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February 11, 2021

The Honorable John Bel Edwards
Governor, State of Louisiana

Dear Governor Edwards:

House Concurrent Resolution 45 of the 2020 Regular Legislative Session urges and requests the Board of Regents to study issues and compile data relative to the home state or country of faculty at public postsecondary education institutions, efforts to recruit Louisiana residents as faculty at such institutions, and language proficiency requirements for faculty. Regents was also asked by the resolution's author, Rep. Valarie Hodges, to explore faculty salaries at Louisiana institutions relative to peer states, as well as policies to ensure diversity of ideologies among faculty members.

Attached please find a report of research findings derived from national data sets, state resources and system and institutional surveys, which is due to the House Committee on Education and the Senate Committee on Education by February 11, 2021.

If you have any questions, please do not hesitate to contact me concerning this response or any other matters relating to higher education.

Sincerely,

Kim Hunter Reed, Ph.D.
Commissioner of Higher Education

Attachment

c: Senate Education Committee Chairman Cleo Fields
House Education Committee Chairman Ray Garofalo
Yolanda Dixon, Secretary of the Senate
Michelle Fontenot, Clerk of the House
Poynter Library (DRPLibrary@legis.la.gov)

**RESPONSE TO HOUSE CONCURRENT RESOLUTION 45
OF THE 2020 REGULAR SESSION
OF THE LOUISIANA LEGISLATURE**

LOUISIANA BOARD OF REGENTS



February 2021

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I. Introduction

House Concurrent Resolution No. 45 (HCR 45) of the 2020 Regular Session of the Louisiana Legislature charged the Board of Regents (Regents), in consultation with the public postsecondary education management boards, to “study issues and compile data relative to faculty at public postsecondary education institutions” (see Appendix A). Specifically, the resolution requests Regents to study matters relating to “the home state or country of the faculty at public postsecondary education institutions, efforts to recruit Louisiana residents as faculty at such institutions, and language requirements for faculty.” Regents was also asked to explore faculty salaries at Louisiana institutions relative to peer states, and Louisiana postsecondary system and institution policies that ensure a diversity of faculty ideologies. This report will provide data and references to address these questions. The focus of this report is on the state’s 28 public undergraduate degree-granting institutions.

II. Methodology

Regents staff conducted research for this report by consulting national data resources such as the American Association of University Professors (AAUP), the Southern Regional Education Board (SREB), and the Chronicle of Higher Education, as well as Louisiana’s four public-postsecondary systems and their institutions. Specific activities included:

1. Consulted with AAUP research staff and utilized several national faculty data resources to find state, regional, and national data on faculty residency status and salaries;
2. Reviewed hiring and employment policies relating to anti-discrimination and English language proficiency from Louisiana institutions and systems; and
3. Surveyed all institutions on advertising and faculty recruitment practices and surveyed three institutions in the state with the highest proportions of non-resident faculty for non-resident faculty country of origin.

III. Home State or Country of Louisiana Faculty

An analysis of faculty data revealed that the home states of faculty are not collected and reported. Institutional immobility, or the practice of hiring one’s own graduates, is generally avoided in higher education to ensure a diversity of academic and administrative perspectives and a breadth of experience, as well as to avoid pitfalls such as perpetuation of power dynamics.¹ Data on faculty home country are collected to show whether faculty are non-resident, or specifically working at an institution on a work visa, typically the H-1B, which is for specialty workers, or the J-1, which allows for temporary exchange visitors to participate in work-and study-based exchange visitor programs.²

a. Non-resident Faculty for all LA Institutions

Regents staff worked with Mr. Glenn Colby, Senior Research Officer at AAUP, to determine the extent of non-resident faculty (any individual who is not a U.S. citizen or U.S. national who has not passed the green card test or the substantial presence test) representation in the faculty at Louisiana institutions compared to SREB peers and the nation. The following table was compiled using data from the U.S. Department of Education National Center for Education Statistics (NCES) Integrated Postsecondary Education Data System (IPEDS).

¹ Altbach, P.G., Yudkevich, M. & Rumbley, L.E. Academic inbreeding: local challenge, global problem. *Asia Pacific Educ. Rev.* **16**, 317–330 (2015). <https://doi.org/10.1007/s12564-015-9391-8>

² Department of Homeland Security, U.S. Citizenship and Immigration Services “Working in the United States”. <https://www.uscis.gov/working-in-the-united-states>

Table 1: Percent Non-resident Full-Time Faculty - Louisiana Public Institutions (2018) ³

