice President for Academic Affairs

**Membership: (6)**
- One doctor of veterinary medicine selected by the president from recommendations of the department heads of the biology and psychology departments. (Permanent member)
- Three members selected by the president who have had scientific laboratory experience with animals. The president selects from:
  - three faculty recommended by the psychology department head
  - three faculty recommended by the biology department head
  - No more than two of these three selected members shall be from the same academic unit. One will serve as chair.
- One member whose primary concerns is in a non-scientific area (e.g. lawyer, member of the clergy, or ethicist). (Permanent member)
- One non-affiliated member (no immediate relative affiliation with the institution), to provide representation for the general community interests in the proper care and treatment of animals, is selected by the president from three
recommendations made by the head of the biology and psychology departments. (Five year term)

Duties/Procedures:

- Convened by the chair as needed, but not less than once a semester in March and September to evaluate semiannual program reviews and animal facility inspections using the Guide for the Care and Use of Laboratory Animals, the Semiannual Program Review Checklist and the Semiannual Facility Inspection Checklist.
- Submit findings of semiannual animal facility inspections and a plan for correction to the animal facility manager using approved format. 3. Submit semiannual reports to the Vice President for Academic Affairs on findings from program reviews and animal facility inspections using approved format.
- Meet as necessary for the purpose of reviewing and acting on all applications for the use of animals in research and/or teaching projects at Nicholls State University.
- Monitor adherence to approved protocols with possible suspension of an activity when non-compliant.
- Submit annual reports to USDA/APHIS through the Vice President of Academic Affairs no later than December 1 of each year whenever animals covered under the Animal Welfare Act are used in research or teaching projects.
- Submit an annual report to OPRR through the Vice President of Academic Affairs whenever animal research projects are funded by the National Institutes of Health.
- Investigate and act on any and all accusations regarding violations of federal regulations.
- Articulate Nicholls' animal care policy as necessary to members of the university community or the general public.

1.14.3.6 Parking Policy Committee

Purpose: The committee shall serve as the hearing board for appeals of parking/traffic citations and delinquent fees (as specified in the University Parking Traffic Regulations).

Reports to: Vice President for Student Affairs and Enrollment Services

Membership (12):

- Three faculty members appointed to serve three-year staggered terms, appointed by the Vice President for Student Affairs and Enrollment Services from nominations by the Faculty Senate Committee on Committees
- Three classified employees appointed to serve three-year staggered terms, appointed by the Vice President for Student Affairs and Enrollment Services from nominations by the Classified Employees Advisory Committee
- One unclassified employee not holding faculty rank to be appointed for a three-year term, appointed by the Vice President for Student Affairs and Enrollment Services from nominations by the Unclassified Staff Advisory Committee
- Three students to be appointed to serve three-year terms or until graduation, whichever comes first
- Director of University Police (ex officio, non-voting)

Duties/Procedures:

- Convened by the chair as needed to determine whether citations were properly issued in accordance with University Parking/Traffic Regulations and to recommend if the fine shall stand or be dismissed.
• Determine whether there are extenuating circumstances for reducing or dismissing delinquent fees and to recommend the reduction or elimination of delinquent fees whenever it determines that there is just cause for doing so.
• Hear appeals from individuals whose parking permits have been suspended
• Report committee actions and recommendations to the Vice President for Student Affairs and Enrollment Services.

1.14.3.7 Scholarship Committee
Purpose: To establish or approve and monitor requirements for scholarship holders and make recommendations regarding scholarship in harmony with policies of external regulatory bodies.

Reports to: Vice President for Student Affairs and Enrollment Services.

Membership (12):
• One faculty member from each academic college appointed by Vice President for Student Affairs and Enrollment Services from nominations by the Committee on Committees
• Representative of Admissions
• Representative of Financial Aid (ex–officio)
• One representative appointed by the Vice President for Student Affairs and Enrollment Services
• One representative from Administrative and Information Services appointed by the Associate Vice President for Finance and CFO.
• Two students appointed by the SGA

Duties/Procedures:
• Convened by the chair as needed.
• Recommend policy related to requirements for scholarship holders.
• Review and select non–athletic scholarship winners and forward actions to Vice President for Student Affairs and Enrollment Services and Executive Director of Enrollment Services.

1.14.3.8 Social and Community Concerns Committee
Purpose: To review and recommend policies and procedures related to social concerns affecting members of the University community; to coordinate activities relating to these areas; and to promote a safe and healthful living and working environment. These areas shall include but not be limited to minority concerns, the role of women, and health issues.

Reports to: Vice President for Student Affairs and Enrollment Services

Membership (15):
• Six faculty members to be appointed by the Vice President for Student Affairs and Enrollment Services from nominations by the Committee on Committees
• Three representatives of unclassified (non–faculty) staff appointed by Director of Human Resources
• Three representatives of classified (non–faculty) Civil Service appointed by Director of Human Resources
• Two students appointed by SGA
• Director, Student Assistance Programs

Duties/Procedures:
• Convened by chair once a semester and otherwise as needed.
- Review and recommend policies and guidelines to attend to social concerns raised by members of the University community or implied in purposes of committee expressed above.
- Monitor working conditions and community environment to identify social, environmental, or other conditions that affect optimum performance of members of the University community.
- Coordinate and disseminate information relating to the above concerns.
- Report actions to Vice President for Student Affairs and Enrollment Services.

1.14.3.9 **Student Media Committee**

Purpose: To select student editors and managers for student publications and non-print media and hear student employment appeals.

Reports to: Vice President for Academic Affairs

Membership (15):
- Four faculty members appointed by the Vice President for Academic Affairs from nominations submitted by the Committee on Committees
- One representative of Student Affairs appointed by the Vice President for Student Affairs and Enrollment Services
- Three students appointed by SGA
- Advisors, Student Publications and Non-Print Media (ex officio)
- Editors and Managers, Student Publications and Non-Print Media (ex officio)
- Director of University Relations (ex officio)
- Head of Department of Mass Communication (ex officio)
- Laboratory technician charged with the responsibility of maintaining the equipment at KN5U

Duties/ Procedures:
- Convened by the chair once a semester and otherwise as needed.
- Select student editors and managers for student publications and non-print media. (Student staff members under review will recuse themselves from review proceedings related to their position.)
- Serve as an appeals board for student personnel issues within student publications and non-print media, ensuring due process and dismissal “for cause.”
- Confirm organizational job title or duty changes that relate to student managerial and editorial positions presented by advisors and student editors or managers.
- Report committee actions and recommendations to Vice President for Academic Affairs.

1.14.3.10 **Student Organizations Committee**

Purpose: To regulate, monitor, and encourage the activities of student organizations that support the academic mission of the University.

Reports to: Vice President for Student Affairs and Enrollment Services

Membership (15):
- Four faculty members appointed by Vice President for Student Affairs and Enrollment Services from nominations submitted by Committee on Committees
- Three students appointed by Vice President for Student Affairs and Enrollment Services (to include representatives of academic, social, and service organizations)
• Two students appointed by SGA
• Dean of Student Life (ex officio)
• Director of University Food Service/Student Union Operations (ex officio)
• Advisors, Pan Hellenic (ex officio)
• Advisors, Interfraternity Council (ex officio)

Duties/Procedures:
• Convened by chair as needed but not less than once a semester.
• Review and recommend policies relating to student organizations to assure that their activities support the mission of the University.
• Implement guidelines as specified in Nicholls Student Organizations Handbook, including the chartering of student organizations and review of their ongoing activities.
• Hear appeals made by student organizations as specified in the Nicholls Code of Student Conduct.
• Report actions to Vice President for Student Affairs and Enrollment Services.

1.14.3.11 Distance Learning Committee

Purpose: To ensure that faculty members play an appropriate role in designing courses/programs offered by distance education, are engaged in the planning and systematic review of distance education and are part of the academic oversight of distance education initiatives. To regulate, monitor, and encourage activities related to distance learning.

Reports to: Vice President for Academic Affairs

Membership (number):
• At least one faculty member from each college and at-large members as deemed necessary by the Coordinator of Distance Learning, representing different disciplines, to be nominated by the committee, deans or VPAA and appointed by the VPAA; a representative from academic computing; the Executive Director of Planning and Institutional Effectiveness, one permanent member, the Coordinator of Distance Learning, who will also serve as Chair.

Duties/Procedures:
• Convened by chair as needed but not less than once a semester.
• Review and recommend policies relating to distance learning to assure that their activities support the mission of the University.
• Provide systematic review of distance education courses/programs
• Encourage development of distance learning initiatives and courses
• Implement guidelines as specified in Distance Learning Policies and Procedures

1.14.4 Faculty Senate Standing Committees

Terms of office of all members of Faculty Senate Standing Committees shall be one year except that of the Faculty Welfare Committee, whose members shall serve two year terms. The chairs of Faculty Senate Standing committees shall be elected from their membership for one–year terms no later than 5 days following the May Senate meeting. At least one member of each Faculty Senate Standing Committee shall be a Senator. Any modification to the purpose, membership, reporting procedures, and duties and procedure of committees named in this section of the document shall be made by a simple majority approval of the Faculty Senate at the meeting after which notice of the change has been given.
1.14.4.1 Committee on Committees
Purpose: To administer Article III (election of senators) and Article IX (committees) of the Faculty Association Bylaws and implement policies concerning the election/selection of faculty members to the Faculty Senate, University Standing Committees, Academic Standing Committees, and Faculty Senate Standing Committees; to call the first meeting for Academic Standing Committees each year to ensure timely operation of these bodies.

Reports to: Faculty Senate

Membership (6): Membership shall consist of 1 Senator from each electing unit, elected by the respective unit.

Duties/Procedures:
- Convened by the chair as needed.
- Perform tasks assigned by Executive Committee of Senate concerning elections and nominations for appointment.
- Develop uniform voting procedures for the election of Senators and supervise Senate elections.
- Poll faculty to determine rank order of committee service preferences.
- In making recommendations for committee members, recommendations shall be in compliance with the affirmative action plan of the University.
- Submit to designated appointing authority no fewer than two nominations for each seat to be filled by a faculty representative with his or her consent.
- Obtain names of faculty members elected by colleges or appointed by administrators for service on appropriate committees before first meeting of each committee.
- Ensure that an individual faculty member is not appointed to more than two committees, Academic or University, where other faculty within the college are available and agreeable to serve. In the case of large faculty numbers within a college, the college may elect to establish a rotational schedule allowing an individual faculty to serve for two consecutive years before moving to the bottom of the appointment list.
- Convene first meeting of Academic Standing Committees to facilitate election of chair and establishment of committee agendas in a timely manner.
- Report to the Faculty Senate as appropriate.
- Appoint replacements for elected or appointed faculty committee members who resign. For staff replacements, secure new appointments from the appointing officer.
- Notify all chairs of University, Academic, and Faculty Senate Standing Committees of the following procedure with regards to resignations of faculty committee member(s): Chair of committee must notify Chair of Committee on Committees, who will notify the office of the University President as well as the Faculty Senate President and Vice President.

1.14.4.2 Executive Committee
Purpose: To provide leadership for the Faculty Senate

Reports to: Faculty Senate

Membership (7): Officers of the Faculty Senate and Chairs of the Faculty Senate Standing Committees.

Duties/Procedures:
Convened by the Faculty Senate President once a month approximately eight (8) working days preceding each regular meeting of the Faculty Senate, or at the call of the Senate President.

Prepare Senate agenda for distribution not less than five (5) working days before each regular meeting.

Assign tasks to Faculty Senate Standing Committees and receive their reports.

Interpret provisions of the Faculty Association Constitution and Bylaws.

Recommend to the Faculty Senate changes in structure of Faculty Senate Standing Committees or Constitution and Bylaws.

Monitor the implementation and ongoing operation of the governance structure.

On behalf of the Senate, fulfill the stated obligation in Article III, Section 4 of the Constitution to forward to the Vice President for Academic Affairs recommendations concerning all actions taken by the Faculty Senate related to Academic Standing Committees listed in the Nicholls Governance Structure (Section 1.14.2 of this Manual) and Faculty Senate Standing Committees listed in Article IX of the Association Bylaws.

1.14.4.3 Faculty Welfare Committee

Purpose: To recommend to the Faculty Senate changes in policy related to issues such as tenure and promotion, faculty development, faculty honors, merit system, faculty compensation, and new faculty orientation; to periodically review and update this Manual to reflect current policies; and to recommend policy changes in the areas outside the purview of the other committees.

Reports to: Faculty Senate

Membership (11):

- Two elected faculty from each academic college
- One faculty member elected from the library
- One Faculty Senator appointed by the Executive Committee of the Senate

Duties/Procedures:

- Convened by the chair as needed.
- Review existing policies related to tenure and promotion, faculty development, faculty honors, merit system, and new faculty orientation.
- Review faculty sections of this Manual to assure that it reflects current policy and recommend policy changes in the areas outside the purview of other committees.
- Review policies and procedures with regard to faculty development.
- Recommend policies and procedures involving salary and benefits for faculty.
- Submit recommended policy changes to the Faculty Senate for action.

1.14.4 Task Forces, Study Groups, and Special Advisory Committees

Task forces, study groups, special advisory committees, and similar ad hoc groups formed to solve specific problems or receive assigned tasks shall not be official governance bodies of the University. All such bodies derive their authority from the University Standing Committees, Academic Standing Committees, or individuals or groups to whom they report. Ad hoc committees shall establish operating procedures by consensus of the membership (policies and procedures should generally conform to the guidelines in this document).

Neither academic ad hoc groups nor Academic Standing Committees may be appointed by administration to supplant official standing committees. However, when administration finds it advisable to initiate study of academic issues tangentially related to one or more Academic Standing Committees, the
following procedure should be followed: 1) a conference with Senate President
to determine which, if any, Standing Committee(s) could have an interest in the
issue; 2) where such an interest is found, appointment by the Senate President of
a member of the appropriate Senate committee(s) to membership in the ad hoc
group.

1.15 Constitution of the Faculty Association

1.15.1 Preamble
To better meet the educational goals of Nicholls State University, the Faculty Association is
committed to furthering joint planning and effort by the Board of Supervisors for the University
of Louisiana System, the administration, the faculty, the students, and the community. The
interests of all are related, and the broadest possible exchange of information and opinion is
necessary for the effective planning and implementation of the University’s philosophy and
objectives. While each component of the academic community has different initiating and
decision-making responsibilities, the Association recognizes that an effective system of
University governance must be representative, responsive, and mutually accountable.

1.15.2 Article I—Name
The name of this organization shall be the Nicholls State University Faculty Association,
hereinafter referred to as “Association.” The official name of the governing body of the Nicholls
State University Faculty Association shall be the Nicholls State University Faculty Senate,
hereinafter referred to as “Senate.”

1.15.3 Article II—Purpose
As the governing body of the Association, the Senate shares in the conduct of University affairs
and provides leadership in the areas of academic freedom, the development, maintenance, and
evaluation of academic programs and educational standards, the assurance of faculty welfare,
and the advancement of the University. Normally recommendations of the Senate are submitted
to the President through the Vice President for Academic Affairs. The Senate may use any
independent avenues to obtain information or express opinions in order to assure faculty welfare
and to preserve academic freedom.

1.15.4 Article III—Duties

1.15.4.1 Section 1—Senate Elections
The Senate shall oversee elections to the Senate through its Committee on Committees and elect
officers as provided for in the Bylaws of the Association.

1.15.4.2 Section 2—Committee Assignments
The Senate shall oversee elections of Association members to serve on those committees requiring
elected faculty representation through its Committee on Committees. The Senate’s Committee on
Committees shall also submit lists of recommended faculty for appointment to Standing
Committees where faculty representation is required but where elections are not necessary.

1.15.4.3 Section 3—Senate Action
In addition to initiating specific actions within its purview, the Senate shall act on all
recommendations of Academic Standing Committees and Faculty Senate Standing Committees
that report to the Senate. The Senate shall forward to the Vice President for Academic Affairs its
recommendations concerning actions taken by the Academic Standing Committees and the
Faculty Senate Standing Committees. The Vice President for Academic Affairs shall then transmit
these recommendations as appropriate to the President. The Vice President for Academic Affairs
will report to the Senate at its next regularly scheduled meeting the administration's response to Senate recommendations.

1.15.5 Article IV—Appeals
In extraordinary circumstances and concerning matters of grave urgency to the University, the Faculty Senate may at its option, by a 2/3 majority of the total Senate in concurrence with a 2/3 vote of the total Association membership, appeal to the Board of Supervisors for the University of Louisiana System a rejection by the President of a Faculty Senate recommendation. Until such time as the Board establishes a policy of direct appeals, these appeals shall be made through the Faculty Advisory Council of the Board of Supervisors. The appeal may not be initiated before the expiration of a 30–day period subsequent to the receipt of the rejection. During this 30–day period, maximum effort should be exerted to reconcile differences.

1.15.6 Article V—Amendments
Amendments to this Constitution may be initiated by a majority vote of the Senate or by a petition signed by at least twenty (20) percent of the membership of the Association. All amendments shall be presented to the members of the Association in referendum, and shall be ratified by a two-thirds (2/3) vote of the Association. By a majority vote of the Senate, amendments may be presented to Association members by mail ballot.

1.16 Bylaws of the Faculty Association

1.16.1 Article I—Membership

1.16.1.1 Section 1—Eligibility
The following individuals shall be eligible for membership in the Association:
- Full-time faculty, including academic Department Heads, holding academic rank of instructor or above and subject to the provisions of the Board of Supervisors for the University of Louisiana System tenure policy, excluding those whose functions are primarily administrative;

A two-thirds (2/3) majority vote of the Senate shall be required to grant eligibility in cases of uncertainty.

1.16.1.2 Section 2—Ineligibility
Persons holding the following positions are excluded from membership:
- The Director of the Library, Assistant Director of the Library, Associate Director of the Library, Assistant Deans, Associate Deans, Acting Deans, and Deans;
- Any individual reporting to a Vice President or the President;
- Exclusions to membership listed in Article I, Section 2a and 2b supersede any entitlement to membership listed in Article I, Section 1 above.

1.16.1.3 Section 3—Committee Appointments
Faculty members appointed to committees must be association members. For purposes of appointment to committees, faculty who also serve as assistant or associated deans in smaller academic units, units of less than 10 faculty, may be allowed to serve on Academic or University Standing Committees as determined by the Senate in advanced of the committee appointment on a case by case basis.
1.16.2 Article II—Meetings of the Association

1.16.2.1 Section 1—Regular Meetings
The President of the Senate shall preside at a minimum of one meeting of the Association to be held each spring for purposes of reporting on Senate action, to solicit comments from Association members, and to conduct Association business. Business may be conducted by the Association provided there is a quorum of twenty-five (25) percent of the membership of the Association. The meetings shall be governed by Robert's Rules of Order, current edition.

1.16.2.2 Section 2—Special Meetings
The President of the Senate presides at special meetings of the Association. Special meetings of the Association may be called by the Senate or by petition of ten (10) percent of the Association membership. These meetings require a written notice to the membership, including agenda, at least five (5) working days before any meeting. Business may be conducted by the Association provided there is a quorum of fifty (50) percent of the membership of the Association. The meetings shall be governed by Robert's Rules of Order, current edition.

1.16.2.3 Section 3—Notice of Meetings
Notice for Association meetings shall be given a minimum of five (5) class days in advanced of a meeting. If a meeting is called with required notice, but business cannot be conducted due to lack of quorum, the by-law requirement of a minimum of one association meeting per year shall have been satisfied.

1.16.3 Article III—Senate Membership

1.16.3.1 Section 1—Eligibility
Senate membership shall be limited to Association members.

1.16.3.2 Section 2—Representation
The College of Arts and Sciences, the College of Business Administration, the College of Education, the College of Nursing and Allied Health, University College, the Chef John Folse Culinary Institute, and the Library shall hereinafter be referred to as electing units. The number of Senators from each electing unit shall be based on the number of Association members, including those on leave or sabbatical, in the electing unit according to the following formula:

- One (1) through six (6) Association members shall have one (1) Senator;
- Seven (7) through fifteen (15) Association members shall have two (2) Senators;
- Sixteen (16) through thirty (30) Association members shall have three (3) Senators;
- Thirty-one (31) through forty-five (45) Association members shall have four (4) Senators;
- Forty-six (46) through sixty (60) Association members shall have five (5) Senators;
- Sixty-one (61) through seventy-five (75) Association members shall have six (6) Senators;
- Seventy-six (76) through ninety (90) Association members shall have seven (7) Senators;
- Ninety-one (91) through one hundred and five (105) Association members shall have eight (8) Senators;
- One hundred and six (106) through one hundred and twenty (120) Association members shall have nine (9) Senators;
- One hundred and twenty-one (121) through one hundred and thirty-five (135) Association members shall have ten (10) Senators.

This apportionment formula shall continue to provide for an additional Senate representative for every 1-14 members above the previously stated highest number of
Association members in the electing unit. Implementation of the above apportionment formula for Senate membership shall be based on Association membership on March 1 of each year.

Senate membership shall be staggered so that approximately one-half (1/2) of the Senators' terms shall expire each year. Electing units shall ensure that approximately one-half (1/2) of their Senators' terms will expire in a given year.

1.16.3.3 Section 3—Term of Service
Senators shall be elected for terms of two (2) years.

1.16.3.4 Section 4—Resignations
Senators unwilling or unable to complete terms of service must submit letters of resignation to the Senate Executive Committee.

1.16.3.5 Section 5—Recall
Senators not considered to be performing duties satisfactorily may be recalled by two-thirds (2/3) vote of their electing unit. Recall shall be initiated upon a petition signed by twenty-five (25) percent, but not fewer than five members, of the electing unit, or by a petition signed by two-thirds (2/3) members of the Faculty Senate and submitted to the Association members of the electing unit for a recall vote. Senators who miss fifty percent (50%) of Senate meetings within one academic year may be removed from office by a majority vote of the Senate Executive Committee.

1.16.3.6 Section 6—Vacancies
In the event a Senate seat becomes vacant the electing unit shall hold a special election whereby the elected alternate shall serve the remainder of the term.

1.16.4 Article IV—Election of Senators

1.16.4.1 Section 1—Eligibility
Any member of the Association is eligible for election to the Senate.

1.16.4.2 Section 2—Voting Privileges
All members of the Association are eligible to vote for Senators. Faculty who have duties within two electing units shall be eligible to vote only in the unit of their primary curriculum designation.

1.16.4.3 Section 3—Election
- Each electing unit shall be responsible for conducting an election of its Senators in accordance with uniform guidelines established by the Committee on Committees.
- A form for nominations shall be forwarded to every Association member of an electing unit in which a vacancy occurs during the month of February each year.
- Both nominator and nominee must sign the form before it is returned to the Committee on Committees.
- The election of Senators shall be by ballot or voting machine under the supervision of the Committee on Committees.
- In the event of only one (1) candidate for a given Senate seat, no ballot is required.
- No more than two (2) Senators from one department of any electing unit shall be elected to the Senate.
- Regular elections of Senators shall take place in March of each year. Newly elected Senators will attend the April meeting as observers and will be installed at the May meeting of the Senate.
Upon ratification of these Bylaws, electing units that increase their number of representatives shall hold an election before October 15, 1990, to fill these additional seats. Currently elected senators shall continue to serve the duration of their established term of office. Each electing unit will establish appropriate terms of office for its additional representatives, not to exceed two (2) years so that the term of office of approximately half of each electing unit's total senators will expire each year.

1.16.4.4  Section 4—Special Elections
A special election shall be called within twenty (20) semester class days of a vacancy to fill an unexpired term.

1.16.5  Article V—Duties of Senators
Senators, as elected representatives to the Senate and its committees, are responsible for initiating, reviewing, and recommending policies affecting all segments of the University. Senators are responsible for being diligent and informed concerning all issues they may act upon and shall be available not only to their constituents, but also to all members of the University community. Information may be disseminated through a Senate newsletter. Additionally, Senators are empowered by majority vote of the Senate to affirm, amend, remand, or reverse any recommendations made by committees reporting to or through the Senate.

1.16.6  Article VI—Officers and Their Duties

1.16.6.1  Section 1—Officers
The elected officers of the Senate shall be the President, Vice President, Recording Secretary, Corresponding Secretary, and Parliamentarian. These officers and the chairs of the Faculty Senate Standing Committees shall constitute the Executive Committee of the Senate.

1.16.6.2  Section 2—Term of Service
Officers of the Senate shall serve for one (1) year terms.

1.16.6.3  Section 3—President of the Senate
The PRESIDENT shall be the chief executive officer presiding at Senate, Association, and Senate Executive Committee meetings. The President shall prepare an agenda for Senate meetings, maintain close liaison with the University Administration, and act as the official voice of the Senate.

1.16.6.4  Section 4—Vice President of the Senate
The VICE PRESIDENT shall assume the duties of the President in the latter's absence and shall oversee the activities of Senate Committees, Academic Standing Committees, and the University Standing Committees to ensure that they are functioning properly.

1.16.6.5  Section 5—Recording Secretary
The RECORDING SECRETARY shall take roll at each meeting; record minutes of all meetings; disseminate minutes of previous meetings to Senate members, head of each electing unit for access to Association members, University and Academic Standing and Faculty Senate Standing Committees Chairs, University Vice Presidents, the President, and University Archives at least one week before the next meeting; keep a registry of the members of the Senate and the respective electing units which they represent; maintain an up-to-date roster of all committees; and publish an agenda at least five (5) working days before each meeting.
1.16.6 Section 6—Corresponding Secretary
The CORRESPONDING SECRETARY shall be responsible for all Association and Senate correspondence, shall maintain a permanent file of incoming and outgoing communication, and shall keep a record of all monies received and spent.

1.16.7 Section 7—Parliamentarian
The PARLIAMENTARIAN shall advise the Senate President to ensure that all Senate and Association meetings conform to Robert's Rules of Order (current edition) and these Bylaws. In the event of a discrepancy between Robert's Rules of Order and these Bylaws, the Bylaws will prevail.

1.16.7 Article VII—Elections of Senate Officers

1.16.7.1 Section 1—Eligibility
Any elected member of the Senate who has served as Senator at least one year during the previous ten (10) years may be elected to the office of President. Any elected member of the Senate may hold the office of Vice President, Recording Secretary, Corresponding Secretary and Parliamentarian.

1.16.7.2 Section 2—Nominations
Nominations shall be made from the floor with consent of the nominee at the last meeting of the academic year after the newly elected Senators have been installed.

1.16.7.3 Section 3—Voting
Voting shall be by secret ballot. Election for President will be conducted by the outgoing President. In case of a tie or the failure of one candidate to receive a majority, additional secret ballots shall be cast until a single candidate receives a majority of votes. In the event more than two persons are running for office and no candidate receives a majority vote, a run-off election will be held between the two candidates receiving the most votes in the first election. In the case of an uncontested candidate, the election shall be by voice vote.

1.16.7.4 Section 4—Assumption of Duties
Officers shall assume the duties of their offices at the meeting following their election and shall continue in office unless they resign or until replaced at the next election of officers.

1.16.7.5 Section 5—Unexpired Terms
An unexpired term of a Senate officer shall be filled by election from the Senate membership at the next regular meeting of the Senate in compliance with this Article.

1.16.8 Article VIII—Faculty Senate Meetings

1.16.8.1 Section 1—Regular Meetings
The Senate shall meet at least seven (7) times during each academic year, with no two meetings held within the same month. The day and time of Senate meetings will be established at the first regular meeting of each Fall and Spring semester.

1.16.8.2 Section 2—Special Meetings
Special meetings of the Senate may be called by the President of the Senate or upon the request of a simple majority of the Senate. Such meetings shall require delivery of written notification a minimum twenty-four (24) hours in advance. Notification will also be provided to Association members through their electing units. The call for special meetings must include the campus
location, date, time, and an agenda. The Senate shall have the authority to perform any action it would ordinarily perform in a regular meeting.

1.16.8.3 **Section 3—Summer Meetings**
Summer meetings may be called according to the provisions of Article VIII, Section 2.

1.16.8.4 **Section 4—Quorum**
A simple majority of the members of the Senate shall constitute a quorum authorized to transact any business duly presented at any meeting of the Senate except as otherwise stipulated in the document. A senator who is on leave for one semester shall not be counted for determining quorum and a senator who is on leave for a year or longer be replaced.

1.16.8.5 **Section 5—Agenda**
- The regular order of business of the Senate shall be the agenda prepared by the Executive Committee of the Senate. Any member of the Senate may move to suspend the rules so that the Senate may consider any item on the agenda out of its scheduled order. Items not on the published agenda will be considered only if approved by a simple majority vote of the members present and voting.
- Items submitted in writing by a Senator to the Executive Committee before the formulation of the agenda for the next meeting shall be included on the agenda. Requests for reconsideration of any business may be submitted at the discretion of the Executive Committee or by a two-thirds (2/3) vote of the senators present and voting. Chairs of the Academic Standing Committees which report to the Senate will submit written reports indicating to the Executive Committee information and action items. These reports will be attached to the agenda.
- Association members should submit agenda items to a Senator for consideration as stated in Article VIII, Section 5b. The President may invite Association members submitting agenda items to address the Senate.

1.16.8.6 **Section 6—Senate Meeting Participation**
Association members may address the Senate at the discretion of the President. Permission to speak will be at the discretion of the President. An Association member who is denied permission to speak may appeal to the Senate for a majority vote to override the President's decision. Appeals must be heard at the time the request is denied, and the appeal shall be non-debatable. Only one appeal may be made by an Association member for the same agenda item. Non-members of the Association may submit in writing to the President a request to participate in discussion on any item announced in the published agenda of any meeting of the Senate. The President may also invite non-members of the Association to address the Senate as necessary.

1.16.8.7 **Section 7—Committee Business**
Motions relating to recommendations of a Faculty Senate Standing Committee shall be disposed of during a portion of the meeting reserved for committee reports.

1.16.8.8 **Section 8—Voting Procedures**
1. All Senators, including the President, serve as representatives of their colleagues with one vote. In areas of direct conflict of interest, Senators shall recuse themselves.
2. Voting on the floor of the Senate shall be by voice vote except for election of officers. Any member of the Senate may call for a division of the house.
3. In counting votes, affirmatives are counted first, negatives second, and abstentions third.
4. Any motion of the Senate may be referred by the Senate to the membership of the Association for action upon a majority vote of the Senate.
5. At no time will proxy voting be allowed.
1.16.8.9 Section 9—Veto Power
The Association may have veto power over any action taken by the Senate using the following procedures:
1. Veto proceedings may be initiated by any association member by presenting to the Senate veto petition signatures from 20 percent of the total Association membership.
2. Pursuant to the veto proceeding, a veto shall require the same percentage vote of the membership of the Association (either 2/3 of the Association or a simple majority) as was required for the Senate action in question.

1.16.9 Article IX—Committees

1.16.9.1 Section 1—Faculty Senate Standing and Ad Hoc Committees
- The authorized Faculty Senate Standing Committees reporting to the Senate are the Executive Committee, the Committee on Committees, and the Faculty Welfare Committee. The purpose, membership, duties/responsibilities of these committees are found in Section 1.14.3.11 of this Manual and are incorporated by reference into these Bylaws.
- The Senate shall have the authority to form additional Faculty Senate Standing or ad hoc committees as deemed necessary.
- The Senate may assign such duties and responsibilities to these committees which it deems necessary and which are consistent with the Constitution and Bylaws.
- No Senate member may serve on more than two (2) Faculty Senate Standing Committees at any one time.

1.16.9.2 Section 2—Committee Procedures
All standing committees shall follow the general operating procedures of the Nicholls State University Governance Structure document, which are detailed in Section 1.14.1 of this Manual.

1.16.9.3 Section 3—Additional Duties and Procedures of the Executive Committee
The Executive Committee shall
- consider matters within the jurisdiction of the Senate and provide for its leadership.
- The Committee shall provide the Recording Secretary with an agenda which will be distributed to persons designated to receive minutes in Article VI, Section 5 of these Bylaws;
- assign matters to appropriate committees for their consideration, receive reports from these committees, and interpret the Constitution and Bylaws;
- recommend to the Senate changes in committee structure or changes to the Constitution or Bylaws;
- meet as needed with the call of the President of the Senate, or two (2) members of the Executive Committee.

1.16.9.4 Section 4—Academic Standing Committees Reporting to the Vice President for Academic Affairs through the Faculty Senate
Authorized committees reporting to the Vice President for Academic Affairs through the Senate are:
- Academic Policies and Standards Committee
- Courses and Curricula Committee
- Research Council
- Library Committee
The purpose, membership, duties, and procedures of these Academic Standing Committees are found in Section titled Academic Standing Committees of this Manual Section and are incorporated by reference in these Bylaws.

Any modifications to the purpose, membership, duties, and procedures of the Academic Standing Committees reporting to or through the Senate shall be mutually agreed upon by a simple majority vote of the Senate and the President of the University.

1.16.10 Article X—Amendments

1.16.10.1 Section 1—Bylaw Revisions
Amendments of these Bylaws may be made provided they are consistent with the Constitution.

Amendments may be initiated by either a simple majority vote of the Senate or by a petition signed by twenty (20) percent of the Association membership.

Proposed amendments shall be presented in writing at the regular meeting preceding that at which the vote will be taken.

1.16.10.2 Section 2—Ratification of Proposed Amendments
The Executive Committee of the Senate shall review amendments to the Bylaws to assure consistency with the Constitution. If not consistent, amendments will be returned to the Senate with the inconsistency noted for reconsideration.

Ratification of proposed amendments shall require a 2/3 majority vote of the full Senate who are present provided there is a quorum.

1.17 Policies and Procedures

1.17.1 History
The Board of Supervisors for the University of Louisiana System, the governing Board for Nicholls State University and most of the other universities in the state of Louisiana, has given some guidance as to what policy manuals and handbooks should be available to the employees at each of its institutions. The Board has advised that each institution set forth internal regulations, policies, and procedures for all unclassified employees.

Prior to the fall semester of 2004, Nicholls State University provided three separate handbooks to employees. These handbooks were designed to include all policies for both classified and non-classified employees. A Civil Service Manual was published for classified employees. Because of the administrative and contractual differences between the two remaining non-classified divisions (faculty and non-faculty), the University published two separate handbooks: the Faculty Handbook and the Administrative Staff Handbook. The revised Nicholls State University Faculty Handbook, completed in the Spring semester of 1993, was approved for distribution in May, 1993. The Administrative Staff Handbook, approved and distributed in 1995, applied to all employees not covered by the Faculty Handbook and the Civil Service Handbook.

Beginning with the fall 2004 academic year, the University began publishing an online Policy & Procedure Manual that combined all of the information in the three previous handbooks. The numerical and sectional organization of the Manual maintains the distinction between the three different employee groups covered by the original handbooks. But the online Policy & Procedure Manual with its common index more readily accommodates searches for specific information.
1.17.2 Purpose of Policy & Procedure Manual
The Policy & Procedure Manual is a gathering place for all official university policies, procedures, and practices. After policies are gathered, they are categorized using an approach that takes the management levels of the university into consideration. All policies are then appropriately numbered and posted using a consistent format and design.

Whenever possible, the policy summaries shall link information contained in other university manuals. The Policy & Procedure Manual should also contain links to all university procedures and forms.

1.17.3 Coordinator of Policy and Procedure
The Coordinator of Policy and Procedure was appointed by the President of the University with appropriate counsel in Fall 2004. The Coordinator serves at the will of the President and reports to the President's Cabinet by way of the office of the Vice President for Academic Affairs.

1.17.4 Forwarding Policies
Using the Policy and Procedure Change Form (see internal administrators’ M drive), appropriate administrators and the various policy-making bodies of the university shall forward the following through channels for processing by the Coordinator of Policy and Procedure:
- New policies, new directives, new procedures;
- Changes to existing policies, existing directives, existing procedures;
- Cancellation of existing policies, existing directives, existing procedures.

The Coordinator of Policy and Procedure shall get proper approval before processed material is included in the Policy & Procedure Manual.

The Coordinator of Policy and Procedure shall receive copies of the following:
- All pertinent statutes and advisories received by the President’s Office and the offices of first and second-level administrators;
- The minutes of the Board of Regents and the Board of Supervisors for the University of Louisiana System;
- The minutes of the President’s Cabinet;
- Copies of memos and directives (that in effect make, change, or cancel policies, directives, and procedures) disseminated by first and second-level administrators;
- The minutes of all other bodies and committees charged with such activities that make, change, or cancel policies, directives, and procedures.

The Coordinator of Policy and Procedure shall report regularly to the President’s Cabinet through the office of the Executive Vice President for approval of the following:
- The Coordinator’s assessment of all forwarded material (listed above);
- The Coordinator’s determination of the appropriate handling of listed above with regard to inclusion in the Policy & Procedure Manual.

1.17.5 Distribution and Posting of Policies
The Coordinator of Policy and Procedure shall properly post a copy of the Policy & Procedure Manual on the Nicholls State University website. The Manual shall be updated and revised in a timely manner following appropriate policy approvals.

Whenever the Policy & Procedure Manual has been properly updated, the Coordinator of Policy and Procedure shall notify all concerned parties to include all or portions of the following:
- The Ellender Memorial Library;
- The office of the President of the University;
• The offices of the administrative Vice Presidents;
• The offices of all level two deans and directors;
• The offices of all level three supervisors;
• The President of the Faculty Senate;
• other appropriate offices, officers, committees, and personnel.

1.17.6 Procedures for Changing the Policy & Procedure Manual

Policy changes at Nicholls State University can come from three sources:
• policy changes initiated by statute or rule from the State of Louisiana, the Board of Regents, or the Board of Supervisors;
• policy changes that are the result of activities by the policy or procedure–making bodies of the University through the President’s Cabinet;
• informational changes that do not need to be cleared with the policy or procedure–making bodies.

Changes to Chapter 2 may also be made according to guidelines specified in Section 2.16.

Policy changes of the first kind, those brought about by mandates outside the University, shall initiate an immediate change in the Manual. Staff may be apprised of these changes through memos or other official documents before there is a related Manual update. Changes of the second group, those resulting in President’s Cabinet action, shall also initiate changes that will go into effect immediately, but will be published with the first new Manual update. Individuals who are interested in having changes made to the Manual should consult with the proper policy–making body or should contact the Coordinator of Policy and Procedure for information about initiating changes.

Any changes that could result in Manual revisions should be reported to the Coordinator. It will be the responsibility of the Coordinator, as far as is possible, to advise the President each year of the need for Manual revisions—printed updates or new editions. The Coordinator should attempt to have regular five–year reviews of the Manual initiated. These reviews may result in new editions of the Manual. By April 15, the Unclassified Staff Advisory Committee may review all suggested Manual revisions. Each year, staff will receive updated pages or a new edition of the Manual before the new fiscal–year appointments are issued.
2 Faculty Personnel Policies

2.1 Scope and Significance

This chapter is the official statement of policies, obligations, responsibilities, rights, and privileges pertaining exclusively to faculty. All faculty are required to be familiar with and abide by the terms and provisions of this chapter as a condition of their employment with the University. Additional policies that affect all employees, including faculty, are covered in Chapter 5 of this Manual.

Administrative faculty are covered by this chapter only insofar as their academic appointments are concerned. Unless specifically stated otherwise, the title “Dean” as used in Chapter 2 of this Policy & Procedure Manual shall mean “Academic Dean.” Other terms that have specific applications are defined in the appropriate sections.

Board of Supervisors and/or Board of Regents policies take precedence over University policies that are contrary to or competing with Board of Supervisors or Board of Regents policy. See respective websites for Board policies.

2.2 Definitions of Faculty

2.2.1 Academic Faculty

La.R.S. 17:3304 defines college and university faculty as “members of the instructional staff of each college and university having the rank of instructor or higher and persons engaged in library, artistic, research and investigative positions of equal dignity. The head of each college or university and its academic officers shall be members of the faculty.”

For contract purposes, “academic faculty” shall be defined to include faculty who carry academic rank, academic titles, or special academic status as set forth below. Academic faculty shall be employed by faculty contracts.

2.2.1.1 Ranked Academic Faculty

The academic titles approved by the University are listed in Section titled Titled Academic Faculty of this Manual. The four academic ranks approved by the University are Instructor, Assistant Professor, Associate Professor, and Professor.

The University has also approved a system of title and rank equivalency for the University Library. These labels and their corresponding academic titles and ranks are as follows:
- Lecturer shall be called Library Lecturer in the University Library;
- Instructor shall be called Instruction Librarian in the University Library;
- Assistant Professor shall also be called Assistant Librarian in the University Library;
- Associate Professor shall also be called Associate Librarian in the University Library;
- Professor shall also be called Librarian in the University Library.

Ranked academic faculty with the exception of instructors shall be employed only on probationary or tenure contracts. Instructors shall be employed under term contracts. Persons holding rank under the terms and conditions of previous handbooks shall retain rank with the adoption of this Policy & Procedure Manual.
2.2.1.2 **Titled Academic Faculty**
The eight academic titles approved by the University include Lecturer, Adjunct Faculty, Visiting Faculty, Faculty/Research Associate, Faculty–in–Residence, Endowed Chair/Professorship, Distinguished Service Professor, Alcee Fortier Distinguished Professor, and Distinguished Professor. It should be stressed that a title is an honor with no attached tenure rights.

The faculty member holding the title may be on individual term, probationary, or tenure contract. At times, separate contracts may be issued that designate special arrangements made by the University with titled academic faculty. These contracts shall be term contracts and are subject to the following conditions unless otherwise specifically provided in their individual appointment contract or elsewhere in this chapter:

- They shall have only those faculty responsibilities as assigned by the appropriate Dean in consultation with the Department Head.
- Adjunct and Visiting Professorships shall be determined on the basis of the individual's rank qualifications.
- The use of academic titles shall not be construed as the conferring of rank.
- Appointments of titled academic faculty may be exempted from the faculty search and screen process with the approval of the Affirmative Action Officer and the President.

See also *Academic Titles and Special Awards* on the internal administrators’ drive (M drive).

2.2.1.2.1 **Lecturer**
The title of “Lecturer” may be given to a person who teaches a limited number of courses in a specific area of expertise. Lecturers are term contract employees.

2.2.1.2.2 **Adjunct Faculty**
The title of “Adjunct” may be given to a person who possesses the credentials and/or experience to hold rank but whose primary employment relationship is outside the University. A full definition of adjunct faculty (along with other information concerning adjunct faculty) appears throughout this Policy and Procedure Manual. All adjunct positions are term contract. Procedures and requirements for Adjunct Faculty are listed in *Academic Titles and Special Awards* on the internal administrators’ drive (M drive).

2.2.1.2.3 **Visiting Professor**
The title of “Visiting Professor” may be given to a person who has a temporary or permanent association at another institution of higher education and is associated with the University while on leave from such other institution or who is otherwise hired to fill a faculty position on a temporary basis. Visiting Professors are term contract employees.

2.2.1.2.4 **Faculty/Research Associate**
The title of “Faculty / Research Associate” may be given to a person appointed to a position supported by external grant funds. Associates are term contract employees.

2.2.1.2.5 **Faculty–in–Residence**
The title of “Faculty–in–Residence” may be given to an individual who is associated with the University by term contract to perform specific limited duties within an area of special expertise or training under conditions established by the University and upon the recommendations of the appropriate Dean and Department Head. Residence faculty may be term, probationary, or tenure contract employees.

2.2.1.2.6 **Endowed Chairs/Professorship**
The title of “Endowed Chair” or “Endowed Professor” may be given to a distinguished scholar whose position is supported by endowment funds. See section titled Policy for Endowed Professorship in this Manual for the policies regarding the endowed professorship.

2.2.1.2.7 Distinguished Service Faculty
The award recognizes faculty members who have distinguished themselves in one or more of the following areas: teaching, research, service to the University, administration, public service, or by any other outstanding contributions to the University. The award consists of a one-time, $2500 base pay adjustment (based on nine month academic year). Only employees with tenure contracts can be considered for positions of Distinguished Service Faculty. Procedures and requirements for Distinguished Service Faculty are listed in Academic Titles and Special Awards on the internal administrators’ drive (M drive).

2.2.1.2.8 Alcee Fortier Distinguished Professor
The Alcee Fortier Professorship is an honorific title award in recognition of academic excellence carrying a supplementary stipend of $2500 (one-time base-pay adjustment) per nine-month academic year. Procedures and requirements for Alcee Fortier Distinguished Professor are listed in Academic Titles and Special Awards on the internal administrators’ drive (M drive).

2.2.1.2.9 Distinguished Professor
The title of Distinguished Professor may be given to faculty members who have distinguished themselves in research, service, or teaching (or combinations thereof) where this work may have occurred at a different institution. This title is different from the title of Distinguished Service Professor and the Alcee Fortier Distinguished Professor in that the title Distinguished Professor carries with it no monetary rewards.

2.2.1.3 Policy for Endowed Professorship
As supported through the board of regents support fund, Endowed Professorships are established to recruit superior new faculty and/or retain faculty whose research, teaching, and/or public service have uniquely contributed to the missions of their departments and the University.

The professorships are flexible and intended to meet the needs of widely varying disciplines, and academic units in one or more of the following ways:
- To provide salary or discretionary spending supplements that will increase the retention of exemplary professors;
- To enhance research competitiveness in achieving funding;
- To improve research ties with industry;
- To strengthen the capacity of departments to achieve regional and/or national eminence in education or research.

Endowed Professorship funds will be handled through the Nicholls Foundation and invested according to Board of Regents Policy.

Awarding of Professorships shall be guided by Board of Regents Policy as follows:
- Except under defensible, extenuating circumstances, a time limitation of no more than two years shall elapse from the funding of a professorship to its award. If an endowed professorship should become vacant, the same rule shall apply—a maximum of two years is allowed to make the award.
- A professorship can be split only among multiple recipients under defensible justification.
- Professorships shall be awarded on the basis of merit.
- The unit shall develop, for each Endowed Professorship, goals, objectives and accountability measures appropriate for the department in which the professor resides, e.g. grant funding, publications, patents, teaching, industrial ties, and other academic and/or economic activities.
Based on these accountability measurements, units shall evaluate the progress of the recipient relative to the established goals and objectives periodically, but not less than every three years.

In addition to Board of Regents Policies, Nicholls State University has established the following policies.

- The availability and amount of the award will be made known in the month of November prior to the award beginning the next academic year.
- A screening committee will review applications and make a recommendation to the Vice President for Academic Affairs through the appropriate department head and dean.
- The recipient may not hold any other endowed chair or professorship.
- An annual report, describing the accomplishments of the preceding year, must be submitted through the department head and dean to the Vice President for Academic Affairs by the recipient. Funds (if available) will not be released for the next year until this report has been approved by the Vice President for Academic Affairs. The deadline for the report is June 1 of the award year.
- The term of the award will be for a maximum of three years. The recipient is eligible to apply for the award for one additional term.
- The award will be based as follows:
  - 60% of the maximum allowable spending (according to the BOR guidelines, normally 3% of five-year average market value) for salary, down to the nearest $100.
  - 20% of the maximum allowable spending, normally 1% of five-year average market value for: 1) fringe benefits (retirement and Medicare), 2) minimum of $500 for travel, supplies, etc. for support of the recipient, down to the nearest $100, and 3) with the approval of the department head and dean any support funds, above the $500 minimum, may be used as salary supplement (down to the nearest $100) and corresponding fringe benefits.
  - The remaining 20% of the maximum allowable spending (normally 1% of five-year average market value) will be retained in the endowment to help insure the viability of the endowment.
- If the spending policy does not allow a monetary award, the recipient shall keep the title, so long as the established goals and objectives are met, without monetary support until the monetary support has been made available for at least a period of three years.
- Whenever an award is to be made (either as a renewal or new), the award will be at 3.75% (instead of 3%) for salary with 1.25% (instead of 1%) for fringe and travel/supplies (as close to 5% which is allowed by Regents after rounding to nearest $100), if the “Over Baseline” will cover at least 3 years worth of this increased supplement.
- To the extent possible within a given budget year, Nicholls State University will request reimbursement of funds expended for the total compensation of Endowed Professorships and Chairs from the Nicholls State University Foundation on or after May 1 of the current budget year. This will allow the University to maximize the earnings of the endowment funds within the Foundation without imposing an undue burden upon the University’s operating budget.
- Any exceptions to the above must be approved, in writing, by the Vice President for Academic Affairs.

### 2.2.1.3.1 Interaction between the Campus and Donor

As feasible, the department shall develop and maintain feedback procedures and interaction between the campus and donors, including annual program reports as presented to the Vice
President for Academic Affairs to the respective donors and involvement of donors in awards ceremonies.

2.2.1.3.2 **Intra/Inter-Campus Interaction**
In order to promote interactions among and between endowed professors, a web page shall be developed and maintained which is devoted to the Endowed Professorships. The format of the web page shall, at a minimum, contain a brief current vita of each endowed professor.

2.2.1.3.3 **Crediting the Board of Regents Support Fund**
All internal and external materials regarding the program including campus procedures, news releases and promotional materials, shall appropriately credit the Board of Regents Support Fund.

2.2.1.4 **Special Status Academic Faculty**
Special status academic faculty include emeriti and affiliate faculty. Appointments of special status academic faculty are exempt from the faculty search and screen process. See also *Academic Titles and Special Awards* on the internal administrators’ drive (M drive).

2.2.1.4.1 **Professor Emeritus**
According to Board of Supervisors policy, the university president may approve the title of Professor Emeritus based upon established university criteria and procedures. Such titles may be granted to honor, in retirement, loyal faculty and administrators who have made distinguished professional contributions and have served significant portions of their careers at the institution: for example, emeritus professor of chemistry, emeritus Dean of education, emeritus president. A guideline for length of service at an institution is ten years immediately prior to retirement. The document titled *Academic Titles and Special Awards*, located on the M drive, gives specific guidelines for the process of appointing the title of Professor Emeritus at Nicholls State University.

2.2.1.4.2 **Affiliate Faculty**
- **Defined**: An individual who contributes to and/or participates in major functions that accomplish the mission of the department or University. Such contributions are under direction of, or in collaboration with, a regular faculty member. Examples include, but are not limited to, the following: co-advising graduate student with regular faculty member, participating in joint programs with University faculty, providing guest lectures in classes or assisting in outreach activities, and advising a student organization with regular faculty member.
- **Duration of appointment**: Duration of status is to be specified in the letter of appointment generated by the University based upon recommendation by the dean of college and given to the affiliate faculty member. Affiliate faculty status automatically terminates after three years unless renewed. Status may be extended through issuance of new letter of appointment. Such status, however, can be revoked at any time by recommendation of department head and dean.
- **Determination of Rank/Compensation/Eligibility for Promotion/Publication of Title**: An affiliate faculty member does not hold rank and may not receive financial compensation from the University. He/she is not to hold another position at the institution for which he/she receives compensation, and may not be an affiliate faculty member in more than one department. He/she is not eligible for promotion. Any individual granted this status is limited to identifying him/herself in any vita, business card or other publication as an “affiliate faculty member” of the University.
- **Process to Initiate Affiliate Faculty Status**: Departmental request to name an affiliate faculty member is submitted to the dean of the college for approval. The letter of request, accompanied by an R-2, is then approved by the vice president for academic affairs, and the president, with the approved copy being forwarded to the Office of Human Resources.
• If the person to be recommended as an affiliate faculty member holds a J-1 Exchange Visitors visa, the department must contact the Office of International Education at the time of initiating the affiliate faculty status.

• Periodic Review: The department head will review appropriateness of continuation of affiliate faculty status no less than annually. Department heads are expected to be aware of and hold each individual accountable for activities associated with affiliation, and to maintain appropriate records.

• Privileges: An affiliate faculty member may be eligible for a University ID card and associated privileges, such as purchasing parking permits and using library services; but is not eligible for staff fee privileges.

• Sponsored Research/Graduate Faculty Status: An affiliate faculty member is not eligible to be a principal investigator in a research project. He/she may be eligible for appointment to the graduate faculty if appropriately qualified, typically for minor participation in graduate instructional activities, with approval of Graduate Council. However, it is not to be expected that every affiliate faculty member will hold graduate faculty appointment.

• Faculty Senate Participation: An affiliate faculty member does not have voting privileges for representation in the Faculty Senate.

2.2.2 Administrative Faculty
For contract purposes, “administrative faculty” shall be defined to include administrative employees who carry academic rank. Department Heads are excluded from the definition of Administrative Faculty. Administrative Faculty shall be employed by administrative contracts; terms and conditions of employment of Administrative Faculty are provided for in administrative faculty personnel policies.

2.3 Faculty Contracts and Appointments

2.3.1 Types of Contracts
Full–time faculty contracts are those designated as one (1.0) FTEF (full–time equivalent faculty) in accordance with Board of Supervisors guidelines. Part–time faculty contracts are those designated less than one (1.0) FTEF. Faculty contracts are of three types: “term,” “probationary,” and “tenure.” The basic, but not exclusive, distinctions among these contracts are as follows:

2.3.1.1 Term Contracts
A full–time or part–time term contract is for a designated period and automatically expires at the end of that period. Re–employment of the faculty member after expiration of a term contract is solely within the discretion of the University. Term contracts are also used to provide compensation for probationary or tenure contract faculty who perform compensable duties not covered by probationary or tenure contracts.

2.3.1.2 Probationary Contracts
A full–time probationary contract is for a designated period not to exceed one fiscal year and may be issued for a maximum of six academic years, subject to non–reappointment at the end of each designated period. Probationary contracts are also known as “tenure–track” contracts.

2.3.1.3 Tenure Contracts
A full–time tenure contract is for a designated period not to exceed one fiscal year but gives the faculty member the constitutional right to continuous appointments until the faculty member resigns, retires, becomes permanently disabled, is dismissed for adequate cause, or is terminated pursuant to a reduction in force resulting from a bona fide financial exigency or from the formal
discontinuance of a degree or program area. Tenure does not guarantee a right to rank, salary, or work assignment.

2.3.2 Employment Contract Information
All faculty employment contracts shall be tendered subject to the availability of funds. Contracts shall include the following information:
- type of contract and appointment (tenure status);
- salary amount;
- designation of program area(s);
- designation of academic rank, academic title, or special academic status;
- duration of contract;
- special conditions (if any);

2.3.3 Definitions of Contract Terms
For the purposes of the policies contained in this chapter, “academic year” shall mean that period of time encompassed by fall and spring semesters. “Fiscal year” shall mean July 1 to the following June 30. “Calendar year” shall mean January 1 through December 31. “Working day” shall mean any Monday, Tuesday, Wednesday, Thursday, or Friday during the calendar year that the University is officially open; however, in accord with University guidelines, “working day” may also include the other days of the week (as pertaining to the University Library, for instance). “Class day” shall mean any day during which classes are scheduled.

2.3.4 Duration of Contracts
Unless otherwise specifically defined in an individual contract of employment, contracts for the academic year shall normally commence not more than five (5) working days prior to the scheduled beginning of classes and end not later than three (3) working days after spring commencement. Unless otherwise specifically defined in an individual contract of employment, contracts for the fiscal year shall commence on July 1 and end on the following June 30.

2.3.5 Faculty Appointments
In policies, practices, and procedures related to faculty appointments, the University shall not engage in unlawful discrimination in employment against any person because of race, color, religion, sex, sexual orientation, national origin, age, disability, or veteran status. The University shall take affirmative action to employ protected class applicants and to treat all employees during employment without regard to their race, color, religion, sex, national origin, age, disability, or veteran status, in accordance with the laws of the United States and the State of Louisiana. Such action shall include, but not be limited to, affirmative efforts with respect to employment, promotion, retention, recruitment, or recruitment advertising; reduction in force, or termination; rates of pay or other forms of compensation; and selection for faculty development activities. Furthermore, the University shall post in conspicuous places notices setting forth the provisions of this policy.

2.3.5.1 Contracts of Employment
Employment contracts are subject to approval by the President; all contracts are issued on official University forms and are contingent upon availability of funds. No offer of employment is valid and binding on the University until approved by the Board of Supervisors.

Continuing probationary and tenure contract faculty shall be provided contracts of employment for the ensuing academic or fiscal year on or before fifteen (15) working days after Board of Supervisors approval of the fiscal year budget. Probationary and tenure contracts must be signed and returned to the Department of Human Resources on or before fifteen (15) working days from the date of receipt.
If contracts are issued during the summer session or fifteen (15) days before the official beginning of the fall semester, faculty who are not on campus shall be granted an automatic extension that will end the first day following the official first day of class of the fall semester as posted in the University Catalog. Appeals of contracts terms shall also give the faculty member an automatic extension until the appeal is resolved through the normal due process channels established by this Manual. Faculty will continue to be paid under the terms of the offered contract as long as they perform the duties specified on the contract. All other exceptions to these timelines may be granted as long as extenuating circumstances are provided in writing to the University President.

Failure to return signed contracts in the time provided by this policy may void contracts.

2.3.5.2 Types of Appointment
For contract purposes, faculty appointments are defined to include the following types:

2.3.5.2.1 Regular Appointment
The term “regular appointment” refers to those full-time or part-time term, probationary, or tenure contracts held by one person.

2.3.5.2.2 Shared Appointments
The term “shared appointment” refers to those part-time probationary or tenure contracts held by two people in a single authorized position. For the purposes of salary determination, promotion, tenure, performance assessment, and other personnel matters, individuals holding shared probationary or tenure appointments shall be subject to policies, procedures, and time-lines governing regular appointments. Shared appointments shall be approved by the President, based upon recommendations from the Vice President for Academic Affairs and the appropriate Dean and Department Head, and specifically so identified in the official University budget. Such appointments shall be made only when the credentials of the faculty members and/or the needs of the degree or program area so justify.

2.3.5.2.3 Joint Appointment
The term “joint appointment” refers to those full-time or part-time term, probationary, or tenure contracts held by one person with specific contractual designation in more than one program area. For the purposes of salary determination, promotion, tenure, performance assessment, and other personnel matters, individuals holding joint appointments shall be assigned by the President, upon recommendation of the Vice President for Academic Affairs and the appropriate Deans and Department Heads, to a program area as determined by the percentage of workload or level of responsibility. Joint appointments shall be approved by the President, based upon recommendations from the Vice President for Academic Affairs and the appropriate Deans and Department Heads.

Such appointments shall be made only when the credentials of a faculty member and/or the needs of the degree or program area so justify. Available accrediting agency criteria for faculty will be used as guides for determining the appropriateness of the appointment.

2.3.5.2.4 Dual Appointments
The term “dual appointment” refers to appointments that concern an individual who is working for two public agencies at the same time. Nicholls employees are to be reminded that Louisiana statute specifically defines situations and conditions for dual appointments. These statutes also place contract limitations on those situations where dual appointment is allowed. For instance, anyone on 100 percent employment at one agency cannot be contracted by another; if employed by two agencies, one of the contracts cannot exceed 75 percent. Faculty or staff, therefore, who are employed 100 percent at Nicholls cannot teach (unless adjunct) at another institution.
All employees should be aware of possible conflicts with dual appointment statutes and should consult with the proper agencies whenever a conflict may be possible.

Section titled Political Office of this Manual contains information about political office and dual appointment.

2.3.5.3 Policy for Re-employment of Faculty Retirees
Reemployment of Faculty Retirees. The reemployment of faculty retirees shall be governed by the rules and regulations of the applicable State retirement systems and Board Rule C-III, Section II of the Board Rules. (Revised 10-24-08)

The Department of Human Resources should be consulted for guidance prior to the rehiring of retirees.

2.4 Initial Appointment: Academic Rank and Tenure
At the time of initial appointment, the President may approve academic rank and/or tenure status for academic and administrative faculty based upon recommendation of the Vice President for Academic Affairs, who must have consulted with Deans, Department Heads, and faculty in degree or program areas of the appointees. Satisfaction of degree/experiential requirements shall be determined by the Vice President for Academic Affairs. Degrees and teaching experience must be from regionally accredited post secondary institutions unless otherwise determined by the Vice President for Academic Affairs.

“Years,” with respect to teaching experience, shall mean full–time teaching for a full academic year. In exceptional cases, professional experience may be substituted for full–time ranked teaching experience in determining rank qualifications.

Equivalencies or exceptions to any qualifications shall be determined by the Vice President for Academic Affairs. Designation of rank shall include identification of the faculty member’s program area. Academic faculty appointed to the ranks of Instructor, Assistant Professor, and Associate Professor must display evidence of potential for promotion. Conferring of rank and the awarding of tenure to academic and administrative faculty shall be separate and distinct decisions.

2.4.1 Qualifications for Academic Faculty
The institution employs competent faculty members qualified to accomplish the mission and goals of the institution. When determining acceptable qualifications of its faculty, an institution gives primary consideration to the highest earned degree in the discipline in accord with the guidelines listed below. The institution also considers competence, effectiveness and capacity, including, as appropriate, undergraduate and graduate degrees, related work experiences in the field, professional licensure and certifications, honors and awards, continuous documented excellence in teaching, or other demonstrated competencies and achievements that contribute to effective teaching and student learning outcomes. For all cases, the institution is responsible for justifying and documenting the qualifications of all its faculty.

Credential Guidelines:

- Faculty teaching general education courses at the undergraduate level: a doctoral or master’s degree in the teaching discipline or a master’s degree with a concentration in the teaching discipline (a minimum of 18 graduate semester hours in the teaching discipline).
- Faculty teaching associate degree courses designed for transfer to a baccalaureate degree: a doctoral or master’s degree in the teaching discipline or a master’s degree
with a concentration in the teaching discipline (a minimum of 18 graduate semester hours in the teaching discipline.)

- Faculty teaching associate degree courses not designed for transfer to the baccalaureate degree: a baccalaureate degree in the teaching discipline, or an associate degree and demonstrated competencies in the teaching field.
- Faculty teaching baccalaureate degree courses: a doctoral or master’s degree in the teaching discipline or a master’s degree with a concentration in the teaching discipline (a minimum of 18 graduate semester hours in the teaching discipline). At least 25 percent of the discipline course hours in each undergraduate major are taught by faculty members holding the terminal degree – usually the earned doctorate – in the discipline.
- Faculty teaching graduate and post-baccalaureate course work: earned doctorate/terminal degree in the teaching discipline or a related discipline.
- Graduate teaching assistants: master’s in the teaching discipline or 18 graduate semester hours in the teaching discipline, direct supervision by a faculty member experienced in the teaching discipline, regular in-service training, and planned and periodic evaluations.

Earned degrees of appointees to the academic faculty must be in the discipline or field of primary contract responsibility or in one of the appropriate cognate areas for interdisciplinary studies. The Vice President for Academic Affairs, in consultation with the appropriate Dean, Department Head, and faculty in the degree of program area, shall have the responsibility for determining appropriateness of degree field to program area assignment.

Note: Faculty should update all information regularly to make sure qualifications are accurately recorded in department files. Department Heads should send copies of this information to the Office of Assessment and Institutional Research so that the University’s Roster of Instructional Staff lists current information.

Unless otherwise specified below, for the purposes of Chapter 2, the term “terminal degree” refers to the earned doctorate, in all program areas except those for which disciplinary or regional accrediting agencies make different provision or those for which doctoral programs are rarely or not at all available. Department Heads are responsible for documenting for Deans those disciplines for which other degrees may be considered the appropriate terminal degree. The Vice President for Academic Affairs, in consultation with the Deans, shall have the responsibility for determining the appropriateness of terminal degree requirements.

In all cases, the University shall be guided by criteria published by the Southern Association of Colleges and Schools (SACS) and other accrediting bodies as appropriate. The definitions used by SACS follow those delineated by the Integrated Post–secondary Education Data System (IPEDS).

### 2.4.1.1 The IPEDS Guidelines

Note: The IPEDS definitions in this section are directly quoted from the IPEDS document. Besides listing degrees that Nicholls State University may never have a need to recognize, the document also does not include examples of all degrees that are generally recognized as having met the definitions and criteria of the various categories. The Master of Science Degree, for instance, is not specifically listed in g below, but this degree is standardly recognized by Nicholls State University and other universities; the B.F.A. degree is recognized by many universities as a first professional degree.

- Associate’s Degree – An award that normally requires at least 2 but less than four years of full-time equivalent college work.
- Bachelor’s Degree – An award that normally requires at least 4 but not more than 5 years of full-time equivalent college–level work. This includes all bachelor’s degrees in a Cooperative or Work–Study Plan or Program. A cooperative plan provides for alternate class attendance and employment in business, industry, or government; thus, it allows the student to combine actual work experience with
college studies. (Also includes bachelor’s degree in which the normal 4 years of work is completed in 3 years.)

- **Degree**—An award conferred by a college, university, or other post-secondary educational association as official recognition for successful completion of a program of studies.
- **Diploma**—A formal document certifying the successful completion of a prescribed program of studies.
- **Doctor’s Degree**—An award that requires work at the graduate level and terminates in a doctor’s degree. The doctor’s degree classification includes such degrees as Doctor of Education, Doctor of Juridical Science, Doctor of Public Health, and the Doctor of Philosophy degree in any such field as agronomy, food technology, education, engineering, public administration, ophthalmology, radiology. For the Doctor of Public Health degree, the prior degree is generally earned in the closely related professional field of medicine or sanitary engineering.
- **First Professional Degree**—An award that requires the completion of a program that meets all of the following criteria:
  - completion of the academic requirements to begin practice in the profession;
  - at least 2 years of college work prior to entrance in the program;
  - a total of 6 academic years of college work to complete the degree program, including prior college work plus the length of the professional program itself.
- First professional degrees may be awarded in the following 10 fields:
  - Chiropractic (D.C. or D.C.M.)
  - Pharmacy (D. Phar.)
  - Dentistry (D.D.S. or D.M.D.)
  - Podiatry (Pod. D. or D.P.)
  - Medicine (M.D.)
  - Veterinary Medicine (D.V.M)
  - Optometry (O.D.)
  - Law (L.L.B, or J.D.)
  - Osteopathic Medicine (D.O.)
  - Theology (M.Div. or M.H.L. or B.D. or Ordination)
- **Master’s Degree**—An award that requires the successful completion of a program of study of at least the full-time-equivalent of one but not more than 2 academic years of work beyond the bachelor’s degree.

### 2.4.1.2 Initial Appointment: Instructor

While the terminal degree is desired, the minimum degree qualification for appointment to the rank of Instructor is a master’s degree in a subject matter field appropriate to the individual’s academic assignment. All instructors are employed under term contracts.

For appointment to the rank of Instructor in some disciplines, the minimum qualifications are a baccalaureate degree in the discipline and three (3) years of appropriate professional experience. Such exceptions to the minimum qualifications for the appointment to the rank of Instructor (but not for tenure) may be granted by the Vice President for Academic Affairs based on individual circumstances as recommended by the appropriate Department Head and Dean.

For appointment to the rank of Instructor in the University Library, the minimum qualification is an American Library Association accredited terminal degree or its historical antecedent.

### 2.4.1.3 Initial Appointment: Assistant Professor

While the earned doctorate is desirable, the minimum qualification for appointment to the rank of Assistant Professor is a master’s degree in a subject matter field appropriate to the individual’s
academic assignment or a degree recognized by the University as the appropriate terminal degree in the faculty member’s discipline or field. For appointment to the rank of Assistant Professor in the Engineering Technologies, minimum qualifications include a master’s degree in a subject matter field appropriate to the individual’s academic assignment and three (3) years of appropriate professional experience. For appointment to the rank of Assistant Professor in the University Library, the minimum qualifications are an American Library Association accredited terminal degree or its historical antecedent and three (3) years of appropriate experience in librarianship. Exceptions to the minimum qualifications for appointment to the rank of Assistant Professor (but not for tenure) may be granted by the Vice President for Academic Affairs based on individual circumstances as recommended by the appropriate Department Head and Dean.

2.4.1.4 Initial Appointment: Associate Professor
The minimum qualifications for appointment to the rank of Associate Professor are an earned doctorate in a subject matter field appropriate to the individual’s academic assignment or a degree recognized by the University as the appropriate terminal degree in the faculty member’s discipline or field and, generally, six (6) years of full–time ranked teaching or a minimum of five (5) years of full–time teaching at the rank of Assistant Professor. For appointment to the rank of Associate Professor in the University Library, the minimum qualifications are an American Library Association accredited terminal degree or its historical antecedent and six (6) years of full–time, academic library experience or a minimum of five (5) years of appropriate service at the rank of Associate Professor.

2.4.1.5 Initial Appointment: Professor
The minimum qualifications for appointment to the rank of Professor are an earned doctorate in a subject matter field appropriate to the individual’s academic assignment or a degree recognized by the University as the appropriate terminal degree in the faculty member’s discipline or field and, generally, twelve (12) years of full–time ranked teaching or a minimum of six (6) years of full–time teaching at the rank of Associate Professor. For appointment to the rank of Professor in the University Library, the minimum qualifications are an American Library Association accredited terminal degree or its historical antecedent and twelve (12) years of full–time, academic library experience or a minimum of six (6) years of appropriate service at the rank of Associate Professor.

2.4.1.6 Initial Appointment: Tenure
The qualifications for tenure status for faculty who are employed initially from outside the university shall meet or exceed those for academic faculty. The Board of Supervisors promotion and tenure policy allows the University to hire new faculty with full tenure status or with probationary stipulations that may require the new employees to serve from one–year probation to the full six years (Section 2.9.1). At present, it is the practice of the University that all initial faculty appointments shall require the serving of at least one year probation before tenure is granted. Candidates who have agreed to serve this minimum probationary time (one year) shall submit their names for a summative review at the end of that first year (two full academic semesters, not including summer school). Peer Review Committees shall adjust their agendas to accommodate these candidates with a full review during the first month following the first year of probationary service so that these candidates will not have to serve two years before tenure is granted.

2.4.2 Rank and Tenure Qualifications for Administrative Faculty
The qualifications for rank and tenure status for administrative faculty employed initially from outside the University shall meet or exceed those for academic faculty as stated in Section 2.2.1.

Board of Supervisors policy requires that academic administrators (administrative staff such as Vice Presidents, Deans, Department Heads, and Directors) who are appointed with rank and in a tenure track position shall have an earned degree in a field appropriate to the position. In addition, each administrator shall have the earned doctorate or appropriate terminal degree for his or her
discipline. Exceptions to this requirement may be made for special situations. Such exceptions must be approved by the System president.

Academic administrators whose initial letter of appointment calls for one year's probationary service for tenure shall submit their names to the appropriate Peer Review Committee at the end of the first year of service (two full semesters, not including summer school). Section 2.4.1.6 gives information about the summative process for candidates who are serving the one-year probationary period.

### 2.4.3 Guidelines for Approval and Documentation of Faculty Credentials

#### 2.4.3.1 New full-time faculty

When hiring new full-time faculty, the Department Head working with the Search Committee must determine whether the candidate to be hired is qualified a) by meeting Credential Guidelines stated in Section titled Qualifications for Academic Faculty in this Manual or b) as an exception to these criteria credentials.

The department head (or person hiring faculty) must include a Faculty Credential Verification form with a candidate’s R-2. If the faculty to be hired is an exception to the stated Credential Guidelines, the department head must also include a Letter of Exception and Matrix linking candidates qualifications to student learning outcomes of course(s) to be taught with the Verification Form. Human Resources Department will send an approved copy of the Letter of Exception and Matrix to the Office of Assessment and Institutional Research upon receipt of the job candidates R-2 and other personnel documents. Assessment and Institutional Research will link approved Letter of Exception and Matrix to Faculty Roster. The Faculty must complete and submit a Faculty Development Plan to department head and Director of Assessment and Institutional Research by October 1 every fall semester thereafter until faculty meets SACS Credential Guidelines.

#### 2.4.3.2 New assignment for current full-time faculty

When assigning current full-time faculty to teach courses outside the discipline stated in the original Faculty Credential Verification Form, the Department Head must complete and submit a Letter of Exception and Matrix linking candidates qualifications to student learning outcomes of course(s) to be taught to the Vice President of Academic Affairs for approval no later than the first class day of the semester (barring extenuating circumstances as determined by the VPAA). The VPAA will submit the original, approved letter to Human Resources Department and Human Resources will send a copy of the Letter of Exception and Matrix to the Office of Assessment and Institutional Research. Assessment and Institutional Research will link approved Letter of Exception to Faculty Roster. This procedure must be completed every semester in which a full-time faculty teaches courses outside the discipline and is qualified as an exception to Credential Guidelines.

#### 2.4.3.3 Part-time or adjunct faculty

When hiring part-time or adjunct faculty, the Department Head must determine whether the faculty to be hired is qualified a) by meeting Credential Guidelines stated above or b) as an exception to these Credential Guidelines.

The Department Head (or person hiring faculty) must include a Faculty Credential Verification form with the candidate’s R-2. If the faculty to be hired is an exception to the stated Credential Guidelines, the Department Head must also include a Letter of Exception and Matrix linking candidates qualifications to student learning outcomes of course(s) to be taught with the Verification Form. Human Resources Department will send an approved copy of the Letter of Exception and Matrix to the Office of Assessment and Institutional Research upon receipt of the
candidates R–2 and other personnel documents. Assessment and Institutional Research will link approved Letter of Exception and Matrix to Faculty Roster. This procedure must be completed every semester in which a part-time or adjunct faculty is hired with qualifications that are an exception to Credential Guidelines.

2.5 Change of Contract Status

2.5.1 Academic Faculty to Administrative Faculty
Academic faculty who accept full-time administrative appointments move automatically to administrative faculty contracts at the same rank classification held under the academic faculty contract. Tenure contract academic faculty retains tenure while holding administrative faculty appointments. Probationary contract academic faculty who accept administrative appointments cease progress toward tenure and become subject to administrative non-reappointment provisions.

2.5.2 Administrative Faculty to Academic Faculty

2.5.2.1 Tenure Contract Administrative Faculty
Tenure contract administrative faculty, upon cessation of an administrative appointment, shall automatically receive tenure contract academic faculty appointments at their assigned rank and at a salary determined by the policy on salary administration (see section titled Faculty Changing from Administrative Contracts to Academic Contracts in this Manual). The reassignment of an administrative faculty member to an academic faculty position shall not, because of such reassignment, result in a reduction of tenure contract faculty in the degree or program area to which the administrative faculty member is assigned.

2.5.2.2 Non-tenured Administrative Faculty

2.5.2.2.1 Non-tenured Administrative Faculty with Previous Probationary Contracts
Non-tenured administrative faculty who previously held probationary contract academic faculty appointments at the University before moving into an administrative position may return to probationary academic faculty appointments upon recommendation to the Dean and Vice President for Academic Affairs by the appropriate Department Head, in consultation with the faculty in the degree or program area, provided that a need for faculty exists within the department, degree or program area. If approval is granted by the President, the individual shall hold a probationary academic faculty contract and shall continue progress toward tenure in accordance with the provisions of Section 2.9 and 2.10. In no case will the employment of any tenured faculty member be terminated because of such an assignment.

