

## Document II

### BOARD OF REGENTS' STATEMENT ON ACADEMIC FREEDOM, TENURE AND RESPONSIBILITY

#### Introduction

This statement establishes and defines a uniform, statewide policy on academic freedom, tenure, and responsibility for the state's public colleges and universities, including their professional schools. These institutions are conducted for the common good, not for the separate interests of individuals. The Board of Regents supports academic freedom, tenure, and responsibility as a means of fostering the free search for truth and its free exposition. This statement, in its entirety, shall be published in each affected institution's faculty handbook, along with procedures for implementation of the policy prescribed by the respective management boards, and shall be distributed to each faculty member employed in each affected institution of higher education in Louisiana.

#### Academic Freedom

Academic freedom is the right of members of the academic community freely to study, discuss, investigate, teach, conduct research, and publish as appropriate to their respective roles and responsibilities. Because the common good depends upon the free search for and exposition of truth and understanding, full freedom in research and publication is essential, as is the freedom to discuss scholarly subjects in the classroom.

#### Academic Tenure

Academic tenure is not prerequisite to academic freedom, for academic freedom is the right of all members of the academic community. Rather, tenure is a specific condition of employment which is accorded to members of the academic community who have met the requirements for tenure. Furthermore, it is a means of making the teaching profession attractive to persons of ability and constitutes only one important protection for academic freedom.

The traditional protection afforded by tenure against unwarranted dismissal of teachers has validity. Tenure is not, nor should it be, a shield for mediocrity, incompetence, or academic irresponsibility. Tenure must be earned, not given.

The uniform minimum provisions for tenure adopted by the Board of Regents shall be adopted and implemented in all public colleges and universities, including their professional schools, in Louisiana. Any higher education management board may adopt more stringent requirements for awarding tenure than those contained in this policy; however, no management board may adopt less stringent requirements for tenure than those contained herein. The following statements of the Regents define the general provisions of the uniform tenure policy which shall be administered by the respective management boards:

- I. The management boards have the ultimate responsibility for hiring academic personnel and for awarding or denying tenure to academic personnel. The precise terms and conditions of every appointment shall be stated in writing and be in the possession of both institution and employee before the appointment is consummated.
- II. Indeterminate tenure shall be earned by full-time academic personnel with respect to academic rank only.
  - A. Administrators shall not earn tenure, except as members of an academic discipline.
  - B. Faculty members shall be on annual appointment at the instructor level.
  - C. Faculty members shall not be eligible for tenure at the instructor level.
  - D. Assistant professors or equivalents shall be eligible for tenure after serving the established probationary period.

- E. Faculty members initially employed at the rank of associate professor or equivalent shall serve a probationary period of at least one year, but no more than four years.
  - F. Faculty members initially employed at the rank of professor or equivalent 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.
  - G. Faculty members appointed to the rank of professor or associate professor while being paid from a grant or contract for services such as special lecturer, consultant, or visiting professor, may not be granted indeterminate tenure, but may be granted limited tenure, not exceeding the duration of the grant or contract.
- III. Full-time academic personnel below the rank of associate professor or equivalent shall serve a probationary period not to exceed seven years of continuous service. For the purpose of computing continuous service during the maximum seven-year probationary period, leaves approved by the respective management boards and service at all ranks shall be included.
- A. At the end of the fifth year of continuous service, such faculty members shall be evaluated for the purpose of determining eligibility for tenure.
  - B. At the end of the sixth year, the results of each individual's evaluation shall be provided to that individual. In the event tenure is to be denied to an assistant professor, twelve (12) months written notice of termination shall be given. In the event tenure is to be awarded, affected faculty members shall be informed in writing.
  - C. For the purposes of the probationary period, credit may be given for prior service at other institutions with the mutual consent of the individual institution and the appropriate management board.
  - D. Recommendations of those to be considered for tenure shall originate in the various structural units, with tenured faculty and unit heads initiating the recommendations. Final authority for granting or denying tenure shall rest with the respective management boards.
- IV. Tenured faculty shall retain their status until they retire, resign, or are terminated for cause or as a result of financial exigency. Because faculty members hold tenure with an institution through an academic structural unit, termination for financial exigency may occur when the financial exigency is at the structural unit level or at the institution level as determined by procedures which include faculty participation.
- V. This policy shall become effective on July 1, 1976, and shall supersede all existing policies with the following exceptions:
- A. All persons holding tenure on the effective date of this policy shall retain their tenure.
  - B. Any person in the employ 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.
  - C. 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.
- VI. Within ninety (90) days of the effective date of this policy, each tenured faculty member in each affected institution shall be notified of his/her tenured status. Within the same time period, each non-tenured faculty member shall be informed of his/her non-tenured status and shall be informed of existing tenure policy affecting him/her.

### **Academic Responsibility**

For academic freedom to endure, academic responsibility must be exercised. Faculties at each institution should clearly and explicitly establish minimum levels of expected professional performance and responsibility. A proper academic climate can be maintained only when members of the academic community meet their fundamental responsibilities. When a member of the academic community speaks or writes as a citizen, that person should be free of institutional censorship or discipline, but as a person of learning he/she should remember that the public may judge the profession and the institution by his/her utterances.