Institution	# Full Time Faculty	% Non-Resident
Baton Rouge Community College	152	5.30%
Bossier Parish Community College	133	0.80%
Central Louisiana Technical Community College	76	0.00%
Delgado Community College	336	0.60%
Fletcher Technical Community College	51	0.00%
Grambling State University	156	0.00%
Louisiana Delta Community College	83	2.40%
Louisiana State University A&M	1,331	7.30%
Louisiana State University-Alexandria	91	4.40%
Louisiana State University-Eunice	77	1.30%
Louisiana State University Shreveport	119	9.20%
Louisiana Tech University	382	13.10%
McNeese State University	257	4.70%
Nicholls State University	242	4.50%
Northshore Technical Community College	80	2.50%
Northwest Louisiana Technical College	39	0.00%
Northwestern State University of Louisiana	319	4.10%
Nunez Community College	44	0.00%
River Parishes Community College	48	0.00%
South Louisiana Community College	159	0.60%
Southeastern Louisiana University	501	2.00%
Southern University and A & M College	228	0.00%
Southern University at New Orleans	89	0.00%
Southern University at Shreveport	64	0.00%
SOWELA Technical Community College	95	3.20%
University of Louisiana at Lafayette	639	4.10%
University of Louisiana at Monroe	323	0.00%
University of New Orleans	282	3.50%
SUBTOTAL: Public, two-year	1,437	1.40%
SUBTOTAL: Public, four-year or above	4,959	4.90%
TOTAL	6,396	4.10%

The state's community colleges have the lowest rates of non-resident full-time faculty, which is consistent with national trends. The highest percentages are found at the state's urban, research-intensive, and STEM-

³ The National Center for Education Statistics Integrated Postsecondary Education Data System.
<https://nces.ed.gov/ipeds/use-the-data>

intensive institutions. The three institutions with the highest number of non-resident full-time faculty are LSU A&M, LA Tech, and UL Lafayette.

At institutions that include a tenure track faculty rank system, primarily at four-year institutions, the rank of “assistant professor” is given to all entry-level tenure-track faculty before they achieve full tenure. An initial analysis of all full-time, tenure-track faculty revealed that those at the assistant professor rank are more likely than tenured associate and full professors to be non-residents. The following table, also compiled using IPEDS data, shows the twenty SREB research-intensive public institutions with the highest percentage of non-resident assistant professors.⁴ LSU A&M and LA Tech are in the top ten when considering just those full-time faculty with the assistant professor rank.

Table 2: Nonresident Faculty Members among Full-Time Tenure-Track Assistant Professors at SREB Research-Intensive Institutions

Institution	% Non-resident
Georgia Institute of Technology-Main Campus	37.97%
Morgan State University	26.80%
Louisiana State University A&M	24.19%
Texas A & M University-Commerce	23.86%
University of Houston	22.78%
Louisiana Tech University	22.45%
Georgia State University	21.19%
University of Arkansas at Little Rock	21.05%
The University of Texas at San Antonio	19.64%
University of North Carolina at Charlotte	19.16%
Florida International University	18.68%
Texas A & M University-College Station	18.46%
Mississippi State University	18.32%
Jackson State University	18.18%
The University of Texas Rio Grande Valley	18.02%
University of Mississippi	17.93%
College of William and Mary	17.76%
Auburn University	17.43%
Virginia Polytechnic Institute and State University	17.18%
North Carolina State University at Raleigh	17.12%

Additional national and regional comparisons provided by the AAUP can be found in Appendix B.

b. Countries of Origin at Institutions with Highest Number of Non-Resident Faculty

The following table indicates the number of full-time non-resident faculty as reported by Louisiana’s three institutions with the highest number of non-resident faculty – LSU A&M, LA Tech, and UL Lafayette – as of February 4, 2021. These three institutions reported faculty originating from 50 different countries. The table below shows the top five countries represented.

⁴ SREB states include Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

Table 3: Top Five Countries Represented by Non-resident Full-time Faculty at LSU A&M, LA Tech, and UL Lafayette ⁵

Country	Total
China	51
India	23
Canada	12
Korea, South	12
Iran	10

IV. Efforts to Recruit Louisiana Residents as Faculty

All public institutions in the state were surveyed to determine how they advertise for faculty position openings, and whether there are any specific recruiting tactics enlisted for seeking faculty from Louisiana. While all LCTCS institutions and a few four-year institutions indicated advertising on Louisiana-focused job sites, all indicated that there is no specific recruiting effort placed on recruiting for full-time faculty positions from within Louisiana. Southern University and A&M College indicated an emphasis on hiring faculty from within the U.S. but found it difficult to find qualified faculty candidates for positions in Business, Engineering, and Technology. The survey results also indicated that most non-resident faculty hired had graduated from U.S. institutions.

According to institutional responses, institutions use the following resources to advertise for faculty position openings. Additionally, all responding institutions indicated advertising on their respective institutions' websites, and with industry- or discipline-specific channels, including but not limited to:

- Louisiana.gov Jobs, LA Careers, and/or LA Works
- Institutional websites
- HigherEdJobs.com
- LinkedIn
- Indeed.com
- Inside Higher Ed
- The Chronicle of Higher Education
- Discipline-specific journals, websites and/or listservs
- Diversity-focused job sites

V. English Fluency Requirements for Faculty

Pursuant to fulfillment of mandates of Act 754 of the 1991 Louisiana Legislature (R.S. 17.3388), the Board of Regents established Academic Affairs Policy 2.20, Assessment and Certification of Faculty English Proficiency, which requires all institutions to “assess and certify faculty English proficiency” of instructional faculty members prior to employment, with reports of certifications due to the systems annually. ⁶ The method of assessment is at the discretion of systems and institutions. Systems prepare annual reports for

⁵ Compilation of data provided by each institution.