2.5.2.2.2 Administrative Faculty Employed Initially Without Tenure
Individuals employed initially as administrative faculty without tenure may receive a joint appointment to an academic unit provided that there is a need within the unit and the academic appointment is less than 50% of the individual’s appointment. These individuals shall not receive credit toward tenure or academic rank or promotions based upon this service.

Individuals employed initially as administrative faculty without tenure may be given a probationary tenure contract and faculty appointment if
- there is a need within the academic unit;
- the individual concerned has adequate qualifications to fill the need;
- the Department Head, in consultation with the faculty in the degree or program area, recommends the individual’s appointment to the Dean and the Vice President for Academic Affairs.
If approval by the President is granted, the individual may be issued a probationary contract at the appropriate academic rank within the department, degree or program area. These individuals will then follow the prescribed promotion and tenure guidelines in sections titled *Promotion and Tenure Policy* and *Performance Assessment* in this Manual. In no case will employment of any tenured faculty member be terminated because of such assignment.

Exceptions should be rare and may only occur after consultation with the Department Head, the Academic Dean, and the Vice President for Academic Affairs.

### 2.6 Faculty Rights and Privileges

#### 2.6.1 Academic Freedom

##### 2.6.1.1 The A.A.U.P Policy Documents Reports, 1984

The University affirms and follows the ideal that all members of the faculty are entitled to academic freedom as defined in the “1940 Statement of Principles on Academic Freedom and Tenure” *AAUP Policy Documents Reports*, 1984 edition, jointly formulated by the American Association of University Professors and the Association of American Colleges. The University accepts the following specific excerpts from 1940 Statement as defining what is meant by academic freedom:

- “Institutions of higher education are conducted for the common good and not to further the interests of either the individual teacher [professor] or the institution as a whole. The common good depends upon the free search for truth and its free expression.”
- “Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in research is fundamental to the advancement of truth. Academic freedom in its teaching aspect is fundamental for the protection of the rights of the teacher [professor] in teaching and of the student to freedom in learning. It carries duties correlative with rights.”
- “The teacher [professor] is entitled to full freedom in research and in publication of the results, subject to the adequate performance of his [or her] other academic duties; but research for pecuniary return should be based upon an understanding with the authorities of the institution.”
- “The teacher [professor] is entitled to freedom in the classroom in discussing his [or her] subject.”
- “The college or university teacher [professor] is a citizen, a member of a learned profession, and an officer of an educational institution. When he [she] speaks or writes as a citizen, he [she] should be free from institutional censorship or discipline, but his [her] special position in the community imposes special obligations. As a man [woman] of learning and an educational officer, he [she] should remember that the public may judge his [her] profession and his [her] institution by his [her] utterances. Hence, he [she] should at all times be accurate, should exercise appropriate restraint should show respect for the opinions of others, and should make every effort to indicate that he [she] is not an institutional spokesman [spokeswoman].”

##### 2.6.1.2 Procedures for Safeguarding Protection of Academic Freedom

Employees who feel that violations of the University policies regarding academic freedom have taken place may initiate appropriate actions according to University grievance procedures (Section Error! Reference source not found.).

##### 2.6.1.3 Tape Recordings of Faculty

By federal law, faculty are required to extend to students with disabilities the right to use tape recorders in classes where the student's disability prevents note-taking. At the discretion of the
instructor, faculty may extend this privilege to any student when the use of the tape recording device does not adversely affect the teaching or learning process.

2.6.2 Academic Freedom and the Library
Academic freedom is important in the library setting and to the library faculty in its selection and cataloging of library resources and in the dissemination of information concerning those resources. Such resources amplify the rights and privileges of faculty as concerned in the AAUP Policy statement. The principles of library academic freedom have been defined by the American Library Association (ALA). These governing principles include the Library Bill of Rights as adopted by the ALA on June 18, 1948, with subsequent amendments and the Intellectual Freedom statement as adopted on June 25, 1971, with amendments.

2.6.3 Professional Ethics
No set of rules or professional code can either guarantee or take the place of a scholar's personal integrity. The University accepts the following specific excerpts from the “Statement on Professional Ethics” of the American Association of University Professors as defining what is meant by professional ethics:

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

- “As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards of their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors.

- “Professors make every reasonable effort to foster honest academic conduct and to assure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.”

- “As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas professors show due respect for the opinions of others. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.”

- “As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.”

- “As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the lights of
their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.”

2.7 Basic Responsibilities of Faculty
The Board of Supervisors (Rules, Chapter III, Section I) defines the duties of the academic staff by saying that each member is expected “to be devoted to the accomplishment of the purposes for which the System exists: instruction, research, and public service.”

Contracts of employment for academic faculty require fulfillment of basic responsibilities of employment in accordance with standard for professional ethics and collegiality. Those basic responsibilities include adherence to University policies described in Chapters 2 and 5, performance of activities associated with teaching, scholarly activity, and service, and fulfilling workload expectations.

2.7.1 Performance of Faculty Activities
Faculty members shall be expected to fulfill basic responsibilities in teaching, scholarly activity, and service in accordance with principles of academic freedom and professional ethics as described in Chapter 2 of this Manual. Specific basic responsibilities include the following, together with other such responsibilities appropriate to and approved by individual Colleges or agreed to by mutual consent of faculty members and their Department Heads and Deans.

2.7.1.1 Teaching Activities
A definition of teaching activities for faculty includes but is not limited to the following areas:

2.7.1.1.1 Curriculum Development
Although administrative faculty and students may make proposals, the primary responsibility for the development of new courses, deletion or changes in existing courses, the initiation of new programs, the discontinuance of existing programs, or other program modifications lies with the faculty.

All proposals concerning curricula, regardless of the source of initiation, shall be reviewed by the appropriate University governance units in accordance with established procedures.

2.7.1.1.2 Course Offerings and Content
Faculty members are responsible for planning and presenting course material; establishing course objectives and requirements in accordance with University policy and making them known to students; selecting and ordering texts and supplemental materials in accordance with University policy; preparing, administering, and grading assignments; and assigning grades.

2.7.1.1.3 Absence and Class–related Duties
a. Class Cancellation, Rescheduling. Faculty members shall meet their classes unless the Department Head has approved a substitute, class cancellation, reschedule, or replacement by a substitute activity. This obligation extends from the first day of classes through the end of final examination week.

b. Class Meeting, Punctuality, Alternate Instruction. Faculty members shall meet their classes punctually. If for some valid reason faculty members are unable to meet a class, arrangements shall be made to offer alternate instruction as approved by the Department Head.
c. **Evaluation of Student Work.** Faculty members shall report evaluation of student work to students with appropriate comments and/or grades. All courses shall have appropriate evaluations of student performance. Where applicable, departments and colleges may have specific guidelines for the number and scope of these student evaluations. A final examination is required in all classes. The method of grading used for a class is to be explained to the students at the beginning of the course. Each faculty member is expected to post a grade reflecting each student’s standing to date in each undergraduate course by the seventh (7th) week of each regular semester and submit a final grade at the end of the semester. Blanket grades (giving the same grade to each student for the sake of expediency) are specifically prohibited. Seventh week grades are not permanently recorded on the student’s official academic record. Final grades are due in the dean’s offices on or before the day following final examinations. Faculty will be notified of specific times or changes in procedure. (See the Nicholls State University Catalog for information on grading system, quality points and averages)

d. **The Grade of I (Incomplete).** The incomplete (I) grade should only be used when, due to circumstances beyond his or her control, the student is unable to complete all requirements for a course. The grade of I will not be given to a student doing unsatisfactory work. If an “I” is deemed appropriate by the instructor of record, a course completion plan (located on the internal administrators’ drive – M drive) shall be filed with the Department Head. The course completion plan shall outline work completed with an evaluation and an outline of the work to be completed. This plan shall be signed by the instructor of record and the Department Head and a copy shall be sent to the student at the student’s address of record. (See the Nicholls State University Catalog section on I grades). Section below titled Maintaining Records contains information about keeping records for the I grade.

e. **Grade Accuracy.** When grades are turned in to the Registrar’s Office, they should be accurate and final. If faculty members discover that a clerical error has been made, they will be given permission to change a grade. Faculty members, however, should give sufficient time and care to the grading and recording process so that there will be no mistakes. (See also the Nicholls State University Catalog sections on grade changes and course repeats).

f. **Also, concerning the grade of F:** The federal government requires schools to determine the amount of Title IV funds a student has earned when he or she has ceased attendance in all courses by “officially” or “unofficially” withdrawing from the school. Official withdrawals occur when the student notifies the school through the resignation process. Unofficial withdrawals occur when the student stops attending classes but does not notify the school through the official resignation process. The amount of Title IV assistance earned is determined by the amount of time the student spent in academic attendance. The school and the student are both responsible for returning portions of the unearned aid to the appropriate programs.

g. **The University currently has a procedure in place to calculate the refund policy on students who officially withdraw; however, the university does not have a policy for those students who unofficially withdraw. The requirement for unofficial withdrawals is not new, but it has recently become a huge audit issue.**

h. **To do the refund calculation, the student's last date of attendance needs to be determined at an academically related activity. Examples of academically related activities are: an exam, a tutorial, computer-assisted instruction, academic counseling, academic advisement, turning in a class assignment, attending a study group that is assigned by the school, or attending a class meeting.**
Thus, as grade sheets are completed, if a student is issued a grade of “F,” the Comment column on the grade sheet (same column for “I” and “X” comments) should indicate the student's last date of attendance in that course by following the procedure listed below:

- If the student took the final exam, faculty shall write, “took final” in the column.
- If the student did not take the final exam, faculty shall indicate the last documented date of attendance (using month, date, and year) in an academically related activity in that course.

Pressure on Faculty Concerning Grading. Faculty members are not to be subjected to or yield to pressure from anyone concerning grades. Any form of pressure is a violation of Academic Freedom as described in Section titled Academic Freedom in this Manual.

Student Appeals. The faculty should be aware that a student has a right to appeal a grade according to the process described in the University Catalog and the appeals section of the Code of Student Conduct. The student has 6 months to initiate the appeal. (Section below titled Maintaining Records contains information about keeping records.)

Student Evaluations of Faculty. Faculty members shall participate in the approved college program for collecting data regarding students' perceptions of teaching and learning.

Course Syllabi. On the first day of class, faculty are required to have available course syllabi for all students in each course being taught. These syllabi must then be filed with the department. The following information is required in all syllabi:

- The course description exactly as it appears in the current Catalog.
- Instructor's name (rank and title are optional)
- Instructor's office location and telephone number
- Required textbook(s), materials, supplies (Provide detailed bibliographic information for texts and indicate if copies are on reserve in the library.)
- Student Outcome Objectives**) and requirements of the course (See University Assessment website for examples of Student Outcome Objectives.)
- Tentative outline of course content.
- Methods of evaluation
- Required supplementary readings.
- A statement that indicates compliance with the spirit of the Americans with Disabilities Act: “If you have a documented disability that requires assistance, you will need to register with the Office of Disability Services for coordination of your academic accommodations. The Office of Disability Services is located in Shaver Gym, Room 158–A. The phone number is (985) 448–4430 (TDD 449–7002)
- A statement regarding student academic grievances: "The proper procedure for filing grade appeals or grievances related to academic matters is listed in Section 5 of the Code of Student
- A statement regarding student responsibilities for continued learning following an extreme emergency. (See Section 2.7.1.1.6 for exact wording to be used.)
- **Student Outcome Objectives are learning objectives that can be measured. (For example, “Upon completion of this course, students will be able to (1) distinguish… (2) demonstrate… (3) apply… (4) develop… (5) solve… (6) create”) See guidelines for writing Student Learning
Outcomes on Assessment and Institutional Research Web Page and on M Drive.

n. The following information is strongly recommended for all syllabi. However, if any of the following are a part of evaluation, they must be included:
   - Field trips (If a field trip is a course requirement, this stipulation must be stated.)
   - A notice of the last day that students are allowed to drop the class with the grade of W
   - The class meeting days, hours, classroom location
   - Department's location and telephone number
   - Attendance/Punctuality (If part of evaluation, this stipulation must be stated.)
   - Class participation and how it will be graded (If part of evaluation, this stipulation must be stated.)
   - Make-up policy
   - Extra credit policy
   - Applicable safety rules
   - Academic dishonesty policy (By taking this course, students agree that all assignments are subject to submission to Safe Assign, a plagiarism detection software provided through Blackboard. All work submitted to Safe Assign will be added to its database of papers. Specifically, this service compares your paper with Internet web pages, articles in databases, and all papers previously submitted. Safe Assign then either confirms the originality of your work or gives the source of plagiarism. In cases of detected plagiarism, the paper and supporting evidence will be handled in compliance with the Code of Student Conduct, Section Five, Academic Dishonesty and Disruptive Behavior.)
   - Standards and grading policy for written work and oral presentations (a requirement in classes where students are achieving oral competency as required by SACS)
   - Student conferences (If part of evaluation, this stipulation must be stated.)
   - Disruptions (use of beepers, guests in the classroom) to the learning environment
   - Supplementary readings (Provide detailed bibliographic information and indicate if copies are on reserve in the library.)
   - Attendance Policy. Faculty members are required to include descriptions of their attendance policies in their course syllabi. These descriptions shall be orally explained to students on the day syllabi are distributed. The complete University policy for attendance can be found in the current Catalog on the web.

o. Maintaining Records. Faculty members shall maintain appropriate records of student progress in each course to support final grades: appropriate tests and other manuscripts, roll books, and/or grade lists shall be kept for at least six months following each course. If a student academic grievance is filed, all records shall be maintained until such time as the grievance is settled. In the case of I grades, all records must be kept for 3 semesters following the semester in which the I grade was given. In the event of severance from the University, faculty members shall leave such records with the Department Head, who shall retain them for the proper duration.

p. Final Examinations. A final examination is required in all classes. Faculty members shall administer final examinations at the officially scheduled times during final exam week. There shall be no deviations from the published exam schedule unless, for sound pedagogical reasons, the Department Head and
Dean approve alternative arrangements. Arrangements for exam proctors must be approved by the Department Head and Dean.

q. Grade Posting and Record Disclosure. Faculty are allowed to post grades as long as the posting procedure does not violate any student privacy statutes such as the Buckley Amendment. Under the Buckley Amendment, for instance, the posted grade cannot in any way be associated with a student’s name. A Social Security number in place of the student’s name is also a violation because these numbers can be associated with a name. Any faculty system that scrambles student names and then replaces that name with a number (other than the complete Social Security number) would be acceptable. For example, a posting system where the names are scrambled and the last four digits of the Social Security number are used would be acceptable. Faculty members who are not sure about their posting procedures should contact their immediate supervisors.

Under federal law (the “Buckley Amendment” or FERPA), no one other than the student and school officials may have access to the student's class schedule, grades, or other education records without the student's expressed, usually written, permission. This prohibition includes parents, even if they claim an emergency. It is suggested that if such a request should be presented to faculty by a parent, an appropriate response would be that we cannot, under Federal law, release the information.

As a reminder, the types of information about a student which may be released without the student's permission are listed in the current Catalog.

a. Adequate Supervision of Students. Faculty members shall exercise adequate supervision of students in classroom and laboratory activities and officially scheduled related activities, such as field trips.

b. Safety Instructions to Students. Faculty members shall provide instruction in safety procedures to students who are engaged in academic activities where a known potential danger is present, such as in laboratory work where equipment or chemicals are in use.

c. Potential Danger and Unsafe Conditions. Faculty members shall ensure that safe practices are followed by students under their supervision where a known potential danger is present. Faculty members and Department Heads shall report unsafe conditions of equipment or facility to the University Safety Officer.

d. Reporting of Academic Dishonesty. Faculty members are responsible for reporting all cases in which a student has been confronted and/or disciplined for cheating to the Dean of the College even when disciplinary action has been taken at the faculty level. A record of the student's name, offense, and disciplinary action will be maintained in the Office of Academic Affairs. If a student is recorded as a multiple offender (more than one listing in the data file) of the academic dishonesty policy, the student will brought before the Academic Affairs Integrity Committee for review, and this committee may impose additional sanctions upon the student.

2.7.1.1.4 Availability and Office Hours
It is important that faculty arrange consultation time for students. Just as important, students need to know when their advisors or instructors will be available. Thus, all faculty shall post their office hours. There should be no fewer than 10 hours a week made available for student consultation during the fall and spring semesters and five (5) hours each week during the summer session. These hours should be spread across the week. Exceptions to having a fair distribution of office hours shall be approved by the Department Head and communicated to the appropriate Dean. Department Heads should be informed of the whereabouts of all faculty members who are not on campus during working hours.
It should be noted that posted consulting hours and assigned teaching hours are not intended to be a description of a faculty member's total worksite obligation (See Section titled Workload Expectations in this Manual).

2.7.1.1.5 Responsibilities of Faculty Teaching Graduate Courses
Faculty members who teach graduate courses shall participate in the direction of theses, graduate papers, and comprehensive examinations for graduate students under the direction of the appropriate Dean.

2.7.1.1.6 Faculty Responsibilities Regarding Use of the University-Designated Electronic Delivery System and Electronic-Learning

Use of the university-designated electronic delivery system [Blackboard adopted Fall 2007] is expected of all faculty members as follows:

- It is expected that the university-designated electronic delivery system shall be used, at a minimum, for posting of course syllabi and announcements, and student grades. In addition, all faculty members should be prepared to post other pertinent course materials during emergency situations which result in University closure, as per the "Guidelines for Continued Learning Following an Extreme Emergency" policy stated below.
- Faculty members are expected to acquire the skills needed for effective electronic delivery utilization.
- Each faculty member is expected to post a grade reflecting each student's standing to date in each undergraduate course by the seventh (7th) week of each regular semester.
- Use of Electronic Learning in Emergency Situations and Academic Preparedness Plan for Faculty and Students as follows:
  - Guidelines for Continued Learning Following an Extreme Emergency: The following guidelines are meant: to help the business of education continue at Nicholls State University in the aftermath of an extreme emergency situation; to help faculty and students understand their roles in completing education requirements for courses in progress when the emergency began; and to encourage faculty to be imaginative and resourceful in finding ways to continue the education of students and the work of the university.

- Faculty responsibilities:
  - Faculty members are responsible for their development in the use of the course management software, such as Moodle.
  - Faculty members are responsible for having a plan for continuing their courses using only the course management system and email.
  - Faculty members should be allowed to continue their course in whatever way suits the completion of the course best and are encouraged to be creative in the continuation of these courses.
  - Any adjustments or compensations, made to a student’s progress in special programs with labs, clinical sequences (i.e., Culinary, Nursing, etc.), or the like, should be made only in the immediate semester following the emergency.
  - Faculty members are responsible for including these guidelines in all syllabi.

- Student responsibilities:
  - Students are responsible for reading regular emergency notifications on the NSU website.
Students are responsible for knowing how to use and access the course management system, such as Moodle.

Students are responsible for being familiar with emergency guidelines.

Students are responsible for evacuating textbooks and other course materials.

Students are responsible for knowing their course management system student login and password.

Students are responsible for contacting faculty regarding their intentions for completing the course.

NOTE: Faculty and students should be open, flexible and show compassion in determining the precise course of action.

### 2.7.1.2 Scholarly Activities

Faculty members have the basic responsibility to engage in scholarly activities in accordance with the accepted professional practices of their academic disciplines.

Adherence to applicable law and to institutional, state, or federal policies regarding copyright, patent, uses of human or animal subjects, facility use, safety rules and regulations, or other related policies contained in this Policy & Procedure Manual is expected. (See section titled Rights and Patents for Intellectual Property in this Manual.)

### 2.7.1.3 Service Activities

Service activities include but are not limited to the following areas:

#### 2.7.1.3.1 Academic Advising

The University emphasizes the role of its faculty in the academic advising of students. The central element in advising is a genuine and sustained concern for students as persons. Nicholls is committed to the belief that students need not only personal guidance and counsel from faculty members on academic matters such as sequencing courses in the major and meeting University requirements, but also need an enriching advising experience for their personal growth as independent and critical thinkers and as citizens.

University College is responsible for assigning student advisees to faculty members during a student's first-year experience through the student's transition into the major academic discipline. The Department Head in each academic discipline assigns student advisees to faculty members once the transition is complete. All faculty members are expected to meet with advisees as the need arises.

The Catalog details policies and procedures that are crucial to successful advising and student/faculty relations.

#### 2.7.1.3.2 Share in Governance

Faculty members shall attend and take part in meetings of the department, the college, and the University, and shall serve if elected or appointed with their consent to University committees, provided that such service does not require absence from scheduled classes or other work assignments or performance of other assigned and expected duties.

#### 2.7.1.3.3 Recruitment of Prospective Students

Faculty members are expected to cooperate with the Office of Admissions Information in appropriate ways to recruit prospective students. Furthermore, faculty are expected to share the responsibility for recruiting students in their own disciplines and departments.
2.7.1.3.4 **Academic Community Cooperation**
While members of the faculty have a primary responsibility to their own department, they are also members of the larger collegial community and should, therefore, make a demonstrable effort to work cooperatively with members of other departments in matters affecting the overall welfare of the University.

2.7.1.3.5 **Committee Membership**
Faculty members are encouraged to take an active part in all levels of the committee system established by the University. The success of governance, academic standards, and the day-to-day workings of the University depend on this participation. Faculty should be advised, however, that this service should not interfere unduly with the effectiveness of other contractual obligations, especially teaching.

2.7.1.3.6 **Mentoring**
Faculty mentoring of new appointees and other personnel at the request of the Department Head or Dean or Vice President for Academic Affairs enhances the quality of teaching on a university level.

2.7.1.3.7 **Student Organization Advising**
All faculty are encouraged to act as faculty advisors for student organizations and to actively participate in student organization meetings and functions.

2.7.1.3.8 **Meetings and University Functions**
Unless excused by the Department Head, faculty members shall attend all regularly scheduled department, academic unit, or University meetings which do not conflict with a scheduled class or other assigned duties. Faculty are encouraged to attend such activities as student and faculty art shows, theater productions, lecture series presentations, Family Day events, and athletic events.

2.7.1.3.9 **Attendance at Commencement**
Faculty members are required to attend commencement and be in full academic regalia (unless properly excused by the appropriate Dean) on a rotational basis. Deans and Department Heads must participate in each commencement unless excused by the Vice President for Academic Affairs. Approximately one-half of the faculty participates in any commencement. University commencement exercises are held semi-annually at the end of the spring and fall semesters. Responsibility for providing appropriate academic regalia belongs to faculty.

2.7.1.3.10 **Deadlines**
Faculty members shall meet appropriate deadlines established by policies contained in this *Policy & Procedure Manual*, or by the Vice President for Academic Affairs, the Dean, the Department Head, and the Registrar.

2.7.2 **Basic Responsibilities of Library Faculty**
Library faculty members shall be expected to fulfill basic responsibilities in librarianship, scholarly activity, and service in accordance with principles of academic freedom and professional ethics and as described in Chapter 2 of this *Policy & Procedure Manual*. Specific basic responsibilities in scholarly activity and service include those identified in section titled **Performance of Faculty Activities** in this *Manual*. Specific basic responsibilities in librarianship include the following:

- providing information services to students, faculty, staff, and other library patrons through the acquisition, cataloging, and circulating of information sources and/or learning materials;
- assisting patrons in finding and using information sources and/or learning materials;
c. collaborating with faculty in bibliographic instruction, including instruction in the processes and methods of finding and using information sources and/or learning materials;
d. exhibiting professional competency and activity including the effectiveness in the development and use of library resources.

2.7.3 Workload Expectations
Faculty have basic responsibilities in teaching or librarianship, scholarly activity (see sections titled Basic Responsibilities of Faculty, Performance of Faculty Activities, and Criteria for Scholarly or Artistic Activity in this Manual) and service. The University assigns workload in terms of teaching duties, library assignments, or approved alternate work from teaching.

Board policy states that “each person employed as a full-time instructional faculty member shall be assigned a minimum of 24 semester credit hours, or its equivalent, of instruction in organized undergraduate classes each academic year.” University academic personnel may be compensated for professional duties assigned or performed in addition to their usual regular assignment. Those personnel whose duties encompass organized sponsored research activity shall be compensated in accordance with the applicable University guidelines (see section titled Academic Daily Salary Rate Calculation for 9-Month Employee in this Manual).

Committee assignments are considered as part of the normal workload. Full time faculty members can be appointed to serve on only three University-level standing committees per academic year. The Committee on Committees shall insure that committee appointments do not exceed that number. This policy does not apply to committees to which faculty are elected.

2.7.3.1 Probationary and Tenure Contract Faculty
The teaching assignment for full-time probationary and full-time tenure contract faculty shall be a minimum of 24 semester credit hours, or its equivalent, of instruction in organized undergraduate classes in an academic year. The assignment of library faculty shall be a minimum of 40 hours per week.

2.7.3.2 Term Contract Faculty
The teaching assignment for full-time term contract faculty shall be a minimum of 24 semester credit hours, or its equivalent, of instruction in organized undergraduate classes in an academic year or 12 semester credit hours in a semester. The teaching assignment for part-time term contract faculty shall not exceed 9 semester credit hours in a semester. The assignment of library faculty shall be 40 hours per week.

2.7.3.3 Equitable Distribution of Workload
The Vice President for Academic Affairs, in consultation with Deans and Department Heads, shall determine workload assignments according to the following guidelines:
- consideration of the number of contact hours per semester hour;
- consideration of the number of course preparations for courses taught per semester;
- consideration of the number of students taught per semester;
- consideration of curricular requirements such as internship, practicum, and field experiences;
- consideration of standards promulgated by accrediting agencies, professional organizations, or disciplinary bodies;
- consideration of special teaching circumstances (that is, team teaching, independent studies, and others);
- for library faculty, consideration of position requirements and library service hours, service, and/or scholarly activities;
• consideration of scholarly or creative activities or assigned administrative duties;
• consideration of a thesis or directed research advisor;
• consideration of student advising load: (Advising assignments should be equitably distributed at the department level. In cases where the Department Head and the Dean consider the number of advisees for an advisor excessive, advising may be considered a part of a total workload.)

2.7.3.4 Alternate Work from Teaching
After consultation with the faculty and Head of a department, the Dean shall recommend to the Vice President for Academic Affairs all requests for alternate work from teaching. Faculty members approved for alternate work from teaching assignments shall devote a minimum of three (3) clock hours per week for each semester hour of alternate work time to tasks associated with such alternate work time. Guaranteed alternate work time from teaching shall be provided for Department Heads and Faculty Directors.

Alternate work time from teaching to engage in sponsored research, University supported scholarly or creative activity, University service or other approved activities may be authorized by the Vice President for Academic Affairs dependent upon the availability of funds and program needs.

2.7.3.5 Scheduling Practices
In general, course assignments are determined by faculty expertise. This practice does not guarantee that any courses will be assigned to a faculty for subsequent semesters. Scheduling practices for Nicholls State University also include but are not limited to the following:

a. Faculty members shall not be assigned to more than one undergraduate evening class beginning later than 5:30 p.m. in a semester, unless by consent. Library faculty shall not be assigned to a schedule requiring more than two (2) night assignments each week, unless by consent or by contract.

b. Twelve (12) clock hours shall elapse in a schedule for teaching or library assignment between the end of one class day and the beginning of the next class day, unless by consent. Library faculty schedules vary.

c. Faculty members shall not be assigned teaching schedules in excess of five (5) working days in a calendar week, unless by consent.

d. The rotational work schedules of library faculty may vary from practices cited in a, b, and c above.

e. Full–time probationary and tenure contract faculty members shall not, without the approval of the Vice President for Academic Affairs and the President, teach more than one course above their normally assigned loads in a semester, including assignments in Continuing Education.

2.7.4 Department Heads
Department Heads are full–time ranked faculty members who represent the faculty of and have administrative responsibilities for their respective departments. They shall be generally responsible for the administration of their departments and the development of teaching and scholarship among departmental faculty.

Department Heads must engage faculty in annual departmental assessments of student learning. The results of such discussions shall be reported in the minutes of departmental meetings. The results of such assessments are reported annually in the Department Plan and are used in decision making regarding program improvement.

Department Heads are appointed annually by the President upon the recommendation of the Academic Dean and Vice President for Academic Affairs. The term of appointment, assuming satisfactory performance, may be for a period of the academic year. During the academic period,
the Department Head may be reassigned at the discretion of the Deans to teaching or other duties commensurate with the individual’s academic rank. In accordance with University policy, all administrative appointments expire June 30 of each year and new appointments and agreements become effective July 1 of each year.

Department Heads receive alternate work time releases from teaching duties in proportion to the requirements of the administrative duties of their respective academic unit.

**2.8 Faculty Development**

To assist faculty members in improving performance in teaching, scholarly activity, and service, the University, through the Office of the Vice President for Academic Affairs, provides, subject to the availability of funds, a range of faculty development programs that may include provisions for travel; teaching improvement activities; alternate work from teaching; assistance in proposing and conducting unpaid research; support for publication, consulting, or grant activities; secretarial assistance; computer access; and other such institutional support as may be reasonably expected to enhance faculty development.

Sabbatical leave, with its provisions for educational leaves, represents a major form of faculty development. The leave is not granted automatically and considerations for approval shall include the totality of circumstances surrounding the requests, including but not necessarily limited to previous forms of institutional support.

Faculty development plans assist faculty members and the institution in designing, funding, and implementing faculty development programs.

**2.8.1 Faculty Development Plans**

An individual Faculty Development Plan is fundamental to a faculty member's professional growth and successful performance in teaching, scholarly activity, and service. This plan should respond to the missions, goals, and objectives of the Department, College, and University.

In consideration of the individual faculty member's priorities for professional growth and development, all academic faculty shall prepare and submit to the Department Head annual development plans (known as the Faculty Evaluation Agreement Form) that specify personal priorities in teaching or librarianship, scholarly activity, and service, as well as personal plans for promotion, tenure, and participation in faculty development programs. Department Heads shall submit these plans to their Dean.

**2.8.1.1 Specificity of Plans**

While the format of development plans may vary by department or college, faculty members shall prepare annual development plans to be submitted to the Department Head for approval by January 25, with the previous year's Common Form. Modifications to faculty evaluation agreement forms may be submitted to Department Head through December 31. Plans shall specify

- those personal and professional plans and priorities related to faculty responsibilities in teaching, scholarly activity, and service;
- those strategies and activities designed to meet priorities, including proposed courses to teach, plans for scholarly activities and service activities;
- those institutional resources needed to support strategies and activities;
- those benefits expected to accrue to the department, college, and the University as a result of the strategies and activities;
- intent to apply for promotion or tenure in the subsequent academic year.
2.8.1.2 Department Head Responsibility

On or before March 15, Department Heads shall meet with faculty and Deans with Department Heads to discuss their Faculty Evaluation Agreement for the current year. Revisions in agreements may occur as a result of this meeting. Copies of revised plans shall be retained by faculty members and Department Heads and, as appropriate, Deans.

2.8.2 Sabbatical Leaves

Sabbatical leave, as defined by the Board of Supervisors, is an aspect of faculty development and may become a part of an individual’s Faculty Development Plan.

According to Board of Supervisors policy provision for leave with pay for the purpose of “professional and cultural improvement or for the purpose of rest and recuperation” is a well-established administrative device calculated to improve the quality of higher education professional service. The Board of Supervisors recognizes that such a policy is justifiable and desirable and provides for faculty leave under the conditions specified below.

“Faculty” is defined in LSA–R.S. 17:3304 as “Members of the instructional staff of each college and university having the rank of instructor or higher and persons engaged in library, artistic, research and investigative positions of equal dignity….The head of each college and its academic officers shall be members of the faculty.”

1. For the purpose of professional or cultural improvement, or renewal, this leave may be granted for two semesters (52 weeks for 12-month employees). It may be granted following any six or more consecutive fiscal years of active service in the institution where such individual is employed. An individual may not accumulate time in an attempt to qualify for more than one consecutive year of such leave. Leave also may be granted for one semester (26 weeks for 12-month employees) following three or more consecutive years of such service by an individual, provided that absence due to sick leave shall not be deemed to interrupt the active service provided for herein. A sabbatical leave taken during a summer session shall be considered a semester for leave purposes.

2. The compensation from the state for the period of leave approved shall be at the rate of not more than 75 percent of the salary the individual will receive during the current fiscal year for the period of time leave is applied for and granted. Employers and employees shall contribute to the retirement system on the basis of full annual salary rate. Compensation payable to persons on leave shall be paid at the times at which salaries of the other members of the teaching staff are paid and in the same manner.

3. In those cases where the faculty member or administrator receives outside compensation, such payment is to be approved in writing and in advance by the president as supportive of the purposes of the leave. If outside compensation plus paid leave would exceed the regular salary the leave pay will be reduced so that the institution will pay no leave if the outside compensation equals or exceeds the regular pay. But nothing shall prevent the faculty from being remunerated by outside agencies at higher rates than his or her regular pay.

4. After each leave period is completed, evidence as determined by the institution must be submitted to the appropriate supervisor to indicate that the purpose for which the leave was granted has been achieved.

5. At no time during any semester of an academic year shall the number of persons on leave with pay (except sick leave) exceed 5 percent of the total faculty.

6. In accepting a leave of absence with pay, the faculty member shall be understood to assume a legal obligation as listed in Acts 1991, 858 (R.S.17:3328) to return to the institution for at least one year of further service. A copy of this rule shall be included in the institution faculty handbook and made known to each applicant for such leave.

7. Individuals accepting sabbatical leave (with pay) are cautioned about prohibition against dual appointment or dual employment as described in LSA–R.S. 42:63.

8. Sabbatical leave shall be granted only with prior Board approval.
Refusal by a faculty member or administrator to comply with provisions of the Board’s leave and sabbatical leave policy shall result in the forfeiture of tenure and/or employment.

2.8.2.1 Application for Sabbatical Leave

The form used for sabbatical leave applications is called “Board of Supervisors for the University of Louisiana System Request for Leave of Absence.” This form is available through the offices of the Academic Deans.

As mentioned in section titled Sabbatical Leave in this Manual, sabbatical leave is an aspect of Faculty Development and therefore can become a part of a faculty member’s Development Plan. The following is the process for sabbatical leave programs:

1. Applications for Sabbatical Leaves shall be submitted to the appropriate Department Head on or before November 1. Application for sabbatical leaves must include in the order listed, materials listed below:
   - A current curriculum vitae, in the approved format (See internal administrators’ drive—M Drive), and a completed leave request form must be provided.
   - Faculty must submit, in writing, a plan indicating the purpose of the leave. This plan must be well structured involving research, scholarly or creative activity, postdoctoral studies, or other activities which will benefit both the leave holder and the institution. Applications must demonstrate that proper and adequate preparations have been made to insure that the proposed activities are feasible and worthy of support.
   - A statement supplying appropriate data to indicate that the candidate has satisfied any stated requirements for participation in the faculty development leave program.

2. On or before November 15, the Department Head shall inform the faculty member of the Head's recommendation regarding such application and forward a recommendation to the Dean, only if such recommendation is positive.

3. On or before December 15, the Dean, after consultation with the College Personnel Committee, shall inform the faculty member of the Dean’s recommendation regarding such application and forward a recommendation to the Vice President for Academic Affairs, only if such recommendation is positive.

4. On or before February 1, the Vice President for Academic Affairs shall inform the faculty member of the recommendation regarding such application and forward a recommendation to the President, only if such recommendation is positive. If the President approves the recommendation and Board of Supervisors action is not required, the Vice President for Academic Affairs shall notify the faculty member within five (5) working days of the President's approval. If Board of Supervisors action is required, the President shall forward a recommendation to the Board of Supervisors at its next meeting, only if such recommendation is positive.

5. Within five (5) working days of the Board of Supervisors meeting at which the recommendation is discussed, the Vice President for Academic Affairs shall inform the faculty member of the Board of Supervisors’ action on the recommendation.

6. Modifications of dates to accommodate specific applications is permissible. Modification to dates requires prior approval of the President.

2.8.3 The Presidential Award for Teaching Excellence

Nicholls State University is dedicated to the idea of teaching excellence and recognizes yearly faculty members who have demonstrated the high standards of the profession. All full-time faculty members, including lecturers and academic Department Heads, with five consecutive years of service at Nicholls State University, excluding those whose functions are primarily administrative,
are eligible for nomination for The Presidential Award for Teaching Excellence. A faculty member may be nominated by a student, an alumnus/alumna, a peer, a department head, or a dean. The recognition carries with it a one-time cash award, which is then annualized beginning with the next academic year. Complete nomination and eligibility requirements are listed in Academic Titles and Special Awards on the internal administrators’ drive (M Drive).

2.8.4 Faculty Exchanges
Tenure contract faculty are eligible to participate in faculty exchange programs as these may be arranged. Positive recommendation by the Department Head, Dean, and Vice President for Academic Affairs is required, as is approval by the President. Provisions and conditions for faculty exchanges are contained in the policy for the National Faculty Exchange program, which can be found in the University Library.

2.8.4.1 Faculty Travel
Travel support is subject to the availability of funds and is regulated by state fiscal rules. A Travel Procedures Manual is available in the Controller’s Office.

Application procedures for travel are governed by published University and College procedures and by the State of Louisiana fiscal policy. Applications for travel are submitted to Department Heads or supervisors in accordance to these policies; written approval is then obtained from the appropriate supervisors listed on the proper form. Travel approval must be received before departure. Foreign travel must have approval before departure from the State Division of Administration through the President’s office.

2.8.4.2 Faculty Exchange Application Procedure
Applications for participation in faculty exchanges must be made to the appropriate Department Head, receive positive recommendations from the Dean and Vice President for Academic Affairs, and be approved by the President prior to the beginning of the exchange.

2.8.5 Student Evaluations
The Board of Supervisors recommends and the University requires a student evaluation process that is meant to enhance a faculty member’s personal assessment of teaching methods and goals. General and specific guidelines may be obtained from the Office of the Vice President for Academic Affairs.

2.9 Promotion and Tenure Policies
The Board of Supervisors in its Rules has established general guidelines for promotion and tenure for its member institutions. These general guidelines follow.

The Board of Supervisors has mandated that
- each institution evaluate each faculty member and administrator at least on an annual basis by the Department Head with review by the Dean;
- the evaluation should be based on the faculty member’s job responsibility and must indicate various levels of performance ranging from “unsatisfactory” to higher levels;
- each institution set criteria for faculty promotion and tenure.

At Nicholls, the processes established for the yearly evaluation are the formative and the summative evaluations. “The Common Form” is the annual assessment instrument used for formative evaluations. “The Common Form” is also used for merit pay determinations and is also a
primary evidential document in summative evaluations that are used for promotion and tenure determinations.

Nicholls has also established specific criteria for faculty promotion and tenure. These criteria, which take the Board’s guidelines into account, are given in sections titled Board of Supervisors Promotion and Tenure Policies and Formative Evaluation and Scope of the University Promotion and Tenure Policy of this Manual.

Board of Supervisors policies concerning promotion and tenure shall have precedence whenever University policy conflicts with Board policy.

In Sections titled Board of Supervisors Promotion and Tenure Policies and Performance Assessment of this Manual the words “department,” “academic unit,” “structure,” and “unit” all refer to the academic departments within the University. An academic department is one that grants tenure.

2.9.1 Board of Supervisors Promotion and Tenure Policies

In its Rules, the Board of Supervisors mandates the following guidelines concerning promotion.

- Levels of Rank. Levels of academic rank recognize progressive levels of achievement and stature within the profession.
- Rank Distribution. Special care shall be exercised in assigning faculty ranks to new appointees and in making promotions in rank from year-to-year. The following table provides guidelines on assignments of rank within each institution:

<table>
<thead>
<tr>
<th>Academic Rank</th>
<th>Typical Range</th>
<th>Maximum Range</th>
</tr>
</thead>
<tbody>
<tr>
<td>Professor</td>
<td>20–30%</td>
<td>35%</td>
</tr>
<tr>
<td>Associate Professor</td>
<td>25–35%</td>
<td>35%</td>
</tr>
</tbody>
</table>

- Promotion. Each institution shall establish a policy setting criteria for faculty promotion. The policy statement should state that very few persons who do not hold the doctorate will be promoted to the rank of full professor. (Recently, the Board has qualified the last statement by saying that the statement reflects a minimum standard; individual institutions may choose to exceed these standards.)

Board of Supervisors’ policies (in Chapter III Section XI) concerning tenure are as follows:

A. Definition. Indeterminate tenure, hereafter referred to as tenure, is intended to ensure and enhance faculty members' academic freedom and job effectiveness. Tenure assures the faculty member that employment in the academic discipline at the institution will be renewed annually until the faculty member resigns, retires, or is terminated for cause or financial exigency.
- Faculty members shall not be eligible for tenure at the instructor level.
- Each recommendation by an institution to grant tenure to a faculty member shall be submitted to the Board of Supervisors at a time designated by the System President, which shall be no later than the date to submit annual budgets for approval.

B. Eligibility for Tenure. The probationary period for tenure consideration in the University of Louisiana System is six years. A tenure-track faculty member may apply for tenure during the sixth year. Full-time academic personnel at least at the level of assistant professor or equivalent shall be eligible for tenure after serving this probationary period.

C. Recommendation for Tenure. Recommendation for tenure of those who have completed the probationary period shall originate in the various structural units, with tenured faculty and unit heads initiating the recommendations. The recommendation shall be submitted to the institution president for his consideration. His/her action shall be submitted to the System President. Final authority for granting or denying tenure shall rest with the Board of
Supervisors. Under no circumstances shall tenure status be achieved without specific action of the Board of Supervisors.

D. Notification of Tenure Decision. At the end of the probationary period, the result of each individual’s evaluation shall be provided to that individual. In the event tenure is to be denied, 12-month advance written notice of termination shall be given. If tenure is to be awarded, the affected faculty member shall be informed in writing and tenure will be effective with the next letter of appointment.

E. Early Awarding of Tenure. In certain unusual cases, the institution may award tenure to faculty members of extraordinarily high merit prior to the end of the sixth probationary year. Any academic unit’s recommendation, with faculty input whenever possible, to award tenure before the end of the usual probationary period should be accompanied by an accounting of compelling reasons for this action.

F. Decision Not to Grant Tenure. If the decision is made not to grant tenure in the sixth year, it shall result in a terminal appointment for the seventh year. The notice of terminal appointment shall be made in writing to the faculty member prior to concluding the sixth year.

G. Credit for Prior Service. For the purpose of the probationary period, credit may be given for prior service at other institutions with the mutual consent of the individual institution and the Board of Supervisors.

H. Faculty Initially Appointed as Professor or Associate Professor. Faculty members initially employed at the rank of professor may be granted tenure upon appointment or, at the discretion of the institution, may be required to serve a probationary period not to exceed four years. Faculty members initially employed at the rank of associate professor shall serve a probationary period of at least one year, but no more than four years. (Addition approved 6/25/99)

I. Limitation of Tenure. Tenure shall be limited to persons in the faculty ranks of assistant professor, associate professor, and professor. Administrators shall not earn tenure except as members of an academic discipline.

J. Duration of Tenure. Tenured faculty shall retain their status until they retire, resign, or are terminated for cause or as a result of financial exigency. Tenure shall be granted and held only within an academic discipline that is offered at the institution and assures renewed appointments only within that discipline.

K. Termination for Financial Exigency. Termination is at the institutional level, as determined by procedures which include faculty participation.

L. Policy. This tenure policy shall supersede all existing policies with the following exceptions:

- All persons holding tenure on the effective date of this policy shall retain their tenure.
- Any person in the employment of an affected institution on the effective date of this policy shall be eligible to earn tenure under the terms and conditions of the policy in force and in effect at the time of that person's employment at that institution.
- This policy shall in no way affect any rights acquired by any person employed by an institution prior to the effective date of this policy.

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

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

Note: Faculty who were employed by the University before August 1993 should consult the previous Board of Supervisors promotion and tenure policy whenever they have questions about tenure. The old policy is available on the internal administrators’ drive (M drive).

2.9.2 Scope of the University Promotion and Tenure Policy

For the purposes of this section the following definitions shall apply:

- “Formative” shall mean the annual review taking into consideration only those events or activities that occurred in the previous calendar year. “The Common Form” is the annual assessment instrument used for formative evaluations.
- “Summative” shall mean the annual review that takes into consideration all previous formative reviews as well as what has occurred in the previous calendar year. The objective of the summative review is to make a major decision concerning promotion and tenure. “The Common Form” is a primary evidential document in summative evaluations.
- “Criteria” shall mean those University-wide performance expectations upon which decisions are based and to which all departments and colleges or the library are bound.
- “Evidence” shall mean documents and/or testimony furnished for the purposes of demonstrating that criteria have been met.
- “Standards” shall mean those interpretations, qualitative and quantitative, of such terms as “meritorious,” “outstanding,” and so forth that are applied by departments, colleges, and the library when evaluating evidence for the purposes of performance assessment.

The Board of Supervisors has defined the duties of all academic staff by saying that each member is “to be devoted to the accomplishment of the purposes for which the System exists: instruction, research, and public service.”

Regarding promotion and tenure decisions, the University has interpreted the words “public service” in the above definition to mean service to the University and contributions to the community that are professionally related.

All assessments of faculty must reflect accomplishments in the three areas listed above. The University requires that faculty demonstrate accomplishments within the following ranges:

- Teaching: 50% to 80%
- Research: 10% to 40%
- Service: 10% to 40%

Departments should formulate the above weightings within University guidelines consistent with the departmental mission with approval of the Dean.

The standards of quality for each of these purposes are to be set by each of the academic departments within the criteria established by the respective college or library. Faculty should consult Department Heads for specific departmental criteria regarding promotion and tenure.
The Faculty Senate shall review the policies set forth in Sections 2.9 and 2.10 every three years. However, the Faculty Senate may review these sections at any time deemed appropriate. Department Heads shall call for a yearly faculty review of departmental assessment forms within the academic unit (See Section titled Approval and Changes to Promotion and Tenure Document in this Manual).

2.9.2.1 Teaching
Teaching is the primary duty of most Nicholls State University faculty, and it is essential that good teaching be encouraged, recognized and rewarded. The techniques used to gauge effective teaching may vary among the disciplines, but there must be a common effort to develop tools and share ideas on this topic. The University serves as a catalyst in these efforts, ready to offer technical service, facilitate communication, and provide other assistance. It is the duty of the academic departments within the criteria established by the respective college or library to develop adequate means for defining and evaluating effective teaching performance of faculty.

2.9.2.2 Research
Research is an important factor in evaluating faculty. There are a variety of activities which can be considered. The weight and significance of any particular activity must be evaluated relative to the roles and duties of the academic departments within the criteria established by the respective college or library.

The Research Council, with University Council (UC disbanded Fall 2004) approval, has expanded the original definition of the institutional goal for research, which was “to conduct research as appropriate to a regional University.” The Research Council has clarified the term regional to mean “south central Louisiana, ranging from the parishes of Jefferson to St. Mary and from the Gulf Coast to Ascension Parish.” Appropriate to the region shall be interpreted as beneficial to the economic, cultural and social well being of the area, but shall not be interpreted so as to discourage research projects of national or universal significance. Research can be grant–supported, University–supported or independent inquiry that is historical, descriptive, artistic, or experimental.

2.9.2.3 Service
Service to the profession, the University and the Nicholls community is also a recognized consideration in evaluating faculty. These are listed in the appropriate sections of this handbook and include but are not limited to such activities as enriching programs for area students, conducting in–service teacher training programs, and participating in activities of professional organizations. As stated above, the weight and significance of any particular activity must be evaluated relative to the roles and duties of the academic departments within the criteria established by the respective college or library.

2.9.2.4 Expectations and Prior Policies
The University’s expectations of faculty are not static. In a rapidly changing environment, faculty must be professionally active and technically proficient. The University must provide an appropriate work–place and working conditions, and also reasonable rewards for accomplishment. As non–instructional demands increase, there must be a corresponding decrease in instructional demands. The goal is excellence, not limited performance or productivity caused by unrealistic expectations in a multitude of areas.

This promotion and tenure policy shall be effective 8/91 and shall supersede all existing policies. For a period of three (3) years, full–time faculty in the employ of this institution prior to the effective date shall be eligible for consideration for not more than one rank promotion under the provisions of the policy in effect immediately prior to 8/91. The Board of Supervisors PPM, “Review of Faculty Ranks,” effective January 10, 2003 states that “unsatisfactory performance or non–performance by a faculty member occurring an/or arising, in whole or in part, prior to the
effective date of this policy, may be considered in connection with a decision to seek removal for cause.”

2.9.2.5 Exceptions through Critical Shortage
Disciplines which experience a critical shortage of terminally qualified faculty may warrant special consideration for promotion and tenure. Academic departments will be required to provide evidence of critical shortage and to appeal through channels to the University President for special consideration.

2.9.3 Criteria and Procedures for University Appointment, Reappointment, Promotion and Tenure
This section states the policy for minimal standards for appointments, reappointments, promotions, and tenure of faculty members at Nicholls State University. The standards and procedures stated apply campus-wide. Academic departments within the criteria established by the respective college or library are expected to meet the minimal standards of the University but may exceed those standards if they so desire. If departments choose to follow University minimal standards, departmental promotion and tenure guidelines shall still be adjusted to reflect the specific demands of the academic discipline(s) of the department.

The University provides each faculty member with a copy of this Manual, which contains up-to-date statements of policy and procedure. Faculty should consult with Department Heads and Deans for specific departmental and college criteria regarding appointments, reappointments, promotion, and tenure.

2.9.3.1 Appointment and Reappointment
Appointments to the faculty are made with the purpose of building and maintaining a highly qualified staff of teachers and scholars for the University (see Section titled Qualifications for Academic Faculty in this Manual). A master's degree is the minimal qualification for initial appointment at the rank of Instructor. Exceptions may be granted by the Vice President for Academic Affairs.

Appointments are initiated through the academic departments via the search committee process with procedures designed to insure equal opportunity to all who are qualified. Each department in its promotion and tenure document shall describe these procedures and the role of its search committees in the hiring process. (See Human Resources policies and procedures regarding searches on the Human Resources web site.) In initiating the hiring process, academic Department Heads must document a clear need for a candidate with a particular expertise. Department Heads may recommend appointments without going through a search committee if a search committee cannot be assembled expeditiously and effectively. Such recommendations shall be subject to approval by the Affirmative Action Officer and the Vice President for Academic Affairs.

Each appointment begins with the recommendation of the Department Head, Dean, and Vice President for Academic Affairs, for approval by the President. No appointment is made for a period longer than one year.

Faculty will be evaluated each year according to established procedures in the academic departments within the criteria established by the respective college or library. Decisions on reappointment will take into account the individual's effectiveness in performance of duties. However, fluctuations in departmental needs and University resources may dictate non-reappointment for reasons other than assessments of merit. Persons on term contracts or terminal appointments should not expect reappointment.
2.9.3.2 Promotion
Promotion of a faculty member from one academic rank to a higher rank is based upon merit in addition to a period of service at this University and is awarded in recognition of significant achievement since the last promotion or since employment. Normally, faculty above the rank of instructor must have the terminal degree and five years of service in one rank before consideration for promotion to the next rank. Normally, instructors must have three years of service at the instructor rank before consideration for promotion to Assistant Professor. Individuals with exceptional credentials may be considered earlier.

Criteria for early promotion are determined at the academic level with permission from the Vice President for Academic Affairs. These criteria shall be included in the individual departmental promotion and tenure guidelines.

The qualifying criteria for promotion to the various ranks are listed below. Evidence of quality performance is necessary in all areas, except that in extraordinary circumstances outstanding achievement in one area may prompt a favorable recommendation. Faculty seeking promotion to a higher level are expected to satisfy the expectations at that level as well as those of all lower ranks. Individuals promoted to the rank of Assistant Professor without the terminal degree will not be eligible for consideration for additional promotions unless the degree status changes. The term “terminal degree” in all such cases shall conform to the provisions of Section titled Qualifications for Academic Faculty in this Manual with regard to the needs of the discipline and regional accrediting agencies.

Individuals who will be receiving the terminal degree in the summer following the summative review may be considered to have the terminal degree during the summative evaluation process, but promotion will be contingent on the official granting of the terminal degree. These conditions for such contingent promotions shall be noted on the individual’s summative initiation form.

The mechanism for handling all matters concerning promotion is the summative review section titled Summative Evaluation in this Manual. Faculty should be familiar with this section—its timelines and guidelines—whenever they are involved with promotion considerations. The criteria listed below in are university-wide and reflect the minimum attainments possible in each academic unit. Academic units may set standards that are stricter than these criteria. All criteria must be supported by evidence.

Special Note: In July 2001, the Vice President for Academic Affairs clarified certain “unwritten expectations” with regard to general university criteria for promotion to the ranks associate professor and full professor as follows: “Since 1989, the Academic Vice Presidents have implemented an ‘unwritten’ expectation for promotion to associate professor which is the evidence of two recognized peer-reviewed publications in the field. For promotion to full professor, the evidence of three recognized peer-reviewed publications in the field has been expected. While we are engaging in serious teacher reform efforts on the university level, I will accept documentation of substantive involvement in course and curricula redesign which leads to improved teacher quality in lieu of one publication for promotion and tenure. Of course, specific requirements for nationally accredited programs must be met at the department and college level.”

Section 2.10.2 presents examples of criteria and evidence that faculty might want to use when setting standards for promotion and tenure within the academic unit.

2.9.3.2.1 Lecturer to Instructor
Individuals demonstrating outstanding performance in the following criteria will be eligible for promotion:

- minimum of three years experience at the rank of lecturer;
- the attainment of a master’s degree from an accredited institution with at least 18 hours of graduate courses in the area of employment;
accomplishment in teaching
promise in scholarly activity
service to the department and institution
recommendation of Department Head.

2.9.3.2.2 Instructor to Assistant Professor
While the terminal degree is desired, individuals demonstrating outstanding performance in the following criteria will be eligible for promotion:

- effective teaching;
- promise in research, scholarly activity;
- service to the department, campus, and professional community;
- effective work with students in non-classroom settings;
- other civic or community activities in which professional expertise is utilized.

Note: All decisions concerning promotion must be in accord with the rank percentages mentioned in Section 2.9.1.

2.9.3.2.3 Assistant Professor to Associate Professor
The following are the criteria for promotions from the rank of Assistant Professor to Associate Professor:

- the terminal degree;
- continued development as an effective teacher;
- research or scholarly or creative activity indicating promise of a productive career (see Special Note in Section 2.9.2.2);
- cooperation and industry within the department;
- professional presentation at regional, national or international conferences;
- significant participation in the University community;
- effective work with students in a non-classroom setting beyond minimal expectations;
- other civic or community activities in which professional expertise is utilized.

Note: All decisions concerning promotion must be in accord with the rank percentages mentioned in Section 2.9.1.

2.9.3.2.4 Associate Professor to Professor
The following criteria apply to promotions from the rank of Associate Professor to Professor:

- the terminal degree;
- a substantiated record of consistently effective and creative teaching;
- sustained research, scholarly or creative work of excellent quality at the level of refereed professional publications or equivalent (see Special Note in Section 2.9.2.2);
- service as a mentor to junior faculty and of significant contributions to the progress of the department;
- refereed professional presentations at regional, national or international conferences;
- other professional contributions to the discipline;
- significant service to the University community;
- a record of effective work with students in non-classroom settings beyond minimal expectations;
- other civic or community activities in which professional expertise is utilized.

Note: All decisions concerning promotion must be in accord with the rank percentages mentioned in Section 2.9.1.
2.9.3.3 Tenure

Only full-time faculty with the rank of Assistant Professor or higher may be considered for tenure. The granting of tenure testifies that an individual has successfully completed the probationary period and has earned the status of a highly qualified member of the University community. Decisions on tenure will focus on the professional performance of the individual, but will also take into account the staffing needs of the department, the percentage of tenured faculty and the anticipated financial status of the University.

As with promotion, the mechanism for handling all matters concerning tenure is the summative review (Section 2.10.3.4). Faculty should be familiar with this section—its timelines and guidelines—whenever they are involved with tenure considerations.

The term “tenure-track” as it is used in this Manual shall refer to the faculty who are on probationary contracts.

Nicholls State University allows for the initial appointment of individuals to the academic ranks of Assistant Professor, Associate Professor, and Professor in a non-tenure-earning status provided that these limitations are stipulated in the letter of appointment and on the contract. All non-tenured individuals who are at the Assistant Professor rank are considered to be “tenure track” and to be employed with a probationary contract unless the above provisions were made at the time of the initial appointment.

The criteria listed below are university-wide and reflect the minimum attainments possible in each academic unit. Academic units may set standards that are stricter than these criteria. All criteria must be supported by evidence.

Section 2.10.2 presents examples of criteria and evidence that faculty might want to use when setting standards for promotion and tenure within the academic unit.

2.9.3.3.1 General University Criteria for Attaining Tenure

The University requires that individuals who receive tenure shall be contributing to the University and to the individual’s academic discipline in all three of the areas described by the Board of Supervisors in its definition of university faculty (Section). The University also requires both of the following:

- that faculty be contributing at no less than the minimum levels required by their respective departments in the areas described in Section 2.9.2 of this Manual.
- that faculty display the promise of continued performance at those levels required to obtain tenure in their departments.

2.9.3.3.2 Probationary Period

To achieve tenure, a faculty member must complete at least a six-year (Board of Supervisors tenure policy) probationary period of continuous service at the probationary-contract tenure-track level. A year of probationary service shall mean two full academic semesters excluding the summer session. (Exceptions to this probationary period requirement are given in Section 2.9.1 e. g. h; credit for prior experience is explained in Section 2.9.2.4.)

2.9.3.3.3 Rights and Seventh Year Tenure Track Service

With the granting of tenure, an individual acquires additional procedural rights should dismissal charges ever be filed (Section 2.16). The granting of a contract to a tenure track faculty member for a seventh consecutive year of tenure track service awards tenure unless it is a terminal appointment. The Board of Supervisors advises that faculty be aware that no tenure is “automatic.” Tenure does not exist unless it is applied for (initiated) at the level of the academic unit and then ultimately approved by the Board of Supervisors.
2.9.3.3.4 Initial Appointments
An initial appointment of less than one full semester shall count as a full semester of service in determining the minimum number of years in probationary status, provided service commences prior to mid-term.

2.9.3.3.5 Time Spent in Non–tenure–track Positions
Time spent in non-tenure track positions does not apply toward the probationary period.

2.9.3.3.6 Timelines
The evaluation procedure of a candidate for tenure and applicable criteria are the same as that of a candidate for promotion. The summative review timelines established in Section 2.10.3.5 shall be followed for all tenure decisions. The Tenure Track Timeline/Checklist on the internal administrators’ drive (M drive) will help faculty and administrators keep track of these yearly activities.

2.9.3.3.7 Department Head Responsibilities
By October 1, new tenure-track faculty should receive an orientation to the current departmental assessment forms and to the University promotion and tenure policies. All new tenure-track faculty should receive senior faculty mentors who will help faculty with adjustments to standards that call for performance in all three areas: teaching, service, and scholarship. All department heads shall meet with third-year tenure-track employees and this meeting shall be documented. Minutes of the meeting with a copy of the faculty member’s annual development plan must be submitted to the Dean and to the Office of Academic Affairs by December 1. The Tenure Track Timeline/Checklist on the internal administrators’ drive (M drive) will help faculty and administrators keep track of these yearly activities.

2.9.3.3.8 Notification of Termination
Notification of termination should come as early as possible in the final semester of the sixth year of tenure-track employment.

Note: All notifications shall conform with Board of Supervisors policy regarding proper notice (See section 2.9.1d).

2.9.3.3.9 Post–Tenure Review and Board–Mandated Remediation of Tenured Faculty
Effective January 10, 2003, the Board of Supervisors for the University of Louisiana System issued a Policy and Procedures Memorandum (PPM) that “is intended to serve as an umbrella policy for campuses in developing more specific procedures for the faculty review process.” The PPM requires all institutions to publish statements that all faculty members should be evaluated at least annually. The PPM requires that there be mandatory remediation of tenured faculty once there have been multiple unsatisfactory reviews. Section 2.11 of this Manual covers the post-tenure review procedures as they are presented in the Board’s PPM.

2.9.3.4 Prior Experience
For promotion and tenure, credit for prior professional experience at other institutions may be granted by the President at the time of appointment.

Individuals appointed to the rank of Professor may be granted immediate tenure. The initial letter of appointment must clearly indicate if any credit for prior service toward the probationary period has been granted.
2.10 Performance Assessment

2.10.1 Purpose
The purpose of performance assessment is to provide a basis for decisions related to salary administration, promotion, tenure, and reappointment of academic faculty. There are two kinds of Performance Reviews at Nicholls State University: the formative and the summative. Both reviews evaluate Faculty Development Plans. Both reviews also use “The Common Form” as a basis for making assessment decisions.

Criteria and evidence specified in this Manual to be used in decisions related to salary administration, promotion, tenure, and reappointment shall not be modified by colleges except as allowed in policy. Standards are not specified in this Manual and shall be developed by colleges or the library or departments in accordance with democratic principles.

These written standards shall be disseminated to the faculty of each college or the library by the Deans of those colleges or the Director of the University Library after the standards have been submitted by Deans to the Vice President for Academic Affairs and President for their approval. They shall ensure that standards in each college are relatively equal, and to the extent possible, shall be uniformly applied. Between the time of submission of recommended standards and their approval, the Vice President for Academic Affairs will consult with Deans and Department Heads in the event that the standards to be approved differ from those submitted as recommendations. Once approved, standards are incorporated by reference into the appropriate sections of this Manual.

2.10.2 Approval and Changes to Promotion and Tenure Documents
This section presents examples of criteria and evidence that faculty might want to use when setting standards for promotion and tenure within the academic unit.

All performance assessment forms that address standards (such as separate forms for merit pay determinations, departmental promotion and tenure documents) must follow the guidelines established in Section 2.9 of this Manual.

The standards developed by Colleges and the University Library for assessment of performance, as approved by the President and the Vice President for Academic Affairs in accordance with policy stated in Section 2.8.1 are incorporated by reference into this section.

All forms must be approved by the Vice President for Academic Affairs. Forms are due in the Vice President’s office on or before March 15 of the calendar year prior to their taking effect.

Approval by the President must be given on or before April 15. Standards must be disseminated by Deans on or before May 1.

Any changes to the approved forms must be resubmitted according to the timelines listed above. By October 1, Department Heads shall call for a yearly faculty review of departmental assessment forms within the academic unit. Proposed changes that result from these proceedings shall be submitted to the Deans by December 1. Deans shall submit appropriate suggestions to the Vice President for Academic Affairs on or before March 15. The Vice President for Academic Affairs shall provide approved forms (with approval dates) by May 15 to Department Heads. The Department Heads shall distribute the approved forms to faculty by September 15.
In those instances where university, college, or department standards change during a tenure or promotion cycle, the following shall apply:

For the purposes of tenure review, the candidate shall use the university, college, and department standards in effect at the time the candidate signed the first tenure-track contract or, at the candidate's discretion, the new standards may be used.

For the purposes of promotion, the candidate shall use the university, college, and department standards in effect at the time of the last promotion or, at the candidate's discretion, the new standards may be used. However, after the candidate is promoted or has gone through a summative review for promotion, the new standards shall apply.

The criteria for performance assessment shall include the following:

- expectations of the faculty member in the categories of teaching or librarianship, scholarly activity, and service, and, if applicable, administration, as prescribed in this section of this Manual; or as otherwise specified in the Faculty Development Plan; or as otherwise approved by the Department Head and Dean as a result of alternate work time from teaching; or as a result of participation in faculty development programs.
- expectations of the faculty member to fulfill basic responsibilities of employment as prescribed in Section 2.7 of this Manual.
- an appendix section labeled “Expectations for Tenured Faculty” that defines an overall unsatisfactory rating for tenured faculty (Section 2.11).

Assessment of performance in meeting basic responsibilities and in the categories of teaching or librarianship, scholarly activity, service and administration may include use of such evidence listed below. Additional forms of evidence may be used by mutual consent of the faculty members and the Department Head.

2.10.2.1 Criteria for Teaching

Expectations in teaching shall include but are not limited to, where disciplinarily applicable, the following:

- command of one's subject;
- ability to organize subject matter and to present it clearly, logically, and imaginatively;
- knowledge of current developments in one's discipline;
- ability to relate subject matter to other areas of knowledge;
- ability to provoke and broaden student interest in the subject matter;
- ability to utilize effective teaching methods and strategies.

2.10.2.2 Evidence for Teaching/Librarianship

Assessments of performance in the area of teaching/librarianship may include but are not limited to the following evidence:

- self-report of activities;
- course syllabi evaluation (as reviewed by peers/colleagues and/or Department Head);
- peer/colleague evaluations (peer/colleague evaluations may also include faculty of similar rank from another institution);
- student perceptions of teaching and learning;
- student data and outcomes;
- professional development activities such as participation in course work, seminars, conferences, or workshops which cover skills and knowledge of teaching or skills in librarianship;
- Department Head or supervisor observations;
• library surveys or assessments that solicit information concerning individual faculty in the area in which they work.

2.10.2.3 Criteria for Scholarly or Artistic Activity
The words "scholarly activity" may be substituted by the words "scholarly or artistic activity" by certain limited disciplines. These disciplines, generally called the Arts, include dance, music, visual arts, and creative writing.

Expectations in scholarly activity shall include but are not limited to, where disciplinarily applicable, the following:
• sustained inquiry into one's discipline;
• use of research in curriculum and course development;
• sharing of expertise within the academic community beyond the University, such as refereed journals.

Sections 2.7, 2.7.1.2, and 2.9.2.2 contain important information about the definition of research and scholarly activity at this University.

2.10.2.4 Evidence for Scholarly or Artistic Activity
Assessments of performance in the area of scholarly activity may include but are not limited to the following evidence:
• self-report of activities;
• assessment or statements by peers/colleagues of scholarly works;
• publication in refereed journals or prestigious professionally-edited journals (single-authored and senior-authored publication will be given more consideration);
• publication of monographs or books by recognized presses;
• citations of research in others' works;
• preparation and/or award of grants, prizes, or commendations, resulting from scholarly or creative activity;
• demonstrated skill resulting from scholarship;
• critiques of performances or artistic productions resulting from scholarship;
• award of grants, prizes, or commendations in professionally accepted organizations;
• election to prestigious registrations or official academic duties in professional organizations;
• participation in course work, seminars, workshops, or conferences of professional significance;
• presentations or performances in departmental, college or University seminars, colloquia, or lecture series;
• presentations of papers at external seminars, workshops, or conferences of professional significance

2.10.2.5 Criteria for Service
Expectations in service shall include but are not limited to, where applicable, the following:
• service on Departmental, College, or University committees or councils;
• service to students, such as serving as faculty sponsor, advisor, mentor;
• service in some extramural activity as an employee or representative of the University or as an expert in one's discipline.

2.10.2.6 Evidence for Service
Assessments of performance in the area of service may include but are not limited to the following evidence:
• self-report of activities;
• assessment of student advising;
• leadership in some area of University-life, governance, faculty development, curriculum design;
• service as a chair or sponsor of a student club or organization, of a committee, or a director of a program;
• service as a representative of the University to the local, regional, national, or international community (as long as such representation relates to the person’s competence and discipline);
• appointment or election to a state or national post of significance to the profession or the University;
• participation in professional organizations;
• service as a volunteer to the University community;
• service as a reviewer or judge of creative work;
• consulting in discipline-related activities;
• Department Head or supervisor observations;
• mentoring through established guidelines.

2.10.2.7 Library Faculty Criteria

2.10.2.7.1 Librarianship
Expectations in librarianship shall include but are not limited to, where applicable, the following:
• performance of responsibilities relating to daily operation of the library, including acquisition and storage of information and materials, dissemination and retrieval of information and materials, and collection development responsibilities;
• command of the literature of library and information science;
• knowledge of developments in the library profession;
• effective application of bibliographic techniques in the organization and servicing of collections;
• knowledge and practice of methods of evaluation of services and monitoring of performance;
• effective use of resources;
• analyzing, improving, and implementing new library methods and procedures;
• knowledge and understanding of policies and procedures, goals, and objectives (departmental, library, institutional, state, or national);
• ability to communicate effectively;
• skill in attracting, training, developing, and supervising staff;
• improvement in the quality of professional service;
• effective communication and interaction with library patrons;
• ability to delegate responsibility and assign duties effectively;
• ability to plan, organize, and coordinate effectively.
• ability to relate subject matter to other areas of knowledge.

2.10.2.7.2 Scholarly Activity for Library Staff
Expectations in scholarly activity shall include but are not limited to the following:
• sustained inquiry into one's specialty;
• use of research in developing new library services or programs;
• sharing of expertise within the academic community, such as publishing in journals, juried shows, professional presentations.

2.10.2.7.3 Service for Library Faculty
Expectations in service shall include but are not limited to the following:
• service on library, or college committees, or councils;
• service to students other than those services performed under normal library
duties, such as serving as an organizational sponsor;
• service in some extramural activity as an employee or representative of the
University or as an expert in one’s discipline except as in the ordinary daily
imparting of library expertise.

2.10.3 Performance Assessment: Types and Procedures

Important Note on Confidentiality: Administrators and faculty who are involved with performance
assessment duties should remember that such proceedings are confidential. The committee
guidelines described in Section 2.10 should be strictly followed to insure that employee rights to
confidentiality are protected. Public records laws determine what documents are available for
public scrutiny. In general, the following are usually open:
• the fact that employee evaluations took place;
• the positive results of employee evaluation proceedings (for instance, a promotion
was granted).
The details of personnel performance assessment (letters, rebuttals, and so forth) are usually not
available for public scrutiny.

Important Note on Meeting Deadlines: A faculty member’s failure to meet deadlines described in the
promotion and tenure policies of the University shall mean automatic termination of the application
process. If Department Heads, Review Committees, Personnel Committees, Deans, the Vice
President for Academic Affairs, or the President fail to meet deadlines, the applicant shall not be
penalized or the candidacy jeopardized. Faculty may use such administrative failures as evidence
in grievances dealing with violations of due process.

Performance assessment occurs in two (2) forms, the formative evaluation and the summative
evaluation. Each of these has distinct purposes and procedures. “The Common Form” is the annual
assessment instrument used for formative evaluations. “The Common Form” is also used for merit
pay determinations and is also a primary evidential document in summative evaluations that are
used for promotion and tenure determinations.

2.10.3.1 The Formative Evaluation

The Performance Review known as the formative evaluation of all instructors and probationary and
tenure contract academic faculty shall be conducted by the Department Head in the spring and
shall be based upon evidence of performance in the prior calendar year. (For the purpose of faculty
development, faculty who have only served one semester before the beginning of the formative
cycle shall also be reviewed and shall submit the proper forms and evidence as described in Section
2.10.3.2 below.) “The Common Form,” is the annual assessment instrument used for formative
evaluations. The Head (or as appropriate, the Dean) shall prepare a formative evaluation report
containing the following:
• an evaluation of the faculty member’s effectiveness in each of the performance
review categories (Section 2.10);
• recommendations for
  o merit salary increase,
  o reappointment of term and probationary faculty (except as noted in
    Section 5.12.2),
  o initiating Board-mandated remediation (Section 2.11.3) for tenured
    faculty once there have been multiple unsatisfactory reviews by the
    department head, and
  o participation in faculty development programs.

Though separate forms can be used for merit pay determinations, all merit pay determinations are
part of the formative process. Because the formative evaluation involves an assessment of a
calendar year, only faculty who have been employed for a calendar year (excluding the summer session) shall be eligible for merit pay. All forms are subject to the approval methods given in Section 2.10.2. Though standards can be established by each academic unit, these standards must use the percentage guidelines mentioned in Section 2.9.2. All formative must be accompanied by evidence as described in Section 2.10.2.

Each department shall have its own discipline-specific criteria and shall have its own formative evaluation form that was discussed and recommended by majority vote of at least a quorum of the instructors, probationary, and tenure contract academic faculty within the department with approval of the Department Head and Dean to ensure the criteria shall contain the appropriate rubrics and comply at least minimally with the criteria and evidence in the Common Form. Issues not resolved at the Department Head or Dean's level are subject to review by the Vice President Academic Affairs. In addition to any departmental forms, the evaluating department head must complete the Common Form.

2.10.3.2 The Process for the Formative Evaluation

Using “The Common Form” as a vehicle for an annual self-report, the process for the formative evaluation shall be as follows:

1. Peer review in the formative evaluation process is not required but may be used in some colleges and/or departments. If colleges and/or departments elect to use the peer review, the process must be incorporated in step c below. Peer review shall always be treated as a recommendation to the Department Head or Dean or Director of the University Library. The peer review recommendation does not relieve the administrator from the responsibility of making the evaluative decision.

2. On or before **January 25**, the faculty member shall submit an annual self-report (“The Common Form”) to the Department Head, or in the case of Department Heads, to the Dean or Director of the University Library. This self report shall include identification of activities in the performance review categories and may include a self-assessment of performance.

3. On or before **March 15**, the Head (or, as appropriate, the Dean) shall prepare a written formative evaluation report and meet with the faculty member to review the report and to provide the faculty member with a copy; the report shall indicate the following:
   - the Head’s (or Dean’s) evaluation of the faculty member’s effectiveness in each of the performance review categories;
   - the Head’s (or Dean’s) recommendation on salary increases subject to the availability of funds (Section 2.12);
   - the Head’s (or Dean’s) recommendation on reappointment for probationary faculty;
   - the Head’s (or Dean’s) recommendation, if any, on participation in Faculty development programs;
   - the Head’s (or Dean’s) recommendation for Board-mandated remediation of tenured faculty once there have been multiple unsatisfactory reviews (Section 2.11);
   - the Head’s (or Dean’s) recommendation on any revision of the development plan currently in effect by March 25.

4. The faculty member shall read and sign the Head’s report to indicate that the annual review meeting was held and that the faculty member has read the report.

5. The faculty member has the right to prepare a written response to the report to be submitted to the Head (or Dean) within five (5) working days of the date of the annual review meeting.

6. The Head shall submit copies of the faculty member’s self-report, the formative evaluation report, and (if one exists) the faculty member’s written response to the Dean on or before March 25. Materials that clarify previously submitted evidence may be included with the written response.