⁶ Louisiana Board of Regents Academic Affairs Policy 2.20: Assessment and Certification of Faculty English Proficiency. <https://regents.la.gov/divisions/planning-research-and-academic-affairs/academic-affairs/academic-affairs-policies-and-procedures/academic-affairs-policy-2-20/>

submission to Regents. As an example, the UL System policy and sample institutional policies are included in Appendix C.

VI. Supplemental Information

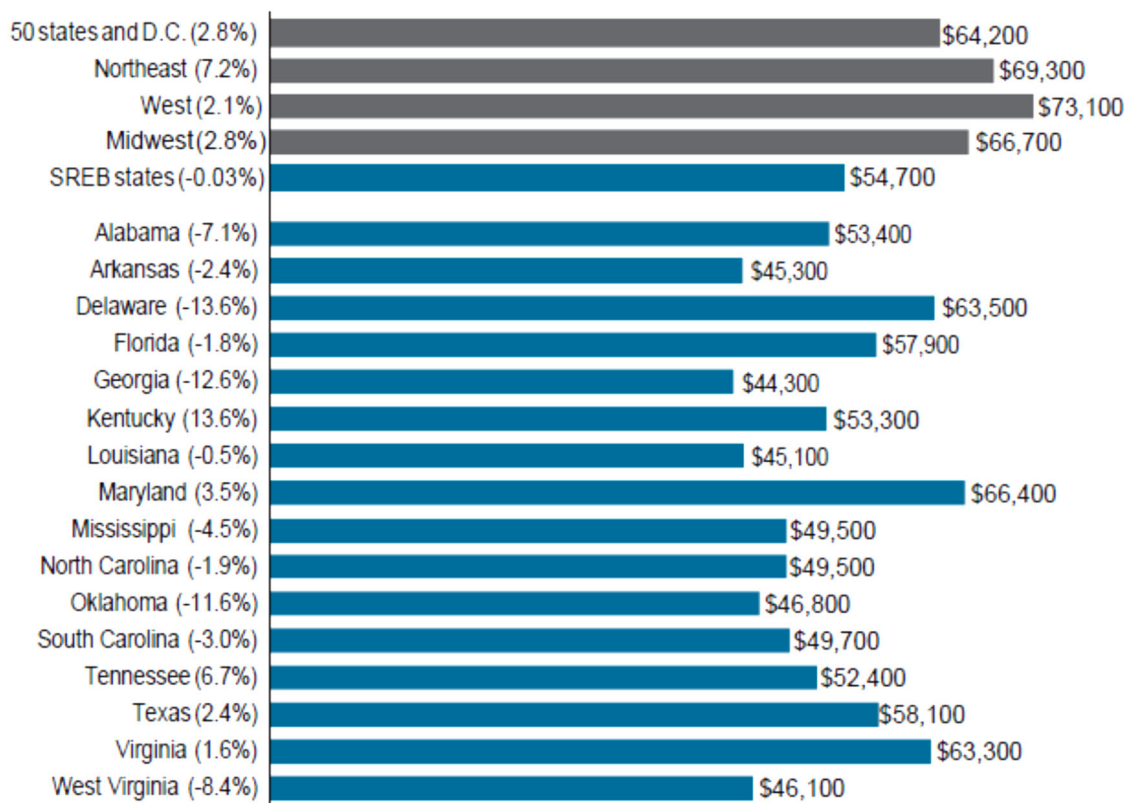
As requested, Regents also examined faculty salaries in Louisiana relative to SREB states and the nation; and reviewed anti-discrimination hiring policies at the state's institutions.

a. Faculty Salaries

HCR 45 charged Regents staff to analyze the issues relative to faculty members in Louisiana's public postsecondary institutions. One element of this analysis is salary and how Louisiana faculty salaries compare to the Southern Region. As seen in Figures 1 and 2, according to the most recent data available, SREB states' faculty salary averages were the lowest of the four major U.S. regions in 2017-2018, and Louisiana ranks second-to-last among SREB states in average salaries for full-time faculty at both two-year and four-year public institutions.