7. If the Dean concurs with the recommendation of the Head and the faculty member has not disagreed with those recommendations, the Dean shall forward those recommendations to the Vice President for Academic Affairs on or before March 30. A copy of the final recommendation is also submitted to the Director of Assessment and Institutional Research. If the Dean disagrees with the recommendations of the Head or if the faculty member has disagreed with those recommendations (through the letter of response described in e above), the Dean shall convene a meeting with the
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facultymember and the Head on or before March 30 to attempt to resolve disagreements. Unsupported appeals will not be accepted for review.

8. If all of the parties agree on a resolution, the Dean shall submit, on or before April 15, final recommendations to the Vice President for Academic Affairs, with copies to the faculty member and the Head. A copy of the final recommendation is also submitted to the Director of Assessment and Institutional Research. If all parties do not agree on a resolution, The Dean shall call the Appeals Committee within six working days of the meeting scheduled to attempt resolution as noted in Number 7 above and specified in Section 2.10.3.3 The Formative Evaluation Appeals Process.

9. The Vice President for Academic Affairs may review all formative documents or merit ratings at any time during the process described in a through h above, but the Vice President for Academic Affairs shall not initiate changes to these documents or ratings.

2.10.3.3 The Formative Evaluation Appeals Process

The formative evaluation itself may be appealed. Non-reappointment of probationary or term faculty may not be appealed. Faculty may review their file at any stage of the process by contacting the Chair of the reviewing committee. Candidates may withdraw their appeal at any time by filing a notice of intent with the Dean of the College or with the Director of the Library.

Attempts at resolving the appeal shall first be made at the department and college level (see 2.10.3.2 d–f above). If no resolution can be reached, the Dean shall call the Appeals Committee within six working days of the meeting.

The College Appeals Committee shall consist of the College Peer Review Committee as specified in Section 2.10.3.5.1.

1. The Dean shall supply the Chair of the Appeals Committee with a file of all appropriate documentation.

2. The Appeals Committee shall convene and shall conclude its work within ten (10) working days following the receipt of the appeal.

3. The documentation shall be examined.

4. The Committee shall interview the appellant and Department Head and/or the Dean.

5. The Appeals Committee Chair shall communicate in writing to the Dean the Committee’s recommendation. This communication shall be signed by all Committee members and placed in the faculty file (with a copy of the recommendation going to the faculty member). The recommendation and all material shall be forwarded to the Dean of the College for his or her acceptance or rejection.

6. After reviewing the recommendation of the Appeals Committee, the Dean shall communicate in writing his or her recommendation to the faculty member. If the faculty member is not satisfied with the Dean’s recommendation, the faculty member may ask for a university-wide appeal by communicating the request in writing to the Dean within five (5) working days after receiving the Dean’s recommendation. The Dean shall then forward all material to the Chair of the University-wide Appeals Committee within six working days. If the Dean does not receive a request for further appeal from the faculty member, the Dean shall forward all material to the Vice President for Academic Affairs with a copy going to the Office of Assessment and Institutional Research.

7. The University-wide Appeals Committee shall be the same committee described in Section 1.14.2.11 (the University-wide Promotion and Tenure Appeals Committee). After receiving the documentation from the Dean, the Committee, acting as a Formative Evaluations Appeal Committee, shall convene and shall conclude its work within ten (10) working days. The Committee Chair shall communicate in writing to the Vice President for Academic Affairs the Committee’s recommendation. This communication shall be signed by all Committee members and placed in the faculty file (with a copy of the recommendation going to the faculty member). The recommendation and all other material shall be forwarded to the Vice President for Academic Affairs.

8. The Vice President shall communicate his or her decision in writing to the faculty member within six working days of receipt of the Appeals Committee decision. The decision of the Vice President for Academic Affairs shall be final. A copy of the Vice President’s decision and all other documents shall
be returned to the Dean for filing. A copy of the final recommendation is also submitted to the Director of Assessment and Institutional Research.

**2.10.3.4 The Summative Evaluation**

Peer review at Nicholls State University shall always be treated as a recommendation to the Department Head, Dean or Director of the University Library, or the Vice President. The peer review recommendation does not relieve the administrator from the responsibility of making the evaluative decision.

The Performance Review known as the summative evaluation shall be conducted in the fall semester. The review shall be based upon cumulative evidence of performance subsequent to the last formative evaluation (including all activities since the last formative evaluation) and shall result in decisions with regard to promotion and/or tenure.

Summative evaluations shall be scheduled at the discretion of the Department Head and/or Dean or may be scheduled in response to a request by the faculty member (for example, in the application for promotion). In all cases, a summative evaluation shall be performed before formal consideration for promotion and tenure.

Department Heads who also function as faculty shall be evaluated as tenured faculty.

In the following sections the term “summative dossier” refers to all of the documents that are passed from one level of review to a higher level. A checklist for the dossier is available on the internal administrators’ drive (M drive). A summative dossier may contain forms, a professional portfolio, appropriate letters and responses, and acceptable clarifying documents. A candidate may review the summative dossier at any stage in the process by making the appropriate contacts and scheduling an appointment.

Note: While reviewing the summative process described below, faculty should keep the following points in mind:
- there is only one appeal per year
- there are three levels of appeal
- appeals may be made at any level, regardless of the outcome(s) of the previous level(s)

**2.10.3.5 The Process for the Summative Evaluation**

The process for the summative evaluation shall be as follows:

**2.10.3.5.1 Peer Review Committee**

The Deans and Director of the University Library shall appoint a Peer Review Committee on or before September 15. The Committee shall be composed of no more than five (5) full-time tenured professors. Deans and Department Heads cannot serve on this committee; faculty directors and coordinators who are contracted at 50% or more teaching duties are eligible. If there are an insufficient number of professors, the highest ranking tenured faculty shall serve. There shall be adequate representation of women and minority groups in the selection of the committee members.

The Peer Review Committee shall function in those reviews concerning promotion and tenure. For policy review, the committee shall use the most current version of the *Policy & Procedure Manual*. The committee shall also consult and have at hand all appropriate departmental promotion and tenure policies.

See also the charge for the college-level peer review committee from the report of the first promotion and tenure committee, available on the internal administrators’ drive (M drive).
2.10.3.5.2 Notifications
A Department Head and/or Dean or a faculty member may initiate the summative evaluation. A Department Head and/or Dean or a faculty member may initiate the summative evaluation. The faculty member may schedule a summative evaluation by either (1) making such a request in the faculty member's Faculty Development Plan in November or by (2) submitting a letter of intent to the Department Head on or before March 25.

Note: Faculty should be aware that Peer Review Committees will not accept self-initiated faculty requests for a summative review unless there is evidence of (1) or (2) above.

By September 15 of each year, the Department Head will notify the faculty who requested a summative evaluation in the faculty development plan or by letter of intent, but whose requests have been denied.

Also by September 15 of each year, the Department Head will notify the faculty who are being considered for promotion and/or tenure and shall submit to the Peer Review Committee a summative initiation form for each faculty being considered for promotion and/or tenure. A separate form shall be submitted for promotion and for tenure.

In the case of promotion, the initiation form shall be considered a recommendation by the Department Head for promotion. Department Heads shall not fill out an initiation form unless they are recommending a candidate for promotion.

In the case of tenure, the initiation form is required to begin the review and shall not be considered a recommendation for or against tenure.

2.10.3.5.3 Presentation of Credentials
The faculty member shall provide the Peer Review Committee with the required professional portfolio for promotion and/or tenure before October 5 of the review year. The faculty member being considered is responsible for providing evidence of accomplishment, including a cover letter, vita, and other appropriate supporting documentation within the portfolio. The Department Head is responsible for making the appropriate formative reviews available to the Peer Review Committee so that the committee can comply with the requirements of Section 2.10.3.5.5 (2).

Faculty may refer to the internal administrators’ drive (M drive) for forms and other portfolio preparation materials.

Faculty who requested a summative evaluation in their development plans or by a letter of intent but whose names were not submitted to the Peer Review Committee by the Department Head may submit their portfolios to the Peer Review Committee on or before October 5. Such faculty may submit their names provided they have not been considered during the preceding three years. If such faculty have been considered during the preceding three years, they may submit their names if their portfolios evidence significant change.

Candidates must not discuss their candidacy with any committee member. The candidate should discuss the review with the chair or with the committee as a whole; no other person may approach the committee in the candidate's behalf. The Chair shall notify candidates in writing acknowledging the receipt of the portfolio, and the candidates shall reply. The Chair shall prepare a summative dossier that contains the portfolio and all the appropriate forms prepared by the Dean’s office or the office of the Director of the Library according to University guidelines. The dossier contains an itemized list of the contents of the summative dossier. This itemized list shall be accurately updated as it accompanies the file during the summative process.
If a candidate withdraws from the summative process after the Peer Review Committee officially receives the portfolio (October 5), the candidate’s application shall count as a full summative application.

2.10.3.5.4 Peer Review Committee Agenda
The Peer Review Committee shall convene on or before September 30 at the call of the Committee Chair and, based on initiation forms submitted by Department Heads or Deans, shall establish an agenda for the fall semester to permit completion of the committee’s report on or before November 5. The agenda will include a timeline for handling 1) performance review summative that result in recommendations for promotion and tenure and 2) those summative reviews called for in Section 2.11.2.

The agenda will also include the names of faculty members who have submitted their own credentials but who have not had summative initiation forms submitted by Department Heads or Deans. (Section 2.10.3.5.2, Paragraph 1 contains information about the notifications faculty members should have made before submitting their own credentials to the committee.) The committee shall begin consideration for a full summative review that shall continue through all of levels of review mentioned in Sections 2.10.3.5.6 – 2.10.3.5.11 below. Wherever necessary with these self–submitted candidates, the committee will make immediate determinations of significant change (see Paragraph 3, Section 2.10.3.5.3). If significant change is found, the committee shall begin consideration for a full summative review that shall continue through all of levels of review mentioned in Sections 2.10.3.5.6 – 2.10.3.5.11 below. If significant change is not found, the portfolio shall be immediately returned to the candidate and no further consideration shall be given.

2.10.3.5.5 Timelines for Committee Evaluation
The Peer Review Committee shall submit to the Department Head (or Dean, in the case of Department Heads) a written report that will indicate the following:

- The committee's recommendation on promotion and/or tenure (deadline November 5);
- The committee's summative assessment of the faculty member's effectiveness in the review categories as documented in the annual performance reviews and (in accordance with approved applicable standards) during the years covered by the review (deadline November 5);
- Any additional evidence employed by the committee.

All appropriate documents shall be added to the summative dossier and the list of contents updated.

In the case of promotion, the candidate may withdraw at any time by filing notice with the college Dean or Director of the Library.

The report of the Peer Review Committee is a recommendation only and does not preclude the Department Head’s responsibility for evaluative decisions.

2.10.3.5.6 Department Head Timelines
On or before November 20, the Department Head (or, as appropriate, the Dean) shall meet with the faculty member to review the report and to provide the faculty member with a copy. Attached to the report shall be the following:

- The Department Head's recommendation on promotion and tenure, or post tenure review activities;
- The Department Head's summative assessment of the faculty member's effectiveness in the performance review categories (in accordance with approved applicable standards) during the years covered by the review;
- Any additional evidence employed by the Department Head.
All appropriate documents shall be added to the summative dossier and the list of contents updated.

2.10.3.5.7 Faculty Member’s Response
The faculty member shall read and sign the Department Head’s report to indicate that the review meeting was held and that the faculty member has read both reports. The faculty member has the right to prepare a written response to the reports to be submitted to the Department Head within ten (10) working days of the summative review meeting. In the case of negative reviews, a faculty member may choose to initiate an appeal (Section 2.10.3.7) by stating intentions in the response; the Department Head shall notify the Chair of the University-wide Promotion and Tenure Appeals Committee.

All appropriate documents shall be added to the summative dossier and the list of contents updated.

If no appeal is requested, the Department Head shall submit the updated summative dossier — recommendations, performance reviews, reports, and (if one exists) the faculty member's written response — to the Dean on or before November 30.

2.10.3.5.8 Timelines for the Deans
On or before January 15 (or the date closest after the official return of faculty to the spring semester) the Dean shall inform faculty members in writing of the decision, stating reasons for any negative recommendations. The faculty member has the right to prepare a written response to the report within ten (10) working days after receiving notification of the Dean’s decision. In the case of negative reviews, a faculty member may choose to initiate an appeal by stating his or her intentions in the response; the Dean shall notify the Chair of the University-wide Promotion and Tenure Appeals Committee.

All appropriate documents shall be added to the summative dossier and the list of contents updated.

If no appeal is requested, the Dean shall submit the updated summative dossier — recommendations, performance reviews, reports, and (if one exists) the faculty member's written response, etc. — to the Vice President for Academic Affairs on or before February 10.

2.10.3.5.9 Timelines for the Vice President for Academic Affairs
On or before March 10 the Vice President for Academic Affairs shall inform faculty members in writing of his or her decision, stating reasons for any negative recommendations. The faculty member has the right to prepare a written response to the report within ten (10) working days after receiving notification of the Vice President’s decision. In the case of negative reviews, a faculty member may choose to initiate an appeal by stating his or her intentions in the response; the Vice President shall notify the Chair of the University-wide Promotion and Tenure Appeals Committee.

If no appeal is requested, the Vice President shall submit the updated summative dossier — recommendations, performance reviews, reports, and (if one exists) the faculty member's written response, etc. — to the President on or before March 30.

2.10.3.5.10 Timelines for the President
The President will review all materials, recommendations, and supporting documents. Following the review, the Vice President for Academic Affairs shall inform the faculty members in writing of any negative reviews. The President shall submit any positive recommendations to the Board of Supervisors for consideration. Final approval of recommendations on promotion and tenure rests with the Board of Supervisors. The President shall notify each candidate in writing of the results of
the Board of Supervisors action within fifteen (15) days after the Board of Supervisors action takes place; the notification shall be sent to each candidate at the address listed in the candidate’s official personnel file.

2.10.3.5.11 Board Approval and Summative Dossiers
All promotions are subject to Board approval and availability of funds. Upon completion of all action, the candidate shall review the contents of the summative dossiers and shall sign all appropriate forms. The candidate’s original portfolio shall be returned to the candidate. All other documents in the candidate’s summative dossier shall be filed in the appropriate office (Dean or Director of the University Library). These files shall be marked confidential.

2.10.3.6 Consideration for Department Heads and Other Administrative Faculty
Because of the role of the Department Head in the above procedures, it is not possible to apply these processes to a Department Head in matters of promotion and tenure. The following is an adaptation for this purpose:

The timetable for notification and decisions will be the same as that for any faculty member, with the Dean of the College serving as the Department Head.

All Department Heads and other administrators who teach (administrative faculty) must be reviewed annually, as are faculty, by following the formative evaluation process. Department Heads (including the Director of the University Library) and administrators who apply for promotion or tenure must go through the same summative review processes as do other faculty. In the summative process, it is the responsibility of administrators to support with adequate evidence their being qualified for promotion and tenure in all three areas (teaching, research, service).

2.10.3.7 Appeals in the Summative Process

2.10.3.7.1 Appeal Frequency and Levels
Candidates will be afforded only one appeal per year. Candidates may appeal a decision at any one of the following levels:

- Department's recommendation to the Dean;
- Dean's recommendation to the Vice President for Academic Affairs;
- Vice President for Academic Affairs' recommendation to the President.
- There is no further appeal of denial of promotion.

An appeal can be made at any of the levels above (a, b, and c) regardless of earlier decisions at other levels.

2.10.3.7.2 Review of Files
Candidates may review their summative dossier at any stage of the appeals process, but the contents shall not be changed in any way. Candidates may withdraw their appeal at any time by filing a notice of intent with the Chair of the University-wide Promotion and Tenure Appeals Committee.

2.10.3.7.3 Campus–wide Review
Appeals will be reviewed by the University-wide Promotion and Tenure Appeals Committee.

Peer review at Nicholls State University shall always be treated as a recommendation to the Department Head, Dean or Director of the University Library, or the Vice President. The peer review recommendation does not relieve the administrator from the responsibility of making the evaluative decision.
2.10.3.7.4 Definition of Campus–wide Committee
The University–wide Promotion and Tenure Appeals Committee will be composed of membership as described in section 1.14.2.11. See also the charge for the committee from the report of the first promotion and tenure committee, available on the internal administrators’ drive (M drive).

2.10.3.7.5 Committee Selection
The Faculty Senate shall oversee the election and formation of the University–wide Promotion and tenure Appeals Committee according to the guidelines in Section 1.14.2. This election shall be completed before any college–level peer reviewed committees are formed.

Faculty on the University–wide Promotion and Tenure Appeals Committee shall not serve on any college–level peer review committees.

The Faculty Senate shall be responsible for notifying faculty of the results of the election and shall properly charge the committee and advise the elected faculty to meet. The committee will elect a chair.

The appellant should not discuss his or her appeal with any potential committee member. The appellant may discuss the review only with the chair or the committee as a whole; no other person may approach the committee in the appellant's behalf.

The Chair and the committee should review the minutes of the work of previous committees. The Chair and the committee should make every effort to ensure confidentiality (Section 2.10.3) of all proceedings and should take care to discuss personnel matters in closed executive session. For policy review, the committee shall use the most current version of the Policy & Procedure Manual. The committee shall also consult and have at hand all appropriate departmental promotion and tenure policies.

In general, the committee is charged with determining whether a negative decision of a particular level of administrative review is justified according to the evidence presented, according to established policy, and according to the standards of academia. Committee members are free to interpret evidence, standards, and policies, but should be prepared to support their interpretations.

Refer to the 1996 report of the first university–wide appeals committee, which contains suggested procedures that previous committees have found effective. This document is available on the internal administrators’ drive (M drive).

For each appeal, the committee shall be guided by the following:

1. The Committee shall convene within ten (10) working days following the receipt of the appeal. Minutes shall be taken with copies going to the members of the committee, the President’s office, and University Archives.

2. The appellant’s summative dossier shall be reviewed by each committee member. Each committee member shall sign the proper form stating that the dossier has been examined to the best of his or her ability. No new documentation shall be added to the file; candidates may add clarifying material to evidence already in the file by contacting the Chair of the committee. The committee shall make an immediate determination as to whether the material is appropriate. If the material is determined to be acceptable, copies of this material shall be sent to the appropriate level of review (the level where the appeal was initiated).

3. The Committee may interview the appellant and appropriate administrator. The Committee may also choose to interview administrators below the level involved in the appeal.

4. Within ten (10) working days after receiving the summative dossier(s), each committee member will forward a written signed recommendation (negative or positive) to the level of review above the level which gave the negative recommendation. The Chair shall also update
the contents list in the summative dossier and deliver the complete summative dossier to the level of review above the level that gave the negative recommendation.

5. The level of review will notify the candidate of the committee’s findings within five working days after receiving the letters. The letters will be added to the appellant’s summative dossier and the list of contents will be updated. After the administrator reaches a decision concerning the appellant’s candidacy, the administrator shall notify the Chair of the University-wide Promotion and Tenure Appeals Committee of the results of the decision.

2.10.3.8 Appeals and Grievances
Faculty should always be aware of the differences between appeals and grievances. The appeal processes outlined and described thus far and in later sections of this Manual are considered “due process.” As mentioned before, appeals can begin at many levels—department or college, for instance—and must follow the course of due process as mapped in the Policy & Procedure Manual. But in the case of appeals, the Board of Supervisors has stipulated that the decision of the President (the final stage of due process) is final. Beyond the President’s role in appeal–level due process, faculty members have recourse only in the filing of a grievance.

The grievance process is outlined in Section 2.10.3.8. Again, there is a procedure for filing and proceeding with grievances, just as there is a procedure to be followed with each appeal. The reasons for filing a grievance, however, are very specific; certain occurrences are “grievable” and some are not. Statements of policy, for instance, are not grievable. Violations of policy (due process) are grievable. Certain prejudicial or selective decisions by supervisors against employees (where these decisions seem to violate past practice not clearly covered by policy) may also be grievable.

The main difference between a grievance and an appeal is in Board of Supervisors practice: After the President’s decision in the process, the Board of Supervisors will hear a grievance; the Board will usually not hear an appeal.

Faculty should consult section Error! Reference source not found. for more information about the grievance process at Nicholls State University.

2.10.3.9 Promotion and Tenure Timetable
The following are important dates in the promotion and tenure process.

Spring Semester: Faculty may initiate summative reviews by making such a request in a letter of intent to the Department Head by March 25. This notification could also have been given in last November’s Faculty Development Plan. University-wide Promotion and Tenure Appeals Committee selected by May 15 (to be functional by September 1).

Sept. 1: University-wide Promotion and Tenure Appeals Committee functional.

Sept. 15: College Peer Review Committee named; Department Head notifies faculty who are being considered and submits a list of those being considered to the Peer Review Committee.

Sept. 30: The Peer Review Committee shall convene and establish an agenda.

Oct. 5: Faculty not being considered may appeal to the Peer Review Committee; faculty being considered must present credentials to the Peer Review Committee.

Nov. 5: Peer Review makes recommendations to Department Head

Nov. 20: On or before this date, the Department Head meets with faculty member to review reports; faculty member reviews the Peer Review report and the Department Head’s report; faculty member has ten working days from the meeting to prepare written response; faculty member may initiate appeal in the response.
Nov. 30: If no appeal is requested, the Department Head sends summative dossier to the Dean.

Jan. 15: On or before this date (or date closest after the official return of faculty to the spring semester) Dean shall inform faculty members in writing of the decision; faculty member can prepare a written response to the report within 10 working days; faculty member may initiate an appeal in the response.

Feb. 10: If no appeal is requested, the Dean sends summative dossier to the Vice President for Academic Affairs

Mar. 10: The Vice President shall inform faculty members in writing of his or her decision; faculty member can prepare a written response to the report within 10 working days; faculty member may initiate an appeal in the response

Mar. 30: If no appeal is requested, the Vice President for Academic Affairs sends summative dossier to the President

The President reviews all materials; the Vice President for Academic Affairs informs faculty members in writing of any negative reviews; the President submits positive recommendations to the Board of Supervisors; the President informs each candidate in writing of the results of the Board action within 15 days after the Board action takes place.

May 15: University-wide Promotion and Appeals Committee elected by this date

Level of review will notify candidate of committee findings within five working days after receiving all files. Campus-wide Appeals Committee has ten working days after receiving all files to make a recommendation

2.11 Expectations for Tenured Faculty

2.11.1 Performance Levels
Tenured faculty are expected to continue performing at those minimum levels that were required when they obtained tenure. Each academic unit has determined what these minimum standards are.

2.11.2 Due Process
Tenured faculty cannot be dismissed or demoted without cause and without due process as described in section 2.14.3.3 of this Manual. Tenured faculty, however, are subject to the same regular review processes described in Sections 2.9 and 2.10 of this Manual. These post-tenure reviews carry the same weight as the pre-tenure reviews with regard to such decisions as merit and job performance.

2.11.3 Board-Mandated Remediation
Effective January 10, 2003, the Board of Supervisors for the University of Louisiana System issued a Policy and Procedures Memorandum (PPM) that “is intended to serve as an umbrella policy for campuses in developing more specific procedures for the faculty review process” The entire PPM can be found on the University of Louisiana System website.

The PPM requires that there be mandatory remediation of tenured faculty once there have been multiple unsatisfactory reviews.
Definitions of an “overall unsatisfactory rating” shall also be included in all departmental promotion and tenure documents (Section 2.10.2) and shall in each case reflect the mission of the university, the college, and the department as well as any individual criteria (Section 2.10.2a) that may apply. At this university, tenured faculty shall be subject to Board-mandated remediation after there have been two (2) consecutive overall unsatisfactory ratings or after there have been three (3) overall unsatisfactory ratings in a five (5) year period. The following procedures shall apply for all cases of Board-mandated remediation of tenured faculty:

After all formative appeals have ended, the plan for remediation should be developed by the department head in conjunction with the faculty member and Dean.

If the faculty member does not agree with the plan of remediation proposed by the Department Head, tenured faculty in the department will develop an alternate plan of remediation.

In those cases where the faculty member, Department Head and Dean cannot agree on the plan of remediation (referred to in number 3 above), the Vice President for Academic Affairs shall determine the final provisions of the plan based on the recommendations by the Department Head and tenured faculty in the department.

If the faculty member has not achieved significant improvement in performance after a minimum of two (2) years of remediation, a recommendation for dismissal may be made.

A recommendation for dismissal automatically will trigger a review by tenured faculty in the department. Based on all recommendations, including that of the tenured faculty in the department, the Vice President for Academic Affairs may recommend that the university President or his or her designee institute proceedings for removal for cause including proper due process.

The Board's PPM stipulates that tenured faculty from outside the department shall be elected to participate in the process whenever the number of departmental faculty is insufficient. Appointments of faculty from outside the department shall require the approval of the Vice President for Academic Affairs. Section 2.14.3 contains separate policies that apply to due process concerned with all cases of dismissal, termination of contract, or demotion.

2.11.4 Meeting Deadlines

Deadlines for application submission and processing are contained in those sections describing the policies pertaining to Performance Assessment (2.10.3.1 and 2.10.3.4).

2.12 Faculty Salary Administration

For the purposes of this Manual, “salary” means the dollar amount specified on contracts of employment. The President is responsible for approving the salaries and salary adjustments and increases as determined by the Vice President for Academic Affairs and based upon recommendations of Deans and Department Heads.

2.12.1 Initial Appointment

Salaries for academic faculty in their initial year of appointment shall be determined in accordance with the following guidelines:

2.12.1.1 Term Faculty Contract

The President, in consultation with the Vice President for Academic Affairs, the appropriate Dean and Department Head, shall consider the qualifications of appointees to full-time term contracts and establish appropriate salaries. Part-time term contracts shall be issued in accord with established policy.
2.12.1.2 Probationary and Tenure Contract Faculty
The President, in consultation with the Vice President for Academic Affairs, the appropriate Dean and Department Head, shall determine initial salaries for probationary and tenure contract appointees based upon consideration of national salary data for ranks and disciplines as reported by Board of Supervisors and other agencies and upon salary comparisons with Southern Association of Colleges and Schools formula for peer institutions.

2.12.1.3 Faculty Changing from Administrative Contracts to Academic Contracts
Faculty employed initially on administrative contracts who change contract status in accordance with the provisions of Section 2.5 shall receive salaries commensurate with Board of Supervisors policy. Time spent as a member of administrative faculty shall not be considered probationary time unless so designated at the time of appointment.

2.12.2 Continuing Appointments
Salaries for academic faculty in other than their initial year of appointment shall be determined by the President in accordance with the following guidelines.

2.12.2.1 Salary Adjustments for Degrees and Promotion in Rank
Salary increases to be included in the base for subsequent years of employment shall be made for faculty members who advance in rank in accordance with the following priorities and in consideration of availability of funds:
- promotion to Assistant Professor: $1500
- promotion to Associate Professor: $2000
- promotion to Professor: $2500

Salary increases to be included in the base for subsequent years of employment shall be made for faculty members who earn advanced degrees in accordance with the following priorities and in consideration of availability of funds:
- Master’s plus 24: $500
- Master’s plus 48: $500*
- Ph.D. (or appropriate terminal degree): $1000
*For completion of two years (48–hours) or upon completion of the comprehensive general exam for the terminal degree.

Faculty who earn graduate credit in an area other than the teaching field or who hold an additional graduate degree in an area other than the major field of teaching shall not be eligible for educational pay increments.

Faculty are responsible for providing documentation.

2.12.2.2 Equity Adjustments
Based upon recommendations from the Faculty Senate Compensation Committee, Department Heads, Deans, the Vice President for Academic Affairs, and in consideration of the availability of funds, the President may authorize salary adjustments for continuing academic faculty members whose salaries are demonstrably below average salaries by rank or discipline as identified in reports such as those by SREB (Southern Regional Education Board) and other agencies, and/or comparisons with Board of Supervisors peer institutions and/or analysis of the staffing pattern of a department or college. Equity adjustments become a part of the base for subsequent years of employment.
2.12.2.3 Increases for Meritorious Performance
Nicholls State University provides a method of rewarding faculty members who display meritorious performance. The system (formerly known as the Incremental Pay System IPS) is a performance-based incremental pay system that seeks to provide salary incentives to faculty for excellence in teaching, research, and service. Because merit pay is awarded based on a formative, calendar-year assessment, only faculty who have been employed for a calendar year (excluding the summer session) shall be eligible for merit pay (Section 2.10.3.1).

Based upon documented recommendations from Department Heads and Deans contained in annual performance reviews, the Vice President for Academic Affairs shall recommend that the President authorize salary increases for faculty members whose performance is determined jointly by the Head and Dean to be “meritorious.” Each college is responsible for defining standards for meritorious performance in accordance with policy contained in Section 2.9.1.

For faculty whose performance is determined by the Head and Dean to be acceptable although not meritorious, no salary increase shall be made. Increases for meritorious performance become a part of the base for subsequent years of employment and are to be calculated after salary adjustments for promotion and/or equity are made.

Complete information on incremental pay increases can be obtained from Department Heads or Deans.

2.12.3 Procedures

2.12.3.1 Salary Administration and the Salary Pool
Procedures for salary administration shall be developed in accordance with the following guidelines:
1. Dollars available for salary adjustments and increases as allocated by the State of Louisiana shall constitute the “salary pool.”
2. Funding priorities for salary pool dollars shall be
   ▪ educational increments
   ▪ promotion
   ▪ meritorious performance increases
3. The percentages of the pool to be identified for faculty salary increases and the methods of distributing those increases to the colleges shall be determined by the President’s Cabinet after consultation with the Faculty Senate Budget Committee.
4. The President’s Cabinet shall allocate to the Vice President for Academic Affairs the dollars available for salary increases and the Vice President for Academic Affairs shall disseminate information regarding percentages of the pool and methods of distribution.

Deans, in consultation with Department Heads, shall determine faculty eligible for merit increases and shall inform the Vice President for Academic Affairs and the Director of Assessment and Institutional Research.

2.12.3.2 Salary and Pay Day
When faculty members are employed for the academic year (nine months) their total salary is divided into nine payments. Nine checks in the amount of one-ninth of the salary, are issued on the 20th of each month from September 20 through May 20. Faculty employed to teach summer school are paid for this service in two equal checks. Twelve-month employees are paid on a bi-weekly basis.

Faculty members who resign at the end of the first semester will be fully compensated for one-half of their nine-month salary.
Other cashier services such as automatic payroll deductions and Direct Deposit are detailed in Section 5.8.1.1.1.

### 2.12.3.3 Academic Daily Salary Rate Calculation for 9–Month Employees

Academic year appointments are considered to be 9-month appointments, extending from mid–August to mid–May. This appointment is considered to be continuous from the beginning of the fall Faculty Institute through the spring commencement.

The academic daily rate is based on 195 days (9 months) at 8 hours per day (1,560 hours per year). For example,

- **9 month academic salary = $36,000**
- divided by 195 days = $184.62/daily rate
- divided by 8 hours = $23.08/hourly rate

### 2.12.4 Summer Teaching

Summer employment is not guaranteed to faculty members. The use of faculty for summer school is contingent upon personnel requirements of the academic departments of the University.

Recognizing the impossibility of appointing all faculty members to the summer session, departmental guidelines for summer are generally followed. This system takes into consideration the instructional needs for the summer session, the fulfillment of the required academic achievements by the faculty member, and the individual's contribution to the University program, as well as the desire for employment. The departments are charged with establishing rotational schedules for faculty members. Departmental guidelines are available through the Department Heads. These guidelines cannot be designed to exclude faculty beyond the first year of appointment.

Salaries for summer work shall be 14.8 percent for a full teaching load for a 7–week session or a pro rata share thereof. In cases of low enrollment courses, the college or the University may negotiate salary with individual faculty members.

The deans of the colleges transmit summer session personnel recommendations to the Vice President for Academic Affairs, who is the Director of the Summer Session, for incorporation in the Summer Session budget. The Summer Session Budget is recommended to the President for approval and submittal to the Board of Supervisors.

Summer teaching contracts shall be term contracts and shall be issued in accordance with the prevailing salary administration plan for summer compensation, as determined annually by the Vice President for Academic Affairs, in consultation with the Academic Council, and recommended to the President for approval. Within five (5) working days of the President's approval, the summer budget shall be made available to the faculty through the University Library.

### 2.12.5 Cancellation of Classes

Only the President of the University may cancel classes or close facilities because of circumstances beyond the University's control that impair its ability to continue normal operations. Such circumstances may include, but are not limited to, inclement weather, natural disaster, national emergencies, or other circumstances beyond the University's control. Official cancellation of classes shall not affect salaries or fringe benefits of academic faculty.
2.13 Faculty Leave

Faculty leave is leave granted to faculty members employed on the nine-month (academic year) basis in lieu of annual leave and is comprised of the days between terms, at holiday periods when students are not in classes, and when no activity for the faculty is scheduled. This special form of leave shall be taken as it is earned and must fit the contract period (Section 2.3.4). See also general university leave policies (section 5.11).

2.13.1 Shared Sick Leave Pool

The Shared Sick Leave Pool was established and approved by the University of Louisiana System, Board Rules Chapter-Faculty and Staff, PPM Number FS-III.XXII.-1, effective September 24, 1999, Shared Sick Leave Program.

This policy and procedure outlines the method for participating in the Shared Sick Leave Program that complies with System management for faculty and unclassified staff who are eligible to earn sick leave. The Program’s intent is to provide assistance to employees who have insufficient appropriate accrued leave to cover a serious health condition as defined by the FMLA (Family Medical Leave Act). The policy is designed to assist an employee’s return to the workplace, not substitute for a long-term disability insurance policy. The campus policy shall be provided to the System Office for staff approval prior to implementation.

2.13.1.1 A. Definitions

- **Shared Sick Leave** - leave hours donated by faculty and/or unclassified staff into a shared sick leave pool to be used by fellow faculty and/or unclassified staff who are suffering from their own serious health conditions which has caused or is likely to cause the employee to take leave without pay or to terminate employment. Faculty and/or unclassified employees may irrevocably donate sick leave to the shared sick leave pool.

- **Serious Health Condition (Family Medical Leave Act)** - is an illness, impairment, physical or mental condition, or injury caused by a serious accident on or off the job that involves:
  - any period of incapacity or treatment in connection with or consequent to inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility;
  - any period of incapacity requiring absence from work, school, or other regular daily activities of more than three calendar days, that also involves continuing treatment by (or under supervision of) a health care provider;
  - continuing treatment by (or under supervision of) a health care provider for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days.

Voluntary or cosmetic treatments (such as most treatment for orthodontia or acne) that are not medically necessary are **NOT** “serious health conditions,” unless inpatient hospital care is required. Restorative dental surgery after an accident, or removal of cancerous growths are serious health conditions provided any of the other conditions above are met (a, b, or c). Treatment for allergies or stress, or for substance abuse, are serious health conditions if any of the other conditions are met above (a, b, or c).

Prenatal care is included as a serious health condition. Routine preventive physical examinations are excluded.
2.13.1.2 Policy
Shared sick leave shall be applied for by the employee and may be taken only when recommended by the Review Committee and approved by the campus president or his/her designee. The supervising health care provider must provide written documentation of the need for leave. The Review Committee may choose to require an opinion from another health care provider, especially for extended leave.

To be eligible to participate in the Shared Sick Leave Program an employee shall:
- be a full-time faculty or unclassified staff member who is eligible to earn sick leave;
- have completed at least: 1) one academic year of service with the University if employed on an academic year (9 months) basis, or 2) one calendar year of service with the institution if employed on a 12 month basis;
- have used all his/her sick, annual, and compensatory leave before requesting sick leave from the pool, and
- have made a contribution of at least one (1) day (8 hours) of sick leave to the shared sick leave pool.

This donation is a prerequisite to apply to use sick leave from the pool.

Participants shall retain three (3) sick days (24 hours) at all times for personal use. Employees shall not be permitted to donate to the program if they have less than (3) three days (24 hours) of sick leave. Minimum donation to the pool is one (1) day (8 hours). No employee who participates in the program may contribute more than two (2) days (16 hours) of their accrued sick leave every three (3) years.

Employees who use sick leave from the shared sick leave pool shall not be expected to pay it back. Donations to the pool are irrevocable.

Donations come from a participating employee’s accrued “sick” leave only. Donations from an employee’s accrued “annual” or “compensatory” leave is not permitted.

Donations shall only be allowed to the Shared Sick Leave Pool and not to an individual.

Nicholls State University limits the number of days a participating employee can draw from the program to 22 days (176 hours) per fiscal year and limits an employee’s total participation in the program to 100 days (800 hours).

Days/hours shall be transferred from the pool as they are used.

Employees receiving workers’ compensation or benefits from a long-term disability insurance policy are not eligible to withdraw leave from the pool.

Unclassified employees may draw only from one of the pools (Crisis Leave Pool or Shared Sick Leave Pool) per fiscal year.

2.13.1.3 Procedure
1. The adoption of this Shared Sick Leave Policy or any subsequent to this policy shall not create a legal entitlement.
2. A Review Committee, appointed by the University President, shall consist of two (2), classified employees, two (2) unclassified employees, two (2) faculty members, the Director of Human Resources (1), and the Payroll Supervisor (ex-officio). The Director of Human Resources will serve as chair of the committee and will vote only in the case of a tie.
members appointed shall be eligible for participation in the Program if they meet all required criteria. The Committee will act to support the administration of the Program, review the pool, and when not otherwise specified in written policy, may recommend operational guidelines and procedures for the Program.

3. The Shared Sick Leave Pool Policy, along with the Leave Pool Donation Form (LP1) and the Application for Use of Leave Pool Hours (LP2) will be issued to all eligible faculty and unclassified employees after the policy is approved by the University and the Board of Supervisors for the University of Louisiana System.

4. To donate leave to the pool:
   - forward the Leave Pool Donation Form (LP1) directly to the Payroll Office.

5. To apply for sick leave through the pool:
   - forward the Application for Use of Leave Pool Hours (LP2) and all relevant documentation directly to the Director of Human Resources. (Supporting documentation must be submitted to the Director of Human Resources at the time of application.)
   - As committee chair, the Director of Human Resources will forward the application and related documents to the Review Committee.
   - The Review Committee reviews the application and documentation and makes a decision to approve or deny the request.
   - The Director of Human Resources will notify the employee in writing of the committee’s decision to approve or deny the request. A copy of the notification will be sent to the employee’s immediate supervisor, the Payroll Office, and the university president.

6. Upon approval, to simplify record keeping, sick leave will be converted on an hour for hour basis regardless of the value of the leave being donated or received. Sick leave will be transferred from the pool as it is needed on a per payroll basis. Sick leave from the pool shall be granted on a first-come, first-served basis.

7. The granting of sick leave through the pool is meant to cover only the circumstance for which it was requested. If changes occur in the nature or severity of an approved illness or injury, or of any other factor(s) on which the approval was based, the employee may have to provide documentation describing the change to the Review Committee. An employee can request more sick leave subject to the limits outlined in this policy; however, extensions of sick leave are not automatic. Hours granted from the Shared Sick Leave Pool may be used only for reasons stipulated in the request.

THE USE OF LEAVE THAT IS NOT IN ACCORDANCE WITH PROCEDURES AND REQUIREMENTS OUTLINED IN THIS POLICY MAY CONSTITUTE PAYROLL FRAUD AND WILL BE DEALT WITH ACCORDINGLY.

8. If the University chooses to end the Shared Sick Leave Pool program, any accrued leave in the pool will continue to be used until depleted. The program will not be terminated until the Leave Pool Review Committee considers the circumstances in question, and forwards a recommendation to the University President.

### 2.14 Separation

The Rules of the Board of Supervisors for the University of Louisiana System stipulates how terminations shall be effected for both non-tenured and tenured staff. These policies have been assimilated into the sections that follow.

Affected persons may petition the Board within 30 days for a review after all due process has been exhausted at the institutional level (Section 2.14.5.8).
See also section 5.12 for definitions and general University policies on separation. See section 5.12.2 for policies regarding retirement.

2.14.1 Resignation
Term contract faculty who intend to resign their appointments must submit a written letter of resignation to the Department Head at the earliest possible opportunity.

Probationary and tenure contract faculty who intend to resign must submit written letters of resignation to the President, with copies to the Department Head and Dean, at the earliest possible opportunity, but not later than May 15 or fifteen (15) working days after receiving contracts of employment for the coming academic or fiscal year, whichever date is later.

In consideration of the welfare of students, faculty members should not voluntarily sever their employment relationship with the University other than at the end of their contract period.

All written resignations are final and shall not be withdrawn without consent of the University. A resignation form letter is available on the Human Resources policies website.

2.14.2 Faculty Non–reappointment
“Non–reappointment” is a means of separation by which the University ends its employment relationship with probationary or term contract faculty at the end of a contract period. The decision not to reappoint probationary contract faculty rests, in the final instance, with the President and is based on recommendations of the Vice President for Academic Affairs, Deans, and Department Heads. The following Board of Supervisors policy concerns non–reappointment of probationary contract faculty:

“An appointment carries no assurance of reappointment, promotion or tenure. Reappointments are made solely at the discretion of the institution. 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.”

2.14.2.1 Reasons
A notice of non–reappointment is not a dismissal for cause, and probationary or term contract faculty have no contractual right to employment beyond the expiration of their contracts; therefore, the written notice need not state reasons. Though written notice need not state reasons, the Board of Supervisors provides guidelines for non–reappointment that include, but are not necessarily limited to, the following:

- formal discontinuance of a degree or program area;
- declining enrollments;
- *bona fide* financial exigency;
- overstaffing;
- failure to meet the expectations of basic responsibilities of employment (Section 2.7) and/or of meritorious performance, (Section 2.9) as documented in the annual performance review;
- incongruence, as determined by the President, between the professional interests of the faculty member and written and published plans of the department, college, or University.

2.14.2.2 Notification
Unless an appointment is of a temporary nature or for a fixed term, notice that a probationary appointment is not to be renewed shall be given to the faculty member in writing by the appropriate academic administrator in advance of the expiration of the appointment as follows:
2.14.3 Dismissal, Termination of Contract, or Demotion in Mid-Contract

2.14.3.1 Definitions

- “Dismissal” (also called discharge) is a severance action by which the University, for adequate cause, ends its employment relationship with tenure contract faculty, or with term or probationary contract faculty in mid-contract.
- “Termination of contract” is an action short of dismissal by which the University, for adequate cause, changes the contract status of tenure contract faculty, or with probationary contract faculty in mid-contract.
- “Demotion” is an action short of dismissal by which the University, for adequate cause, lowers the rank of tenure contract faculty, or with term of probationary contract faculty in mid-contract.”
- “Adequate cause” for dismissal must be directly and substantially related to the performance of the faculty member.
- The Board of Supervisors policy regarding dismissal of tenured academic staff is as follows: “Cause for discharge, termination of contract or demotion in rank 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 orders, violation of institutional or Board of Supervisors for the University of Louisiana System board rules and regulations, willful neglect of duty, inefficiency or incompetence, or other conditions that impair discharge of duties and the efficiency of the institution. Financial exigency also constitutes cause. The foregoing enumeration of causes 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.
- “Each institution shall have a written policy for due process concerning academic dismissal for tenured faculty. 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 who shall make a final determination.
- “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 and no official action shall be taken by the institution until the final determination is made by the Board.”

2.14.3.2 Reasons

Besides Board of Supervisors descriptions, dismissal may occur for the following non-exclusive reasons:
- professional incompetence;
- continued neglect of duties or responsibilities in spite of two or more written warnings from the Dean;
• conviction of a felony;
• deliberate and grave violation of the rights of others;
• failure to meet reasonable written and published standards contained in or incorporated by reference to this Manual and any other appropriate policy statements.

2.14.3.3 Procedures

2.14.3.3.1 Preliminary Proceedings

The preliminary proceedings for dismissal shall be as follows:

1. When a Department Head or Dean has reason to consider a decision to dismiss a person who has tenure rights or a non-tenured faculty member prior to the expiration of an appointment, he or she shall discuss the matter with that person privately. After the discussion, if the decision of the Department Head or Dean is to recommend dismissal, he or she shall prepare a statement of the grounds constituting the cause for dismissal (including specific details such as time(s), place(s), and date(s) of occurrence where applicable) and forward it to the Vice President for Academic Affairs, with a copy going to the faculty member and the President.

2. If the faculty member requests it, within five working days after receipt of the statement, an Informal Hearing Committee composed of five tenured faculty appointed by the Vice President for Academic Affairs shall meet to make an inquiry into the situation and to recommend an adjustment, if possible. If no settlement is effected, the Informal Hearing Committee shall recommend whether, in its view, formal proceedings shall be instituted to consider the individual's dismissal, and it shall notify the individual concerned, the Vice President for Academic Affairs, and the President of its recommendation.

3. The President shall review all records and recommendations. Based on his or her findings, a settlement may be effected or a formal proceeding shall be initiated. If a formal proceeding is initiated, action shall be commenced according to the procedures that follow.

2.14.3.3.2 Formal Hearing Procedures

1. The formal proceeding shall be initiated by a written communication addressed to the individual by the President informing him or her of the dismissal and the specific grounds for it, and that, if he or she so requests, a hearing to recommend whether his or her employment by the University shall be terminated on the grounds stated, will be conducted at a specified time and place by a faculty committee constituted as described below.

2. Sufficient time shall be allowed to permit the individual to prepare a defense. The individual shall be informed in detail, or by reference to published regulations, of the procedural rights to which he or she is entitled, including the right to advice of counsel.

3. The individual shall indicate whether he or she wishes a hearing and, if so, shall file in writing with the President within two weeks of the date of the mailing of the communication by the President an answer to the statement of grounds for the proposed dismissal.

4. If the individual does not request a hearing, no further action shall be taken. Further, at the request of the individual the proceedings provided for herein may be terminated at any time after the request for a hearing on written notice to the President of the employee's acquiescence in the dismissal. Similarly, the administration may drop dismissal proceedings at any stage.
2.14.3.3 **Formal Hearing Committee**

1. The President shall send a list of 12 tenured faculty (two from each college and the library) to the Committee on Committees. The Committee on Committees shall recommend to the President six of those listed (one from each college and the library) to serve on the Formal Hearing Committee. The President will then appoint one at-large faculty (who has tenure, who has the rank of professor, but who is not from the college of the accused) as Chair.

2. Upon receipt in writing from the President a copy of the statement of grounds for dismissal, accompanied by the individual's answer thereto, the Chair of the Formal Hearing Committee shall conduct hearings and recommend a course of action as provided in Section 2.14.3.3.5.

3. The Formal Hearing Committee is authorized to prepare specific rules for the conduct of the hearing.

2.14.3.3.4 **Committee Proceedings**

1. The committee shall proceed by considering, before the time of the hearing, the statement of grounds for dismissal already formulated and the individual's written response.

2. In addition to the members of the committee, only the person requesting the hearing and that person's representative, the President and/or the President's designee, the President’s representative, and witnesses called by the committee are permitted to attend the hearing. The meeting will be recorded on tape and copies of the tape shall be made available to the appropriate parties.

3. Charges contained in the initially formulated statement of grounds for dismissal may be supplemented at the hearing by evidence of new events occurring after the initial communication to the individual which constitute new or additional cause for dismissal. If such supplementary charges are adduced, the committee shall provide the individual with sufficient time to prepare his or her defense.

4. The President shall have the option to attend or not to attend the hearing, and he or she may designate an appropriate designee and/or representative to assist in developing and presenting the case.

5. The committee shall determine the order of proof and shall supervise the questioning of witnesses and their sequestration.

6. The individual or his or her representative and the President or his or her designee and/or representative shall have the right within reasonable limits to question all witnesses who testify orally.

7. The committee will use its best efforts to provide an opportunity for those involved to confront all witnesses, but where this cannot be achieved despite the efforts of the hearing committee, the identity of such non-appearing witnesses, and any written evidence they may have furnished, shall be disclosed to all interested parties before the hearing.

8. Subject to these safeguards, written statements may, when necessary, be taken outside the hearing and reported to it. All of the evidence shall be duly recorded. Formal rules of court procedure need not be followed, but the committee shall exercise reasonable efforts to protect the rights of the parties in the reception of evidence.

2.14.3.3.5 **Consideration by the Formal Hearing Committee**

1. The committee shall formulate its recommendation in private, on the basis of the hearing. Before doing so, it shall give opportunity to the individual and the President or his or her designee and/or representative to make oral statements before it. If written arguments are desired, the committee may request them.

2. The committee shall proceed to arrive at its recommendation promptly without having the record of the hearing transcribed when it feels that a just decision can be
reached by this means; or it may review the tape of the proceedings, or await the
availability of a transcript based on the tape of the hearing. It shall make explicit
findings with respect to each of the grounds for removal presented.

3. A copy of the record of the hearing and the recommendations of the hearing
committee shall be furnished to the President of the University for his or her
decision.

4. A copy of the proceedings and recommendations shall be furnished to the
individual upon request and upon payment of the cost of preparing said record.

### 2.14.3.3.6 Presidential Action and Notification

The President shall make his or her recommendation known to the Board of Supervisors.
Written notice of the President’s recommendations must be sent from the President to the faculty by
registered mail and must include reasons for and the evidence supporting the recommendation and
the faculty member’s right to a review hearing by the Board of Supervisors.
Salary and benefits shall cease on the effective date of dismissal. Such action will become effective
upon the date of final determination by the Board of Supervisors.
Written notice of the Board of Supervisors determination shall be sent
by the President to the
faculty by registered mail.

### 2.14.3.3.7 Board of Supervisors Review Hearing

Review of dismissal for term, probationary, or tenure contract faculty is possible on grounds of
violation of academic freedom or an injury resulting from arbitrary or capricious application of the
provisions of Chapter 2 of this Manual. Requests for review of dismissal must be made directly to
the Board of Supervisors in accordance with its policies. The member of the academic staff who has
exhausted due process procedures at the institutional level may petition the Board within 30 days
for a review and no official action shall be taken by the institution until a final determination is
made by the Board.
The President shall transmit to the Board of Supervisors the full report of the hearing committee,
stating its recommendation and his or her own decision. The review shall be based on the record of
the previous hearing, accompanied by opportunity for argument, oral or written or both, by the
principals at the hearing or by their representative. The decision of the Board of Supervisors on
review shall be final. It shall be communicated to the President and through him or her to the
person involved.

### 2.14.4 Suspension

A faculty member may be summarily suspended for a period not to exceed thirty (30) calendar
days upon acquiescence of the faculty member to dismissal, until completion of a review hearing,
whichever occurs first, upon a finding of the President that there is good cause to believe that
- the continued presence on the grounds of the University would endanger the safety
  or well-being of the faculty member or other members of the University
  community;
- the continued functioning of the faculty member in the position would
  substantially impair or substantially disrupt the normal functions of the University.

Salary and benefits shall remain in force during the term of any suspension.

### 2.14.5 Reduction in Force Terminations

Chapter III, Section XVII of the Board of Supervisors Rules gives general definitions and guidelines
for a condition known as financial exigency, a situation that may indicate a need for staff reduction.
According to the Rules, financial exigency exists at the institution level and shall be verified by the
System staff after the institution has declared a state of emergency. The following is the Board
policy on financial exigency:
“Anything in the Rules of the Board of Supervisors for the University of Louisiana System to the contrary notwithstanding, if the Board determines that a condition of financial exigency exists at an institution, or in the University of Louisiana System generally, then the furlough, layoff, or termination of tenured faculty, non-tenured faculty, or other contract employees before the end of their contract term will be handled in accordance with the financial exigency policy set forth below.

“1. Definition of Financial Exigency. A condition of financial exigency shall exist whenever the financial resources of an institution are not sufficient to support the existing programs and personnel of the institution without substantial impairment of the ability of the institution to maintain the quality of its programs and services. Financial exigency may result from a substantial reduction in financial resources or from the failure to receive increases in financial resources sufficient to maintain quality. Evidence of financial exigency may include, among other factors, reduction of state appropriations, faculty and staff salary levels substantially below national and regional averages, significant loss of personnel, or inability to attract new personnel apparently due to inadequate salary and other support, and substantial threat of deterioration of facilities due to lack of resources for maintenance.

“2. Board of Supervisors for the University of Louisiana System Action. The Board, in the exercise of fiscal responsibility, may decide to declare financial exigency with respect to the System as a whole or to one or more institutions of the System. Reasonable efforts shall be made to insure that students affected will be allowed to complete their programs, within the limits of budgetary restraints, at the institution or by transfer to another institution.

- “A declaration of financial exigency shall represent a determination by the Board, upon recommendation of the institution president and System President, that the financial condition of an institution, or System has reached a crisis in which the entity must carefully reexamine its priorities and reduce programs or personnel or both to effect a cost savings sufficient to alleviate the financial exigency.
- “The determination of financial exigency affecting the System or any institution shall be the sole responsibility of the Board. However, the president of an institution, after consultation with representative faculty members and approval by the System President, may request such a determination by the Board through the System President. When such determinations are made, this policy, along with any implementing procedures, will take precedence over those applicable Board policies which govern normal operating procedures. Implementation of a declaration by the Board of financial exigency shall be developed with the understanding that action taken will be consistent with the basic mission of the System to provide the best possible education, research, and public service.

“3. Implementation of Declaration of Financial Exigency. Upon a declaration of financial exigency by the Board, the president of each institution, after consultation with faculty and staff, and approval by the System President, shall determine whether furloughs, layoffs, or terminations are required and which employees will be affected. This determination shall be made in accordance with procedures established by the System President, and approved by the Board, which will give primary consideration to the maintenance of a sound and balanced educational program that is consistent with the functions and responsibilities of the institution. The procedure should also give priority to tenured faculty over non-tenured faculty in retention.

“Faculty and other employees under contract who are furloughed, laid off, or terminated before the end of their contract terms for reasons of financial exigency shall, whenever possible, be notified at least 90 days in advance of the date of the furlough, layoff, or termination. Notice shall be in writing and shall be delivered personally or by certified mail, with return receipt requested. Notice shall be complete upon delivery or mailing and shall include:
1. a statement of the conditions requiring furlough, layoff, or termination;
2. a general description of procedures followed in making the decision;
3. a statement of the employee’s right to respond orally and in writing to a designated official or committee of the institution;
4. and the employee’s right to a review by the institution president within the time specified in the notice as to the reasons for the furlough, layoff, or termination; and
5. the employee(s) shall also have the right, upon written request within 20 days from the date of notification of the final decision of the institution president, to apply in writing to the System office for a review of the decision.

“The term “furlough”, as used in this policy, is defined as temporary leave without pay for any employee, including tenured faculty members, non-tenured faculty, or other contracted employees, before the end of their contract term. The term layoff, as used in this policy, is defined as the temporary dismissal of any employee, including tenured faculty members, non-tenured faculty, or other contracted employees, before the end of their contract term. Layoffs may lead to eventual termination. Layoffs or terminations may occur within an academic unit or other unit of an institution without a net loss of faculty members or other personnel at the institution. Specifically, layoffs or terminations in some academic or other units may occur with simultaneous authorization of new positions for different duties in academic or other units, depending upon the needs of such units.

“4. Approval Required. Anything in the regulations of the Board notwithstanding, if the Board declares financial exigency, either at an institution, or in the System, as provided in section (b) above, program modifications or discontinuances recommended by the institution and approved by the System President must be approved by the Board. With respect to the implementation of such program and modifications or discontinuances upon a declaration of financial exigency, decisions with respect to furlough, layoff, or termination of any tenured faculty, non-tenured faculty, or other contract employee before the end of their contract term must be approved by the institution presidents and the System President, and the decisions are final upon approval of the System President. Review of such decisions by the Board is at its sole discretion.

“5. Termination of Financial Exigency. Financial exigency shall terminate either at the end of the fiscal year, or after one calendar year, depending upon the financial state of the institution at the end of the fiscal year.

“The institution shall publish in its faculty handbook procedural policies developed by administration, faculty, and staff. These policies must be approved by the Board. Any changes or updates of the policy must be approved by the Board prior to implementation.

“Emergency procedure. by the System President may allow the institution to implement emergency procedures to be reviewed at the next full Board meeting.

“Affected persons may petition the Board within 30 days for a review after all due process has been exhausted at the institutional level.”

2.14.5.1 Other Definitions
- “Reduction in force” is termination resulting from a bona fide financial exigency or the formal discontinuance of a degree or program area (retrenchment).
- Definition of “bona fide financial exigency” exists when the financial resources of the University’s educational and general budget are judged by the Board of Supervisors to be inadequate to maintain the fiscal solvency of University operation.
- “Formal discontinuance” means the elimination of a degree or program area through action initiated by the University, the Board of Supervisors or the Board of Regents.
“Degree” means any Associate, Baccalaureate or Master’s Degree, or Specialist’s Degree awarded by the University.

“Program” means curriculum area or service/support area.

“Curriculum area” means clusters of courses designated by a common and approved course prefix. “Service/support areas” include all those units of the University not directly involved in delivery of instruction, for example, student services, physical plant, the University Library. Program reductions in non-academic areas are not governed by this Manual, but by pertinent Board of Supervisors regulations or internal administrative policies and procedures.

2.14.5.2 Priorities
In the event of a bona fide financial exigency or the formal discontinuance of a degree or program area, the retention of viable academic programs and the protection of tenure are of primary importance. Therefore, when reasonable means for coping with bona fide financial exigency or formal discontinuance of degree or program areas have been exhausted with the exception of reduction in force of faculty members, terminations of faculty appointments shall be made by the President, based on recommendations of the Vice President for Academic Affairs and Faculty Senate and in accordance with the following priorities:

1. attrition resulting from resignation, non-reappointment, early retirement, or other severance actions;
2. termination of term contract faculty appointments by seniority, without regard to degree or program area, prior to termination of probationary or tenure contract appointment;
3. termination of probationary or tenure contract faculty appointment with regard to the criteria specified in the following sections.

2.14.5.3 Criteria
“Continuous service” as used in the following shall include time spent on sabbatical leave, official leave without pay, sick leave, and annual leave. Resignations for any period of time shall constitute a break in continuous service.

In making decisions on reductions in force, the following criteria shall be considered:

- protection of tenure contract faculty;
- protection of highest ranked academic faculty;
- within rank, seniority in the degree or program area, as determined exclusively by length of continuous service at the University shall prevail;
- impact of terminations on students enrolled in degree or program areas;
- Board of Supervisors policies on program discontinuance and program review.
- the cumulative results of the Annual Report of Academic Programs (2.14.5.5a).

2.14.5.4 Plan for Termination for Reduction in Force for Financial Exigency
The plan for terminations due to reduction in force for Financial Exigency is as follows:

1. Within five (5) working days of a declaration of bona fide financial exigency, the President shall notify the President’s Cabinet, and the Senate Budget Committee of such declaration and charge that Cabinet and Committee to prepare, within a maximum of fifteen (15) calendar days of receipt of such notice, a list of degree or program areas to reduce or eliminate. If the Cabinet and Committee do not submit a recommended plan, or if the plan does not require reductions in force, or if the plan removes the condition of financial exigency, the President in consultation with the Vice President for Academic Affairs shall exercise sole discretion in responding to the financial exigency.

2. If the plan requires reductions in force, the President shall notify the Academic Council and Senate Executive Committee that reductions in force are necessary and charge the Council and Committee to prepare a recommended list of specific personnel reductions within the degree or program area within a maximum of fifteen (15) calendar days of receipt of such notice.
3. If the Academic Council and Senate Executive Committee do not submit a recommended list within the timelines of this provision, the President, in consultation with the Vice President for Academic Affairs and the Faculty Senate President, shall exercise sole discretion in preparing the termination list of degree or program areas to reduce or eliminate.

4. Anywhere in the course of their deliberations, the Cabinet, Council and Committees may seek information or recommendations from departments, Department Heads, Deans, college or departmental committees, individual faculty members, or other appropriate sources such as student organizations and regional and community advisory councils; it may hold open hearings. All recommendations must be forwarded to the President along with the Faculty Senate's recommendations.

5. As soon as the list of degree or program areas to be reduced or eliminated is approved by the President, he [she] shall direct the Dean of the college(s) housing reduced or eliminated degree or program areas to recommend names of faculty members to be reduced in force. In accord with criteria specified in section 2.14.5.3, the Deans shall convey recommendations to the Vice President for Academic Affairs for submission, with any additional recommendations by the Vice President for Academic Affairs, to the President.

6. The President will forward to the Board of Supervisors his or her recommendation and a timetable for implementation.

7. Upon approval by the Board of the President's recommendation and timetable for implementation and prior to the President's final decision on terminations for reduction in force, the affected faculty member shall be notified in writing by the President of the proposed termination action, the evidence supporting such action, and the right of the faculty members to be afforded an opportunity for a hearing within ten (10) working days of receipt of the President's notice.

8. If the faculty member so requests, the President shall constitute a Committee in accordance with the procedures and processes given in section 2.14.3.3.

2.14.5.5 Plan for Termination for Reduction in Force for Formal Discontinuance of a Degree or Program Areas Initiated by the University

The plan for termination for Reduction in Force for formal discontinuance of a degree or program areas initiated by the University is as follows:

1. The Vice President for Academic Affairs with assistance from the appropriate Deans and Department Heads will develop an annual report of Academic programs. The report will focus on enrollments, graduates, faculty productivity, and need for the program. The report will give special consideration to programs of growth and programs of decline. The report will also contain specific recommendations and will reflect the stated mission and goals of the University.

2. The recommendation for formal discontinuance of existing degree or program areas initiated within the University shall occur only after a Program review by the Courses and Curriculum Committee and the Academic Council and only upon approval of the President.

3. Program reviews shall be conducted in accordance with Nicholls State University, Board of Supervisors, and Board of Regents policy and those procedures properly adopted by the Boards.

4. The President’s recommendation along with other records will be forwarded to the Academic Council, President of the Faculty Senate, and the Courses and Curriculum Committee.

5. If formal discontinuance of an existing degree or program area initiated from within the University does not require reduction in force, the President shall submit the proposal to discontinue, together with appropriate recommendations to the Board of Supervisors for its action.

6. If formal discontinuance initiated from within does require reduction in force, the plan outlined in 2.14.5.4 shall be followed.
2.14.5.6 Plan for Termination for Reduction in Force for Formal Discontinuance of a Degree or Program Areas Initiated by the Board of Supervisors

The Plan for termination for Reduction in Force for formal discontinuance of degree or program areas initiated by the Board of Supervisors or the Board of Regents is as follows:

1. Formal discontinuance of existing degree or program areas initiated by action of the Board of Supervisors or the Board of Regents shall occur only after Board of Supervisors consultation with the President who shall, in turn, consult with the Vice President for Academic Affairs, the Academic Council, and the Faculty Senate President.

2. If formal discontinuance initiated by the Board of Supervisors or the Board of Regents does not require reduction in force, the President shall accomplish the discontinuance as directed.

3. If formal discontinuance initiated by the Board of Supervisors or the Board of Regents does require reduction in force, the plan as outlined in Section 2.14.5.4 shall be followed.

2.14.5.7 Timelines for Notifications for Reduction in Force

Notification of termination for reduction in force must be sent to faculty by registered mail and must specify the reasons for, evidence supporting, the effective date of termination and faculty members’ right to a review hearing.

Notice of termination for reduction in force due to financial exigency may be given at any time and may take effect before expiration of academic or fiscal year contracts, provided that a minimum of sixty (60) calendar days expires between the date of notification and the effective date of termination unless otherwise directed by the Board of Regents or the Board of Supervisors.

Notice of termination for reduction in force due to formal discontinuance of degree or program areas must be given not later than one (1) calendar year in advance of its effective date unless otherwise directed by the Board of Regents or the Board of Supervisors.

2.14.5.8 Board of Supervisors Review

Affected persons may petition the Board within 30 days for a review after all due process has been exhausted at the institutional level. Review of termination for reduction in force is possible for tenure contract faculty on the grounds of illegal discriminatory practices, violations of academic freedom, or an injury resulting from arbitrary or capricious application of the provisions of Chapter 2 of this Manual. Review is also available on these grounds for probationary and term contract faculty terminated before the end of the contract period.

Requests for review of termination for reduction in force must be made directly to the Board of Supervisors.

2.14.5.9 Re–employment Provisions

If tenure contract faculty are terminated for reduction in force, they shall receive notice at the address on file in the Department of Human Resources of all faculty vacancies advertised within a three–year (3) period of the effective date of termination. It is the duty of the terminated faculty to maintain a current address in the Department of Human Resources. If terminated tenure contract faculty seek re–employment and believe they are qualified for the vacancy, they shall have the right to request re–employment from the President.

If, in the judgment of the President, who must consult with the Vice President for Academic Affairs and the appropriate Dean and Department Head, faculty who seek re–employment meet or exceed qualifications for the vacancy as stated in the position announcement, they shall be reemployed in the announced position at the salary and rank in accord with the announced position.
2.14.5.10 Faculty Reassignment and Other Assistance

In the event of scheduled terminations of tenure contract faculty, the University shall, to the extent of available resources, in the period between notification and the effective date, assist faculty members to prepare for assignment to other degree or program areas where vacancies exist or are anticipated.

Assistance may include, but need not be limited to, awarding of a development or enhancement leave or participation in other faculty development programs; provision of outplacement seminars dealing with employment search strategies, career changes, and the like; use of University resources, as approved by the Vice President for Academic Affairs, in the employment search; and other appropriate services offered through the Office of the Vice President for Academic Affairs for a period of six months from the effective date of termination.

2.15 Faculty Conflict Resolution and Grievance Procedure

2.15.1 Introduction

Nicholls State University is committed to the prompt and fair resolution of the concerns of administrative and teaching faculty.

The Faculty Conflict Resolution and Grievance Procedures described below have been formulated to ensure fairness and consistency in the University’s relations with its administrative and teaching faculty. No person’s status with Nicholls State University will be adversely affected in any way as a result of using these procedures. Retaliatory actions taken against a person using these procedures will not be tolerated. For retaliation claims including retaliation for whistle blowing, Faculty should refer to the University Policy Prohibiting Workplace Discrimination, Harassment & Retaliation.

The Director of Human Resources is responsible for overseeing implementation of this policy. Questions concerning interpretation or implementation should be directed to the Office of Human Resources.

Exceptions to this policy (such as those due to need for extended time periods or extended absence of significant personnel) may be granted by the President or Human Resources Director.

2.15.1.1 Purpose of Faculty Conflict Resolution Procedures

The purpose of the University Faculty Conflict Resolution and Grievance Procedures is to assure that there are venues where complaints may be heard and resolved at the lowest level possible. The procedures in this document allow for an immediate attempt to resolve all types of conflicts informally at the level where they occur. In addition, these policies also provide for an administrative review at the department, division, college, and university level when requested.

2.15.1.2 General Information

All faculty members are strongly encouraged to work through conflicts informally beginning with the person with whom they have differences.

These procedures assure that any faculty member within the University community who has a complaint will have access to an internal process that provides elemental fairness to all Parties involved and that has as its objective the resolution of the conflict.
These procedures are not intended to discourage faculty from attempting to resolve a conflict themselves through discussion with the involved parties. These procedures should not be interpreted as a means to eliminate or weaken first-level supervisory or administrative roles of individuals or to prevent them from attempting immediate and impartial resolution of conflicts that develop within their areas of responsibility.

The formal grievance hearing procedures will be used only after the aggrieved party has exhausted the administrative review procedures (Section 2.15.3.2) in attempting to resolve a complaint.

2.15.1.3 **Timeframe for Filing a Complaint in Preparation for a Formal Grievance Hearing**

A formal complaint using a completed Complaint Form, must be filed within 60 calendar days of the occurrence of a grievable action or the last occurrence of a pattern of grievable actions or knowledge thereof.

2.15.1.4 **Definitions**

- **Administrative Review Process**: procedure in which a Grievant’s complaint is reviewed by those in the Respondent’s chain of responsibility up to and including the appropriate Vice President.
- **Arbitrary**: for the purposes of these procedures, actions and decisions can be considered arbitrary if decisions or actions result from a failure to comply with established policies and/or procedures as adopted by a department, division, college, the University, or the Board of Supervisors of the University of Louisiana System and/or no rational connection between the evidence and the actions and/or decisions can be found.
- **Calendar Day**: a day reflected on any standard calendar.
- **Complaint**: any problem or issue that needs to be resolved between two Parties.
- **Complaint Form**: document used to file a formal complaint to begin the Administrative Review Process. (For copy go to Policy and Procedure Manual Forms and Memoranda Folder on MDrive)
- **Conflict Resolution File**: a hardcopy file that contains all written documentation associated with the complaint or grievance. The completed Conflict Resolution File will be retained as a case file in the Office of Human Resources.
- **Faculty**: any member of the administrative or teaching faculty as defined in Section Two of the University Policy and Procedure Manual.
- **Grievant**: a faculty member who has a complaint or grievance.
- **Grievance**: a complaint that has not been resolved through informal means of the Administrative Review Process and has been judged worthy of a grievance hearing by the Faculty Grievance Committee.
- **Faculty Grievance Committee**: a Standing University Committee that determines whether a complaint warrants a grievance hearing, according to the criteria described in Section 2.15.2 and, if warranted, formally hears the grievance and makes a recommendation to the University President. The committee should also propose changes in these policies and procedures as needed.
- **Parties**: refers to the Grievant and the Respondent(s).
- **President**: refers to the President of Nicholls State University.
- **Petition for Grievance Hearing Form**: document used to formally file a request for a hearing by the Faculty Grievance Committee once the Administrative Review Process has been completed. (For copy go to Policy and Procedure Manual Forms and Memoranda Folder on MDrive)
Resolved: a complaint or grievance is considered resolved by Nicholls when both the Grievant and the Respondent(s) agree to a particular solution or when a final decision is rendered by the President or by the Board of Supervisors in those cases that are appealed.

- Respondent(s): individual(s) against whom a complaint is brought.
- Review Administrator: person(s) in the chain of command of the respondent to whom the Complaint Form is submitted for review. The completed Complaint Form is first submitted to the respondent(s) immediate supervisor or the next supervisor within the respondent(s) chain of command.
- Working Day: a day in which the University is in session.

### 2.15.2 Grievable and Non-Grievable Actions

Discrimination, harassment and retaliation including retaliation for whistle blowing are prohibited against any individual with respect to all phases of the employment relationship including recruiting, testing, hiring, upgrading, promotion/demotion, lay-off, terminations, rates of pay, benefits, selection for training or any other terms, conditions or privileges of employment because of an individual’s race, color, gender, age, religion, national origin, citizenship, disability, marital status, sexual orientation, or veteran status is illegal and will not be tolerated at Nicholls State University. For discrimination, Harassment and Retaliation claims including retaliation for whistle blowing, Faculty should refer to the University Policy Prohibiting Workplace Discrimination, Harassment & Retaliation.

#### 2.15.2.1 Grievable Actions

The following complaints/grievances by affected faculty are appropriate for review using the Faculty Conflict Resolution and Grievance Procedures:

1. Complaints/grievances alleging deviation from a policy or procedure as published in the current Nicholls Policy and Procedure manual related to:
   - the implementation of policies and procedures related to the following:
     a. salary
     b. promotion
     c. performance requirements
     d. performance assessment
     e. reassignment or suspension (with or without pay);
   - the denial of access to department, division, college or university resources; and/or
   - persistent and recurrent patterns of actions that indicate alleged arbitrary assignment of duties and scheduling;

2. Complaints/grievances alleging abridgment of academic freedom (as defined by the Board of Supervisors RULES).

Note: In the case where a claim of discrimination, harassment or retaliation has been filed in accordance with the Policy Prohibiting Workplace Discrimination, Harassment & Retaliation and either the alleged victim or the alleged violator be unsatisfied with the findings of the investigation, or the non-disciplinary resolution proposed by the Human Resources Director in accordance with that policy, he/she may then pursue the matter by following the grievance process beginning in section of this policy titled Petition for Grievance Hearing..

#### 2.15.2.2 Non-Grievable Actions

Except when such decisions are alleged to be unlawful discrimination or deviation from a stated policy or procedure or retaliation for whistle blowing or infringement of academic freedom, the
actions/decisions based on the following are considered to be non-grievable and are not subject to the Formal Grievance Hearing Procedures:

1. Non-renewal of a contract of a non-tenured faculty member or probationary faculty member;
2. Decisions based on the Board of Supervisors for the University of Louisiana System Rules, federal or state law, or other state policies;
3. Tenure and promotion decisions that have been upheld by appropriate application of approved Tenure and promotion policies and procedures;
4. Dismissal for cause of tenured faculty members in accordance with Board of Supervisors Policy;
5. Promotions, demotions, appointments or non-reappointments of faculty, Department Heads, Directors, and Deans;
6. Decisions based on budget reductions and decision to retrench as defined in Section 2.14.5.1 in this manual;
7. Findings of evaluations which are part of the merit pay system;
8. Any action taken under Section titled Separation, in this Manual.

2.15.3 Informal and Administrative Review Procedures

Faculty must utilize the informal and/or administrative review processes outlined below prior to filing for a formal grievance. All faculty members are strongly encouraged to work through conflicts informally beginning with the person with whom they have differences.

2.15.3.1 Informal Conflict Resolution Process

The initial step in this procedure is for the faculty member to attempt to resolve the matter with the Respondent(s). If no means of resolution can be found or if the Respondent is the faculty member’s first line supervisor or some other person that the faculty member does not wish to approach directly the grievant may initiate an Administrative Review of the complaint.

2.15.3.2 Administrative Review Process

Step 1. Complaints that are not resolved informally may be submitted by the Grievant to the individual who has immediate administrative responsibility for the Respondent(s) for review and possible resolution. At this time:

4. Within 60 calendar days of the occurrence of a grievable action or the last occurrence of a pattern of grievable actions or knowledge thereof, the Grievant must submit a completed Complaint Form (See Policy and Procedure Forms on Mdrive – Grievance) to the individual(s) who has administrative responsibility for the Respondent(s) (example: department head or dean) (herein after referred to as the “Review Administrator”). The Grievant must also send a copy of the form to the Respondent(s). The Complaint Form is available from the Office of Human Resources or internal M-drive and includes the following:
   ▪ the name of Grievant,
   ▪ the name(s) of the Respondent(s),
   ▪ a description of the nature and effect of the alleged actions/decisions that have resulted in the complaint,
   ▪ evidence supporting the complaint,
   ▪ a statement of the desired outcome,
   ▪ signature of Grievant and date.

5. Once stated, the content of the subject matter cannot be expanded. No attorneys will be permitted to be present for either party at any point in the administrative review procedure(s).