Figure 1

Average Salaries, Full-Time Instructional Faculty at Public Two-Year Colleges, 2017-18

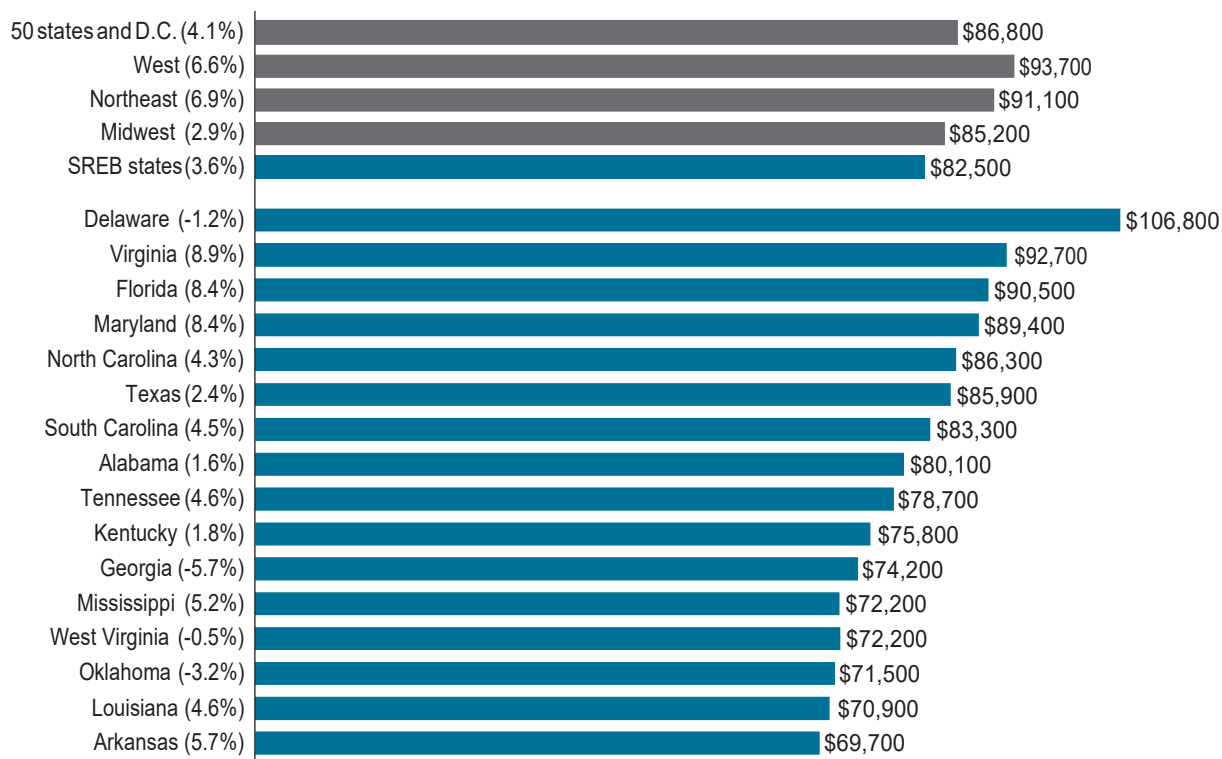


Note: Inflation-adjusted change 2012-13 to 2017-18 shown in parentheses.

Sources: SREB-State Data Exchange and SREB analysis of National Center for Education Statistics data.

Figure 2

Average Salaries, Full-Time Instructional Faculty at Public Four-Year Colleges and Universities, 2017-18



Note: Inflation-adjusted change 2012-13 to 2017-18 shown in parentheses.

Sources: SREB-State Data Exchange and SREB analysis of National Center for Education Statistics data.

According to the SREB 2019 Higher Education Fact Book, salaries show considerable variation between smaller colleges and universities and larger, more complex institutions.⁷ Pay is generally higher at larger public universities, which have more advanced degree programs and higher research productivity. In SREB states, average faculty salaries in 2017-18 ranged from \$60,500 at four-year colleges and universities that award few graduate degrees to \$94,900 at large universities that award the most doctoral degrees. Faculty salaries also vary among academic disciplines. In the 2017-18 SREB survey of faculty at four-year institutions, the College and University Professional Association for Human Resources found that the median salary for full-time faculty with the rank of professor ranged from \$82,600 for those in visual and performing arts to \$130,000 for law professors. The median salaries of new assistant professors ranged from \$55,500 for visual and performing arts to \$115,000 for business faculty.

⁷ Campbell Lounsbury, S., Datubo-Brown, C. SREB Fact Book on Higher Education: U.S. Regions and 50 States in Perspective. (2019). https://www.sreb.org/sites/main/files/file-attachments/2019factbook_web.pdf?1561062852

a. Anti-discrimination Policies

Louisiana Employment Discrimination law prohibits discriminatory employment practices based on age, disability, race, color, religion, sex, national origin, genetic information, sickle cell trait and pregnancy (LA Rev. Stat. Sec. 23:301 et seq). This law, which pertains to employers with 20 or more employees, applies to all public higher education institutions.

Regents staff surveyed the four public postsecondary management boards for policies related to antidiscrimination. At either the system and/or institution level, each institution is governed by one or more policies guiding equal employment opportunity and nondiscrimination in decisions of recruitment, hiring, promotions and other terms of employment.

All four public post-secondary systems have system-level antidiscrimination policies that include language prohibiting discrimination on the bases of race, color, creed or religion, sex, national origin, age, veteran status, sexual orientation, or disability.^{8, 9, 10, 11} Southeastern Louisiana University's policy additionally prohibits discrimination based on political affiliation (see Appendix D).

VII. Summary

This report aims to provide data and other supporting information to address the charges of HCR 45, as well as requests for additional information relating to hiring and employment of faculty at Louisiana's public postsecondary institutions. Regents staff consulted national data resources, system and institutional policies, and institutional human resource offices to collect this information. Staff discovered that U.S. state of origin is not a standard demographic detail collected for full-time faculty employment, but whether a faculty member is a non-resident along with country of origin is collected. The highest proportions of non-resident faculty are primarily employed at the state's urban, research-focused, or STEM -focused institutions. Southern University A&M commented that the supply of qualified U.S. applicants for positions in business, technology, and engineering is limited.

All institutions list faculty job openings on their respective websites and many also advertise using Louisiana-focused resources such as LA Works, LA Careers and the LA Jobs websites. No institutions indicated a specific focus on hiring Louisiana residents as full-time faculty, but many rely on local residents to fill temporary adjunct positions. Only Southern University A&M indicated a priority on hiring U.S. residents over non-residents.

Act 754 of the 1991 Louisiana Legislature (R.S. 17:3388) led to the creation of Regents' Academic Affairs Policy 2.20 Assessment and Certification of Faculty English Proficiency, which requires all state institutions to verify English fluency of instructors before they are permitted to teach. The method of fluency verification is at the discretion of institutions. This report includes a sample system policy and sample institution policies.

In response to requests for information beyond what is named in HCR 45, Regents staff also investigated Louisiana faculty salaries compared to peer states. This research confirmed that Louisiana remains near the bottom for average faculty salaries compared to other SREB states, and that SREB states are at the bottom

⁸ Louisiana State University, Equal Opportunity Policy, <https://www.lsu.edu/administration/policies/pmfiles/pm-55.pdf>

⁹ Southern University System, Equal Opportunity and Statement of Non-Discrimination Policies, <https://www.subr.edu/page/4001>

¹⁰ Louisiana Community & Technical College System, Equal Opportunity Policy, https://campussuite-storage.s3.amazonaws.com/prod/1558543/91b64910-2d2e-11e8-8c09-0a7155647e8a/1778107/00538da6-584f-11e8-8259-12be56b8d5f6/file/6022_Equal-Opportunity_12152016.pdf

¹¹ UL System, Prohibiting Workplace Harassment, and Discrimination Policy, https://s25260.pcdn.co/wp-content/uploads/2017/11/M-__11__Prohibiting_Workplace_Harassment_and_Discrimination_12_3_2010.pdf

compared to the other three major U.S. regions. Regents staff also responded to the request for information related to institutional efforts to ensure diversity of ideologies among faculty by reviewing anti-discrimination policies. System and institutional policies are all governed by federal and Louisiana anti-discrimination laws, and some add other discrimination categories beyond those required by law.

2020 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 45 BY

REPRESENTATIVE HODGES

A CONCURRENT RESOLUTION

To urge and request the Board of Regents, in consultation with public postsecondary education management boards, to study issues and compile data relative to faculty at public postsecondary education institutions.

WHEREAS, it is in the best interest of the state of Louisiana for the Board of Regents to study a number of issues relative to faculty members at the state's public postsecondary education institutions; and

WHEREAS, the Legislature of Louisiana is interested in how the board and public postsecondary education institutions recruit educators from Louisiana to become professors and adjunct professors at their institutions; and

WHEREAS, the legislature is also interested in the number of professors in Louisiana and in the United States broken down by home state or country; and

WHEREAS, a determination of what, if any language requirements, are imposed upon faculty would also be valuable.

THEREFORE, BE IT FURTHER RESOLVED that the Legislature of Louisiana does hereby urge and request the Board of Regents, in consultation with the public postsecondary education management boards, to study matters relating to the home state or country of the faculty at public postsecondary education institutions, efforts to recruit Louisiana residents as faculty at such institutions, and language requirements for faculty and to report its findings to the House Committee on Education and the Senate Committee on Education no later than sixty days prior to the convening of the 2021 Regular Session of the Legislature of Louisiana.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the

commissioner of higher education.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

Appendix B Comparison of Average Salaries, Number of Faculty, and Percent Non-resident Faculty of Total Number of Faculty

Louisiana Public 4-Year Colleges and Universities

A Comparison of Average Salaries, Number of Faculty, and Percent of Total Number of Faculty by Race and Ethnicity and U.S. Residency