6. Within five (5) working days of receipt of the completed Complaint Form, the Review Administrator will create a Conflict Resolution File and notify the Respondent(s) and the Grievant via email, personal delivery or certified letter, that a complaint form has been received.
7. Within five (5) working days of notification, the Respondent(s) must provide a written response regarding the complaint to the review administrator and send a copy to the Grievant;

8. Within 10 working days of receiving a response from the Respondent(s), the Review Administrator will:
   - place the response in the Conflict Resolution File and notify the Grievant via email, personal delivery or certified letter, that a response has been received,
   - review the Conflict Resolution File,
   - meet with Grievant and Respondent to develop an understanding of their views,
   - review appropriate written policies and procedures and consult with officials as needed for clarification of any policies or procedures,
   - render a written decision to the Grievant and provide a copy of the decision to the Respondent(s) and the Conflict Resolution File.

Step 2. Upon receipt of the first Review Administrator’s written decision, either party may appeal that decision to the next administrator in the respondent’s chain of responsibility as reflected in the departmental organizational chart. Appeals are allowed at each administrative level up to and including the Appropriate Vice President.

9. Within 3 working days of receipt of Review Administrator’s written decision, an appeal must be made in writing by the Grievant (as indicated on the Complaint form) or Respondent (as requested in writing by letter) and delivered to the Review Administrator. The Review Administrator will add this document to the Conflict Resolution File and forward it to the next person in the chain of responsibility within two (2) working days.

10. Within 10 working days of receiving the Conflict Resolution File, the next Review Administrator will:

11. review the Conflict Resolution File,

12. meet with the Grievant, Respondent and previous Review Administrator to develop an understanding of their views,

13. review appropriate written policies and procedures and consult with officials as needed for clarification of any policies or procedures,

14. render a written decision to the Grievant and provide a copy of the decision to each Respondent and the Conflict Resolution File.

15. This Administrative Review Process will continue as stated through each administrative level including the Vice President as per the Grievant or Respondent requests.

Step 3. If the complaint advances to and is reviewed by the appropriate Vice President and the complaint is not resolved, the Grievant may request a formal hearing before the Faculty Grievance Committee. The Committee member representing the same academic unit as the grievant shall recuse himself/herself if there is a perceived conflict of interest by either party.

2.15.4 Petition for Grievance Hearing

The Grievant may only petition once per grievance for a formal hearing

Step 1. A Grievant or Respondent may appeal an adverse decision of the Vice President to the Faculty Grievance Committee by submitting a completed Petition for Grievance Hearing to the Vice President within three (3) working days of receipt of the final Administrative Review decision. In the case where a claim of discrimination, harassment or retaliation has been filed in accordance with the Policy Prohibiting Workplace Discrimination, Harassment & Retaliation and either the alleged victim or the alleged violator be unsatisfied with the findings of the investigation, or the non-disciplinary resolution proposed by the Human Resources Director in accordance with that policy, he/she may then pursue the matter by following the grievance process beginning at 2.15.4 of the process. The Director of Human Resources will maintain a file on the alleged violation of policy along with the report of findings and the proposed non-
disciplinary resolution if applicable to the Chair of the Faculty Grievance committee. The Vice President will add the updated Complaint Form and completed Petition for Grievance Hearing to the Conflict Resolution File and forward this File to the Chair of the Faculty Grievance Committee within three (3) working days of receipt of the appeal request(s). The Petition for Grievance Hearing Form will include the following information:

- Name of Grievant
- Name(s) of the Respondent(s)
- Basis for Grievance (as referenced in Section 2.15.2)
- Signature of Grievant or Respondent and date.

Step 2. The Chairperson of the Faculty Grievance Committee will obtain the Conflict Resolution File from the office of Human Resources or the appropriate Vice President. Within ten (10) working days of receipt of the Petition for a Grievance Hearing, the Chair of the Faculty Grievance Committee will

16. convene a confidential meeting of the Grievance Committee to determine if the hearing request identifies a specific grievance issue that warrants a formal grievance hearing as per Section 2.15.2: Grievable and Non-Grievable Actions. No committee member who is directly involved in the conflict may participate in these Committee discussions. Faculty members or chairs from the Grievant’s college must recuse themselves if there is an actual or perceived conflict of interest. Alternate committee members will be available to serve for principal committee members who are unable to participate;

17. inform the Grievant and Respondent in writing of one of the following decisions:

18. Approval of hearing. When a hearing is deemed warranted by a simple majority of the committee, the Chairperson of the Faculty Grievance Committee will offer to Grievant a formal hearing before the Committee and will provide notification of (a) the date, time, and place of an organizational meeting, and (b) the issue(s) to be considered at the hearing.

19. Request for clarification. The Grievant and/or Respondent(s) may be asked to provide clarifying information regarding the grievance before the hearing request is acted upon.

20. Denial of hearing. The Grievant or Respondent will receive written notification of the reason for the denial of a hearing. IF YOUR COMPLAINT IS NOT DETERMINED TO BE A GRIEVABLE COMPLAINT BY THE FACULTY GRIEVANCE COMMITTEE, AS PER SECTION 2.15.2 OF POLICY AND PROCEDURE, THE DETERMINATION OF THE FINAL ADMINISTRATIVE REVIEW IS FINAL.

### 2.15.5 Formal Hearing Procedure

If the committee decides that the complaint is grievable, then the Grievant will be offered a formal hearing before the Faculty Grievance Committee.

#### 2.15.5.1 Outline of Activities for a Formal Hearing before the Faculty Grievance Committee

Step 1. Within five (5) working days of a recommendation by the Grievance Committee to hear the grievance, an initial organizational meeting of the Grievance Committee, with both the Grievant and Respondent(s) present, will be called to charge the Committee and review procedures for the Formal Hearing.

Step 2. A formal grievance hearing takes place before the Grievance Committee within ten (10) working days of the organizational meeting at a time agreeable to all parties.

Step 3. The Grievance Committee submits written recommendation(s) to the President within five (5) working days of the formal hearing.

Step 4. The President considers the recommendation(s) of the Grievance Committee and renders a decision within ten (10) working days.
Step 5. Under policies of the University of Louisiana System, Presidential decisions may be appealed to the Board of Supervisors of the University of Louisiana System. The Grievant may request this review within ten (10) working days of receipt of the President’s decision.

2.15.5.2 Organizational Meeting
The Chair of Faculty Grievance Committee will proceed to make all arrangements for a formal hearing before the Faculty Grievance Committee and assure that all materials submitted are available to the Grievant, the Respondent(s) and Committee members in advance of the formal hearing. The initial organizational meeting of the Committee will be within five (5) working days from the date of the decision of the Grievance Committee in regards to the grievable nature of the complaint. Upon convening, the Grievance Committee Chair, in the presence of both the Grievant and the Respondent(s), will give a brief charge to the Grievance Committee, specifying the allegations and summarizing the university policy. The Chair of the Grievance Committee will preside over all the meetings of the Grievance Committee until the review is completed. The formal hearing will be held and a decision rendered within ten (10) working days of the organizational meeting.

2.15.5.3 General Rules of Hearing
- All Committee proceedings are closed and private. Committee members are bound by strict confidentiality. There is no right to a public hearing.
- All hearings shall be conducted with a quorum of the Committee present, including a presiding officer.
- The Committee shall conduct no ex parte proceedings, i.e., all parties must be present for any hearing. Reasonable non-appearance of the parties will be allowed, but non-appearance of grievant after notice may cause the grievance to be abandoned. Non-appearance of the respondent after notice may result in a default ruling in favor of the grievant.
- During the proceedings, both Parties will be permitted to have a personal advisor in attendance. Personal advisors must be chosen from current Nicholls employees. With the approval of the Faculty Grievance Committee Chair, the personal advisor may be called upon to question witnesses. During the hearing the Parties will be given reasonable time to consult with their advisors.
- All Committee proceedings are recorded excepting those discussions conducted in executive session by the Committee to arrive at its final decisions. An audio tape recording or complete transcript of the proceedings will be kept and made available, upon request, to both Parties. Tapes and records of the hearings will be deemed confidential but may be subject to disclosure under the Louisiana Open Records Act. These records will be stored in the Office of Human Resources with the Complaint Resolution File. No other recording will be allowed.
- The Faculty Grievance Committee may grant breaks to enable either party to investigate evidence if a valid claim of surprise is made or, if in the opinion of the Grievance Committee, an interruption in the proceedings would be desirable. The committee, grievant and respondents should agree on a mutually acceptable time period for resumption of the hearing, not to exceed 3 working days.
- Both Parties will be given an opportunity to obtain necessary witnesses, documentation or other evidence. Witnesses will be admitted to the hearing only when their personal participation is required. Witnesses, when summoned to hearings, should be sequestered.
- Both Parties will have the right to question all witnesses. When the witness cannot appear and the Grievance Committee determines that the interests of fairness
require the admission of his/her statement, the Grievance Committee may, by affidavit, record the sworn testimony of the witness. The Grievance Committee will identify the witness, disclose his/her statement, and if possible, provide for follow-up questions to which the witness may respond.

- The Grievance Committee will not be bound by formal rules of legal evidence. However, the Committee may admit any evidence it deems of value.
- The Chair of the Faculty Grievance Committee rules on the relevancy of questions.
- Neither the Grievant nor persons purporting to represent the Grievant shall approach individual committee members on the Grievant’s behalf.
- The findings and the decision of the Grievance Committee will be based solely on the record of the hearing.
- There will be no public statements by any persons involved in the hearing until the grievance has been resolved.
- Grievance Committee members must be present for hearings and voting. Any recommendation of the Grievance Committee must be based on a majority vote. All votes will be cast by secret, written ballot. The precise Grievance Committee vote will be reported to the President and both Parties.
- The Grievance Committee Chair will submit the Committee recommendation(s) to the President in writing with copies to both Parties.

### 2.15.5.4 Procedural Conduct of Hearing

1. The Chair will convene and organize the Committee. Parties to the hearing will remain outside the hearing room until summoned.
2. The Chair will ensure that the Committee hearing room is properly equipped with microphones and tape recording equipment. This equipment will be operated and monitored during the hearing by qualified University personnel.
3. After the parties to the grievance are summoned into the hearing room, the Chair shall declare the hearing in session and ask the Grievant to present his/her case (30 minutes maximum).
4. The Chair will not recognize questions by Committee members until the Grievant has completed his/her presentation (which may include witnesses).
5. Members of the Committee will be recognized individually by the Chair for a maximum of ten minutes per question.
6. The Chair will recognize the designated Respondent or Review Administrator to make his/her presentation (30 minutes maximum).
7. The Chair will not recognize questions by Committee members until the Respondent has completed his/her presentation (which may include witnesses).
8. Members of the Committee will be recognized individually by the Chair for a maximum of ten minutes per question.
9. The Grievant shall make a final oral rebuttal argument and closing statement (not to exceed 10 minutes).
10. The Respondent shall make a final rebuttal and closing statement (not to exceed 10 minutes).
11. The Chair will require the clearance from the hearing room of all parties except members of the Committee during the period of its deliberations.
12. The Grievant and advisor may await the decision of the Committee in the nearest convenient room at the conclusion of the deliberations.
13. The Chair will recall the Committee to session to take the final vote on the Committee’s findings (recommendation). A simple majority of the Committee will be used to determine the final recommendation.
14. The Chair may announce the Committee’s findings to the Grievant and Respondent if present after the Committee’s adjournment. This first announcement shall be
oral, with the written findings (recommendation) to follow within five (5) working
days.
15. The written findings (recommendation) shall be added to the Conflict Resolution
File and be transmitted to the President of the University and shall include notice
of the Grievant’s right to appeal to the Board of Supervisors for the University of
Louisiana System.

2.15.6 Presidential Review
The President will review the Grievance Committee recommendation(s) and render a written decision
for the institution within ten (10) working days. The President will send a written decision by certified
mail to the Grievant and via campus mail and/or personal delivery to the Committee Chair, Vice
President and Respondent. A copy of the written decision will be added to the Conflict Resolution File
and sent to the Office of Human Resources.

2.15.7 Amendment Process
These Grievance Procedures can be altered and/or amended only if presented in writing to the
University Faculty Senate and approved by an affirmative vote of the majority of the Senate. The
Faculty Grievance Committee has the responsibility of reviewing these procedures and
recommending appropriate changes. No amendment or alteration will be in effect until it has been
approved by the President.

2.15.8 Appeals
Pursuant to the Rules of the Board of Supervisors for the University of Louisiana System, the
Grievant or Respondent may appeal the President’s decision to the Board, if an appeal is possible,
within ten (10) working days of receipt of the President’s decision.

2.16 Procedures for Changing Chapter 2 of the Policy &
Procedure Manual
Policy changes at Nicholls State University can come from three sources:
• policy changes initiated by statute or rule from the State of Louisiana, the Board of
  Regents, or the Board of Supervisors; also, policy changes that are the result of
  activities by the policy–making bodies or procedure–making bodies of the
  University that do not require Faculty Welfare or Senate action;
• policy changes that are the result of activities by the policy–making bodies or
  procedure–making bodies of the University that require Faculty Welfare or Senate
  action;
• Informational changes that do not need to be cleared with the policy–making
  bodies (departmental and office procedural practices, for instance) and
typographical and clarity changes initiated by the Coordinator of Policy and
Procedure.

Policy changes of the first type, those brought about by mandates outside the University,
shall initiate an immediate change in the Nicholls State University Policy & Procedure
Manual. Faculty and staff may be apprised of these changes through memos or other
official documents before there is a related Manual update. Changes of the second type
will go into effect with the first new contract period following approval of the policy.
The University Council (disbanded Fall 2004) has given the Coordinator of Policy and
Procedure the authority to make clarity and typographical changes (type 3) to the
Manual whenever necessary as long as these changes do not effect the intent of the
original wording. Individuals who are interested in having changes made to those policies that require Faculty Welfare or Senate action should consult with the proper policy or procedure-making body or should contact the Coordinator of Policy and Procedure for information about initiating changes.

It is the responsibility of the various policy-making bodies to inform the Coordinator of Policy and Procedure or the Office of the Vice President for Academic Affairs of any changes in policy that could result in revisions to type 2 policies. It will be the responsibility of the Coordinator, as far as is possible, to keep abreast of changes or potential changes from all sources and to advise the Faculty Welfare Committee each year of the need for revisions—printed or online updates or new editions.

The Coordinator should attempt to have annual reviews of the Policy Manual initiated. These reviews may result in new editions of the Manual. The Coordinator shall advise the Faculty Welfare Committee annually of the state of the Policy & Procedure Manual with regard to all policy changes. The Faculty Welfare Committee shall inform the faculty that changes are forthcoming. Faculty should receive information on updated pages (either in hard-copy or through the University's computer network) of the before new contracts are issued.

A timetable for changes follows:

1. At the beginning of the Fall Semester: The Chair of the Faculty Welfare Committee appoints three members to the Faculty Handbook Committee
2. September 30: The Coordinator of Policy and Procedure in conjunction with the Faculty Welfare Handbook Committee will send appropriate notification to the faculty reminding faculty of the processes involved with Manual revision. This notification should also list the names and phone numbers of the Coordinator and of the Handbook Committee members.
3. By end of the Fall Semester: Deadline for individuals to contact the Coordinator or members of the Faculty Welfare Handbook Committee about suggestions for type 2 policy changes. The Welfare Handbook Committee will submit any proposed changes to the Coordinator.
4. January of Spring Semester: The Coordinator contacts the Faculty Welfare Committee concerning changes that are due to the Manual.
5. January 30: The Coordinator's report to the Faculty Welfare Committee concerning the state of policy changes. The Coordinator also submits a copy of this report to the Vice President for Academic Affairs. The Coordinator may coordinate meetings of the Faculty Welfare Committee and the Academic Vice President where the Coordinator deems it appropriate. If all parties are in agreement, the changes will be submitted to the Senate.
6. February 15: If the parties are not in agreement the Coordinator notifies all concerned parties of the need for a meeting of the Senate President, the Chairman of Faculty Welfare, the Coordinator, and the Vice President for Academic Affairs. These individuals will discuss proposed changes and Senate action. (These meetings will be called by the Coordinator when the Coordinator deems it appropriate.)
7. April 1 or earliest date possible: The Vice President for Academic Affairs along with the President of the Faculty Senate, the Chairman of the Faculty Welfare Committee, and the Coordinator will submit a joint written report to the President's Cabinet notifying the Cabinet of Manual changes. The Coordinator may suggest a meeting of the Cabinet if further action is necessary.
8. Before the end of the spring semester: The Handbook Committee or Faculty Welfare may advise the faculty of all changes to the Manual.
3 Unclassified Staff Policies

The section contains policies for administrative staff.

3.1 Employment Agreements and Appointment Forms

All employees are hired under administrative letters of appointment. Appointments are subject to approval by the President and the Board of Supervisors; appointments are issued on official University forms. All appointments are contingent upon availability of funds.

Appointment forms set forth the title, rank, salary, and status of employees. As such they represent the agreement between the University and the employee that, for the duration of the employment relationship, and until further notice, the employee will perform his or her duties for the stated salary, rank, and status.

Chapter 3, Section II, D of the Board of Supervisors Rules states the following concerning Administrative Staff appointments:

“All unclassified administrative staff shall hold their administrative appointment at the pleasure or will of the Board of Supervisors. The annual approval of the budget and personnel documents designating the salary and other personnel benefits for administrative personnel shall not constitute an implied or expressed agreement for continued employment throughout that fiscal year but are executed or approved solely for the purpose of budgeting and associated fiscal and administrative matters.”

Continuing administrative staff shall be provided appointments or letters of appointment for the ensuing academic or fiscal year on or before fifteen (15) working days after Board of Supervisors approval of the fiscal year budget. Appointments and letters of appointment must be signed and returned to the Department of Human Resources on or before fifteen (15) working days from the date of receipt.

Exceptions to these timelines may be granted as long as extenuating circumstances are provided in writing to the University President.

Failure to return signed appointments in the time provided by this policy may void appointments.

3.1.1 Definitions of Employment Terms

For the purposes of the policies contained in this chapter, “academic year” shall mean that period of time encompassed by fall and spring semesters. “Fiscal year” shall mean July 1 to the following June 30. “Calendar year” shall mean January 1 through December 31. “Working day” shall mean any Monday, Tuesday, Wednesday, Thursday, or Friday during the calendar year that the University is officially open; however, in accord with University guidelines, “working day” may also include the other days of the week (as pertaining to the University Library, for instance). “Class day” shall mean any day during which classes are scheduled.

Most administrative staff are employed on a fiscal year basis; in a few cases staff are employed on an academic year basis. Unless otherwise specifically defined in an individual letter of appointment, employment for the fiscal year begins on July 1 and ends on the following June 30. Unless otherwise specifically defined in an individual letter of employment, appointments for the academic year normally begin not more than five (5) working days prior to the scheduled beginning of classes and end not later than three (3) working days after spring commencement.
A “fixed-term contract” is a contract with a stipulated employment period. Board policy strictly limits the duration of all fixed-term appointments. The only unclassified employee fixed-term contracts at this University are grant contracts. Grant contracts are those contracts issued to employees either on a temporary or continuous basis to perform duties outlined in a grant document. Grant contracts are contingent upon funding.

3.1.2 Types of Appointment
For letter of appointment purposes, administrative staff appointments are defined to include the following types:

3.1.2.1 Regular Appointment
The term “regular appointment” refers to those full-time or part-time appointments held by one person.

3.1.2.2 Dual Appointments
The term “dual appointment” refers to appointments that concern an individual who is working for two public agencies at the same time. Nicholls employees are to be reminded that Louisiana statute specifically defines situations and conditions for dual appointments. These statutes also place contract limitations on those situations where dual appointment is allowed. For instance, anyone on 100 percent employment at one agency cannot be contracted by another; if employed by two agencies, one of the contracts cannot exceed 75 percent. Faculty or staff, therefore, who are employed 100 percent at Nicholls cannot teach (unless adjunct) at another institution.

All employees should be aware of possible conflicts with dual appointment statutes and should consult with the proper agencies whenever a conflict may be possible.

3.1.2.3 Joint Appointment
The term “joint appointment” refers to those full-time or part-time appointments held by one person with specific appointed designation in more than one program area. For the purposes of salary determination, performance assessment, and other personnel matters, individuals holding joint appointments shall be assigned by the President, upon recommendation of the appropriate Vice President and the appropriate supervisors, to a program area as determined by the percentage of workload or level of responsibility. Joint appointments shall be approved by the President, based upon recommendations from the appropriate Vice President and the appropriate supervisors.

Such appointments shall be made only when the credentials of a staff member and/or the needs of the degree or program area so justify. Available program or accrediting agency criteria for staff will be used as guides for determining the appropriateness of the appointment.

3.1.2.4 Shared Appointments
The term “shared appointment” refers to those part-time appointments held by two people in a single authorized position. Shared appointments shall be approved by the President, based upon recommendations from the administrative Vice-President and the appropriate supervisor, and specifically so identified in the official University budget. Such appointments shall be made only when the credentials of the staff member and/or the needs of the degree or program area so justify.

It is the policy of Nicholls State University at this time that there shall be no shared appointments.
3.2 Appointment of Administrative Staff
Authorization to recruit and a request for administrative staff appointment form must be approved through the administrative channels. The immediate supervisor shall, in conjunction with the Department of Human Resources, develop a job description and announce the position in accordance with the University’s Affirmative Action Plan.

3.3 Required Approvals and Conditions of Appointment
Appropriate University officials will certify as to the availability of positions and compliance of appointment with Affirmative Action, and will make recommendations to the President for appointment. All appointments and conditions of appointment must be approved by the Board of Supervisors. Employment should not commence prior to Board action. All terms and conditions of employment shall be submitted to the system office for review.

3.4 Qualifications for Administrative Staff
Procedures for filling administrative and professional staff positions shall insure that positions are filled by individuals who possess the qualifications appropriate to the job. These qualifications (such as skills and degree requirements) may be listed on job descriptions and on advertisement(s) as detailed by the Search Policy & Procedures for Faculty and Unclassified Staff.

Administrative and Professional Staff positions shall be filled in accordance with Article X of the Louisiana State Constitution.

3.5 Salaries and Salary Administration
For the purposes of this Manual, “salary” means the dollar amount specified on appointments of employment. The President is responsible for approving the salaries and salary adjustments and increases as determined by the appropriate Vice President and based upon recommendations of appropriate supervisors.

3.5.1 Initial Appointment
Salaries for administrative staff in their initial year of appointment shall be determined in accordance with Board of Supervisors guidelines. Unclassified personnel whose employment is being changed from a nine-month to a twelve-month basis may be offered a salary consistent with similar positions at the institution or at similar Southern Regional Education Board (SREB) institutions. Any employee whose status changes from a twelve-month to a nine-month salary basis shall be offered a salary consistent with similar positions at the institution, at similar SREB institutions, or as approved by the Board. This policy applies to administrative position changes only.

3.5.2 Continuing Appointments
Salaries for administrative staff in other than their initial year of appointment shall be determined by the President in accordance with the following guidelines:

3.5.2.1 Salary Adjustments for Degrees
Nicholls State University encourages unclassified, non-faculty employees to better themselves educationally. Besides the providing of educational leave and tuition exemptions, this encouragement also extends to salary adjustments. As of the adoption of this Manual the following policy shall apply regarding salary adjustments for degrees:

- Baccalaureate degree: $500
- Master’s Degree in a supervisor-approved, job-related field: $1000
- Terminal degree (other than a Ph.D.) in a supervisor-approved, job-related field: $1000
- Ph.D. in a supervisor-approved, job-related field: $1000
These salary adjustments become a part of the employee’s base pay in subsequent years. These adjustments will be made on the next contract following the date of the completion of the degree; it is the responsibility of the employee to provide documentation to this effect.

### 3.5.2.2 Equity Adjustments

Based upon recommendations from the appropriate supervisors and in consideration of the availability of funds, the President may authorize salary adjustments for continuing staff members whose salaries are demonstrably below average salaries as identified in reports such as those by SREB (Southern Regional Education Board) and other agencies, and/or comparisons with Board of Supervisors peer institutions and/or analysis of the staffing pattern of a department or college. Equity adjustments become a part of the base for subsequent years of employment.

### 3.5.3 Salary Administration and the Salary Pool

Procedures for salary administration shall be developed in accordance with the following guidelines:

- Dollars available for salary adjustments and increases as allocated by the State of Louisiana shall constitute the “salary pool.”
- The percentages of the pool to be identified for staff salary increases and the methods of distributing those increases to the administrative divisions shall be determined by the President’s Cabinet who will give consideration to recommendation by appropriate staff committees.

### 3.5.4 Salary and Pay Day

Staff employees are generally paid on a bi-weekly basis.

### 3.5.5 Summer Teaching

The use of academically qualified administrative staff for summer school is contingent upon requirements of the academic departments of the University.

Administrative personnel who earned rank or tenure as faculty members at Nicholls State University may not be dismissed from faculty employment at the university except in accordance with Board of Supervisors policies regarding dismissal and tenure.

### 3.6 Leave

#### 3.6.1 Crisis Leave Pool

The Crisis Leave Program is established and approved by the State Civil Service Commission, in accordance with Civil Service Rule 11.34, Crisis Leave Pool.

This policy and procedure outlines the method for participating in the Crisis Leave Program for classified and unclassified employees who are eligible to earn annual leave. The Program’s intent is to provide assistance to employees who, through no fault of their own, have insufficient appropriate accrued leave to cover the crisis leave period.

The Crisis Leave Program is a means of providing paid leave to an eligible employee who has experienced a catastrophic illness or injury to themselves or eligible family member. An employee using leave from a crisis leave pool shall receive leave in sufficient quantity to ensure his/her wage replacement is 75% of the pay he would receive in regularly scheduled work week. The Crisis Leave Pool consists of leave hours donated and used, and is based on the fiscal year, July 1st – June 30th of the following year.
3.6.1.1 Definitions

- **Crisis Leave** – annual leave hours donated by classified and unclassified employees who are eligible to earn annual leave, into a crisis leave pool to be used by fellow employees who are suffering from their own serious illness or injury or having to provide care for an eligible family member that is suffering from their own catastrophic illness or injury, which will cause the employee to take leave without pay or terminate employment. Employees may make an irrevocable donation of accrued annual leave to the crisis leave pool.

- **Crisis Leave Value** – annual leave granted as crisis leave shall not exceed 75% of the employee’s pay received in a regular workweek.

- **Serious Health Condition (Family Medical Leave Act)** – is an illness, impairment, physical or mental condition, or injury caused by a serious accident on or off the job that involves:
  - any period of incapacity or treatment in connection with or consequent to inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility;
  - any period of incapacity requiring absence from work, school, or other regular daily activities of more than three calendar days, that also involves continuing treatment by (or under supervision of) a health care provider;
  - continuing treatment by (or under supervision of) a health care provider for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days.

- Voluntary or cosmetic treatments (such as most treatment for orthodontia or acne) that are not medically necessary are NOT “serious health conditions”, unless inpatient hospital care is required. Restorative dental surgery after an accident, or removal of cancerous growths are serious health conditions provided any of the other conditions above are met (a, b, or c). Treatment for allergies or stress, or for substance abuse are serious health conditions if any of the other conditions are met above (a, b, or c). Prenatal care is included as a serious health condition. Routine preventive physical examinations are excluded.

- **Licensed Medical Service Provider (LMSP)** - a practitioner, as defined in the Louisiana State Licensing Law, who is practicing within the scope of his or her license. This includes licensed physicians (doctor of medicine), doctor of osteopathy or licensed chiropractors, counselors, or therapists as recognized and licensed by the appropriate state boards or authorities.

- **Eligible employee** – an employee of Nicholls State University who is eligible to earn annual leave in accordance with University policy and procedure. Classified employees must have attained permanent status to be eligible to donate or use leave from the leave pool. Unclassified employees must have at least one year (12 months) of service with the University to donate or use leave from the leave pool.

- **Eligible family member** – in accordance with the Family Medical Leave Act, an employee’s spouse, children (son or daughter), and parents are immediate family members. The term "parent" does not include a parent "in-law". The terms son or daughter do not include individuals age 18 or over unless they are "incapable of self-care" because of mental or physical disability that limits one or more of the "major life activities" as those terms are defined in regulations issued by the Equal Employment Opportunity Commission (EEOC) under the Americans With Disabilities Act (ADA).

3.6.1.2 Crisis Leave for Employees

Crisis Leave shall be applied for by the employee and may be taken only when recommended by the Review Committee and approved by the University President or his/her designee. The supervising LMSP must provide written documentation of the need for leave. The Review Committee may choose to require an opinion from another provider, especially for extended leaves.
To be eligible to participate in the Crisis Leave Program, an employee shall:

- be a full-time employee who is eligible to earn annual leave according to University leave policy and procedure,
- have attained permanent status (classified employees), or one year of service (unclassified employees), to be eligible to donate or use leave from the leave pool,
- have exhausted all appropriate accrued leave (annual or sick or compensatory) before requesting crisis leave from the pool,
- have exhibited satisfactory attendance (with no history of leave abuse), and is not absent from work due to disciplinary reasons,
- have a serious illness or injury that is not occupationally related (not eligible for coverage by workers’ compensation) or was not attained in the commission of an assault or felony,
- have an eligible family member suffering from a serious illness or injury,
- provide the appropriate documentation from LMSP.

Leave donating participants shall retain three (3) days of accrued annual leave at all times for personal use. Employees shall not be permitted to donate to the Program if they have fewer than 3 days (24 hours) of annual leave. No employee who participates in the Program may contribute more than thirty (30) days (240 hours) of their accrued annual leave each fiscal year.

Employees who use annual leave from the Crisis Leave Pool shall not be expected to pay it back. Donations to the pool are irrevocable.

Donations to the Crisis Leave Pool come from a participating employee’s “annual” leave only. Accrued “sick” and “compensatory” leave donations to the Crisis Leave Program are not permitted.

Donations shall only be allowed to the Crisis Leave Program pool and not to an individual participating employee.

Nicholls State University limits the number of days a participating employee or employees can draw from the Crisis Leave Pool to 30 days (240 hours) per fiscal year, and is limited to 100 days (800 hours) per employee for total participation in the Crisis Leave Program.

Days/hours shall be transferred from the pool as they are used.

Employees receiving workers’ compensation or benefits from a long-term disability insurance policy are not eligible to withdraw leave from the pool.

Unclassified employees may draw only from one of the pools (Crisis Leave Pool or Shared Sick Leave Pool) per fiscal year.

### 3.6.1.3 Crisis Leave Procedure

1. The adoption of this Crisis Leave Program or any other subsequent amendment to this policy shall not create a legal entitlement. No employee will be coerced or pressured in any form or manner to donate leave.

2. There must be a leave balance in the Crisis Leave Pool in order for an employee to receive donated leave. No leave will be advanced in anticipation of additional donations.

3. A Review Committee, appointed by the University President, shall consist of two (2) classified employees, two (2) unclassified employees, and two (2) faculty members, the Director of Human Resources (1), and the Payroll Supervisor (ex-officio). The Director of Human Resources will serve as chair of the committee and will vote only in the case of a tie. The members appointed shall be eligible for participation in the
Program if they meet all required criteria. The Committee will act to support the administration of the Program, review the pool, and when not otherwise specified in written policy, may recommend operational guidelines and procedures for the Program.

4. The Crisis Leave Policy along with the Leave Donation Form (Attachment 1) will be issued to all eligible employees after the policy is approved by the Board of Supervisors for the University of Louisiana System and the Civil Service Commission. After initial policy notification, the policy and donation of leave forms will be issued. All leave donation forms will be routed directly to the Payroll Office.

5. To donate leave to the pool:
   • Forward the Leave Pool Donation Form (LP1) directly to the Payroll Office.

6. To apply for crisis leave through the pool:
   • Forward the Application for Use of Leave Pool Hours (LP2) and all relevant documentation directly to the Director of Human Resources. (Supporting documentation must be submitted to the Director of Human Resources at the time of application.)

7. As committee chair, the Director of Human Resources will forward the application and related documents to the Review Committee.

8. The Review Committee reviews the application and documentation and makes a decision to approve or deny the request.

9. The Director of Human Resources will notify the employee in writing of the committee’s decision to approve or deny the request. A copy of the notification will be sent to the employee’s immediate supervisor, the Payroll Office, and the university president.

10. Upon approval, to simplify record keeping, annual leave will be converted on an hour for hours basis regardless of the value of the annual leave being donated or received. Annual leave will be transferred from the pool as it is needed on a per payroll basis. Annual leave from the pool shall be granted on a first-come, first-served basis.

11. The granting of crisis leave is meant to cover only the circumstance for which it was requested. If changes occur in the nature or severity of an approved illness or injury, or of any other factor(s) on which the approval was based, the employee may have to provide documentation describing the change to the Review Committee. An employee can request more crisis leave subject to the limits outlined in this policy; however, extensions of crisis leave are not automatic. Hours granted from the Crisis Leave Pool may be used only for reasons stipulated in the request.

12. THE USE OF LEAVE THAT IS NOT IN ACCORDANCE WITH PROCEDURES AND REQUIREMENTS OUTLINED IN THIS POLICY MAY CONSTITUTE PAYROLL FRAUD AND WILL BE DEALT WITH ACCORDINGLY.

13. The value of the annual leave granted as crisis leave shall not exceed 75% of the employee’s pay received in a regular workweek. (Example: If in a crisis leave status for a 40 hours work week, the employee will report 30 hours of leave with pay and 10 hours of leave without pay.)

14. An employee in crisis leave status will be considered in partial paid leave status and will continue to receive benefits as appropriate. Employees on crisis leave will not accrue paid leave.

15. If the University chooses to end the Crisis Leave Program, any accrued leave in the pool will continue to be used until depleted.

3.6.2 Shared Sick Leave Pool

The Shared Sick Leave Pool was established and approved by the University of Louisiana System, Board Rules Chapter-Faculty and Staff, PPM Number FS-III.XXII.-1, effective September 24, 1999, Shared Sick Leave Program.
This policy and procedure outlines the method for participating in the Shared Sick Leave Program that complies with System management for faculty and unclassified staff who are eligible to earn sick leave. The Program’s intent is to provide assistance to employees who have insufficient appropriate accrued leave to cover a serious health condition as defined by the FMLA (Family Medical Leave Act). The policy is designed to assist an employee’s return to the workplace, not substitute for a long-term disability insurance policy. The campus policy shall be provided to the System Office for staff approval prior to implementation.

3.6.2.1 Definitions

- **Shared Sick Leave** - leave hours donated by faculty and/or unclassified staff into a shared sick leave pool to be used by fellow faculty and/or unclassified staff who are suffering from their own serious health conditions which has caused or is likely to cause the employee to take leave without pay or to terminate employment. Faculty and/or unclassified employees may irrevocably donate sick leave to the shared sick leave pool.

- **Serious Health Condition (Family Medical Leave Act)** – is an illness, impairment, physical or mental condition, or injury caused by a serious accident on or off the job that involves:
  - any period of incapacity or treatment in connection with or consequent to inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility;
  - any period of incapacity requiring absence from work, school, or other regular daily activities of more than three calendar days, that also involves continuing treatment by (or under supervision of) a health care provider;
  - continuing treatment by (or under supervision of) a health care provider for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days.

- Voluntary or cosmetic treatments (such as most treatment for orthodontia or acne) that are not medically necessary are **NOT** “serious health conditions,” unless inpatient hospital care is required. Restorative dental surgery after an accident, or removal of cancerous growths are serious health conditions provided any of the other conditions above are met (a, b, or c). Treatment for allergies or stress, or for substance abuse, are serious health conditions if any of the other conditions are met above (a, b, or c).

- Prenatal care is included as a serious health condition. Routine preventive physical examinations are excluded.

3.6.2.2 Policy

Shared sick leave shall be applied for by the employee and may be taken only when recommended by the Review Committee and approved by the campus president or his/her designee. The supervising health care provider must provide written documentation of the need for leave. The Review Committee may choose to require an opinion from another health care provider, especially for extended leave.

To be eligible to participate in the Shared Sick Leave Program an employee shall:

- be a full-time faculty or unclassified staff member who is eligible to earn sick leave;
- have completed at least: 1) one academic year of service with the University if employed on an academic year (9 months) basis, or 2) one calendar year of service with the institution if employed on a 12-month basis;
■ have used all his/her sick, annual, and compensatory leave before requesting sick leave from the pool, and
■ have made a contribution of at least one (1) day (8 hours) of sick leave to the shared sick leave pool. This donation is a prerequisite to apply to use sick leave from the pool.

Participants shall retain three (3) sick days (24 hours) at all times for personal use. Employees shall not be permitted to donate to the program if they have less than (3) three days (24 hours) of sick leave.

Minimum donation to the pool is one (1) day (8 hours). No employee who participates in the program may contribute more than two (2) days (16 hours) of their accrued sick leave every three (3) years.

Employees who use sick leave from the shared sick leave pool shall not be expected to pay it back. Donations to the pool are irrevocable.

Donations come from a participating employee’s accrued “sick” leave only. Donations from an employee’s accrued “annual” or “compensatory” leave is not permitted.

Donations shall only be allowed to the Shared Sick Leave Pool and not to an individual. Nicholls State University limits the number of days a participating employee can draw from the program to 22 days (176 hours) per fiscal year and limits an employee’s total participation in the program to 100 days (800 hours).

Days/hours shall be transferred from the pool as they are used.

Employees receiving workers’ compensation or benefits from a long-term disability insurance policy are not eligible to withdraw leave from the pool.

Unclassified employees may draw only from one of the pools (Crisis Leave Pool or Shared Sick Leave Pool) per fiscal year.

3.6.2.3 Procedure
1. The adoption of this Shared Sick Leave Policy or any subsequent to this policy shall not create a legal entitlement.
2. A Review Committee, appointed by the University President, shall consist of two (2), classified employees, two (2) unclassified employees, two (2) faculty members, the Director of Human Resources (1), and the Payroll Supervisor (ex-officio). The Director of Human Resources will serve as chair of the committee and will vote only in the case of a tie. The members appointed shall be eligible for participation in the Program if they meet all required criteria. The Committee will act to support the administration of the Program, review the pool, and when not otherwise specified in written policy, may recommend operational guidelines and procedures for the Program.
3. The Shared Sick Leave Pool Policy, along with the Leave Pool Donation Form (LP1) and the Application for Use of Leave Pool Hours (LP2) will be issued to all eligible faculty and unclassified employees after the policy is approved by the University and the Board of Supervisors for the University of Louisiana System.
4. To donate leave to the pool:
   ■ forward the Leave Pool Donation Form (LP1) directly to the Payroll Office.
5. To apply for sick leave through the pool:
   ■ forward the Application for Use of Leave Pool Hours (LP2) and all relevant documentation directly to the Director of Human Resources. (Supporting
documentation must be submitted to the Director of Human Resources at the
time of application.)

- As committee chair, the Director of Human Resources will forward the
  application and related documents to the Review Committee.
- The Review Committee reviews the application and documentation and makes
  a decision to approve or deny the request.
- The Director of Human Resources will notify the employee in writing of the
  committee’s decision to approve or deny the request. A copy of the notification
  will be sent to the employee’s immediate supervisor, the Payroll Office, and the
  university president.

6. Upon approval, to simplify record keeping, sick leave will be converted on an hour
for hour basis regardless of the value of the leave being donated or received. Sick
leave will be transferred from the pool as it is needed on a per payroll basis. Sick
leave from the pool shall be granted on a first-come, first-served basis.

7. The granting of sick leave through the pool is meant to cover only the circumstance
for which it was requested. If changes occur in the nature or severity of an approved
illness or injury, or of any other factor(s) on which the approval was based, the
employee may have to provide documentation describing the change to the Review
Committee. An employee can request more sick leave subject to the limits outlined
in this policy; however, extensions of sick leave are not automatic. Hours granted
from the Shared Sick Leave Pool may be used only for reasons stipulated in the
request.

8. THE USE OF LEAVE THAT IS NOT IN ACCORDANCE WITH PROCEDURES
AND REQUIREMENTS OUTLINED IN THIS POLICY MAY CONSTITUTE
PAYROLL FRAUD AND WILL BE DEALT WITH ACCORDINGLY.

9. If the University chooses to end the Shared Sick Leave Pool program, any accrued
leave in the pool will continue to be used until depleted. The program will not be
terminated until the Leave Pool Review Committee considers the circumstances in
question, and forwards a recommendation to the University President.

3.7 Professional Development/Performance Evaluation

The University encourages active participation in professional development by administrators
including Deans, Directors, and Department Heads. The professional development plan should
normally address development of both administrative and teaching/research skills if applicable.

Chapter III, Section X-D of the Board of Supervisors for the University of Louisiana System Board
Rules calls for yearly evaluation of each faculty member and administrator. The Board also
requires that these evaluations be filed in appropriate personnel files.

3.7.1 Plans and Report

Administrators submit a plan for professional development and a report on progress annually.

3.7.1.1 Approval of Plans

The immediate supervisor approves the administrator’s plan and forwards it through channels for
further approvals to the appropriate Vice President. Plans are normally approved prior to the
beginning of the fiscal year for implementation in the following year.

3.7.1.2 Approval of Reports

The immediate supervisor receives the administrator’s report on his or her progress toward the
objectives outlined in the plan and renders to the administrator, and through the channels to the
appropriate Vice President, a report on an assessment of the progress, including suggestions for
further progress. Approval is given at each step of the process. Normally these approvals are
completed before June 1. The approved reports become a part of the administrator’s personnel record.

3.7.2 Other Evaluations of Administrators
Performance assessment evaluations (see Section 5.4.1) are initiated through the mechanism described above. These evaluations would be known as “top-down” evaluations because they involve estimations of work performance by supervisors.

Nicholls State University also provides for “bottom-up” evaluations of supervisors by those employees who are below them in the chain of command. These evaluations, similar to student evaluations of faculty, are meant to be used by supervisors as a development tool that leads to improvements in management style and management priorities. These evaluations can also be used as a means of ensuring that the Nicholls State University management processes work effectively and efficiently.

3.7.3 Summative Evaluations
Administrators shall not earn tenure except as members of an academic discipline. When applying for promotion or tenure, all administrative staff with faculty rank must follow the procedures in Section 2.9 and 2.10. These procedures begin at the level of the academic department. In all cases, a summative evaluation shall be performed before formal consideration for promotion and tenure.

In the summative process, it is the responsibility of administrators to support with adequate evidence their being qualified for promotion and tenure in all three areas (teaching, research, service). In addition, administrators who teach must be reviewed annually at the department level by following the formative evaluation process described in Sections 2.10.3.1 to 2.10.3.3.

3.8 Separation

3.8.1 Resignation
Administrative staff who intend to resign must submit written letters of resignation to the President with copies to the appropriate supervisors, at the earliest possible opportunity, but not later than May 15 or fifteen (15) working days after receiving appointments of employment for the coming academic or fiscal year, whichever date is later.

In consideration of the welfare of students and the University, staff members should not voluntarily sever their employment relationship with the University other than at the end of an academic term, the calendar year, or the fiscal year.

All written resignations are final and shall not be withdrawn without consent of the University. A written resignation form letter is available on the Human Resources policies website.

3.8.2 Termination or Dismissal
Termination or dismissal of at-will employees does not require a statement of reasons. However, supervisors are encouraged to document reasons for such dismissals or terminations in order to insure that the rights of employees have been considered. Although there is no right to a hearing for termination or dismissal of at-will employees, the President may deem it advisable to initiate proceedings to investigate serious allegations against employees.

See procedures for termination on the Human Resources policies website.

3.8.3 Immediate Dismissal
An employee may be summarily suspended or dismissed upon a determination by the President that any of the following, non-exclusive grounds exist:
• deliberate and grave violation of the rights of others;
• gross insubordination or serious failure to meet reasonable written and published standards contained in or incorporated by reference to this Manual and any other appropriate policy statements;
• that the continued presence of the employee on the grounds of the University would endanger the safety and well-being of the staff member or other members of the University community;
• that the continued functioning of the staff member in the position would substantially impair or substantially disrupt the normal functions of the University.

If the employee is suspended, salary and benefits may or may not continue during the term of any suspension.

Suspension may lead to dismissal.

Where the grounds of suspension or dismissal is severe disruption of the educational process, La RS 17:3101 et seq. authorizes the use of force “by all means available to the governor” if necessary to prevent any person, including staff members from disrupting educational processes or damaging University property.

3.9 Grievance Procedures

In Chapter III of its Rules, the Board of Supervisors mandates that “each institution shall develop and promulgate an internal grievance procedure for employees (classified and unclassified).” This procedure shall be approved by the Board. An employee must exhaust all administrative procedures at the institutional level before an appeal can be made to the Board.

In the interest of the individual staff member and the University Community, problems and concerns should be brought into the open and resolved. An effort will be made to process these concerns in a timely fashion.

The following unclassified non–faculty grievance procedures were approved by the President's Cabinet on November 15, 1991.

3.9.1 General Information

The steps described below are the levels through which employees may take their grievances. It is understood that a grievance may be resolved at any of the levels prior to the petitioning of the Unclassified Non–Faculty Grievance Committee and that the other steps would be unnecessary.

In the interest of the unclassified non–faculty staff and the University, grievances should be discussed and resolved at the lowest possible level.

It is the purpose of the Nicholls State University Unclassified Non–Faculty Grievances Committee to hear grievances beyond the departmental levels. Grievances which are legitimately the province of the Committee are those presented by an unclassified non–faculty employee (defined below).

In keeping with its concern for the welfare of these unclassified, non–faculty employees, an effort will be made to hear grievances in a timely fashion; however, the Committee recognizes that, in most cases, grievances can be resolved most expeditiously at the departmental level.

3.9.2 Definitions

• The term “unclassified non faculty” (hereinafter referred to as employee) shall include all full-time unclassified personnel. Staff holding dual responsibilities, faculty and administrative in nature, will follow the procedure offered all faculty
for faculty/teaching grievances. Grievances related to administrative/staff functions will be pursued in accordance with procedures listed in this document.

- The term “grievance” shall include employment circumstances or conditions alleged to be grounds for a complaint. Excluded from the scope of this definition are (a) non-renewal of term contracts, (b) terminations, (c) matters involving salaries, (d) disciplinary matters, and (e) work assignments.
- The term “days” shall be working days. Extensions of time frames may be granted in appropriate cases to the party showing good cause for such extension to the Chair of the Committee.

3.9.3 Procedures
Described below are two procedures for resolving a grievance: informal and formal. Ideally, grievances should be resolved at the departmental level through a cooperative effort of the supervisor and the employee, but when this is proved impossible, the procedures below are available.

The essential differences between the informal and formal procedures are these: in the informal process, meetings between the employee and immediate supervisor are mandated. In the formal process, such meetings are not required but may be included; second, filing of grievance and response forms is not required in the informal process. Everyone must go through the informal procedure before using the formal procedures.

3.9.4 Informal Grievance
The grievance must be presented within ten days of the occurrence. An employee shall discuss a grievance with his or her department head, director, or immediate supervisor.

If the issue remains unresolved, the next highest ranking supervisor should be consulted next within ten days. If the grievance still remains unresolved, the appropriate Vice President in charge of this unit should be consulted within ten days.

If following these steps does not yield satisfactory results, all covered employees are entitled to follow the formal procedure below within 30 days.

3.9.5 Formal Grievance
In order to file a grievance under this procedure, after exhausting the informal procedures, the employee must submit within 30 days a Grievance form (see M Drive) is available from the immediate supervisor. On that form the employee must describe the problem, provide evidence supporting the allegations, and present the specific redress requested. The forms must be dated and signed. Once dated and filed with proper officials, the grievance may not be expanded.

1. The completed Grievance form will be submitted by the employee to the immediate supervisor, who shall respond to the employee on a Grievance Response form in no more than ten days.
2. The original Grievance form and the Grievance Response form are submitted by the employee, if appropriate, to the next person in the employee’s chain of command, who shall respond on a Grievance Response form in no more than ten days.
3. The original Grievance form and accompanying Grievance Response form are submitted by the employee, if necessary, to the appropriate Administrator, who shall respond on a Grievance Response form in no more than ten days.
4. The employee may then petition the Unclassified Non-Faculty Grievance Committee for a hearing by forwarding the original Grievance form and all Grievance Response forms along with a written request for a hearing. After hearing the case, the Unclassified Non-Faculty Grievance Committee sends its findings and
recommendations to the President, using a Grievance Response form attached to all previous forms.

5. The President will make his or final disposition of the case and notify all parties on a Grievance Response form within 20 days following receipt of the Grievance Committee's recommendations.

6. The employee is required to complete or exhaust the formal grievance procedure prior to appealing to the Board of Supervisors for the University of Louisiana System. This appeal must comply with the rules and procedures of that board.

The steps described are the levels through which employees may take their grievance. It is understood that a grievance may be resolved at any of the levels prior to the petitioning of the Unclassified Non-Faculty Grievance Committee and that the other steps would be unnecessary.

### 3.9.6 Bylaws of the Grievance Committee

#### 3.9.6.1 Composition and Purpose

- The Unclassified Non–Faculty Grievance Committee shall be composed of eight representatives. Two representatives are to be elected from each of the following: Administrative Affairs, Finance and Administration, and Student Affairs and Enrollment Services plus there will be two at–large members appointed by the University President. The terms of committee members will be alternating three–year terms, that procedure being established immediately upon the implementation of these bylaws.
- The Chair and the Secretary shall be elected by the members.
- The committee serves as a hearing and a recommending body reporting its findings to the University President.

#### 3.9.6.2 General Information

- All hearings shall be conducted with a quorum which must include the Chair.
- The Committee shall conduct no ex parte proceedings, i.e., without all parties present. Reasonable nonappearance of parties may be allowed. The committee may grant the parties a continuance of a hearing upon showing a good cause. Nonappearance of the employee thereafter or without obtaining a continuance may cause the appeal to be abandoned.
- All Committee proceedings are closed and confidential; there is no right to a public hearing. All documents, testimony, and memoranda pertaining to the proceedings are strictly confidential, and all parties must keep them so. The Committee, the employee, and the University may each have an attorney, but due notice must be given to the appropriate Vice President, the employee, and the Chair of the Committee if attorneys will be present.
- All Committee proceedings are recorded and complete transcripts maintained, except for executive sessions. A copy of the transcript may be purchased by the employee.
- Neither the employee presenting the grievance nor persons purporting to represent them shall approach Committee members on the employee's behalf except during properly constituted meetings.

#### 3.9.6.3 Procedures of the Committee

1. Employees shall petition the Committee through its Chair only after compliance with the steps outlined previously in the informal and formal procedures.
2. Upon receipt of the written grievance, the Chair will set a meeting date for no more than twenty days from the date of receipt of that grievance.
3. The Chair will notify the employee and other affected parties named in the grievance at least ten days in advance of the hearing and will do so by certified U.S. mail.

4. Committee findings will be submitted in writing to the parties, i.e., the employee and the University administration, through the office of the President.

3.9.6.4 **Conduct of Hearings**

1. The Chair will ensure that the hearing room is properly equipped for recording proceedings. This equipment will be operated and monitored by professional personnel of the Media Center.

2. The Chair will convene and organize the Committee, parties to the hearing remaining outside the hearing room until summoned. Witnesses will be sequestered. Each party to the grievance may exercise one peremptory challenge and one challenge for cause to members of the Committee. Any committee member may recuse himself/herself from hearing a particular matter, by notifying the Chair prior to the hearing date.

3. After the parties to the grievance are summoned into the hearing room, the Chair shall declare the hearing in session and ask the employee to present his or her case (30 minutes maximum). The employee may be advised in his or her presentation by legal counsel whose role is advisory only. The Chair will not entertain questions by the Committee until the employee has completed his or her presentation (which may include witnesses).

4. Legal rules of evidence do not apply. The Committee may accept and give probative effect to evidence that possesses probative value and is commonly accepted by reasonable persons. The Committee may restrict evidence that is unduly repetitious. The Committee shall give effect to the rules of privilege recognized by law. The Chair will rule on all objections to evidence.

5. Appearances by witnesses are strictly voluntary. Witnesses who are University employees will be allowed time off to attend hearings but must notify their supervisors in advance so that adequate preparations may be made.

6. Members of the Committee will be recognized individually by the Chair (10 minutes maximum each).

7. The Chair will recognize a designated administrative officer appointed by the University President, who will make the oral presentation for the University (30 minutes maximum).

8. Members of the Committee may question the University representative, following the time limitations of #6 above.

9. The employee shall make a final oral rebuttal and closing statement (not to exceed 10 minutes).

10. The defendant shall make a final rebuttal and closing statement (not to exceed 10 minutes).

11. During the period of the Committee's final deliberations, the Chair may require the parties to the grievance to leave the hearing room; however, the employee and his or her counsel may await the decision of the Committee in the nearest convenient room.

12. The Chair will recall the Committee to session to take its final vote on findings and/or recommendations.

13. The Chair will announce the Committee's findings to the employee after adjournment. The first announcement will be oral, with the written findings to follow within ten days.

14. The written findings and/or recommendations of the Committee shall be transmitted to the University President, who shall render his or her written decision, which shall include notice of the employee's right to appeal to the governing board of the University.
3.9.6.5 **Grievance Forms**
A copy of the official grievance forms (Grievance and Response) for unclassified non-faculty employees can be found in the M Drive materials corresponding to this *Manual*.

3.10 **Constitution of the Unclassified Staff Association**

3.10.1 **Preamble**
We, the members of the Unclassified Staff Advisory Council, do hereby on this day of July nineteenth, two thousand and five, establish the Constitution and Bylaws of the aforementioned Association in order to effectively, fairly, and humbly represent all Unclassified Staff employees of Nicholls State University, by actively participating in the shared governance of the University. The Association strives to unite University Staff through collaborative efforts with administration and faculty in order to enhance the working environment and services as we foster and support the mission and goals of Nicholls State University.

3.10.2 **Article I – Name**
The name of this organization shall be the Nicholls State University Unclassified Staff Association, hereafter referred to as “the Association.” The official name of the governing body of the Association shall be the Nicholls State University Unclassified Staff Advisory Council, hereafter referred to as “the Council.”

3.10.3 **Article II – Purpose**
As the governing body of the Association, the purpose of the Council is to actively represent all Unclassified Employees below the level of Assistant Vice President who are not recognized by the faculty governance document through the following objectives:

- advocate for Unclassified Staff in all matters relevant to their employment;
- provide opportunity for Unclassified Staff to express their views and opinions on any matter they deem of interest;
- make solicited or unsolicited recommendations to the University President and/or Vice President(s) and/or President’s Cabinet on matters affecting Unclassified Staff;
- request and receive information in the form of reports or otherwise from the administration;
- annually conduct Unclassified Staff Opinion Survey;
- review the Administrative Section of the Employee Handbook every odd-numbered year.

3.10.4 **Article III – Status**
The Council shall report directly to the University President in accordance with the shared governance philosophy of the University Administration.

3.10.5 **Article IV – Amendments**
Amendments to this constitution may be initiated by a majority vote of the Council or by a petition signed by at least twenty percent of the membership of the Association. All amendments shall be presented to the members of the Association in the form of a referendum, and shall be ratified by a two-thirds internet or mail ballot vote of the Association.
3.11 Bylaws

3.11.1 Article I – Council Membership

3.11.1.1 Representation
The Council membership shall be comprised of elected representatives as follows:
- Academic Affairs: 2 members
- Business Affairs: 2 members
- Institutional Advancement/President’s Office: 2 members
- Student Affairs: 2 members

3.11.1.2 Eligibility
Eligible individuals include any member of the Association who has been employed full time, regardless of classification for a minimum of 24 consecutive months at Nicholls State University.

3.11.1.3 Elections
Elections shall be held before May 1st each year. The Council Vice President shall notify Unclassified Staff of the available positions by print, email, and/or web announcement by March 15th of each year. Interested individuals must complete a USAC Election Intent Form and return it through campus mail or electronically to the Council Vice President by April 1st of each year. In the event that no qualified Unclassified Staff submits election forms by the deadline for one or all of the positions available, the following courses of action will be attempted:
1. Extend eligibility to Unclassified Staff members, from the division lacking a nominee, who have been employed less than two years as well as Council members from that division who are completing their term with the election. Candidates will have five working days to submit an Election Intent Form.
2. If qualified nominees are still lacking, Council members representing the division from which no nominations have been received will recommend an Unclassified Employee from that division. The person recommended will be informed of their nomination and asked to complete an Election Intent Form.
3. If qualified nominees are still lacking, the division that is lacking a nominee will forfeit that position for one year.

Once Election Intent Forms have been collected the Council Vice President will forward the forms to Human Resources for verification of eligibility. Human Resources will document such eligibility or lack thereof on the Election Intent Form and return them to the Council Vice President.

The Vice President will make ballots available on the Council web site and identify a closing date for voting that shall fall before May 1st. Each Unclassified Staff member who chooses to vote will do so through internet vote. Each Association member shall have one opportunity to vote for the candidates running within their division. Election results will be kept on file a minimum of two years. The Council President will notify Association members of the election results.

3.11.1.4 Vacant Positions
In the event that a Council Member should leave the University, resign from their Council position, or is otherwise unable to fulfill his/her duties, a special election shall be held if the person who is vacating the position has a minimum of six (6) months left in his/her term. Otherwise, the position will remain vacant until the next regular election. The Vice President will solicit nominees by sending an email to all Association members in the division in which the resigning member is employed. Thereafter, the same procedures shall be implemented as in an annual election within thirty days. The newly elected member shall complete the term of the
Chapter 2: Faculty Personnel Policies

3.11.1.5 Term and Term Limits
A term shall be defined as a two-year period beginning and ending May 1st. Membership is limited to two consecutive terms. After a one-term absence an individual may seek election again.

3.11.2 Article II – Officers

3.11.2.1 Primary Duties
President The President shall: schedule and create an agenda for all meetings; facilitate all meetings; meet with the University President as necessary; submit written reports, responses, and recommendations to the University President as necessary; provide email updates as appropriate to all Unclassified Staff; represent The Council on Faculty Senate and any other committees seeking Unclassified Staff representation; submit approved minutes to University President.

Vice President The Vice President shall: fulfill the President’s obligations in his/her absence; assist with the President’s duties as requested by the President; announce elections, make ballots available to all Unclassified Staff, clear Election forms through Human Resources, and collect results to report to the Council; upon formation of subcommittees, coordinate said subcommittees.

Recording Secretary The Recording Secretary shall: record minutes of all the Council meetings; submit minutes for posting on the Council web page and to Ellender Memorial Library Archives; conduct the annual Unclassified Staff Opinion Survey.

3.11.2.2 Election of Officers
After May 1st and before May 31st of each year members of the Council shall elect officers in a special meeting. This meeting shall be facilitated by outgoing President. At this meeting individuals may verbally nominate themselves or any member may verbally nominate another member for any of the three offices. Each member shall cast one vote for each office by secret written ballot. The votes will be counted at that same meeting by a member whose name does not appear on the ballot and results will be announced immediately.

3.11.2.3 Term of Office
Each officer shall be elected for a one-year term. He/she shall be eligible for a limit of two consecutive terms in the same office. After the two consecutive terms, the individual may run for a different office. Following an absence of one year from a particular office, that individual may run again for that same office.

3.11.3 Article III – Meetings

3.11.3.1 Frequency of Meetings
A minimum of two (2) meetings shall be held during each of the Fall and Spring semesters and one (1) during the Summer session.

3.11.3.2 Officer Election Meeting
In addition to the meetings described in III.A., a special meeting will be held between May 1st and May 31st of each year for the purpose of electing officers.
3.11.3.3  **Agenda**  
Meeting agendas will be written by the Council President and distributed no later than 5 working days before a meeting. Council or Association members may submit to the President items to appear on the agenda no later than 10 working days before a scheduled meeting.

3.11.3.4  **Meeting Schedules**  
Regularly scheduled meetings, not to include emergency meetings, will be posted on the Council web site and advertised via email no later than 15 working days before the meeting.

3.11.3.5  **Meeting Format**  
All meetings will be open to the public. However, if an attendee would like an item to be addressed it must be placed on the agenda as per III.C. An executive session may be called at any time during the meeting by majority vote of Council members.

3.11.3.6  **Emergency Meetings**  
In addition to regularly scheduled meetings, emergency meetings may be called by the Council President in response to a special request or need from the University President, or an Association or Council member.

3.11.3.7  **Minutes**  
Minutes as recorded by the Recording Secretary shall be sent by email to all Council members and meeting guests within five working days after a meeting. Council members then have five working days to send any corrections by email to the Recording Secretary. Within an additional five working days, the Recording Secretary shall complete the corrections and have the minutes posted on the Council web page.

3.11.3.8  **Meeting Procedures**  
The President may call votes as necessary during meetings. Any member may request at any time that the President call for a vote on a particular item. A quorum, constituted by a presence of a majority of Council members, must be present for a vote to take place. The majority of the quorum will decide the outcome.

3.11.3.9  **Voting by Proxy**  
When a pre-planned vote has been scheduled for a particular meeting and a council member cannot attend, he/she may cast an absentee vote in writing or via e-mail to any council member or to the president prior to the meeting. If it is submitted by e-mail, the recipient must print it out and the hard copy must be brought to the meeting at which the vote will take place. The printed copy in either form should the be entered into the official record.

3.11.4  **Article IV – Special Issues**

3.11.4.1  **Email Voting**  
The Council President may call for an email vote if expedience is necessary and a meeting is not feasible. In this case, the issue on which the Council is voting will be fully explained in an email sent from the President to all Council members. Each member will have 24 hours to respond and cast a vote by email. This response and email vote should be sent to all members of the Council. A majority of members must respond for the vote to be valid. Results of the vote will be disseminated to all Council members within 24 hours of receiving the final vote or of the initial 24 hours, whichever comes first. Results of the vote will be noted in the minutes of the following meeting.
3.11.4.2 Information submitted by Employees
Should an Association member submit concerns, questions, or recommendations to any Council member, that member will immediately send by email that information to all Council members. The President will respond to that Staff member by email within 24 hours and state that the Council appreciates the input and will address the issue at the next meeting. If the President is not available, the Vice President will respond. If the Vice President is not available, the Recording Secretary will respond.

3.11.5 Article V – Amendment of Bylaws
Bylaws shall be amended by the following procedure: Amendments must be submitted in writing by a Council member at a meeting. It will be voted on at the following meeting. A simple majority of the Council members present, provided there is a quorum, must approve the amendment for it to be adopted. Between the meeting in which it is proposed and the meeting in which it is voted on, an email will be sent to all Association members informing them of the proposed amendment and inviting them to submit their input to the Council.

3.11.5.1 Amendment Spring 2006
As per Article V of the Bylaws, as of Spring 2006, the Council representation from the University President’s office will be combined with representation from Institutional Advancement. Two members from this combination shall serve on the Council. Therefore, the Council will hereafter consist of a total of eight (8) members.

3.11.5.2 Amendment Fall 2006
As per Article V of the Bylaws, as of Fall 2006, the following changes were made:
- The association members will vote only for candidates running in their division.
- Vacant positions will only be filled by election if the departing council member has a minimum of six months left in his/her term.
- The responsibility of conducting the opinion survey has been moved under the duties of the Recording Secretary.
- All email voting responses should be sent to the entire Council; not just the President.

3.11.5.3 Amendment Spring 2007
As per Article V of the Bylaws, as of Spring 2007, the following changes were made:
- Eligible individuals may have been employed in any classification as long as it was a minimum of 24 consecutive months at Nicholls.
- Voting by proxy for preplanned votes is now an option.
4 Civil Service Employee Policies

4.1 Human Resources: Appointing Authority

The director of Human Resources acts as the appointing authority for classified employees at Nicholls and shall be responsible for representing this agency to the Department of Civil Service. Human Resources shall handle all official university correspondence and contact with the Department of Civil Service.

This policy, however, is not intended to deprive any employee of the right to contact the Department of Civil Service concerning any problem affecting the employee individually, provided the employee does not indicate to the Department of Civil Service that he or she is representing Nicholls State University.

4.1.1 Communication

New and changed policies and procedures are communicated by memoranda to supervisors and employees. There are bulletin boards to pass information on to employees, and it is the employees' duty to check the bulletin boards in the department regularly so that they may be informed. For those problems which cannot be immediately resolved, employees may use the grievance procedure explained in section 4.2.4.

Human Resources aspires to have a communication system which will eliminate misrepresentation, error or conflict. If there is any doubt concerning any communication, rule or policy relating to classified personnel, employees should not hesitate to contact the Human Resources office, as this is the best source of obtaining the correct information.

4.2 Establishment of the Civil Service System

Nearly all public employees want, and are entitled to have, security of tenure, political independence and the right to vote as they please. They are entitled to be sure that, as long as they properly perform the duties of their positions, they will retain their jobs, win promotion through merit, and enjoy economic security along with political freedom. Unfortunately, under the old “spoils” system, as a matter of economic pressure and dire necessity, one could not afford to risk losing a job in order to vote as he or she pleased.

The Civil Service Amendment established a Civil Service System, effective for the majority of state employees on June 30, 1953. It prohibited discharge of a regular employee for political reasons, and it established a democratic merit system in public employment. The law effectively destroys the "spoils" system and will save the taxpayers of the State of Louisiana millions of dollars, through improved efficiency of public employees in governmental activities. It restores political liberty and security to thousands of honest and efficient employees of the state. The Civil Service System will permanently result in cleaner and more efficient government and will protect and preserve our fundamental democratic institutions. It is through Civil Service that state employees can be freed from political control and influence so that they may perform their work without fear or favor and may cast their votes as they alone desire.

4.3 Civil Service Employment

All classified employees of the University are appointed in accordance with the State Civil Service Regulations. This means they were selected from a list of eligible persons who passed a competitive examination or were selected for a position based upon eligibility as determined by training and experience.
Representatives of the Department of Civil Service have analyzed each position in detail. The responsibilities and some of the duties connected with it are outlined, and the education and experience required to do the job adequately are defined. These make up the official classification requirements.

Information on Civil Service may be obtained on their website.

4.4 **Initial Appointments and Requirements**

Each classified position is filled in accordance with the rules and regulations of the Louisiana State Department of Civil Service. Before receiving an appointment, one must first meet the minimum qualification requirements of the position.

When employed by the University, you are required to submit to Human Resources a current application for state employment, an appointment affidavit, disclosure of outside employment, and to subscribe to the Code of Ethics. If veteran's preference is claimed, a copy of military service discharge papers must be submitted. Human Resources will conduct an employee induction orientation. All necessary forms relating to employment will be completed at this time.

4.4.1 **Loyalty Oath**

By Act 284 of 1950 of the legislature of the State of Louisiana, all employees of public educational institutions in Louisiana are required to sign a loyalty oath. The loyalty oath is an affirmation that the signer is not a member of any subversive groups, organizations or associations. A copy of the Appointment Affidavit that was read, completed, and signed follows.

4.4.2 **Code of Ethics**

A copy of the Code of Ethics for the Public Servant that was read and signed at the beginning of employment appears below. It is the duty and responsibility of each employee to continuously review this code and remain aware of the necessity of maintaining the commitments outlined therein.

Throughout this manual are listed rights and privileges of a Civil Service employee and of an employee of Nicholls State University. With these rights and privileges there must be shared certain responsibilities. Employees are expected to do a satisfactory job and give a full day's work for a full day's pay. Employees must obey all rules and devote each working day to performing a full day's work. Employees are expected to be loyal to their supervisors, to fellow employees and to the University. Nicholls State University expects every employee to display good manners, politeness and courtesy in the fulfilling of duties. Employees should conduct themselves, both on and off the job, in a manner of speech, behavior and dress that is exemplary and above reproach. Matters of a confidential nature known and seen by an employee in the line of duty are to remain confidential.

In addition to Civil Service Rules are rules and policies set and applied by Nicholls State University. Supervisors are obliged to work within the framework of all rules and policies. Each employee is directly responsible to his or her supervisor who will explain organizational policy and procedure of his or her department and of interrelated departments and divisions.

Employee development is encouraged and may be accomplished by self-study, taking college courses for credit or audit, attending seminars, workshops, or university-sponsored training sessions. Each employee should keep Human Resources informed of accomplishments in this area so that this additional training can be documented in the personnel file.

The conscientious, responsible, and loyal employee is important to Nicholls and his or her well-being is a matter of concern. Rights will not be disregarded. Employee efforts and accomplishments are recognized and rewarded whenever possible.
4.4.2.1 **Code of Ethics for Public Service Statement**

I agree to abide by and uphold the following principles, ever conscious that public office is a public trust and, as evidence thereof I have signed this code:

- I will hold loyalty to the highest moral principles and to country above loyalty to persons or to public agencies.
- I will uphold the Constitution, laws and legal regulations of the government and never be a party to their evasion.
- I will give a full day's labor for a full day's pay, devoting to the performance of my duties my earnest efforts and best thought.
- I will seek to find and employ more efficient and economical ways of getting tasks accomplished.
- I will never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not, and never accept for myself or my family, favors or benefits under circumstances which might be construed by reasonable persons as influencing the performance of my governmental duties.
- I will make no secret commitments of any kind binding upon the duties of office, since a government employee should have no private work which might conflict with public duty.
- I will engage in no business with the government, either directly or indirectly, which is inconsistent with the conscientious performance of my public duty.
- I will never use any information coming to me confidentially in the performance of my governmental duties as a means for making private profit.
- I will expose corruption wherever discovered.

__________________________               ____________________________
Date                                           Name

__________________________
Position

Sponsored by
Louisiana State Personnel Council

4.5 **Status of Employees**

Types of appointments under Civil Service are as follows:

4.5.1 **Provisional**

This is the appointment of a qualified person in the absence of an adequate eligible list. Provisional appointments terminate upon the regular filling of the positions in any manner authorized under Civil Service rules, but in no event later than 30 days after certification of five or more available eligibles from an appropriate list. If the provisional employee is not on the list or is not within reach for appointment because of a low grade on the examination, employment must be terminated and a qualified candidate from the list of eligibles must replace the employee. Therefore, the provisional employee is urged to take the appropriate examination.

A provisional appointment is, therefore, temporary and indefinite. A provisional employee may be separated by the employing agency at any time.
4.5.2 Probational

This is an appointment of a person to serve a working test period of no less than six months or more than twenty-four months of employment. During this period the employee is closely supervised to determine whether the performance on the job indicates that he or she will probably make a satisfactory or an unsatisfactory employee. An employee whose performance does not meet the required standards may be removed from the position at any time before the expiration of the probationary period, in accordance with Civil Service Rules, without right of appeal.

4.5.3 Permanent

This is the status of an employee who has successfully completed the probationary or working test period. Permanent appointment of a probationary employee shall begin upon certification by the appointing authority.

4.5.4 Job Appointment

The purpose of the job appointment is to accomplish work of a temporary nature for a period not to exceed three years. Employees serving on job appointments do not attain permanent status and may be separated by the employing agency at any time. Job appointees do earn sick and annual leave but payment for services will not be made until time sheets are received.

4.5.5 Restricted Appointment

A restricted appointment authorizes employment not to exceed six calendar months. Under such appointments, these appointees do not attain permanent status, do not earn leave, do not receive payment for holidays, and may be separated by the University at any time. Payment for services will not be made until time sheets are received.

4.5.6 Noncompetitive Re–employment

This is the noncompetitive appointment of a person based on permanent status attained in former employment in the classified service. Subject to provisions of Rule 8.18, a former permanent employee who has been separated from the Service may, within ten years from separation, be non–competitively re–employed in any position for which he or she is qualified and which has the same or a lower entrance salary as the current minimum for the class in which he or she had permanent status. Each former employee who is non–competitively re–employed, except if employed from a Department Preferred Re–employment List, must serve a six–month probationary period from date of re–employment before regaining permanent status. When re–employed, the employee earns sick and annual leave based on verified former state service.

4.6 Position Classification

The class title allocated to the position which an employee fills was authorized by the State Department of Civil Service, and this title will be used on all official records and communications. Within the University colleges, divisions, departments or sections, it is permissible to use unofficial titles.

The duties and responsibilities assigned to an employee’s position are itemized on an official Civil Service Position Description Form (SF–3). Supervisors will provide any additional information relating to the position and will inform employees of specific departmental policies and procedures.

Position descriptions generally contain an accurate itemization of duties and responsibilities; however, the absence of a specific task related to the position does not exclude its performance. If changes in the organization and distribution of work result in a significant alteration of the duties and responsibilities as described in the Position Description Form, it is suggested that you discuss the matter with your supervisor. It may be appropriate to update the position description or to make an appeal for reallocation of the position for consideration by the Department of Civil Service.
If the Department of Civil Service determines that a different official allocation must be made for a particular position, then the position is reallocated to another class. This could result in either a promotion, demotion, or reassignment. Job descriptions are updated every five years or as duties and responsibilities change.

4.7 Position Changes

4.7.1 Promotions
A promotion means a change in duty assignments and status of a permanent employee from a position in one classification to a position in another requiring higher qualifications and involving a higher level of responsibility and pay. A promotion can be made only when the employee qualifies for it through regular Civil Service procedure.

Information on position descriptions and specifications is available on the Civil Service website.

A promotion is determined on a competitive or noncompetitive basis depending upon the level of the position to be filled, whether or not the proposed action is in normal line, whether or not a competitive situation exists, and other factors. When an employee is promoted, no new probationary period is involved.

Employees are encouraged to broaden their skills, to take Civil Service examinations or otherwise qualify for higher G–level positions. Whenever possible, administration prefers recommending the promotion of a permanent employee in filling a vacancy in lieu of choosing a candidate who has not had service at the University from a list of eligibles.

4.7.2 Posting of Vacant Positions
Notices of vacant positions are posted in a binder in Human Resources and also on the Human Resources page of the Nicholls website. Notices are also e–mailed to all departments and employees for all to see. These notices are also sent to various agencies outside the University for posting. Any interested employee who meets the qualifications for the vacant position may submit his or her name for consideration. It is the employee’s responsibility to take the Civil Service examination for any classification of interest. Human Resources will be glad to assist employees with the application if necessary.

4.7.3 Reallocations
If, during the course of employment, additional duties and responsibilities are assigned to a position, and an employee feels that the position is no longer properly classified, he or she may file an appeal for reallocation. It should be understood that reallocation will not be considered as a reward for longevity in a particular class or position. Additional information and forms are available through the Office of Human Resources.

The reallocation of a position from one class to another results from a determination by the Department of Civil Service that a different official allocation must be made for a position.

4.7.4 Reassignment
This is a change within the same department of an employee from a position in one class to another position in a different class, where both classes have the same minimum rate of pay.

4.7.5 Transfer
This is the change of an employee from a position in one agency to a position in another agency without a break in service of one or more working days. A change from permanent status to probational status can occur.
4.7.6 Section Transfer
This is the change of an employee from one department within an agency to another department within the same agency without a change in class or pay.