Tenure Category / Academic Rank	N	Region, State, or System	Average Salary	Number of Faculty	Percent of Total Number of Faculty
					Non- resident
All Full-Time Faculty	681	US	\$89,530	355,093	4.4%
	254	SREB	\$89,902	133,587	4.0%
	14	Louisiana	\$72,075	4,959	4.9%
	3	LSU	\$87,880	1,541	7.3%
	2	Southern U	\$63,410	317	< 0.1%
	9	U of LA	\$65,353	3,101	4.3%
Tenured/Tenure-Track	653	US	\$98,069	241,480	4.3%
	244	SREB	\$91,982	91,120	4.2%
	14	Louisiana	\$79,685	3,555	5.6%
	3	LSU	\$97,281	1,441	8.2%
	2	Southern U	\$63,799	271	< 0.1%
	9	U of LA	\$72,326	2,143	4.9%
Professor	600	US	\$123,698	92,900	1.2%
	234	SREB	\$117,275	33,174	1.2%
	14	Louisiana	\$99,094	1,212	0.9%
	3	LSU	\$119,027	483	1.2%
	2	Southern U	\$74,399	102	< 0.1%
	9	U of LA	\$87,757	627	0.8%
Associate Professor	598	US	\$87,827	74,938	2.5%
	231	SREB	\$83,909	29,569	2.3%
	14	Louisiana	\$73,141	1,086	2.9%
	3	LSU	\$82,462	320	2.8%
	2	Southern U	\$60,394	67	< 0.1%
	9	U of LA	\$70,095	699	3.3%
Assistant Professor	598	US	\$76,432	63,699	11.5%
	230	SREB	\$72,751	25,150	10.8%
	14	Louisiana	\$66,660	1,221	12.4%
	3	LSU	\$80,342	337	23.4%
	2	Southern U	\$55,502	101	< 0.1%
	9	U of LA	\$62,210	783	9.2%
Other	292	US	\$60,859	9,943	1.6%
	103	SREB	\$55,092	3,227	0.7%
	4	Louisiana	\$65,431	36	11.1%
	1	LSU	--	< 5	--
	1	Southern U	--	< 5	--
	2	U of LA	\$66,565	34	11.8%
Not Tenured/Tenure-Track	663	US	\$71,312	113,613	4.6%
	247	SREB	\$63,042	42,467	3.8%

14	Louisiana	\$52,807	1,404	3.3%
3	LSU	\$59,158	400	4.5%
2	Southern U	\$61,119	46	< 0.1%
9	U of LA	\$49,756	958	2.9%

Source: IPEDS HR survey component, 2018–19 provisional release. Data compiled by the AAUP Research Department.

Notes

Figures represent public, degree-granting 4-year or above baccalaureate, master's, or doctoral institutions only based on Carnegie Classifications. Associate's, Tribal, and Special Focus institutions (e.g. Law, Arts, Health Professions) are excluded.

The *Southern Regional Education Board* (SREB) region includes the states of Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

Race and ethnicity categories are mutually exclusive and are defined by the US Department of Education (see <https://nces.ed.gov/ipeds/report-your-data/race-ethnicity-definitions>).

The term *underrepresented minority* (URM) is used here in accordance with prior research and encompasses the IPEDS categories of Black, Hispanic, Pacific Islander, American Indian/Alaska Native, and Two or More Races.

Louisiana State University System includes Louisiana State University-Alexandria, Louisiana State University and Agricultural & Mechanical College, and Louisiana State University-Shreveport.

Southern University System includes Southern University and A & M College and Southern University at New Orleans.

The University of Louisiana System includes Louisiana Tech University, University of New Orleans, University of Louisiana at Lafayette, University of Louisiana at Monroe, Grambling State University, McNeese State University, Nicholls State University, Northwestern State University of Louisiana, and Southeastern Louisiana University.

Appendix C Sample system and institution faculty English proficiency policies

Policy Number: FS-III.I.C-1

University of Louisiana System

Title: ASSESSMENT AND
CERTIFICATION OF
FACULTY ENGLISH
PROFICIENCY

Effective Date: August 27, 2007

Cancellation: None

Chapter: Faculty and Staff

Policy and Procedures Memorandum

The following policy aligns with Board of Regents Academic Affairs Policy 2.20 pursuant to mandates in Act 745 of the 1991 Session of the Louisiana Legislature.

A. Definition of Terms

1. "Postsecondary Systems and Institutions" (hereinafter referred to as "systems" and institutions" shall mean: the Louisiana State University System and its Member institutions; the Southern University System and its member institutions; the University of Louisiana System and its member institutions; and the Louisiana Community and Technical College System and its member institutions, as defined by state law.
2. "Faculty" shall mean all full-time and part-time instructional personnel (excepting visiting faculty, but including graduate assistants) employed by affected systems and institutions and who teach undergraduate-level courses.
3. "Instruction(al)" shall mean the delivery of pedagogical content required of course fulfillment, not including: foreign language courses designed to be taught primarily in a foreign language; student participatory/activity courses such as clinics, studios, seminars, and/or laboratories; special arrangement courses such as individualized instruction and/or independent study; and non-credit (i.e., continuing education) courses.