4.7.7 Demotion
Nicholls State University will adhere to the following policy concerning demotions, voluntary or involuntary, according to Civil Service Rules 8.21 and 6.10.

This policy shall apply to all classified employees.

As defined in Civil Service Rule 1.12, 'Demotion' means a change of permanent or probationary employee from a position in one job to a position in another job, which is assigned to a pay grade with a lower maximum.

1. Conditional Exemptions to Mandatory Pay Cut:
CS Rule 6.10(a) requires that the pay of an employee who demotes for any reason be reduced by a minimum of 7%. In accordance with the authority granted to agencies to make exceptions [CS Rule 6.10(d)], however, a Nicholls State University employee who voluntarily demotes (except as noted below under Special Provisions) may be conditionally exempted from the mandatory pay cut, provided the employee's salary is within the salary range of the job to which he/she demotes. Such waiver of the pay cut will cease if the employee is reallocated, detailed or promoted to a higher-level job. In such cases, the employee's salary increase will be figured from his/her "true" rate, (i.e., the salary he/she would have earned had his/her salary been reduced at the time of demotion). This condition will be in effect for one year. If no promotion, detail or reallocation occurs within one year from the date of demotion, the condition will be removed and the employee regains eligibility to receive the pay adjustments normally associated with details, promotions and/or reallocations. When effecting demotions without pay cuts, appointing authorities must certify that: "This exception to the mandatory pay cut is not being granted in an arbitrary or fraudulent manner designed to ultimately increase the employee's rate of pay."

2. Special Provisions:
- An employee may only be granted a conditional exemption from the mandatory pay cut once in a 12-month period, unless the employee is voluntarily demoting in lieu of a layoff, due to medical reasons, or as an ADA accommodation, in which case he/she may be granted an additional exemption regardless of whether one was granted in the previous 12 months.
- An employee who accepts a promotion and who, within one year from the date of said promotion, requests a voluntary demotion to return to his/her former position or job title will have his/her salary reduced by 7%.
- An employee cannot earn more than the maximum of the salary range of the job to which he/she is demoting, so in some cases the employee will suffer a pay cut of greater than 7% regardless of the reason for the voluntary demotion.
- None of these provisions for exceptions apply to disciplinary demotions.

4.7.8 Detail to Special Duty
This is the temporary assignment of an employee to perform the duties and responsibilities of a position other than the regularly assigned one without prejudice to his or her rights in and to his or her regular position. This type of action is generally used to remedy an emergency situation.

4.7.9 Layoff
This is the removal of an employee from a position because of lack of work, lack of funds, or for other causes other than disciplinary.
4.7.10 Department Preferred Re–employment List
This is a list containing the names of former classified employees who have noncompetitive re–employment rights in a particular class or classes in a certain department.

4.7.11 Removal or Dismissal
This is the termination of employment of an employee for cause.

4.7.12 Suspension
This is the enforced leave of absence with or without pay of an employee for disciplinary purposes, or during an investigation of alleged misconduct by the employee.

4.8 Policy on Outside Employment
All full–time state employees must comply with LSA–R.S. 42:61 et. seq. regarding dual office holding and dual employment. All employees must check with Human Resources prior to beginning outside employment to assure compliance with the above–mentioned statutes.

4.9 Hours of Work
Under state law, all full–time classified employees are required to work 40 hours per week. Specific time of duty may vary in certain departments because of the nature of the work involved. Some departments have established shifts of duty for employees. Office schedule for most employees is from 8 a.m. through 4:30 p.m., Mondays through Fridays, with one–half hour for lunch, plus a rest period or coffee break in the morning and in the afternoon not to exceed 15 minutes each.

Each supervisor will explain what hours to work, lunch or supper periods, according to departmental schedules.

4.9.1 Coffee Breaks
Whenever possible during the workday, two 15–minute breaks are permitted. This privilege should not be abused; that is, these breaks should not exceed 15 minutes each. It is to be understood that if the employee elects to substitute a one–hour lunch break in lieu of the half–hour lunch and two 15–minute breaks, no coffee breaks are allowed.

4.9.2 Workload Lull or Cessation
Employees who experience a slack period in work should, if possible, offer assistance in comparable areas of job performance where rush work is occurring. Employees may notify Personnel Services of these periods so that assignments can be made. An attitude of cooperation lends to a more harmonious and more efficient total organization. The appointing authority may direct an employee to work temporarily in areas other than that to which he or she is assigned.

4.10 Holidays
The Office of Human Resources disseminates yearly the University holiday schedule that will be followed by classified employees. Nicholls is allowed under state law to designate official holiday closures which may or may not correspond with state holidays proclaimed by the governor for other employees of the state. Employees are allowed 14 official paid holidays annually. However, the University may close for up to 10 additional days annually. For those days of University closure, Civil Service rules require employees to be charged either annual, compensatory, or leave without pay. This particular matter will be discussed during the new employee’s orientation.
4.11 Pay Policies
Salary is based on the pay grade assigned to the Civil Service classification. Each position is classified by the Louisiana Civil Service Commission. These pay grades are assigned to each classified position and include a minimum and maximum salary.

4.11.1 Pay Periods
Employees are paid bi-weekly over 26 pay periods a year. Checks are distributed by the Controller's Office on alternating Fridays. New employees may not receive the first check until about three weeks due to a one-week lag. At that time, the new employee will receive a check for the first pay period worked.

4.11.2 Rate of Pay upon Promotion, Demotion, and Reallocation
The official policy for promotion, demotion, and reallocation pay for classified personnel is maintained on the Human Resources policies website.

4.11.3 Pay for Extraordinary Qualifications or Credentials
The policy for rate of pay for persons with extraordinary qualifications or credentials is maintained on the Human Resources policies website. The request form may also be obtained on that website.

4.11.4 Merit Increases
When a new employee has been continuously employed, without a break in service of one or more working days for a period of six months, he or she becomes eligible for and may be granted a merit increase provided that the appointing authority has determined his or her performance merits such an award.

At the end of each subsequent 12-month period of such continuous employment, the employee may be granted an additional merit increase if the appointing authority has determined that his or her performance merits such an award. This date of eligibility shall be known as an anniversary date and shall not change through such continuous employment within the classified service.

*These merit increases are not automatic.* They must be earned; the supervisor must recommend them; and the University must have funds available to grant them.

All classified employees of the University are eligible to receive any cost-of-living increase granted in accordance with the plan recommended by the Department of Civil Service and approved by the Legislature and Governor.

4.12 Performance Planning and Review
The official policy for performance, planning, and review of classified personnel is maintained on the Human Resources policies website.

4.13 Recognition of Service
Service longevity is recognized for employees who have served in excess of 10 years at Nicholls State University. These awards are presented at the annual Classified Personnel Service Awards Program usually held toward the end of the spring semester.

The Mamie Bourgeois Award was established in 1980 by the Amigas Club of Thibodaux in honor of one of its charter members, the late Mamie Bourgeois. This award is presented annually to the University's outstanding classified employee with emphasis placed upon excellence and dedication to the recipient's occupation. The Nicholls State University Outstanding Trades Employee award was established in 1995 by the PRO-NSU Club to recognize outstanding service to the University.
by classified employees in the skilled craft and service jobs. The award is presented annually to a
classified employee and recognizes excellence and dedication to the recipient’s occupation.
Subsequently, the recipients of both awards may be nominated for the Louisiana Civil Service
League's Charles E. Dunbar Jr. Service Award.

4.14 Retirement System
As a condition of employment, classified employees become a member of the Louisiana State
Employees' Retirement System (LASERS) effective the date of employment. A deduction of 7.5
percent will be made from the salary each payday as the contribution to the system during each
fiscal year. The University will contribute an amount equal to 13 percent of salary toward
retirement.

Employees hired after April 1, 1986, are required to contribute 1.45 percent for Medicare eligibility
(shown as Medi-FICA on your check stub).
The money contributed belongs to the employee and will be held for credit until retirement age. If
the employee leaves state service, the money is refunded upon request.

Employees 55 years or older upon entering state service have a choice as to whether or not they
wish to join the Louisiana State Retirement System or continue paying Federal Social Security.
Human Resources will provide details on retirement rules.

Those employees who contemplate retirement, either under Social Security or under the retirement
system, should contact Human Resources concerning separation by retirement at least six months
prior to the proposed date of retirement.

4.15 Resignations
The official policy on resignations for classified personnel is maintained on the Human Resources
policies website.

4.16 Special Provision for Sick or Disabled Employee (Rule 12.6)
An employee absent from duty because of a disability which prevents the performance of the usual
duties and responsibilities of his or her position and who has exhausted all sick leave, may be
removed by the appointing authority upon certification to the director of Civil Service by such
appointing authority that the interests of the service require that the duties of the position be
carried on without further interruption provided all requirements of Family Medical Leave have
been met. Such removal shall not disqualify the former employee for non-competitive re-
employment as provided in Rule 8.18. Notice of such action shall be furnished to employee
pursuant to the provisions of Rule 12.6.

4.17 Discipline
An appointing authority may take appropriate action to remove, suspend, demote, reduce in pay,
reassign or reprimand an employee for cause.

Delinquency, immoral conduct, or a dishonest act on the part of any employee reflects adversely,
directly or indirectly, upon fellow employees and upon the public service; and it is the policy of the
University to deal promptly, fairly, and adequately with an employee is involved with any such
acts. Officials or supervisors who administer discipline are expected to be firm, objective, impartial
or impersonal and free from prejudice. An employee who is unsure about the propriety of any
intended act should get a ruling from the supervisor and/or higher officials.
An employee may be removed from the State Civil Service for grave reasons, including but not limited to, the following:
- failure to meet job standards or to carry out duties
- insubordination
- any dishonesty
- theft
- falsification of any records
- any misconduct
- disorderly conduct (profanity, fighting, quarreling, etc.)
- immoral conduct
- fraud
- intoxication or addiction while on duty
- poor attendance
- unexcused absences, failure to process request for leave
- excessive unexcused tardiness
- false claims for sick leave
- falsification of attendance records: including failure to show all actual hours on duty, all hours on leave
- willful destruction of state property
- failure to abide by rules and policies
- any involvements prohibited by law

An employee who is suspended without pay shall be so notified by the appointing authority on or before the effective date of the suspension, and each employee so suspended shall be furnished detailed reasons in writing within 15 calendar days following the effective date of suspension.

An employee who has been suspended without pay may be paid for time lost if his or her conduct, ability, or performance is found after investigation to be such as not to warrant disciplinary or corrective action.

In every case of removal, demotion or reduction in pay for cause of a permanent employee, the appointing authority or authorized agent shall furnish the employee at the time such action is taken, or prior thereto, a statement in writing giving detailed reasons for such action.

4.17.1 Supervisor’s Responsibility in Discipline
If discipline is to be maintained, it is the supervisor’s responsibility to keep Human Resources informed concerning any misconduct on the part of an employee. This information should be in writing and should be forwarded to Human Resources at the same time it is given to the employee. Supervisors having any questions regarding documentation of discipline should consult Human Resources. The Appointing Authority, or authorized designee, is the only person who can take disciplinary action against an employee.

4.18 Safety
Nicholls has a comprehensive safety program that is implemented under the supervision of the University Safety Officer. However, safety is a function of management and its entire supervisory staff.

Management working with safety committees and the safety director will implement a safety plan with the University community in mind. Training, safety education and correction of hazardous conditions will have particular emphasis. Since regulations, laws, codes and rules govern the direction of safety, all faculty and staff will strictly adhere to requirements for reporting, investigating and documenting all accidents, and near misses in their area. However, it is up to the
employee to follow safety rules, properly use safety devices, support all safety programs and offer constructive suggestions for improvement.

4.18.1 Reporting of Accidents
In the case of an accident, which results in any way, in the injury of an employee while on regular tour of duty, it is the responsibility of the employee to:
1. Report to University Health Services (infirmary) for immediate medical attention. University Health Services will file a report with Human Resources and the University Environmental Health and Safety Director.
2. Notify the supervisor immediately, when possible, of any accident. He or she will be responsible for recording the details of the accident.
3. Human Resources will call the employee to obtain details for filing an Employer’s First Report of Injury.

This procedure should be followed immediately after any accident and/or injury. Should it be necessary after the above procedures are followed for an employee to consult with a family physician, then Human Resources will have on record the exact time and date of the accident and possible resulting injury. Failure to report an accident immediately may jeopardize receiving coverage.

The physician's report and prescription charges will be carried in the employee's name. Medical charges for services and drugs should be forwarded to Office of Human Resources, Nicholls State University, P.O. Box 2105, Thibodaux, LA 70310.

An employee injured while on duty must obtain a release from his or her doctor stating that he or she is able to return to full duty before returning to work.

4.19 Workers’ Compensation
Employees of the University are covered by Workers' Compensation Insurance paid for by the University. This insurance is applicable only in the event of an accident while the employee is on duty. If an employee is injured on the job, Workers’ Compensation provides financial and medical aid that continues as long as the employee is disabled.

The employee must use sick or annual leave while off work due to injury. The compensation for this period must be paid back to the University, because employees cannot receive both regular salary and Workers’ Compensation. The Workers' Compensation benefits will buy back some of the sick or annual leave. Hospitalization insurance will not be applicable if Workers' Compensation insurance covers a particular injury.

4.20 Insurance
4.20.1 Hospitalization
The University makes available to all full-time employees hospitalization insurance under the state contract, and the state pays a percentage of the premiums. The University also makes available to all eligible employees HMO hospitalization insurance, also under state contract, and the state pays a portion of those premiums. When an employee becomes eligible for hospitalization insurance, he or she should contact the Controller’s Office to complete enrollment forms. Payroll deductions are made for the employee's share of the premium.

Participation by each member of the staff in university hospitalization plans and/or group life insurance is optional.
4.20.2 Group Life Insurance
All full-time employees are entitled to group life insurance through a state contract. The state pays 50 percent of the cost of this coverage for this employee. The employee pays 100 percent of the cost for dependent life coverage. The face life amount of insurance for employee and dependents varies; therefore, each employee will be presented this information by the Controller’s Office. Payroll deductions are made for the employee’s share of the premium.

4.20.3 Other Insurance
There are various types of additional insurance offered to full-time employees. These consist of cancer, intensive care, dental, disability and annuities. The employee pays 100 percent of the cost for all of these. Group insurance for any employee on leave without pay may be continued for a period of one year only, during which time the employee pays the full premium on a monthly basis.

Group insurance for any employee who voluntarily resigns can be continued under the COBRA benefits for a period of 18 months providing the plan member pays the COBRA premium each month. Additional information can be obtained in the Controller’s Office.

When an employee is eligible for retirement, the hospitalization and life insurance may be continued under the same conditions as during his or her employment.

Employees or retirees who reach age 65 are able to retain 75 percent of the amount of life insurance for which they were previously eligible. Employees or retirees who reach age 70 are able to retain 50 percent of the amount of life insurance for which they were eligible prior to age 65. Employees who remain actively employed after age 65 continue to be eligible for the same health benefits for which they were eligible prior to age 65.

When an employee or retiree reaches age 70, all AD and D (Accidental Death and Dismemberment) benefits are terminated.

4.21 Leave
Annual and sick leave shall be earned by each full-time and each part-time employee who has a regular tour of duty, except that no employee shall earn annual or sick leave while serving under emergency or restricted appointment. The earning of such leave shall be based on the equivalent of years of full-time state service and shall be creditable at the end of each regular pay period in accordance with the following general schedule:

<table>
<thead>
<tr>
<th>Years of service</th>
<th>Per hour</th>
<th>Per pay period</th>
<th>Approximate days per year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than three</td>
<td>.0461</td>
<td>3.6880</td>
<td>12</td>
</tr>
<tr>
<td>Three but less than five</td>
<td>.0576</td>
<td>4.6080</td>
<td>15</td>
</tr>
<tr>
<td>Five but less than 10</td>
<td>.0692</td>
<td>5.5360</td>
<td>18</td>
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<tr>
<td>10 but less than 15</td>
<td>.0807</td>
<td>6.4560</td>
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</tr>
<tr>
<td>15 or more</td>
<td>.0923</td>
<td>7.3840</td>
<td>24</td>
</tr>
</tbody>
</table>

If an employee is on leave without pay for some or all of the pay period, then the leave earning amount will be pro-rated accordingly.

No employee shall be credited with annual or sick leave:
- For any overtime hour.
- For any hour of leave without pay.
- While on leave with or without pay, until such time as the employee returns to active working duty, except where inability to return to duty is caused by illness or incapacity as defined by Rule 1.39.1.
- For any hour in on-call status outside of regular duty hours as defined in Rules 11.1 and 11.2.
- For any hour of travel or other activity outside of regular duty hours as defined in Rules 11.1 and 11.2.
- For any hour of a holiday or other non-work day which occurs while on leave without pay.

Each employee upon separation from the classified service shall be paid the value of accrued annual leave in a lump sum disregarding any fraction of an hour. No payment for annual leave shall operate to continue the payee as a classified employee beyond the last day of active duty.

No terminal payment for annual leave earned under these rules shall exceed the value of 300 hours, computed on the basis of the employee's hourly rate of pay at the time of separation.

### 4.21.1 Use of Annual Leave

Annual leave is leave with pay granted for the purpose of rehabilitation, restoration and maintenance of work efficiency or for transacting personal business. Vacations should be scheduled well in advance with the approval of the supervisor.

*Each employee must apply in writing and in advance for annual leave. All supervisors and the appointing authority must approve the application before the leave period begins.* The minimum charge to annual leave records shall not be less than one-half hour. All unused annual leave is carried forward to succeeding calendar years without limitation. Annual leave shall not be charged for non-work days. However, Civil Service defines non-work days as official state holidays, Saturdays and Sundays. Since "university closures" are not official state holidays, Civil Service rules require that employees be charged either annual leave, compensatory leave, or leave without pay for the closure days.

### 4.21.2 Enforced Annual Leave

(a) Subject to subsection (b) hereof, and military leave provisions in Rule 11.26, an appointing authority may require an employee to take annual leave whenever in his or her administrative judgment such action would be in the best interest of the department.

(b) No employee shall be required to reduce his or her accrued annual leave to less than 240 hours; however, subject to the military leave provisions of Rule 11.26, an employee may be required to take any part or all of his or her accrued annual leave prior to being granted leave without pay.

### 4.21.3 Use of Sick Leave

If employees have sufficient sick leave credited to their records, they may use it for:
- Illness or injury which prevents them from performing usual duties.
- Medical, dental, or optical consultation and treatment.

Employees should report absence from work because of illness, 1) to supervisors preferably at least two hours prior to the time that they are expected to be on duty, but no later than the time when they are scheduled for duty, or 2) designate someone who will reliably give this notification within the specified time if they personally are physically unable to do so. Employees must still make the effort to contact their supervisor as soon as they are physically able. Because departments operate on different schedules, this time may vary. If so, the supervisors will inform employees of the time for their department. As soon as employees return to work, they must complete a leave application form, stating the cause of the absence. The appointing authority may require a statement from a registered physician or some other acceptable proof that the employee was ill and unable to report to work.
Sick leave shall not be charged for non-work days. The minimum charge for sick leave shall be one-half hour. Sick leave may be taken for maternity purposes. See policy on Maternity Leave and Family Medical Leave Act.

Sick leave may be taken only when employees are ill or injured or when they need medical, dental, or optical treatment. Leave taken because of the illness of a child, spouse or relative cannot be claimed as sick leave. This would be annual leave or leave without pay to take care of family responsibility.

Employees on approved annual leave or off due to University closures who become sick will be required to produce a physician's statement to the appointing authority before changing leave status to sick leave.

4.21.4 Certificates Required When Sick Leave is Taken
If an employee will be off work for an extended period of time due to illness or surgery, a doctor must certify in writing that the employee is unable to perform regular duties. When well enough to return to work, the employee must furnish this office with a physician’s statement indicating that the employee is able to return to regular duties. In the event of excessive absenteeism, the appointing authority may require that for each absence the employee produce a physician’s certification upon returning to work.

4.21.5 Cancellation or Continuance of Annual and Sick Leave
All annual leave accrued by an employee whose services are terminated for cause except that for which he or she must be paid, and all sick leave accrued shall be cancelled at the time of termination.

All annual leave accrued by an employee for which he or she is not paid upon being laid off and all sick leave accumulated shall again be credited to the employee if re-employed in permanent status within five years following layoff.

All annual leave accrued by an employee for which he or she is not paid upon resignation and all unused sick leave accumulated shall again be credited to the employee if re-employed in permanent status in the classified service within a period of five years from the date of separation. The privilege of this rule shall not extend to any employee whose last separation from the Service was by resignation to escape possible disciplinary action.

4.21.6 Transferring Annual and Sick Leave between Agencies
All annual leave accrued by an employee for which he or she is not paid and all sick leave accrued whenever there is an employment change from one agency to another agency shall be certified by the former agency to the other agency and shall be credited to the employee.

4.21.7 Civil, Emergency and Special Leave
An employee shall be given time off without loss of pay, annual or sick leave when:
1. Performing jury duty.
2. Summoned to appear as a witness before a court, grand jury, or other public body or commission, provided that for purposes of this subsection a plaintiff or defendant shall not be considered a witness, nor shall this subsection apply to an employee summoned as a witness as a result of employment other than state employees.
3. Performing emergency civilian duty in relation to national defense.
4. The appointing authority determines that he or she is prevented by an act of God from performing duty.
5. Voting leave (amended and re-enacted effective Jan. 11, 1989 as Rule 11.23.2).
6. Participating in a State Civil Service examination on a regular workday, or taking a required examination pertinent to the examinee's state employment, before a state licensing board.
7. The appointing authority determines that because of local conditions or celebrations it is impracticable for his or her employees in such locality to work.
8. The employee is ordered to report for pre-induction physical examination incident to possible entry into the military forces of the United States.
9. The employee is a member of the National Guard and is ordered to active duty incident to local emergency, act of God, civil or criminal insurrection, civil or criminal disobedience, or similar occurrences of an extraordinary and emergent nature which threatens or affects the peace of property of the people.
10. Engaged in the representation of a client in a criminal proceeding pursuant to an order of a court of competent jurisdiction, provided if compensation for such services is available from another source, he or she may not accept the special leave and the compensation.

4.21.8 Funeral Leave
Probationary and permanent employees may be granted time off without loss of pay, annual leave or sick leave when attending the funeral or burial rites of a parent, step-parent, child, step-child, brother, step-brother, sister, step-sister, spouse, mother-in-law, father-in-law, grandparent or grandchild; provided such time off shall not exceed two days on any one occasion.

4.21.9 Military Leave
Probationary and permanent employees who are members of a Reserve Component of the Armed Forces of the United States shall be entitled to military leave with pay when placed on "military active duty for training" by order of an authority of the Armed Forces of the United States and when given constructive credit for such training.

Maximum military leave with pay for "military active duty for training" is 15 working days per calendar year.

The appointing authority may grant an employee annual leave or leave without pay or both in accordance with other provisions of these rules for such periods which exceed fifteen working days in any calendar year.

4.21.10 Maternity Leave
An employee may be granted sick and annual leave or leave without pay, during the period of confinement for the birth of a child, not to exceed 12 calendar weeks, including holidays and regular days off.

There may be extenuating circumstances where complications arise from pregnancy or childbirth, and, in such cases, the employee will obtain an additional certificate from the physician.

In accordance with this policy, an employee requesting maternity leave will submit a written request for leave through the proper channels to Human Resources indicating the beginning and termination dates of leave as recommended by the attending physician. The physician's statement will be attached to the request for leave.

In order to prepare for a possible replacement of an employee who shall be granted maternity leave, the employee's request should reach Human Resources 30 days in advance of the proposed
leave. Changes necessary from the original request are to be reported not later than one month prior to the termination of an approved leave period.

Time sheets for all payrolls occurring while the employee is on approved leave should be submitted prior to the employee’s absence. The submitting of time sheets covering periods of leave is the employee’s responsibility and should be submitted to payroll when due.

4.21.11 Family and Medical Leave Act of 1993

4.21.11.1 Purpose
To define the policy and procedure of Nicholls State University with regard to family leave required by the Family and Medical Leave Act of 1993.

4.21.11.2 Policy
Employees who have worked for Nicholls State University for at least twelve (12) months and at least 1,250 hours during the prior twelve (12) months may take up to twelve (12) weeks of unpaid leave for the following reasons:

- To care for a newborn son or daughter;
- For the placement of a son or daughter with the employee for adoption or foster care.
- To care for a spouse, child, or parent with a serious health condition;
- Because of the serious health condition which renders the employee unable to perform the functions of the employee’s position.

In the case of unpaid leave for the birth or placement of a child, intermittent leave or working a reduced number of hours is not permitted unless both the employee and Nicholls agree prior to taking the leave. If both spouses are employed by Nicholls, the combined leave shall not exceed twelve (12) weeks.

In the case of unpaid leave for serious health conditions, the leave may be taken intermittently or on a reduced–hours basis only if such leave is medically necessary. If intermittent or reduced hours leave is required, Nicholls may in its sole discretion temporarily transfer the employee to another job with equivalent pay and benefits that better accommodates that type of leave.

During family leave of absence, Nicholls will continue to pay its portion of the health insurance premiums and the employee must continue to pay his or her share of the premium. Failure of the employee to pay his or her share of the health insurance premium may result in loss of coverage. If the employee does not return to work after the expiration of the leave, the employee will be required to reimburse Nicholls for payment of health insurance premiums during the family leave, unless the employee does not return because of the presence of a serious health condition which prevents the employee from performing his or her job or circumstances beyond the control of the employee.

During unpaid leave, the employee shall not accrue employment benefits, such as annual or sick leave. Employment benefits accrued by the employee up to the day on which family leave of absence begins will not be lost. Employees may be required to use their available annual leave during part or all of the twelve (12) week family leave, and available sick leave may be required when family leave is taken due to a serious health condition of the employee.

Employees who return to work from family leave of absence within or on the business day following the expiration of the twelve (12) weeks are entitled to return to their job or an equivalent position without loss of benefits or pay.
Applications for family leaves of absence must be submitted in writing on the official Nicholls State University "Request for Leave" form. Applications should be submitted at least thirty (30) days before the leave is to commence, or as soon as possible if thirty (30) days notice is not possible. Appropriate forms must be submitted to the Office of Human Resources to initiate family leave and to return the employee to active status. Employees requesting family leave must provide Nicholls with the appropriate medical certification.

4.21.12 Crisis Leave Pool

The Crisis Leave Program is established and approved by the State Civil Service Commission, in accordance with Civil Service Rule 11.34, Crisis Leave Pool.

This policy and procedure outlines the method for participating in the Crisis Leave Program for classified and unclassified employees who are eligible to earn annual leave. The Program’s intent is to provide assistance to employees who, through no fault of their own, have insufficient appropriate accrued leave to cover the crisis leave period.

The Crisis Leave Program is a means of providing paid leave to an eligible employee who has experienced a catastrophic illness or injury to themselves or eligible family member. An employee using leave from a crisis leave pool shall receive leave in sufficient quantity to ensure his/her wage replacement is 75% of the pay he would receive in regularly scheduled work week. The Crisis Leave Pool consists of leave hours donated and used, and is based on the fiscal year, July 1st – June 30th of the following year.

4.21.12.1 Definitions

- Crisis Leave – annual leave hours donated by classified and unclassified employees who are eligible to earn annual leave, into a crisis leave pool to be used by fellow employees who are suffering from their own serious illness or injury or having to provide care for an eligible family member that is suffering from their own catastrophic illness or injury, which will cause the employee to take leave without pay or terminate employment. Employees may make an irrevocable donation of accrued annual leave to the crisis leave pool.

- Crisis Leave Value – annual leave granted as crisis leave shall not exceed 75% of the employee’s pay received in a regular work week.

- Serious Health Condition (Family Medical Leave Act) – is an illness, impairment, physical or mental condition, or injury caused by a serious accident on or off the job that involves:
  - any period of incapacity or treatment in connection with or consequent to inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility;
  - any period of incapacity requiring absence from work, school, or other regular daily activities of more than three calendar days, that also involves continuing treatment by (or under supervision of) a health care provider;
  - continuing treatment by (or under supervision of) a health care provider for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days.
  - Voluntary or cosmetic treatments (such as most treatment for orthodontia or acne) that are not medically necessary are NOT “serious health conditions”, unless inpatient hospital care is required. Restorative dental surgery after an accident, or removal of cancerous growths are serious health conditions provided any of the other conditions above are met (a, b, or c). Treatment for allergies or stress, or for substance abuse are
serious health conditions if any of the other conditions are met above (a, b, or c). Prenatal care is included as a serious health condition. Routine preventive physical examinations are excluded.

- **Licensed Medical Service Provider (LMSP)** - a practitioner, as defined in the Louisiana State Licensing Law, who is practicing within the scope of his or her license. This includes licensed physicians (doctor of medicine), doctor of osteopathy or licensed chiropractors, counselors, or therapists as recognized and licensed by the appropriate state boards or authorities.

- **Eligible employee** – an employee of Nicholls State University who is eligible to earn annual leave in accordance with University policy and procedure. Classified employees must have attained permanent status to be eligible to donate or use leave from the leave pool. Unclassified employees must have at least one year (12 months) of service with the University to donate or use leave from the leave pool.

- **Eligible family member** – In accordance with the Family Medical Leave Act, an employee’s spouse, children (son or daughter), and parents are immediate family members. The term “parent” does not include a parent “in-law”. The terms son or daughter do not include individuals age 18 or over unless they are “incapable of self-care” because of mental or physical disability that limits one or more of the "major life activities" as those terms are defined in regulations issued by the Equal Employment Opportunity Commission (EEOC) under the Americans With Disabilities Act (ADA).

### 4.21.12.2 Crisis Leave for Employees

Crisis Leave shall be applied for by the employee and may be taken only when recommended by the Review Committee and approved by the University President or his/her designee. The supervising LMSP must provide written documentation of the need for leave. The Review Committee may choose to require an opinion from another provider, especially for extended leaves.

To be eligible to participate in the Crisis Leave Program, an employee shall:
- be a full-time employee who is eligible to earn annual leave according to University leave policy and procedure,
- have attained permanent status (classified employees), or one year of service (unclassified employees), to be eligible to donate or use leave from the leave pool,
- have exhausted all appropriate accrued leave (annual or sick or compensatory) before requesting crisis leave from the pool,
- have exhibited satisfactory attendance (with no history of leave abuse), and is not absent from work due to disciplinary reasons,
- have a serious illness or injury that is not occupationally related (not eligible for coverage by workers’ compensation) or was not attained in the commission of an assault or felony,
- have an eligible family member suffering from a serious illness or injury,
- provide the appropriate documentation from LMSP.

Leave donating participants shall retain three (3) days of accrued annual leave at all times for personal use. Employees shall not be permitted to donate to the Program if they have fewer than 3 days (24 hours) of annual leave. No employee who participates in the Program may contribute more than thirty (30) days (240 hours) of their accrued annual leave each fiscal year.

Employees who use annual leave from the Crisis Leave Pool shall not be expected to pay it back. Donations to the pool are irrevocable.

Donations to the Crisis Leave Pool come from a participating employee’s “annual” leave only. Accrued “sick” and “compensatory” leave donations to the Crisis Leave Program are not permitted.
Donations shall only be allowed to the Crisis Leave Program pool and not to an individual participating employee.

Nicholls State University limits the number of days a participating employee or employees can draw from the Crisis Leave Pool to 30 days (240 hours) per fiscal year, and is limited to 100 days (800 hours) per employee for total participation in the Crisis Leave Program.

Days/hours shall be transferred from the pool as they are used.

Employees receiving workers’ compensation or benefits from a long-term disability insurance policy are not eligible to withdraw leave from the pool.

Unclassified employees may draw only from one of the pools (Crisis Leave Pool or Shared Sick Leave Pool) per fiscal year.

### 4.21.12.3 Crisis Leave Procedure

1. The adoption of this Crisis Leave Program or any other subsequent amendment to this policy shall not create a legal entitlement. No employee will be coerced or pressured in any form or manner to donate leave.
2. There must be a leave balance in the Crisis Leave Pool in order for an employee to receive donated leave. No leave will be advanced in anticipation of additional donations.
3. A Review Committee, appointed by the University President, shall consist of two (2) classified employees, two (2) unclassified employees, and two (2) faculty members, the Director of Human Resources (1), and the Payroll Supervisor (ex-officio). The Director of Human Resources will serve as chair of the committee and will vote only in the case of a tie. The members appointed shall be eligible for participation in the Program if they meet all required criteria. The Committee will act to support the administration of the Program, review the pool, and when not otherwise specified in written policy, may recommend operational guidelines and procedures for the Program.
4. The Crisis Leave Policy along with the Leave Donation Form will be issued to all eligible employees after the policy is approved by the Board of Supervisors for the University of Louisiana System and the Civil Service Commission. After initial policy notification, the policy and donation of leave forms will be issued. All leave donation forms will be routed directly to the Payroll Office.
5. To donate leave to the pool:
   - Forward the Leave Pool Donation Form (LP1) directly to the Payroll Office.
6. To apply for crisis leave through the pool:
   - Forward the Application for Use of Leave Pool Hours (LP2) and all relevant documentation directly to the Director of Human Resources. (Supporting documentation must be submitted to the Director of Human Resources at the time of application.)
   - As committee chair, the Director of Human Resources will forward the application and related documents to the Review Committee.
   - The Review Committee reviews the application and documentation and makes a decision to approve or deny the request.
   - The Director of Human Resources will notify the employee in writing of the committee’s decision to approve or deny the request. A copy of the notification will be sent to the employee’s immediate supervisor, the Payroll Office, and the university president.
7. Upon approval, to simplify record keeping, annual leave will be converted on an hour for hours basis regardless of the value of the annual leave being donated or received. Annual leave will
be transferred from the pool as it is needed on a per payroll basis. Annual leave from the pool shall be granted on a first-come, first-served basis.

8. The granting of crisis leave is meant to cover only the circumstance for which it was requested. If changes occur in the nature or severity of an approved illness or injury, or of any other factor(s) on which the approval was based, the employee may have to provide documentation describing the change to the Review Committee. An employee can request more crisis leave subject to the limits outlined in this policy; however, extensions of crisis leave are not automatic. Hours granted from the Crisis Leave Pool may be used only for reasons stipulated in the request.

9. **THE USE OF LEAVE THAT IS NOT IN ACCORDANCE WITH PROCEDURES AND REQUIREMENTS OUTLINED IN THIS POLICY MAY CONSTITUTE PAYROLL FRAUD AND WILL BE DEALT WITH ACCORDINGLY.**

10. The value of the annual leave granted as crisis leave shall not exceed 75% of the employee’s pay received in a regular workweek. (Example: If in a crisis leave status for a 40 hours work week, the employee will report 30 hours of leave with pay and 10 hours of leave without pay.)

11. An employee in crisis leave status will be considered in partial paid leave status and will continue to receive benefits as appropriate. Employees on crisis leave will not accrue paid leave.

12. If the University chooses to end the Crisis Leave Program, any accrued leave in the pool will continue to be used until depleted.

### 4.21.13 Policy on Leave without Pay

Civil Service Rule 11.27 stipulates that an appointing authority for reasonable cause may grant leave of absence without pay to an employee for a period not to exceed one year, provided that such leave shall not prolong the period of appointment; and the rule further states that, with approval of the director of the Department of Civil Service, periods of leave of absence without pay in excess of one year may be granted to a permanent employee.

The appointment of a provisional employee or a probational employee who fails to return to duty in pay status on or before the first working day following the expiration date of any period of leave without pay extended him shall terminate as of the close of business on such expiration date. If a permanent employee who has been extended leave of absence without pay fails to report for or refuses to be restored to duty in pay status on the first working day following the expiration of an approved leave of absence, or at an earlier date upon reasonable and proper notice from the appointing authority, he or she shall be considered as having deserted his or her position and shall be removed in accordance with provisions of Chapter 12 of the Civil Service Rules.

The appointing authority on his or her own initiative or at the request of the employee may curtail a period of leave of absence without pay extended an employee, provided such curtailment is for the best interest of the agency and reasonable and proper notice thereof is furnished to the employee. In addition to any disciplinary action which may be imposed against an employee for an unapproved absence, such employee may be placed on leave without pay by the appointing authority for the period of unapproved absence.

It is University policy that, when leave without pay is approved, it will be granted on the basis that employee will be reinstated at the University to a position of like status and pay. This may or may not be the same position that was occupied at the time that the request was made.

Before entering leave without pay status, the circumstances involving the suspension of membership into the Retirement System should be investigated by contacting Human Resources. The Controller's office should be consulted concerning the effect of leave without pay on any insurance carried.
An employee who has no accrued leave balance or who has an insufficient leave balance to cover absences necessitated during a pay period shall be on leave without pay and notification of this leave without pay should be given immediately to Human Resources.

4.21.14 Educational Leave

The University's mission is to distinguish itself as an institution of the highest quality of higher education. As such, it also encourages the academic growth and development of its employees by providing them the opportunity to complete an academic course a semester during the regular workweek. Complying with the following conditions and procedures will enable the employees of Nicholls this opportunity to continue their education.

Leave without pay for educational purposes may be granted an employee for a period equivalent to the period of enrollment in the course or degree program, provided that it is in accordance with established agency policy on leave without pay.

Employees may be granted educational leave with pay during their regular work hours to take only one class per semester, including summer sessions. Any other approved classes taken during regular work hours must be with annual leave or leave without pay. Such leave will be granted only when it is not disruptive to the normal operation of that unit. Written approval by the appropriate vice-president will verify and insure that staffing needs are being met.

Employees will not be allowed to change either their work schedules or their lunch hours for the purpose of taking more than the one allowed course during their normal work hours. If any employee wishes to take a second course which falls within his or her normal lunch hour with no overlap into work hours, this will be permitted. Unless otherwise noted and approved differently, the “normal” lunch period is considered to extend from 11:30 a.m. to 1:30 p.m.; thus, as long as the office work is covered, the lunch hour of an individual may fall anywhere within that time period. Please be reminded that the lunch hour is composed of one half hour and two 15-minute break periods. When an employee chooses to take a class during this hour, he or she shall not take breaks during the day. Courses taken before and after normal work hours will not be affected.

Classes taken that fall within the “one class per semester” must be job related. The university recognizes that an employee working toward a degree and having a degree plan on file with the university will be considered as taking courses that are job related in accord with the goals and objectives of higher education.

Educational leave request must be submitted on Educational Leave Form G–3 and must be approved prior to taking the leave. Part II of Form G–3 must be submitted to the Office of Human Resources upon completion of the class.

In addition to employee participation in approved educational leave, there may be additional training or additional education attained by employee participation at conferences or meetings relating to employee's work or office functions, not formally requested on Form G–3. Verification by employee of additional training or education becomes a part of the employee's personnel record at the agency and at the Department of Civil Service. Also, participation of an employee in agency-sponsored or required training is made a part of each participant's record. Notification by employee should be given to the personnel office of acquisition of new skills or training whether acquired during employee's regular tour of duty or on employee's own time. This is to include meetings that provide training relative to some phase of employee's work.

4.21.15 Attendance and Leave

Hours of duty must be rigidly observed. Excessive tardiness in reporting for duty and/or absences from duty station that have not been properly and fully authorized or which are without justification are not tolerated and may be the basis for disciplinary action which could include the
All employees must understand that leave practices will be in accordance with agency-established laws and policies; and any employee who fails or refuses to follow these laws and policies subjects himself to possible serious disciplinary measures. Disciplinary action will be taken for false claims of sick leave.

If, for any reason, employees are unable to report for work as scheduled, it is the employees’ responsibility to 1) notify the supervisor (or some other official if the supervisor cannot be reached) of the emergency nature of the absence, preferably at least two hours prior to the time that the employees are expected to be on duty, but no later than the time when they are scheduled for duty, or 2) designate someone who will reliably give this notification within the specified time if employees personally are physically unable to do so. The employee must still make the effort to contact the supervisor as soon as physically able.

4.21.16 Leave Requests, Prior to Taking Leave

The Request for Leave Form is to be used for all absences from duty. All leave should be approved by all supervisors in advance of taking leave, including medical or dental appointments or scheduled surgery, except that leave which must be taken in an emergency.

No employee is to assume the right of leave for a “couple of hours” without proper and full authorization simply because he or she is earning leave or has a leave balance accrued. No employee is to assume the “right” of leave unless it is of an emergency nature without submitting the proper written request. Leave is not actually authorized unless all signatures required on the Request for Leave form are obtained. It is every employee’s responsibility to know their leave balances (shown on bi-weekly check stub), to complete his or her own Request for Leave Form, and to promptly take it to the supervisor for approval in advance of taking leave and to see that the form is processed for other signatures in advance of taking leave. In some departments, there is a designated employee who will handle this upon request.

Failure to follow established policy concerning requesting and taking leave may result in an employee being placed on leave without pay for the period of unauthorized leave and may result in other disciplinary measures being taken. Continued infractions of any rule or policy may result in such employee’s dismissal or removal from the state service. See also the policy on non-disciplinary removal for unscheduled absences on the Human Resources policies website.

4.21.17 Leave Requests, General

As previously stated, each full-time employee will work 40 hours per week, and each part-time employee will work a specified number of hours per week. Thus, an employee who is on duty fewer than the prescribed number of hours is actually on some type of leave.

Written requests for leave will include, for example:

- Sick: Scheduled appointments to see a doctor, scheduled surgery. (If worker’s compensation accident, refer to Procedure for Reporting Accidents. Make certain all accidents are reported).
- Annual: Rest, rehabilitation, restoration and maintenance of work efficiency, home responsibilities, or to take care of personal business.
- Civil: Performing jury duty. Employee must provide the subpoena ordering the duty, giving dates and place where duty is to be performed. It will also be necessary to provide written proof of attendance upon completion of duty. This proof must be attached to the time sheet for the appropriate pay period. Summoned to appear as a witness before a court, grand jury, or other public body. Employee must provide proof, case, location and dates. A plaintiff or defendant shall not be considered a witness and may not use civil leave in those circumstances. A full explanation must be given to determine type of leave that may be used.
- Special: Voting in an election. If employee must vote during working hours, provide location where voting occurs. Taking Civil Service examinations or other examinations pertinent to employment. Provide a notice card indicating the type of examination (ex. Stenographer Clerk II), when taken and at what location. Military pre-induction physical or National Guard duty. Specify location, dates, and authority.
- Educational: Use Form G-3. Remember that oral permission from one or more supervisors is not sufficient and that employee must complete request for such leave in writing.
- Family & Medical Leave: Give dates in accordance with family medical leave policy. If for personal illness, attach physician's certificate to leave request form.
- Maternity: Give dates in accordance with maternity leave policy. Attach physician's certificate to leave request form.
- Leave Without Pay: Specify reason. Refer to Leave Without Pay section. This request must be processed promptly in order to make the necessary payroll adjustment.
- Emergency: This refers to emergency civilian duty and death in family. Regarding death in family, written request is appropriate only depending upon circumstances and/or closeness of employee to deceased.
- Compensatory: This refers to leave taken from compensatory hours earned in lieu of overtime pay for overtime hours worked. This type of leave is without penalty to sick or annual leave balances.

Written requests for leave are subject to change. If an employee is unable to take the requested leave, he or she may verbally cancel this leave by calling Human Resources. If more leave is required, an additional leave request must be submitted. If an employee wishes to change the dates of the requested leave, an additional request should be submitted with indication made on it to void previous request. Employees should keep a record of all requests for leave.

If the leave approved falls within the end of a payroll, employees must ensure that time sheets are submitted prior to going on leave. If the leave approved covers more than one payroll period, employees must submit the necessary time sheets to cover these periods prior to going on leave.

4.21.18 Use of Compensatory Time

In accordance with Louisiana State Civil Service Rule 21.6 (b) for classified employees and University of Louisiana System PPM FS.III.XXI.-1 Section VII C for unclassified employees relating to the use of compensatory time, the appointing authority may require employees credited with compensatory time to use such compensatory time at any time.

By the authority vested in the rules of State Civil Service and the Policies and Procedures of the University of Louisiana System, it shall be the policy of Nicholls State University that employees who have been credited with compensatory time shall be required to use compensatory time when requesting time off from work in lieu of using annual leave for those instances where annual leave would have been requested if the employee did not have any earned compensatory time.

It is not the intention of this policy to require an employee to split a full day of leave taken with a portion of compensatory leave and a portion of annual leave. In those cases where an employee is requesting time off and the employee does not have sufficient compensatory time equal to or greater than the amount of time being requested, the employee should take compensatory time in eight hour increments and use annual leave for the balance of the hours needed for the time off being requested.
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An employee can choose to split the type of leave requested during an eight hour period between annual leave and compensatory leave in order to make up the total number of hours of leave being requested.

An employee requesting less than 8 hours of time off from work should use compensatory time for the requested time off if the employee has compensatory time available.

4.22 Time sheets, Attendance Records, Certification of Payroll and Attendance

Rule 15.2 states that “the appointing authority or his agent designated for this purpose shall certify on each payroll or subsidiary documents the fact of the actual rendering of service in the position, the actual number of hours of attendance on duty, and the number of hours of absence from duty. Each employee shall certify also the fact of the actual rendering of service, the number of hours of attendance on duty and the number of hours of absence from duty.”

Unreported leave results in money loss to an agency. The proper certification of the “actual” rendering of duty, (of attendance on duty, of absence from duty) is a very important and serious duty of each employee. Signatures of both employee and supervisor on a time sheet attest to the actual rendering of duty.

Time sheets should never be completed in a careless manner. They will be in legible form with no strikeovers or erasures. They will contain no stamped signatures. They must contain all absences, as well as all hours on duty. They will be checked and re-checked for accuracy and will be turned in immediately following the termination of each payroll period to the Controller’s Office.

In compliance with Rule 15.2 and for avoiding error or falsification of attendance reports, the following guidelines are submitted for use:

1. Except in emergency situations, request leave in writing.
2. Keep a record of all requests for leave and of all absences.
3. Certify all absences on time sheet. For any absence, attach Form SF 6 (Application for Leave).

In remarks on Form SF 6, show

- If Annual: whether vacation, home responsibilities, sickness at home, etc. This is not absolutely necessary but provides more effective record keeping.
- If Sick: It is necessary on Form SF 6 to describe or indicate nature of illness. Be specific. Attach physician's certificate where required.
- If Civil: It is necessary to identify what type (jury duty or witness), furnish source of order, place appeared, location.
- If Special: If voting in an election, provide location where voting occurred. If taking a Civil Service examination, provide type of exam taken and where taken. Furnish results of examination as soon as received. If results of examination are not furnished, then this leave will become annual leave.
- If Educational: Give name of course, period, instructor (ex., English 101, 1MWF, Mr. Doe). Or if the training is through a conference, meeting, workshop, seminar, give subjects covered, where held, and sponsor or coordinator.
- If Family Medical: Leave should comply with Family Medical Leave policy. Certify number of hours of sick annual or leave without pay as approved.
- If Maternity: Leave should comply with authorization in accordance with maternity leave policy. Certify number of hours of sick, annual, or leave without pay as approved.
- If Leave: Do not wait until time sheets are submitted to notify of leave without pay.
Without Pay: notification of leave without pay should be given to Human Resources immediately upon knowledge of it. Before going on leave or requesting leave, employees who are unsure of leave balances should check with Personnel Services.

If Death In Family: Certify the name of deceased and relationship to employee. Example: Mr. John Doe, father, Mrs. Katie Doe, husband’s aunt.

### 4.23 Miscellaneous Information

#### 4.23.1 Change of Address and Marital Status

Employees must always report a change of address in writing to Human Resources. The University needs to know a correct address and telephone number so it can reach employees in the event of an emergency. Be sure to also notify Human Resources at once of a change in marital status because this may affect the salary withholding taxes. The Controller’s Office must also be notified of a change in marital status or dependent status for insurance and benefit purposes.

All employees keep their personnel files up-to-date in regard to beneficiary(s) they have designated on their retirement forms and on life insurance if they have chosen to apply for it. Name changes should be reported to Social Security Administration also.

#### 4.23.2 Identification Cards

The Office of Student life issues identification cards for employees of Nicholls State University. The Office of Human Resources must first issue this authorization before an ID card will be issued. All employees should carry an ID card.

#### 4.23.3 Automobile Registration

All automobiles parked on campus require a permit from the University Parking Enforcement Office. The permit decal must be displayed at all times according to parking regulations.

#### 4.23.4 Union Organization

Certain classified employees are eligible, but are not required to join, Local No. 2814 of the American Federation of State, County, and Municipal Employees, AFL–CIO. Union dues may be deducted from paychecks by the Controller's Office.

Members of the union will follow grievance procedures as outlined in the previous section and/or procedures of the Local No. 2814 agreement with Nicholls State University. In all cases of conflict between this agreement and Civil Service Law and/or Rules, the Civil Service Law/Rules will take precedence.

#### 4.23.5 Political Activity

The Civil Service Law by protecting classified employees from discrimination or disciplinary action because of their political opinions or affiliation preserves the political freedom of each employee, enabling him to vote for the candidate of choice without fear of punishment or reprisal. To achieve this, the law provides for serious penalties for the coercion or intimidation of, favoritism toward or discrimination against a classified employee because of political views but not without placing certain restrictions on the political activity of employees in the classified service. The evident purpose of these restrictions is to promote efficiency and integrity in the public service and to insure that the funds and energy of the classified employee shall not be used to the detriment of efficient government administration.

These political activity restrictions of the Civil Service Law should be observed by all employees:
Take no part in the management or affairs of any political faction or party or in any political campaign and more particularly:

- do not solicit votes or contributions.
- do not make a political contribution.
- do not make a public political statement or address.
- do not wear a campaign badge, ribbon, or insignia.
- do not distribute political campaign cards, buttons, or posters.
- do not influence or attempt to influence the vote of another.
- do not become a candidate for office, serve as a member of any political committee or take part in the management or affairs of a political party or organization.

### 4.24 Grievance Procedure

In any organization there may be conditions and circumstances which lead to dissatisfaction and/or misunderstandings in day-to-day relationships between employees or between an employee and employer. It is the policy of this University to develop and maintain a satisfied and efficient work force. In furtherance of this policy, when an employee feels he or she has been treated unjustly, the employee has the right to use this grievance procedure without fear of coercion, discrimination or reprisal. In order to protect appeal rights with Civil Service, employees are cautioned to familiarize themselves with Chapter 13 of the Civil Service Rules. NOTE: It is the employee’s responsibility to read the entire grievance section to protect rights of appeal. It is incumbent upon every supervisor to provide employees with an opportunity to be heard in accordance with the following internal procedures:

1. The employee shall present the grievance in writing to the immediate supervisor within five working days after the incident which caused the employee to be aggrieved; and the employee has the right to have a representative of his or her choice present with the employee at this meeting.
2. The supervisor will give an answer in writing to the grievance within three working days thereafter. Neither the employee nor the representative should disrupt their work schedule to present a grievance to the supervisor. They will arrange a meeting at a time which is mutually convenient. The supervisor will be expected to give this meeting prompt attention.
3. If the employee is not satisfied with the decision of the immediate supervisor, the employee may, within five working days of the receipt of such decision, submit a grievance in writing to the department head.
4. The department head will then discuss the grievance with the employee and the employee's representative within five working days and render a decision in writing within five working days thereafter.
5. If the employee is not satisfied with the decision of the department head, the employee may, within 10 working days of the receipt of such written decision, submit a written grievance to the appointing authority (Director of Human Resources). The appointing authority will conduct a hearing within five working days, and will render a decision in writing within five working days of the hearing.
6. If the employee is not satisfied with the decision of the appointing authority as outlined in above, the employee has the right of appeal to the Director of Civil Service and the Civil Service Commission as outlined in Rule 13.11 and 13.12 described in Chapter 13 of the Civil Service Rules. Nothing contained herein shall deprive any employee of rights to appeal to the Civil Service Commission.

### 4.24.1 Conduct of Hearing

Affidavits and statements offered during the course of a hearing may be received and considered by the appointing authority. The aggrieved employee shall have the right to be represented by an individual of his or her choice. Both parties may produce witnesses. Witnesses may be employees or persons other than employees. All witnesses are subject to examination and cross-examination by the aggrieved employee and the agency. The aggrieved employee shall have the right to require
the production of books, papers, records, and other items which are within the control of the agency against which the grievance is lodged, which are pertinent to the facts at issue and which are not held to be confidential by provision of state statute, public law or Constitutional law.

4.24.2 General Information Concerning Grievances

Personnel problems, which require consideration or study, should be brought to the attention of the supervisor or to Human Resources. Grievances should not be aired in hallways, but should be taken through channels for honest evaluation and quick settling. Employees should feel free to consult with their personnel office. The above procedure is intended as an orderly method of presenting a grievance. It is a policy of this agency to assure employees that if satisfactory settlement of a grievance cannot be made at a lower level, employee may submit the matter to the appointing authority (Director of Human Resources) without fear of restraint, interference, coercion, discrimination, or reprisal.

4.24.3 Appeals and Hearings

Any person in the classified service who alleges that he or she has been discriminated against by misapplication of the Civil Service law or rules or the rules of the commission, or that his or her rights under Civil Service rules have been violated may appeal to the Civil Service Commission. Appeals to the Civil Service Commission must be made in accordance with Civil Service Rules. The personnel office will furnish a copy of these rules to any classified employee who requests it.

Appeals may be made to the commission by:

- Any person in the classified service who alleges discrimination or disciplinary action because of political or religious beliefs, sex, or race.
- Any person in the classified service who, having gained permanent status, alleges disciplinary action or removal in violation of any provision of Chapter 12 of these rules.
- Any person in the classified service who alleges that he or she has been deprived of any right, discriminated against, or adversely affected by the violation of any provision of the article or of any rule of this commission.
- Any person in the classified service who fails to obtain relief from an allocation or reallocation of a position to a class or by the Classification Plan or any change thereof after a written request for review thereof by the director or his or her representative as provided in Rule 5.3 and who alleges that the director's decision has been discriminatory.
- Any person in the classified service who alleges discrimination by the application of the pay plan or by the application of any change thereof.
- Any person who shall have applied for or been examined, for the classified service, without having acquired permanent status therein, and who alleges discrimination in the review of his or her application, admission to an examination, scoring of examinations, the establishments of an eligible list, or certification herefrom.
- By any person expressly granted the right to appeal to this commission by the article or by any rule of this commission.
- Any person who alleges discrimination as defined in Rule 1.14.1.
- Any person who alleges discrimination by any official action taken by the director.
- Any person seeking a review of a decision made by an appointing authority under the provisions of Rule 10.4.
- Any person in the classified service who alleges that he or she has been demoted, dismissed, discriminated against, or subjected to any disciplinary action based solely on the grounds assigned for an unsatisfactory service rating.
- Any applicant for employment in the classified service and any employee in the classified service who alleges discrimination because of membership or non-membership in any private organization.
• Any person in the classified service who alleges that he or she has been subjected to any layoff or layoff avoidance action in violation of any provision of Chapter 17 of these rules.

4.24.4 Summary for Appeals and Hearings
A Notice of Appeal must
1. Be in writing; and
2. Be signed by the appellant, or on his or her behalf by an attorney duly licensed to practice law in the courts of the state of Louisiana, or on his or her behalf by a senior student of law designated under the provisions of Rule 13.19(b)2; and
3. Give the name and mailing address of the appellant, and of his or her attorney or designated senior law student, if any and
4. Contain a clear and concise statement of the actions complained against and a clear and concise statement of the basis of the appeal. Where discrimination is alleged to be a basis for appeal, specific facts supporting the conclusion of discrimination must be alleged in detail; and
5. Give the date on which the action appealed from occurred, or that the appellant learned thereof; and
6. State the date that the appellant received written notice of the action complained against, if written notice was given; and State the relief the appellant seeks.

No appeal shall be effective unless a written notice complying with the requirements of Rule 13.11 is either 1) received in the office of the director of the State Department of Civil Service at Baton Rouge, La., or 2) is addressed to the director of the State Department of Civil Service at Baton Rouge, La., with proper postage affixed, and is dated by the United States Post Office
• Within 30 calendar days after the date on which appellant received written notice of the action on which the appeal is based when written notice before or after the action is required by these rules; or
• Within 30 calendar days after the date when appellant learned or was aware that the action complained of had occurred when no written notice is required by these rules or, if required, was given tardily or not at all.

Employees are invited to check with their Office of Human Resources for rules and policies concerning:
• Delay for making appeal
• Summary Disposition of Appeal
• Assigning Appeals for Hearing
• Place of Hearing
• Notice of Hearing of Appeals
• Continuance of Appeal
• Procedure for Hearing Appeals
• Referees
• Subpoena of Witness; Production of Documents
• Dismissal for Non-appearance at Hearing of Appeal
• Consolidation
• Transcripts of Proceedings of Appeals to the Commission
• Refusal to Appear; Refusal to Testify; False Testimony
• Costs of Appeals
• Witness Fees in Hearing on Appeals
• Commission Action on Appeal
• Interlocutory Rulings; Amicable Settlement of Appeals
• Rehearing of Appeal
• Finality of Commission Action on Rules and Plans
4.25 Workplace & Sexual Harassment, Discrimination & Retaliation Policy

The 1980 EEOC sexual harassment guidelines along with the University’s reporting and disciplinary procedures for Prohibiting Workplace & Sexual Harassment, Discrimination & Retaliation are available on the Human Resources policies website.

5 General University Policies

5.1 Scope of Chapter Five

Chapter 5 lists general policies related to the University as a whole, unless otherwise designated. Employees of the University are expected to adhere to official University policies as published in this Manual, the University Catalog, or otherwise promulgated by the University or the Board of Supervisors. Violators of University policies are subject to disciplinary action up to and including applicable dismissal proceedings.

The University assumes responsibility to provide correct copies of this Manual and the University Catalog to employees and to make available applicable Board of Supervisors policies in conspicuous places such as the University website.

5.2 Hiring Policies

All authorized full–time vacancies shall be filled in accordance with hiring procedures that allow the University to employ the highest quality academic faculty, administrative faculty, and professional staff available. These procedures will fully comply with the University’s obligations as an affirmative action/equal opportunity employer and with the University’s obligations to standards set forth by Board of Supervisors policy and Nicholls State University faculty governance agreements.

Nicholls State University firmly supports the national policy of Affirmative Action/Equal Employment Opportunity as set forth in the University Affirmative Action Policy, the Americans with Disabilities Act of 1990, the Family and Medical Leave Act, and their state–law equivalents.

5.2.1 Affirmative Action/Equal Employment Opportunity

The University has developed a set of specific policies and result–oriented procedures to indicate its commitment to equal employment opportunity. These policies and procedures and related documents comply with Titles VI and VII of the Civil Rights Act of 1964, Executive Orders 11246 and 11375, Title IX of the Education Amendments of 1972, Section 503 and 504 of the Rehabilitation Act of 1973, the Age Discrimination in Employment Act of 1967 as amended in 1978 and 1986, the Immigration and Reform Act of 1987, the Americans with Disabilities Act of 1990, and all Civil Rights Laws of the State of Louisiana.

The University fully embraces equality of opportunity for all employees by affirming that the University will take affirmative action to insure that all applicants receive fair consideration for employment and the employees are treated fairly during employment and in upgrading, demotion, transfer, promotion, recruitment, advertisement, layoffs, terminations, rates of pay or other forms of compensation, tenure selection for training, and other employment practices.

The University Compliance Officer (the Director of Human Resources) has been assigned responsibilities for continuing development, implementation, and monitoring of the Affirmative Action Compliance Program The University Compliance Officer is also responsible for designing and implementing audit and reporting systems that will
• measure effectiveness of the University's Affirmative Action Compliance Program
• provide indications of need for remedial action
• determine the degree to which the University's goals and objectives have been attained.

Full cooperation and assistance is expected. Anyone having questions regarding the University's Affirmative Action/EEO Policy or its implementation should discuss the matter with the University Compliance Officer.

The University policy in the area of equal employment opportunity shall be administered without regard to race, color, religion, sex, sexual orientation, age, national origin, physical or mental disability, or a person's status as a disabled veteran or veteran of the Vietnam Era. The University policy also prohibits sexual and racial harassment in accordance with state and federal law and regulations. Additionally, the University policy allows for sick leave use for maternity and paternity reasons and treats such requests in a manner similar to leave requests for any other temporary disability. See also the Anti-discrimination policy (Section 5.3.2).

Execution of these policies requires vigorous efforts to identify and attract women and minority group applicants who meet the University's qualification standards and, where necessary, to maintain on file their applications in order to consider them with others as openings develop.

5.2.1.1 Human Immunodeficiency Virus (AIDS)
Board of Supervisors policy states that an employee who has tested positive for the AIDS virus, but is medically certified as able to function as an employee, is to be considered as any other employee.

5.2.2 Guidelines for Recruitment, Selection, and Hiring
The following Human Resource policies and procedures describing recruitment, selection, and hiring of faculty and non-faculty are available on the Human Resources Handbooks and Policies website
• Procedures for Advertising for Position Announcements
• Search Policy & Procedures for Positions of Vice President, Dean & Athletic Director
• Search Policy & Procedures for Faculty and Unclassified staff (see also the checklist for faculty and unclassified staff searches)
• New Hire Procedures concerning Social Security

5.2.2.1 Contract Positions
All authorized full-time contract vacancies shall be filled in accordance with hiring procedures that allow the University to employ the highest quality academic faculty, administrative faculty, and professional staff available. These procedures will fully comply with the University’s obligations as an affirmative action/equal opportunity employer and with the University’s obligations to standards set forth by Board of Supervisors policy and Nicholls State University faculty governance agreements.

5.2.2.2 Continuing Education Teaching
Contracts for teaching Continuing Education courses shall be issued in accordance with Board of Supervisors and University policies.

5.2.2.3 Interviewee Travel Reimbursement
All faculty and staff, especially department heads, should be aware of the procedure to follow when individuals are being interviewed for positions on campus. The Request for Authorization of Official Travel form must be completed and routed on behalf of the interviewee before the
The interviewee comes to campus. Funds for reimbursement will be charged to the department where the vacant position exists.

Reimbursement of travel expenses must be made on a Travel Reimbursement Claim form in accordance with State travel regulations, and all travel policies and procedures must be followed. All interviewees must make travel arrangements through the state-approved travel agency if travel arrangements are required.

All travel expenses must be paid by the interviewee and reimbursement shall be made upon the submission of proper reimbursement forms. In no case shall expenses be charged to Nicholls State University.

The interviewee and three (3) faculty/staff members shall be eligible for reimbursement of a special meal expense incurred as a result of the interviewee visit where such a meal is used to provide direct contact between the interviewee and current employees.

There shall be no more than one special meal per interviewee visit. Reimbursement of special meals shall be limited to the meal reimbursement amounts within the City of Thibodaux.

5.2.3 Oath of Allegiance, Citizenship and Legal Status

Any definition of academic freedom carries with it the idea of a multi-cultural, multi-national learning environment. Because of this, the University welcomes scholars and students with different cultural backgrounds and nationalities.

Louisiana law makes it the obligation of faculty members to provide ongoing status reports of citizenship and residency legal status where applicable. Under Louisiana law (L.R.S. 42:52), an Oath of Allegiance is still required of all employees at the time of initial appointment.

5.2.4 Nepotism

As stipulated in Board of Supervisors policy, Nicholls State University permits the employment of “persons from the same economic unit or the same immediate family, although a separate economic unit, when their individual qualifications are such that they represent the best possible choice for the position. However, such employees may not be employed in a situation where one member may have direct administrative responsibility for the other.”

According to the Code of Governmental Ethics for Public Officers and Employees, immediate family, as the term relates to public servant, means “his children, brothers, sisters, parents, spouse, and the parents of a spouse.” Relative means any person within the first degree of sanguinity. Dependent means any person so defined in Section 152 of the Internal Revenue Code.

Nicholls State University abides by the statutes of the Code of Governmental Ethics for Public Officers and Employees.

5.2.5 Pre-Employment Screening Policy

To protect the welfare and provide for the safety of the students, faculty, staff, visitors, and institutional resources of Nicholls State University, the University administration has implemented a pre-employment screening process as part of its employment procedures. The NSU Office of Human Resources will conduct a criminal record search on new and rehired faculty and staff members including, but not limited to unclassified staff, faculty,
classified staff, intermittent, graduate assistant, and adjunct staff through a third party company (consumer reporting agency) at no cost to the departments. Personal criminal history information records will be reviewed. The accuracy and completeness of prior law violations revealed in the employment process will be verified.

Convictions disclosed in the employment process and any additional convictions, which may exist on the criminal record, will be reviewed and may or may not disqualify an applicant from being considered for employment. Termination or rescission of job offers will be based upon one or more of the following:

1. Length of time since the conviction(s)
2. Circumstances of the offense(s)
3. Applicant’s employment record since the offense(s)
4. Number of convictions
5. Rehabilitations
6. Nature of the job and job-relatedness of the convictions

Failure to disclose a conviction or misrepresentation of a conviction is deemed falsification of an application and may result in termination or rescission of a job offer.

If adverse action (ie denying or rescinding employment offer) is taken due to the results of the criminal background check, the applicant/employee must be notified in writing with the following information:

1. Consumer reporting agency’s name, address, and phone number
2. A statement indicating that the consumer reporting agency did not make the decision to take adverse action and the consumer reporting agency is unable to provide the applicant/employee with specific reasons why the adverse action was taken
3. A statement advising the applicant/employee of their right to obtain a free copy of the background check report from the consumer reporting agency within 60 days of the adverse action
4. A statement advising the applicant/employee of their right to dispute the accuracy or completeness of the background check report directly through the consumer reporting agency

If it is found that an error was made and a conviction does not exist, the applicant/employee’s file will be amended.

See also Employee Drug Testing Policy.

5.2.6 New Employee Orientation
The Vice President of the appropriate administrative office shall have the primary responsibility for orientation of first-year appointees to the policies, regulations and procedures of the University, as well as to specific duties and responsibilities. For all faculty, that office is the Vice President of Academic Affairs. Such orientation shall include the staff members’ being given the online location of this Manual and an orientation packet that contains many of the personnel forms necessary for employment.

The Controller’s Office has new employees complete insurance benefits forms. The Department of Human Resources has new employees complete W4 and L4 tax forms, retirement forms, the I-9 form, the drug-free workplace form, and the defensive driving form (if employees will be driving on state business).

Thereafter, employees are responsible for informing immediate supervisors or department heads of the need or desire for additional orientation.
5.2.7 Social Security Benefit Notice to Potential Hires
Social Security Administration requires that all potential employees be made aware of the effects a government pension may have on their social security benefits. The procedures and forms are available on the Human Resources policies website.

5.3 Employee Conduct Laws and Policies

5.3.1 Disruptions of the Educational Process
It is a basic principle that every employee, of whatever rank, shall at all times be held responsible for competent and effective performance of his or her duties. Act 58 of the 1969 Louisiana Legislature authorized the use of force ("all means available to the governor"), if necessary to prevent any person, including faculty members, from disrupting educational processes or damaging University property. Act 59 of 1969 Louisiana Legislature further provides for the immediate dismissal of any employee who willfully interferes with or disrupts the normal educational processes or administration of the University. (La. R. S. 17:3101 et seq.)

5.3.2 Antidiscrimination Policy
The University is ethically committed not to discriminate against students, faculty, or staff on the basis of their gender, sexual orientation, race, religion, national origin, age, marital status, disability, or veteran’s status. The complete antidiscrimination policy, including formal and informal complaint procedures, is detailed in the Code of Student Conduct. See also the policy on Affirmative Action/Equal Employment Opportunity (Section 5.2.1).

5.3.2.1 Disciplinary Measures
a. If the Committee believes that a reasonable cause exists for seeking sanctions against the faculty and/or staff offender, the Chairperson of the Antidiscrimination Committee will forward the recommendations immediately to the President of the University.

b. Should the complainant wish to appeal the decision of the Antidiscrimination Committee, a letter should be written to the President of the University within 10 days of issuance of the Committee's decision and recommendations.

c. Should the complainant wish to appeal the decision of the President, a letter is written to the President of the Board of Supervisors for the University of Louisiana System within 10 days of issuance of the Committee's decision and recommendations.

d. Any faculty/staff member who feels aggrieved by the Committee's decision must follow faculty/staff grievance procedures.

e. Retaliatory action by those named in the grievance is subject to immediate disciplinary action.

5.3.3 Policy Prohibiting Workplace & Sexual Harassment, Discrimination & Retaliation
The 1980 EEOC sexual harassment guidelines along with the University’s reporting and disciplinary procedures for Prohibiting Workplace & Sexual Harassment, Discrimination & Retaliation are available on the Human Resources policies website.
5.3.4 Use of Copyrighted Works

5.3.4.1 "Fair Use" In Copyright
"Fair Use" is an implied right to use copyrighted materials under certain circumstances without permission. For the first time, the 1976 Copyright Act makes provisions for exemptions with a "Fair Use" clause. The "Fair Use" provisions are detailed in the United States Code Title 14 Section 107 and are summarized as follows:

Notwithstanding the provisions of Section 106, the fair use of a copyrighted work, including such use by reproduction in copies of phonorecords or by any other means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include:

1. the purpose and character of the use, including such use is of a commercial nature or is for nonprofit educational purposes: (i.e. How will the material be used? If it is for a commercial venture, it is a violation, but if it is copied for a nonprofit educational purpose, it is “fair use.”)
2. the nature of the copyrighted work; (i.e. What type of work is being copied? Each type of copyrighted material (music, software, etc.) has different criteria for “fair use.”)
3. the amount and substantiality of the portion used in relation to the copyrighted work as a whole; (i.e. How much of the work will be copied? If the copied amount exceeds half of the copyrighted materials, or even 10% in some cases, you may be abusing “fair use.”)
4. the effect of the use upon the potential market for or value of the copyrighted work. (i.e. Will copied material cause the copyright holder to miss out on sales? If so, then “fair use” does not apply.)

Section 107 of Title 14 does not define “Fair Use”, but does give some guidelines as to when the principal of “Fair Use” applies. The courts have decided not to define “Fair Use” because they believe each case must be decided on the facts presented. It is clear certain standards for using the “Fair Use” section have been developed to protect teachers from liability for infringement. The detailed code that specifies the use of “Fair Use” for certain circumstances is available in the library (United States Code Annotated – 14 Copyrights). For further information, assistance in interpreting the code or to learn how to acquire a copyright, faculty or staff may call or write the following:


5.3.4.2 Software Copyright Law
Copyright law concerning software copying and usage is described in the Copyright Law of the United States of America, revised to March 1, 1989, contained in Title 17 of the United States Code, Section 117.

Faculty and staff should be aware that there are various types of restrictions on the copying and use of software. Software may be copyrighted as a single copy, site license, or shareware while public domain software has no copyright restrictions. Each is described below:

5.3.4.2.1 Single Copy License
Software may be used on one single machine at a time. Some software is restricted to be used on one specific machine.

5.3.4.2.2 Site License
Software is purchased under an agreement that allows a specific number of copies to be made of the software. The restrictions on the copying of software sold under a site license agreement should be understood before copying.

5.3.4.2.3 **Shareware**
User-supported software that is copyrighted but the developer encourages individuals to make copies and distribute to others. The developer generally asks for a small donation or registration fee if the user plans to use the software.

5.3.4.2.4 **Public Domain**
Software that is not subject to any copyright restrictions and may be copied and shared freely.

5.3.5 **Computer Use Policy**
Employees are expected to adhere to the same *Computer Use Policy* detailed for students in the *Code of Student Conduct*. Additional responsibilities are identified in the following sections.

5.3.5.1 **Computer Service Personnel**
Because of the nature of their work, computer center personnel have special responsibilities regarding the physical and logical operation of the university's computer systems. The director shall take special care in implementing and enforcing security to safeguard these systems and their databases in all their aspects.

Employees who abuse or threaten abuse, either physical or logical, will, at the discretion of the director, have their access to the computing facilities and/or premises removed. They will be subject to reassignment, suspension, dismissal, and legal prosecution commensurate with the severity of the abuse in accordance with university policies and procedures.

5.3.5.2 **Other Administrative Personnel**
Administrators of the university's several online systems as well as management personnel in administrative and academic positions charged with supervision of employees using the university's computer systems have the responsibility to safeguard and protect computing facilities entrusted to their care in both their physical and logical aspects. They are charged with the responsibility of implementing an enforcing security in their respective areas including, but not confined to, the safeguarding of computer logons, passwords, encryption keys, keeping their premises secure, ensuring the integrity and confidentiality of sensitive data, and the like.

Employees who abuse or threaten abuse including, but not confined to, physical destruction or defacement, neglecting to secure premises, terminals, computer access codes, and sensitive data, altering accounting or other administrative and academic data such as grades or payroll records, and the like shall be subject to such disciplinary action as deemed appropriate for the offense. This may include reassignment, suspension without pay, dismissal, and criminal and civil prosecution, as well as any other legal avenues available for the pursuit of reparations in accordance with university policies and procedures.

5.3.5.3 **Faculty**
Members of the faculty using the university's computing facilities in conjunction with teaching, research, or other academic pursuits are charged with the responsibility of safeguarding the equipment, premises, software, and data under their care. They must take special care to implement and enforce security in their respective areas.

Faculty members who allow their access to computing facilities to be gained by unauthorized persons or who themselves abuse, or permit abuse of such facilities will be subject to disciplinary action in accordance with procedures established by the university and its governing bodies for
dealing with such abuse. This may (at the university’s option) result in referring the matter to the appropriate law enforcement officials.

5.3.5.4 Disciplinary Guidelines
The following disciplinary guidelines shall be in use at Nicholls State University:

▪ Criminal Abuse: Acts of abuse which constitute a violation of local, state or federal criminal statutes will be referred to the appropriate law enforcement agencies. Nicholls State University, at its discretion, will pursue whatever legal and University avenues it deems necessary for achieving reparations.

▪ Civil Abuse: Acts of abuse which constitute a violation of local, state or federal codes or statutes will be referred to the appropriate authorities for disciplinary action. Nicholls State University, at its discretion, will pursue whatever legal and University avenues it deems necessary for achieving reparations.

▪ Other Abuse: Acts of abuse which constitute a violation of the university’s established policies will be handled in accordance with disciplinary procedures established by the university and its governing bodies.

5.3.6 Policy for Serving Alcoholic Beverages on Campus
Events serving alcoholic beverages must be approved by the appropriate University offices and then ordered through the designated food service contractor (Sodexho) at least one week prior to the event. Procedures are detailed in The Policy Regarding Alcohol, Drugs, and Tobacco Products.