B. Policy

1. Prior to employment of new instructional faculty defined above, the campus

administration shall assess and certify faculty English proficiency.

2. The method of assessment shall be left up to the discretion of affected systems/institutions, but may include (although not limited to); written and oral English testing using standardized, recognized measurements graded by appropriate assessors; analysis of written examples with a related oral question/answer session with an appropriate audience of assessors; sample classroom instruction with related exchange involving an appropriate audience of assessors; sample research presentation with related exchange with an appropriate audience of assessors, etc. It is again up to the discretion of the affected system/institutions to decide the position and qualifications of assessors, but should include an appropriate mix of administrators, faculty, and/or students.
3. Annually, in a manner and format prescribed by the UL System office and two weeks prior to September 1, campuses shall submit to the System office certification of English proficiency of all new instructional faculty.
4. Such materials shall be maintained, made available, and preserved as required by state law at each University of Louisiana System campus.
5. At any time, the Louisiana Board of Regents may require systems/institutions to submit relevant materials and/or documentation related to fulfillment of mandates. If the Board of Regents determines that any system/institution is not in full policy compliance, it may insist on necessary remediating action and/or impose a penalty as deemed appropriate.

Policy References:

Act 751 of the 1991 Regular Session
Board of Regents Academic Affairs Policy 2.20

Review Process:

Vice Presidents for Academic Affairs

Distribution:

Vice Presidents for Academic Affairs University President

POLICY STATEMENT 81

CERTIFICATION OF PROFICIENCY IN SPOKEN ENGLISH FOR FACULTY/ TEACHING ASSISTANTS

POLICY DIGEST

Monitoring Unit: Office of Academic Affairs

Initially Issued: November 17, 1992

Last Revised: April 1, 2016

I. PURPOSE

Act 754 of the Louisiana legislature requires that all instructional personnel teaching one or more undergraduate courses in public universities and colleges be certified as being proficient in spoken English. Certification must be provided for both faculty and graduate teaching assistants. A lack of proficiency in spoken English shall preclude teaching assignments at the undergraduate level. This policy assumes that native speakers of English need not be certified, since they are proficient in the language by the time they are employed by the University. Those for whom English is a second language must be certified according to the provisions of this policy statement.

II. PROCEDURE

A. Certification of Faculty

Certification shall be the responsibility of the department chair and the dean. Department chairs and deans shall verify the adequacy of the faculty member's spoken English by one or more of the following methods and are encouraged to use multiple approaches.

1. personal interview with faculty member
2. attendance at public lecture given by faculty member
3. monitoring of faculty member's classroom performance

The department chair and dean will forward to the central administration a statement of the adequacy of spoken English proficiency for each of these faculty members. See attached form. In the case of units with no chairs, the entire process shall be conducted by the dean, but a second certification by an associate dean or other college official will be necessary. Verification of English proficiency must be submitted with faculty appointment forms.

Certification of current faculty shall be carried out prior to **NOVEMBER 15, 1992**;

certification of subsequent new hires shall be carried out as part of the interview process.

Should department chairs or deans receive substantial complaints from students regarding the faculty member's proficiency in spoken English, they may elect to revoke the certification of proficiency. Such revocation must be accomplished by immediate written notice to the faculty member and to the Executive Vice President & Provost. No undergraduate teaching assignment may be made until the revocation is successfully appealed by the faculty member.

2

Faculty members may appeal the denial/revocation of certification to the next highest officer in the supervisory chain above the point of denial/revocation. The decision of the Executive Vice President & Provost is final. Faculty members must provide evidence of proficiency in spoken English in a classroom or public lecture setting AND on a standard test in order to successfully appeal denial/revocation of certification.

B. Certification of Graduate Teaching Assistants

See PS-21 (Graduate Assistants), p. 2, #5

Department chairs/deans will follow procedures established by the Graduate School. Certification must be submitted to this office no later than **NOVEMBER 15, 1992**. In subsequent years, certification must be submitted prior to **SEPTEMBER 1**.

UNIVERSITY OF LOUISIANA AT MONROE
POLICIES AND PROCEDURES MEMORANDUM

Title: ASSESSMENT AND CERTIFICATION OF FACULTY ENGLISH
PROFICIENCY

Effective Date: October 22, 2008

Academic Affairs

NONE

NONE

Update Responsibility:

Update Date:

Cancellation Date:

1. PURPOSE/PREAMBLE

Pursuant to fulfillment of mandates of Act 754 of the 1991 Louisiana Legislature, the Louisiana Board of Regents instituted [Academic Affairs Policy 2.20](#) establishing policies for the assessment and certification of faculty English proficiency for all public postsecondary systems and campuses. The University of Louisiana System also established [Policies and Procedures Memorandum FS-III.I.C-1](#) to be applied at all member institutions. The University of Louisiana at Monroe (ULM) hereby establishes this policy and these procedures, consistent with the above, for its budget units.