5.3.7 Drug–Free Workplace Policy and Related Laws
Policy Regarding Alcohol, Drugs, and Tobacco Products detailed in the Code of Student Conduct. In conjunction with the National Drug–Free Workplace Act of 1988, all employees are notified that the illegal use, possession, dispensation, distribution, manufacture, or sale of controlled substances is prohibited when on official state business, whether on duty or on call for duty, on or off the work site. Failure to comply with this policy may result in disciplinary action up to and including termination. By law, it is the responsibility of all employees to notify Nicholls State University within five days if they are convicted of violating any criminal drug statute at the workplace, while on official state business or while on call for duty.

Nicholls State University prohibits unlawful manufacture, distribution, possession, and use of any narcotics, barbiturates, amphetamines, marijuana, or any other controlled substance as defined in Schedule I through V of Section 202 of the Controlled Substance Act (21 U.S.C.812), and as further defined by regulation at 21 CFR 1308.11 through 1308.15. The University prohibits the unlawful use or sale of any alcoholic beverages and their possession or consumption in any form on the University campus except in those areas where the president or designee has authorized the serving or sale of legal beverages in accordance with the provisions of the state and local law and ordinances and prescribed University regulations.

Furthermore, the Drug–Free Schools and Communities Act Amendments of 1989, Public Law 101–226, require that, as a condition of receiving funds or any other form of financial assistance under any federal program, an institution of higher education must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.

The 1990 Louisiana Legislature passed a bill which designates all state universities as drug–free school zones. This bill increases the criminal and civil penalties to deter the distribution, manufacture, sales and/or trafficking of illegal substances on or within a geographical perimeter around the University property. The drug–free zone includes all Nicholls property: main campus, athletic complex, John L. Guidry Stadium, farm and intramural fields.
Revocation of certain Federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc., are vested within the authorities of individual Federal agencies.

Employees may be required to satisfactorily participate in an alcohol/drug abuse assistance program or rehabilitation program. Students, visitors, and employees are expected to adhere to all federal, state, and local laws.

5.3.7.1 Definitions
The 1986 Amendment of the Louisiana Criminal Code re–enacted R.S. 14:91.1, 91.2, and 91.5 to comply with the 23 U.S.C.158 concerning alcoholic beverages. In 1995 the Louisiana Criminal Code was amended as follows (excerpt):

For purposes of R.S. 14:93.10 through 93.14, the following definitions shall apply:

- “Purchase” means acquisition by the payment of money or other consideration. Purchase does not include such acquisition for medical purposes either when purchased as over the counter medication or when prescribed or administered by a licensed physician, pharmacist, dentist, nurse, hospital, or medical institution.
- “Public possession” means the possession of any alcoholic beverage for any reason, including consumption, on any street or highway or in any public place or any place open to the public, including a club which is de facto open to the public. “Public possession” does not include the following:
  - The possession or consumption of any alcoholic beverage:
    - For established religious purpose.
    - When a person under twenty–one years of age is accompanied by a parent, or legal guardian twenty–one years of age or older.
    - For medical purposes when purchased as an over the counter medication, or when prescribed or administered by a licensed physician, pharmacist, dentist, nurse, hospital, or medical institution.
    - In private residences.
  - The sale, handling, transport, or service in dispensing of any alcoholic beverage pursuant to lawful ownership of an establishment or to lawful employment of a person under twenty–one years of age by a duly licensed manufacturer, wholesaler, or retailer of beverage alcohol.

- “Alcoholic beverage” means beer, distilled spirits, and wine containing one–half of one percent or more of alcohol by volume. Beer includes but is not limited to ale, lager, porter, stout, sake, and other similar fermented beverages brewed or produced from malt wholly or in part or from any substitute therefore. Distilled spirits include alcohol, ethanol, or spirits or wine in any form, including all dilutions and mixtures thereof from whatever process produced.

5.3.7.2 Employee Drug Testing Policy
On August 29, 1997, Governor Mike Foster signed Executive Order MJF 98–38, which created the Drug Testing Task Force for the purpose of recommending procedures for the implementation of four drug testing programs authorized, mandated and/or regulated by R.S. 49: 1015, as amended by Act Number 1194 of the 1997 Regular Session of the Louisiana Legislature, and by Act Numbers 1303 and 1459 of the 1997 Regular Session of the Legislature, which directs state agencies to develop and implement drug testing programs for public employees.

Louisiana Revised Statute 49:1001–1021 authorized Nicholls State University to proceed with drug testing of employees. The content of this policy is pursuant to this Statute and to the Drug–Free Schools and Communities Act of 1986, the Federal Drug–Free Workplace Act of 1988, the Drug–Free Public Housing Act of 1988, the Louisiana Drug Testing Act of 1990, the Omnibus Transportation Employee Drug Testing Act of 1991, the Federal Highway Administration
procedures, Title 49 CFR and part 382 et al., LA Revised Statutes 23: 1081 and 1601, and Executive Order MJF 98–38.

5.3.7.2.1 Applicability
This policy shall apply to all employees of Nicholls State University, more specifically defined as:

- All current W-2 employees defined under Federal Law, whose job requires them to drive commercial motor vehicles.
- All current W-2 safety/sensitive employees, both classified and unclassified as defined under State Law, and those applying for safety/sensitive positions, and all other current W-2 employees, both classified and unclassified, will be subject to alcohol and controlled substance abuse testing on a random basis or for reasonable suspicion, post-accident investigation, and monitoring for rehabilitation.
- Prospective employees as a condition of hiring.

5.3.7.2.2 Conditions Requiring Drug Tests
- Reasonable Suspicion
- Post Accident Investigation
- Rehabilitation Monitoring
- Pre-Employment
- Safety/Security sensitive positions and promotions/appointments to these positions
- Safety/Security sensitive positions – random testing

5.3.7.2.3 Procedure
Drug testing, pursuant to this policy, shall be conducted for the presence of cannabinoids (marijuana), cocaine, opiates phencyclidine and amphetamines. Nicholls State University also reserves the right to test for the presence of any other illegal or controlled substance when there is reasonable suspicion to do so. The Director of Human Resources will be involved with all determinations and notifications dealing with drug testing, and will coordinate with the supervisor of the employee to be tested.

A certified provider chosen by Nicholls State University will perform testing services. The testing service shall assure:

- All specimen collection will be performed in accordance with applicable federal and state regulations and guidelines.
- Chain of custody will be strictly followed.
- A certified SAMSHA laboratory shall perform testing.
- All positive results shall be reported by the laboratory to a qualified Medical Review Officer (MRO).

5.3.7.2.4 Confidentiality
All information interviews, reports, statements, memoranda, and/or test results received by Nicholls State University through its drug testing program are confidential, pursuant to R.S. 49:1012, and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceeding, except in an administrative or disciplinary proceeding or hearing, or civil litigation where drug use by the individual is relevant.

Qualitative information regarding results, such as the identification of a substance, will be provided only to the designated MR07 who will report final results to the appropriate official. Results of the test will be released to the appropriate agency on a need-to-know basis. All drug-testing results will be maintained in a separate health file, with restricted access in accordance with Section 382.405.
5.3.7.2.5 Responsibility

- The President for overall compliance
- The Director of Human Resources for administering the program. All records will be housed and maintained in the Office of Human Resources

All supervisory personnel are responsible for assuring that all personnel under their supervision are made aware of the location within their department of the written drug-testing policy, signs a receipt form acknowledging receipt of pertinent information about the policy, and understands or is given the opportunity to understand and have questions answered about its contents.

5.3.7.2.6 Violation of the Policy

Violation of this policy, including refusal to submit to drug testing when properly notified to do so, may result in: Termination of employment or other action.

5.3.8 Violence-Free Workplace Policy

Recognizing the increasing incidence of violence in the workplace, the Governor of the State of Louisiana issued Executive Order Number MJF 97–15 committing the Governor and the State of Louisiana to work toward a violence-free workplace for all state employees. Nicholls State University’s complete policy regarding a violence-free workplace is located on the Human Resources policies website.

5.3.9 University Ethics and Compliance Policy

The Nicholls State University Mission, Vision, and Values Statement, contains the language that as community members, “We strive to be fair, ethical and truthful in all instances.” The University expects all employees to comply with all federal, state and local laws, to fulfill contractual obligations, to maintain absolute integrity and a high standard of individual honor in work, and to interact and communicate with others in a respectful and civil manner. In our roles as university employees, it is our shared responsibility to protect Nicholls from unethical or improper actions wherever they may occur. The willingness to exercise individual and collective initiative here is a key factor in minimizing the number of incidences of potentially unethical or illegal conduct occurring within the University. By individually and collectively following this standard of behavior, we will be able to preserve the University’s reputation as reflecting an ethical institutional environment.

It is important to remember that each incident of alleged unethical or illegal conduct harms the university-community and the reputation of Nicholls State University. Confidence in the management of the University is also diminished in each instance of alleged unethical or illegal conduct and criminal prosecution could result.

The University administration must ensure that the controls we have in place for preventing, detecting and reporting alleged violations are understood by all members of the university-community. The key elements to remember in reporting alleged unethical or illegal conduct are:

- Report possible fraudulent or improper activities to the University’s Internal Auditor and/or University Police.
- After unethical behavior or fraudulent activity has been determined to have occurred, it will be the responsibility of involved senior administrative personnel to monitor the situation through closure.

5.3.9.1 Definitions

- Fraud is defined as any intentional misrepresentation or concealment, by words or conduct, of material fact intended to deceive another for the purpose of self-enrichment or damage to the University or to any third party.
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- Nepotism - As stipulated in Board of Supervisors policy, Nicholls State University permits the employment of “persons from the same economic unit or the same immediate family, although a separate economic unit, when the individual qualifications are such that they represent the best possible choice for the position. However, such employees may not be employed in a situation where one member may have direct administrative responsibility from the other.
  - According to the Code of Governmental Ethics for Public Officers and Employees, immediate family as the term relates to a public servant means “his children, brothers, sisters, parents, spouse, and the parents of a spouse.” Relative means any person within the first degree of sanguinity. Dependent means any person so defined in Section 152 of the Internal Revenue Code.

- Improper Activities - Acts which violate criminal laws or regulations from any relevant jurisdiction, including accounting, auditing and financial reporting regulations - it must be noted that the University, and/or its employees may be subjected to fines and criminal penalties from such activities.

5.3.9.2 Reporting Policy and Procedure
Each department head or immediate supervisor is responsible for preventing, detecting and reporting fraud and other improper activities. The following reporting procedure is to be used when violations or unethical conduct are either suspected or discovered:

- An employee must report any unethical behavior, known to him or to her, to his or her immediate supervisor. If this is not an appropriate contact, the employee should contact the Internal Auditor.
- The intimidation or imposition of any form of retribution or retaliation against employees or others who in good faith report unethical behavior will not be tolerated.
- The immediate supervisor will report any allegation of fraud or improper activity to the senior administration and to the Internal Auditor and/or University Police.
- The affected immediate supervisor, in conjunction with involved senior administrative leadership, will determine what course of action should be undertaken regarding any reported incidents.
- A report will be completed by the Internal Auditor and/or University Police for all investigated acts for submission to the University President and, as appropriate, to other state authorities.

5.3.9.3 Disciplinary Action
If an incident is determined to involve fraudulent or improper activities by an employee, appropriate disciplinary action will be taken. The resulting disciplinary action will be based on the seriousness of the violation. The Human Resources Department will be notified and involved in the decision-making process related to any disciplinary actions to be taken by the University.

5.4 Rights and Responsibilities to and from the University
Faculty and administrative staff are expected to be guided by the applicable and appropriate polices and procedures of the State of Louisiana, the governing boards, and the administration of the University.

All faculty and administrative staff have the right and responsibility to
- receive consideration for employment without regard to race, color, religion, sex, national origin, age, handicap, or sexual orientation;
- carry out duties without regard of race, color, religion, sex, national origin, age, handicap, or sexual orientation;
due process as required by law and promotion of its optimum attainment on campus;
• have regular and formal evaluation of job performance, participate in the evaluation process, and receive timely knowledge of the results of such evaluation;
• keep lines of communication open and give consideration to group and individual recommendations in any area;
• voice concerns and make suggestions through proper channels about any aspect of the operation of the University;
• improve professional and personal performance by attendance at appropriate meetings and by participation in the regular developmental programs of the institution, subject to administrative approval;
• make clear when speaking or writing on campus or non campus issues that one is speaking as a private person and not as a representative of the institution.
• respect the right of privacy of others;
• participate in the formulation and implementation of institutional policy;
• participate in associations or other organizations as private persons;
• maintain independence and impartiality and refuse to accept any compensation or gift that might result in the preferential treatment of persons, businesses, or organization;
• avoid any private business relationship or ownership that will conflict with University duties (see Louisiana Code of Governmental Ethics La. R.S. 42:1101 et. seq.);
• be considered for career advancement within the institution;
• one official personnel record that follows the guidelines of the personnel policy delineated in Section 5.4.2 and that is used as the official personnel record as a basis for consideration in requests for promotion, transfers, leaves, or other changes of status.

5.4.1 Performance Assessment
Chapter IV, Section IX of the Board Rules calls for yearly evaluation of each faculty member and administrator. The Board also requires that these evaluations be filed in appropriate personnel files.

5.4.2 Official Personnel Files
The records necessary to support personnel management are of paramount importance, and must be thoroughly maintained. This maintenance includes systematic and timely placement of the necessary records into the file, exclusion of extraneous records from the file, and constant monitoring of necessary changes to keep all files current.

At Nicholls State University, personnel files for employees consist of official personnel file(s) and departmental personnel file(s). The official personnel file(s) for each employee are kept in a secure area in the Human Resources Office. Departmental personnel files for each employee will be maintained in the office of the employee’s supervisor.

Documents contained in the official personnel file are separated into public files and confidential files. The public file is accessible by the public under applicable public records law; the confidential file is not accessible by the public. Should a request be made to inspect or copy any document in the public file, the employee has the right to request that his/her address and phone number not be disclosed. Furthermore, an employee’s Social Security Number and date of birth are not subject to the Public Records Act (R.S. 44:1-427).

The use of personnel files generally is restricted to formal institutional meetings, normal administrative requirements, or cases otherwise required by law. Employees shall be notified
prior to the release of information to an outside individual or agency unless the employee has previously signed an authorization to release the information requested.

5.4.2.1 Contents of Personnel Files

Each document concerning an employee shall be placed in the employee’s official personnel file within a reasonable amount of time.

The official personnel file for an employee may contain the following documents:

- **Public Record:**
  - SF-10 Application form, Unclassified Employment Application and/or resume
  - Employee Name, Job Title, Pay
  - Appointment Affidavits
  - Records related to appointments
  - Changes in status or position (promotion, reassignment, resignation, dismissal etc)
  - Letters reporting dismissals
  - Copy of the current position description
  - Drug-Free Workplace acknowledgement statements
  - Copies of Employee Notification Forms (Personnel Action Forms)
  - Records of completed training courses
  - Certifications and licenses
  - Letters of commendation
  - Acknowledgement forms regarding University policies
  - Death Certificates
  - Original leave requests for employees who are requesting leave in order to accept a paid appointment during his/her regular assigned work hours (Ex: teaching and adjunct course, serving as a camp counselor, performing work on a grant, etc.)

- **Confidential Information:**
  - Employee Social Security Number
  - Employee Address and phone number when the employee has requested confidentiality.
  - High School and college transcripts; Civil Service Grades
  - Tax withholding information
  - Bank information
  - Scores and notes of interview panel members
  - Performance appraisal forms and overall ratings
  - Paycheck deductions
  - Insurance documents such as claim forms, application forms, requests for payment of insurance benefits.
  - Beneficiary information for insurance, retirement, etc.
  - Health and life insurance enrollment forms, including beneficiary designation forms
  - Internal grievance documents
  - Criminal Background Checks
  - Retirement membership forms
  - Documents concerning garnishments, child support and tax levies
  - Biographical data sheets that contain such information as address, phone number, date of birth, race, sex, and marital status
  - Board of Supervisors Justification and Certification form (if applicable)
  - Original letters of counseling and letters of reprimand for the employee
O Originals of disclaimers the employee chooses to make relative to performance improvement notices, letters of counseling, letters of reprimand or any other material in the file
O Reports of Internal Investigations
O Performance Improvement notices: i.e. letters of reprimand, employee performance notice form, various supporting documentation
O Letters supporting formal disciplinary actions: suspension without pay, reductions in pay, involuntary demotion, dismissals, reassignments
O Letters of recommendation or Reference Check Form(s)
O Birth Certificates
O Drivers License

5.4.2.2 Departmental Personnel File

Unless otherwise noted, only copies of documents should be kept in site files. The originals shall be forwarded to Human Resources for inclusion in the employee’s official file. The following may be placed in an employee’s site-based personnel file without notification of the employee:

- Copies of work assignments (including Faculty Workload Surveys if applicable)
- Copies of records related to appointments
- Copies of changes in status or position (promotion, reassignment, etc)
- Copies of Employee Notification Forms (Personnel Action Forms)
- Copies of Letters of commendation
- Copies of records of completed training courses
- Employee campus wide identification number
- Employee Address and phone number when the employee has requested confidentiality
- Copies of scores and notes of interview panel members
- Copies of Performance appraisal forms and overall ratings
- Copies of internal grievance documents
- Copies of employee performance improvement notices if no disciplinary action resulted
- Copies of letters of counseling and letters of reprimand for the employee
- Copies of disclaimers the employee chooses to make relative to performance improvement notices, letters of counseling and letters of reprimand
- \text{Original} leave requests for sick, annual and compensatory leave
- \text{Original} supervisory documents including the Employee Chronological Record form used for commendations, notations and performance improvement

Medical records of any type and I-9 forms are maintained entirely separate from the official personnel file.

If applicable, a worker’s compensation file is maintained in the Human Resources Office for each employee who files an accident/incident report under the worker’s compensation program.

If applicable, a FMLA file is maintained in the Human Resources Office for each employee who files for FMLA benefits. This file includes the original leave request, medical statements, and other pertinent documentation.

An employee may examine his/her official personnel file during normal working hours in the presence of a Human Resources Office staff member. The employee may obtain copies of any materials in his/her official personnel file for the standard cost for copying as outlined by the Louisiana Administrative Code.
5.4.3 **Conflict of Interest, Outside Employment**

Public employment is a public trust, and any effort to realize personal gain through official conduct, other than as compensation set through established processes, is a violation of that trust. All decisions of the University, and individual faculty and staff members in their role as faculty/staff are to be made solely on the basis of a desire to promote the best interests of the institution.

The University recognizes that the faculty and staff are composed of persons whose competence in certain fields is such that their services will be sought in a professional capacity outside the University. Consultative services are to be rendered by such faculty and staff members in their capacity as private individuals. Such services and/or other professional employment shall not interfere with regularly assigned duties during the University work week. University facilities, materials, and equipment shall not be used to subsidize private consultative services unless the University is remunerated.

The Board of Supervisors policy for outside employment of college and University employees, as stated in Chapter III, Section VII of the Rules, relates to employment directly undertaken by employees of System institutions with outside employers or to self-employment (including consulting) and does not relate to employment in which arrangements are made officially through the institution by contract with or grants to the institution. The Board’s statement of policy on outside employment is as follows:

“1. A member of the faculty or staff may engage in outside activities, paid or unpaid, which do not conflict, delay or in any manner interfere with instructional, scholarly, and/or other services he must render in the nature of his college or university employment.

“2. A full-time member of the faculty or staff who is presently engaged, or who plans to engage, in such activities outside of his broad institutional responsibilities, during any period of full-time employment by the institution, shall report to the chairman or head of his department in writing the nature and extent of such activities, and the amount of time the work will require. In all such instances, the department head or chairman shall forward the report to the employee's administrative superior who will make a complete disclosure of these facts to the campus head or his designee. A similar procedure shall be followed by deans in reporting to their vice-presidents and by vice-presidents in reporting to their president.

“3. No full-time member of the faculty or staff shall engage in such outside employment (or continue such employment if already so engaged) without the written approval of the department head and dean. In the event that either the department head or the dean believes that such outside employment involves, or may involve, a matter of public interest or interfere with duties to the institution, the matter shall be referred through the appropriate channels to the president of the college or university or his designee for approval.

“4. It is the responsibility of the employee to make clear to any outside employer that in accepting such employment he does so as an individual independent of his capacity as a member of the staff of the college or university. This might best be accomplished by providing with oral testimony or written reports a statement to the effect that the views expressed are those of the employee and do not necessarily reflect the views of the institution. In no case should the individual concerned use the name of the institution or his college or university title officially, or in any way, in support of any position he may take.

“5. The institution recognizes the fact that a person qualifies as an expert because of his training and experience. Therefore, biographical data, including a statement of employment by the college or university, may be included as introductory material to written reports (but not incorporated in
the body of the written report) by the outside employer, or orally in the case of expert witness, by
way of establishing the writer as a qualified expert.

“6. Institutional resources shall not be used for personal gain. No college or university personnel,
laboratories, services or equipment are to be used without administrative authorization in
connection with outside employment of college or university employees.”

The Board of Supervisors also requires that faculty and staff enter into no contractual relationships
or other agreements that are contrary to the Louisiana Code of Governmental Ethics (La.R.S.
42:1101 et. seq.).

Consulting or related services performed by Nicholls State University staff without remuneration
is considered to be a public service and as such is a regular function of the University.

5.4.3.1 Disclosure Responsibilities
In the event the employee shall be called upon to consider a transaction involving the University
and an organization with which that employee is “affiliated,” such employee upon receiving
knowledge of the transaction shall do the following:
- disclose fully the precise nature of interest or involvement in such transaction and/or
  such organization; and
- refrain from consideration of the proposed transaction if it is determined that a
  conflict of interest exists.

5.4.3.2 Definitions
A person covered by this conflict of interest policy is affiliated with an organization if he or she or
a member of his or her immediate family meets the definition of any of the following:
- is an officer, director, trustee, partner, agent or employee of such non-governmental
  organization; or
- is either the actual or beneficial owner of more than 5% of the stock or controlling
  interest of such non-governmental organization; or
- has any other direct or indirect dealings with such non-governmental organization
  from which he or she knowingly is materially benefited. For purposes of this
  subparagraph, it shall be presumed that a person is “materially benefited” if he or
  she receives, directly or indirectly, cash or other property (exclusive of dividends and
  interest) in excess of $1000 in any year in the aggregate; or
- is considered an affiliate by a provision of state law.

5.4.3.3 Examples
The University possesses both tangible assets, such as buildings and equipment, and intangible
assets, such as its reputation and prestige. Examples of potential conflict of interest include, but are
not necessarily limited to the following:
- the initiation or orientation of a employee's research with use of University resources
to serve the needs of a private firm or public agency without approval of the
University;
- transmission to a private firm or use for personal gain of the information, records,
results, materials, or products which have been acquired through University research
or employment when such discoveries are not made generally available;
- failure to inform the appropriate officer of the University about licensing agreements
and inventions in which the University might have an equity;
- the use of University resources (personnel, supplies, equipment, facilities) in
sponsored research or in consulting by an employee without referring to the
appropriate administrative office the question whether appropriate costs should be
defrayed by the outside agency;
- the use of students, without recompense from salary or academic credit, for work on behalf of an outside agency;
- the use of the University’s name, facilities, or equipment for personal purposes, or for which the employee receives remuneration for private gain;
- personal use of University resources to support political candidates or non-profit organizations even though not for remuneration;
- the purchase of major equipment, instruments, or supplies for University teaching or research from a private firm with which the employee is affiliated;
- negotiation or influence upon the negotiation of contracts between the University and outside organizations with which an employee has consulting or other significant relations of material benefit to the employee;
- hiring of members of the immediate family by employees;
- adoption of one's own textbook or other teaching aids which would entail acceptance of royalties as personal income;
- certain types of outside employment as offers of employment involving assignments that have the potential to compromise the institutional position of the employee;
- performing work for clients for pay when the work in question falls within the regular assignment of the employee;
- any outside relationships that conflict with the teaching, scholarly, and service responsibilities of the employee;
- consulting relationships involving activities with the potential to compromise the institutional position of the employee;
- financial interests in companies and other kinds of organizations doing business with the University; and
- financial gain to the individual that results from involvement in University decisions.

### 5.4.3.4 Consulting and Other Paid Activities

The University recognizes that consulting and conducting other paid outside activities including but not limited to seminars and presentations are proper and common features of academic employment and that the outside contacts provided through these activities by contracted faculty members and staff are aids in their professional advancement and/or service to the community. The amount of outside consulting work for remuneration in which a full-time faculty or staff member may engage shall be limited to an average of 12 hours per month in each semester of the academic year. These twelve hours are understood to be hours within the “working day.” The duration as well as the nature of the consultative services must be reviewed and approved by the Department Head, Dean, Administrative Vice President, or appropriate supervisor on a case-by-case basis to determine that participation in outside consulting activities will not conflict or impinge on the University duties and obligations of the faculty or staff member as set forth in this Manual. To verify compliance with this policy, faculty and staff must submit a completed Disclosure of Outside Employment Form before October 1 of each Academic year as specified in Section 5.4.3.7 of this Manual.

### 5.4.3.5 Sponsored Research

#### 5.4.3.5.1 Preamble (Faculty Senate revised option 1)

The following policy, Research and Sponsored Programs will take affect within the following constraints and considerations:

1. The policy will become effective July 1, 2007
2. The policy will affect all new and renewing grants and contracts from federal, state and local governmental agencies.
3. The clause concerning extra compensation funding from private foundations, corporations, and non-profit organizations will remain in effect until July 1, 2009.
5.4.3.5.2 Definitions

- Sponsored projects shall be construed to include grants and contracts (research and other) funded by external agencies. Sponsors may be federal, state, and local governmental agencies, private foundations, corporations, and non-profit organizations.

- The University encourages employees to seek financial support from external sources for augmentation of individual scholarly competence, enrichment of instructional programs to both graduate and undergraduate students and enhancement of public knowledge.

5.4.3.5.3 Release or Buyout of Time for Research

The Federal Office of Management and Budget (OMB) Circular A-21 views research as a normal faculty responsibility undertaken as a part of a faculty member’s base salary. Sponsored programs should generally be undertaken on a release or buyout basis. For example, a faculty member with a full-teaching load which equates to the equivalent of 30 hours per academic year could request a 10% buyout equal to one 3-hour class per year with full buyout possible.

When an employee undertakes sponsored projects on a release or buyout basis, the grant shall be charged for the portion of time and effort devoted to the project based on the individual’s base salary rate plus any endowment, if applicable. Base salary refers to academic/fiscal year appointment contract amounts.

Summer Compensation through sponsored projects shall be restricted by the following provisions:

- Nine month faculty or staff may receive summer compensation for work on externally sponsored projects during the summer period between the end of one AY and the start of the next; the total of such compensation from all sources (including summer school compensation) may not exceed 3 months of the individual’s base salary rate, plus any endowment if applicable.

- Ten month contracted employees or staff may receive summer compensation for work on externally sponsored projects during the summer period between the end of one AY and the start of the next; the total of such compensation from all sources (including summer school compensation) may not exceed 2 months of the individual’s base salary rate, plus any endowment if applicable.

- Eleven month contracted employees or staff may receive summer compensation for work on externally sponsored projects during the summer period between the end of one AY and the start of the next; the total of such compensation may not exceed 1 month of the individual’s base salary rate, plus any endowment if applicable.

Extra compensation will be considered only when the additional duties will not interfere with regular University duties. Extra Compensation shall be restricted by the following provisions:

- Total extra compensation (Category I (non-credit conference, short courses, workshops and similar activities) and Category II activities (Credit Courses)) earned during an employee’s appointment period may not exceed 25% of the individual’s base salary rate as stated in the appointment letter.

- Twelve month unclassified employees must utilize approved leave to earn extra compensation (Category I and Category II activities).

- Employees hired 95% (maximum allowed) through sponsored projects must obtain written approval by the appropriate vice president and all sponsoring agencies for extra compensation.
• Extra compensation for classified personnel (overtime) on sponsored projects will be considered only when added duties are of the magnitude and duration which require additional work time. Overtime compensation must be shared by each funding source proportionally.

• Extra compensation is considered to be an exception to normal practice, shall be justified on a case-by-case basis, and is to be approved by the appropriate vice president only under extraordinary circumstances and prior to the beginning of the assignment.

5.4.3.5.4 Time and Effort Certification and Procedures

The purpose of an effort reporting system is to document the basis for distributing salary charges among direct activities (administrative duties, sponsored research, instruction, clinical activity, etc.) and between direct and indirect activities. Time and effort certification allows the University to retain eligibility for sponsored projects.

Faculty and staff must comply with all applicable federal laws and regulations regarding time and effort certification. Federal regulations applicable to sponsored research at colleges and universities (The Federal Office of Management and Budget (OMB) Circular A-21, “Cost Principles for Educational Institutions”, Section J.8, entitled “Compensation for Personal Services”) require that each institution maintain an acceptable effort reporting system.

In addition, the University requires such certification for all agreements to effect the understanding that the faculty and staff who are being paid from externally funded sources are attesting that they have only included accurate information on their time sheets and other payment documents, as requested. The requirement applies to faculty and staff whose time or effort is charged in whole or in part to external funds. Certification is also required for faculty and staff who have cost-sharing commitments on sponsored projects.

The University requires this “after-the-fact” certification of effort of all individuals when all or a portion of their salaries are charged to a sponsored project. Because Time and Effort Certification Forms are documents that support salary charges to sponsored projects, it is essential that this information is based on reasonable estimates of actual effort expended in the various effort categories.

If the actual effort reported is significantly different from contractual agreements, payroll errors will result when charging costs to the project sponsor(s). Each individual with responsibility for Time and Effort Certification must therefore thoroughly understand the proper method of completing Time and Effort Certification forms and ensure that effort percentages reported on the forms reasonably reflect actual effort expended during the report period. Once signed, the information on the Time and Effort Certification form is subject to independent audit and review by federal examiners, other sponsors, and the University.

Accounting for Effort - The Time and Effort Certification Form (Appendix ZZ) must include all effort for which the individual receives compensation by and through University sources. It does not include effort for which compensation is received directly from sources other than the University, such as compensation from outside consulting work (Section XYZ). Effort certification must be based on total effort regardless of total hours expended.

Allocations of effort among different activities must be made on a reasonable, equitable, and consistent basis, recognizing that research, instruction, and clinical activity are often intertwined, and estimates will be necessary in most cases.

Effort Percentages Must Total 100% - All effort must be accounted for, and the sum of the individual effort categories must equal 100%. For example, if an individual participates in two...
activities - 30 hours a week on sponsored research and 30 hours a week on instruction – the effort should be reported as 50% for each activity, totaling 100% for the report period.

When cost share (in-cash match) has been pledged to a project, the funding sponsor must be identified and the cost share percentage indicated on the effort report and included in the 100% effort.

Responsibility for Accurate Time and Effort Certifications - To ensure that the Time and Effort Certification system reasonably reflects actual effort expended in the various categories during the report period, the Time and Effort Certification Form must be completed and confirmed by the individual whose effort is being reported or, in the case of students, by the principal investigator. An individual who has reason to believe that effort is not being accurately reported should bring the matter to the attention of personnel responsible for completing the Time and Effort Certification Forms.

Time and Effort Certification Process - Time and Effort Certification Forms must be completed and returned to the Controller’s Office no later than fifteen (15) days following the end of each summer, fall, and spring term. (See M Drive for Form - \NICH-NSUNET\USERS\admins\POLICY AND PROCEDURE MANUAL FORMS and MEMORANDUMS\Time and Effort Reporting Form - 8-29-07.doc)

5.4.3.6 Acceptable Use of University Resources
The University allows use of its name, facilities, equipment, or resources in faculty and staff pursuit of teaching, scholarly activities, or service within the limits approved by the immediate supervisor or administrative Vice President (note: faculty must have approval from both Department Head or Dean and the Vice President for Academic Affairs), but not with paid consultative services without specific approval from the administrative Vice President with an agreement that a fee based on a percentage of consultative charges be paid to the University.

5.4.3.7 Procedures for Disclosing Conflict or Potential Conflict of Interest
Faculty and staff members shall do the following to disclose conflict of interest or the possibility of conflict of interest:

1. On or before October 1 of each academic year, each faculty and staff member shall submit a disclosure form describing the particulars of potential conflicts of interest. The form shall indicate any and all activities or projects currently in progress or planned, which have the potential for interpretation as a conflict of interest.

2. The Department Head or appropriate supervisor shall review the form for completeness and accuracy and may request supplemental information if necessary. The Department Head or supervisor shall render, on the form, an opinion indicating no conflict of interest exists or recommending further consideration. If the Department Head or supervisor judges that a potential conflict exists, a memorandum to that effect shall be attached to the disclosure statement and will include recommended action which will eliminate that potential. The Department Head or supervisor shall submit disclosure statements and attachments to the Dean or Director on or before October 15 for concurrence and/or modification of recommended action.

3. The Dean or Director shall review the submitted materials and render on the form, an opinion. If necessary the Dean or Director will discuss the activity with the faculty or staff member to arrive at an agreement that will eliminate and avoid any conflict. Such agreement shall be in writing and shall be signed by the Dean or Director and the involved person. If agreement cannot be reached the issue will be referred to the employee’s administrative Vice president.

4. The administrative Vice President shall review the submitted materials and may consult University Council (disbanded Fall 2004) regarding any perceived problem case(s). The administrative Vice President shall issue a written decision in instances where agreement has not been reached.
5. Faculty and staff members who disagree with the written decision of the Administrative Vice President may submit a grievance.
6. Disclosure forms shall be permanently maintained in the official personnel files.
7. If a known conflict of interest occurs, faculty members shall be governed in their responsibilities for disclosure by statute (Section 0).

5.4.4 Political Office
Every employee has the constitutional right to seek and hold public office. In so doing the employee must:
- prior to the date of qualification, notify the institutional president of the intention to seek and hold public office;
- continue normal workload including teaching and all other duties and office hours required by the institution.

If employees are unable to meet condition (b) above, annual leave or leave without pay may be requested for the appropriate period of time in accordance with the leave rules of the Board of Supervisors. Additionally employees should be accurate in their statements and make every effort to indicate that they are not speaking for the institution.

After appointment or election, it is the responsibility of employees to certify that they are in compliance with all statutes concerning ethics and dual appointment. Evidence of this compliance shall be provided by a written opinion from the Attorney General’s Office. This written evidence shall be placed in the employee’s official personnel file.

5.4.5 Rights and Patents for Intellectual Property

5.4.5.1 Policies Regarding Copyrights and Patents
Scholarly and creative activity often results in copyrights and patents for the production of works, products, or materials of commercial value. The Board of Supervisors has adopted the following policies regarding copyright and patents:

5.4.5.1.1 General Policy
The Board of Supervisors for the University of Louisiana System, hereinafter referred to as the Board, expects and encourages creative productivity on the part of the employees of the Board. The Board recognizes its responsibility to assist and protect the developer to assist the universities under its jurisdiction in matters pertaining to patents to protect the interests of the public and to protect the interests of financial sponsors of the project other than the University of Louisiana System.

5.4.5.1.2 Patents
Inventions resulting from research and other work carried on by or under the direction of the System personnel and students of the institutions and supported in whole or in part by funds under control of the System or involving System facilities, should be used and controlled to produce the greatest benefit to the System and the public. Except as otherwise provided herein, the institutions shall acquire and retain legal title to any and all such inventions, including any patents which may be procured, resulting from such research and other work and shall take such steps as may be necessary to secure such title in themselves. The evaluation of any and all such inventions and applications for patents shall be made by the institutions. If the institutions decline to pursue a patent application, they may release their rights to the inventor or inventors.

The Board and the institutions respect and recognize the right of sponsors of research and development to the title of such inventions as may arise from projects sponsored by them.
in conformance with explicitly stated contractual agreements covering such sponsorship and applicable laws.

5.4.5.1.3 Shared Royalties
In the event royalties are generated by any patent assigned or licensed to the institutions, an appropriate share of such royalties shall be paid to the inventor. The inventor’s share shall be determined by the following:

- In cases where the institution assigns such patent rights to the Research Corporation, the share of royalties to be paid to the inventor shall be governed by the terms of the contract between the Board and the Research Corporation.
- In cases where the invention is covered by a contractual agreement with a sponsoring agency, the financial arrangements shall be in accordance with that contractual agreement. In cases of sponsorship by federal agencies, compliance with the appropriate federal regulations shall be enforced in the ultimate agreement.
- In cases where the institution obtains ownership of a patent directly and expends funds to develop and market the invention, any royalties generated will be first used to cover the expenses of obtaining and marketing the patent. One-third of the net royalties will be paid to the inventor and two-thirds will be retained by the institution from which the patent originated.
- Net royalties on patents available to the institution shall be used for research, development, and other scholarly activities and allocated 100 percent to the institution where the patent originated.

5.4.5.1.4 Administration
The Board authorizes each university to establish a university patent committee appointed by the president and assigned tasks relating to patent matters as determined by the university administration.

5.4.5.1.5 Assignment
As an alternative to patent assignment, a license of patent from the inventor(s) in return for a specified consideration, lump sum or deferred, may be considered.

5.4.5.1.6 The Copyrights and Patents Committees
The Faculty Copyrights and Patents Committee at Nicholls State University shall be called on an ad hoc basis by the Vice President for Academic Affairs. This Committee shall be appointed by the President from a list provided by the University Committee on Committees. The Copyrights and Patents Committee shall consist of one (1) member from each academic College, one (1) member from the University Library, two (2) at-large members appointed by the President, and the University attorney (non-voting).

An Administrative Staff Copyrights and Patents Committee at Nicholls State University shall be called on an ad hoc basis by the University President. This Committee shall consist of one (1) member from each of the four administrative units, three (3) at-large members appointed by the President, and the University attorney (non-voting). This committee shall be distinct and separate from the Copyrights and Patents Committee described above.

5.4.5.2 Copyrights
Following the mandates of the Board of Supervisors, Nicholls State University recognizes and defines copyrights and arrangements as follows:

5.4.5.2.1 Definitions
Copyrighted products include, but are not limited to, books, pamphlets, brochures, or other publications; films, video or audio tapes; computer programs or software covered by the copyright laws of the United States or any foreign government, as amended.

5.4.5.2.2 Royalty Arrangements
In addition to the Board of Supervisors policies, the following guidelines also apply to Nicholls State University faculty and staff:

Academic and administrative faculty and staff may procure copyrights and receive all resulting royalties provided that

- the ideas for the copyrighted products came from the faculty or staff producing them;
- the products were the result of faculty or staff members' independent labors and their own initiative;
- the University was not held responsible for any opinions expressed in the products.
- If copyrightable products were supported by any use of University funds, personnel, equipment, materials, or supplies, faculty or staff members shall disclose in writing to the administrative Vice President the University’s interest in having such products copyrighted.

- Within thirty (30) calendar days of receiving the disclosure statement, the administrative Vice President, after consultation with the Copyrights and Patents Committee, the President of the University, and the Board of Supervisors, shall inform faculty or staff members whether the University seeks an interest in the copyright.

- If the University seeks an interest in the copyright, faculty or staff members and the University shall negotiate a written contract to reflect the equities of participating parties. Such contracts shall satisfy any pre-existing commitments to outside sponsoring agencies.

5.4.5.2.3 Patents
Following the mandates of the Board of Supervisors, Nicholls State University recognizes and defines patents and arrangements as follows:

5.4.5.2.4 Definitions
Patentable products include, but are not limited to, inventions, discoveries, or creations of any kind covered by the patent laws of the United States or any foreign government, as amended.

5.4.5.2.5 Proceeds Arrangements
The following stipulations apply to proceed arrangements for patents:

- Academic and administrative faculty or staff may procure patents and receive resulting income provided that
  - the ideas for the patented products came from the faculty or staff members producing them;
  - the products were inside or outside the field or discipline in which the faculty or staff members are employed and for which the University has provided no support; (Faculty or staff members and the University may agree that the University shall pursue the patents and share the proceeds in accordance with the terms of a written contract.)
  - the University is not held responsible for the use of patented products.
- If patentable products are in the field or discipline in which faculty or staff members are employed and if the University has provided support through funds, personnel, equipment, materials, or supplies, faculty or staff members shall disclose to the administrative Vice President the intent to patent such products. All patentable products so produced shall become the property of the University. The administrative Vice President, in consultation with the Copyrights and Patents Committee and with the President's Cabinet, shall assess the respective equities of the University and faculty or staff members. The division of proceeds generated by patents shall
be negotiated and specified in a written contract between faculty or staff members and the University.

### 5.4.5.3 Terms and Conditions of University Rights

When the University has obtained rights of whatsoever kind and nature in copyrightable, patentable, or commercially valuable materials which have been written, created, produced, or otherwise generated by faculty or staff members, then the terms and conditions of this policy shall be binding upon all parties in regard to the copyrightable, patentable, or commercially valuable materials until one or more of the following conditions have been met:

- for a minimum of thirty-five (35) calendar years from the date of assignment;
- until such time as the University has recovered all the expenses and costs attributable to the writing, creation, production, generation, and/or exploitation of the materials;
- for so long as the faculty or staff member is employed by the University plus an additional period of time from the calendar date of cessation of employment for whatever reason until the conditions of the above are met;
- until the University's copyright, patent, or contract rights expire.

All assignments or release of patent rights by the University to faculty or staff members shall contain the provision that such products, if patented by faculty or staff members, shall be available royalty-free for approved governmental uses of the State of Louisiana.

### 5.4.5.4 Sale of Created Materials to University Students

Faculty members often create materials in which they hold commercial interests and which might be used in courses or programs that they teach. Faculty members who require their students to purchase materials in which they have a commercial interest shall disclose such requirement as a potential conflict of interest as provided in Section 9. If a conflict of interest is deemed to exist by the jurisdictional Department Head or Dean or Vice President for Academic Affairs, the faculty member shall donate an amount equal to royalties received for the sale of such materials to one's own students to a special fund set up by the author's department to promote research, publication, or other scholarly and creative activities. After all necessary approvals have been made, faculty members shall make such materials available through the University Bookstore as well as other sales outlets that may have been chosen.

### 5.4.5.5 Student Intellectual Property

Intellectual property may be defined as research papers, data, painting, sculpture or other materials created by an individual. Ownership of such materials developed by a student in fulfillment of a course requirement remains with the student creator. Neither the University nor an individual faculty or staff member can publish, copyright, sell, or otherwise infringe on the legal ownership of a student's intellectual property without the expressed, written permission of the student creator.

### 5.4.6 Invitation of Outside Speakers

Nicholls State University recognizes and appreciates that the university is a marketplace of ideas. As such, Nicholls welcomes the free exchange of ideas among students, faculty and staff, and speakers from the external community. This freedom of ideas is limited only by certain practical constraints, necessitated by such considerations as securing the safety of person and property and the need to prevent disruption of the learning environment.

#### 5.4.6.1 Procedures (General —not class–related)

The following procedures must be followed for non–classroom speakers:

- The sponsoring department, group or individual completes Outside Speaker Proposal form in the Office of Union Services and Facilities.
Chapter 5: General Policies Related to the University

If target audience of speaker is primarily the Nicholls community, with no appreciable attendance from off-campus anticipated, the Dean of Student Life must review the proposal.

If the speaker is expected to draw not only Nicholls, but also an appreciable number of off-campus attendees, the proposal must also be reviewed by the appropriate Vice President.

If it is anticipated that either a large number of off-campus individuals, or representatives of the media, or both, will be in attendance, the proposal will be routed to the President for review, with a copy to Public Relations and to Alumni Affairs.

If one of the purposes of the speaker's visit is to solicit funds, either in the form of sales or donations, the sponsoring individual or group must follow the University's "Regulations Governing the Use of Bulletin Board and Posting of Signs, and Solicitation on Campus," issued by the Student Life Office.

Reserving Facilities: If the speaker is known at the time of reservation of university facilities, the completed and reviewed Outside Speaker Proposal form must be returned to the Office of Union Services and Facilities for the reservation of appropriate space. If the speaker is not yet known, space may nevertheless be reserved. However, all reservations are contingent upon university review of outside speakers at least two weeks prior to the event.

In reserving space, the staff of the Office of Union Services and Facilities will assess fees and costs associated with the event. The University will assign personnel and equipment as necessary to support the success of the event; the speaker and/or sponsoring organization is responsible for all such charges. Policies, procedures and fee schedules for reservation of facilities are published in the "Policy & Procedure Manual" available in the Office of Union Services and Facilities.

If the outside Speaker Proposal involves the use of the SGA Free Speech Alley podium, the SGA's published policy and procedures must be consulted and followed.

Security: The use of University Police, city police or private security in connection with the event is at the sole discretion of the University, in determining both the need for, and the strength of, the security force. The sponsoring group or individual is responsible for the cost of security beyond that normally provided by the University.

5.4.6.2 Academic (class-related)

For invited speakers who are not members of the Nicholls community to address a regularly scheduled class, faculty must give notification as follows:

If the audience of the speaker will primarily be the Nicholls community, with no appreciable attendance from off-campus anticipated, the faculty member's department head must be notified, in writing, at least one week in advance, of the time, date and location of the lecture and the name of the speaker.

If the speaker is expected to draw not only Nicholls but also an appreciable number of off-campus attendees, the notice must also be forwarded to the dean of the college.

If it is anticipated that either a large number of off-campus individuals, or representatives of the media, or both, will be in attendance, the notice will be routed to the Vice President for Academic Affairs and the President, with a copy to Public Relations, Alumni Affairs, and University Police.

If the size of the audience is anticipated to exceed the capacity of the classroom, and an auditorium, the Student Union Ballroom, or other large facility is required, the faculty member must reserve the space in accordance with the procedures outlined in "Reserving Facilities" (see section on "General" speaker.)

5.4.6.3 SGA Free-Speech Alley Podium

The speaker or sponsor must go to the SGA Secretary to receive a Speaker Proposal Form providing information such as who and what will be discussed at the podium.
Within three days the application of the speaker will be reviewed by the SGA President and the Judiciary Committee Chairperson, to ascertain information about publicity and security for the speech, if any is needed.

Within two class days after SGA review the individual/organization requesting use of the podium will be notified of approval.

If the speaker provides his or her own sound equipment, the University reserves the right to limit its volume. Nicholls pep rally will be the rule of thumb.

Blanket approval is available for a series of speeches on the same or related topics.

Information concerning the subject matter will not be used to deny the speaker's use of the SGA Free–Speech Alley Podium.

5.4.7 University Identification Card
An official University identification card is required for use of certain University facilities and services. Identification cards are available from the Student Life Office.

5.5 Extra Compensation and Salary Conversion

5.5.1 Extra Compensation
The salary of full–time employees of Nicholls State University is intended as compensation for all regularly assigned full–time activities performed for or in the name of the University. The University recognizes, however, that faculty may be called upon from time to time to perform additional tasks over and above their regularly assigned duties for which they may receive extra compensation. Exceptions to this policy, consistent with Federal and State statutes and directives, must be approved by the President.

5.5.1.1 Compensation Categories
The following two categories of activities are allowed under the policy:
- Category I. Short–term Activities (non–credit conference, short courses, workshops and similar activities).
- Category II. Credit Courses

5.5.1.2 Restrictions for Category I and II
The following general restrictions shall apply to both categories of activities:
- An employee must be certified by his or her Department Head or Dean as working a full load in addition to the activity for which extra compensation is being recommended.
- The work for extra compensation shall not in any way interfere with the regular duties of the individual, as certified by the dean or supervisor.
- A request for extra compensation should be approved in writing by the Department Head or Dean in advance of performance of the work.
- Federal funds may not be used to pay extra compensation unless specifically authorized by the sponsoring agency.
- Stipend for extra compensation must be authorized to be paid at the regular payroll period for the time period in which it is earned.
- An employee may engage in only one activity in each category at a time for extra compensation unless approved by the Dean and the Vice President for Academic Affairs.
- An employee is limited to one off–campus credit course per semester for extra compensation unless approved by the Dean and Vice President for Academic Affairs.
- Extra compensation will not be allowed if a conflict of interest is involved.
• University funds will not be used for extra compensation for speeches, public appearances that constitute civic activities, public relations, and development activities.
• University funds will not be used for extra compensation for research, research consultation, collaboration, or creative works.

5.5.1.3 Compensation for Category I Activities
The maximum amount which may be paid a faculty member through University sources in an academic year is subject to the approval of the Vice President for Academic Affairs and the President whenever that amount exceeds 25% of the faculty member's academic year salary. Additional monies can be earned in the summer, provided the total summer compensation does not exceed one-third of the total academic year's salary. All authorizations for extra compensation in Category I non-credit activities must be approved by the President or designee.

5.5.1.4 Compensation for Category II Activities
The maximum amounts which may be paid are
• Three (3) credit hours undergraduate: $1250/semester
• Three (3) credit hours graduate: $1500/semester

5.5.2 Schedule for Converting Salaries
The following schedule is used for converting nine-month employee salaries to ten, eleven, or twelve month salaries

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<td>9 months to 11 months =</td>
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<td>9 months to 12 months =</td>
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<td>12 months to 11 months =</td>
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<td>12 months to 10 months =</td>
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<tr>
<td>12 months to 9 months =</td>
<td>( \text{12-month salary} \times \frac{9}{12} )</td>
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5.6 Fringe Benefits
Information on statutory University-sponsored benefits for ranked faculty is available in the Department of Human Resources and the Controller's Office. Faculty and staff members are responsible for seeking necessary information and choosing appropriate benefit plans in accordance with required timelines.

5.6.1 Retirement and Other Statutory Benefits
The University provides statutory benefits to academic faculty and staff, including but not necessarily limited to, Workers' Compensation, unemployment insurance, Teacher’s Retirement System of Louisiana, and Medicare. The Department of Human Resources has annual publications available that explain statutory benefits. Faculty and staff members will be informed of any modifications in coverage or options for enrollment.
5.6.1.1 **Teacher’s Retirement System of Louisiana**

The Teacher’s Retirement System of Louisiana (TRSL) was established on August 1, 1936 for the purpose of providing retirement allowances for eligible members in accordance with the option the member selects at the time of application for retirement benefits. The law provides that TRSL is to be administered by the Board of Supervisors.

Eligibility, retirement requirements, Deferred Retirement Option Policies (DROP), benefits formulas, and “Teachers’ Retirement System of Louisiana – Regular and Plan A” brochures are also available in the Department of Human Resources.

Note: Faculty and staff are reminded that if they are participating in DROP, their last day must be at the end of a semester or before the beginning of a semester.

5.6.1.2 **Optional Retirement Plan**

All academic and administrative employees of public institutions of higher education who are eligible for membership in TRSL are also eligible for membership in the Louisiana Optional Retirement Plan (ORP). New employees who are eligible for ORP must sign-up within the first 60 days of employment. Failure to make an election will result in enrollment in the defined benefit retirement plan for TRSL.

Act 92 of the 1992 Legislative session allows teachers initially enrolled in the TRSL to join ORP at any time within (5) five years after their employment date. This decision to join ORP rather than TRSL is irrevocable and therefore most important to retirement planning.

The ORP currently provides for three carriers—Aetna, Valic, and TIAA–CREF. These carriers may contact personnel on campus and can assist personnel about retirement decisions.

5.6.1.3 **Annuity Options**

Tax–sheltered annuities such as 403B plans are available through the Controller’s Office and from a number of carriers.

5.6.2 **University–Sponsored Benefits**

The University sponsors health and insurance benefits including, but not necessarily limited to medical insurance plans, travel insurance, liability insurance, and selected health care services. The actual terms of all policies with carriers control the specific benefits. The Controller’s Office shall distribute an annual publication explaining University–sponsored benefits and shall notify faculty of any modifications in coverage or options for enrollment. Provisions for payroll deductions for employee payments may be arranged through the Controller’s Office.

5.6.2.1 **Workers’ Compensation**

Employees of the University are covered by Workers’ Compensation Insurance paid for by the University. This insurance is applicable only in the event of an accident while the employee is on duty. In the event the employee is injured on the job, Workers’ Compensation provides financial and medical aid that continues as long as the employee is disabled.

Employees must use sick or annual leave while off work due to injury. The compensation for this period must be paid back to the University, since employees cannot receive both regular salary and Workers’ Compensation. The Workers’ Compensation benefits will buy back some sick or annual leave. Hospitalization insurance will not be applicable if Workers’ Compensation insurance covers a particular injury.
5.6.2.2 Hospitalization Insurance
The University makes available to all employees (except appointments for 120 days or less) hospitalization insurance under the state contract; the state pays 50% of the premiums. The University also makes available to all eligible employees HMO hospitalization insurance, also under state contract; the state pays a portion of those premiums. When an employee becomes eligible for hospitalization insurance, he or she will be called in to the Controller's Office where the plans available will be outlined. Payroll deductions are made for the employee's share of the premium.

5.6.2.3 Group Life Insurance
All full-time employees (except appointments for 120 days or less) are entitled to group life insurance through a state contract. The state pays 50 percent of the cost of this coverage for this employee. The employee pays 100 percent of the cost for dependent life coverage. The face life amount of insurance for employee and dependents varies; therefore, each employee will be presented this information by the Controller's Office. Payroll deductions are made for the employee's share of the premium.

5.6.2.4 Other Insurance
There are various types of additional insurance offered to full-time employees. These consist of cancer, intensive care, disability and annuities. The employee pays 100 percent of the cost for all of these policies.

Participation by each member of the staff in University hospitalization plans and/or group life insurance is optional.

Group insurance for any employee on leave without pay may be continued for a period of one year only, during which time the employee pays the full premium on a monthly basis.

Group insurance for any employee who voluntarily resigns can be continued under the COBRA benefits for a period of 18 months providing the plan member pays the COBRA premium each month. Additional information can be obtained in the Controller's Office.

When an employee is eligible for retirement, the hospitalization and life insurance may be continued under the same conditions as during his or her employment.

When employees or retirees reach age 65, they can retain 75 percent of the amount of life insurance for which they were eligible prior to age 65. When employees or retirees reach age 70, they can retain 50 percent of the amount of life insurance for which they were eligible prior to age 65. Employees who remain actively employed after age 65 continue to be eligible for the same health benefits for which they were eligible prior to age 65.

When an employee or retiree reaches age 70, all AD and D (Accidental Death and Dismemberment) benefits are terminated.

5.6.2.5 The Nicholls Federal Credit Union
The Nicholls Federal Credit Union operates under laws, by-laws, and provisions of the federal government. The Credit Union was organized by employees of Nicholls State University and is administered by a Board of Directors elected by general membership.

The purpose of the Credit Union is to promote thrift among its members by affording them an opportunity to accumulate their savings through a payroll deduction system and to create for them a source of credit at a low interest rate. The Credit Union also offers alternatives to pay
plans through payroll deduction, which may also offer options for balancing health insurance payments. Membership is open to all University employees and their immediate families.

5.6.2.6 Parking
All vehicles parked on campus by academic faculty and staff must be registered annually. Full-time faculty and staff may obtain a parking sticker after paying a yearly fee. Regulations regarding parking are published in University Parking Regulations, available from the Parking Reinforcement Office.

Nicholls State University will make every effort to accommodate all personal vehicles present on campus for special events sponsored by the University or by one of its departments or organizations. It will at the same time be sensitive to the inconvenience that is often caused to students, faculty and staff when parking is restricted for the accommodation of visitors’ vehicles. Procedures and forms for arranging parking for special events are available through University Police.

5.6.2.7 Use of University Facilities, Equipment, Materials and Grounds

University facilities and grounds may be reserved for use for varied activities and events by University personnel and the general public. Use of these facilities and grounds by university personnel must adhere to Nicholls State University policies and procedures reflected in Section on Conflict of Interest, Outside Employment, and be documented on the Disclosure of Outside Employment Form as outlined in Section on Procedures for Disclosing Conflict or Potential Conflict of Interest.

Use of facilities and grounds must be reserved through the Student Union Office as specified in Student Union operating procedures as approved by the President. The University reserves the right to restrict the use of facilities, equipment, materials and grounds.

5.6.2.8 Activities and Events

All faculty and staff members at the University are encouraged to take advantage of all campus activities and athletic events. Information on fees for student activities is available in the Student Life Office; information concerning athletic events is available in the Athletics Office.

5.6.2.9 Tuition Waiver

The Board of Supervisors provisions for the fee exemption policy for faculty, staff, and dependents are as follows:

Employees of the University of Louisiana System may enroll at any of the eight institutions within the system for undergraduate or graduate instruction at a reduced tuition, plus certain applicable fees.

The following conditions apply to faculty and staff:

- Faculty or staff member must be employed on a full-time basis at a University of Louisiana System institution. Enrollment at an institution other than the home institution requires the joint approval of the home institution president and the president of the institution the employee wishes to attend.

- An employee requesting approval to attend another ULS institution should submit a letter addressed to the President that includes the name of the host institution and the term attending.
This letter should initially be sent to the Controller’s Office for verification that will be forwarded to the President’s office for approval.

The President’s Office will submit a letter to the President of the host institution requesting joint approval.

- Full time System Office staff may also attend any System institution. Enrollment at an institution requires the joint approval of the system president and the president of the institution the employee wishes to attend.
- Full time employees may register for up to six (6) hours per semester (or its equivalent under the quarter system) for a reduced charge of $25.00 per credit hour, not to exceed $150.00 for any undergraduate or graduate level courses.
- In addition to tuition, faculty and staff shall also be assessed the following fees: Academic Excellence Fee, Operational Fee and Technology Fee.

This policy shall apply only to courses and programs for which regular tuition is charged.

Retired faculty and staff who have served not less than 25 years in the University of Louisiana System shall maintain eligibility for this tuition and fee policy.

The following conditions apply to spouses and children of full time faculty and staff members:

- Spouses and children of faculty and staff members employed on a full-time basis by a System institution may attend another System institution with the joint approval of the employee’s president and the president of the host institution.
- Employees requesting approval for their spouse and/or children to attend another ULS institution should submit a letter addressed to the President that includes the first and last name of the spouse and/or children, the name of the host institution and the term attending.
- This letter should initially be sent to the Controller’s Office for verification that will be forwarded to the President’s office for approval.
- The President’s Office will submit a letter to the President of the host institution requesting joint approval.

- Similar dependents of System Office staff employed in full-time service may also attend any System institution with the joint approval of the System president and the president of the institution the employee wishes to attend.
- Dependents who qualify will be limited to those who are eligible according to the Internal Revenue Tax Code during the calendar year in which the tuition reduction is issued. At such time as the dependent is no longer eligible according to IRS Code, the dependent ceases to be eligible for this reduction.

- Spouses and Dependents of retired faculty and staff (as provided in I(F)) shall be eligible for this tuition and fee policy.
- Spouses and Dependents of deceased faculty and staff shall be eligible for this tuition and fee policy provided the faculty or staff was in service or retired from the System (as provided in I(F)) and eligible for the reduction when death occurred.
- Spouses and Dependents of disabled faculty and staff, as determined by the Teachers’ or State Employees’ Retirement Systems but otherwise eligible for this tuition and fee policy, shall maintain eligibility.
- Only undergraduate coursework for undergraduate students is eligible for the reduced tuition charges.

The reduced tuition shall provide for $25.00 per credit hour, not to exceed $300.00 ($200.00 per quarter) for full-time enrollment and shall be pro-rated for part-time enrollees.
- Spouses and Dependents shall be assessed the following fees: Academic Excellence Fee, Operational Fee and Technology fee and any and all student assessed fees.

Any exceptions to the provision of this PPM shall be submitted, with a full justification, to the University of Louisiana President who shall determine if such an exception will be made.
The Employee/Retiree should submit a memo addressed to the University President through their respective Vice President requesting any exceptions. The University President will then request approval through the system President at the University of Louisiana System office.

Forms for filing for fee exemption may be found at the Controller’s Office or on-line under Human Resources forms. This form should be completed and turned in to the Controller’s Office no later than Wednesday of the first week of Early Registration for the semester of planned enrollment. A new form must be completed for each applicable semester and original forms must be submitted.

Fee Exemption Schedule - Effective August 2009 - Contact Controller's office for updates to Fee Exemption Schedule

Reduced general registration fee schedule of amount to be paid

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<thead>
<tr>
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<th>Graduate</th>
<th>Undergraduate Dependents</th>
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5.6.3 Supplemental Benefits Solicitation
The official policy regarding solicitation by vendors offering supplemental benefits is available on the Human Resources policies website.

5.7 Academic Affairs Programs and Policies

5.7.1 University College
University College is the academic and administrative college for all freshmen, transfer, and other students who intend to pursue a degree and have met regular or conditional admission requirements. Students who meet exit requirements of University College may apply for entry into the senior academic colleges.

University College introduces students to the purpose of the University through comprehensive student development services including curricular offerings and personal development programs that prepare students to enter senior academic colleges or choose alternative post secondary educational experiences or careers.

5.7.1.1 Academic Alert
After mid-semester examinations, University College students should see their assigned counselor/advisor for academic advice. Students with unsatisfactory grades have the option of dropping courses.

5.7.1.2 The Department of University Studies
The Department offers courses emphasizing study skills, orientation, self-awareness, interpersonal relationships, career awareness, and critical thinking. University Studies 101 is a required course for all entering freshmen. For those students who qualify, Leadership Studies 152 and Academic Success substitute for University Studies 101.

5.7.1.3 Tutorial Learning and Academic Enhancement Center
The Tutorial Learning and Academic Enhancement Center is designed to aid in developing competencies needed to earn a college degree by providing specialized tutoring in developmental and freshman level course offerings. Students are tutored in small groups through peer and computer assisted instruction. Night tutoring sessions are available. Students and faculty should contact the Director at 448–4097.

5.7.1.4 Retention/Academic Advising
The Director of Retention and Advisor Training and Assessment has general responsibility for improving the quality of academic advising at the University. The Director also offers a Master Advisor certification program that is available to all faculty. Please contact the Director, the Advising Center, or University College for information about the certification program.

Each student in University College is assigned an academic advisor through the office of the Director of Retention and Advisor Training and Certification. Students are encouraged to get the
name of their assigned advisors through the ICAN online advising system on the Nicholls homepage (http://www.nicholls.edu). For general assistance with scheduling, curriculum changes, and other administrative procedures, students may also contact the Nicholls State University Academic Advising Center located on the second floor of Elkins Hall.

The Academic Advising Center (AAC) was created to provide academic advising and support to Nicholls State University students from the time of their admission until their acceptance into their majors. Students may arrange for an appointment with an advisor to discuss academic progress or any other problems related to coursework. The AAC is committed to assisting students in taking responsibility for their own intellectual and life skills development. The process of advising is therefore designed to recognize the developmental and situational need for such assistance to students. All students are strongly encouraged to use advisors and the AAC to assist with course selection and academic planning. For more information call 985–448–4117.

5.7.1.5 Center for Dyslexia
The Louisiana Center for Dyslexia and Related Learning Disorders, located in Polk Hall, has statewide responsibility for establishing programs for the identification, and remediation of dyslexia and other language processing disorders. The Center is a result of 1990 Louisiana Legislative Act 854 that mandates in–service training for teachers. The Director of the Center works with community educators, parents, and students at both undergraduate and graduate levels.

5.7.1.6 Study Programs Abroad
Nicholls State University offers programs of foreign study in which students can travel to foreign countries on an organized tour and receive academic credit at either the undergraduate or graduate level. The Nicholls Europe Program is designed for high school students who have completed their junior year, undergraduates and graduate students who seek to improve their professional competency through advanced study, research and travel abroad. The Department of Foreign Languages also offers study programs at specific study sites in Canada, France, Belgium, Germany, Spain, Italy, Austria, Mexico, and Costa Rica. Individualized study programs may be organized for students desiring to study in these countries or pre–approved sites in other countries. Programs are offered normally for the month of July, but may be arranged for longer and different time periods. Both graduate and undergraduate credit is available.

5.7.2 Graduate Assistantships
College deans are responsible for developing a description of the graduate assistantship duties in their particular college. Assistantship awards are available to full–time graduate students. These two–semester awards are full– or half–time assistantships offering stipends and are awarded on the basis of academic qualifications and/or professional experience. A full assistantship requires twenty (20) hours of work per week and a one–half assistantship requires ten (10) hours of work per week during the fall and spring semesters. Full details regarding graduate assistantships are available in the academic deans' offices.

5.7.3 Academic Computing
The Director of Academic Computing reports to the Executive Vice President. The Department of Academic Computing provides computer and instructional technology support to students and faculty. All students have a private electronic mail account and access to the Internet. Computer laboratories located in the University Library, the College of Business Administration, and the College of Nursing and Allied Health are available to all enrolled students. Many departments have dedicated computer classrooms or labs for specific majors, art, business administration, computer science, criminal justice, education, English, family and consumer science, legal assistant studies, mass communication, music, nursing, and office information systems are among
the areas that have dedicated computer facilities. In addition, large data bases and statistical analysis software are available on a MicroVAX minicomputer.

The administrative side of the Computer Center provides administrative record keeping for the University. Support includes the development and maintenance of software, terminal and personal computer hookup to the network, hardware maintenance for certain remote equipment, training on the use of equipment and software, consultation on the acquisition of computer resources, and a variety of other services.

5.7.4 Assessment and Institutional Research
Assessment and Institutional Research is responsible for performing and assisting in the areas of data exchange, accountability reporting, analytical studies, and planning.

Assessment and Institutional Research maintains various institutional data bases related to enrollment, admissions, degrees granted, and overall student body characteristics. Thus, this office is responsible for completing data inquiries from internal and external sources. In addition, this office is responsible for coordinating the University's planning effort and provides staff support to the President and Vice Presidents. The Assistant Vice President for Institutional Research and Assessment Executive Director of Planning and Institutional Effectiveness chairs the University's Planning Council and represents the University on state budget committees and advisory groups.

5.7.5 The Center for Women and Government
The Director is responsible for the encouragement of the future leadership of women by preparing them for public service through non-partisan provision and support of education, research, training and development of creative programs. The program is designed to provide a full semester of learning experience focusing on the role of women in government.

The Louisiana Center for Women and Government provides funding to the Department of Government for the Women and Government Program. There are three major components to the program—a internship, a seminar, and an independent research project. Upon successful completion of the program, students receive eighteen (18) hours of college credit.

Acceptance into the program is competitive and accompanied by a full academic scholarship. A stipend is also granted to offset the cost of living. If the internship necessitates residency in Baton Rouge, housing is provided. Students from any major are welcome to apply. For more information contact the Department of Government (ext. 4610).

5.7.6 University Computer Services
The Director of University Computer Services reports to the Executive Vice President. University Computer services assists students, faculty, staff and administrators with their data processing needs.

The University main computer center in Room 155 Peltier Hall provides services to students, faculty, staff and administrators. The computer configuration consists of an IBM 9221 computer system, model 130, with 64 million-byte main memory. The system has two magnetic tape drives and 11.20 billion-byte disk capacity. The campus has a fiber optic cable system connecting buildings; in addition, more than 750 terminals and personal computers are connected to the network. Its server is operated by a NOVELL operating system which connects users to the campus main network (NSUNET), the state computer network (LaNet), and Internet.

5.7.6.1 The Telecommunications Center
Every faculty and staff member has access to a telephone for business use. The University telephone system is computer controlled and is maintained by the Telecommunications Center. Any on-campus number may be called by dialing the four-digit extension number after hearing a
dial tone. To call an outside number, the caller should wait for the dial tone, dial 9, wait for the second dial tone, and then dial the outside number. Long distance calls can be made only from designated extensions. Faculty/staff who need to make several long distance calls on University business should request this service through the Department Head or immediate supervisor.

The University’s phone system has several useful features that faculty/staff may wish to use: call forwarding, call waiting, conference calling, and the ability for all users to have incoming calls automatically transferred. Faculty and staff members are encouraged to have telephone calls forwarded to departmental secretaries for the convenience of students. An instructional booklet on the details regarding these features can be obtained through the Telecommunications Center at extension 4999. The University Computing Center also offers a telephone equipment troubleshooting service and will forward requests for telephone equipment service.

The following are established procedures that apply to phone service

**ADDS, MOVES, CHANGES:**
These requests will require a campus work order, with appropriate signatures, routed through Purchasing. Work orders will be processed in the order they are received (FIFO).

**PROBLEMS:**
Problems can be reported by e-mail to “PHONE” describing the nature of the problem and providing the following: a) Extension with problem b) building and room, and 3) contact person with extension.

Problems will be handled as a priority item (higher than Adds, Moves, or Changes).

E-mail reports are encouraged because the technician may be away from the office performing repairs.

### 5.7.7 Records and Registration

Records and Registration reports directly to the Executive Vice President.

The responsibility of this office is to assure the accuracy and integrity of student academic records. The office operates registration services, drop/add, resignations, class rosters, and enrollment verifications. Transcripts of the student’s academic record are sent at the request of the student.

Other responsibilities of this office include monitoring compliance with the Family Education Rights and Privacy Act of 1974 (FERPA) (described in the Nicholls Catalog), NCAA student athletic eligibility, academic renewal, grade changes, credit petitions, and recording credit by examination.

### 5.7.8 Research and Sponsored Programs

The Director initiates and disseminates research grant activities and other sponsored programs, serves as a liaison with the Board of regents Research Council and with staff of other universities with regard to research grants, assists in grant writing for faculty and staff, and works in conjunction with the university’s Coordinator of Grants to disseminate funds.

The Office of Research and Sponsored Programs (ORSP) promotes and facilitates research and scholarly activities for faculty and administrative staff by helping them locate and secure external funding. The office encourages the inclusion of students in grant projects. ORSP provides a central source of information on major governmental agencies, foundations and corporations that support research, and pedagogical and creative activities.
ORSP provides assistance with the conceptual development and planning of proposals. More specifically, it offers pre-award assistance in identifying potential extramural funding sources, developing proposal narratives and budgets, completing standardized application forms, assuring compliance with applicable federal and state regulations, and negotiating grant awards and contracts.

Every proposal for external funds submitted by Nicholls faculty and staff legally binds the University to certain activities and/or cost. Therefore, the planned project must be in accord with University, college, and department goals, capabilities and policies. For this reason, all grants, contracts or cooperative agreements must be submitted to the ORSP for review and designated administrative approvals.

Pre-award handbook and policies regarding human subject research are available on the ORSP website.

5.7.8.1 Faculty Research Support and Faculty Research Council
The Faculty Research Council gathers and disseminates information concerning grants and funds available to the University. The Council also reviews faculty proposals requesting University funding. There are eight members on the Faculty Research Council.

5.7.9 Academic Program Development and Changes
Specific information about such topics as academic program changes can be found in Board of Regents memoranda on file in the Office of the Vice President for Academic Affairs.

5.7.9.1 Curriculum Development
Faculty have the primary responsibility for curriculum, including course additions, deletions, or modifications, and program additions or modifications. These additions and modifications may involve Board of Regents approval. Faculty should be aware of the complete process from the department level to the Board of Regents (Section 5.7.9.2). Knowledge of time limitations is crucial for a successful conclusion to the process.

In most cases, a curriculum proposal is developed intra-departmentally. The college curriculum committees review the proposal and either approve it by sending it on to the Dean or sending it back to the Head with suggested modifications. The Dean may return the proposal to the committee for further modification or send it on to the Courses and Curriculum Committee or the Graduate Council as required.

After review by the Graduate Council or appropriate committee, the proposal may be returned to the appropriate Dean for modification. The committees may also schedule hearings with specific Department Heads or faculty proposing changes in order to obtain further information. Upon approval by the committee, a recommendation is forwarded to the Faculty Senate.

The Senate votes on the proposal and forwards its recommendation to the Vice President for Academic Affairs. The Vice President for Academic Affairs makes final disposition of the proposal and notifies the Senate of the recommendation. More detailed information of the responsibilities in the routing process for curriculum changes is found in the Courses and Curriculum Procedures document.

Approximate deadlines for the steps described above are as follows. These deadlines are necessary in order to make the publishing deadline required by the University Catalog:
- Proposals should go from the committees to the Deans for distribution to the appropriate committees on or before the third week in September.
The Courses and Curricula Committee is required to submit proposals to the Faculty Senate on or before the fourth week in November for action by the Senate at its December meeting.

Exact dates for proposal submissions are established by the Courses and Curricula Committee each year.

5.7.9.2 Modifications to or Creation of Degree Programs
The Board of Regents for the State of Louisiana has the authority to grant Program and Curriculum Changes for Louisiana Colleges and Universities. Guidelines for “requests to offer a new program” and “requests to revise or eliminate an existing program and/or administrative unit” were modified in February 1990 in a memorandum sent to all system and campus Vice-Presidents and Vice-Chancellors for Academic Affairs.

The first step in the method for proposing these changes is the “Letter of Intent.” It is important for all faculty members to realize that

- the letters of intent must contain specific information about descriptions of proposed programs, needs for proposed programs, estimated student enrollment for proposed programs, faculty criteria for proposed programs, library and special resource needs for proposed programs, facility and equipment needs for proposed programs, administration for proposed programs, and costs for proposed programs;
- the letters of intent must be filed 12 months in advance of proposals for baccalaureate, master’s, specialist, and doctoral programs, and 90 days in advance for certificate and associate programs. (Only under unusual circumstances will the Board of Regents waive these time requirements.)
- the letters of intent are valid for three years after the date of submittal to the Board of Regents.

Specific requirements and forms for letters of intent and proposals are available from the Vice President for Academic Affairs.

5.7.10 Faculty Appointment to the Graduate Faculty
Membership on the graduate faculty is determined by The Graduate Council on the basis of an individual's duties and qualifications after recommendation of the appropriate coordinator of graduate studies and academic dean. Standards of the College Delegate Assembly of the Southern Association of Colleges and Schools require that graduate faculty members be productive, creative scholars. Productive scholarship requires devotion to the discovery, development, and refinement of knowledge and techniques in one's field of expertise. Recommendations for appointment further are restricted to persons who are/will be actively providing graduate academic services and/or graduate instruction for the University.

Appointment to the graduate faculty is a recognition of outstanding achievement and not an honor bestowed simply because of position or service. Formal appointment to the graduate faculty is made by the President at the request of the Graduate Council.

Faculty must complete and sign an application form and submit it through the proper channels before action can be taken by the Graduate Council. The application form can be obtained in the office of the faculty member’s Department Head, who must approve or deny the appointment. After the Department Head acts on the request for appointment, the request will be sent to the appropriate Dean. The Dean will then submit a recommendation for appointment to the Graduate Council. The deadline for the Dean’s submission of the recommendation to the Graduate Council is October 15. Faculty should keep this date in mind and submit their forms in a timely manner to their Department Heads.
5.7.10.1 Criteria for Appointment as a Member of the Graduate Faculty

The following are the levels of appointment to the Graduate Faculty with the criteria and qualifications needed for each level:

A Regular Member of the graduate faculty is authorized to perform functions appropriate to graduate education. Minimum qualifications for appointment are the highest terminal earned degree or the clear equivalent in the field, the rank of Assistant Professor or higher, avowed interest in graduate instruction, experience in teaching advanced subjects, and evidence of recent scholarly activity. Regular members of the faculty are evaluated for reappointment every five years.

An Associate Member is appointed for two years to teach specifically designated courses, the content of which lies within the area of specialization of the faculty member. Minimum qualifications for appointment are completion of a master's degree and possession of unique qualifications for teaching the specialized courses to which the individual would be assigned. An Associate Member is not authorized to serve as major professor for graduate students. Associate Members whose services are required for longer than two years must be re-submitted for approval.

An Adjunct Member of the graduate faculty is a visiting member of the faculty who meets all criteria for appointment either as a Regular Member or as an Associate Member, but who is not a permanent employee of the University. Appointment as an Adjunct Member is for one semester. Adjunct Members whose services are required for longer than one semester must be re-submitted for approval each semester.

5.7.11 Library Policies

5.7.11.1 Copying

5.7.11.1.1 Procedures for Copying

Any preapproved faculty member or designated graduate assistant may use the faculty copiers. A sign-in sheet listing name, department, and number of copies is located near each machine.

At the end of each month the number of copies made to each department will be calculated. A list will be compiled and the total copies made by each department will be forwarded to the Controller's Office. This office will then compute the bill for each department and deduct this amount from the departmental copier account. This amount will be transferred into the library's rental and supply accounts in equal portions.

Problems encountered with the number of copies made by a faculty member or graduate assistant are to be resolved by the faculty member and the department head or dean. The dean or department head may notify the library to remove copy privileges at any time. This must be done in writing.

The cost of each copy will be 10 cents.

Materials that do not circulate such as reference books and periodicals may not be removed from the library by faculty members or graduate assistants in order to make copies on departmental machines. The regulations on circulation of materials are designed to allow for maximum use of these expensive materials.
Copies of microform materials are made on reader/printers. Copies are recorded and a list of number of copies made by faculty members and graduate assistants will be sent each month along with the autotron count.

The cost of such copies will be 10 cents. These funds will be transferred to the library's supply account.

5.7.11.1.3 Staff Assistance
The library staff will assist in demonstrating use of either copiers or reader/printers. The staff cannot, however, be responsible for copying materials for university faculty, staff or students.

5.7.11.2 Courtesy Cards
Individuals (besides faculty and non-minor family of faculty) who wish to obtain full library privileges (check-out privileges) must apply for a courtesy card. These individuals include members of the local community, individuals attending other colleges and universities and alumni of Nicholls State University.

5.7.11.2.1 Criteria
The criteria for obtaining Library courtesy cards are as follows:
- The patron must be 18 years old or older.
- Patron must have a valid Louisiana driver's license or state identification card.

5.7.11.2.2 Cost
In keeping with other state university libraries and with general library practices an annual fee of $12 is charged for each courtesy card. The year is defined as the fiscal year beginning on July 1. Individuals applying after the July 1 date will be prorated to not less than $5, i.e., a courtesy card applied for in January would cost $6.

5.7.11.2.3 Regulations
The following are the regulations for courtesy card users:
- At the beginning of a new fiscal year the card holder may renew the card for another year by sending a check to the circulation desk or by personally visiting the library.
- Patrons will have to go to Student Life with their receipt and obtain a bar-coded ID with their photos on it.
- Patrons obtaining courtesy cards are subject to the same fines (25 cents per day per book/$10 maximum overdue fine per book, lost book and service charges) as other patrons.
- Consistent overdue and lost book fines may result in cancellation of library privileges.
- Courtesy cards may not be loaned to other individuals. Identification may be requested by members of the circulation staff when checking books out on a courtesy card.
- If a university patron requests a book that is checked out to a courtesy card patron, the patron will be sent a request to return the book even if it is not overdue. The courtesy card patron has 48 hours to return requested materials. After that period a charge of $1 per day per book will be attached to all requested materials. This fine will accrue until the book is returned.
- Courtesy card patrons may borrow up to ten items at one time.
- Overdue books must be returned and outstanding fines must be paid before a courtesy card patron will be allowed to check out additional materials.
- A library brochure and courtesy card patron handout will be presented to the patron at the time the card is issued or reissued. This will be the only notification of library policies and procedures that the courtesy card patron will receive. The patron is responsible for reading and abiding by these rules.
• Problems encountered that involve courtesy card patrons will be directed to the Director.

5.7.11.3 Fee Collection
The circulation desk will be responsible for collection of courtesy card fees. A receipt will be written in a courtesy card fee book. One copy will be given to the patron and a copy will be retained by the library. At the end of each week a copy of the fee receipts, plus all monies will be turned in to the Director’s office along with a tally of fees collected. The Director’s secretary will validate the tally and deposit the fees with the Controller’s Office. The fees will be deposited in the acquisitions budget of the library.

5.7.11.4 Policy Review
This policy will be subject to changes that occur in the policies and procedures of the library. Fines, lost book charges or maximum overdue fines are subject to change without written notification of courtesy card patrons. Current library fee policies are posted at the circulation desk. Charges for courtesy cards are subject to change with the approval of the Vice President of Academic Affairs.

5.7.12 Honorary Degrees
The University awards honorary degrees for the purpose of honoring individuals who have demonstrated extraordinary achievements in such areas as industry, research, scholarship, education, artistic creation, social activism, human rights, humanitarian outreach, etc., or who have been recognized by the faculty for embracing or promoting the values of higher education and of the institution. (See Board Rules, Chapter 1, Academics, Section VI. Special Degrees.)

The following general principles shall apply to the selection process:
• The recipient should be recognized for extraordinary achievement over an entire career and not merely to honor a single achievement;
• The recipient of the degree shall be selected by a faculty committee and approved by the Vice President for Academic Affairs, President, and Board of Supervisors, as required;
• The honorary doctoral degrees awarded may be chosen from among the following:
  • Honorary Doctor of Commerce (D. Com.) for achievement in and contributions to business and industry,
  • Honorary Doctor of Fine Arts (D.F.A.) for contributions to and achievements in the arts,
  • Honorary Doctor of Humane Letters (D.H.L.) for contributions to society through philanthropy and public service,
  • Honorary Doctor of Laws (L.L.D.) for contributions to and achievement in government, law, public administration, or related service
  • Honorary Doctor of Letters (D.Litt.), for contributions to and achievements in the field of writing, literature, film,
  • Honorary Doctor of Music (Mus.D.) for contribution to and achievement in the field of music,
  • Honorary Doctor of Pedagogy (D.Ped.) for contributions to and achievement in the field of teaching,
  • Honorary Doctor of Science (D.Sc.) for contribution to and achievement in a field of science.

The relevant college should be consulted about the title of the degree; Eligibility:
• Candidates for honorary degrees must have distinguished themselves through outstanding contributions to society.
• Current members of the Board of Supervisors, faculty, staff, or administrators of the University are ineligible for honorary degree consideration.
• Louisiana elected officials in office (in local, state, or national government positions or who are candidates for office) at the time of selection and conferral are ineligible for honorary degree consideration.
• Honorary degrees shall not be awarded in absentia or posthumously except under extraordinary circumstances.
• The University may grant no more than two honorary degrees during an academic year.

5.7.12.1 Honorary Degree Committee
An Honorary Degree Committee (its membership described below) shall be responsible for receipt, review, and recommendations of all nominations for such degrees.

Membership
1. Four tenured faculty members
   ▪ One appointed by the president.
   ▪ One appointed by the Vice President for Academic Affairs.
   ▪ Two appointed by the Faculty Senate.

2. The president of the Faculty Senate, or designee
3. The president of the Student Government Association, or designee
4. The president of the Unclassified Staff Council, or designee
5. The president of the Alumni Federation, or designee
6. The director of Graduate Studies

Note: The Director of Graduate Studies will serve as committee chair, but will be a non-voting member.

5.7.12.2 Procedure to be Followed for Nomination and Selection of Candidates
1. Nominations can originate from members of the faculty. A nomination may originate from an individual faculty member, from a department or college, or from the collaborative efforts of two or more departments or colleges within the university. Administrators who hold faculty rank may also nominate.
2. Any recommendations of potential nominees that come from outside the faculty shall be received by the Vice President for Academic Affairs's office for referral to the appropriate college.
3. Early during each semester, the Vice President for Academic Affairs's office may receive nominations for honorary degrees. The deadline for submission of all materials related to the nomination will be indicated for each semester. Adherence to a deadline is important in order that final approvals by the Board of Supervisors be obtained in time for the commencement ceremony in which the degree will be presented.
4. Each nomination shall be written and shall include, whenever possible:
   ▪ A biographical statement containing name, address, professional title, place of birth, educational background, employment history, and other honorary degrees, if any; and
   ▪ Appropriate written documentation for the nomination, including a list of primary contributions that qualify the individual for the honorary degree. This shall be indicated on the nomination form available from the Office of the President.
5. Nominations will be handled with discretion and confidentiality as permitted by law.
6. The Vice President for Academic Affairs will forward complete nomination files to the chair of the Honorary Degree Committee. The chair shall convene the committee to discuss committee procedures and meeting schedules. Support by a majority of the voting members shall be required to forward the nomination.

7. The Honorary Degree Committee will forward its recommendations to the Vice President for Academic Affairs. The recommendations will be accompanied by appropriate comments and will include the recommendation(s) of the degree(s) to be conferred. The Vice President for Academic Affairs will make appropriate comments and forward the file(s) to the President of the University. The President may
   - reject the nomination(s), ending all action, or
   - endorse the nomination(s) with appropriate comments, and forward the file(s) to the Board of Supervisors for the University of Louisiana System.

8. Upon approval by the Board, candidates will be informed by the President of their selection and invited to accept the honorary degree. Following acceptance, a public announcement will be made, and the degree will be conferred at the commencement ceremony.

5.8 Finance and Administration Programs and Policies

5.8.1 Financial Services/Controller
The Controller is the principal administrator responsible for the daily financial functions of the University ranging from accounts payable, accounts receivable, fee collections, cash deposits, payroll, financial records, financial reporting, grants and contracts and budgets. The following report to the office of Financial Services/Controller: Accounts Payable; Budget; Fee Collection; Payroll/Grants Administration.

5.8.1.1 Payroll/Grant Administration
The Office of Finance and Administration is also responsible for coordinating state, federal, and other funded grants.

5.8.1.1.1 Payroll Procedures and Cashier Services
Faculty/staff members employed for the academic year (nine months) may have their total salary divided into nine payments. Nine checks in the amount of one-ninth of the salary, are issued on the 15th of each month from September 15 through May 15. Faculty/staff employed to teach summer school are paid for this service in two equal checks. Twelve-month employees are paid on a bi-weekly basis.

The Payroll Office assists faculty and staff with changes in withholding and sign-ups for voluntary withholding, such as payroll deductions for charitable donations (for example, the Nicholls Foundation, the Credit Union, Athletics, the United Way) and tax-sheltered annuities. The Office also handles Direct Deposit programs. Direct Deposit is available to employees paid on a monthly basis. The Controller’s Office also participates in new employee orientation and retirement information.

5.8.1.1.2 Grant Applications
All applications for grants—state, federal, and other—are to be submitted up the chain of command through the Office of the Vice President of Finance and Administration to the Office of the President for approval. These applications must be submitted for approval prior to submissions to granting agencies. Faculty should allow at least two weeks for this process.

5.8.1.1.3 Fringe Benefits, Indirect Costs, and Other Grant–related Questions
Information regarding fringe benefits (which need to be included in grants that request personnel), indirect costs, and other grant–related questions can be obtained from the
Grants and Payroll Coordinator in the Controller’s Office. When approval or disapproval of a grant application is received, it is necessary that the Office of the Vice President of Finance and Administration receive a written copy of notification in order to set up the necessary accounting procedures.

Grant recipients should be aware that they are responsible for maintaining their grants within their approved budgets and that they must be made sure that all expenditures are promptly paid and recorded before the ending date of the grant. Unencumbered invoices submitted for payment after the ending date of the grant may not be paid.

The Grants and Payroll Coordinator will help faculty with questions regarding grants in connection with the University.

The University Library offers an array of assistance for faculty in all stages of grant-seeking and proposal writing.

5.8.1.1.4 Recoupment of Overpayment

The purpose of this policy is to establish procedures which will be followed when an employee has been overpaid. Overpayment occurs when compensation that is not owed to the employee is paid in error. This includes but is not limited to overpayment of wages, annual leave paid in error, as well as, erroneous refunds of deductions. Unearned payments to employees are prohibited by Article 7, Section 14 of the Louisiana State Constitution which prohibits the donation of public funds. As a result, Nicholls State University is required to recoup overpayments from both active and separated employees.

The official policy for recouping overpayments is available on the Human Resources policies website.

5.8.1.2 Travel Policies and Procedures

As a state agency, Nicholls State University and all of its employees are subject to the provisions of the Policy and Procedures Memorandum No. 49, the state general travel regulations.

Faculty/staff traveling on University business should be aware of the policies and procedures governing such travel. All travel, whether or not the faculty/staff member is compensated, should be pre-approved because of insurance considerations.

Each year the State of Louisiana chooses a travel agency to become the official agency for handling statewide travel services. State travelers can call this agency toll-free for travel information and for booking services. The name of the official agency is listed in the Official Travel Regulations. All departments have been issued copies of the Official Travel Regulations.

Faculty/staff accompanying students on field trips should be particularly aware of all safety precautions, especially those that apply to driving and the safe operation of vehicles. In this regard faculty are expected to strictly follow traffic laws and posted speed limits.

5.8.1.2.1 Request Forms

Travel request forms for both in-state and out-of-state travel are available from departmental secretaries. Once completed, the request forms must be approved by the appropriate supervisors. Requests should be turned in early enough so the approval process can be completed before the travel occurs. Faculty should remember to file the proper campus vehicle reservation forms even if approval for the vehicle is given by phone.
5.8.1.2.2 Compensation
Travel requests may be for less than the total cost of the trip when the faculty/staff member pays what the University does not cover. Compensated travel items covered include transportation, meals, lodging, and required registration fees. Faculty/staff must remember to file a separate form when they return from their trips.

5.8.1.2.3 Advances, Credit Card
Faculty/staff wishing a travel advance should apply at least fourteen (14) business days prior to the departure date to allow the Controller's Office sufficient time to issue the check. Corporate credit cards (American Express) are also available for faculty/staff who do a considerable amount of traveling. Applications can be obtained in the Controller's Office. The card takes about 6 weeks to receive. All airline reservations must be made with the American Express Corporate Card. If faculty/staff have to pay American Express before the 6-8 weeks needed to collect travel expenses, they should file for an advance payment. This advance payment must be picked up in the Controller's Office. Faculty/staff will be called when these payments are ready. Advance checks will be released to employees only, not to student workers.

5.8.1.2.4 Reimbursement
Faculty/staff considering travel should consult with Department Heads or Supervisors. A travel reimbursement form should be submitted in triplicate, within the month following travel. The reimbursement form should be signed by the Department Head, Dean, Director, or Supervisor and should be turned in to the Controller’s Office. A travel reimbursement form is not required if the trip was not charged to the University. In no case shall reimbursement for travel in a previous fiscal year be paid from current year appropriations unless funds have been specifically reserved for that purpose. Details of reimbursable travel costs and state travel regulations can be found in the Official Travel regulations furnished to each department.

5.8.1.2.5 Availability of Funds
Funds available for travel and allocation of such funds vary from department to department and from college to college. Faculty/staff considering travel should consult with their Department Heads or Supervisors. A manual containing details for filing travel requests is available from the Controller’s Office.

5.8.1.2.6 State Vehicle Policies
Only Nicholls State University or its designee will possess the authority to permit an individual the use of these vehicles. No person assigned to a vehicle has the authority to relinquish its use to another person unless prior approval has been obtained. Vehicles operated by the University are state owned and restricted to use for official University business only.

Requirements for Drivers
- Only selected state employees shall be authorized to operate these vehicles.
- Selected employees must possess a valid Louisiana operator’s license for the vehicle class being driven and must have a verifiable need to operate this vehicle.
- Supervisors will submit for approval only persons with acceptable driving history.
- Persons permitted to operate these vehicles will operate only those vehicles for which they are specifically trained and licensed.
- A “Regular Driver” (an individual whose normal job duty requires him/her to drive in the scope of employment on a regular basis, once a week) shall attend and successfully complete a “Defensive Driving Course” within three (3) months of application, and a refresher course every three (3) years thereafter unless the
individual’s driving record indicates a need for more frequent training or withdrawal of authorization.

- Drivers must obey all local, state, and federal laws.
- Student workers are allowed to use a state vehicle in conjunction with their student employment duties. They must comply with all requirements for drivers.

**Vehicle Use Information**

- The Department Head, Supervisor, or designee will require all state owned vehicle operators to review the contents of the “Nicholls State University Vehicle regulations” (this section) comply with its contents.
- The official domicile of all university officers and employees shall be the City of Thibodaux, and no travel or subsistence expenses shall be allowed within the domicile.
- Vehicles needed for off-campus classes will have priority in assignments.
- Transferring unauthorized person(s) (anyone not listed on the official travel request forms) is prohibited.
- All requests for authorization of official travel forms (“Request for Official travel”) must be completed and approved by all appropriate University officials prior to departure. For in-state travel, requests should be submitted one (1) week in advance, and four (4) weeks in advance for out-of-state travel. Although emergency trips do occur and it is sometimes difficult to process the paper work ahead of time, this should be the exception rather than the rule. Provisions are in place to handle emergency or last minute trips. In order for the University to be adequately protected, these forms must be completed on a timely basis.
- All travel request forms are processed through the University organizational structure for final approval.
- A faculty/staff employee must accompany each University sponsored field trip or activity requiring state owned vehicles for transportation.
- Vehicles must be parked at the maintenance building upon the driver’s return to Thibodaux. Keys must be left at the University Police Station.

**Departure Information**

All assigned vehicles at departure time may be obtained at the Maintenance Department (Ardoyne corner Acadia Drive). The keys to the assigned vehicle(s) may be obtained at the University Police Department. (Vehicles assigned are checked out only to the driver on the approved official travel request forms and at the time requested on that form.).

**State Vehicle Maintenance**

Vehicle repairs, gas, and/or oil used in state vehicles may be obtained at the University Maintenance Department during regular work hours prior to travel. When the Maintenance Department is closed, vehicle expense becomes a refundable item; receipts and charges should be turned in as travel expenses in accord with the requirements of the respective departments.

**Road Emergency Information**

Road emergency procedure information may be found in the glove compartment of each University vehicle. Drivers may also call collect 504-448-4911, if necessary.

**Vehicle Return Information**

Vehicles, upon their return, should be parked near the maintenance buildings. All vehicles should be locked at all times and the ignition keys removed and returned to University Police. A Vehicle Discrepancy Report should be filled out at the University Police Office, if required. Vehicle Discrepancy Reports will be forwarded to the Maintenance Department on the next working day by University Police.
Reporting of Accidents Involving State Vehicles

Personnel operating a state vehicle must report accidents promptly to the Nicholls State University Police (phone 504-448-4745), to the Purchasing Office (phone 504-448-4038) and to the University Safety Officer (phone 504-448-4783). If drivers are out of town, the proper law enforcement official must also be notified.

No one has the authority to decide whether there is enough damage to warrant reporting an accident. Due to state liability in these matters, it is extremely important that all accidents be reported promptly.

5.8.2 Human Resources

The Director of Human Resources, who also serves as the University affirmative action/equal opportunity compliance officer, is the principal administrator responsible for administering institutional personnel policies and practices for staff and faculty.

The Department of Human Resources is responsible for a variety of functions and services relating to personnel. Of particular interest to faculty is the responsibility of this office for personnel records maintenance as described in Section 5.4.2. Included in such records are faculty contracts, vitae, leave records, and some benefit records.

The Department of Human Resources disseminates information about employee benefits, assists faculty with problems regarding benefits, and coordinates benefits with various agencies. The Payroll and Grants Coordinator, located in the Controller’s Office, is designated as the retirement liaison for teachers retirement. Other responsibilities of this office include the handling of contracts which involves typing, mailing, maintenance, informing payroll, and filing; advising faculty and staff regarding staffing and employee policies and procedures, compensation, benefits, state and federal rules and regulations; employee relations and staff development including on-site workshops and training, new employee orientation; maintaining sabbatical records; initiating and monitoring worker's compensation claims; and coordinating affirmative action and EEO activities with the State and the University Affirmative Action Offices.

5.8.3 Physical Plant Administration

The following report to Physical Plant Administration: Purchasing; Operation/Maintenance; and Grounds. Purchasing is responsible for the procurement of equipment, supplies and services, which supervises the identification and movement of all state property. Grounds plans work and supervises the maintenance of the University grounds. Maintenance is responsible for the management of construction, maintenance, and repair activities at the University.

5.8.3.1 Purchasing

The purpose of the University Purchasing Office is to assist with the acquisition of materials and services necessary for the functioning of the University. The Director of Purchasing has the responsibility to assure that all departments are in compliance with all applicable state, federal and University requirements. All requests for materials or services should go through the Purchasing Office.

For information on purchasing procedures, refer to the Purchasing Manual which is available on the Purchasing Office website.

5.8.3.1.1 Inventory Control

The Purchasing Office serves as the inventory control office for the University and checks on equipment regularly.
Under State law the University is required to take a physical inventory of all “property” annually. “Property”, for inventory purposes, is defined as tangible, non-consumable, movable or fixed, and having an acquisition cost of $250.00 or more. The Property Control Officer reserves the right to tag certain items with a value of less than $250.00. All qualified items purchased or acquired by gift must be tagged and inventoried. The Property Control Officer must be notified immediately when a gift or donation of equipment is contemplated, but in all cases before the actual donation. It is the responsibility of the office and/or department head to see that all property items acquired be tagged and inventoried within ten (10) days after receipt.

Department Heads and the personnel under their control are personally accountable for property in their department, as well as its status and maintenance. The records in the Property Control Office must at all times reflect the departmental custody and exact location of a piece of property. Accordingly, it is necessary that the Property Control Office be kept advised of the movement and the location of all property on campus by the use of Property Control Form No. 1. Home use of state property requires the written approval of the Property Control Officer.

Under no circumstances is any State property to be disposed of by any means without contacting the Property Control Officer for authorization. Surplus property that a department wishes to dispose of because it is not needed, non-operating, damaged, not worth repairing, etc. should be reported in writing to the Property Control Officer who will take appropriate action.

The Property Control Officer should be notified in writing immediately when property is lost, stolen, damaged, or destroyed through vandalism, fire, windstorm, or other Acts of God. In instances where theft is strongly suspected, a report should also be made in writing to University Police.

5.8.3.1.2 Shipping and Receiving
The Shipping and Receiving Office functions as the University's central warehouse. It receives all ordered materials including UPS deliveries and inventories the University's capital outlay items, along with Property Control, through the Purchasing Department.

When materials that have been ordered by a department reach the campus, the Shipping and Receiving Office accepts the order, records the delivery, and delivers the items to the requesting department. A responsible individual in the department must sign for the items, and the individual who initiated the order is responsible for checking to ensure the order is complete and the items are in good working condition.

The Shipping and Receiving Office will send out official University UPS packages upon request.

5.8.3.1.3 Storage
The Shipping and Receiving Office stores large items such as desks, bookshelves, and computers that are no longer needed by a department. Such surplus equipment then becomes available at no charge to other departments. As available space allows, departments may also store equipment in the warehouse temporarily.

5.8.3.2 Maintenance
5.8.3.2.1 Keys and Locks
To enhance the safety and security of the campus, the University has developed a key control system. For each new or replacement key requested, faculty/staff must complete a key request form and hand carry the form to the Purchasing Office.

Key request forms are available at the Purchasing Office, the University Police Office, and in the Deans’ Offices. Issuance of keys requires authorization, by signature, of an administrative official
in the chain of command. No stamp or signing for supervisor will be accepted. The requester 
must personally sign for each key when the request is turned in to the Purchasing Office 

If for any reason the employee no longer needs a key, it is the responsibility of the employee who 
has signed for the key to return that key or all keys in to the Purchasing Office. Lending of keys is 
prohibited.

In order to secure state property and personal possessions, faculty/staff shall keep laboratories 
and offices closed and locked during those periods when faculty are not present at these sites. 
Faculty/staff shall not lend office and laboratory keys to students.

Lost keys should be reported to the Purchasing Office immediately. There is a $5.00 charge for 
each lost key. This fee is subject to change. Only one duplicate key will be issued. All keys must 
be returned to the Purchasing Office when faculty/staff members cease employment at the 
University.

5.8.3.2.2 General Maintenance/Work Requests 
To request maintenance services or minor remodeling, faculty/staff must send a work order to 
the Physical Plant Office. This work order should explain what is needed and must be signed by 
the Department Head and Dean or Director. The time the request was received will be logged 
because most scheduled projects (as opposed to emergency projects) are handled in the order in 
which they are received.

The Physical Plant does not charge for regular maintenance such as correcting a problem with a 
building's structural or mechanical systems. For minor remodeling, such as adding an electrical 
outlet or changing the existing building structure by adding a wall, academic units are charged 
for supplies but not for labor.

Following completion of the project, if costs were incurred, the Physical Plant Office will send a 
purchase requisition to the employee’s Department Head or Supervisor. Requests for major 
remodeling require approval from the Academic Vice President's Office.

5.9 Student Affairs and Enrollment Services Programs and 
Policies

5.9.1 Auxiliary Services 
The following report to the chief administrator of Auxiliary Services: Colonel Card; Continuing 
Education, Non–credit; Contracted Services; Housing Operations; and Student Union.

5.9.1.1 Union Services and Facilities 
The Student Union is located in the center of Nicholls State University campus. The Student 
Union is a multi–purpose facility offering a variety of services to students, faculty, and staff. 
Some of the departments located in the Student Union are Residential Services, Student Life, 
Greek Life, Student Government Association, Placement Office, Union Services and Facilities, 
Student Programming Association, Health Services, Food Service, Post Office, and the University 
Bookstore.

The Office of Union Services and Facilities provides dining and catering services, rental and 
reservation space, and coordinates conference arrangements. University departments may 
reserve non–academic facilities without charge, and full–time faculty and staff may reserve 
facilities for personal use at a reduced rate. Full details and guidelines concerning the facility 
reservation process are available through the Union Services and Facilities' Office.
Dining services are available for full meal service and a la carte service during the regular semester periods. Faculty and staff may dine in Acadia Hall Cafeteria, which offers a full service, “all you can eat” menu. Acadia Hall guests may pay cash or purchase the commuter/faculty 10–meal plan card.

Le Bistro and Le Melange located in the Student Union offer a wide variety of menu choices. Le Bistro is a table service dining facility and Le Melange is a full service snack bar operation. The food service department also provides catering and concession services to the Nicholls State University community.

The food service contractor has exclusive rights to the sale and serving of alcoholic beverages to be consumed on the Nicholls State University campus.

Alcoholic beverages may be served and/or consumed in the Student Union building (includes the Colonel’s Brigade Room as a recognized extension of the Student Union facility) or other University sites as designated by the President of the University or his or her designated administrator under controlled conditions to members of the institution community as set forth by University regulations. See policies regarding Alcohol, Drugs, and Tobacco Products in Section Twelve of the Code of Student Conduct.

All University employees should contact the food service contractor about the use of alcoholic beverages during University events.

5.9.1.2 Identification Card Operations

Student I.D. cards are issued to or validated for all students by the Student Life Office during registration. The card is valid only for the semester issued/validated and only while the student is enrolled. The card includes a student snapshot, identification/social security number, and the date of birth. Student I.D. cards also serve as meal cards for resident students. These are validated during registration by the Office of University Food Service in Acadia Hall.

The non-transferable card permits a student to check out library books, to pick up checks from the fee collection center, and to participate in campus activities such as athletic and special events. Price of the card is included in fees charged at registration; there is a nominal replacement charge.

5.9.1.3 Food Services

Food Services is located in Acadia Hall Cafeteria, a spacious centralized dining facility offering student-oriented menus and a wide range of services to the campus community including a 19 meal plan for resident students (see Housing/Meal Plan), a commuter–faculty meal plan, cash prices to the public, traditional local cuisine, and a catering department that is available to accommodate the hospitality needs of the University public.

La Melange, a full-service snack bar area, is located in the Student Union and offers a wide selection of food and beverages at reasonable prices. Le Bistro pub and restaurant is also located in the Student Union and features specialty sandwiches and burgers.

The Student Union Snack Bar offers a wide selection of food and beverage. Hot and cold sandwiches, local entrees, salads, snacks, and pastries are featured daily for the customer’s convenience and taste preference.

5.9.1.4 Mail services

Faculty and staff members are assigned mailboxes, usually centrally located within the building in which their offices are located (Department Head’s office or the Dean’s office for faculty). During the academic year, both inter-campus and U.S. mail are delivered to and picked up from
such locations at least once daily. The University’s central mail facility is located in Picciola Hall. Campus correspondence boxes are located in the offices of the University Deans. Since interdepartmental and administrative notices, announcements, and other University business are distributed through campus correspondence, it is recommended that the faculty and staff members check mail daily. University franking privileges shall not be used for personal mail.

**Postage:** Postage is provided through departmental budgets for mail dealing with University business. All University mail to be metered should have a complete return address including the appropriate departmental charge number. Mail to be metered should be in the Post Office by 2:00 p.m. Metered mail should be sorted by Zip Code.

The University has a bulk mailing permit that should be used for large quantity mailings that qualify for bulk rates. Information regarding the use of the permit may be obtained from the Post Office.

**Post Office (ZIP 70310):** The University Post Office serves as a contract station for the United States Federal Post Office. The Post Office is located in the Student Union Building and provides students, faculty, and administration with a variety of postal services. Each department of the University has an assigned post office box; faculty and staff who wish to secure a personal post office box may rent one. There is one mail delivery at 7:30 a.m. and one collection at 4:30 p.m.

All outgoing mail for official University business is metered through the Post Office. Personal mail may not be included with University mail for metered stamping.

### 5.9.1.5 Bookstore Services
Faculty/staff should be aware of the services available from the University Bookstore both in terms of ordering the necessary texts, materials, and supplies for their students as well as how to obtain materials necessary for the performance of their duties. Since procedures for purchasing items to be charged to departmental accounts are slightly different for some departments, it is recommended that faculty and staff members consult with Department Heads or supervisors for instructions. In addition, faculty/staff, at their own expense, may purchase any of a wide variety of items available at the Bookstore. A 10% discount on all items (except books) is available to faculty/staff with proper identification.

### 5.9.1.5.1 Textbook Selection
The University has established the following policy regarding adoption of textbook and course materials. This policy has been established in accordance with University of Louisiana System Policy Number FB-XIII.III.-1a.

Selection of textbooks and materials are departmental faculty responsibilities. Decisions involving adoptions and changes of textbook and materials are made by the academic department. Improvement of instruction is of primary concern when decisions are made regarding textbook and material selection, however, economic considerations cannot be ignored. Textbooks are adopted for at least a two year period. Bookstore staff are available to work with faculty in the development and/or selection of materials, including supplemental readings, packaged or alternative publications, etc.

The timeline and procedure below have been established to ensure that books and materials required for classes will be available for students prior to the beginning of the semester. The procedure will also assure that students have access to textbook and course material information early enough to make cost effective decisions regarding their purchase.
5.9.1.5.1.1 Timeline for Adoption of Materials, Changes and Modifications of Materials for Coursework

The following timeline has been established to allow sufficient time for all vendors to participate or conduct buyback purchase decisions and determine orders for the following semester; and to allow for the information to be made available to students at least 45 days prior to the start of the semester (to the maximum extent practicable):

FALL SEMESTER
- March 20 – deadline to notify Bookstore that textbook and/or course materials will not be continued.
- May 1 – deadline for submission of Course Book and Material Information Request Form

SPRING SEMESTER
- October 20 – deadline to notify Bookstore that textbook and/or course materials will not be continued.
- November 1 - deadline for submission of Course Book and Material Information Request Form

5.9.1.5.1.2 Reporting procedure for adoptions and modifications of textbooks by faculty members and/or departments

The Bookstore will provide faculty a Course Book and Material Information Request form which requires faculty to provide the following information:
- the required, recommended and supplemental status of materials;
- an indication of whether the book/materials is required, recommended or supplemental;
- an indication of whether previous editions are acceptable.
- the maximum enrollment for the class;
- the estimated enrollment in class and;
- the section number of courses.

This form must be submitted to the Bookstore by the deadlines specified in Section on Timeline.

5.9.1.5.1.3 Communication of Textbook and Material Information

The Bookstore, as the “Central Custodian” of information regarding textbook and materials required for classes, will make the information available through the University’s internet website at least 45 days prior to the start of semester. The Bookstore will respond to requests and/or inquiries regarding textbook and material adoption information and, if unable to fully respond to requests, will refer the inquiry to the Office of Auxiliary Services.

The University will make the website link for textbook and material information available through the College Portrait page and will also provide the information with registration and orientation information provided to students and their families.

5.9.1.5.2 Charging Merchandise to Department Operating or Agency Accounts

All merchandise is to be requisitioned on the white Bookstore Requisition form (acquired from the Purchasing Department). The top portion of this form should be completely filled out and sent through proper departments for necessary signatures and distribution. The bottom half
should contain as much information as possible to fill the order, such as part numbers, colors, and sizes. Emergency charges may be obtained by sending a memo to the Bookstore on letterhead with the signature of the Dean, Department Head, or Director (amounts not to exceed $100).

5.9.2 Enrollment Services
Enrollment Services administers Admissions and Financial Aid.

5.9.2.1 Orientation
The Freshman Orientation Program assists students, including freshmen, transfers, and readmits, to become oriented to university life. Through a series of one and two–day programs held during the summer, both entering students and their parents or spouses are introduced to the University's programs and services. Also at the beginning of each semester, a program of orientation is held for transfer and new students.

All undergraduate first time freshmen and transfer freshman students working on a degree are expected to attend an Orientation Session. At this time, the student's level of admission will be confirmed by University College and the student will be directed to the appropriate advisor or scheduled for the developmental placement (as indicated by ACT and/or Pre–Enrollment Placement Test (PEP) scores). University College is responsible for placement and classification of these students when their records are complete.

5.9.2.2 Admission and Enrollment
This office is responsible for recruitment of all categories of students, except international students. The office engages in high school and community college visitation; college day and evening programs; campus tours; on–campus programs for prospective students, parents, and counselors; and telemarketing efforts. Monthly mailings to prospective students have been carefully constructed and scheduled to provide timely information.

5.9.2.3 International Student Affairs
The Office of International Student Affairs provides global information, awareness, and assistance to all members of the Nicholls community. This office is responsible for the recruitment and retention of international students. The office is designed to offer awareness and understanding of the culturally diverse world.

The international student is provided assistance with applications, transcript evaluation, passport and visa regulations, and all other necessary documentation. The Office provides special celebrations on and off campus to remind international students of events and holidays “back home.” Also, the Office encourages traditional students to form bonds with international students by including traditional students in many of the events planned for international students.

5.9.2.4 Admission Processing
This office is responsible for assuring that applicants meet the admission requirements set forth by the Board of Supervisors and Nicholls State University. The office reviews credentials of applicants, evaluates transcripts and notifies students of the status of their application and the next step in the entry process. Certification of enrollment for veteran's benefits is an important function of this office.

5.9.2.5 Financial Aid, Scholarships, and Student Employment
The Office of Financial Aid, Scholarships, and Student Employment is responsible for assuring that students’ financial needs for education are met, within the regulations of federal and state programs and available resources.
Students initiate the process by providing information to one of the federally approved processors. Currently, the Office encourages use of USAF SingleFile since they do not charge the student and have provided good service to students in the past.

There are a wide variety of scholarships funded annually by the legislature, Board of Supervisors, Nicholls State University, alumni, individuals, groups and organizations. Many of these are awarded by the Scholarship Committee, while others are awarded by the Scholarship Office, the sponsoring organization, or the academic department. Some scholarships are designated for new students while others are available for continuing students.

On-campus student employment is a vital source of support for many of our operations. Federal programs and Nicholls jointly fund some student employment. The remainder is funded by Nicholls. In order to qualify for on-campus student employment, students will need to complete the forms for applying for financial aid, as well as employment forms available from the Financial Aid Office.

**5.9.2.6 Senior Citizen Program**

Students who apply under the Board of Supervisors Senior Citizens Program must be eligible for admission; i.e. high school graduation or the equivalent. They are not required to submit any credentials except the completed application form and proof that they are 60 years of age or older. Senior citizens are exempt from registration and tuition fees for up to three hours, but must pay course-specific fees (e.g., laboratory fees). Normal tuition and fee charges will be required for credit hours in excess of three hours.

**5.9.2.7 Veterans' Affairs**

Persons eligible for educational assistance as veterans, veterans' dependents or reservists should apply to the Veterans Administration for certificates of eligibility. Application may be made through parish veterans’ service officers, or directly to Veterans Administration Regional Office, 701 Loyola Avenue, New Orleans, LA 70113. Certificates of eligibility should be presented to the Office of Enrollment Services immediately after registration is completed.

Persons applying for VA Benefits must complete a Request for Certification form in the Office of Enrollment Services. For additional information see the Veteran Affairs Secretary in the Enrollment Service's Office. After the request is completed, the Certification of Enrollment form is sent to VA.

For additional information concerning VA, call 1-800-827-022. This number will contact a Veterans' counselor in the regional office in New Orleans.

**5.9.3 Student Life**

The Dean of Student Life administers the following: Campus Recreation; Parking Enforcement; Residence Life; Student Activities/Greek Affairs; Student Judicial Affairs; and University Police.

The Dean also resolves students’ complaints, as described in the Code of Student Conduct.

**5.9.3.1 Campus Recreation**

The intramural program is coordinated by the Student Life Office and offers activities which provide students with the opportunity to participate in organized individual and team sports. The program does not require the intense training and high level of skill associated with varsity athletics. Playing ability is not as important as desire to participate. In addition to the organized program of activities, facilities are available to students for recreational use. Announcements concerning the program are posted on intramural bulletin boards in the Ayo Pool Office and Student Union.
5.9.3.2 Parking Enforcement
Complete information about parking and traffic concerns can be found in the Parking Handbook.

5.9.3.3 University Police
The University Police Office is within the administrative area of Student Affairs and Enrollment Services. The mission of University Police on the Nicholls State University campus encompasses three main dimensions: safety, service and education.

The University Police force is concerned with the safety of all members of the academic community and the campus. It endeavors to maintain a safe and secure physical environment conducive to the educational mission of the University. It endeavors to protect all life and property. To this end, the University Police force is concerned with enforcement of all federal, state and local laws as they apply to the campus community. Because of the University Police force's position within the University and because of the unique composition of that community, it endeavors to contribute to the academic and social development of the University's students. Its objectives, priorities, and plans are determined primarily by the philosophy and mission of the University.

Refer to Section 5.16 for further information.

Automobile Registration: Any person who operates and parks an automobile on campus must pay a registration fee for an official permit which is valid from September of each year through August 14 of the next year. The price is $10 for the academic year if purchased during the Fall Semester, $8 if purchased during the Spring Semester, and $6 for the Summer Session per automobile. Prices are subject to change without notice. Purchase should be made within seven (7) class days immediately following or during class registration. Cash payments for decal purchases or fines will be handled by the Controller's Office. Parking permits may be picked up at the University Police building during office hours. Special and temporary parking permits may also be obtained there.

Part-time or temporary staff should contact the University Police Office for parking information.

5.9.3.4 Residential Services
It is the policy of the University that all full–time undergraduate students, regardless of age or whether or not emancipated, are required to live on campus as long as space is available unless exempted by the institution for good and reasonable cause, such as

- any case where it appears that a full–time undergraduate student will otherwise suffer significant hardship or because of sufficient financial, medical or other good and sound reasons shown
- the case of older students or where such individual is by virtue of age and experience incompatible with the educational objectives and values sought to be provided by the on–campus residence program;
- undergraduate students living with parents, grandparents, married brother or sister or in supervised sorority or fraternity housing; and
- students who are married or who maintain single–parent households.

Requests for exemptions should be directed to the Office of Residential Services.

Nicholls has eight air–conditioned residence halls. Accommodations consist of four–student suites (two rooms with adjoining baths with two students sharing a room), except in the case of two men's residence halls. Students may also contract for a private room. All rooms are equipped with furniture. Requests for applications and questions regarding housing should be directed to the office of Residential Services.
Married Student Housing: Married student housing is available and the University has a total of twenty units—one and two bedroom apartments. These facilities are unfurnished other than kitchen facilities. A deposit is required. Applications and questions about fees for married student housing should be directed to the Director of Residential Services.

5.9.3.5 Student Activities/Greek Life
The Student Life Office maintains a handbook of student activities and organizations, called the Paddle.

5.9.4 Student Services
The Dean of Student Services administers the following: Career Services; Counseling Services; Disability Services; Health Services; and Upward Bound.

5.9.4.1 Career Counseling and Development
Assistance in career planning is provided upon request to all students through the Career Development Resource Center. Up-to-date occupational information is available for career research projects and life-goals planning. Counseling is provided for students of all classifications and majors.

The Career Development Resource Center's resources include books, periodicals, pamphlets, and video tapes. Computerized career exploration programs are available as well as various assessment instruments which measure interests, values, personality, abilities, and/or occupational preferences. The CDRC is located in the Counseling Center, Room 227 Elkins Hall.

5.9.4.2 Career Placement Services
The Placement Office assists students and alumni in every aspect of job searching and career development. It offers one-on-one job interviews with local, state and national employers on campus, tips on effective resume writing and an extensive career library of helpful information on numerous companies. Career Day is an event sponsored by the Placement staff. Career Day attracts companies to the campus to share career opportunities with Nicholls students and alumni. Also, the Placement Office administers a special job search program through the Job Training Partnership Act.

5.9.4.3 Cooperative Education
Some academic programs allow academic credit for appropriate work experience. Such experience gives students enrolled in cooperative education/internship field experience coursework an opportunity to become acquainted with one or more employers as well as obtain experience in their chosen field. Coordination with the employment community is handled through the Office of Counseling and Career Services. Supervision and assessment of students is handled by the academic departments.

5.9.4.4 Disability/Testing Services
Students with disabilities are assisted in making special-needs schedules and arranging other types of assistance. Students with disabilities desiring assistance should call extension 4108.

The Testing Center administers a variety of tests pertinent to prospective and enrolled University students. Among these are the General Educational Development Test, American College Test, Graduate Record Examination, Medical College Admission Test, National League for Nursing Examination, the Law School Admission Test, Miller Analogies Test, the National Teacher Examinations, and Graduate Management Admissions Test. The Testing Center also coordinates the administration of the Pre-Enrollment Placement (PEP) tests which are used to place students in the correct level of English, mathematics and reading. Specialized tests and inventories useful
in helping the student are given in conjunction with the Student Development and Student Support classes and at the discretion of staff.

5.9.4.4.1 Procedures for Test Administration
It is the responsibility of the student to schedule their testing time with the Testing Center at least two days prior to the test date.

The student should take the exam on the same day as the rest of the class, preferably during the same hour. If there is a conflict, students should discuss the matter with their professor.

The faculty/staff member is responsible for delivery and pick up of the exam. For 1M or 1T classes, faculty/staff should bring the exam to the Testing Center one day prior to the test date. Each exam for each student must be in its own sealed envelope with the following written on the outside of the envelope:

- Student’s Name, course, and class period
- Instructor’s Name and office phone number
- Time allowed for the class to take the exam (i.e., 80 min.). The Testing Center will calculate extended time.
- Directions for the exam (i.e., calculator allowed, open book, scratch paper, etc.)

Faculty/staff must sign in the test when it is delivered and then sign the test out when it is picked up.

5.9.4.5 Counseling Center
The Division of Student Affairs and Enrollment Services supports a Counseling Center in 227 Elkins Hall where licensed professional counselors are available to provide free confidential counseling services for all students. Students can stop by or call 448-4080 for an appointment.

The Counseling Center provides personal, academic, and career counseling at the request of the student and refers students to other University departments when special needs are indicated. The Counseling Center also sponsors structured groups to help students manage personal changes that are a natural result of their college experience. Cooperation with private and community-based agencies such as mental health, substance abuse, and vocational rehabilitation assures maximum use of available resources.

5.9.4.6 Health Services
The University Health Services (UHS) provides health education and primary health care services to students. The UHS staff attend to students’ routine health concerns and teach health promotion and disease prevention strategies through both individual and group presentations.

Faculty may obtain first-aid needs, on site over-the-counter remedies for simple/acute illnesses, blood pressure checks, and health information. If faculty (or anyone else) suffers an injury or observes a safety problem, UHS should be contacted as soon as possible, in order to have an incident report initiated.

The UHS is located in the east end of the Student Union. Service is available from 7:00 a.m. to 4:30 p.m. Monday through Friday with both nurses and physicians available. After hours, students with urgent health concerns are encouraged to call the emergency room at Thibodaux Hospital and Health Centers to receive advice.

5.9.4.7 Peer Assistance/Health Educator
The Division of Student Affairs and Enrollment Services sponsors educational efforts aimed at drug and alcohol abuse prevention. These programs include sponsorship of Nicholls Peer
Assistance, a specially trained group of students organized to make presentations to groups about the potential complications of substance abuse. Peer Assistance also sponsors a telephone help line for students to call with questions or concerns about their alcohol and drug use. Peer Assistance maintains an information center for drug and alcohol abuse prevention topics in Ellender Library. Students can become involved with the Peer Assistance program by calling 448–4523 or the help line at 448–4499 or by stopping in the offices at the east end of the Student Union.

5.9.4.7.1 Drug and Alcohol Prevention Program
The Division of Student Affairs and Enrollment Services sponsors educational efforts aimed at drug and alcohol abuse prevention. These programs include sponsor ship of Nicholls Peer Assistance, a specially trained group of students organized to make presentations to groups about the potential complications of substance abuse. Peer Assistance maintains an information center for drug and alcohol abuse prevention topics in Ellender Library. Students can become involved with the Peer Assistance program by calling 448–4523 or by stopping in the Peer Assistance Office in the Student Union.

See also Counseling Center (Section 5.9.4.5).

5.9.4.7.2 Sexual Assault Prevention Program
Nicholls State University takes very seriously its responsibility to provide a safe campus environment and to educate students about sexual assault, prohibited by the Code of Student Conduct), and other safety concerns. The University sponsors educational programs concerning sexual assault as part of the curriculum in the semester-long orientation course Student Development 101. These programs are designed and delivered by the Nicholls Peer Assistants, a group of students helping students with connects associated with college life. Members of Peer Assistance are also present for non classroom groups such as to fraternities, sororities, athletes or residence hall groups. The Division of Student Affairs and Enrollment Services sponsors open programs dealing with crime prevention and personal safety, including sexual assault prevention information. A Task Force on the Prevention of Sexual Assault meets periodically to review the effectiveness of educational programs and to propose new programs.

5.9.5 Student Government Association
The Student Government Association reports to the Vice President for Student Affairs and Enrollment Services. Information about the Association can be found in the Paddle.

5.10 Institutional Advancement Programs and Policies

5.10.1 Alumni Affairs
The Director of Alumni Affairs, who serves as liaison between the University and the Alumni Federation, coordinates, plans, and executes all activities regarding main events of the Alumni Federation. The Alumni Director represents Nicholls State University at all University-related functions and other functions designated by the President.

5.10.1.1 Alumni Relations
The Alumni Federation of Nicholls State, organized and chartered in 1960, is composed of former students, both graduates and non-graduates. A Board of Directors, elected by the general membership, directs Federation activities, and the affairs of the Federation are handled on the campus by the director.

The annual meeting of the Alumni Federation is held on the campus in the spring of each year at which time the general business session is held. Nicholls homecoming activities are coordinated by the alumni office. The Federation is responsible for publishing The Colonel, the alumni quarterly.
The purpose of the Federation is to promote interest in Nicholls State University and to establish and maintain a mutually beneficial relationship between the University and its alumni. The University believes that an informed, interested, and involved alumni is one of the University's most valuable assets, since most alumni who maintain close ties with their University contribute their time, efforts, and money to assist in its growth. The Federation's sole purpose is to bring about closeness between Nicholls and its alumni; this is done through its programs, services, and publications.

Individuals attending the University for at least one semester and successfully completing 12 hours of academic credit are eligible for membership in the Alumni Federation. A dues system has been instituted determining active and inactive status. Special Honorary Membership can be bestowed to individuals by the Board of Directors. Members of the faculty at Nicholls State hold associate membership in the Federation.

5.10.2 Athletics
The Director is the principal administrator of all intercollegiate sports programs, training, and competition in men's and women's NCAA events.

5.10.3 Development
The Director provides leadership for the overall development program on behalf of the University and coordinates fund-raising activities for all colleges, departments, and auxiliary units on the campus. See policies and procedures for gift acceptance in the appendix.

5.10.3.1 The Nicholls Foundation
The Nicholls Foundation is a not-for-profit organization which has been established for the benefit of the University. It is independent of the University and not subject to control by any political authority. Funds collected by the Foundation are primarily used for scholarships and to supplement and enhance the programs and activities of the University and are not meant to replace or supplant regular state support. The Foundation solicits and receives contributions, invests and manages these contributions, and disburses these contributions in accordance with any restrictions set by the donors, the needs of the University, and the management of the Foundation.

5.10.3.2 Development/Capital Campaign
The Office of Development, in conjunction with the Nicholls Foundation, administers Capital Campaigns as well as all private giving to the University.

5.10.3.3 Gift Acceptance Policies and Procedures

5.10.4 University Printing and Design Services
The Director of University Printing and Design Services is responsible for supervising the University’s design, typesetting, and printing facilities.

Materials for classroom use such as syllabi, handouts or other documents can be printed by Printing through appropriate guidelines. Specific guidelines for producing publications at Nicholls State University can be found in the publication Everything You Ever Wanted To Know About Producing a Publication available from Student Publications and Printing in the Publications Building on Ardoyne Drive or University Relations in Elkins Hall. Some general guidelines are listed below.
5.10.4.1 Student Publications
The Nicholls Worth is the official student newspaper of Nicholls State University. It is published on Thursdays in the fall and spring semesters and every other Thursday in the summer session.

The University's student yearbook, La Pirogue, is published in the fall semester for the preceding, fall, spring and summer. Students who attended Nicholls full–time in the preceding fall and spring semesters may pick up their yearbooks for free. Students who were part–time for either semester must pay for that semester. Everyone else must pay.

5.10.5 University Relations
The Director of University Relations creates and implements a comprehensive marketing program for Nicholls State University, with a focus on public relations and advertising. The Director of University Relations serves as the University spokesperson. The Director oversees the Photography Bureau and the Sports Information Office.

5.10.5.1 Media Services
The Director of University Relations serves as University liaison with members of the print and broadcast media. University Relations staff prepare and distribute news releases on campus events and activities, as well as feature stories on campus personnel and students. The University Relations staff also keep a master calendar of events for the campus which is disseminated to campus departments, media representatives and community organizations.

Faculty are encouraged to submit any news items to the Office of University Relations as soon as dates are established. News items can be sent through campus mail or by Fax to 448–4891. If an interview on a particular story is needed, University Relations staff will schedule one with the appropriate person. The University Relations staff welcome the opportunity to assist faculty, staff, and students in publicizing all newsworthy events.

Photography can be booked through the University Relations secretary at 448–4143. Photography should be booked at least one month in advance of the event. If the University photographer is needed after hours, an overtime request form must be completed and approved prior to the event booked. The Photography Bureau also maintains a photographic library of photographs which may be duplicated for any designated projects.

Disclaimer: Nicholls State University frequently takes or commissions photography and videotaping of students, faculty and staff, as well as campus visitors. Nicholls reserves the right to use these photographs and videotapes as part of its publicity and marketing efforts.

5.10.5.2 Other Services
The University Relations staff also will lend writing and/or editing assistance toward the production of publications such as recruiting brochures, and departmental fliers. The Director is also charged with advertising the University and will assist departments in the preparation of advertisements. Faculty and staff should consult with the Director prior to the placement of any advertisements for a review of restrictions of the use of State funds for advertisements. The office staff will also assist faculty and staff in the preparation of videos and video scripts, in coordination with the Office of Media Services.

The Director serves as Editor of Inside Nicholls State University, a publication for faculty and staff of Nicholls published weekly during the fall and spring semesters and bi–weekly during the summer session. Faculty and staff are encouraged to submit any newsworthy items for publication to the University Relations office. Deadline for publication in the Inside Nicholls is the Friday prior to Wednesday publication. Facts about “who, what, when, where, why and how”
should be given. Contact numbers for further information should be provided. This information should be submitted on the official submission form available in University Relations.

The Director also serves as Editor of Inside Nicholls State University community newsletter (quarterly), the President's Annual Report, the recruiting viewbook and supplemental recruiting publications, the Student Directory, The Colonel Alumni News (quarterly), and other informational pieces for Nicholls.

**5.10.5.3 Faculty/Staff Contact with Media**

Because the Director serves as the University's spokesperson and coordinates University news activities, the office appreciates notification when faculty/staff are contacted directly by reporters. Any questions, complaints or requests for corrections by reporters should be directed to the Director of University Relations.

**5.10.6 Policy on Naming Facilities, Spaces, Units, and Properties and Other Endowed Gifts**

**5.10.6.1 General**

Nicholls State University complies with Louisiana’s R. S. 42:267 and with the Board of Supervisors for the University of Louisiana System (BoS) document T93-127 in its naming of buildings and public areas, to include spaces and properties owned by the university. In complying with the above policies, Nicholls State University has adopted a set of specific guidelines that outline the criteria, including the level of gift associated with each naming opportunity. The university also provides guidance for other naming opportunities, to include gifts, awards, endowed scholarships, endowed professorships, and endowed chairs.

**5.10.6.2 Categories of Naming Opportunities**

While complying with state statutes and BoS policies, the Nicholls policy on naming facilities, spaces, units, and properties categorizes naming opportunities into three distinct categories:

Philanthropic—in honor of an individual, a family, or an organization or corporation that had generously donated assets to Nicholls State University or its foundation, or who has donated a designated amount of the funds toward the building of the facility or the part of the facility to be named in honor of the individual, family, organization, or corporation. This policy provides the formula for determining the designated amount.

Academic—in honor of a faculty member who made significant contributions to his or her academic field, who contributed to greater good of the university, and who made significant contributions to the university as a faculty member.

Honorific—in honor of an individual who was connected to the university (alumnus/alumna, administrator, staff member, etc.) and who made significant contributions in education, the arts, public service, or business and who demonstrated support for Nicholls State University.

In naming any of the elements covered under this policy, the university will avoid selecting names that embarrass the university, the Board of Supervisors, the Board of Regents, or the state of Louisiana. Therefore, the university will not consider the names of companies associated with the production or sale of tobacco products, arms producers, or alcoholic beverages. [For example, the name of a beer would not be considered; however, the name of an individual owner of a distributorship who had generously supported the university and who had a demonstrated service to the community and state could be considered.]
5.10.6.3 **Available Naming Opportunities**

- Gifts
- Awards
- Endowed Scholarships
- Endowed Professorships
- Endowed Chairs
- Rooms
- Foyers
- Lobbies
- Theaters
- Auditoriums
- Classrooms
- Conference rooms
- Buildings
- Athletic facilities, to include fields and facilities
- Departments
- Schools
- Colleges
- Divisions

Normally, gifts, awards, endowed scholarships, endowed professorships, and endowed chairs will fall under the category of philanthropic and be named in honor of the donor. However, the donor may request an alternate name. For example, a donor could name an endowment in honor of a deceased family member or friend.

All other naming opportunities may fall under any of the three categories (philanthropic, academic, or honorific) and the university should apply the following criteria in assigning names:

- **Academic:** the individual considered for an academic naming opportunity shall have met or achieved the following:
  - Served at Nicholls State University for a minimum of ten years
  - Achieved the rank of professor
  - Contributed significantly to his/her academic discipline and to the students of Nicholls State University
  - Contributed significantly to the university beyond the level of department service
  - Left a lasting legacy to Nicholls State University

- **Philanthropic:** the individual considered for a philanthropic naming opportunity shall have met or achieved the following:
  - Demonstrated service to Nicholls State University
  - Given to the university consistently and significantly over a period of years
  - Given to capital project at a minimum level of 50% of the private funds given to support the project. (The project must receive private funding at a minimum of 20% of the total construction cost.) [e.g. a $20 million dollar building would have to have $4 million dollar private support and the donor would have to donate $2 million minimum to secure naming rights to the building.]
  - Given to a department or school at a level of at least one million dollars or to a college or division at a level of at least four million dollars.

- **Honorific:** the individual considered for an honorific naming opportunity shall have met or achieved the following:
  - Achieved the status of alumnus or alumna of Nicholls State University, or
  - Served as an administrator or staff member at Nicholls State University for a minimum of seven years
5.10.6.4 Procedures
Nicholls State University will apply the following procedures:
1. When naming opportunities are available, the president of the university shall call for nominations.
2. The president of the university shall appoint a naming committee to review nominations.
3. The naming committee will present its recommendations to the president.
4. The president has the final decision to accept the recommendations and to submit them to the Board of Supervisors. The president may reject any recommendation that he/she does not consider to be beneficial to the image of the university.

5.11 Leaves

5.11.1 Board of Supervisors Policy
Chapter III, Section V and XXI of the Rules for the Board of Supervisors for the University of Louisiana System stipulates the following regarding leaves of absence for faculty/staff members:

- Leaves of absence, other than for military leave, shall not exceed one year.
- Faculty/staff on military leave (or special leave for war-connected service) from the institutions shall be re-employed by the institution at the beginning of the next semester (or quarter) after the date on which the institution head shall receive written notification that such person wishes to return to his or her position, provided that such notification shall be given within 40 days after honorable discharge from the armed forces.
- Leave without pay may be granted for a maximum of one year at a time upon recommendation of the institution to the System President and with the approval of the Board.

Chapter III, Section XXI of the Rules also gives provisions for faculty/staff leave, annual leave, sick leave, and compensatory leave.

5.11.2 University Policy Concerning Personal Leaves
Ranked faculty and staff must receive written permission of their Department Head or appropriate supervisor prior to taking leave unless absences are not anticipated. Unanticipated absences shall be reported to the Department Head or supervisor as soon as possible. Department Heads or supervisors are required to forward to the Department of Human Resources all approved requests for leave. The Personnel Office shall keep cumulative records of all personal leaves requested and used. For the purpose of policies dealing with leave, the term “day” shall mean any working day during which a faculty or staff member is employed by contract.

Academic faculty and staff employed on fiscal year appointments are eligible for annual leave as defined and explained in relevant administrative policies.

5.11.3 Leave and Leave Records
As provided by Louisiana Revised Statutes 17:3311 and Board of Supervisors Bylaws, “For the purposes of leave, appointing authorities shall establish work weeks of 40 hours per week for full-time employees. The purpose of establishing the 40-hour week is to provide appointing
authorities a system for accounting for and the taking of leave. It is understood that some faculty work is done outside the office such as the library and laboratories as well as off-campus sites.”

The above provision has been clarified (March, 1991) by the Board of Supervisors as follows:

“Neither the Act or the Board of Supervisors rule defines work schedule and work site. The purpose of the Act and the Rule is to ensure the reporting and accounting for sick leave. An employee’s work schedule and work site are determined by the employee’s supervisor. Thus, if it is determined that it is necessary for an employee to be physically present at his or her work site, the university may so require.

“Furthermore, both the Act and the Rule are limited to ‘academic teaching personnel.’ Therefore, the individuals holding academic rank who by virtue of their position with the university have other non-teaching responsibilities may be required to be physically present at their work station.”

Daily attendance and leave records are maintained for all unclassified employees. At Nicholls State University, the completed forms are forwarded to the Department of Human Resources for recording.

Annual leave is leave with pay granted to a 12-month employee for the purpose of rehabilitation, restoration, maintenance of work efficiency, or attention to other personal concerns. However, annual leave will be restricted during the academic year.

Annual leave is earned by each eligible unclassified employee employed on a twelve-month basis who has a regular tour of duty. The earning of annual leave is based on the equivalent of years of full-time State service and shall be creditable at the end of each pay period or calendar month in accordance with the following general schedule:

- Less than three years of equivalent State service shall be compensated at the rate of one day of annual leave per month of full-time service, or the equivalent thereof in hours.
- Three years, but less than five years, of State service shall be compensated at the rate of one and one-fourth days of annual leave per month of full-time service, or the equivalent thereof in hours.
- Five years, but less than ten years, of State service shall be compensated at the rate of one and one-half days of annual leave per month of full-time service, or the equivalent thereof in hours.
- Ten years, but less than 15 years of State service shall be compensated at the rate of one and three-fourth days of annual leave per month of full-time service, or the equivalent thereof in hours.
- Fifteen or more years of State service shall be compensated at the rate of two days of annual leave per month of full-time service, or the equivalent thereof in hours.
- No 12-month unclassified employee shall be credited with annual leave for any calendar month
  - until he or she has completed the calendar month in which he or she was employed.
  - during which he or she has been on leave without pay for ten or more working days
  - while serving in the military.
- Accrued unused annual leave earned by an employee shall be carried forward to the succeeding years without limitation.
When an employee changes position from one state agency to another, the accumulated annual leave shall be forwarded to the new agency and shall be credited to the employee.

Legal holidays, state-designated holidays, days of local conditions and celebrations, and similar periods when designated, announced, and observed by the institution, shall not be charged to annual leave.

Annual leave shall be applied for in advance by the employee and may be taken only when approved by the appointing authority. Requirements concerning the use of annual leave include the following:

- An appointing authority may require an employee who has sufficient credited annual leave to take annual leave whenever the authority feels that it is best for the employee or the appointing authority.
- Except when given special advance approval for absence from duty, an employee must be at the work station for the day in order to be classified as on duty. A work station normally will be one's office or elsewhere on the employer's premises, or at other locations while representing the employer.
- Upon resignation, death, removal, or other termination of employment of an unclassified employee, annual leave amounting to the same maximum as is provided for members of the classified service of the state by the Civil Service Commission and approved by the Governor, and accrued to the employee's credit shall be computed and the value thereof shall be paid to the employee or the heirs, provided that the annual leave has been accrued under established leave regulations and attendance records have been maintained for the employee by the superior. Such pay shall be computed at the employee's base rate of pay at the time of termination.

Except for cases of emergency approved by the President and the Board of Supervisors, the use of annual leave/compensatory leave shall be limited to a 30-day continuous period.

### 5.11.4 Leave for Civil and National Service

Leaves for civil and national service are granted without loss of pay, annual leave or sick leave when

- performing jury duty;
- summoned to appear as a witness before a court, grand jury, or other public body or commission;
- performing emergency civilian duty in relation to national defense;
- the appointing authority determines that he or she is prevented by an act of God from performing duty;
- voting in a primary, general, or special election which falls on a scheduled working day, provided that not more than two hours of leave shall be allowed an employee to vote in the parish where employed, and not more than one day to vote in a parish other than the one where employed.

The appointing authority shall determine when local conditions or celebrations make it impracticable for his/her employees to work.

### 5.11.5 Military Leave

The Board of Supervisors allows leaves of absence to employees who are members of a reserve component of the armed forces of the United States or the National Guard. These leaves are granted without loss of pay, time, or annual or sick leave when individuals are "ordered to active duty for field training or training authorized in lieu thereof when the individual is given
constructive credit for such training.” Such leaves shall be for periods not to exceed 15 working days in any calendar year, but an appointing authority may grant an employee annual leave or leave without pay or both, in accordance with provisions of these leave regulations for such periods which exceed 15 working days in any calendar year.

Employees who are inducted or ordered to active duty to fulfill reserve obligations or who are ordered to active duty in connection with activities in indefinite periods or for periods in excess of their annual field training shall be ineligible for leave with pay.

5.11.6 Sick Leave

As provided by Louisiana Revised Statutes 17:3311 and Board of Supervisors Bylaws, for the purposes of leave, has established a workweek of 40 hours for full-time employees.

Sick leave is leave with pay granted an employee who is suffering with a disability which prevents him from performing his or her usual duties and responsibilities and who requires medical, dental or optical consultation or treatment.

Sick leave shall be earned by each employee who has a regular tour of duty. The earning of such leave shall be based on the equivalent of years of full-time State service and shall be creditable at the end of each calendar month in accordance with the following general schedule:

- Less than three years of service shall be credited with sick leave at the rate of one day of sick leave per month, or the equivalent thereof in hours.
- Three years, but less than five years, of State service shall be credited with sick leave at the rate of one and one-fourth days of sick leave per month of full-time service, or the equivalent thereof in hours.
- Five years, but less than ten years, of State service shall be credited with sick leave at the rate of one and one-half days of sick leave per month of full-time service, or the equivalent thereof in hours.
- Ten years, but less than 15 years of State service shall be credited with sick leave at the rate of one and three-fourth days of sick leave per month of full-time service, or the equivalent thereof in hours.
- Fifteen or more years of State service shall be credited with sick leave at the rate of two days of sick leave per month of full-time service, or the equivalent thereof in hours.

No unclassified employee shall be credited with sick leave for any calendar month

- until he or she has completed the calendar month in which employed (For example, a faculty member employed for nine weeks in the summer shall be credited with two and one-fourth days.)
- during which he or she has been on leave without pay for ten or more working days
- while serving in the military.

Accrued unused sick leave earned by an employee shall be carried forward to the succeeding years without limitation.

When an employee changes position from one state agency to another, accumulated sick leave shall be forwarded to the new agency and shall be credited.

Sick leave with pay may be taken by an employee with sufficient credited leave for the following:

- Illness or injury which prevents performance of work duties.
- Medical, dental, or optical consultation or treatment.
Sick leave should be applied for in advance for routine medical visits and exams. An employee may be required to furnish an excuse signed by a healthcare professional when applying for sick leave approval, at the discretion of the supervisor. In the event of excessive absenteeism, the appointing authority may require that for each absence, regardless of the number of days absent, the employee produce an excuse signed by a healthcare professional upon returning to work. Supervisors are responsible for administering this policy. Any excuse, if required, must be submitted along with the appropriate timesheet(s).

The minimum charge for sick leave shall be one-quarter hour. The minimum charge for annual leave shall be one-quarter hour.

The employee may use sick leave for maternity purposes when her postnatal or prenatal condition prevents the performance of usual duties, provided the employee has sufficient sick leave credit. The limit to the use of sick leave for a postnatal condition shall be six weeks unless a physician certifies the employee’s inability to return to work.

Upon death or retirement of an unclassified employee, sick leave accrued shall be computed and the value thereof shall be paid to the employee or heirs, provided that the sick leave has been accrued under established leave regulations and a daily attendance record has been maintained for the employee by the supervisor, except that such payment shall not exceed the value of 25 working days computed on the basis of a five-day week and on a four-week per month basis for personnel employed on less than the 12-month employment basis and on the basis of a five-day week and 52-week year for 12-month employees. The rate of pay shall be computed using the base rate the employee is receiving at the time of termination.

### 5.11.7 Other Leave

#### 5.11.7.1 Workers’ Compensation Payments

When employees are absent from work owing to disabilities for which they are entitled to Workers’ Compensation, they may, at their option, use sick or annual leave or any appropriate combination of sick and annual leave (not to exceed the amount necessary) to receive a total payment for leave and Workers’ Compensation in accordance with law.

#### 5.11.7.2 Temporary Appointment

Leaves of absence without pay for the purpose of accepting a temporary appointment elsewhere shall not exceed one year. These appointments must be in the best interest of the University.

#### 5.11.7.3 Political Campaigns

Leaves without pay granted for the purpose of participation in a political campaign shall not exceed six months.

#### 5.11.7.4 Bereavement

Probationary or permanent employees may be given time off without loss of pay, annual leave, or sick leave when attending the funeral or burial rites of a parent, step-parent, child, step-child, brother, step-brother, sister, step-sister, spouse, mother-in-law, father-in-law, grandparent, step-grandparent, or grandchild provided such time off shall not exceed two days on any one occasion.

#### 5.11.7.5 Family and Medical Leave

The Family and Medical Leave Act of 1993 provides that the University grant an employee a total of twelve (12) weeks of unpaid leave (or applicable paid leave) in any 12-month period 1) to care for a newborn son or daughter; 2) for the placement of a son or daughter with the employee for
adoption or foster care; 3) to care for a seriously ill spouse, child, or parent; 4) because of the employee’s own serious health condition. (See also Section 5.11.7.7)

5.11.7.6 Holiday Leave
Holidays are established by the University and published in the annual academic calendar. No requests are necessary.

5.11.7.7 Leave without Pay
Tenure and probationary contract faculty and staff may request leave without pay for a period not to exceed one (1) academic year. Authority to grant leaves without pay rests with the President with approval from the Board of Supervisors. Subject to Board of Supervisors approval, an extension of up to one additional academic year may be granted by the President upon recommendation of the administrative Vice President. All faculty leave without pay requests must be approved by the Vice President for Academic Affairs, Department Head and Dean.

It is important to note that time spent on leave without pay shall not count toward progress to tenure contract, promotion, or sabbatical leave. Faculty seeking leave without pay will be advised of this stipulation and will be asked to agree in writing. Faculty members on leave without pay shall not be eligible for promotion during the period of the leave and shall not, unless agreed to in writing prior to the commencement of such leave, be entitled to fringe benefits.

By special arrangements with the Controller's Office faculty and staff members may continue those fringe benefits for which they are eligible at their own cost.

5.11.7.8 Compensatory Time (Comp Time)
Nine–month employees are not eligible for compensatory leave (leave granted to employees for work during official closure of the University). In all other cases, Comp Time shall be earned and taken in accord with rules adopted by the Board of Supervisors.

The compensatory leave policy for unclassified professional staff (effective July 1, 1999) shall be as follows:

- Compensatory leave may be granted for overtime hours worked outside the regularly assigned 40-hour work week, or when the employee has not worked in excess of 40 hours due to holidays observed or leave taken.
- Earning of compensatory leave must have prior approval of the immediate supervisor and the appropriate vice president or president.
- The amount of compensatory leave time earned shall equal the number of extra hours the employee is required to work (hour for hour).
- Compensatory leave shall not be earned by the following employees: presidents, vice presidents, deans, athletic directors, and athletic coaches. Exceptions may be made to permit these employees to be exempted from having to take leave when the university is officially closed. Such exceptions shall be included in the appointment letter of the individuals involved. In all events, any employee who is entitled to earn compensatory leave under the Fair Labor Standards Act shall earn such leave in accordance with Civil Service Rules and Regulations.
- Compensatory leave shall be promptly credited to the employee and may be used with the approval of the immediate supervisor and the appropriate vice president or president. Not more than 240 hours of accrued unused leave shall be carried forward into any fiscal year.
- An appointing authority may require employees to use their earned compensatory leave at any time.
Employees will not be paid the value of their accrued compensatory leave upon separation from their unclassified position.

In the event that an employee transfers without a break in service to another position within the State service, compensatory leave may be credited to the employee at the discretion of the new appointing authority. Compensatory leave shall be terminated when an employee separates from State service.

Compensatory leave should not be confused with flex time, employees cannot arbitrarily determine their own work schedules, and work undertaken while at home does not constitute the earning of compensatory time. Granting the use of compensatory leave does not preclude the assignment of employees to perform those services which cannot be dispensed with on the days the University is closed or when it may be disruptive to the normal operation of the unit; in such cases, supervisors will make necessary arrangements for employees to be on duty.

For proper administration of this comp time policy the following procedures will apply.

1. Prior to earning compensatory leave employees must complete the "Application To Earn Compensatory Leave Form (CLI)" which shall be signed by the immediate supervisor and the appropriate vice president or president. Once completed this form must be attached to the corresponding time sheet in which the leave was earned and submitted to the Department of Human Resources.

2. To use compensatory leave employees must complete the "Nicholls State University Request For Leave Form" which shall be signed by the immediate supervisor and the appropriate vice president or president.

3. Employees will not earn compensatory leave while on "on call" status. However, if the employee is called back to work, that time shall be considered compensatory time.

4. Employees while on approved official travel on a regular University work day can earn a maximum of five (5) hours of compensatory leave for time worked outside the normal work hours. During approved weekend official travel, an employee can earn a maximum of eight (8) hours per day.

5. Compensatory leave will automatically be charged for designated University closings. Employees who do not have enough compensatory leave earned will be charged annual leave in lieu of compensatory leave. Employees whose compensatory and/or annual leave balances are not sufficient will be charged leave without pay. Exceptions to this procedure are presidents, vice presidents, deans, athletic directors, and athletic coaches. These employees will be exempted from having to take leave when the university is officially closed.

5.11.7.9  Flextime Schedules Policy

The University’s regular office hours are 8:00 a.m. to 4:30 p.m. Monday through Friday. However, the operation of classes normally runs from 7:30 a.m. to 9:00 p.m. Flextime schedules are used to provide the greatest service opportunities to the University’s customers while trying to maximize the use of its limited resources.

However, some campus departments may have official office hours that differ from the University’s regular business/office hours in order to provide appropriate service to their clientele. This may include departments with multiple shifts. Departments are encouraged to consider flexible schedules when it is in the best interest of the University in providing services to students. Nicholls State University also recognizes that flexible schedules can improve morale and productivity and recognizes the contributions made before and after normal work hours.

Flextime is a work schedule which equals to 40 hours per week but has different beginning and ending times from the University’s regular business hours. A flextime schedule is appropriate only when the work schedule is beneficial to the University and the individual. Working a
flexible schedule is a privilege—not an employee right—and flexible schedules are not appropriate for all job situations.

When developing a flextime schedule for any department or employee, the following guidelines should be used:

A. Service:
Normally, flextime provides a wider span of service and provides staff with an opportunity to modify their work schedules to fit individual and/or departmental needs. The level of service provided by the department to their customer must not decrease. The department head must consider the workload, flow of work, impact on quality and schedules as they relate to the mission and objectives of that department when considering the possibility of Flextime Schedules.

B. Coverage:
The implementation of a flextime schedule is contingent upon assuring at least minimal coverage during the normal business hours. Supervisors/department heads should design flexible work schedules so that adequate supervision is provided. Non-supervisory employees shall not be without supervision for long periods of time on a regular basis. Supervisors/appropriate supervision should be present for each alternative schedule option.