2. DEFINITIONS/BACKGROUND

A. "Faculty" shall mean all full-time and part-time instructional personnel (excepting visiting faculty, but including graduate assistants) employed by ULM to teach undergraduate-level courses.

B. "Instruction(al)" shall mean the delivery of pedagogical content required of course fulfillment, not including: foreign language courses designed to be taught primarily in a foreign language; student participatory/activity courses such as clinics, studios, seminars, and/or laboratories; special arrangement courses such as individualized instruction and/or independent study; and non-credit (i.e. continuing education) courses.

C. "Budget unit(s)" shall mean all colleges, schools, departments, or other groups that employ instructional faculty.

3. ITEMS

A. Prior to employment of new instructional faculty (as defined above), each affected budget unit shall assess and certify faculty English proficiency.

B. The method of assessment shall be at the discretion of affected budget units, but may include (although not limited to): written and oral English testing using standardized, recognized measurements graded by appropriate assessors; analysis of written examples with a related oral question/answer session with an appropriate audience of assessors; sample classroom instruction with related exchange involving an appropriate audience of assessors; sample research presentation with related exchange with an appropriate audience of assessors, etc. It is again up to the discretion of the affected budget unit to decide the position and qualifications of assessors, but should include an appropriate mix of administrators, faculty, and/or students.

C. By the fifth class day of each fall semester or by August 27 of each year (whichever occurs first), affected colleges or equivalent budget units shall submit to the Vice President for Academic Affairs a memorandum certifying that each new instructional faculty member employed in the prior 12 months has English proficiency. Included in that memorandum will be a description of the method(s) used to certify English proficiency and a list of the following information for each individual being certified: full legal name, Campus-wide Identification Number, rank at hire, budget unit name, and date

of employment.

D. Relevant materials certifying English proficiency of all new instructional faculty members shall be stored in the office of the affected dean or equivalent budget unit head. These materials shall be stored in a fashion that ensures the maintenance, availability, and preservation of such materials as required by state law.

Policy References:

- *Louisiana Board of Regents Academic Affairs Policy 2.20:*
<http://www.regents.state.la.us/Academic/PP/Policies/2-20.html>
- *University of Louisiana System Policy and Procedures Memorandum FS-III.I.C-1:*
<http://www.ulsystem.net/assets/docs/searchable/boards/assessmentcert2.pdf>

Review Process:

Academic Affairs

Academic Deans

Distribution:

Faculty Senate President

Director of Continuing Education

Academic Deans

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Appendix D Sample faculty anti-discrimination policy

Updated Summer 2013, Revised Summer 2016, Revised Fall 2016, President's Staff Updated Summer 2018 pursuant to the Office of Civil Rights Requirements



Equal Employment Opportunity/Affirmative Action Plan

NOTICE OF NONDISCRIMINATION

It is the policy of Southeastern Louisiana University not to discriminate on the basis of race, color, religion, sex, sexual orientation, gender identity, national origin, political affiliation, age, disability, veteran status, retirement status, or genetic information in its admission and recruitment of students, educational programs, and activities, or employment policies. The University, in its relationship with students, faculty, and staff, always treats with absolute fairness all those who apply for membership in the Southeastern community. These policies also apply to all sources of referral of applicants for admission and employment as well as all unions or professional organizations holding collective bargaining or professional agreements with Southeastern Louisiana University.

This policy reflects the requirements of the Title VII of the Civil Rights Act of 1964, as amended; the Equal Employment Opportunity Act of 1972; Executive Order 11246; Title IX of the Educational Amendments of 1972; Sections 503/504 of the Rehabilitation Act of 1973, as amended; Vietnam Era Veterans Readjustment Assistance Act of 1974; Louisiana Executive Order JBE 16-11; the American's With Disabilities Act of 1990; the Civil Rights Act of 1991; and the Genetic Information Non-Discrimination Act.

Any person having inquiries concerning Southeastern Louisiana University's compliance with the regulations or any of the foregoing laws is directed to contact Gene Pregeant, EEO/ADA & Title IX Officer, Dyson Hall, Rm. 120, 985-549-5888, who has been designated to coordinate the institution's efforts to comply with those laws and regulations.

Any person may also contact the Assistant Secretary for Civil Rights, U.S. Department of Education, regarding the Institution's compliance with the regulations implementing Title II, Title VI, Title IX, The Age Discrimination in Employment Act, or Section 504.

EQUAL OPPORTUNITY IN EMPLOYMENT

The University takes affirmative action to ensure that the following are implemented at all levels of administration: recruit, hire, place, train, and promote in all job classifications without regard to non-merit factors, except where sex is a bona fide occupational qualification; identify and use existing talent and potential through upgrading and promoting present employees (all promotions are based only on valid equal employment requirements); base decisions on employment so as to further the principles of equal employment opportunity; and ensure that all personnel actions be administered without regard to race, color, religion, sex, sexual orientation, gender identity, age, national origin, political affiliation, veteran status, disability, genetics, or any other non-merit factor.