C. Cross Training:
The department using flextime must take appropriate actions to ensure proper cross training/backup assignments in order to maintain normal levels of service for the duration of the normal operating hours of the office.

D. Policy Compliance:
Flextime schedules must be implemented in accordance with applicable University, State and Federal policies and regulations. Flextime Schedules are not intended to alter the basic understanding that full-time staff employees are expected to work 40 hours per week, which include appropriate lunch periods. Flextime schedules do not change normal attendance requirements.

E. Approval of Flex Schedules:
The department head/director may approve flextime schedules. A lunch period of at least one hour must be included. Departments should document each employee's flextime schedule in writing using the “Request for Flextime Schedule” form signed by the employee, supervisor, and department head/director with a copy provided to the departmental timekeeper and the Human Resources Office to ensure legal and administrative compliance and to maintain work schedule records. The Department of Human Resources will provide copies of the approved request to the Payroll Department and the appropriate Vice President. Employees must follow the established schedule or be placed on leave or leave without pay when not at work. No additional approvals beyond the department head are required.

It is the responsibility of the department to ensure that the Flextime Schedule Policy is administered in an equitable and consistent manner. Failure to do so may result in termination of the use of flextime schedules within that department.

F. Administration:
When a department is creating/filling a position, flextime schedules must be listed on the “Request for Authorization to Begin Process for Filling Position” (R-1) form since this may impact the applicant pool.
Flextime is intended for long-term change in schedules (60 days or more) and not intended to permit swapping hours/days or as a mechanism to adjust for missed hours during the day or week.

Temporary or short-term flextime schedules may be permitted to facilitate class attendance or accommodate ADA or FMLA requests.

**5.11.7.10 Emergency Absences**

At the discretion of the appointing authority, a full-time faculty or staff member may be granted leave with pay to attend to personal emergencies. Such time may be charged against sick leave. In the event of an emergency, the absent faculty or staff member is responsible for notifying the Department Head or appropriate supervisor immediately. Emergency absence requires the Department Head or appropriate supervisor to cover the absentee's classes in the most appropriate manner possible.

**5.11.7.11 Educational Leave Policy**

Nicholls State University’s purpose is to distinguish itself as an institution of the highest quality in higher education. As such, it also encourages the academic growth and development of its employees by providing them with the opportunity to complete one academic course a semester during their regular work hours. Complying with the following conditions and procedures will allow the employees of Nicholls State University the opportunity to continue their education. With supervisor approval, an employee may be granted educational leave with pay during his or her regular work hours to take one class per academic session. In certain circumstances, a request for educational leave may not be approved by the supervisor due to departmental workload requirements, scheduling conflicts, etc. This policy does not allow educational leave for programs such as the Nicholls Europe program, or study programs abroad. Employees must apply for annual leave, compensatory leave, or leave without pay for any additional classes taken during their regular work hours. Such leave will be granted only when it is not disruptive to the normal operation of the department or unit.

Classes taken that fall within the “one class per academic session” must be job related. The University recognizes that an employee working toward a degree, and having a degree plan on file with the University, will be considered to be taking courses that are job related in accordance with the goals and objectives of higher education when these courses apply to the degree program on file.

An employee will be allowed to adjust his/her lunch hour with supervisor approval when an approved class per this policy is scheduled during the normal lunch hour.

Employees will not be allowed to change either their work schedules or their lunch hours for the purpose of taking courses in addition to the “one class per academic session” during their regular work hours. An employee who wishes to take an additional course that falls entirely within his or her normal lunch hour, with no overlap into his or her work hours, will be allowed to do so. Unless otherwise noted and for the purpose of this policy, an employee’s lunch period of one hour may be moved to fall between the hours of 11:30AM to 1:30PM for the purpose of taking an additional class; thus, with supervisor approval, the lunch hour of an individual may fall anywhere within this time period. (Note: the lunch hour is composed of one half hour without pay, and two 15-minute break periods with pay.) When an employee chooses to take a class during this hour, he or she is not entitled to any breaks or additional lunch time during the day.

Courses taken before and after normal work hours are not affected by this policy.
Employees working outside of normal work hours (8:00 AM – 4:30 PM) will be reviewed on a case by case basis.

Leave without pay for educational purposes may be granted to an employee for a period equivalent to the period of enrollment in the course or degree program, provided that it is in accordance with established agency policy.

Educational leave requests must be submitted on the Educational Leave Form (available on the internal administrators’ drive, M drive, in the policy and procedure forms folder) and must be approved prior to taking the leave. Part II of the Educational Leave Form must be submitted to the Office of Human Resources upon completion of the class.

In addition to employee participation in educational leave, additional training may be attained by employee participation at conferences or meetings relating to an employee’s work or office functions. These are not formally requested on the Educational Leave Form. Verification of these trainings should be provided to Human Resources for inclusion in the employee’s personnel record. Also, participation of an employee in agency-sponsored or mandatory training is made a part of each participant’s personnel record.

### 5.12 Separation

#### 5.12.1 Scope and Definitions

This section deals with those circumstances and procedures that lead to the end of an employment relationship between the University and term, probationary, or tenure contract faculty. Terms used in this section are defined as follows:

- “Separation” refers to all actions, whether initiated by the University or the faculty member that result in the end of the University’s employment relationship with contract faculty.
- “Termination” may refer to any severance action where the University ends its employment relationship with contract faculty.
- “Non–reappointment” is a means of termination by which the University ends its employment relationship with probationary or term contract faculty at the end of a contract period.
- “Dismissal” is a means of termination by which the university with adequate cause ends its employment relationship with tenure contract faculty, or with term or probationary contract faculty in mid–contract.
- “Suspension” is an action where the employee must cease performance of any and all contractual duties while awaiting due process.
- “Demotion” is an action by the University short of dismissal and following due process where a faculty member loses earned rank and/or titles and/or tenure.
- “Financial exigency” is a state of monetary emergency declared by the Board of Supervisors. Financial exigency may lead to terminations. Tenured faculty who are terminated as a result of financial exigency lose tenure.
- “Retrenchment” refers to actions by the Board of Supervisors or by the University that result in a reorganization of academic structures such as programs and degrees; the resulting change may lead to terminations. Tenured faculty who are terminated as a result of retrenchment lose tenure.
- “Reductions in Force” (RIF) are those terminations that result from financial exigency or retrenchment.
5.12.2 Retirement and Re-employment of State Retirees
The reemployment of state retirees shall be governed by the rules and regulations of the applicable State retirement systems and Board Rule C-III, Section II of the Board Rules. (Revised 10-24-08)

The Department of Human Resources should be consulted for guidance prior to the rehiring of retirees.

5.12.3 Exit Interview
Whenever a faculty or staff member leaves the employment of Nicholls State University, he or she shall report to the Department of Human Resources for an exit interview to fill out forms that are required by the state and federal government. Before final clearance from the University and the issuance of the final paycheck, all property and keys must be turned in for inventory, and all indebtedness to the University must be satisfied.

5.12.4 Board of Supervisors Investigations
All persons appointed and/or employed by the Board are subject to investigation as the Board deems appropriate should there be allegations of misconduct or impropriety against said individuals. Investigations shall commence only upon adoption of a resolution or motion by the Board directing that such an investigation be conducted. Such investigations shall be conducted by an impartial outside agency.

The president of any affected institution shall be given written notice of the investigation, and a list of the allegations subject to investigation. At the conclusion of the investigation, the System President shall see that a written report of the findings of the investigation is given to the Board and to the president of the institution involved.

Investigations involving the character or competence of any person shall be conducted in as confidential a manner as applicable law permits.

5.13 Litigation
Act 65 of the First Extraordinary Session of 2000 specifies that the State will indemnify and defend a covered individual against any claim, demand, suit, complaint or petition provided the cause of action occurred while the individual was engaged in the performance of his or her duties as a State employee or official and the individual was free of criminal conduct. Further, the Act changes the process by which the State’s Attorney General is to be notified. The following procedures were effective September 1, 2001, and included pre-employment screening described in Section 5.2.5.

5.13.1 Types of Claims
The Board and its universities are generally confronted with the following three types of claims.

1. Claims involving education issues:
   These claims may involve the awarding of degrees, grades and grade appeals, course offerings, promotions, graduation, appeal of university decisions, and contract issues between the university and its students as well as student discipline.

2. Claims involving labor, management, and/or employment issues:
   - These claims generally involve the right of the System, its officials, or the officials of particular universities to manage or take action with regard to the university. These actions often involve employment, promotion, salary, breach of contract, job
assignment and other labor or employment related issues. They are not in the nature of tort claims.

- All classified employees normally must go through the Civil Service process with appeals of disciplinary actions wherein the Civil Service Commission generally resolves these issues. Classified employees may file certain claims in State or Federal Court.
- All faculty and unclassified employees normally proceed through a campus-based grievance procedure and then may file certain claims in State or Federal Court if the issues are unresolved.

3. General liability claims

This group of claims arises generally from “doing business.” The claims include accidents on campus, contract breaches, and discrimination or improper treatment. All are classified as tort claims. Students, employees, or third parties may file these claims.

5.13.2 Management of Claims by Type

1. Claims involving education issues: The System’s in-house attorney, the Office of the Attorney General’s Civil Division, or an attorney specifically employed by the university will handle these claims. Risk Management, or any other insurance, generally does not cover these claims. However, if the claim is in the nature of a tort claim, then the Office of Risk Management may provide coverage and a Risk Management attorney will be assigned through the Office of the Attorney General. In the event of any judgment rendered against the System or the university on any insured claim, the Office of Risk Management assumes responsibility for and payment of the judgment. In all other cases, the university or System may pay the judgment or direct the successful party to submit the judgment to the Legislature for appropriation.

2. Claims involving labor, management, and/or employment: These claims are handled through the Office of the Attorney General or the counsel for the System or university. Risk Management may become involved if attorney’s fees are demanded or there is a possibility that there will be a general damage award. If claims are considered insured, the Office of Risk Management will make any judgment and provide for the payment of the defense. If the claim is considered uninsured, the defense and payment of any judgment is the responsibility of the System or university.

3. General liability claims: These claims are almost always covered through the Office of Risk Management. The Office of Risk Management assumes responsibility and assigns an attorney, either in-house or by contract. The Office of Risk Management takes full responsibility for the cost of defense as well as the payment of any judgment that may be rendered.

A draft of a claims form letter is available on the internal administrators’ drive (M drive).

5.13.3 Procedures for State Employees and Officers Involved in Lawsuits

The employee or official must, within ten (10) days of being served with any summons, complaint, process, notice, demand or pleading, deliver a copy of the original document to The Honorable Richard Ieyoub, Office of the Attorney General, Risk Litigation, Post Office Box 94095, Baton Rouge, LA 70804–9095 and request that the State provide him/her with a defense and indemnification. A referral letter must be filled out and signed by the employee and sent to the Attorney General’s office. A copy must also be forwarded to the System office.

Timely delivery of the summons or claim is a prerequisite for defense and indemnification. The notice or documents delivered to the Attorney General’s office should also indicate the date and type of service (served by mail or the Sheriff) and the date received. Failure to follow this procedure may result in the State’s refusal to accept responsibility for the defense or consequences of the lawsuit. This process must be followed separately for each employee who is served with a claim or lawsuit.
Anytime a lawsuit, legal document, or other official notice is served on a University of Louisiana System department or employee, the document must be immediately forwarded to the attention of the System employee designated to act as the agent for service of process at the System office, officially domiciled at 150 Third Street, Third Floor, Baton Rouge, Louisiana 70801. This designee will be responsible for the appropriate routing of the document.

5.13.4 Procedures If the University Is Served With Official Legal Documents

Anytime a lawsuit, legal document, or other official notice is served on a University of Louisiana System institution, the document must be immediately forwarded to the attention of the System employee designated to act as the agent for service of process at the System Office, officially domiciled at 150 Third Street, Third Floor, Baton Rouge, Louisiana 70801. This designee will be responsible for the appropriate routing of the document.

University administrators are urged to plan monthly meetings with those persons employed by Risk Management, the System, and/or the university to defend those claims. Such action will alert the Board as to the type and kinds of claims that are pending as well as the quality and efficiency by which they are being handled. This will also place the System in a position of interjecting policy considerations in the resolve of any claims that may affect management.

5.13.5 Procedures if an Individual Employee Receives a Request for or Subpoena of University Records

5.13.5.1 Subpoena of University Records

Any subpoena of Nicholls State University records must be forwarded immediately to the university President and university Vice President for Academic Affairs.

5.13.5.2 Request for Public Records

5.13.5.2.1 Compliance with Louisiana Records Law

In accordance with Title 44:31 of the Louisiana Public Records Law, providing access to public records is a responsibility and duty of the appointive or elective office of a custodian and his employees. Public Records Defined

Louisiana Public Records Law, Title 44:1 (2)(a) defines public records as “All books, records, writings, accounts, letters and letter books, maps, drawings, photographs, cards, tapes, recordings, memoranda, and papers, and all copies, duplicates, photographs, including microfilm, or other reproductions thereof, or any other documentary materials, regardless of physical form or characteristics, including information contained in electronic data processing equipment, having been used, being in use, or prepared, possessed, or retained for use in the conduct, transaction, or performance of any business, transaction, work, duty, or function which was conducted, transacted, or performed by or under the authority of the constitution or laws of this state, or by or under the authority of any ordinance, regulation, mandate, or order of any public body or concerning the receipt or payment of any money received or paid by or under the authority of the constitution or the laws of this state, are “public records”, except as otherwise provided in this Chapter or the Constitution of Louisiana.”

5.13.5.2.2 Custodian Defined

Louisiana Public Records Law, Title 44:1 defines “custodian” as the public official or head of any public body having custody or control of a public record, or a representative specifically authorized by him to respond to requests to inspect any such public records.
In essence, under the law, the President of Nicholls State University is deemed to be the “custodian” of any records on the university campus and may designate respondents to such requests.

5.13.5.2.3  **Official response to Public Records request**
Nicholls administrators must comply with a Public Records request within the requirements of the law. When such a request is received, the recipient must notify the University President, as official “custodian” of the records, and also the Vice President for Academic Affairs. If the recipient of the request is uncertain of the requirements of the law, the recipient should seek immediate guidance from the university President, Vice President for Academic Affairs or other designee and respond to the requester with the following document:

<table>
<thead>
<tr>
<th>DATE:</th>
<th>TO:</th>
</tr>
</thead>
<tbody>
<tr>
<td>FROM:</td>
<td>RE: Public Records Request</td>
</tr>
</tbody>
</table>

I am in receipt of your request for public records information. As I am not the custodian of public records at Nicholls State University, I have forwarded it to President (name) who, in accordance with Louisiana Public Records Law, Title 44:1, is the public official/head of Nicholls and is authorized to respond.

pc: President and/or President’s Designee

### 5.14  Tobacco Use Policy

**Tobacco Free Campus Policy and Procedure to Be Effective: January 1, 2011**

5.14.1  **Purpose**
The purpose of this policy and procedure is to provide guidelines for the implementation of a policy on the prohibition of tobacco use on the campus of Nicholls State University.

5.14.2  **Background and Rationale**
Nicholls State University is committed to providing a safe and healthy environment for students, faculty, staff, and visitors. The U.S. Surgeon General has concluded that the only way to fully protect oneself from the dangers of secondhand smoke is through 100% smoke-free environments (The Health Consequences of Involuntary Exposure to Tobacco Smoke: A Report of the Surgeon General, U.S. Department of Health and Human Services, 2007). In 2007, Louisiana took major steps toward addressing the health concerns caused by second-hand smoke by passing the Louisiana Smoke Free Air Act. This policy puts students, employees, and visitors first by providing a safe, healthy, tobacco-free environment and decreasing exposure to second hand smoke.
5.14.3 Policy

The use of any tobacco product in any form (smoking or chewing) is prohibited effective January 1, 2011.

This applies to all students, faculty, staff, contractors and visitors on all Nicholls State University properties including the main Nicholls campus, Duhe Building, Chauvin Garden, etc.

Definition: Tobacco is defined as all tobacco-derived or containing products, including, but not limited to, cigarettes (clove, bidis, kreteks), cigars and cigarillos, pipe, hookah-smoked products, and oral tobacco (spit and spitless also known as smokeless, dip, snus, chew, snuff, orbs, etc.).

The use of tobacco products is prohibited at all times:
- In all interior space on Nicholls State main campus and all satellite locations;
- On all outside property or grounds of Nicholls State campus;
- In all Nicholls State vehicles;
- In all indoor and outdoor athletic facilities;
- In all personal vehicles while parked on Nicholls State University property.

All tobacco industry promotions, advertising, marketing, and distribution in any format are prohibited on campus properties and for campus activities as will be direct funding from tobacco companies for such programs.

The sampling and/or sale of tobacco products and tobacco related merchandise (including logo containing items) is prohibited on all university property and at university and student organization/group sponsored events, regardless of the operating vendor.

Organizers and attendees at campus events such as, but not limited to, conferences, meetings, lectures, social events, cultural events and sporting events using Nicholls State facilities will be required to abide by the tobacco-free policy and procedure. University offices responsible for reserving facilities shall be responsible for informing organizers of events. Organizers of such events are responsible for communicating the policy to attendees and for enforcing this policy.

Littering the campus with remains of tobacco products or any other disposable product is prohibited.

5.14.4 Procedure

5.14.4.1 General Education and Awareness

The implementation of this policy will be augmented by an education and awareness campaign that may include but not limited to:
- Notification to prospective students in both print and electronic formats.
- Notification to all incoming students at all Orientation programs.
- Training of all supervisors on their governance responsibilities related to this policy prior to implementation of policy.
- Notification to new staff/faculty hires through new employee orientation.
- A tobacco policy awareness statement will be signed by all current and new employees.
- Notification to all current students in both print and electronic formats.
Nicholls Policy & Procedure Manual  Chapter 5: General Policies Related to the University

- Notification at Faculty institute.
- Notification in University Studies courses.
- Posting of policy and/or link on appropriate web sites.
- Involvement of Student Government Association.
- Meetings conducted with key departments, programs, etc..
- Informational meetings, postings, and e-mail notification.
- Publication of policy in Faculty/Staff Handbook, Student Code of Conduct, Student Organization Handbook, student employee handbooks.
- Promotion and advertising of ongoing campus smoking cessation programs.
- Promotion and awareness of local, state and national cessation resources.
- Notification in facility reservation process to all outside entities who use facilities or grounds for events
- Ensure that all publications indicate Nicholls State University is a Tobacco Free Campus.
- Ensure that all Nicholls State University job postings contain information about the tobacco-free environment.
- Development and mass distribution of Nicholls State University Tobacco-Free Campus brochure

5.14.4.2 Permanent Visual Communication of Policy

Signs bearing the message “Tobacco-Free Campus” will be posted at each of the vehicular and pedestrian entrances, as well as other key traffic areas throughout the campus, and each building will display a decal that states “Tobacco Free Facility”. However, tobacco free zones apply on the grounds around the campus, whether or not a sign is posted in a particular area. No ashtrays will be provided on campus.

5.14.4.3 Tobacco Use Cessation Programs

The university is committed to support all students and employees who wish to stop using tobacco products. Assistance to students, faculty and staff is available through Human Resources and Student Services. Please contact either of these departments for information regarding on and off campus cessation programs and services. Students may contact University Health Services for information regarding medications associated with cessation some of which are covered by student health insurance. Employee health insurance does not cover such medication.

5.14.4.4 Compliance

The success of this policy will depend on the thoughtfulness, consideration, and cooperation of tobacco users and non-tobacco users. It is the responsibility of all members of the Nicholls State University community to comply with the Tobacco-Free Campus Policy as with all other university policies. Members of our campus community are empowered and expected to professionally and respectfully inform others about the policy in an ongoing effort to enhance awareness and encourage compliance. Furthermore, employees and student leaders are expected to serve as role models for the entire campus community. Violations of the policy will be handled in a manner that is consistent with university procedures.

5.14.4.5 Enforcement

5.14.4.5.1 Complaint Reporting Procedure:

As per University Policy and Procedure and Student Code of Conduct (section 2.46.15) violators of University policies are subject to appropriate disciplinary action up to and including applicable dismissal procedures.
Any member of the Nicholls community may and is expected to identify violators of the Nicholls State University Tobacco Free policy. Support will be provided by University Police and Environmental Health & Safety Office, Judicial Affairs, Human Resources, and any supervisor for those who are not comfortable addressing the violation him/herself.

It is the responsibility of supervisors to facilitate compliance among all employees under their supervision. As with any University policy Supervisors will support and play an active role in the enforcement of this policy.

In addition to the following general statements about reporting, specific reporting guidelines can be found in Appendix A.

5.14.4.5.2 Employee Violators
Complaints about employee violators of this policy should be brought to the attention of a supervisor, University Police, Environmental Health and Safety, or Human Resources. Any and all complaints received by U.P., EH&S, or a supervisor should be forwarded to Human Resources.

5.14.4.5.3 Student Violators
Complaints about student violators of this policy should be brought to the attention of Judicial Affairs, University Police, or Environmental Health and Safety. All complaints received by U.P. or EH&S should be forwarded to Judicial Affairs.

5.14.4.5.4 Visitor Violators
Offices responsible for reserving facilities will establish procedures for enforcing policy when violations involve visitors who are participating in events associated with their office. Complaints about campus visitor violators should be brought to the attention of the office responsible for the event or University Police.

5.14.4.6 Sanctions:
Sanctions for student violators will be addressed by Judicial Affairs and for employees by Human Resources. Consequences of violating the policy represent a range of sanctions that could include but are not limited to verbal warning, written documentation/warning, and dismissal/expulsion proceedings for both employees and students. See Appendix C for more information about sanctions.

5.14.5 Policy and Procedure Review
This policy and procedure will be reviewed annually by the Alcohol and Other Drug (AOD) Committee. Specific responsibility for completing revisions and associated outreach will maintained by a subcommittee consisting at minimum of the a) the individual responsible for tobacco free funding (TFL grant), b) Judicial Affairs, c) Student Services, d) Human Resources, e) Environmental Health and Safety.
Appendix A
Complaint Reporting Procedure Information
Guidelines

Employee Violations
1. Anyone identifying an employee violation will
   a. Report it to a supervisor; or
   b. Report it to Human Resources; or
   c. Report it to Environmental Health and Safety
   d. Report it to University Police
2. Supervisors, University Police, and Environmental Health and Safety will forward all reports received by their office to Human Resources
3. Human Resources will request that the reporter complete an incident form
   a. Guidance will be provided by HR as this form may be completed on paper or online

Student Violations
1. Anyone identifying a student violation will
   a. Obtain full name and/or ask for their Nicholls identification card; and
   b. Report the incident to Judicial Affairs, University Police, or Environmental Health and Safety
   c. Contact University Police when
      i. The violator is noncompliant; or
      ii. It is outside of normal university business hours
   d. Contact Environmental Health and Safety when
      i. The individual is not comfortable ascertaining the students name; and
      ii. It is during normal university business hours
2. University Police and Environmental Health and Safety will forward all reports received to Judicial Affairs
3. Residence Hall staff will be responsible for addressing all violations with residence hall students while on or around residence hall property including but not limited to parking lots, walkways, courtyards, building entrances and exits, by
   a. Reminding the person of the policy; and
   b. Requesting immediate compliance with policy; and
   c. Obtaining full name and/or asking for their Nicholls identification card; and
   d. Completing online violation form
4. Staff for other facilities and programs will be responsible for addressing violations there (i.e. union staff, athletics) and expected to enforce the policy following the basic procedures in this document and the detailed procedures created for their particular facility or program.

Visitor Violators
1. Anyone identifying a visitor violation associated with an event will
   a. Contact university police; or
   b. Contact office responsible for the event the in which the visitor is participating
2. Anyone identifying a visitor violation not associated with an event will contact University Police
3. Visitors who do not comply will be removed from campus at the discretion of University Police

Documentation of Violations
A form will be completed in paper or online for each violation that occurs. Assistance and direction from Human Resources and Judicial Affairs will be available. This form:
1. May be completed online or on paper
2. Be forwarded to Judicial Affairs or Human Resources
3. Maintain a record of each violation
4. Allow for monitoring of repeat violators

Appendix B

General Role of University Police and Environmental Health and Safety

University Police will
1. Respond to
   a. Observed violations while on patrol at any time both during and outside of normal business hours
   b. Requests for assistance after normal university business hours
   c. Incidents where violator’s behavior is of concern or there is noncompliance
2. Give violators preprinted card with resources and policy reminder
3. Forward violation information to Human Resources or Judicial Affairs

Environmental Health and Safety will
1. Respond to
   a. Observed violations at any time while one campus
   b. Requests for assistance during normal university business hours
2. Give Violators preprinted card with resources and policy reminder
3. Forward violation information to Human Resources or Judicial Affairs

Appendix C
Sanctions

Students
Sanctions for student violators will be addressed by Judicial Affairs Director. Sanctions will follow a progressive format for all reported violations.
1. First Violation: Violator will
   a. Receive a verbal warning through Judicial Affairs and a resource/policy reminder card
2. Second Violation: Violator will
   a. Be placed on disciplinary probation and
   b. Any other disciplinary action as per the Code of Conduct (students) to be determined by Judicial Affairs.
3. Third Violation: The violator will be charged with violation of probation and appropriate actions will be pursued including applicable dismissal procedures.

Note: The University reserves the right to consider mitigating factors that may influence the process to make it stricter or more lenient depending on the particular circumstances.

Employees
Violators of University policies are subject to disciplinary action up to and including applicable dismissal proceedings. Progressive discipline sanctions will be implemented through the following general format that includes but is not limited to:

1. First Violation: Violator will
   a. Receive verbal warning through his/her supervisor with the assistance of Human Resources
2. Second Violation: Violator will
   a. Receive written warning/reprimand from his/her supervisor with the assistance of Human Resources
3. Third Violation:
a. Applicable dismissal proceedings will be conducted and facilitated by Human Resources with the involvement of the violators supervisor.

Note: The University reserves the right to consider mitigating factors that may influence the process to make it stricter or more lenient depending on the particular circumstances.

Visitors
Visitors found in violation of the policy will be requested to comply. Those who do not comply will be asked to leave campus. Repeat violators may also be banned from campus. See Appendix A for information regarding reporting visitor violations.

5.15 Emergency Protocol
In all life endangering situations or events, and in the case of the arrest of a member of the Nicholls community, the President is to be contacted immediately, as soon as the police dispatcher receives word of the emergency.

5.15.1 Emergency Closing Procedures
Under extreme weather conditions, power outages, or other emergency conditions, it is sometimes necessary to partially or totally shut down University operations. When such conditions occur, the President shall make the decision as to whether a partial or total shutdown shall be ordered.

A decision to close the University is made prior to 8 a.m. when severe weather conditions or other emergency conditions develop overnight. Employees will be notified by 6:30 a.m. over local radio stations. Faculty will also be notified through their department heads whether or not to report to work. Faculty who have not received notification within a reasonable amount of time should contact their heads if unsure of whether or not to report to campus.

Students, faculty, and staff will be advised regarding any shutdown through the news media.

Decisions on afternoon and evening classes will be made no later than 3:00 p.m. on the day classes are scheduled. Even if conditions improve, any decisions for closure will remain in effect for the period of time originally specified.

When the University is officially closed, no classified employee will be allowed to report to work or remain on the job. Some unclassified administrative employees may be required and/or allowed to report to work or remain on the job depending on the need for their services. Under extenuating circumstances, supervisors may obtain permission for their employees to work. Permission must be obtained from the administrative Vice President or the President. In addition, a written justification outlining the importance of the task to be completed must be submitted through channels to the President’s Cabinet.

In accordance with Board of Supervisors policy, unclassified professional employees will earn compensatory time only. This compensatory time (Section 5.11.7.9) can be used during periods when the University is officially closed (in lieu of vacation).

5.15.2 Emergency and Disaster Procedures
Employees should be aware of the various types of emergencies and disasters that can happen and the procedures for dealing with them. In particular, if the fire alarm sounds, everyone should exit the building as quickly as possible, using the stairways. Employees should remain calm, assist the handicapped, and make certain that the students are aware that they must exit the building as well. Once out of the building, everyone should remain well clear until told by the
appropriate authority that it is safe to return. The University has established detailed protocols for the purpose of establishing which University employees must be contacted, and by whom, for various emergencies and problems. Of the possible kinds of emergencies, fire, medical emergencies, hazardous materials incidents, and bomb threats are the most likely. The appropriate responses to such emergencies are given below.

### 5.15.2.1 Medical Emergencies

In case of a medical emergency, employees should remain calm, dial extension 4911 (Emergency) or 4764. (University Police) and give the dispatcher the following information:

- name of person calling
- location of the incident or the accident
- telephone number
- the nature of the illness or injury.

If possible, the caller should find out if the patient has a preference for a certain ambulance or hospital and should give that information to the dispatcher as well. The dispatcher will then make certain that the appropriate personnel and equipment are sent to the scene.

### 5.15.2.2 Hazardous Materials Incidents

The accidental spill of material considered hazardous must be handled only by qualified personnel. If such a spill occurs, University Police should be contacted at extension 4911. The dispatcher should be given the necessary information such as building name, room number, floor level, injuries (if any) and the name of the person calling. The University Police dispatcher will call duty chief and Safety Officer. The Safety Officer will determine the need to call Maintenance, the Fire Department or other emergency response personnel.

The appropriate personnel will seal off the area to prevent entry and, if possible, shut off any sources of ignition and the source of the spill. The spill must be contained so that it does not enter drains or other uncontrollable areas. Occupied elevators cannot be used to transport hazardous materials.

If the need arises to call the Fire Department or other outside emergency response personnel, University Police will contact the Office of University Relations and Dean of Student Life, if students are endangered. The Safety Officer or the Dean of Student Life will contact the appropriate vice president, appropriate dean, director or department head, and the Office of Purchasing (Risk Management).

### 5.15.2.3 Bomb Threat or Bomb Occurrence

In the Fall of 1994, the University implemented a comprehensive bomb threat policy. The policy is designed to initiate a timely and effective response to bomb threats and the evacuation of personnel quickly and safely if deemed necessary. This policy establishes an emergency preparedness plan that protects faculty, staff, students, and visitors to the campus in the event of a bomb threat. For the purposes of this plan, the Director of University Police and the Director of Safety or their designee will be the specific individuals constituting a "Command Group" and will command the "Emergency Management Team."

The Emergency Management Team consists of the Police Director, the University Safety Officer, the Controller, and the Assistant Director of Physical Plant Operations. Special Emergency Response teams will also be activated in each building during bomb threat situations. These building-level teams consist of University Vice-Presidents, deans, directors, department heads, supervisors, secretaries, dormitory house directors and resident assistants, janitors, alternates, University Health Services personnel, Physical Plant personnel and others "deemed necessary by the Management Team."
Faculty and staff should be aware of the importance of reporting bomb threats. University Police must be notified of a bomb threat immediately by calling the department’s emergency number at extension 4911. University Police will contact the Fire Department; Campus Bomb–Threat Team, Office of Maintenance, Safety Officer, Office of University Relations, Office of Student Life, if in a classroom or residential building.

Either the Safety Officer or the Dean of Student Life will contact the appropriate vice president, appropriate dean, director or department head. In case of actual bombing, the Safety Officer or the Dean of Student Life will call the Purchasing Department (Risk Management). The on-call counseling response team staff member will be notified after the situation is stabilized.

The following information is an excerpt from the Emergency Plan for Bomb Threats.

Phase 1 – Bomb Threat Alert
Some of the members of the Emergency Response Team may be activated to aid in implementation of appropriate bomb threat procedures depending on the severity of the situation. This may include (a) inspection search of the perimeter and interior of the building, (b) notification to departments and personnel of a threat alert, (c) partial evacuation, (d) complete evacuation, (e) movement of personnel and crowd control, (f) monitoring endangered areas, (g) communicating with external sources, (h) assisting in recovery actions, or (j) resumption of University activities.

Once a bomb threat is received, a color code system will be implemented. Members of the Emergency Response Team will notify all personnel in the affected area that a bomb threat has been received by showing a red placard to the supervisors of offices and classrooms of the building(s) affected.

The supervisor of the office or classroom will then read from a pre-printed blue placard notifying occupants that a bomb threat has been received and that a bomb threat alert is officially in place. Occupants then will have the choice to stay where they are or evacuate.

Phase 2 – Initiating a Building Search
In each case of a bomb threat, a building search will be conducted. The Emergency Management Team will coordinate this search with the assistance of selected members of the Emergency Response Team. All areas of the building will be searched, including the outside perimeter of the building. The Emergency Management Team will supervise the search and be kept abreast of the status and results of the search.

Phase 3 – Initiating Partial or Complete Evacuation
Communications: All instructions for partial or complete evacuation will be communicated from one of the members of the Emergency Management Team to members of the Emergency Response Team.

If the order to evacuate is given, immediately implement a complete evacuation in an orderly, directed manner to prevent confusion or panic. All personnel will be directed to specific exits of the building and be asked to move and stay at least 300 feet from the building.

Complete Evacuation: All occupants of the building are instructed to evacuate to appropriate gathering places away from the building.

Partial Evacuation: Occupants of a specific floor, floors or an area are instructed to evacuate to an appropriate gathering place away from the building.
The Emergency Plan for Bomb Threats will be strategically placed in each department for quick reference. All personnel are to become thoroughly familiar with the procedures and should review them periodically.

5.15.2.4 Fire Alarm
University Police will be contacted (4911), and dispatcher will call Fire Department. If the Fire Department is contacted directly, bypassing University Police, the Thibodaux Police Department will contact University Police.

The University Police will contact:
- Duty chief;
- Safety Officer;
- Dean of Student Life, if in residential areas;
- Office of University Relations (leave message in office).

Whenever there is an actual fire, University Police will also contact:
- the Office of Maintenance, as directed by the Safety Officer or University Police Chief;
- Dean of Student Life, if in a residence hall or classroom building;
- Office of University Relations.

For an actual fire, the Safety Officer or the Dean of Student Life will contact the appropriate vice president, the appropriate dean, director or department head, and the Office of Purchasing. After the situation is stabilized, the on-call counseling response team staff member will be notified.

5.15.2.5 Gas Leaks, Electrical Emergencies, Broken Pipes, and Individual Building Power Outages
University Police will be contacted (4911), and dispatcher will call duty chief. University Police will contact:
- Office of Maintenance;
- Safety Officer.
- Dean of Student Life, if residential or classroom facilities are affected.

Office of Maintenance and Safety Officer will determine the need to call other emergency response personnel. If the need arises to call outside emergency response personnel, University Police will contact Office of University Relations.

The Safety Officer or the Dean of Student Life will contact the appropriate vice president, appropriate dean, director or department head, and the Office of Purchasing (Risk Management).

5.15.2.6 Power Outages, Water Problems, etc. Affecting More Than One Building or Campus-wide
University Police will be contacted (4911), and dispatcher will call duty chief. University Police will contact:
- Office of Maintenance;
- Safety Officer;
- Dean of Student Life;
- Office of University Relations.

The Office of Maintenance and the Safety Officer will determine the need to call other outside emergency response personnel.
The Safety Officer or the Dean of Student Life will contact the appropriate vice president, appropriate dean, director or department head, and the Office of Purchasing (Risk Management).

### 5.15.2.7 On–Campus Vehicular Accidents (with or without injury)
University Police will be contacted (4911), and dispatcher will call duty chief. University Police will contact:
- if needed, outside emergency response personnel;
- Safety Officer;
- Dean of Student Life, if students are involved;
- Office of University Relations, when there is injury to person.

The Safety Officer will determine the need to call Maintenance or other on–campus response personnel.

The Safety Officer or the Dean of Student Life will contact the appropriate vice president, appropriate dean, director or department head, and the Office of Purchasing (Risk Management).

### 5.15.2.8 Off–Campus Vehicular Problems (University travel, accident, or breakdown while in university travel status)
University Police will be contacted at 448–4911, and dispatcher will call duty chief. University Police will contact:
- Dean of Student Life, if students are involved;
- Office of University Relations (all accidents, as well as breakdowns of vans and buses);
- Office of Maintenance, if a University vehicle;
- Director of Athletics, if an athletics team is involved;
- appropriate academic dean, for field trips.

The Office of Maintenance will contact the Office of Purchasing (Risk Management) for insurance purposes, and the Office of the Controller or the Office of Purchasing, as needed, for appropriate approval of repairs, vehicle rental, emergency accommodations, etc.

The Director of Athletics will contact the parents of athletes, if necessary. The Academic Dean will contact the parents of students on a field trip, if necessary. The Dean of Student Life will contact parents of students not covered by above, if necessary.

Dean of Student Life, Director of Athletics, or appropriate academic dean, depending on who is involved, will contact the appropriate vice president.

### 5.15.2.9 Illness (life threatening or requiring transport to hospital)
University Police will be contacted (4911), and dispatcher will call duty chief. University Police will contact:
- required emergency medical personnel (ambulance if necessary);
- Dean of Student Life, if student is involved, and Department of Human Resources, if an employee is involved;
- Office of University Relations.

The Dean of Student Life or the Department of Human Resources will contact the appropriate vice president, and family members where appropriate.

### 5.15.2.10 On–Campus Injury, Including Battery
University Police will be contacted (4911), and dispatcher will call duty chief. University Police will contact:
• required emergency medical personnel (ambulance if necessary);
• Dean of Student Life if students involved, or Department of Human Resources, if employees involved;
• Safety Officer, who will call clean-up crew where blood or other dangerous situation exists.

If injury is life threatening or requires transport to the hospital, or if a battery results in arrest, call Office of University Relations.

The Dean of Student Life or the Department of Human Resources will contact the appropriate vice president, the Office of Purchasing (Risk Management), the on-call counseling response team staff after the situation is stabilized, and family members as appropriate.

5.15.2.11 Sexual Assault, on-campus and at Campus-Related Events

University Police will be contacted (4911), and dispatcher will call duty chief. University Police will contact:
• emergency medical response personnel, if needed;
• Duty Chief will call central Coroner’s phone number for Lafourche Parish to find out to which facility the victim must be taken for the examination; if the rape occurred in another parish, the facility indicated by the Coroner of that parish must be contacted.
• female officer or other female staff member to accompany police (see sexual assault protocol);
• Student Life staff person, if victim is a student; Department of Human Resources if an employee;
• Director of University Counseling Center.

The Dean of Student Life or Department of Human Resources will contact the appropriate vice president, the Office of University Relations, and family members if requested by the victim.

University Police will contact the Office of Purchasing (Risk Management) as soon as the situation is stabilized.

5.15.2.12 Suicide and Other Incidents Resulting in Death, On-Campus and Off-Campus

University Police will be contacted (4911), and dispatcher will call duty chief. University Police will contact:
• Dean of Student Life, if students involved;
• Department of Human Resources, if employees involved; Safety Officer and clean-up crew, where blood or other dangerous situations exist (on-campus);
• Office of University Relations;
• Director of UCC.

The duty chief on call will determine the need to contact city, parish or other off-campus emergency agencies.

After the situation is stabilized, the UCC Director will determine the need for further counseling services, and will contact other counselors if the need is indicated.

The Dean of Student Life or the Director of Human Resources will contact the appropriate Vice President and the Office of Purchasing (Risk Management). The Vice President contacts the President and asks instructions on who will contact the victim’s family.
5.15.2.13 Severe Emotional Crisis/Attempted Suicide, On-Campus
University Police will be contacted (4911), and dispatcher will call duty chief. University Police will contact:

- emergency medical personnel, when necessary;
- Thibodaux Regional Medical Center;
- Dean of Student Life, if a student; Department of Human Resources, if an employee;
- Director of University Counseling Center;
- Custodian of building in which victim was found;
- Safety Officer, where either blood or another dangerous condition is present;
- Office of University Relations.

Dean of Student Life or the Department of Human Resources will contact the appropriate vice president.

The Dean of Student Life, the Department of Human Resources, the UCC counselor, or the emergency room physician will contact the student's or employee's family.

After the situation has been stabilized, the Director of the UCC will determine whether the UCC services are required further, either for the person involved or for those who came into contact with the person, and will contact those persons as required.

5.15.2.14 Arrests
University Police will contact the following if the arrest occurs on campus or involves a member of the Nicholls community:

- Office of University Relations;
- Dean of Student Life, if a student; Department of Human Resources, if an employee.

Dean of Student Life or the Department of Human Resources will contact the appropriate vice president, who will contact the President. If requested by a student who was arrested, the Dean of Student Life will contact family members.

5.15.2.15 Serious Off-Campus Incidents
When a serious off-campus injury is brought to the attention of University Police, University Police will

- Follow procedures appropriate to the incident
- Collaborate with the appropriate jurisdictional authority
- Contact University Relations.

5.15.3 Responding to the Death of a Faculty Member, Staff Member, or Retiree
The death of a faculty member, staff member, or retiree requires responses from a number of University offices to assure that the deceased employee’s interest, and those of his or her family and loved ones, are respected and protected.

Any person in the Nicholls community who initially learns of the death of a faculty member, staff member, or retiree should notify the Office of Human Resources. The Director of Human Resources, or a designated representative of Human Resources, upon receipt of such notification will be responsible for ensuring that procedures are followed. These procedures are detailed on the Human Resources policies website.
Chapter 5: General Policies Related to the University

5.16 Crime Prevention and Law Enforcement

Nicholls State University is committed to providing a safe and drug-free campus. In addition to policies regarding drug-free workplace and school zone (Section 5.3.7), the university has several policies in place for preventing crime and enforcing the law. See also the description of the university Safety Committee (Section 5.16.1)

5.16.1 Crime Monitoring

The University Police officers are responsible for vehicle traffic control and law enforcement on campus. The campus is patrolled by police commissioned law enforcement officers 24 hours each day of the year. The officers are commissioned by the city of Thibodaux, Parish of Lafourche, and Department of Public Safety. Louisiana Revised Statutes 17: 1805 grants University Police officers law enforcement powers, authority, and responsibilities identical to the local police or parish deputy in one's home community. Each officer must successfully complete a certified basic course on law enforcement.

All officers receive additional in-service or specialized training in first aid, C.P.R., firearms, investigation techniques, etc. Campus police officers are responsible for a full range of police services including but not limited to responding to service calls, medical emergencies, fire emergencies, traffic accidents, and any requests requiring police assistance. Crime information or investigations involving serious incidents are shared with the Thibodaux Police Department and the Lafourche Parish Sheriff's Office.

Nicholls State University operates under a two-tiered system of sanctions. When a student is brought in to University Police in association with a crime which is also a violation of the Code of Student Conduct, he or she will be referred to the Dean of Student Life and may also have criminal charges brought against him or her. Thus, the final results of a student's association with any criminal activity may be suspension or expulsion, as well as arrest. Further, the Dean of Student Life may officially ban a student from the campus or from specific parts of the campus, including residence halls.

5.16.1.1 S.A.F.E. Program

University Police is assisted by the S.A.F.E. Program. (Students Achieving a Friendly Environment). This is a program through which student officers assist both the University Police and university staff in providing a safe and crime-free environment. Students may become S.A.F.E. officers by applying through University Police to the University student employment office. Applications may be obtained at the University Police Station. Applicants must possess a GPA of at 2.00, should have completed at least 24 hours of credit, and must be currently enrolled at Nicholls State University.

The responsibilities of the S.A.F.E. officers include, but are not limited to, the following:

- maintaining a peaceful, orderly learning environment
- alerting University Police to potential problems
- monitoring residence hall activities
- security for special events

The S.A.F.E. officers are equipped with two-way radios and flashlights. They are uniformed, but do not carry weapons on their person.

5.16.1.2 Monitoring Off-Campus Student Organizations Activities

The Thibodaux Police Department advises the University Police of crimes that occur at recognized student organization dwellings which are located in the city of Thibodaux. The Code of Student Conduct applies to student organizations on and off campus. Student organizations...
found to be in violation may be suspended by the University, pending the organization's appearance before the Student Organizations Committee or Discipline Committee.

5.16.1.3 Facility Access/Security

Most university facilities are open to the public during the day and evening hours when classes are in session. During the times when the university buildings are generally closed, only faculty and staff members are allowed entry. With proper authorization, students will be allowed access to certain buildings. Whenever a faculty or staff member plans to be in a closed building after hours, he or she must notify campus police of that fact.

During evening classes, a university police officer patrols the academic buildings. This officer is in direct radio contact with the University Police radio dispatcher and other officers. The exterior doors to the campus buildings are checked regularly throughout the night for security by university employees and/or by a member of the University Police Department. Faculty, staff and students are warned never to leave any exterior door partially open.

The Maintenance and Greenhouse/ Grounds Departments maintain the university buildings and grounds. Safety inspections are conducted on a regular basis. If a hazard exists, corrections are made in a timely manner to meet accepted and approved standards. For example, hedges are kept trimmed and dark areas of the campus are lighted. Campus police assist the Greenhouse and Maintenance Departments by reporting potential safety and security hazards. Students, faculty, and staff are encouraged to report any safety or security hazard, such as exterior doors that are propped open, dimly lighted areas, etc., by dialing 448–4746 (on campus 4746).

5.16.1.4 University Housing

All residence halls at Nicholls are coordinated by house directors. The house directors live in the residence halls and provide supervision for the residence hall program. In addition to the house director, each residence hall is staffed with resident assistants on each floor.

Residence hall desk/lobby areas are staffed with personnel 24 hours a day except in extenuating circumstances during which the entrance areas are locked. The Office of Residential Services and the University Police provide educational programs for the residents on personal safety and security. Each resident must take an active role in the residence hall program by reporting all problems to the residence hall staff and University Police, and by observing the rules of personal safety at all times.

5.16.1.5 Additional Monitoring/Crime Prevention Services

Campus Police also provides free bicycle registration upon request. Bike registration will provide the police with the owner's name and bike description in case of bicycle theft. Students living in dormitories may have their valuable possessions marked in order to make them identifiable in case of theft. An escort service by University Police is available from dusk to dawn for anyone walking alone on campus at night. This service is available between 6 p.m. and 6 a.m. each day. Information on the service is available by dialing 448–4746 (on campus 4746).

5.16.2 Crime Reporting

Emergency calls or requests for police service are initiated through the complaint desk at 448–4911 (on campus 4911) or by reporting to the office location on Ardoyne Drive at its intersection with Madewood Drive. Non-emergency calls or requests for police service are initiated by dialing 448–4746 (on–campus 4746) or by reporting directly to the police office.

Depending on the seriousness and nature of the emergency condition, the appropriate University office will be notified, or the problem will be addressed directly by the police officer investigating it, if it is within his or her jurisdiction to do so.
Emergency call boxes provided by the Student Government Association have been installed at strategic locations on campus. The installation of these emergency telephones creates a communication network with campus police for instant assistance or reporting of a crime.

5.16.2.1 On Campus Crime Reporting
Students are encouraged to report all criminal activity which they have witnessed or in which they have been involved. They may report to any officer, dispatcher, the Chief or Assistant Chief of University Police. They may also report to persons who have significant responsibility for student and campus activities as listed on the University Police website.

These officials will report the incident immediately to the University police, which will investigate the report sufficiently to conclude that a crime either did or did not occur. If University Police concludes that a crime took place, it will publish a report of that crime in two ways: 1) an initial crime report available to the media and the public in the Daily Crime Log, maintained by the Office of University Police; 2) a “Crime Alert” bulletin posted widely and circulated by on-campus FAX machines and internal mail to all departments.

5.16.2.2 Off Campus Crime Reporting
The Thibodaux Police Department regularly reports to the University Police when a Nicholls student is involved in a criminal activity off campus. If the student involved in that activity poses a threat of immediate harm to the campus community by his or her return to campus, the Nicholls disciplinary authority may take pre-emptive action against the student.

5.16.2.3 Crime Statistics
Nicholls State University Police Department submits monthly crime reports to the Federal Bureau of Investigation, U.S. Department of Justice and the Board of Supervisors for the University of Louisiana System. The Code for Student Conduct the number of crimes and arrests for the most recent three calendar years on the Nicholls campus and on property controlled by Nicholls student organizations.
Appendix A. Gift Acceptance Policies and Procedures

Nicholls State University, as a member of the University of Louisiana System, depends on private sector support to achieve its desired levels of excellence in all areas. Contributions from individuals, foundations, corporations and other entities are critical to the fulfillment of the university’s mission of offering high-quality educational opportunities to meet the unique geographic and multicultural needs of south central Louisiana and beyond.

The President of the University has the ultimate responsibility for all fundraising activities. Activities associated with this responsibility are delegated to the Vice President of Institutional Advancement and to the Director of Development as per the president’s direction.

The following policies and procedures are set forth: (a) to define the working rules for accepting various types of donations to the University, (b) to protect the university, its administration, staff and volunteers, and (c) to better inform the university’s advisers, donors and prospective donors. These guidelines also are designed to outline administrative processes associated with the acceptance of gifts processed or administered by the Office of Development for Nicholls State University. Furthermore, these policies and procedures will facilitate the university’s voluntary compliance with Management and Reporting Standards as promulgated by the Council for the Advancement and Support of Education (CASE).

All organizations affiliated with Nicholls State University agree to abide by these same policies and procedures.

These guidelines are to ensure that staff members are able to function in a timely, effective and professional manner in the context of institutions that are engaged in energetic and comprehensive fundraising efforts. When these guidelines do not indicate an appropriate course of action or if they are inappropriate in light of all aspects of a specific situation, staff members are directed to consult with the Director of Development or his/her designated representative to establish an appropriate course of action.

It is the general policy of Nicholls State University (1) to offer diverse opportunities for gift support of the university, (2) to communicate such opportunities to constituents on a regular basis, and (3) to provide resources for a full and effective development program for the benefit of both the donors and the university.

The Office of Development is the clearinghouse for the fundraising activities of the University, and as such, it is the designated repository of all gift information to the university.

It shall be the responsibility of the Office of Development and its staff, under the direction of the Vice President for Institutional Advancement of the university:

- To maintain and increase financial support for the university;
- To develop and propose plans for a comprehensive development program, including annual fund, capital and planned giving efforts;
Appendix A: Gift Acceptance

Nicholls Policy & Procedure Manual

- To advise senior staff and volunteers of matters relating to the cultivation, solicitation and acceptance of gifts and grants in support of the university;
- To inform, serve, guide and assist the university’s constituents in fulfilling their family, financial and philanthropic objectives;
- To coordinate all such fundraising efforts as may involve the several constituencies (foundation board and members, senior staff, faculty and staff, alumni, friends, corporations, foundations, etc.) of the university by matching donor interests with specific funding opportunities so that prospects and donors are not solicited by multiple individuals on behalf of the university;
- To maintain an accurate database of all donors (individuals and organizations), including biographical information and gift history;
- To prepare necessary documentation to complete voluntary reporting for the Council for the Advancement and Support of Education (CASE) and for the Council for Aid to Education (CAE) Voluntary Support of Education (VSE) survey purposes;
- To undertake research on prospects and donors so as to identify donor interests and to maintain confidentiality with regard to research findings and donor records;
- To report regularly to the President, Vice President for Institutional Advancement and senior staff regarding gifts, grants, pledges and planned gift commitments received by the university.

All gifts to the university should be directed through the Office of Institutional Advancement to the Office of Development unless these policies direct otherwise, where they will be accepted, acknowledged and administered in accordance with the policies of the university.

No solicitation of gifts, funds or real property for the benefit of the university shall be made by anyone without the approval of the Vice President for Institutional Advancement, as designated by the President of the university, or his/her designated representatives.

A.1. Responsibility to Donors

All development officers and staff shall make reasonable efforts to be aware of and be sensitive to the donor’s expectations. All conversations, discussions, records, etc. a donor may have with the university and the Office of Development will be treated with the utmost confidentiality. The President of the university specifically directs access to donor information on a need-to-know basis only.

Nicholls welcomes expressions of interest and financial support, regardless of size or form, from any individual, business, corporation, foundation or similar source. The Office of Development staff and campaign volunteers are available to meet with any prospective donor(s) and their financial advisers, without obligation, to discuss areas of interest, the plans of the university, types of gift commitments, options for payment, estate planning and the tax planning consequences of a possible gift commitment so as to provide every possible assistance to a prospective donor.

The development staff shall advise all prospective donors in writing to seek legal and/or tax advice from their own counsel and professional consultants. University representatives should be knowledgeable about gifts and should disclose to the donor advantages and disadvantages that could reasonably be expected to influence the decision of the donor in making a gift to the university.
In particular, planned giving items that may have adverse tax implications to the donor or are subject to variability (such as market value and income payments) should be discussed fully.

While representatives of Nicholls will provide all appropriate assistance, the ultimate responsibility regarding asset evaluations, tax deductibility and/or similar federal, state and/or local legal compliance issues rests with the donor(s) and/or with such legal and financial advisers as the donor(s) shall secure. All donors should have competent legal and financial advisers, and representatives of the university shall always recommend that potential donors seek such assistance.

The university will not knowingly seek nor accept any commitment regardless of size, designation or other condition, which it believes is not in the potential donor’s best interest.

The university will not furnish property appraisals or valuations of real or personal property to the donors for tax purposes or any other purpose. The university will not knowingly participate in a transaction in which the value of a gift is inflated above its true fair market value to obtain a tax advantage for a donor.

To assure that philanthropy on behalf of Nicholls merits the respect and trust of the general public and that of donors, we bear other responsibilities to donors, including but not be limited to the following:

- To inform donors of the university’s mission, of the way it intends to use donated resources, and of its capacity to use such donations effectively for their intended purposes.
- To assure that donors remain informed of the university’s administration and senior staffing personnel, and that donor(s) can expect these administrators to exercise prudent judgment in their stewardship responsibilities.
- To assure donors that their gifts will be used only for the purposes for which they were intended.
- To assure donors that they will receive appropriate prompt acknowledgment and proper recognition of gifts to the university.
- To assure donors that the information about their donations is handled with respect and with confidentiality.
- To assure donors requesting anonymity that they shall remain as such and not have their names appear on “Honor Rolls” or other recognition programs.
- To assure donors that their names and addresses and other personal information shall remain confidential and not be shared outside of the Office of Development except on a need-to-know basis to further the objectives of the university’s Advancement Services.
- To assure donors that they may expect to receive prompt, truthful and forthright answers to questions about a possible donation, and that all will treat them in a professional manner who represent Nicholls State University.

Many contributions to annual fund, capital campaign and other appeals will be “unrestricted” in nature. However, any donor has the option to “restrict” some or all of his/her gift to any particular fund.
Nicholls State University adheres to the CASE Statement of Ethics, as adopted July 1982, and the Association of Fundraising Professionals (AFP) Donor Bill of Rights, as adopted November 1993.

A.2. Acknowledgement and Acceptance of Gifts

It shall be the primary responsibility of the Office of Development to receive, acknowledge, receipt and record all gifts on behalf of the university. The Office of Development is further responsible for notifying other offices of which gifts they should acknowledge and for notifying the President of the university of all gifts of $1,000 or more. Development’s recording of the gift in the Office of Development’s database does not involve university financial records.

Unless otherwise directed by the Director of Development, all gifts, including cash, checks, pledges or other assets, shall first be directed to the Office of Development for recording into a database in order to develop a single, comprehensive repository of all such gifts. The Office of Development shall maintain said database to facilitate voluntary reporting each year based on the Council for the Advancement and Support of Education (CASE) Management and Reporting Standards.

To wit:

A. All such donations of cash, pledges to give cash or other assets, tangible or real assets, etc., will be entered as a gift by the Office of Development based on the value of the gift on the date it is relinquished to the university, as detailed below and as further explained later in this policy statement.

B. Gifts by check shall be recorded as given as per the date on the check. Gifts in foreign currencies shall be valued at the exchange rate in effect on the date of the gift.

C. Gifts by credit card are recorded in the same manner as cash or check and should be recorded only after the university has received authorization for the charge from the credit card agency, the date of such authorization being the date of the gift; the face value of the donation will be recorded for the donor, and any fees imposed by card issuing companies will be borne by the university as administrative expenses.

D. Matching gifts made by businesses that match the voluntary contributions of employees must be counted as coming from the business or organization that made the payment rather than from the individual whose gift was matched; in such cases, the individual will receive soft credit for the matching gift.

E. Gifts from various individuals and organizations will be credited to various constituency groups for reporting purposes, such as alumni, parents of students/parents of alumni, faculty/staff, foundations, corporations, etc. Because of VSE reporting requirements, the alum constituency takes precedence over others:

- When an alumnus(a) who is married to a non-alumnus(a) makes a gift and the gift is via a joint account, the alumnus(a) receives legal credit, and the spouse receives an equal amount of soft credit.
- When a gift is made by an alumnus(a) who is married to an alumna(us), and the gift is via a joint account, each graduate is credited with one-half the gift as hard credit and one-half the gift as soft credit; the two records should then be linked.
• The principal or owner of a business, in which an individual plays an instrumental role in helping the university receive the gift from that corporation, will receive a soft credit for the donation; the business still receives the primary credit as the legal donor.

• Gifts from family and personal foundations are counted as foundation (not individual) gifts; any and all related family members, to the extent these are known, may receive soft credit for gifts made by the foundation.

F. Insofar as annual fund gifts are those considered for current operations, gifts may be unrestricted, including matching gifts:

• In cases where a donor expresses a preference but leaves the decision to the university, the gift will be recorded and reported as unrestricted.

• Gifts for current operations that have been restricted by the donor for a specific purpose, such as to a particular academic college or department, for student financial aid and scholarships, etc., will be recorded and reported as restricted (note: gifts to a specific college or department, including athletics, which are directed for scholarships, should be recorded and reported as “student scholarships and financial aid”).

G. Pledges and other promises to give are to be counted and reported (Conditional pledges, which place requirements on the university to perform some task or take some sort of action it might not otherwise initiate, are not considered gifts and are not to be recorded until the asset is actually transferred.)

• Pledges are recorded as such over the period of time agreed upon. The type of pledge is recorded as a gift sub-type in the Office of Development database.

• Only oral pledges may be made through an authorized telethon or phonathon campaign or program are to be counted and reported; this assumes a form of confirmation notice is mailed to the donor immediately following the solicitation period.

• Written pledges of a donor’s assets should be documented, committing to a specific dollar amount that will be paid according to a fixed time schedule.

• In the case of faculty, pledge payments may be, at their option, deducted from nine monthly pay periods each year for multi-year pledges; for staff, pledge payments may be, at their option, deducted from 26 pay periods each year for multi-year pledges.

• Pledges from individuals and organizations apart from the university are entered as promised, and the Office of Development shall send reminder notices at least 30 days in advance of pledge payment due dates.

• The Office of Development shall conduct a review of all open pledges at least annually to ascertain their viability and the likelihood of their fulfillment.

• Annual fund pledges not completed during the fiscal year of the annual fund campaign should be written off since the purpose of the annual fund is to generate operating support for a specific fiscal year.

• For delinquent non-annual fund pledges, the Office of Development will write off those uncollectible pledges judged to lack viability or likelihood of fulfillment. This practice should occur prior to the close of each fiscal year.

H. For non-cash gifts valued at $500 or more, the university will complete IRS Form 8282 and provide a copy to the donor. Additionally, in the cover letter, the university will advise such donors that they may be required to file IRS Form 8283, which would require donor to send the completed form to the university for its acceptance (Part IV); the university will return the form to the donor for his/her filing with the IRS.
The Office of Development shall coordinate with the Property Control office in all matters regarding the donation of movable equipment in order to comply with requirements of the Property Control section of the Purchasing Manual regarding donations of equipment.

Non-cash gifts valued at more than $5,000 also require Section B – Appraisal Summary to be completed by the donor on Form 8283, page 2.

I. For CASE and CAE reporting purposes, contributed services are not considered gifts to be recorded in fundraising totals. However, under FASB guidelines, the value of contributed professional services, for a service for which the university would have otherwise had to pay, shall be identified and tracked since these are considered gifts under FASB.

In the case of certain fundraising events and activities, such as scholarship dinners (e.g., “Bite of the Arts”), silent and live auctions, department-specific fundraising activities, university or athletic booster organizations, or non-endowed scholarships, the Director of Development may direct the appropriate offices to receive, record and acknowledge these gifts under procedures outlined in the Gift Acceptance Policy Addendum A.

Raffles, in accordance with IRS regulations, result in an opportunity to win a prize, and any such payments may not be considered a tax-deductible gift to the university. Likewise, no such payments are counted as gifts for CASE and CAE purposes. (Any raffle conducted by any college, department or university-affiliated organization shall be done in accordance with state laws of Louisiana and with proper licensing.)

Other considerations:

Commitments and/or payments to Nicholls State University may take the form of one, or a combination, of the following:

- Cash
- Multi-year pledges
- Appreciated securities or other personal assets
- Real or personal property
- Deferred or planned gifts, including:
  - Trusts
  - Annuities
  - Insurance policies
  - Bequest intentions
  - Bargain sales
  - Gifts of residence with or without a retained life interest.

Appropriate university representatives, as authorized by the president of the university, reserve the right to accept (or, in cases where absolutely necessary, to decline) any commitment that is offered to the university. They also reserve the right to determine how any commitment will be credited and/or how such commitments will be recognized.

Gifts shall be valued on the date of the donor(s) relinquished control of the assets in favor of the university. In cases where gifts are made in cash, by check or pledges of cash or check, the following guidelines will be observed:
A donor may not retain any implicit control over a gift after acceptance by the university. A donor may certainly suggest or restrict the gift to a particular area of the university. For a gift to be considered a gift, no further involvement on the part of the donor is appropriate upon gift acceptance.

In the case of a scholarship fund, the donor may be a member of the selection committee as long as he does not control more than 49 percent of the allotted votes. The university should seek legal counsel to ensure no possible control position exists, perhaps by virtue of a donor’s ability to make additional gifts, before permitting a donor to serve on a selection committee.

In cases where gifts are made with assets other than cash, the following guidelines will be observed:

A. The university may accept gifts of stocks, bonds, or other publicly traded securities.

B. Gifts of publicly traded securities may be accepted either by the university or, on behalf of the university, by the appropriate affiliated organization and receipted at the average of the high- and low-market value on the date the donor relinquished control of the asset in favor of the university or by other valuation techniques approved by the IRS. The amount received from the sale of a non-cash gift may be more or less than the value of the gift. [For example, a donor gives a gift of stock valued at $10,000. The stock is sold for net proceeds of $9,500 (after a sales commission). The donor is credited with a $10,000 gift, even though the net proceeds are less.]

C. Gifts of closely held stock will not be accepted by the university.

D. Outright gifts of real estate, bargain sales and/or partnerships will be credited, recognized and/or commemorated at fair market value at the time the asset is transferred to the university, less any encumbrances. The fair market value of real property shall be determined by an independent, qualified appraiser paid for by the donor. Appropriate environmental hazard appraisals are also required and are to be paid for by the donor. The university will not accept a gift of real property without a Level 1 Environmental Assessment, as required by the Office of Facility Planning & Control.

E. Gifts of real estate must be accepted by the university in accordance with statutory requirements governing the university’s acquisition of real property. The University of Louisiana System Board requires its approval prior to accepting gifts of real estate.

F. Outright gifts of hard-to-value assets such as mineral rights or limited partnerships will be credited at $1, and additional credit will be given as the proceeds are received.

G. Outright gifts of tangible personal property for which donors qualify for a charitable gift deduction under current IRS rules will be credited, recognized and/or commemorated at the appraised value of the property at the time it is transferred to the university, less any encumbrances. In accordance with state regulation, gifts of tangible personal property or movable property cannot be sold or given away by the university. Tangible gifts may consist of, but not be limited to, personal collections of books, art, coins or movies; cars, boats and aircraft; animals, such as livestock for a veterinary program or horses for an
equestrian program; securities; equipment; software; printed materials; food or other items used for hosting dinners; gas or oil wells.

H. Other guidelines or consideration in connection with the gifts of tangible property are these:

- Generally, the university’s acceptance of such gifts cannot involve significant additional expense to the university for their present or future use, insurance, maintenance or administration.
- Generally, no burdensome financial or other obligation shall be incurred by the university, directly or indirectly, as a result of its acceptance of such gifts.
- Gifts of personal property (jewelry, antiques, paintings, rare books, etc.) exceeding $5,000 in value shall be reported at the fair market value place on them by an independent, expert appraiser at the time the donor relinquishes control in favor of the university. Gifts valued at less than $5,000 may be reported at the value declared by the donor or a qualified on-campus expert (e.g., a librarian who can validate the value of rare books).
- The university will not accept gifts of tangible property if such gifts are made on the condition, understanding or expectation that the gifted items will be loaned to the donor or to persons designated by the donor for life or for an extended period of time as determined by the donor.
- Electronic/computer equipment items valued at $250 - $999, and moveable property valued at $1,000 or more must be tagged by the Property Control Office.

Intangible (intellectual) property is that produced through creativity and innovation, including but not limited to patents, computer software under development, and copyrights of cultural, artistic and literary works. If fair market value of intellectual property is not known and cannot be readily determined, the university will report the asset in the year the value becomes known.

Gifts of royalties from property that the university does not own should be counted and reported at such time as payment is received. No pledge should be entered in anticipation of such payments as there is no guarantee of the amount or the continuation of an income stream. Royalties from vendor affinity agreements, such as alumni credit card programs, are exchange transactions and are not countable.

I. Fully paid up or otherwise vested whole life insurance policies, for which the university is both owner and sole beneficiary, will be credited and recorded as “future” expectancies of the university at the unrealized death benefit (face or cash surrender value) of the policy in cases in which the insured is age 65 or older, and at the replacement value for donors younger than 65.

A.3. Policies Pertaining to Named Endowment Funds

A. For the purposes of this policy statement, “endowment fund” shall refer to any fund, or any part thereof, not wholly expendable by the university on a current basis under the terms of the applicable gift instrument. All endowments
must be reviewed and approved by the Office of Institutional Advancement in accordance with policies of the University of Louisiana System.

Endowment funds are invested according to the policies of the system.

B. Endowment gifts may be used to establish a special endowment fund or may be added to an existing endowment fund. New endowments shall not be created with accumulated distributions from existing permanent endowments.

C. Persons interested in establishing a named endowment fund are encouraged to consult with the Director of Development prior to making the gift so that the donor’s intentions are appropriately established in writing. Negotiation of any named endowment agreement on behalf of the university shall be done over the signature, and with the full knowledge of, the president of the university.

In designating an endowment gift for a specific purpose, the donor is encouraged a) to describe that purpose as broadly as possible, b) to avoid detailed limitations and restrictions, and c) to provide a clause granting the university maximum flexibility to make use of designated funds in a manner most consistent with the intent of the donor and with the interests of the university should programmatic or other developments make it impossible to apply the endowment proceeds to the purpose for which it is designated originally.

D. Gifts for endowment funds for specific purposes must meet the minimum dollar requirements as established by the Board of Regents for endowed chairs and professorships and by the university for endowed scholarships. The principal amount of the original gift need not meet the minimum dollar requirement if the donor agrees to fully fund the endowment at the minimum dollar requirement with a specified and reasonable period of time.

Earnings from the endowment will be used to support the purposes of the endowment. At no time will principal be applied to support any of the purposes.

E. Minimum dollar requirements for endowed chairs, professorships and scholarships may be changed from time to time at the sole discretion of the Board of Regents and the university. Such action may be necessary so as to ensure that endowment proceeds are sufficient to fund the intended purposes of an endowment. Changes in the minimum dollar requirement shall not apply to endowed funds already established.

Current minimum dollar requirements for endowed chairs are set at $600,000 by the Board of Regents, which provides a matching gift of $400,000 from the Board of Regents Support Fund, to establish a $1 million endowed chair. The Board of Regents encourages proposals for a $2 million endowed chair, also matching at the same 60:40 ratio.

Current minimum dollar requirements for endowed professorships are set at $60,000 by the Board of Regents, which provides a matching gift of $40,000 from the Board of Regents Support Fund, to establish a $100,000 endowed professorship.
Endowed funds should be established with gifts of cash or irrevocable estate planning instruments.

Current minimum dollar requirements for endowed scholarships are set by the university at $10,000.

The required minimum funding for any endowment funds will be determined by the total value of gifts from donors and transfers of funds, valued as of the gift date or date of transfer, respectively. Reinvestment of endowment distributions may be used to determine the total funding value.

As an example, a donor contributes $20,000 a year for three years to establish a professorship with a total contribution value of $60,000. At the end of the three-year period, the value of the combined contribution may reach a market value of $65,000 due to capital appreciation. However, the contributed value remains at $60,000, (which is matched with $40,000 from the Board of Regents for a total endowment of $100,000).

Government matching gifts to complete endowments are not to be counted in fundraising totals. While such programs may encourage philanthropy, only philanthropy involves the disposition of privately held resources for the public good. As such, funds from governmental agencies (local, state, federal or foreign, including matching grants) are excluded for purposes of CASE and CAE reporting.

Endowed chairs and professorships will adhere to the policies of the Board of Regents, and endowed scholarships will adhere to the policies of the university.

A.4. Policies Pertaining to Non-Endowed Scholarships, Grants, and Other ‘In & Out’ Receipts

Non-endowed scholarships, typically referred to “in-and-out scholarships,” are indeed gifts to the university insofar as they are awarded to students on a competitive basis according to set criteria. Such current purpose gifts to the university for these scholarships shall be recorded by the Office of Development and included in CASE and CAE reports.

Grants are contributions to the university whether for unrestricted or restricted use, typically awarded from a corporation, foundation or other organization, and these are considered philanthropic in nature. This includes gifts for current operations restricted for scientific, technical and humanistic investigation. As such, grants to the university shall be recorded by the Office of Development.

As noted above, grants from governmental agencies are not considered gifts and as such are not to be included or recorded as gifts. This includes matching gifts for endowments.

Contracts for services are agreements between the university and another entity to provide an economic benefit for compensation and a quid pro quo exists; such exchange transactions are not recorded as gifts.

There are, however, many other practices, seminars, events, missions, etc., that constitute receipt of funds that are expended entirely or nearly entirely for the purpose of the receipt, and as such these are referred to as “in and out” funds.
Typically, these are registrations, ticketed events, banquets, luncheons, etc., for which the receipted money covers the cost of the event.

Some of these “in and out” purposes include but are not limited to these:

- Flower sales for graduation.
- Education, A&S and similar honors banquets or luncheons.
- International Film Club.
- Center for Women in Government banquets and posters.
- Retiree breakfasts.
- Fundraising for nursing missions.
- Free Enterprise Week registrations.
- College of Business Management Series and similar speaker programs.

(In should be noted, however, that business donations not tied to admissions, registrations, etc., such as donations to Free Enterprise Week and the Nursing Mission, and similar endeavors, are indeed donations to the university and as such are to be treated as outlined above.)

A.5. Glossary

**Administrative Approval Process** – The procedure for accepting gifts to be approved by the Director of Development or the Vice President for Institutional Advancement or his/her designee and which conform to university and Board of Regents’ policy.

**Board of Regents** - The governing body for higher education in Louisiana. It is composed of nine members who are appointed by the Governor and confirmed by the Senate. Terms are of six years each and staggered, with the terms of three members expiring on February 1 of odd-numbered years.

**Book Value** – As pertaining to an endowment, the book value is the original value of all gifts and contributions made to the endowment, as well as reinvestment of earnings and any realized gains or losses resulting from the sale of non-cash gifts.

**Charitable Lead Trust** – A trust in which distributions are paid to one or more qualified charities for a certain period of time, after which the charitable interest terminates and the trust remainder typically reverts to designated non-charitable beneficiaries.

**Charitable Remainder Trust** – A tax-exempt trust that provides for payment to non-charitable beneficiaries for life (or lives), or a term-of-years not to exceed 20 years, after which the trust remainder goes to one or more qualified charities.

**Closely-Held Stock** – A corporation the stock of which is held by a few shareholders, often the management or the members of a family. Some closely-held stock is publicly traded. Closely-held stock of a “closed corporation” is not publicly traded.

**Current Purpose Gifts** – Non-endowed gifts to be expended for the purposes designated by the donor.

**Deferred Gift Annuity** – A charitable gift annuity for which payments to the annuitant(s) begin more than one year after property is transferred to the charity. (See Gift Annuity.)
**Endowments Held and Administered by External Trustees** – Funds administered by a trustee other than the university, from which the university receives distributions, or from which the institution will receive distributions at a specified time. Examples of such trustees are banks, individuals, or other charitable entities.

**FASB** – Financial Accounting Standards Board.

**FMV** – Fair Market Value; e.g. in the case of a fundraising dinner, what a person would reasonably be expected to pay for such dinner in one of the area’s better restaurants.

**GASB** – Government Accounting Standards Board.

**Gift Annuity** – A charitable giving device by which a donor transfers money or other property to a qualified charity in exchange for guaranteed lifetime payments, the present value of which is less than the amount transferred.

**Gift Value** – The value of a gift at the time it is made. Gifts are valued in accordance with the provisions of the Internal Revenue Code and regulations thereunder.

**Intellectual Property** – Creations of the mind: inventions, literary and artistic works, symbols, names, images, and designs used in commerce. Intellectual property includes inventions, patents, trademarks, and copyrights.

**Limited Partnerships** – A limited partnership is an entity in which one or more persons, with unlimited liability (called General Partners) manage the partnership, while one or more other persons only contribute capital; these latter partners (called Limited Partners) have no right to participate in the management and operation of the business and assume no liability beyond the capital contributed.

**Market Value** – The price that an asset would bring in a market of willing buyers and willing sellers, in the ordinary course of trade.

**Mineral Interest in Real Property** – Rights to gas, oil, and other minerals, whether joined to or severed from the surface estate.

**Nicholls State University Foundation, Inc.** – A non-profit corporation established in 19XX to accept and manage gifts in support of Nicholls State University. The university is the beneficiary of the foundation, but the foundation functions independently under its own Board of Directors and pursues its own investment policies in the management of its portfolios.

**Permanent or True Endowment** – A fund created with gifts received from a donor with the restriction that the principal is not expendable. The gifts are invested in perpetuity and only the distributions are expended for the purposes designated by the donor.

**Quid Pro Quo** – The benefit one may receive by virtue of a donation or purchase of a ticket(s) to fundraising events; the actual donation would be the amount of
the money less the value (the quid pro quo) of the benefit, based on the fair market value of what one would likely pay for similar services.

*Surface Interest in Real Estate* – Any interest in the surface of real estate and improvements, and all other property interests that do not constitute the mineral estate.

*Term endowment* – Funds for which the donor has stipulated that the principal may be expended after a stated period or on the occurrence of a certain event.
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